



COWICHAN VALLEY REGIONAL HOSPITAL DISTRICT

COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

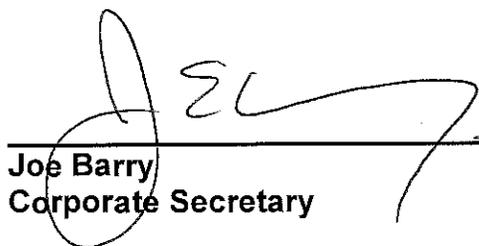
DAY: **WEDNESDAY**

DATE: **MAY 11, 2011**

TIME: **➔** **CLOSED SESSION**
5:00 pm to 6:00 pm
REGULAR SESSION
6:00 pm

PLACE: **BOARD ROOM**

175 INGRAM STREET



Joe Barry
Corporate Secretary



C·V·R·D

REGULAR BOARD MEETING

WEDNESDAY, MAY 11, 2011

5:00 PM TO 6:00 PM – CLOSED SESSION

**OPEN SESSION IMMEDIATELY FOLLOWING THE
REGULAR HOSPITAL BOARD MEETING**

AGENDA

		PAGES
1.	<u>APPROVAL OF AGENDA:</u>	1-7
2.	<u>ADOPTION OF MINUTES:</u>	
	M1 Adoption of minutes of Regular Board meeting – April 13, 2011	8-24
	M2 Adoption of minutes of Special Board meeting – April 27, 2011	25-26
3.	<u>BUSINESS ARISING FROM THE MINUTES:</u>	
4.	<u>DELEGATIONS:</u>	
	D1 Kim Van Bruggen, APR, Acumen Communications Group Re: Presentation of the “Zero Waste” survey results and “Zero Waste Challenge”.	27
5.	<u>REPORT OF THE CHAIRPERSON:</u>	
	RC1 Appointment of Economic Development Commission Chair	Verbal
6.	<u>CORRESPONDENCE:</u>	
7.	<u>INFORMATION:</u>	
	IN1 Mill Bay/Malahat Historical Society Re: Thank You for 2011 Grant In Aid to Assist with the Collection, Preservation and Presentation of History of the Mill Bay and Malahat Areas.	28
8.	<u>COMMITTEE REPORTS:</u>	
	CR1 Electoral Area Services Committee – Director Iannidinaro Report and Recommendations of Meeting of April 19, 2011	29-31
	CR1 Electoral Area Services Committee - Director Iannidinaro Report and Recommendations of Meeting of May 3, 2011	To Be Distributed 32-34
	CR2 Engineering & Environmental Services Committee - Director Cossey Report and Recommendations of Meeting of April 27, 2011	35-36

CR3	Cowichan Lake Recreation Commission - Director Kuhn Report and Recommendations of Meeting of April 28, 2011	37-38
CR4	Agricultural Advisory Committee - Director Marcotte Report and Recommendations of Meeting of April 26, 2011	39
CR5	Community Safety Advisory Committee – Director Kuhn Report and Recommendation of Meeting of April 20, 2011	40
CR6	Communications Committee - Director Harrison Report and Recommendation of Meeting of April 19, 2011	41
9.	<u>STAFF REPORTS:</u>	
SR1	Staff Report from the Manager, Finance Division Re: Cowichan Valley Regional District's 2010 Financial Statements and 2010 Audit Report	42-44
SR2	Staff Report from the Legislative Services Coordinator Re: Vancouver Island Regional Library Borrowing Service - Notice of Alternative Approval Process and Elector Response Form	45-47
SR3	Staff Report from the Planner 1 Re: Proposed Amendment Bylaw No. 3465	48-49
SR4	Staff Report from the General Manager, Parks, Recreation & Culture Re: Cowichan Lake Sports Arena Renovation Project	50
SR5	Staff Report from the Environmental Technologist III Re: Brownfield Renewal Funding for Meade Creek Ash Landfill Remediation Project	51
SR6	Staff Report from the Corporate Secretary Re: Section 794(2) Notice re: CVRD Bylaw No. 3459 Board Committee and Commissions Procedures Amendment Bylaw, 2011	52
SR7	Staff Report from the Chief Administrative Officer Re: Communications Committee	53-62
10.	<u>PUBLIC HEARINGS:</u>	
PH1	Public Hearing Report and Minutes Re: Zoning Amendment Bylaw No. 3465 (Wandering U Inc.), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora.	63-68
PH2	Public Hearing Report and Minutes Re: Official Community Amendment Bylaw No. 3471 and Zoning Amendment Bylaw No. 3472 (Hignell), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora and Electoral Area F – Cowichan Lake South/Skutz Falls.	69-72

11. BYLAWS:

B1	"CVRD Bylaw No. 3459 – Board Committee and Commission Procedures Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	73-74
B1	"CVRD Bylaw No. 3459 – Board Committee and Commission Procedures Amendment Bylaw, 2011", adoption.	73-74
B2	"CVRD Bylaw No. 3478 – Cowichan Bay Sewer System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	75-79
B2	"CVRD Bylaw No. 3478 – Cowichan Bay Sewer System Management Amendment Bylaw, 2011", adoption.	75-79
B3	"CVRD Bylaw No. 3479 – Eagle Heights Sewer System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	80-84
B3	"CVRD Bylaw No. 3479 – Eagle Heights Sewer System Management Amendment Bylaw, 2011", adoption.	80-84
B4	"CVRD Bylaw No. 3480 – Mesachie Lake Sewer System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	85-112
B4	"CVRD Bylaw No. 3480 – Mesachie Lake Sewer System Management Amendment Bylaw, 2011", adoption.	85-112
B5	"CVRD Bylaw No. 3481 – Mesachie Lake Water System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	113-121
B5	"CVRD Bylaw No. 3481 – Mesachie Lake Water System Management Amendment Bylaw, 2011", adoption.	113-121
B6	"CVRD Bylaw No. 3482 – Arbutus Ridge Water System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	122-130
B6	"CVRD Bylaw No. 3482 – Arbutus Ridge Water System Management Amendment Bylaw, 2011", adoption.	122-130
B7	"CVRD Bylaw No. 3483 – Arbutus Ridge Sewer System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	131-135
B7	"CVRD Bylaw No. 3483 – Arbutus Ridge Sewer System Management Amendment Bylaw, 2011", adoption.	131-135
B8	"CVRD Bylaw No. 3484 – Maple Hills Sewer System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	136-159
B8	"CVRD Bylaw No. 3484 – Maple Hills Sewer System Management Amendment Bylaw, 2011", adoption.	136-159
B9	"CVRD Bylaw No. 3485 – Cherry Point Estates Water System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	160-164
B9	"CVRD Bylaw No. 3485 – Cherry Point Estates Water System Management Amendment Bylaw, 2011", adoption.	160-164

B10	"CVRD Bylaw No. 3486 – Youbou Sewer System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	165-170
B10	"CVRD Bylaw No. 3486 – Youbou Sewer System Management Amendment Bylaw, 2011", adoption.	165-170
B11	"CVRD Bylaw No. 3487 – Youbou Water System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	171-175
B11	"CVRD Bylaw No. 3487 – Youbou Water System Management Amendment Bylaw, 2011", adoption.	171-175
B12	"CVRD Bylaw No. 3488 – Fern Ridge Water System Management Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	176-179
B12	"CVRD Bylaw No. 3488 – Fern Ridge Water System Management Amendment Bylaw, 2011", adoption.	176-179
B13	"CVRD Bylaw No. 3489 – Cowichan Bay Sewer System Service Area Amendment Bylaw, 2011", adoption.	180-182
B14	"CVRD Bylaw No. 3493 – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Amendment Bylaw, 2011, 1 st , 2 nd and 3 rd reading.	183
	PENDING APPROVAL OF EASC MAY 3rd RECOMMENDTION	
B15	"CVRD Bylaw No. 3494 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading.	184-185
	Electoral Area Directors only vote on the following bylaws under Part 26 OR Section 791 of the <i>Local Government Act</i>:	
B16	"Cowichan Valley Regional District Bylaw No. 3371 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Heart Lake Developments), 2010", adoption.	186-189
	PENDING CONFIRMATION OF COVENANT REGISTRATION	
B17	"Cowichan Valley Regional District Bylaw No. 3372 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (Heart Lake Developments), 2010", adoption.	190-194
	PENDING CONFIRMATION OF COVENANT REGISTRATION	
B18	"CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Wandering U Inc.), 2011", 3 rd reading.	195-197
B19	"CVRD Bylaw No. 3471 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Hignell), 2011", 3 rd reading.	198-200
B20	"CVRD Bylaw No. 3472 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Hignell), 2011", 3 rd reading.	201-204

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

- a) Public
- b) Press

17. CLOSED SESSION:

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

CSM1	Adoption of Closed Session Minutes of April 13, 2011	205
CSM2	Adoption of Special Closed Session Minutes of April 27, 2011	206-207
CSD1	Third Party Negotiations {Sub (2) (b)}	Verbal Update 208
CSCR1	Litigation {Sub (1) (g)}	209

19. ADJOURNMENT:

The next Regular Board meeting will be held June 8, 2011 at 6:00 pm, in the Board Room, 175 Ingram Street, Duncan BC.

M1

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, April 13, 2011 at 6:00 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
D. Haywood, R. Hutchins <6:24 pm>, L. Iannidinardo,
P. Kent, K. Kuhn, M. Marcotte, T. McGonigle,
I. Morrison, G. Seymour, T. Walker
and Alternate Director R. Burgess

ALSO PRESENT: Mark Kueber, Deputy Administrator
Joe Barry, Corporate Secretary
Jacob Ellis, Manager, Corporate Planning
Kate Miller, Manager, Regional Environmental Policy

ABSENT: Director B. Harrison

APPROVAL OF AGENDA

11-161

It was moved and seconded that the agenda be amended with the deletion of Closed Session item CSSR1 FOIPOP and the addition of New Business items as follows:

- NB1 "Cowichan Valley Regional District Bylaw No. 3415 – Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Bill 27), 2010", adoption.
- NB2 Cowichan Valley Regional District Bylaw No. 3416 – Area G – Official Community Plan Amendment Bylaw (Bill 27), 2010", adoption.
- NB3 "CVRD Bylaw No. 3417 – Area I – Youbou/Meade Creek Official Community Plan Amendment bylaw (Bill 27), 2010", adoption.
- NB4 "Cowichan Valley Regional District Bylaw No. 3421 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Bill 27), 2010", adoption.
- NB5 "CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment bylaw (Wandering U Inc.), 2011", 1st and 2nd reading.
- NB6 Staff Report from the Manager, Corporate Planning
Re: Funding Agreement Authorization – Cowichan Basin Water Management Plan Implementation Project Phase 1 project.
- NB7 AVICC Resolutions Update,

and that the agenda as amended be approved.

MOTION CARRIED

ADOPTION OF MINUTES

11-162 It was moved and seconded that the minutes of the March 9, 2011 Regular Board meeting be adopted.

MOTION CARRIED

11-163 It was moved and seconded that the minutes of the March 23, 2011 Special Board meeting be adopted.

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

There was no business arising.

DELEGATIONS

D1 Judy Stafford representing the Cowichan Green Community
Re: To Thank the Board for the 2011 Regional Grant In Aid and Review How the Grant In Aid Will Be Used

Judy Stafford provided an overview of the community projects and works that the Cowichan Green Community plans to undertake with the support of the CVRD's 2011 Regional Grant In Aid.

D2 Joseph Gollner representing the Cameron Taggart Group
Re: Commissioned Studies on EcoDepot Site, Electoral Area B

11-164 It was moved and seconded to extend the time limit for the Cameron Taggart Group presentation to 15 minutes.

MOTION CARRIED

Joseph Gollner expressed the Cameron Taggart Group's continued opposition to the proposed EcoDepot site in Electoral Area B.

6:24 pm Director Hutchins joined the meeting at 6:24 pm.

REPORT OF CHAIRPERSON

RC1 The Chair reported that Linden Collette has been appointed to represent Social Planning Cowichan on the Community Safety Advisory Committee for a term to expire November 30, 2011.

CORRESPONDENCE There were no correspondence items.

INFORMATION

IN1 Referred from Electoral Area Services Committee meeting of March 15, 2011:
The correspondence from Kerri Skelly, Senior Contaminated Sites Officer, Ministry of Environment, dated February 17, 2011 re: Relocation of soil from various locations to 4975 Koksilah Road, Duncan BC was considered for information.

COMMITTEE REPORTS

CR1 The report and recommendations of the Regional Services Committee meeting of March 23, 2011 listing three items were considered.

11-165 It was moved and seconded:

1. That Resolution No. 10-259, dated May 12, 2010, approving the amended Tier I and Tier II Regional Gas Tax projects as identified in the Report of the Administrator dated May 4, 2010 directing \$285,550 of Regional Gas Tax funding be reserved for future Regional Gas Tax projects, be rescinded.

(Amended from original Committee recommendation)

2. That the Board approve Regional Significant Projects funding allocations to the following projects, and direct that staff submit proposals for approval to the Union of British Columbia Municipalities:
 - a. CVRD Composting Facility;
 - b. Cowichan Valley Flood Protection Infrastructure;
 - c. Integrated Regional Sustainability Plan;
 - d. Cowichan Valley Trail Completion Initiative;
 - e. Peerless Road Recycling Depot Upgrades and Ash Fill Remediation;
 - f. Town of Lake Cowichan – Wastewater Plant Upgrades;
 - g. Bings Creek Organics Collection Facility Upgrades;
 - h. Regional Climate Action Plan;
 - i. Tri-Regional Waste to Energy Facility; and
 - j. Cowichan Lake Sports Arena parking lot upgrade;

and that staff review these projects and modify the dollar amounts to accommodate the addition of the Cowichan Lake Sports Arena parking lot upgrades.

3. That should the proposals for Regionally Significant Projects funding be approved by the Union of British Columbia Municipalities (UBCM), that the Chair and Corporate Secretary be authorized to enter into funding agreements with UBCM on behalf of the CVRD.

Opposed: Director Seymour

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of March 15, 2011 listing eleven items were considered.

11-166

It was moved and seconded:

1. That the appointments to the Mesachie Lake and Youbou Volunteer Fire Departments be approved for a term to expire December 31, 2012.
2. That the request from Lifesport Coaching to host a two day Half Ironman Triathlon event at Shawnigan Lake Provincial Park from May 27th to 29, 2011, be approved; and further, that the organizers be advised that the CVRD can provide the requested Parks and Trails staff and movement of rocks to the CVT entrance, at a cost to the event estimated at \$2,500.
4. That the following grant in aid requests for Electoral Area I – Youbou/Meade Creek be approved:
 - Grant in aid to Cowichan Lake District Chamber of Commerce in the amount of \$5,000 to assist with the Town's Info Centre.
 - Grant in aid to Cowichan Lake Salmonid Enhancement Society in the amount of \$1,500 to assist with funding for fry salvage.
 - Grant in aid to Cowichan Therapeutic Riding Association in the amount of \$1,000 to assist with their riding program.
 - Grant in aid to Cowichan Lake Lady of the Lake Society in the amount of \$500 to assist with funding candidates.
 - Grant in aid to Lake Cowichan Secondary School in the amount of \$400 to assist with scholarship bursaries.
 - Grant in aid to Lake Cowichan Secondary School Dry Grad 2011 in the amount of \$400 to assist with dry grad expenses.
 - Grant in aid to Cowichan Lake District Senior's Association in the amount of \$1,200 to assist with cost recovery.
 - Grant in aid to CICV Radio in the amount of \$3,000 to assist with costs to acquire a Class A radio license.
5. That the resignation of Dola Boas from the Area A Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Ms. Boas.

MOTION CARRIED

11-167

It was moved and seconded:

3. That the following grant in aid requests be approved:
 - Electoral Area A – Mill Bay/Malahat, in the amount of \$350 to Bard@Brentwood, to assist with their 2011 production.
 - Electoral Area A – Mill Bay/Malahat, in the amount of \$10,000 to Mill Bay/Malahat Historical Society, to assist with their efforts to preserve and present the history and heritage of Mill Bay/Malahat.
 - Electoral Area G – Saltair/Gulf Islands, in the amount of \$500 to Harvest House Society (food bank), to assist with costs to provide basic food requirements to the needy.
 - Electoral Area B – Shawnigan Lake, in the amount of \$500 to Cowichan Seniors Community Foundation, to assist with their fund raising event.

- Electoral Area B – Shawnigan Lake, in the amount of \$750 to Bard@Brentwood, to assist with their 2011 production.
- Electoral Area C – Cobble Hill, in the amount of \$1,000 to South Cowichan Chamber of Commerce, to assist with their on-going projects to strengthen business and community in the South Cowichan Valley.
- Electoral Area A – Mill Bay/Malahat, in the amount or \$1,000 to South Cowichan Chamber of Commerce, to assist with their on-going projects to strengthen business and community in the South Cowichan Valley.
- Electoral Area B – Shawnigan Lake, in the amount of \$1,000 to South Cowichan Chamber of Commerce, to assist with their on-going projects to strengthen business and community in the South Cowichan Valley.

MOTION CARRIED

11-168

It was moved and seconded:

6. That Application No. 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 to substantially reduce the foot print of the proposed dwelling and encroachment into the SPEA, and further, that any approval include 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, as amended based on the reduced development footprint;
 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.
7. 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.
8. 1. That application No. 14-B-10DP (Elkington Forest – Phase 1) be approved, and that a development permit be issued to Living Forest GP Ltd. 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 by the CVRD Planning and Development Department of a drainage design plan 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 excluding the three northern lots.
2. That Area “B” Zoning Bylaw No. 985 be amended to adjust the sub-zones in CL-1 Zone to comply with lot boundaries described in Development Permit Application No. 14-B-10DP.
9. That the draft South Cowichan Official Community Plan be referred to Fisheries and Oceans Canada; Transport Canada; Cowichan Tribes; Malahat First Nation; Tsawout First Nation; Tsartlip First Nation; Chemainus First Nation; Pauquachin First Nation; Agricultural Land Commission; 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 - Intergovernmental Relations and Planning Division; Land Title and Survey Authority of BC; Capital Regional District; School District 79; Mill Bay Water Improvement District; Braithwaite Improvement District; Cobble Hill Improvement District; Lidstech Holdings; Cowichan Bay Volunteer Fire Department; Malahat Volunteer Fire Department; Mill Bay Volunteer Fire Department; CWAV Safer Futures; and Social Planning Cowichan; Shawnigan Lake Fire Improvement District; Areas A, B and C Parks Commissions; and RCMP, Shawnigan Detachment.

- 10.1. That the Board Chair forward a letter to the Ministry of Environment expressing the CVRD's grave concerns respecting relocation of contaminated soils to 4975 Koksilah Road (Evans Redi-Mix).
2. That the letter dated February 17, 2011, from the Ministry of Environment, regarding relocation of soil from various locations to 4975 Koksilah Road, be included in the Regional Board agenda package for information at the April 13th Board meeting.
11. That Application No. 1-I-10DVP, by Rick Brubaker for 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 the building permit.

MOTION CARRIED

CR2

The report and recommendations of the Electoral Area Services Committee meeting of April 5, 2011 listing seven items were considered.

11-169

It was moved and seconded:

1. That the request by O.U.R. Ecovillage to hold a multicultural music and community development fundraising event titled "Nheema North" to be held July 13 to 18, 2011, at the Ecovillage site, 1565 Baldy Mountain Road, Shawnigan Lake, be approved.
2. That the CVRD contact the Town of Lake Cowichan to congratulate them on their new draft Official Plan and advise that the CVRD supports the plan overall but respectfully requests that the reference in the plan to the possible annexation of industrial lands in the Meade Creek area be deleted from the text.
3. That the following grants in aid be approved:
 - Electoral Area A – Mill Bay/Malahat in the amount of \$300 to Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.
 - Electoral Area A – Mill Bay/Malahat in the amount of \$1,500 to Frances Kelsey Secondary to provide three \$500 student bursaries for post secondary education.
 - Electoral Area C – Cobble Hill in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.
 - Electoral Area C – Cobble Hill in the amount of \$500 to Cowichan Wooden Boat Society to assist with their 3rd annual prawn festival.
 - Electoral Area D – Cowichan Bay in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.

- Electoral Area B – Shawnigan Lake in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.
- Electoral Area G – Saltair in the amount of \$500 to Saltair Ratepayers Association to assist with costs to build a fence on Saltair waterfront property for safety reasons.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,250 to Cowichan Lake Salmonid Enhancement Society to assist in funding fry salvage operations.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,250 to Cowichan Lake Lady of the Lake Society to assist with costs for the Lady of the Lake Ambassador Program.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$450 to Lake Days Celebration Society to assist with costs to sponsor the community breakfast during the 68th annual Lake Days event.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$3,000 to CIVC Community Radio to assist with costs in acquiring a Class A radio license.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,000 to Lake Cowichan Secondary School Dry Grad to assist with costs to sponsor dry grad team building adventure activities.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$500 to Lake Cowichan Secondary School to provide a bursary for a student residing in Area F.

MOTION CARRIED

11-170

It was moved and seconded:

4. 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), with a variance to Section 3.20 of Zoning Bylaw No. 2465 to reduce the setback from a watercourse from 15 metres to 10 metres for the purpose of building a new single family dwelling, 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;
 - The applicant providing a survey confirming compliance with approved setbacks.

5. That application No. 7-A-10 DP/RAR/VAR be approved, and that a development permit with variance, be issued to Rohinton Kerravala for the construction of an accessory building 1.25 metres from the side interior parcel line on Lot A, District Lot 101, Malahat District, Plan 29059 (*PID 000-182-141*), subject to :
 - compliance with the measures and recommendations outlined in RAR assessment report No. 1927 by Dave Munday, Golder Associates, including
 - Erection of temporary fencing along the top of bank of the ravine across the width of the property during construction activity
 - Construction of a permanent split rail fence along the top of bank once construction of the accessory building is complete to prevent future encroachment into the SPEA
 - the applicant providing a survey confirming compliance with approved setbacks.
6. That Application No. 1-D-11ALR, submitted by Dwight Milford for Tanner Elton, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct an additional residence for farm help on the second story of an agricultural building be forwarded to the Agricultural Land Commission with a recommendation to approve the application.
7. That Application No. 3-E-10RS (Wandering U. Inc.) proceed, and that proposed Zoning Amendment Bylaw No. 3465 be forwarded to the Board for consideration of first and second reading; and further that a Public Hearing be scheduled and Directors Duncan, Iannidinardo, and Giles be named as delegates of the Board.

MOTION CARRIED

CR3

The report and recommendations of the Engineering & Environmental Services Committee meeting of March 23, 2011 listing seven items were considered.

11-171

It was moved and seconded:

1. That the Chair and Corporate Secretary be authorized to sign the "Climate Impacts and Adaptations for Waterborne Pathogens and Sustainable Clean and Healthy Water for Communities" five year contract with Dr. Asit Mazumder.
2. That "CVRD Bylaw No. 3477 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
3. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Cowichan Bay Sewer Service Area be received.

- .4 That "CVRD Bylaw No. 1588 – Honeymoon Bay *Local Service (Community Water Supply and Distribution) Establishment* Bylaw No. 10, 1993", be amended to include *PID 018-871-020 Lot 2, Section 38, Plan VIP 59274, Renfrew District (situate in Cowichan Lake District)*, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

CR4 The report and recommendation of the Environment Commission meeting of March 22, 2011 listing one item was received as information.

CR5 The report and recommendation of the Cowichan Lake Recreation Commission meeting of March 21, 2011 listing one item was received as information.

CR6 The report and recommendations of the Agricultural Advisory Committee meeting of March 22, 2011 listing three items were considered.

Recommendation No. 1 was not proceeded with since the AVICC AGM and Convention had already been held.

11-172 **It was moved and seconded:**

2. That the CVRD Board refers to staff for additional information on the number and scope of subdivision and exclusion applications.

(Amended from original Committee recommendation)

3. That the CVRD Board direct staff to prepare a bylaw to establish the Regional Agricultural Advisory Committee as a permanent Commission of the CVRD.

MOTION CARRIED

STAFF REPORTS

SR1 The Staff Report from the Legislative Services Coordinator, Corporate Services, dated April 6, 2011 re: Cowichan Station Area Association Annual Financial Contribution (Area B) – Notice of Alternative Approval Process and Elector Response Form, was considered.

11-173 **It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3393, be approved.**

MOTION CARRIED

SR2 The Staff Report from the Manager, Legislative Services, dated April 6, 2011 re: CVRD Bylaw No. 3491 – Regional Parkland Acquisition Reserve Fund Establishment Bylaw, 2011 was received for information.

SR3 The Staff Report from the Manager, Community and Regional Planning Division dated April 6, 2011, re: Zoning Amendment Bylaw No. 3460 (Area H – Doole Road, A-1 to A-2) was received for information.

PUBLIC HEARINGS

PH1 The Public Hearing Report and Minutes re: Phased Development Agreement Bylaw No. 3461 (Cowichan Bay Estates), applicable to Electoral Area D – Cowichan Bay, was considered.

11-174 It was moved and seconded that the Public Hearing Report and Minutes re: Phased Development Agreement Bylaw No. 3461 (Cowichan Bay Estates) be received.

MOTION CARRIED

BYLAWS

B1
11-175 It was moved and seconded that “CVRD Bylaw No. 3469 – Douglas Hill Water System Service Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B2
11-176 It was moved and seconded that “CVRD Bylaw No. 3491 – Regional Parkland Acquisition Reserve Fund Establishment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B2
11-177 It was moved and seconded that “CVRD Bylaw No. 3491 – Regional Parkland Acquisition Reserve Fund Establishment Bylaw, 2011”, be adopted.

MOTION CARRIED

B3
11-178 It was moved and seconded that “CVRD Bylaw No. 3473 – Regional Parkland Acquisition Reserve Fund Expenditure (PID: 010-412-352) Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B3
11-179 It was moved and seconded that “CVRD Bylaw No. 3473 – Regional Parkland Acquisition Reserve Fund Expenditure (PID: 010-412-352) Bylaw, 2011”, be adopted.

MOTION CARRIED

B4
11-180 It was moved and seconded that “CVRD Bylaw No. 3476 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B4
11-181** It was moved and seconded that “CVRD Bylaw No. 3476 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

**B5
11-182** It was moved and seconded that “CVRD Bylaw No. 3477 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

Opposed: Directors Morrison, Kuhn and Alternate Director Burgess

MOTION CARRIED

**B5
11-183** It was moved and seconded that “CVRD Bylaw No. 3477 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2011”, be adopted.

Opposed: Directors Morrison, Kuhn and McGonigle

MOTION CARRIED

**B6
11-184** It was moved and seconded that “CVRD Bylaw No. 3489 – Cowichan Bay Sewer System Service Area Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
11-185** It was moved and seconded that “CVRD Bylaw No. 3490 – Solid Waste Works Remediation Reserve Fund Establishment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
11-186** It was moved and seconded that “CVRD Bylaw No. 3490 – Solid Waste Works Remediation Reserve Fund Establishment Bylaw, 2011”, be adopted.

MOTION CARRIED

**B8
11-187** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3387 – Area A – Mill Bay/ Malahat Official Community Plan Amendment Bylaw (Baranti Developments), 2010”, be adopted.

MOTION CARRIED

**B9
11-187** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3388 – Area A – Mill Bay/ Malahat Zoning Amendment Bylaw (Baranti Developments), 2010”, be adopted.

MOTION CARRIED

B10
11-189

It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3460 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (Doole Road A1-A2), 2011”, be granted 3rd reading.

MOTION CARRIED

B11
11-190

It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011” be amended by inserting the following amendments into Schedule B of the Phased Development Agreement following Section 22:

1. Topsoil
The Owner must deposit a minimum of 200 cubic metres of topsoil on land to be transferred to the District and at a location approved in writing by the District prior to deposit of a subdivision plan creating the 21st new parcel from the Lands.
2. Park Boundary Fence
The Owner must construct a 1.5 metre high fence constructed of treated posts and page wire, or other material agreed to in writing by the District, between the park land and the west boundary of the residential lots in Phase 4b.
3. Storm Water Management
The Owner must install on-site storm water management works that are consistent with the Ministry of Environment’s *Development With Care: Environmental Guidelines for urban and Rural Land Development in British Columbia* document. The storm water design must be reviewed and approved by the District prior to inclusion of the Land in a drainage service area.

MOTION CARRIED

B11
11-191

It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011”, be granted 3rd reading as amended.

Opposed: Director Morrison

MOTION CARRIED

11-192

It was moved and seconded that the issue of policy around the transfer of sewer capacity units be referred to the Engineering & Environmental Services Committee and the Central Sector Liquid Waste Management Plan Steering Committee.

Opposed: Directors Haywood, Duncan, Dorey, Iannidinardo and Cossey

MOTION CARRIED

B11
11-193 It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011”, be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

RESOLUTIONS

RES1
11-194 It was moved and seconded that the following appointments to the Electoral Area C – Cobble Hill Parks and Recreation Commission be approved:

Elected for a Term to Expire December 31, 2012:

Annie Ingraham
Dan Massen

MOTION CARRIED

RES2
11-195 *(Amended from original Recommendation):*

It was moved and seconded that the following appointments to the North Oyster Fire Protection Service Commission be approved:

Elected for a Term to Expire March 31, 2012:

Grant Keefer
Shirley Husband

Appointed for a Term to Expire March 31, 2012:

Howie Davis

MOTION CARRIED

RES3
11-196 It was moved and seconded that the following appointments to the Agricultural Advisory Committee be approved:

Term to Expire November 30, 2011:

Pat Durose, Farm Credit Canada
Mick Smith, Farmer’s Market

MOTION CARRIED

RES4
11-197 It was moved and seconded that the following appointments to the Shawnigan Lake Community Centre Commission be approved:

Elected for a Term to Expire March 31, 2012:

Barb Shultz
Sarah Malerby

Appointed for a Term to Expire March 31, 2012:

Kim Rowe
Sharleen Impett
Marion Davies
Fransje Carr

MOTION CARRIED

NEW BUSINESS

**NB1
11-198** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3415 – Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Bill 27), 2010”, be adopted.

MOTION CARRIED

**NB2
11-199** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3416 – Area G – official Community Plan Amendment Bylaw (Bill 27), 2010”, be adopted.

MOTION CARRIED

**NB3
11-200** It was moved and seconded that “CVRD Bylaw No. 3417 – Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Bill 27), 2010”, be adopted.

MOTION CARRIED

**NB4
11-201** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3421 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Bill 27), 2010” be adopted.

MOTION CARRIED

NB5 It was moved and seconded that “CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora be granted 1st and 2nd reading as amended with the addition of the following to Section 11.4 I-5 Restricted Light Industrial: “(6) automotive, truck, recreational vehicle and boat sales and servicing is not permitted”.

11-202 It was moved and seconded that “CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Wandering U Inc.), 2011” be referred back to the Electoral Area Services Committee.

Opposed: Directors Marcotte, Iannidinardo, Dorey, Duncan, and Giles

MOTION DEFEATED

11-203 VOTING RESUMED ON THE ORIGINAL MOTION

Motion restated for clarification:

It was moved and seconded that “CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora be granted 1st and 2nd reading as amended with the addition of the following to Section 11.4 I-5 Restricted Light Industrial: “(6) automotive, truck, recreational vehicle and boat sales and servicing is not permitted”.

Opposed: Director Cossey

MOTION CARRIED

NB6 The Staff Report from the Manager, Corporate Planning dated April 11, 2011, re: Funding Agreement Authorization – Cowichan Basin Water Management Plan Implementation Project Phase 1, was considered.

11-204 **It was moved and seconded that the Chair and Corporate Secretary be authorized to sign, on behalf of the CVRD, the “Regionally Significant Project, Tier 1 and 2 Strategic Priorities Fund and/or Innovations Fund Funding Agreement Under the Agreement on the Transfer of Federal Gas Tax Revenues” for the Cowichan Basin Water Management Plan Implementation Project Phase 1 project.**

MOTION CARRIED

NB7 Report on AVICC Resolutions

The Chair provided Director Marcotte with an opportunity to give an update on the resolutions put forth at the recent AVICC conference held in Sidney, BC, April 8 to 10, 2011.

RESOLVING INTO CLOSED SESSION

11-205 **It was moved and seconded that the meeting be closed to the public**
8:32 pm **in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsection (1) (c) Employee Relations.**

Opposed: Directors Iannidinardo, Kent, McGonigle, Haywood, Walker, Marcotte, Duncan, Seymour, Morrison and Alternate Director Burgess

MOTION DEFEATED

RESOLVING INTO CLOSED SESSION

11-206 **It was moved and seconded that the meeting be closed to the public**
8:44 pm **in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsection (1) (c) Employee Relations.**

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

11-209
9:11 pm

It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

11-210
9:11 pm

It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 9:11 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

M2

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, April 27, 2011 at 3:17 pm.

PRESENT: Chair G. Giles
Directors K. Cossey <6:00 pm>, M. Dorey, L. Duncan <3:28 pm>, B. Harrison, D. Haywood <3:19 pm>, L. Iannidinaro, P. Kent, K. Kuhn, M. Marcotte, I. Morrison, G. Seymour, and T. Walker <6:00 pm>

ALSO

PRESENT: Warren Jones, Chief Administrative Officer
Joe Barry, Corporate Secretary
Brian Dennison, General Manager,
Engineering and Environmental Services

ABSENT: Directors R. Hutchins and T. McGonigle

APPROVAL OF AGENDA

11-211

It was moved and seconded that the agenda be amended with the addition of Closed Session Item No. CSSR2 – Employee Relations; and the addition of New Business Item No. NB1 – North Oyster Fire Protection Service Commission Appointments; and further that the agenda, as amended, be approved.

Opposed: Director Morrison

MOTION CARRIED

STAFF REPORTS

SR1

The Staff Report from the Manager, Regional Environmental Policy Division dated April 14, 2011, regarding CVRD Energy Mapping and Modelling Project, was considered.

11-212

It was moved and seconded that the Chair and Corporate Secretary be authorized to sign a contract with EA Energy Analyses for the Cowichan Valley Energy Mapping and Modelling (Integrated Energy Mapping and Analysis) project for a value of no more than \$167,925.90 (net of taxes and rebate).

MOTION CARRIED

NEW BUSINESS

NB1
11-213

It was moved and seconded that the following appointments to the North Oyster Fire Protection Service Commission be approved:

Appointed for a Term to Expire March 31, 2012:

Gail Corneliuson

Laara Clarkson

MOTION CARRIED

ADJOURN AND
RECONVENE
11-214
3:33 pm

It was moved and seconded that the Special Board meeting be adjourned and reconvened at 6:00 pm.

RECONVENE
6:00 pm

The meeting reconvened at 6:00 pm with the exception of Director Seymour and with the addition of Directors Cossey and Walker.

RESOLVE INTO
CLOSED SESSION
11-215
6:02 pm

It was moved and seconded that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsections (1) (k) Proposed Provision of a Service and (1) (c) Employee Relations.

Opposed: Directors Morrison

MOTION CARRIED

RISE FROM
CLOSED SESSION
11-216
7:16 pm

It was moved and seconded that the Board rise with report on Item CSSR1, and return to the Regular portion of the meeting.

MOTION CARRIED

CSSR1
Proposed
Provision of a
Service
{Sub (1) (k)}
11-217

It was moved and seconded that the results of the Zero Waste Survey be released and the kickoff to the Zero Waste Challenge be announced.

MOTION CARRIED

ADJOURNMENT
11-218
7:17 pm

It was moved and seconded that the Special meeting of the Board be adjourned.

MOTION CARRIED

The meeting adjourned at 7:17 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

Request to Appear as a Delegation

D1

Meeting Information

Request to Address:

CVRD Board

Committee

If Committee, specify the Committee here:

CVRD Board

Meeting Date: 05/11/2011

Meeting Time: 6:00 pm

Applicant Information

Applicant Name: Kim Van Bruggen, APR

Representing: Acumen Communications Group

(Name of organization if applicable)

As:

(Capacity / Office)

Number Attending: 1

Applicant Contact Information

Applicant Mailing Address:

Applicant City:

Applicant Telephone: 250-727-7464

Applicant Fax:

Applicant Email:

Presentation Topic and Nature of Request:

Presentation of the "Zero Waste" survey results and "Zero Waste Challenge".

IN1

Mill Bay/Malahat Historical Society

P.O. Box 263
Mill Bay, B.C. V0R 2P0

April 17, 2011

Dear Director Harrison and CVRD Board;

On behalf of the executive of the Mill Bay/Malahat Historical Society and our 89 members, I would like to express our sincere gratitude for our recently received grant in aid.

As a registered society and charity our goal is to collect, preserve, and present the history of the Mill Bay and Malahat areas. With this goal in mind the money will be used for the following activities.

- **Museum:** open the first Saturday of every month. We are currently conducting an inventory of every artifact. Collecting material from and for the community means that we are legally and ethically accountable and recording the story and origin of each item is essential .
- **Lending Library:** society owned books are available to interested members
- **Mystery History Tours:** an opportunity for members of the community to visit historic sites in the area. We have offered 7 tours so far and monthly tours are planned in the future.
- **Historical Banners:** We have produced numerous banners featuring pictures from local history to connect the present with the past. These hang in various locations in the community such as Kerry Park, Pioneer Center and the Mill Bay Mall with new locations planned.
- **Live Theatre:** We are hosting two performances of the Seeds and Salt Historical Theatre on July 9 and 21. Our collaboration with this group plays a key role in the arts, culture and heritage of the Cowichan Valley and acts as a fundraiser for our society.
- **Community Presentations:** Rotary Club, Shawnigan Legion, YSAS Shawnigan, Cowichan Historical Society, PROBUS Retired Teachers Assoc., Victoria Historical Society, Victoria Genealogy Society, Saanich Pioneer Society, Kiwanis Club of Duncan, British Empire Loyalists, Elder College, Royal BC Museum, South Cowichan Chamber of Commerce, South Cowichan Lions Club
- **Map:** driving/biking map showing local historic sites is currently being produced in collaboration with the South Cowichan Chamber of Commerce and Cowichan Press

The preservation of local history is vital to creating a sense of who we are as a community. As the Mill Bay and Malahat areas continue to change and grow the MBMHS will provide residents and newcomers with an opportunity to look back and reflect on the people and events that have made this community what it is today. With this generous support from the CVRD the MBMHS will be able to continue to celebrate our history and insure the past enriches the future. Thank you.

Sincerely,

Maureen Alexander
MBMHS President



C·V·R·D

CR1

**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD APRIL 19, 2011

DATE: April 21, 2011

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the CVRD Board supports the District of North Cowichan's 2011 Official Community Plan Bylaw No. 3450, and recommends the following amendments:
 - Policy statements 2.5.7.4(b) and (c) with reference to the South End Waste Water Treatment Plan and waste water system upgrades should include CVRD Electoral Area D; and
 - A policy statement be included in the plan which speaks to coordination at a regional level on the development of affordable, supportive, and special needs housing policies and strategies.
2. That the CVRD express its support for the proposed amendments to the Capital Regional District's Malahat Official Community Plan, and recommends that a reference to recent efforts to link the CRD's segment of the Trans-Canada Trail through to the CVRD's segment of the TCT (Cowichan Valley Trail) be mentioned in the appropriate section of the Plan, and further that the CVRD has no affected interests respecting the Shirley/Jordan River, East Sooke or Otter Point OCPs.
3. That a grant in aid, Electoral Area E – Cowichan Station/Sahtlam/Glenora, be given to Cowichan Green Community in the amount of \$1,500, to assist with costs to produce the second edition of the Cowichan Food Map.
4. That the Board Chair and Corporate Secretary be authorized to execute the appropriate documents to release Covenant CA1652858 concurrent with the subdivision and registration in favour of the CVRD a 3.0 metre wide trail corridor (0.033 hectare) per the conditions of the covenant.
5. That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Ecole Mill Bay PAC in the amount of \$500 to assist with costs for their Ecostravaganza Event.
6. That a grant in aid, Electoral Area E – Cowichan Station/Sahtlam/Glenora, be given to Cowichan Green Community in the amount of \$500 to support their Salmon are Sacred dinner auction fundraiser.

7. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, be given to Honeymoon Bay Community Society in the amount of \$500 to assist in defraying costs of hosting their Heritage Days

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

8. That Application No. 3-I-10DP/RAR (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 denied.
9. That Application 1-H-10 DVP, made by Brian McCullough, for a variance to Section 5.13(a) of Zoning Bylaw No. 1020, to decrease the setback from the ocean from 15 metres to 9.1 metres on Lot 1, District Lot 23, Oyster District, Plan 18300 be approved, subject to:
 1. Compliance with the recommendations of the Environmental Assessment report prepared by Toth and Associates Environmental Services, dated February 21, 2011;
 2. Compliance with the Geotechnical Evaluation report prepared by Lewkowich Engineering Associates Ltd, dated February 4, 2011;
 3. Removal of only trees 1 to 4 identified in the Tree Risk Assessment report prepared by B. Furneaux, dated March 22, 2011;
 4. Registration of a restrictive covenant on the slope between the marine natural boundary and the top of bank to preclude tree removal and slope disturbance, other than trees 1 to 4 identified in the Tree Risk Assessment Report and works recommended in the Environmental Assessment Report;
 5. Confirmation by legal survey that the dwelling is no closer than 9.1 metres to the natural boundary of the ocean;
 6. Supervision and monitoring of construction and submission of a report from a Registered Professional Biologist confirming that all conditions of the development variance permit have been complied with prior to issuance of an occupancy certificate.
10. That the application by Brenda and Randy Decksheimer (2-F-10 DVP), respecting Lot 2, Block D, Section 15, Renfrew District, Plan 1501, to increase the permitted height of a residence from 10 metres to 10.6 metres, and decrease the setback to Cowichan Lake from 15 metres to zero, be approved as proposed on the attached plans, subject to:
 - a) Prior to receiving a building permit, a professional engineer is retained by the applicant to design and certify a sewerage system that is to be located above 164 metre elevation, and to provide written confirmation that the sewerage system, in its entirety, will not create a health hazard;
 - b) Development to proceed in accordance with the recommendations of the qualified environmental professional and all relevant best management practices, as noted in the Section 9 application of the *Water Act*, dated October 4, 2010;
 - c) The use of fill at the base of the proposed residence is not permitted, unless required by a geotechnical engineer;
 - d) The storage of fuel on the property is not permitted;

- e) Measures are taken to improve fish habitat along the natural shoreline, including planting of native shrubs and soft bioengineering, in consultation with a qualified environmental professional;
 - f) Confirmation that the floor system is constructed above the 167.3 metre 200 year floodplain elevation;
 - g) A legal survey is provided to confirm the approved setback distance and building height, as required by CVRD Building Inspector.
11. That the request by Ben Maartman and Jan Jones to allow additional bathroom and kitchen fixtures consisting of shower/tub, kitchen sink and stove, and washing machine, dryer and bath tub, in addition to two permitted plumbing fixtures, within an accessory building at 13480 Michael Road (Lot 1, District Lots 26 and 105, Oyster District, Plan 30755 PID: 001-227-238), be approved subject to registration of a covenant prohibiting occupancy of the accessory building as a dwelling.



CR2

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD APRIL 27, 2011

DATE: May 4, 2011

To: Chair and Directors of the Cowichan Valley Regional District

Your Engineering & Environmental Services Committee reports and recommends as follows:

1. .1 That "CVRD Bylaw 3478 - Cowichan Bay Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .2 That "CVRD Bylaw 3479 - Eagle Heights Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .3 That "CVRD Bylaw 3480 - Mesachie Lake Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .4 That "CVRD Bylaw 3484 - Maple Hills Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .5 That "CVRD Bylaw 3486 - Youbou Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
2. .1 That "CVRD Bylaw 3488 - Fern Ridge Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .2 That "CVRD Bylaw 3487 - Youbou Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .3 That "CVRD Bylaw 3485 - Cherry Point Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .4 That "CVRD Bylaw 3481 - Mesachie Lake Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
3. 1. That "CVRD Bylaw No. 3483 - Arbutus Ridge Sewer System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .2 That "CVRD Bylaw No. 3482 - Arbutus Ridge Water System Management Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
- .3 That a bylaw be prepared to amend "CVRD Bylaw No. 2989 - Arbutus Ridge Drainage System Service Establishment Bylaw, 2007", to increase the maximum requisition to \$37,000, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

.../2

4. That the Chair and Corporate Secretary be authorized to sign a "License of Occupation Agreement" with the Cowichan Energy Alternatives Society for the use of a fenced compound adjacent to the former recycling storage building at the Bings Creek Solid Waste Manage Complex, for the purpose of operating a waste vegetable oil collection depot and bio-diesel production facility.
5. That "CVRD Bylaw No. 3494 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
6. That the Cowichan Valley Regional District enter into Curbside Collection Contract extensions with the following service providers:
 - 1) BFI - Electoral Areas A, B, D, E, F, G & I
 - 2) Sun Coast Waste - Electoral Areas C and Hfor the period June 1, 2011 to May 31, 2012, and further that the Chair and Corporate Secretary be authorized to sign the extension agreements.
7.
 1. That a bylaw be prepared to amend "CVRD Bylaw No. 2193 –Youbou Street Lighting Service Establishment Bylaw, 2001", to increase the maximum requisition limit from \$21,800 to \$40,000.
 - .2 That the amendment bylaw be forwarded to the Board for consideration of three readings and, following provincial and voter approval, adoption.
 - .3 That voter approval for adoption of the amendment bylaw be obtained through an Alternative Approval Process.
8. That, as approved in the 2011 budget, that the Board authorize short-term borrowing under Function 575 for an amount not to exceed \$28,000.00 to purchase a new photocopier and office furniture for the new staff building at Bings Creek Solid Waste Management, to be paid back within 5-years under the Liabilities Agreement, Section 175 of the Community Charter.



CR3

**COWICHAN LAKE RECREATION COMMISSION REPORT
of Meeting Held April 28, 2011**

DATE: April 29, 2011

To: Chairperson and Directors of the Board

Your Cowichan Lake Recreation Commission reports and recommends as follows:

1. 1. That the CVRD Board request that the Liquor Control and Licensing Branch approve the temporary change of location to Liquor License #163104 – Curling Lounge, to cover the Annual Lake Days Dance, Saturday, June 11, 2011 held in the Cowichan Lake Sports Arena on the dry floor.
 2. That the CVRD Board has taken into account:
 - a. The potential for noise if the application is approved: Noise is kept at a minimum as the dance will be held indoors. There have been no issues with neighbors for past Lake Days Dances.
 - b. The impact on the community if the application is approved: This is an annual community event that has been occurring for many years – it has great community benefit. Members of the community will be involved through participation and volunteer activities. There will be security on the premises; event hosts will be in place throughout the facility; a designated driving program will be in place; and the local RCMP will be invited to have a presence at this event.
 - c. Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose: This facility will still be operated as a liquor primary facility for the purposes of this event.
 3. And further, that should the Board give approval to proceed with the application process, the Chair and Corporate Secretary be authorized to sign a copy of the resolution required accompanying the application form.
-
2. 1. That the CVRD Board request that the Liquor control and Licensing Branch approve the temporary change of location to Liquor License #300537 so that staff may run the Annual Youbou Regatta Dance on August 13, 2011 and the New Year's Eve Dance on December 31, 2011.
 2. That the CVRD Board has taken into account:
 - a. The potential for noise if the application is approved: Noise is kept at a minimum as the dance will be held indoors.
 - b. The impact on the community if the applications are approved: These are annual community events that have been occurring for many years; the community will be involved in both events through participation and volunteer activities.
 - c. Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose: This facility will still be operated as a liquor primary facility for the purposes of this event.
 3. And further that should the Board give approval to proceed with the application process, the Chair and Corporate Secretary be authorized to sign a copy of the resolution required accompanying the application form.

3. That the Chair and Corporate Secretary be authorized to enter into year 3 of the 3-year option with Pepsi Bottling Group for the provision of soft drinks for the period of September 1, 2011 – August 31, 2012.



CR4

AGRICULTURAL ADVISORY COMMITTEE REPORT

OF MEETING HELD APRIL 26, 2011

DATE: May 3, 2011

To: Chairperson and Directors of the Board

Your Agricultural Advisory Committee reports and recommends as follows:

1. That the CVRD Board support the concept of having a food processing facility.



COMMUNITY SAFETY ADVISORY COMMITTEE REPORT
OF REGULAR MEETING HELD APRIL 20, 2011

DATE: April 21, 2011

To: Chairperson and Directors of the Board

Your Community Safety Advisory Committee reports and recommends as follows:

1. That the CVRD supports the RCMP's Bar Watch Program.



C·V·R·D

COMMUNICATIONS COMMITTEE REPORT

OF REGULAR MEETING HELD APRIL 19, 2011

DATE: May 5, 2011

To: Chairperson and Directors of the Board

Your Communications Committee reports and recommends as follows:

1. That the draft Terms of Reference for the Communications Committee be approved as amended by removing the phrase "two way" and replacing the word "communications" with words such as "engage" and "dialogue"; and
2. That the draft Request for Proposals for a Strategic Communications Plan be approved.



SR1

STAFF REPORT

**REGULAR BOARD MEETING
OF MAY 11, 2011**

DATE: May 4, 2011 **FILE NO:**
FROM: Sharon Moss, Manager, Financial Division **BYLAW NO:**
SUBJECT: Cowichan Valley Regional District's 2010 Financial Statements and 2010 Audit Report

Recommendation/Action:

1. That the Cowichan Valley Regional District's 2010 Financial Statements be approved.
2. That the Directors' 2010 Statement of Remuneration and Expenses be accepted.
3. That the Audit Findings Report be received.

Relation to the Corporate Strategic Plan:

The 2010 Financial Statements provide management, the public and the Board the ability to evaluate performance against budget and is consistent with the goals and objectives of the Corporate Strategic Plan.

Financial Impact: (Reviewed by Finance Division: SEM)
Not applicable.

Background:

The Local Government Act requires that each year the Regional District holds a public meeting for the purposes of presenting the audited Financial Statements for the preceding year and a report that shows the Directors' Statement of Remuneration and Expenses. Notice of this meeting must be publicized in a local newspaper. In compliance with recent changes to the Canadian Auditing Standards, the Financial Statements are being presented by management for Board approval prior to the Audit Report being signed by the Auditors and included in the document.

Generally accepted auditing practices require that the Audit Findings Report be forwarded to the Board that oversees the results of the Financial Statement Audit. This is an attempt to ensure that you have an understanding of the important issues and decisions that are made during the Audit and Financial Statement preparation process, as well as the results of the Audit.

Meyers Norris Penny LLP has completed the audit of the Regional District for the year ended December 31, 2010, and has submitted the attached report to the Board of Directors. The format and presentation of these Financial Statements is dictated by the Canadian Institute of Chartered Accountants. The Audit Report clarifies the Auditors role and responsibility, their method of performing the audit as well as their findings. A representative from Meyers Norris Penny will be making a short presentation on the Financial Statements and the Audit.

Respectfully submitted by,

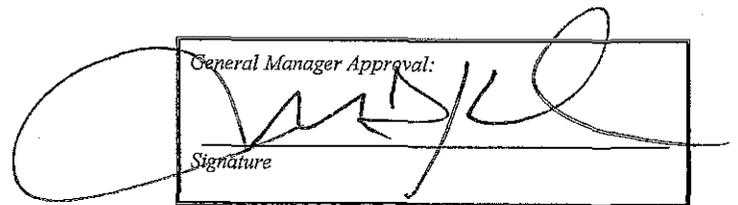


Sharon Moss, C.G.A.
Manager, Finance Division

SM:tk

Attach.

Z:\sharon\Staff Reports - 2011\Staff Report - 2010 Financial Statements.docx



General Manager Approval:
Signature

**COWICHAN VALLEY REGIONAL DISTRICT
DIRECTOR REMUNERATION AND EXPENSES
YEAR ENDED DECEMBER 31, 2010**

<u>Director</u>	<u>Position</u>	<u>Remuneration</u>	<u>Expenses</u>
Harrison, Brian	Director - Area A	\$ 22,370.66	\$ 3,487.01
Cossey, Kenneth W	Director - Area B	22,370.66	4,277.64
Giles, Gerry	Chair - Director - Area C	31,397.86	10,657.29
Iannidinardo, Lori	Director - Area D	22,370.66	8,279.31
Duncan, Loren	Director - Area E	23,913.98	8,493.16
Morrison, Ian	Director - Area F	22,370.66	9,422.29
Dorey, Melvin F	Director - Area G	22,370.66	5,725.12
Marcotte, Mary	Director - Area H	22,370.66	6,116.99
Kuhn, Klaus	Director - Area I	22,370.66	9,936.53
Kent, Philip	Director - Duncan	14,912.30	-
Hutchins, Robert	Director - Ladysmith	14,912.30	2,631.28
McGonigle, Tim	Director - Lake Cowichan	14,912.30	686.40
Haywood, Dave	Director - North Cowichan	14,912.30	203.84
Seymour, George	Director - North Cowichan	14,912.30	-
Walker, Tom	Director - North Cowichan	14,912.30	185.00
Burgess, Roger	Alternate - Area A	886.96	350.00
Gutensohn, Gerald	Alternate - Area B	776.09	-
Krug, John	Alternate - Area C	443.48	-
Heinio, Leslie	Alternate - Area D	332.61	222.85
Marshall, Alexander	Alternate - Area I	221.74	-
Cadorette, Raymond	Alternate - Duncan	221.74	-
Day, Bob	Alternate - Lake Cowichan	221.74	-
Arnett, Steve	Alternate - Town of Ladysmith	332.61	-
Hartmann, Ruth	Alternate - North Cowichan	332.61	-
		<u>\$ 305,149.84</u>	<u>\$ 70,674.71</u>

Cowichan Valley Regional District
Report to the Board of Directors
December 31, 2010





MEYERS NORRIS PENNY LLP

May 11, 2011

Members of the Board of Directors of
Cowichan Valley Regional District

Dear Sirs:

We are pleased to submit to you this report for discussion of our audit of the financial statements of Cowichan Valley Regional District ("the Regional District") for the year ended 2010. In this report we cover those significant matters which, in our opinion, you should be aware of as members of the Board of Directors.

We have completed our audit of the financial statements of the Regional District and are prepared to sign our Auditors' Report after the Board of Directors's review and approval of the financial statements. Our report provided an unqualified opinion to the Chairperson and Directors of the Regional District. A draft copy of our proposed report is included in Appendix A to this document.

We would like to express our appreciation for the excellent cooperation we have received from management and employees with whom we worked.

We also appreciate having the opportunity to meet with you and to respond to any questions you may have about our audit, and to discuss any other matters that may be of interest to you.

Yours truly,

MeYers Norris Penny LLP

MEYERS NORRIS PENNY LLP

TS/wah
encls.



CHARTERED ACCOUNTANTS & BUSINESS ADVISORS
372 CORONATION AVENUE, DUNCAN, BC V9L 2T3
1-888-854-8567 PH. (250) 748-3761 FAX (250) 746-1712 www.mnp.ca

Cowichan Valley Regional District

Contents

For the year ended December 31, 2010

	Page
1. Auditor Responsibilities.....	1
2. Engagement Status.....	1
3. Areas of Audit Emphasis.....	2
4. Significant Audit and Financial Reporting Matters.....	2
5. Significant Management Estimates.....	3
6. Management's Representations.....	3
7. Other Matters Important to the Board of Directors.....	4
8. Auditor Independence.....	5
Appendices:	
A Draft Independent Auditors' Report	
B Auditor Independence Letter	
C Summary of Differences	

The matters raised in this and other reports that will flow from the audit are only those which have come to our attention arising from or relevant to our audit that we believe need to be brought to your attention. They are not a comprehensive record of all the matters arising, and in particular we cannot be held responsible for reporting all risks in your business or all control weaknesses. This report has been prepared solely for your use and should not be quoted in whole or in part without our prior written consent. No responsibility to any third party is accepted as the report has not been prepared for, and is not intended for any other purpose.

1. Auditor Responsibilities

As auditors of Cowichan Valley Regional District (the "Regional District"), we report to the Chairperson and Directors on the results of our examination of the Regional District's annual financial statements. This report addresses our audit of the Regional District, and, accordingly, discusses issues that are of relevance to the Board of Directors of Cowichan Valley Regional District.

- Our audit procedures included a review of all significant accounting and management reporting systems. Where possible, reliance was placed on the controls within these systems to reduce the extent of our testing of transactions and year-end balances. Each material year-end balance, key transaction and other event considered significant to the financial statements was separately examined.
- The audit process focused and placed reliance on certain controls utilized by the Regional District's management. It involved an identification of overall and specific risks related to the operations of the Regional District and its management reporting systems. This risk assessment enabled us to concentrate our audit procedures on the areas where the differences were most likely to arise.
- During the course of this audit, we have:
 - Examined, on a test basis, evidence supporting the amounts and disclosures in the financial statements;
 - Assessed the accounting principles used;
 - Assessed the significant estimates made by management;
 - Obtained an understanding of the entity and its environment, including management's internal controls deemed relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements and to design and perform audit procedures. We have not determined whether relevant controls are operating effectively.
 - Reviewed and assessed those accounting systems deemed necessary to support our audit opinion;
 - Evaluated the overall financial statement presentation;
 - Performed a subsequent events review with management;
 - Reviewed and assessed the status of contingencies, commitments and guarantees;
 - Reviewed and assessed exposure to environmental liabilities; and
 - Obtained written representation from management regarding the audited financial statements.

2. Engagement Status

We have completed our audit of the financial statements of the Regional District and are prepared to sign our Auditors' Report after the Board of Directors review and approval of the financial statements and final completion of minor outstanding items. Our report will provide an unqualified opinion to the Chairperson and Directors. A draft copy of our proposed report is included in Appendix A to this document.

- Final materiality calculated and used to assess the significance of misstatements or omissions identified during the audit and determine the level of audit testing performed was \$500,000 with a performance materiality of \$450,000.
- There were no limitations placed on the scope of our audit, which was carried out in accordance with Canadian generally accepted auditing standards.
- We have satisfactorily completed our audit test procedures for each of the major account balances and transaction streams. A combined approach was used in auditing the Regional District's financial statements. The Regional District's controls were relied upon. We relied on controls over utilities, curbside pickup, solid waste and community centre revenues, the expenditures, payables and disbursements system and the payroll system.
- No irregularities came to our attention that would have materially affected the results for the year or the presentation of the financial statements.

- There were a number of differences noted during the audit. We have described all non-trivial differences, whether adjusted or not, and any non-trivial presentation and disclosure differences or omissions, at Appendix C. The cumulative net effect of unadjusted differences and disclosure differences or omissions identified during our audit has not resulted in material misstatement, and therefore does not affect our audit report. All trivial and non-trivial differences were reported to and discussed with management.
- Nothing has come to our attention that would suggest the existence of any conflicts of interest, unusual related party transactions, or illegal or questionable payments.
- During the planning and initial phases of our audit, we met with the following individuals to obtain their perspective on the business risks and challenges facing the Regional District:
 - Mark Kueber, CGA
 - Sharon Moss, CGA
- During the course of our audit and at audit finalization, we reviewed the results and financial statements with Sharon Moss.
- At the time of release of this report, we are finalizing the receipt of legal letters and other limited documents required to fully complete our audit.
- We do not expect the finalization of the above outstanding matters to be of any concern.
- We would like to formally acknowledge the excellent cooperation and assistance we received from the management and staff of the Regional District.

3. Areas of Audit Emphasis

- Landfill Closure and Post-Closure Costs
- Sick Leave Benefits
- Tangible Capital Assets

4. Significant Audit and Financial Reporting Matters

4.1 Landfill Closure and Post-Closure Costs

- The unfunded liabilities for landfill post-closure monitoring costs and closure costs for three ashfills represent one of the largest items in the Regional District's financial statements. These costs are an estimate, based on factors such as the estimated cost to close the three ashfill sites and the projected future costs to monitor the landfill site using an appropriate discount rate used to determine a present value of these future costs.

Audit Procedures:

We reviewed management's methodology used in the calculation of the estimate of these liabilities and a check of the mathematical accuracy. We agreed estimates and figures to backup supporting the amounts. We reviewed assumptions and rates used and assessed their reasonability.

We have concluded that the accounting related to the closure of the ashfill sites and the landfill post-closure liabilities was appropriate.

4.2 Sick Leave Benefits

- Handbook section 3255 Post-employment benefits, compensated absences and termination benefits states that these items are recorded depending on whether benefit vests/accumulates or not. As the Regional District's sick leave benefit accumulates, a liability is recorded in the period in which the employees provide services. Recording of accrued obligation assumes payment of benefits is probable and amounts can be reasonably estimated.

Audit Procedures:

We reviewed management's methodology used in the calculation of the estimate of these liabilities and a check of the mathematical accuracy. On a test basis we agreed inputs to the calculation to the underlying data source. We reviewed the assumptions used in the calculation and assessed their reasonability. We have concluded that the accounting related to the sick leave benefits was appropriate.

4.3 Tangible Capital Assets

- Handbook section 3150 Tangible Capital Assets establishes standards on accounting for and reporting tangible capital assets in all government financial statements.

Audit Procedures:

- Vouched samples of asset additions and disposals in the year;
- Vouched samples of work in progress, assessed if it was in progress at year end, and reviewed to see if amortization was taken on such assets;
- Reviewed repairs and maintenance accounts for any items that should be recorded as capital;
- Recalculated amortization on a test basis;

5. Significant Management Estimates

The following is a summary of significant management estimates and provisions at :

- Provision for legal contingencies - no provision deemed necessary.
- Amortization period of tangible capital assets - amortized over the estimated useful life of the respective assets. For assets amortized under the straight-line method, over 5 to 60 years.
- Provision for unauthorized, remote or abandoned landfills - estimate not determinable..
- Landfill post-closure costs - estimated at present value of future costs related to post closure monitoring
- Three ashfill sites estimated closure costs.
- Provision for doubtful accounts receivable - no provision deemed necessary.
- Provision for Sick Leave Benefits

6. Management's Representations

At the conclusion of our audit, we raised, among other questions, the following key questions with management of the Regional District. The responses indicated that there were no specific or significant items that should be reflected in the financial statements or brought to the attention of the Board of Directors as a result of this inquiry. The significant questions were as follows:

- Are there any potential major losses due to the permanent impairment in the value of assets for which no provision has been made in the accounts (i. e., are asset values appropriate)?
- Are there any significant outstanding liabilities for which no accrual has been made in the accounts?
- Are there any significant contingent liabilities, which would require disclosure in the 2010 financial statements?
- Have there been any unusual related party transactions during the year and have all significant related party transactions been disclosed?
- Have there been any significant non-monetary transactions during the year, as well as non-monetary

Report to the Board of Directors

transactions with related parties, and have all non-monetary transactions been disclosed?

- Does management know of any situations of conflicts of interest, or illegal or other questionable payments?
- Does management know of any situations of non-compliance with statutory or regulatory requirements, including financial reporting requirements?
- Has management appropriately disclosed all subsequent events?
- Is management satisfied that estimates used in the preparation of the financial statements are sufficiently and adequately supported?
- Does management understand that they are responsible for the implementation and operation of controls that are designed to prevent and detect fraud? Has there been any fraud or possible irregularities involving management or employees who have a significant role in the system of controls, or that could have a material effect on the financial statements? What is management's assessment of the risk that the financial statements may be materially misstated as a result of fraud?
- Have all arrangements conveying a right to use the underlying tangible asset(s), been accounted for as a lease?
- Has management appropriately disclosed information that enables users of the financial statements to evaluate the entity's objectives, policies and processes for managing capital? Is management satisfied that the entity's policies and processes reflect their objectives and intentions for managing capital? Has management disclosed whether the entity has/has not complied with externally imposed capital requirements, the consequences of non-compliance and the steps taken to rectify non-compliance?

7. Other Matters Important to the Board of Directors

Summary of key matters noted or arising during the course of our audit:

SUBJECTS	2010	2009
Significant doubt concerning entity's ability to continue as a going concern	None	None
Illegal or fraudulent acts	None	None
Fraud by employees/management with key roles in control activities	None	None
Differences that may:		
- Cause future statements to be materially misstated	None	None
- Indicate significant weaknesses in controls	None	None
Irregularities having a material financial statement effect	None	None
Limitations placed on the scope of our audit	None	None
Significant transactions not in the ordinary course of business, or other unusual related party transactions	None	None
Unusual significant transactions given the entity and its environment	None	None
Non-monetary transactions	None	None
Transactions that increase risk	None	None
Breaches of corporate code of conduct or other sources of concern	None	None
Conflicts of interest	None	None
Disagreements with management	None	None
Matters influencing audit appointment	None	None
Difficulties encountered during the audit	None	None
Disagreements with management's accounting estimates	None	None

Report to the Board of Directors

Disagreements with management's adoption of accounting policies or emphasis on the need for a particular accounting treatment	None	None
Significant weaknesses in the entity's risk assessment process within the design and/or implementation of controls	None	None
Material weaknesses in controls resulting from inappropriate response by management regarding implementing controls over significant risks	None	None
Matters giving rise to questions regarding the honesty and integrity of management	None	None

8. Auditor Independence

We confirm to the Board of Directors that we are independent of the Regional District.

Our letter to the Board of Directors discussing our independence is included as Appendix B to this report.

Appendix A - Draft Independent Auditors' Report

To the Chairperson and Directors of Cowichan Valley Regional District:

We have audited the consolidated statement of financial position of the Cowichan Valley Regional District as at December 31, 2010 and the consolidated statements of operations, and related schedules, cash flows and change in net debt for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Cowichan Valley Regional District as at December 31, 2010 and the results of its operations, change in net debt and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Duncan, British Columbia

May 11, 2011

Chartered Accountants

Appendix B - Auditor Independence Letter

May 11, 2011

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

Dear Sirs:

We have been engaged to audit the financial statements of Cowichan Valley Regional District ("the Regional District") for the year ending December 31, 2010.

CICA Handbook 5751, *Communications With Those Having Oversight Responsibility for the Financial Reporting Process* ("the Standard"), requires that we communicate at least annually with you regarding all relationships between the Regional District and Meyers Norris Penny LLP that, in our professional judgment, may reasonably be thought to bear on our independence. In determining which relationships to report, the Standard requires us to consider relevant rules and related interpretations prescribed by the appropriate provincial institute and applicable legislation, covering such matters as:

- (a) Holding a financial interest, either directly or indirectly, in a client;
- (b) Holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
- (c) Personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
- (d) Economic dependence on a client; and
- (e) Provision of services in addition to the audit engagement.

We are not aware of any relationship between the Regional District and Meyers Norris Penny LLP that, in our professional judgment, may reasonably be thought to bear on our independence, which have occurred from January 1, 2010 to May 11, 2011.

Generally Accepted Auditing Standards require that we confirm our independence to the Audit Committee. Accordingly, we hereby confirm that Meyers Norris Penny LLP is independent with respect to the Regional District within the meaning of the Rules of Professional Conduct of the Institute of Chartered Accountants of BC as of May 11, 2011.

This report is intended solely for the use of the Board of Directors, management and others within the Regional District and should not be used for any other purposes.

We look forward to discussing with you the matters addressed in this letter as well as other matters that may be of interest to you. We will be prepared to answer any questions you may have regarding our independence as well as other matters.

Yours truly,



MEYERS NORRIS PENNY LLP

TS/wah
encs.

Appendix C - Summary of Differences

Significant Unadjusted Differences

Differences Noted	Financial Statement Item(s) Affected	Adjustment to Statement of Financial Position	Adjustment to Statement of operations
Estimate of severance liability at 8% probability of payout	Unfunded liabilities understated, payroll expenses understated	(100,000)	(100,000)
Carryforward effect of 2009 differences	Earnings overstated; no effect on closing equity	-	(14,614)
Total Unadjusted Differences (Income Effect)			(114,614)



SR2

STAFF REPORT

REGULAR BOARD MEETING
OF MAY 11, 2011

DATE: April 18, 2011 BYLAW NOS.: 3474 & 3475
FROM: Kathleen Harrison, Legislative Services Coordinator, Corporate Services
SUBJECT: Vancouver Island Regional Library Borrowing Service – Notice of Alternative Approval Process and Elector Response Form.

Recommendation/Action:

That the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw Nos. 3474 and 3475, be approved.

Relation to the Corporate Strategic Plan:

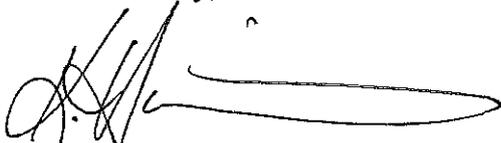
The creation of the Vancouver Island Regional Library Borrowing Service Area is consistent with Corporate Strategic Plan objectives of: promoting individual and community wellness; providing exceptional recreation and cultural services; and achieving excellence through community partnerships.

Financial Impact: N/A

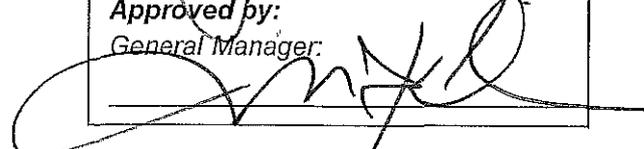
Background:

Bylaw Nos. 3474 and 3475 were granted third reading by the Board of Directors at its meeting held March 9, 2011, and were forwarded to the Inspector of Municipalities for approval. Provincial approval has been received, and the Board may now proceed with obtaining elector consent through an alternative approval process. Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses. The attached *Notice of Alternative Approval Process* and *Elector Response Form* set the deadline for responses for Bylaw Nos. 3474 and 3475 at 4:30 pm, Tuesday, June 28, 2011.

Submitted by,


Kathleen Harrison
Legislative Services Coordinator
Corporate Services Department

Reviewed by:
Division Manager:

Approved by:
General Manager:


Attachments: Notice of Alternative Approval Process
Elector Response Form



**NOTICE TO ELECTORS OF THE PROPOSED VANCOUVER ISLAND REGIONAL LIBRARY SERVICE AREA
(Whole of the Cowichan Valley Regional District)
OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD SERVICE ESTABLISHMENT AND LOAN AUTHORIZATION BYLAW Nos. 3474 and 3475**

Notice is hereby given that the Board of the Cowichan Valley Regional District intends to adopt "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011"; and "CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011".

BYLAW SUMMARY

If adopted, Bylaw Nos. 3474 and 3475 will allow the CVRD to create a borrowing service area to borrow up to a maximum of \$1,000,000 on behalf of the Vancouver Island Regional Library for a period of 30 years for the construction of a new library within the Town of Lake Cowichan. Should the maximum amount be borrowed, the cost to property owners within the service area with a residential property assessed at \$100,000 would be \$0. per annum. All costs incurred on this project by the CVRD will be recovered from the Vancouver Island Regional Library Board, by agreement. The complete bylaws are available for review at the CVRD office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:00 am - 4:30 pm, excluding statutory holidays. Copies of the bylaws are also available on the CVRD website at www.cvrld.bc.ca.

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The CVRD may adopt Bylaw No. 3474 and 3475 unless at least 10% of electors within the service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the CVRD office **no later** than 4:30 pm on Tuesday, June 28, 2011. *Elector Response Forms* must be in the form established by the CVRD, and only those persons who qualify as electors of the service area are entitled to sign. The service area is the whole of the CVRD comprised of the: City of Duncan; District of North Cowichan; Town of Lake Cowichan; Town of Ladysmith; and Electoral Areas: A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

Resident Elector – You are entitled to submit an elector response form as a resident elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of the proposed Vancouver Island Regional Library Borrowing Service Area for the past 30 days or more.

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

If less than 10% (5,661) of the service area electors submit an *Elector Response Form*, the bylaws will be deemed to have the approval of the electors and the CVRD may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 56,610.

Calculation Table

Service Area Participant	Residential Tax Rate	Maximum Annual Cost for a Residential Property Assessed at \$100,000. (land and improvements)	Number of Electors within the Whole CVRD	10% of the Electors
Municipalities and Electoral Areas	.0/\$1,000	\$0.	56,610	5,661

Copies of the Bylaws and *Elector Response Form* are available from the CVRD, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 250-746-2500/1-800-665-3955, e-mail kharrison@cvrd.bc.ca OR is also available on the CVRD website at www.cvrld.bc.ca.



**ELECTOR RESPONSE FORM
BYLAW NOS. 3474 and 3475**

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011"; and "CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011", which authorizes the CVRD to create a borrowing service area to borrow up to a maximum of \$1,000,000 on behalf of the Vancouver Island Regional Library for a period of 30 years for the construction of a new library within the Town of Lake Cowichan. Should the maximum amount be borrowed, the cost to property owners within the service area with a residential property assessed at \$100,000 would be \$0. per annum. All costs incurred on this project by the CVRD will be recovered from the Vancouver Island Regional Library Board, by agreement. The proposed Vancouver Island Regional Library Borrowing Service Area is comprised of the: City of Duncan; District of North Cowichan; Town of Lake Cowichan; Town of Ladysmith; and Electoral Areas: A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek. If you are opposed to the adoption of the bylaws, you may indicate your opposition by signing and returning this *Elector Response Form* to the CVRD by 4:30 pm, Tuesday, June 28, 2011. Only those persons who live or own property within the proposed service area and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

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

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

NAME OF ELECTOR:

_____ (Please Print Full Name)

ELECTOR STREET ADDRESS:

OR

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

SIGNATURE OF ELECTOR:

ELECTORAL AREA or
MUNICIPALITY

(contact telephone number including area code)

NOTE:

The *Elector Response Form* must be returned to CVRD, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before 4:30 pm, **Tuesday, June 28, 2011**. Regular office hours are 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays.

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



STAFF REPORT

REGULAR BOARD MEETING
OF MAY 11, 2011

DATE: May 4, 2011 FILE NO: 3-E-10RS
 FROM: Rachelle Moreau, Planner I BYLAW NO: 3465
 SUBJECT: Proposed Amendment Bylaw No. 3465

Recommendation/Action:

That this report be received for information.

Relation to the Corporate Strategic Plan: N/A**Financial Impact:** *(Reviewed by Finance Division: N/A)***Background:**

At the Regional Board meeting of April 13, 2011, CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Wandering U Inc.) 2011, was granted 1st and 2nd reading with the addition of the following wording to Section 2(b)(11.4)(a):

- (6) *“automotive, truck, recreational vehicle and boat sales and servicing is not permitted.”*

The purpose of this additional wording was to clarify and further stress that these uses are not permitted on the subject property. However, staff would recommend alternative wording in a format consistent with the bylaw. This recommended change would not materially affect the intention or the content of the wording.

It is suggested that Section 11.4(a)(1) – Permitted Uses be amended to read as follows:

- (1) *“agricultural equipment manufacture, repair, storage and accessory retail and wholesale sales, excluding automotive, truck, recreational vehicle and boat sales and servicing.”*

Staff have also been requested to provide a definition for the term “recreational vehicle”, to clarify that this does not include all-terrain vehicles and similar equipment. The following definition of recreational vehicle is contained within CVRD Bylaw No. 1520, Campsite Standards Bylaw, and Bylaw No. 3465 could be amended to include this definition in order to define recreational vehicle within the Definition section of the Electoral Area Zoning Bylaw No. 1840.

“Recreational vehicle” means any vehicle, trailer, coach, camper bus, structure or conveyance designed to travel or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters by travelers.”

If the Board is inclined to make changes to Bylaw No. 3465, the following amendments are suggested:

- 1) Add the following definition to Section 2(a):

"Recreational vehicle" means any vehicle, trailer, coach, camper bus, structure or conveyance designed to travel or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters by travelers."

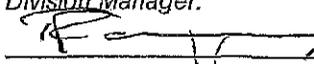
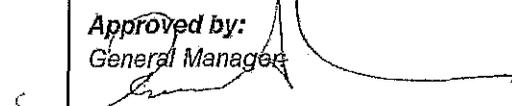
- 2) Delete Section 2(b)(11.4)(a)(6)

- 3) Amend Section 2(b)(11.4)(a)(1) to read: "agricultural equipment manufacture, repair, storage and accessory retail and wholesale sales, *excluding automotive, truck, recreational vehicle and boat sales and servicing.*"

Submitted by,



Rachelle Moreau,
Planner I
Development Services Division
Planning and Development Department

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

RM/ca



SR4

STAFF REPORT

REGULAR BOARD MEETING
OF MAY 11, 2011

DATE: May 4, 2011
FROM: Ron Austen, General Manager, Parks, Recreation & Culture Department
SUBJECT: Cowichan Lake Sports Arena Renovation Project

Recommendation/Action:

For information

Relation to the Corporate Strategic Plan:

The Corporate Strategic Plan specifically listed upgrading the Cowichan Lake Sports Arena as a strategic action as part of the CVRD's efforts to ensure well maintained public facilities.

Financial Impact: (Reviewed by Finance Division: NA)

N/A

Background:

Over the past two years, substantial time, resources and money has been invested into the upgrade of the Cowichan Lake Sports Arena. This project was recently completed with the official grand opening in March. The Cowichan Lake Sports Arena Renovation project presentation to be distributed at the Board meeting highlights the major aspects of this program including history of the facility, public approval process, construction stages, costs, lessons learned, and highlights of the completed project.

Submitted by,

A handwritten signature in black ink, appearing to read "Ron Austen", is written over a horizontal line.

Ron Austen, General Manager
Parks, Recreation & Culture Department



SR5

STAFF REPORT

BOARD MEETING
OF MAY 11, 2011

DATE: May 3, 2011 FILE NO: 1855-20/Brownfield
FROM: Harmony Huffman, B.A., EPT, Environmental Technologist III
SUBJECT: Brownfield Renewal Funding for Meade Creek Ash Landfill Remediation Project

Recommendation/Action:

That staff apply for funding under the BC Brownfield Renewal Funding Program to assist in the completion of the Meade Creek Ash Landfill Remediation Project; and further that, should the application for funding be approved, the Chair and Corporate Secretary be authorized to sign the funding agreement on behalf of the CVRD.

Relation to the Corporate Strategic Plan:

Remediation of the Meade Creek former incinerator site is a key objective of the CVRD's Solid Waste Management Plan and supports the regional objectives of *Responsible Waste Management* (Sustainable Infrastructure) and *Restore, Rehabilitate & Enhance the Natural Environment* (Healthy Environment).

Financial Impact: (Reviewed by Finance Division: SEN)

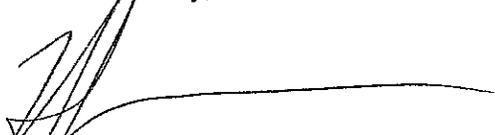
An estimated cost of \$20,000 will be paid from Budget 520 – Regional Solid Waste Management. If successful, the Brownfield funding application will cover up to 50% of this cost.

Background:

In 2009, the CVRD was awarded up to \$164,878 in funding from the Provincial Brownfield Renewal Strategy to undertake needed preliminary studies, including both preliminary and detailed site investigations. These are studies now completed and were key to developing a remediation and closure plan, which is the next step in the remediation process.

The Provincial Brownfield Renewal Program has recently announced that additional Brownfield funding has been made available. The funding will cover eligible activities, including the development of remediation and closure plans. Estimated costs for the development of remediation and site closure plans are approximately \$20,000. The CVRD may apply to the Brownfield Renewal Strategy for funding of up to 50% of these costs.

Submitted by,


Harmony Huffman
Environmental Technologist

<p>Reviewed by: Division Manager:</p> 
<p>Approved by: General Manager:</p> 



SR6

STAFF REPORT

BOARD MEETING
OF MAY 11, 2011

DATE: May 4, 2011 FILE NO:
FROM: J.E. Barry, Corporate Secretary BYLAW NO: 3459
SUBJECT: Section 794(2) Notice re: CVRD Bylaw No. 3459 - Board Committee and
Commissions Procedures Amendment Bylaw, 2011

Recommendation/Action:

For information.

Relation to the Corporate Strategic Plan:

Not applicable.

Financial Impact:

Not applicable.

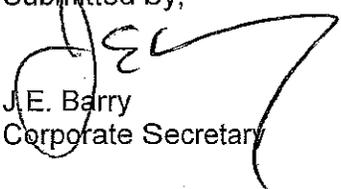
Background:

Section 794(2) of the *Local Government Act* requires that Notice be given prior to a Procedure Bylaw being amended. This notice is being provided by this report which has also been emailed to each Director in advance. In January 2011, the Board considered a bylaw amendment that would add a public question period to the Committee and Commissions Procedures Bylaw. The bylaw amendment was forwarded to the Communications Committee for review. The Committee subsequently passed a resolution that the bylaw amendment include wording that would only require 'Question Period' to appear on agendas for standing committees and commissions of the Board that consist primarily of elected officials.

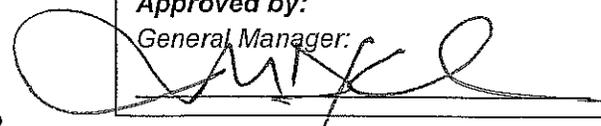
CVRD Bylaw No. 3459 - Board Committee and Commissions Procedures Amendment Bylaw, 2011 does not contain guidelines for the structure of the question period. Question Period guidelines will be placed in a policy format for consideration by the Regional Services Committee later this month. It is preferable that question period regulations or guidelines appear in a policy format and not in the actual bylaw. This gives the governing body the ability to waive policy when required since bylaw regulations cannot be waived.

On a housekeeping note, the bylaw amendment also tidies up the definition of "Committee".

Submitted by,


J.E. Barry
Corporate Secretary

Reviewed by:
Division Manager: N/A

Approved by:
General Manager:




SR7

STAFF REPORT

REGULAR BOARD MEETING
OF MAY 11, 2011

DATE: May 3, 2011

FILE NO:

FROM: Chief Administrative Officer

BYLAW NO:

SUBJECT: Communications Committee

Recommendation/Action:

For information.

Relation to the Corporate Strategic Plan:

The Communications Committee and proposed communications plan support the objective of developing a comprehensive communications plan that will support information flow between the Board, Commissions/Committees and staff as well as proactively informing the residents of local government activities in and around the Region.

Financial Impact: *(Reviewed by Finance Division: [Signature])*

Although no funds have been specifically allocated in the 2011 Budget, the work of the Communications Committee will be supported through existing budgets and staff resources. If the anticipated \$40,000 costs for the Communications Plan cannot be funded within the General Government budget, the Operating Reserve, currently at \$72,873 will be used to fund the Plan.

Background:

At its April 19, 2011 meeting, the Communications Committee resolved to recommend to the CVRD Board the following:

"That the draft Terms of Reference for the Communications Committee be approved as amended by removing the phrase "two way" and replacing the word "communications" with words such as "engage" and "dialogue", and;

"That the draft Request for Proposals, for a strategic communications plan, be approved."

Attached for the Board's information are copies of the Committee's Terms of Reference and Strategic Communications Plan Request for Proposal documents.

Submitted by,

[Signature]
Warren Jones
Chief Administrative Officer

WJ/ann



C·V·R·D

COMMUNICATIONS COMMITTEE

TERMS OF REFERENCE

Purpose: The purpose of the Communications Committee is to improve communication between the CVRD and the communities and people it serves.

Mandate: The mandate of the Communications Committee is to develop a comprehensive external communications plan. Guided by the corporate strategic plan, the committee's work assists with the regional districts effort to be "*an organization whose public are proactively informed*" as part of its goal of ensuring *service excellence*.

Goal: The goal of the Communications Committee is to develop strategies to ensure the effective communication of information, issues and news between the CVRD and residents, businesses and other constituent groups.

Responsibilities: The responsibilities of the Communications Committee are to:

- Clarify corporate communication lines to ensure community groups, the media, and resident's inquires are uniformly considered in a prompt and professional manner.
- Assess web based technologies to stream Board and other committee meetings online.
- Recommend options to ensure that regular media releases are produced throughout the year to inform the public on ongoing CVRD activities and initiatives.
- Develop a set of protocols to ensure a uniform experience for the public when attending public meetings, open houses, town hall meetings, public hearings, etc.
- Assess ways to better identify projects and initiatives in advance that will require enhanced communication with the public.
- Recommend training & skill development opportunities for better communication between the Board and constituent groups.
- Recommend ways for the Board to better gather input from the public.
- Identify any other needed actions in general to improve the dialogue between the CVRD and its constituent groups.
- Identify tools and processes to assist individual Directors in engaging in local communities.

Expected Outcomes: It is expected that the Communications Committee will recommend to the Board strategies and an associated implementation plan for enhancing communication flow between the CVRD and the constituents it serves.

Membership: The Board chair selects the Chair and appoints members to serve on the Communications Committee.

Reporting: The Communications Committee reports to the Board.

Meetings: Regular Communications Committee meetings will be scheduled on a monthly basis and/or at the call of the committee chair.



Cowichan Valley Regional District

REQUEST FOR PROPOSALS

STRATEGIC COMMUNICATIONS PLAN

May ____, 2011

The Cowichan Valley Regional District (CVRD) requests submissions from qualified specialists to develop a

Strategic Communications Plan as further described in this request for proposals.

Please submit three (3) hard copies and one (1) electronic copy of your proposal in a sealed package by the due date _____ to the attention of:

Joe Barry, Corporate Secretary, Cowichan Valley Regional District
175 Ingram Street, DUNCAN BC V9L 1N8

**COWICHAN VALLEY REGIONAL DISTRICT
STRATEGIC COMMUNICATIONS PLAN TABLE OF CONTENTS**

1.0 Background and Purpose.....

2.0 Project Description.....

 2.1 Scope of Services.....

 2.2 Important Considerations.....

 2.3 Meetings/Hours.....

 2.4 Preliminary Report.....

 2.5 Final Report.....

 2.6 Demonstrable Skills.....

3.0 Proposal Process and Submission of Proposal.....

 3.1 Overview.....

 3.2 RFP Schedule.....

 3.3 Required Information.....

 3.4 Timeliness.....

 3.5 Proposal Contents.....

 3.6 Proof of Insurance.....

4.0 Project Schedule.....

5.0 Evaluation Process and Selection Criteria.....

 5.1 Criteria and Weights.....

 5.2 Agreement Negotiations.....

6.0 Nature of this Document.....

 6.1 Limitations.....

 6.2 Disclosure.....

 6.3 Sole Discretion for Criteria.....

 6.4 Sole Discretion to Accept or Reject.....

1.0 Background & Purpose

The CVRD is seeking a practitioner who is well-versed in communications planning for local government who can work with the Board of Directors and CVRD staff to conduct a communication audit and develop a comprehensive public communications strategy.

The Board has identified communications as a key goal and the CVRD's 2011 Community Survey indicated additional information and outreach to citizens would be valuable. While the CVRD currently meets its legal obligations for public information, the CVRD wants to go beyond these requirements and improve residents' experience with, and knowledge of, the Regional District.

The purpose of the Communications Plan is to bring unity, consistency and greater effectiveness to the CVRD's communications. The Communications Plan should offer guidance in equipping CVRD Departments and elected officials to portray a consistent corporate image and in making cost-effective choices regarding communication with citizens.

2.0 Project Description

2.1 Scope of Services

The Consultant will prepare a communication strategy that provides a framework for communication with citizens. The required elements are as follows:

- Review and audit the CVRD's existing communication and public consultation mechanisms and mediums and evaluate the efficiency of these mechanisms, as well as the quality of the citizen's experience. Review citizen demographic characteristics and information gathering/receiving preferences to determine most effective mediums for communication and public consultation between the CVRD and residents;
- Recommend measures to be adopted, or processes to be changed to achieve our communication goals;
- Recommend communication strategies appropriate for the variety of services offered by the CVRD (including operational/administrative functions, public advertising and CVRD correspondence);
- Develop an implementation plan with prioritized initiatives and timelines;
- Develop a community engagement toolkit for staff outlining preferred methods of communication depending upon the nature or type of information or issue.

To complete this work, other deliverables may include:

- Meetings with Chief Administrative Officer (CAO), staff, and the Board of Directors to gain clarity on mission, strategic priorities, and core values;
- Research (i.e., survey, focus groups, municipal best practices) to determine how and when residents want to be involved;
- Determination of communication/customer service philosophy in keeping with Board goals, as well as standards for Board correspondence;
- Developing key messages for inclusion in CVRD communications;

2.2 Important Considerations

- Community Survey -The CVRD recently completed a community survey, facilitated by Ipsos Reid. The survey included a limited number of questions pertaining to communications.
- Board Goals – CVRD Board of Directors has adopted goals which should be considered in the development of the Strategic Communications Plan.
- *Local Government Act* -The CVRD must comply with legal mandates for communication, including public notification, publication, and comment processes.

2.3 The consultant will be required to meet with CVRD staff as necessary to undertake this project. The CVRD looks to the consultant to provide the amount of hours anticipated to accomplish this task.

2.4 It is anticipated that there will be a preliminary report provided for vetting prior to the final report by the Consultant.

2.5 The final report will consist of all the required elements as identified in this RFP and is subject to approval by the CAO.

2.6 The Consultant should be able to demonstrate the following skills:

- (a) Experience handling communication in a government or non-profit environment;
- (b) Ability to evaluate where communication services are being used valuably, or to excess, in the CVRD, and where change is needed;
- (c) Creative and dynamic approach to the process;
- (d) Understanding of communication strategy generally;
- (e) Experience with public advertising strategies and comprehensive campaigns.

3.0 PROPOSAL PROCESS AND SUBMISSION OF PROPOSAL

3.1 The Proponent should submit its Proposal for the Project on the basis of the requirements set out in this RFP, and the Proponent's further investigations in contemplation of the CVRD and the Project.

3.2 The current schedule for the RFP phase of the Project is as follows:

- (a) Distribution of RFP Documents - _____
- (b) Proposal Due Date - _____

The CVRD reserves the right in its sole discretion to alter the current schedule set out above.

3.3 The Proposal should be submitted along with the Proponent's complete name and address to the attention of the Corporate Secretary.

3.4 It is the Proponent's sole responsibility to ensure that its Proposal is received by the CVRD by the Proposal Due Date. Proposals received after the Proposal Due Date may be rejected and returned to the Proponent unopened.

3.5 Proposal Contents

Submissions of proposals should include, but not necessarily be limited to, the following:

- (a) Proposal pricing should include all factors that will affect the cost of the Proposal, including estimates of delivery, support, employees, subcontractors, consultant, cost savings, etc. Proposal pricing should reasonably allow for adjustments that may be negotiated or be considered necessary to complete the services or requirements of a Contract. Budget should be itemized based upon the scope of the work identified in this RFP. The proposed budget should include a pricing formula and identify the percentage of fees to be paid out at a specific task completion. Budget information should be provided in a separate, sealed envelope.
- (b) Cover letter identifying the Proponents, the size of the firm, and location of the office from which the work will be conducted.
- (c) Personnel intended to be assigned to the project including each member's anticipated role and a description of responsibilities.
- (d) Education and experience of each member of the team. Included must be a brief summary of experience related to this project.
- (e) Identification of project manager.
- (f) A list of similar projects prepared by the firm and references.
- (g) Any proposed sub-consultants indicating approximate percentage of work anticipated by each sub-consultant.

- (h) A work plan, including an explanation of the methodologies to be followed to perform the services required of this proposal and a description of any special techniques or suggestions that would result in a better finished product.
- (i) A list of anticipated deliverables and due dates, including but not limited to:
 - i. Draft Report (One (1) Hard Copy and PDF Version)
 - ii. Final Report (Three (3) Hard Copies and PDF Version)
 - iii. Presentation of Final Report at Board of Directors Work Session
- (j) A list of the records and documentation the CVRD will be expected to provide.
- (k) Approximate project schedule and completion date.

3.6 Proof of Insurance

The Consultant will be responsible for any negligent or wrongful acts or omissions of the Consultant, his employees, agents, or subcontractors and employees or agents of the sub contractor(s) incident to the performance of this contract. The Consultant will defend, hold, and save harmless the CVRD from all claims of liability for any death or damage to all persons or to real or personal property resulting from the performance of the Agreement. Firm shall at its sole cost and expenses procure and maintain insurance satisfactory to the CVRD in the following coverage amounts:

- (a) Workers' Compensation and other Mandated Insurance -Firm shall maintain during the life of the Agreement the statutory Workers' Compensation and Employer's Liability Insurance, and other insurance required by law, for all of the firm's employees engaged in work under this contract.
- (b) Bodily Injury, Property Damage, and Professional Liability Errors and Omissions Insurance -Firm shall maintain during the life of the Agreement coverage such to protect Consultant from claims of damage which may arise from work under the Agreement, whether such operations be by his/herself, or by anyone directly or indirectly employed by them. Consultant shall provide General Liability insurance to be at least \$1,000,000 per occurrence. Certificates of insurance from the insurance provider **must** be included within the proposal, and are subject to review and approval by the CVRD.

4.0 PROJECT SCHEDULE

The schedule will depend upon the timing of the awarding the RFP but the Communication Plan is expected to be completed and delivered by _____ with adoption prior to _____.

5.0 EVALUATION PROCESS AND SELECTION CRITERIA

5.1 The following criteria and weights shall be utilized as a guideline to evaluate the proposals. Individual criteria have been assigned varying weights.

(a) Qualifications and Relevant Experience	30%
(b) Methodology and Deliverables	40%
(c) Project Time Frame	10%
(d) Project Cost	10%
(e) References from Other Similar Projects	10%

A selection committee will be established and will evaluate proposals using the first four criteria outlined above and reference checks will not be undertaken until later in the evaluation process. At the sole discretion of the selection committee, a short list of the highest scored proponents may be developed. Proponents included on the short list may be invited to an interview with the selection committee. The interview may include a requirement for the Proponent to make a presentation to the selection committee. The intent of the presentations/interview will be to allow the selection committee an opportunity to clarify any questions resulting from the initial evaluation.

After the presentations the CVRD may reevaluate the short-listed proposals using the same criteria and completing reference checks. The final selection will be based on the CVRD's determination of the best scoring.

5.2 If the CVRD selects any of the Proposals as best meeting the needs of the CVRD in considering the requirements set out in this RFP and the public interest, the CVRD may enter into negotiations for a Professional Services Agreement with the selected Proponent to provide the work.

6.0 NATURE OF THIS DOCUMENT

6.1 This RFP is solely a request for proposals. It is not an invitation for tenders, an offer of contract, or an invitation for offers capable of acceptance to create a contract. No contractual or other legal obligations or relations between the CVRD or any other person can or will be created except by a written contract executed by the CAO or Board of Directors.

6.2 Proponents are cautioned that a Proposal or part of a Proposal may be made public or otherwise disclosed by the CVRD if the CVRD elects to do so or is required to do so by law.

6.3 The CVRD's criteria and requirements for the nature and scope of design of the Project are set out in this RFP, but the CVRD reserves the right in its sole

discretion to alter those criteria or requirements in the course of negotiations with a Proponent.

6.4 The CVRD expects to select a preferred Proponent with whom it may enter into discussions leading to a Professional Services Agreement. In considering any Proposals made in response to this RFP, the CVRD reserves to itself the absolute and unfettered discretion to accept or reject any Proposal whether or not complete or whether or not it complies with the requirements set out in this RFP for the content of Proposals.

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PH1

PUBLIC HEARING REPORT
Bylaw No. 3465

Following is a summary of the proceedings of the Public Hearing for Zoning Amendment Bylaw No. 3465 (Wandering U Inc.), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Thursday, April 28, 2011, at the Glenora Community Hall, 3660 Glenora Road, Duncan, BC, at 7:03 p.m.

HEARING DELEGATES

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora, Chairperson
Director L. Iannidinardo, Electoral Area D – Cowichan Bay

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

CVRD STAFF PRESENT

Ms. R. Moreau, Planner I, Planning & Development Department
Mr. R. Conway, Manager, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:
There were 7 members of the public present.

CALL TO ORDER

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

PROCEDURES

Ms. Moreau explained the requirements under Section 890 of the *Local Government Act*. She advised that notice of the Public Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, April 20, 2011 and Friday, April 22, 2011) and *Leader Pictorial* (Wednesday, April 20, 2011 and Friday, April 22, 2011) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Zoning Amendment Bylaw No. 3465 proposes to amend Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 in order to:

- Amend the I-5 Restricted Light Industrial Zone to introduce a new category of “Secondary Permitted Uses”:
 - 1) equipment sales, rental and repair; and
 - 2) Household equipment sales, rental and repair.
- Further clarify that “automotive, truck, recreational vehicle and boat sales and servicing” is not permitted in the I-5 Zone.
- Amend the minimum parcel size for subdivision for parcels not served by a community water or sewer system from 0.8 hectare up to 1.0 hectare in the I-5 Restricted Light Industrial Zone.
- Introduce the following two new definitions to “Part 3 – Definitions” of the Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840:
 - “**equipment**” means large mechanical equipment including farm machinery and implements, construction and industrial machinery;
 - “**household equipment**” means small equipment commonly used in a residence including appliances, power tools, and exercise equipment.

The I-5 Restricted Light Industrial Zone currently only applies to the subject property, legally described as Lot 1, Section 5, Range 2, Cowichan District, Plan 5078 located at 4650 Trans Canada Highway.

The purpose of Zoning Amendment Bylaw No. 3465 is to allow the sale of equipment and household items as Secondary Permitted uses, which would only be permitted on the property in conjunction with the principal permitted uses currently allowed on the property.

Ms. Moreau stated that one email had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, April 28, 2011, at 4:30 p.m. She further advised that copies of the proposed Amendment Bylaw were located on the side table for review.

Ms. Moreau further advised:

- The application applies to the existing John Deere Dealership located at 4650 Trans Canada Highway;
- Property is approximately 0.8 hectares (2 acres) and is zoned I-5 Restricted Light Industrial. The surrounding properties are primarily zoned A-1 Primary Agricultural with the exception of the Dinter's Nursery property to the north, which is zoned A-5;
- Under the existing Zone, the zoning restricts the uses to the sale of agricultural equipment, lawn and garden equipment, sale of agricultural supplies, and light industrial manufacture and accessory retail sales;
- The proposed Amendment Bylaw would expand the list of potential items that can be sold from the property to include large and small equipment which would allow more variety in what can be sold from the site. These would be permitted as secondary uses and only allowed as long as one of the principal agricultural industrial uses are taking place on the property.

Correspondence

The following item was received and is attached to the Minutes as an Exhibit:
1) Email dated April 28, 2011, from Roger Morgan, Wandering U Inc. (EXHIBIT 1).

Location of the File

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

APPLICANT, Wandering U. Inc.

Roger Morgan was present and stated the following with regard to Rezoning Application No. 3-E-10RS:

- Application is self explanatory as they applied for rezoning because there is an increasingly changing agricultural industry and the tenants of their building need to change with the industry. They have modified the original rezoning application many times in keeping with the vision of the CVRD and the area, but noted that the economic reality is if they cannot expand the business will fail;
- John Deere dealership have signed a long term lease with them and they want them to be able to sell different lines in order to be profitable;
- Surprised to have heard after attending previous meetings there was a further change in the Bylaw that was made by the Board by putting more restrictions on permitted uses on the land. Concerned there was no

discussion with him about that change until late last evening;

- He has forwarded an email (Exhibit 1) to Mr. Conway noting his concerns regarding the proposed changes to the Bylaw;
- Understood what would have previously been permitted but now there are further restrictions that have come forward that have blindsided him and he was not made aware of them and he would have liked the opportunity to discuss them prior to the Hearing.

QUESTION PERIOD

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

Director Duncan

- Agreed he should have been notified about the additional clause to the Bylaw that was made at the Board meeting;
- Concern was raised at the Board meeting about the site staying in its primary agricultural use.

Roger Morgan

- He has no problems with that.

Director Duncan

- Understands he is concerned with the term "recreational vehicle" not being a permitted use and that it may exclude ATV's. The intent was directed toward excluding motor homes or camping trailers.

Roger Morgan

- What concerns him is many ATV manufacturers now have a sales line of jet ski watercraft;
- Whole purpose of the rezoning application was to allow the group to have some flexibility in their business and the word "boat" concerns him as a non permitted item.

Director Duncan

- ATV's are often used on rural acreages and farms as a work vehicle but jet skis are not agricultural in orientation even though they may be an accessory to an ATV manufacturer;
- Does not want to see a very successful business of jet skis located along the Highway as the emphasis must be kept on primary agricultural;
- He is fairly comfortable stating that boat sales are not permitted on that site.

Roger Morgan

- ATV manufacturers also contain a line of recreation watercraft;
- Bombardier does have a watercraft line and if they take on that line of Bombardier they also want the opportunity to sell that watercraft line.

Rob Conway

- Challenge of the application is to how to maintain the primary agricultural use and the proposed Bylaw Amendment does a good job of that;
- ATV clarification can be reviewed further to make it clearer as a secondary permitted use but he was not sure if the Board would want to see watercraft listed as a secondary permitted use.

Director Duncan

- Trying to find the fine line between agricultural, farmland and water uses but noted that ATV's are used on farmland;
- A definition of recreational vehicle should be within the Zoning Bylaw that specifically states it does not include ATV's.

Roger Morgan

- What is the process after the Hearing and could any further discussion take place?

- Director Duncan**
- After the close of a Public Hearing there can be no discussion with the Directors but he could speak with Planning staff about reviewing density and use issues;
 - The Public Hearing Minutes will be forwarded onto the Regional Board for their review and the Bylaw will be presented to the Board to proceed further or not. It is also at that time that minor amendments could be made to the Bylaw, as long as it does not deal with density and use.
- Roger Morgan**
- If Ms. Moreau had not called him last afternoon he would not have even known about the amendment made to the Bylaw at the Board meeting.
- Director Duncan**
- He should have been notified about the amendment to the Bylaw after it received 1st and 2nd reading prior to the date of the Hearing.
- Roger Morgan**
- Nine months were previously spent on the consulting process and now prior to Hearing it had been changed making it very confusing.
- Director Duncan**
- Uses that are ancillary to primary uses causes some nervousness and there was question and concern at the EASC as to how to anchor and tether the existing zoning to its agricultural uses and at the same time allow them some slack to enjoy some further economic opportunities of other lines within their business;
 - One thing that was carried out, and the applicant never asked for it, was that “automotive, truck, recreational vehicle and boat sales and servicing” have been specifically prohibited by the Board in this Amendment Bylaw.
- Roger Morgan**
- Concerned that John Deere has over the years acquired different businesses and as a John Deere dealer if they were to buy a boat line they would be expected to sell that line and then that would have to be another rezoning application process with the CVRD.
- Director Duncan**
- If John Deere was to sell a sea-doo line he would have to come back to the CVRD for zoning clarification.
- Roger Morgan**
- Needs to speak with Planning Staff to clarify the situation.
- Director Duncan**
- Density and use cannot be modified after the close of a Public Hearing but some adjustment to the Bylaw may be possible.
- Frank McCorkell,
3965 John’s Road**
- Sits on the Area E Advisory Planning Commission (APC) and the question was raised as to what uses would be required and after that meeting everyone seemed to be very vague on what uses would actually be required;
 - Does not want to see uses permitted on the site as another dealer could come onto the property that was not an agricultural land based business and that could create an open envelope;
 - Not against a business having other things to sell but does not want to see somebody coming back and saying why did you allow that, as there is a fine line as to what can and cannot be sold.
- Director Duncan**
- The line is between restrictive and permissive.
- Frank McCorkell**
- The direction of the Hearing is leading towards another discussion but noted the APC made their comments and decision on the application.

Director Duncan

➤ APC’s comments were discussed and taken into account.

Rachelle Moreau

- APC’s comments were well taken into account and they supported the agricultural equipment being the principal uses but were also open to some other uses on site;
- The APC had suggested permitting sales of equipment associated with the principal tenant, however under the Planning Legislation they cannot link that to a tenant it has to be linked to a use of the land;
- A different approach of allowing both principal and secondary uses was put forward to the EASC.
- Discussion has been carried out regarding equipment and also recognizing that all-terrain vehicles fit in with the business but that other types of motorized equipment like vehicles do not.

Frank McCorkell

➤ Does not have a problem with what is there now but is concerned about what could end up there in the future.

Director Harrison

Asked for further questions from the public present three times regarding Zoning Amendment Bylaw No. 3465.

PUBLIC COMMENTS

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

Director Duncan

➤ Asked for comments or submissions a 1st and 2nd time with regard to Zoning Amendment Bylaw No. 3465.

Roger Morgan

➤ Is the email he sent to Mr. Conway part of the Public Hearing record?

Rob Conway

➤ Yes, Mr. Morgan’s email is part of the Public Hearing record.

ADJOURNMENT

Chairperson Duncan asked for public comments or submissions three times from the public present regarding Zoning Amendment Bylaw No. 3465.

Chairperson Duncan declared the Public Hearing closed at 7:39 pm.

CERTIFICATION:

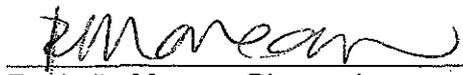
We attended the Public Hearing on Thursday, April 28, 2011, and hereby certify that this is a fair and accurate report of the Public Hearing.


Director L. Duncan

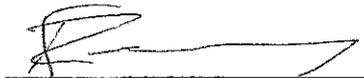
Date May 3/2011


Director L. Iannidinardo

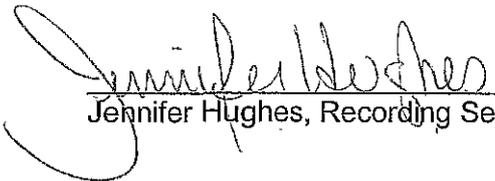
Date May 3/2011


Rachelle Moreau, Planner I

Date May 4 2011


Rob Conway, Manager

Date May 4, 2011


Jennifer Hughes, Recording Secretary

Date May 3, 2011



PUBLIC HEARING REPORT
Bylaws No. 3471 and 3472

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3471 and Zoning Amendment Bylaw No. 3472 (Hignell), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora and Electoral Area F – Cowichan Lake South/Skutz Falls, held on Tuesday, April 26, 2011, at the Sahtlam Fire Hall, 4384 Cowichan Lake Road, at 7:15 p.m.

HEARING DELEGATES

Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls, Chairperson
Director K. Kuhn, Electoral Area I – Youbou/Meade Creek
Director M. Dorey, Electoral Area G – Saltair/Gulf Islands

CVRD STAFF PRESENT

Ms. A. Garnett, Planner II, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:
There were 5 members of the public present.

CALL TO ORDER

Director I. Morrison chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD staff present.

PROCEDURES

Ms. Garnett explained the requirements under Section 890 of the *Local Government Act*. She advised that notice of the Public Hearing was advertised in two consecutive issues of the *Citizen* (Friday, April 15, 2011 and Wednesday, April 20, 2011) and *Leader Pictorial* (Friday, April 15, 2011 and Wednesday, April 20, 2011) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3471 proposes to amend Electoral Area E – Cowichan Station/Sahtlam/Glenora and Part of Electoral Area F - Cowichan Lake South/Skutz Falls Official Community Plan Bylaw No. 1490 in order to allow for a new residential zone in the River Corridor designation (River Corridor 5 Zone) which would permit a 0.4 hectare (1 acre) minimum lot size. The new RC-5 Zone is intended for land that was previously zoned for tourist commercial use and where a 0.4 hectare minimum lot size is consistent with the surrounding settlement pattern.

Zoning Amendment Bylaw No. 3472 proposes to amend Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 by creating a new zone – the River Corridor 5 Zone (RC-5 Zone), and rezoning the subject property legally described as Lot C, Section 7, Range 1, Sahtlam District, Plan 13363 except part in plan VIP68383 from C-4 (Tourist Commercial) to RC-5 (River Corridor 5) Zone.

The purpose of Amendment Bylaw Nos. 3471 and 3472 is to:

- a) Change the permitted uses of the subject property from tourist commercial to residential, and
- b) To permit a 3 lot subdivision.

Ms. Garnett stated that no pieces of correspondence had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, April 26, 2011, at 4:30 p.m. She further advised that copies of the proposed Amendment Bylaws were located on the side table for review.

Ms. Garnett further advised:

- The subject property is known as Sahtlam Lodge and Cabins located at 5720 Riverbottom Road West;
- Subject property is 2 hectares or 5 acres in size, is presently zoned C-4 (Tourist Commercial);
- The surrounding residential properties are zoned RC-3 (River Corridor 3) and designated as River Corridor within the Official Community Plan;
- The applicants have applied to rezone the subject property to allow them to create 3 residential lots, each approximately one acre in size;
- There is no existing residential zone in the Area F Zoning Bylaw that would allow for subdivision into 0.4 ha (1 acre) lots and the RC-3 Zone, which applies to the majority of the surrounding area, has a 20 ha (50 acre) minimum lot size. So a new River Corridor 5 Zone has been introduced;
- The primary difference between the RC-3 Zone and RC-5 Zone is the minimum lot size and the RC-3 Zone allows for a small suite or secondary suite, while the RC-5 Zone won't allow for this;
- If the rezoning application is successful and the amendment bylaws are adopted by the CVRD Board, the applicants would apply to the Ministry of Transportation and Infrastructure for subdivision approval. The subdivision application involves looking at water and sewer servicing, site access, and considering the potential risks associated with the location along the River.

Correspondence

The following items were received and are attached to the Minutes as Exhibits:

- 1) Letter dated November 15, 2010 and April 20, 2011, from Judy and Alex Brayden (EXHIBIT 1);
- 2) Letter dated April 25, 2011, from Parker and Cathi Jefferson (EXHIBIT 2).

Location of the File

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

APPLICANT, David and Valerie Hignell

David Hignell stated the following with regard to Rezoning Application No. 1-F-10RS:

- Asking the community to support the downsizing of the subject property from commercial to residential;
- Proposing a three lot riverfront residential subdivision that would decrease the overall impact to water and septic;
- Approvals are in place for the buildings and septic systems and the wells have been drilled for the proposed lots;
- Two fences will be new to the neighbourhood;
- Both Areas E and F Advisory Planning Commissions have reviewed and endorsed the proposed three lot subdivision.

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

Director Morrison Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3471 and Zoning Amendment Bylaw No. 3472.

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

Alex Brayden
5658 West
Riverbottom Road ➤ Read his submitted letter (EXHIBIT 1) stating that he and his wife, Judy, support the proposed rezoning of the subject property located at 5720 West Riverbottom Road.

ADJOURNMENT Chairperson Morrison asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3471 and Zoning Amendment Bylaw No. 3472.

Chairperson Morrison declared the Public Hearing closed at 7:25 pm.

CERTIFICATION:

We attended the Public Hearing on Tuesday, April 26, 2011, and hereby certify that this is a fair and accurate report of the Public Hearing.



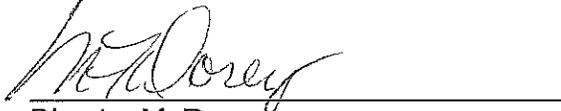
Director I. Morrison

Date May 2, 2011



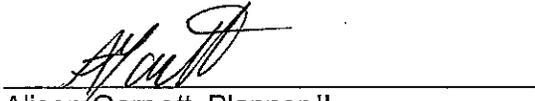
Director K. Kuhn

Date 3 May 2011



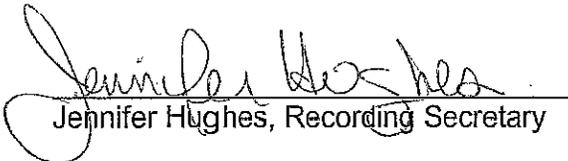
Director M. Dorey

Date May 3, 2011



Alison Garnett, Planner II

Date May 2, 2011



Jennifer Hughes, Recording Secretary

Date May 2, 2011



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3459

A Bylaw to Amend Board Committee and Commissions Procedures Bylaw No. 2922

WHEREAS the Board of the Cowichan Valley Regional District established procedures for the proceedings and conduct of meetings of Board Committees and Commissions under the provisions of Bylaw No. 2922, cited as "CVRD Bylaw No. 2922 – Board Committee and Commissions Procedures Bylaw, 2007";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to amend the Order of Proceedings and Business to include a Question Period at Board Committee and Commission meetings;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3459 – Board Committee and Commissions Procedures Amendment Bylaw, 2011**".

2. **AMENDMENTS**

1. That the definition of "Committee" be deleted and replaced with the following definition of "Committee":

"Committee" means a standing Committee created by the Board Chair or a Commission established by bylaw.

2) That Section 12 - Order of Proceedings and Business be deleted and replaced with the following Section 12:

12. **ORDER OF PROCEEDINGS AND BUSINESS**

- a) The agenda for all regular Committee meetings contains the following matters (except as noted) in the order in which they are listed below:
 - (i) Approval of Agenda
 - (ii) Adoption of Minutes
 - (iii) Business Arising From the Minutes
 - (iv) Delegations
 - (v) Department Reports/Correspondence
 - (vi) Unfinished Business

- (vii) New Business
- (viii) Question Period (*only applies if membership of the Committee is comprised of 50% or greater of Elected Officials*)
- (ix) Closed Session
- (x) Adjournment

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3478

**A Bylaw to Amend the Cowichan Bay Sewer System Management
Bylaw No. 2476**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Cowichan Bay Sewer System pursuant to "CVRD Bylaw No. 2476, cited as "CVRD Bylaw No. 2476 – Cowichan Bay Sewer System Management Bylaw, 2003";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3478 - Cowichan Bay Sewer System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 2476

SEWER SERVICE CHARGES

(a) **Consumers** of **Sewer Services** shall pay the minimum billing set out in sub-section (b) below. A 10% discount will be applied for timely payment.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling – Per Dwelling	115.00
STEP System – Per dwelling	97.75
Apartment – Per Unit	97.75
Float Home – Per Unit	57.50
Live-aboard Boats – Per Unit	38.33
Mobile Home Park – Per Unit	115.00
RV Trailer Park/Campground:	
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	57.50
b) <u>Site not Connected to Sewer:</u> Per pad or site	11.50
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per unit	46.00
b) <u>Kitchenette or Housekeeping Unit</u>	69.00
Restaurants - Per seat:	6.90
Licensed Premises - per seat:	11.50
Laundromat: Minimum charge for each washing machine:	115.00
Commercial:	
Minimum charge for the first 5 employees or portion thereof per shift	57.50
Each additional 5 employees or portion thereof per shift	57.50
School - Minimum charge per classroom	115.00

.../2

<u>Classification</u>	<u>Charge</u>
Continuing Care Facility: Minimum charge for <u>each bed</u>	86.25
Bed & Breakfast/Rooming House: The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom	
a) Single Family Dwelling:	115.00
b) Per guest room	46.00
Fish-processing Plant	853.33

Other

There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-family Dwelling rate to offset the cost of septic tank pump-outs (typically a maximum of every 5-years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Float Home:

Applies to a connection servicing a structure located on water incorporating a floatation system intended for use or being occupied for residential purposes, containing one dwelling unit only, not primarily intended for or usable in navigation, and does not include a water craft designed or intended for navigation.

Live-aboard:

Applies to a connection servicing a vessel licensed or registered by Transport Canada as suitable for navigation, which serves as a residence of its owner.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

.../3

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Fish-processing Plant:

Applies to a **Sanitary Sewer** connection servicing a facility involved in the processing of aquatic life. The effluent discharge from such facilities into the **Sewer** system must be pre-treated and fully comply with CVRD effluent quality standards and discharge volume limitations.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single-family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered for calculated flow, rounded to the higher whole number.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3479

**A Bylaw to Amend the Eagle Heights Sewer System Management
Bylaw No. 1926**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Eagle Heights Sewer System pursuant to "CVRD Bylaw No. 1926, cited as "CVRD Bylaw No. 1926 – Eagle Heights Sewer System Management Bylaw, 1999";

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

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

1. **CITATION**

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 3479 - Eagle Heights Sewer System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 1926

SEWER SERVICE CHARGES

(a) **Consumers of Sewer Services** shall pay the minimum billing set out in sub-section (b) below. A 10% discount will be applied for timely payment.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling – Per Dwelling	120.00
STEP System – Per dwelling	102.00
Apartment – Per Unit	102.00
Mobile Home Park – Per Unit	120.00
RV Trailer Park/Campground:	
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	60.00
b) <u>Site not Connected to Sewer:</u> Per pad or site	12.00
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per room or suite	48.00
b) <u>Kitchenette or Housekeeping Unit (per room or suite)</u>	72.00
Restaurants - Per seat:	7.20
Licensed Premises - per seat:	12.00
Laundromat: Minimum charge for each washing machine:	120.00
Commercial:	
Minimum charge for the first 5 employees or portion thereof per shift	60.00
Each additional 5 employees or portion thereof per shift	60.00
School - Minimum charge per classroom	120.00

.../2

<u>Classification</u>	<u>Charge</u>
Continuing Care Facility: Minimum charge for <u>each bed</u>	90.00
Bed & Breakfast/Rooming House: The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom.	
a) Single Family Dwelling:	120.00
b) Per guest room	48.00

Other

There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-family Dwelling rate to offset the cost of septic tank pump-outs (typically a maximum of every 5-years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single-family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered for calculated flow, rounded to the higher whole number.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3480

**A Bylaw to Amend the Mesachie Lake Sewer System Management
Bylaw No. 1970**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Mesachie Lake Sewer System* pursuant to CVRD Bylaw No. 1970, cited as "CVRD Bylaw No. 1970 – Mesachie Lake Community Sewerage System Management Bylaw, 1999";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to update the language of the bylaw and revise Schedules A, B and C.

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3480 - Mesachie Lake Sewer System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

a) That the Section 1 citation be deleted and replaced with the following:

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 1970 – Mesachie Lake Sewer System Management Bylaw, 1999**".

b) That Parts I through IX be deleted in entirety and replaced with the following Sections 2 through 12:

2. **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

"Air" means the atmosphere but, except in a **Sewer** or a **Sewage Facility** or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

"Air Contaminant" means any **Substance** or odour whether gaseous, liquid, solid, or a combination that is emitted into the **Air** and that:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes with or is capable of interfering with visibility;

- (d) interferes with or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person, or,
- (f) damages or is capable of damaging the environment.

"Applicant" means a request for one of the following:

- (a) a **Waste Discharge Permit**,
- (b) to amend, add or delete a term or condition of a **Waste Discharge Permit**,
- (c) to change the activity that is the subject of a **Waste Discharge Permit**,
- (d) to renew a **Waste Discharge Permit**,
- (e) an **Authorization**.

"Authorized" or **"Authorization"** means that **Authorization** in writing by the **Manager** upon such terms and conditions as specified therein;

"Biomedical Waste" means biomedical waste as defined in the "Guidelines for the Management of Biomedical Waste" established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992, or the most current regulations and guidelines as determined by the **Manager**.

"Biosolids" means treated municipal **Wastewater Sludge** that meets quality criteria for beneficial use as a fertilizer or soil amendment product.

"BOD" means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic **Substances** under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in **Standard Methods**.

"Capable of Connection" means that the parcel of land abuts a street, lane, public **Sewer** right-of-way or easement, upon or under which there is a **Sewermain** with excess capacity and that the **Sewer** service connection will have adequate cover at the property line, and drain towards the **Sewer**, and allowing the house or building to be connected to the service connection by either a gravity building **Sewer**, or a pump and forcemain.

"COD" means Chemical Oxygen Demand, being a measure of the equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in **Standard Methods**.

"Combined Sewer" means a **Sewer** designed for the collection and transmission of **Uncontaminated Water**, **Wastewater**, and **Stormwater**.

"Committee" means a standing committee, comprised of representatives from the **Regional Board**, which the Engineering & Environmental Services Department reports to.

"Composite Sample" means a sample of **Waste** which is composed of equivalent portions of a specified number of **Grab Samples** collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

"Condensed Water" means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.

"Consumer" means the owner or occupant of property that is serviced by, connected to and uses the **Mesachie Lake Sewer System**.

"Contaminate" means any **Substance**, whether gaseous, liquid or solid, whether dissolved or suspended, or any **Wastewater** quality parameter that, when present above a certain concentration in **Wastewater**:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with the proper operation of a **Sewer** or sewerage facility;
- (d) causes or is capable of causing material physical discomfort to a person;
or
- (e) damages or is capable of damaging the environment.

"Daily Flow" means the total flow over a 24-hour period, as measured by an approved calibrated flow meter.

"Discharge" means to directly or indirectly introduce a **Substance** into a **Sewer** or **Sewage Facility** by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

"District" means the Cowichan Valley Regional District.

"District Water" means water carried by a community water system operated and managed by the **District**.

"Domestic Sewage" means **Sanitary Waste** produced on a **Residential Property**.

"Domestic Waste" means **Sanitary Waste** or the water-carried wastes from drinking, culinary purposes, washing, bathing, laundering or food processing which is produced on a **Residential Property** and is **Discharged** directly or indirectly into a **Sewer** connected to a **Sewage Facility** operated by the **District**.

"Enactment" means any applicable act, regulation, bylaw, or **Authorization**, by a federal, provincial, regional or municipal government or their **Authorized** representatives.

"Environmental Management Act" means the Environmental Management Act of the Province of British Columbia or any legislation that replaces the Environmental Management Act.

"Grab Sample" means a sample of **Waste** collected at a particular time and place.

"Hazardous Waste" means hazardous waste as defined in the BC Environmental Management Act.

"Hazardous Waste Regulation" means the Hazardous Waste Regulation enacted pursuant to the Environmental Management Act.

"Hazardous Waste Regulation Leachate Quality Criteria" means the **Contaminant** concentrations for leachate set out in Schedule 4 of the **Hazardous Waste Regulation**.

"High Volume Discharge" means any **Discharge** of **Non-domestic Waste** into a **Sewer** in excess of 2.57 cubic metres per day (550 Imperial Gallons per day) or 90 cubic metres over any consecutive 30-day period, but not including water from a **Pool**.

"Improvement District" means an Improvement District incorporated under the Local Government Act.

"Manager" means the person duly appointed General Manager of the Engineering & Environmental Services Department by the **Regional Board**, or his designate.

"Mass Loading" means the concentration of a constituent multiplied by the flow rate.

"Mesachie Lake Sewer System" means the **Sewer** system currently servicing the **Mesachie Lake Sewer System Service Area** including all **District** buildings, structures, sewage, collection, treatment, disposal facilities, equipment, electrical works, pumping stations, forcemains, **Sanitary Sewermains**, appurtenances, **Sewer Service Connections**, and all sewage works designated for the collection and disposal of sewage together with all lands appropriated for such purposes and uses.

"Mesachie Lake Sewer System Service Area" means a service area established and defined by bylaw, within which the **District** manages and operates a Sewer System Service Area.

"Metered District Water" means **District** water supplied to **Consumers** through individual meters located on serviced connections from a community water system operated and managed by the CVRD.

"Monitoring Point" means an access point to a **Sewer**, **Private Drainage Systems** or other **Sewer** for the purpose of:

- (a) measuring the rate of flow or volume of **Wastewater** being **Discharged** from a **Premises**;
- (b) collecting representative samples of **Wastewater** being **Discharged** from a **Premises**.

"Monthly Average" means the arithmetic mean of all measurements taken over a calendar month.

"Municipality" means any participating member city, town, or other incorporated area of the *District*.

"Non-domestic Waste" means all *Waste* except *Domestic Waste, Trucked Waste, Sanitary Waste, Stormwater* and *Uncontaminated Water*.

"Oil and Grease" means an organic *Substance* or *Substances* recoverable by procedures set out in *Standard Methods* or procedures *Authorized* by the *Manager* and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes and high-molecular weight carboxylic acids.

"Owner" means any person who is registered under the Land Title Act as the owner of land, or any other person who is in lawful possession of land, or who is in lawful possession or occupancy of any buildings situated on the land.

"Parcel Tax" means an annual tax levied on each parcel of land within the *Mesachie Lake Sewer System Service Area*.

"PCB" means any mono-chlorinated, de-chlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.

"Pesticides" means pesticides regulated under the Pesticide Control Act of British Columbia.

"pH" means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in *Standard Methods*.

"Phenols" means the hydroxyl derivatives of aromatic hydrocarbons as determined by the appropriate procedure described in *Standard Methods*.

"Pool" means any water receptacle designed for decorative purposes or used for swimming, or as a bath or hot tub designed to accommodate more than one bather at a time, or designed for decorative purposes.

"Premises" means any land or building or both, or any part thereof.

"Private Drainage System" means a privately owned assembly of pipes, fittings, fixtures, traps and appurtenances that is used to convey *Wastewater, Uncontaminated Water, Stormwater*, or foundation drainage to a *Sewer, Sewage Facility*, or a private *Wastewater* disposal system.

"Private Sewer Service Pipe" means that part of the *Sewer Service Pipe* located within the boundaries of the property being serviced, or outside the boundaries of a CVRD Statutory right-of-way, and which is connected to, or intended to connect to the *Mesachie Lake Sewer System* via a *Sewer Service Connection*.

"Prohibited Waste" means prohibited waste in Article A of Schedule F of this bylaw.

"Radioactive Materials" means radioactive materials as defined in the Atomic Energy Control Act of Canada and Regulations under that Act.

"Regional Board" means the Board of Directors of the Cowichan Valley Regional District.

"Residential Property" means a property that is used primarily for the purposes of residence by persons on a permanent, temporary or seasonal basis.

"Restricted Waste" means restricted waste as defined in Article "B" of Schedule F of this bylaw.

"Sanitary Sewer" means a **Sewer** which carries **Sanitary Waste** or **Wastewater**, but which is not intended to carry **Stormwater** or **Uncontaminated Water**.

"Sanitary Waste" means **Waste** that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"Seasonal Use" means the use of the **Sewer Service(s)** for a dwelling, unit or recreational accommodation that is not continuously inhabited for more than three months in any calendar year or that is inhabited from time to time for not more than four months in any calendar year.

"Sewer" means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the **District**, or one or more municipalities, for collecting, pumping, and transporting **Wastewater** either to a **Sewage Facility**, or otherwise and includes all such pipes, conduits, drains, and other equipment and facilities, which connect with those of the **District** or one or more municipalities.

"Sewer Charges" means the charges set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Extension" means any installation requiring the construction of a 200-mm diameter **Sewermain**, or larger, within a public road allowance or right-of-way or easement, from the most convenient existing **Sewer**, but does not include a **Sewer Service Connection** or a **Private Sewer Service Pipe**.

"Sewer Extension Application Charge" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewage Facility" means works owned or otherwise under the control, or jurisdiction of the **District**.

"Sewermain" means a pipe forming part of the community sewage collection system, other than those pipes serving as **Sewer Service Connections**.

"Sewer Service Charges" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Service Connection Charges" means the charges as set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Surcharge Rates" means the rates as set out in the applicable Schedule(s) forming part of this bylaw, and are applied in proportion to the amount of **Metered District Water** consumed by a user.

"Sewer Rates" means the rates set out in the applicable Schedule(s) forming part of this bylaw.

"Sewer Service(s)" means the collection, treatment and disposal of sewage.

"Sewer Service Connection" means the **Sewer** pipe and its integral appurtenances that are placed from the **Sewermain** to the boundary of the property being serviced; or from the **Sewermain** to the boundary of the right-of-way, when the **Sewermain** is located in a right-of-way in favour of the **District**.

"Sewer Service Pipe" means the conduit connecting a **Sewermain** that is part of the **Mesachie Lake Sewer System** with lands or buildings and consisting of both a **Sewer Service Connection** and a **Private Sewer Service Pipe**.

"Sharps" means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects that have acute rigid corners, edges or protuberances.

"Sludge" means **Wastewater** containing more than 0.5% total solids.

"Spill Reporting Regulation" means the Spill Reporting Regulation enacted pursuant to the Environmental Management Act Regulation.

"Standard Methods" means the latest edition of "Standard Methods of Examination of Water and Wastewater" jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

"Storm Sewer" means a **Sewer** for the collection and transmission of **Stormwater** or **Uncontaminated Water**.

"Stormwater" means water resulting from natural precipitation from the atmosphere that is intended to be transported in a **Storm Sewer**, or a **Combined Sewer** or a **Watercourse**.

"Substance" includes any solid, liquid or gas.

"Suspended Solids" means the portion of total solids retained by a filter, as determined by the appropriate procedure in **Standard Methods**.

"Trucked Waste" means any **Waste** that is collected and transported from the site where the **Waste** originated by means other than **Discharge** to a **Sewer** including, but not limited to, holding tank water, septic tank waste, chemical toilet contents, **Oil and Grease** from interceptors or traps, and other **Sludge** of organic or inorganic origin.

"Total Ammonia" means the sum of the concentrations or masses of ionized ammonia and un-ionized ammonia.

"TN (Total Nitrogen)" means the sum of the concentrations or masses of organic nitrogen, **Total Ammonia**, nitrite and nitrate.

"TP (Total Phosphorus)" means the sum of the concentrations or masses of organic phosphates, ortho-phosphates and polyphosphates.

"Treasurer" means the person duly appointed **Treasurer** by the **Regional Board**, or his duly appointed delegate.

"Uncontaminated Water" means any water excluding **Stormwater**, but including cooling water, **Condensed Water** and water from municipal **Waterworks**, or a private water supply to which no **Contaminate** has been added as a consequence of its use, or to modify its use by any person.

"Unit" means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

"Waste" means any **Substance** whether gaseous, liquid or solid, that is or is intended to be **Discharged** or discarded, directly or indirectly, to a **Sewer** or **Sewage Facility**.

"Waste Discharge Permit" means a **Waste Discharge Permit** issued by the **Manager**.

"Wastewater" means the composite of water and water-carried **Waste** from residential, commercial, industrial or institutional **Premises**, or any other source.

"Wastewater Sludge" means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of **Wastewater**.

"Water" includes seawater, surface water, groundwater and ice.

"Watercourse" means:

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of water; or
- (b) a canal, ditch, reservoir or other man-made surface feature whether it contains or conveys water continuously or intermittently.

"Waterworks" means any works owned, or otherwise under the control or jurisdiction of the **District**, or one or more of its member **Municipalities**, or a privately owned water system, or an **Improvement District** that collects, treats, transports, or stores drinking water.

"Works" includes:

- (a) a drain, ditch, **Sewer** or **Waste** disposal system including a sewage treatment plant, pumping station or outfall;
- (b) a device, equipment, land or a structure that:
 - (i) measures, handles, transports, stores, treats, or destroys **Waste** or a **Contaminant**; or
 - (ii) introduces **Waste** or a **Contaminant** into the environment;
- (c) an installation, plant, machinery, equipment, land; or a process that causes or may cause a release of a **Contaminant** into the environment, or is designed, or used to measure or control, the introduction of **Waste** into the environment, or to measure or control a **Contaminant**;
- (d) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a **Contaminant** or **Waste**.

3. ADMINISTRATIVE POLICY

1.
 - (a) The responsibility for the construction, operation and maintenance of the **Mesachie Lake Sewer System** is hereby vested in the **Manager** who shall operate the same under the established policy of the **Regional Board**.
 - (b) No construction, operation or maintenance work of any kind or nature not specifically authorized by this bylaw, shall be performed on the whole or any part of the **Mesachie Lake Sewer System** except as **Authorized** in writing by the **Manager**.
 - (c) **Ownership of Mesachie Lake Sewer System:** The **Mesachie Lake Sewer System** required for treatment, disposal and collection of sewage from the **Owner's** property, and constructed, whether at the **Owner's** expense or **District's** expense in present or future public highways or within **District** right-of-way property, shall be the property of the **District**.
2.
 - (a) The **District** may supply **Sewer Service** as circumstances, collection, treatment and disposal capacity permit.
 - (b) No **Sewer Service(s)** shall be supplied to any parcel of land or **Premises** outside of the **Mesachie Lake Sewer System Service Area** except by special agreement with the **District**, and/or the expansion of the sewer system service area by CVRD bylaw.
 - (c) No person shall allow wastewater, sewage, septage or any form of liquid or substance to be brought into the **Mesachie Lake Sewer System Service Area** for the sole purpose of disposal directly or indirectly into the **Mesachie Lake Sewer System**

unless otherwise approved by the CVRD and other agencies having jurisdiction.

- (d) All reasonable efforts will be made to ensure a continuous **Sewer Service**; however, the **District** does not guarantee to the **Consumer** an uninterrupted discharge of sewage, nor shall any failure to provide an uninterrupted supply of **Sewer Service**, or to meet any such standard be construed as neglect on the part of the **District**.
3. Any person authorized by the **Manager** shall have free access, at all reasonable times and upon reasonable notice given and request made, to all parts of every building or other **Premises** to which **Sewer Services(s)** are supplied for the purpose of inspecting, repairing, or disconnecting any **Sewer Service Pipe** and appurtenances within a serviced structure or located on the lands in question.
 4.
 - (a) The **Manager** may, upon reasonable notice, limit or restrict **Sewer Services** within all or any part of the **Mesachie Lake Sewer System Service Area**, however, in emergency situations, notice may not be given.
 - (b) The **District** is not liable for damages caused by the breakage or failure of the **Mesachie Lake Sewer System Service Area**.
 5. Any person before proceeding with, or authorizing any construction that is, or is proposed to be located under, across or along any sanitary **Sewer**, forcemain, or other sewage works forming part of the **Mesachie Lake Sewer System**, shall notify the **Manager** in writing of his intention to proceed with the same and if it shall, in the opinion of the **Manager**, become necessary as a consequence to support or relocate such **Sanitary Sewer**, or other sewage works, the cost of supporting or relocating the same shall be charged against that person and the **Manager** shall supervise and direct the supporting or relocating of such **Sanitary Sewer** or other sewage works.
 6. Any person(s) who has proceeded with, or who has authorized any construction that is located under, over, across or along any **Sewermain** or other **Sewer** works forming a part of the **Mesachie Lake Sewer System** shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the **Manager** in reasonable time as determined by him, the **Manager** may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

4. SEWER RATES AND SEWER CHARGES

1.
 - (a) Revenues for the **Mesachie Lake Sewer System** may be raised by **Sewer Rates, Sewer Charges** and **Parcel Taxes**.

.../11

- (b) If in any fiscal year the revenues generated by the rates and charges set out in sub-section (a) do not meet the expenditures of the **Mesachie Lake Sewer System Service Area**, the deficit may be covered by a duly authorized increase in any or all of the charges set out in sub-section (a) for the succeeding fiscal year.
 - (c) All revenue raised by the methods herein described or **Authorized** shall be applied to the **Mesachie Lake Sewer System**.
- 2.
- (a) **Consumers of Sewer Service(s)** who receive **Metered District Water** shall be charged the **Sewer Charges** set out in Schedule A.
 - (b) **Consumers of Sewer Service(s)** who do not receive **Metered District Water** shall pay the **Sewer Charges** set out in Schedule B.
 - (c) Person(s) desiring the extension of the **Mesachie Lake Sewer System** to lands which they own, or occupy, shall make formal application and pay the appropriate charges as set out in Schedule E and comply with Parts 5 and 6 of this bylaw.
 - (d) Person(s) requiring the miscellaneous services set out in Part 7 of this bylaw shall pay the charges therefore set out in Schedule D.
- 3.
- (a) The **Sewer Rates** and **Sewer Charges** set out in Schedules A, B, C, D and E shall be subject to periodic review by the **Manager** and the **Committee** who may make recommendations on the revision of the said Schedules to the **Regional Board**.
 - (b) Schedules A, B, C, D, E, and F may be revised by bylaws enacted by the **Regional Board**.

5. SEWER CONNECTION SERVICE

- 1.
- (a) An **Owner** of lands within the **Mesachie Lake Sewer System Service Area** which abut a Sewer, line that is part of the **Mesachie Lake Sewer System** may apply to have his property connected to the **Mesachie Lake Sewer System**.
 - (b) No connection shall be made to the **Mesachie Lake Sewer System** until an application for **Sewer Service** has been completed and approved by the **Manager**.
 - (c) A **Sewer Service Connection** application shall be in the form provided by the **Manager**, and shall be certified to be correct and signed by the **Applicant**, and shall be submitted at least four (4) weeks prior to the date by which connection to the **Mesachie Lake Sewer System** is required.

- (d) **Sewer Service Connection** applications for property located within the **Mesachie Lake Sewer System Service Area** must be made prior to the issuance of a building permit, where such permit is necessary.
- (e) Waste Discharge Permit Applications:
- i.) Where a **Sewer Service Connection** is to be installed for other than single-family residential use, or where more than 90 m³ of **Non-domestic Wastewater** will be discharged in any 30-day period, or where any **Restricted Waste** will be deposited in the **Sanitary Sewer** system, an application will be submitted to the **District** in the form of a Schedule F to this bylaw, and a **Waste Discharge Permit** shall be completed before connecting the **Premises** to the **Sanitary Sewer** system.
- ii) All **Sewer Service Connection(s)** for other than single-family residential use which is in existence at the date of adoption of the bylaw will complete a **Waste Discharge Permit**.
- iii) An **Owner** or occupier who intends to expand or alter a facility, for other than single-family use, which is in existence at the date of adoption of this bylaw such that the effluent flow rate would increase by more than 25% (based on a monthly average of the effluent **Daily Flow** rates), or would increase the effluent concentration of any contaminant listed under Article "B" of Schedule F to this bylaw by of more than 25% (based on a monthly average of one-operating-day **Composite Sample** concentrations), or would increase the effluent mass load of any **Contaminant** of more than 25% (based on a monthly average of the effluent **Daily Flow** rates multiplied by the **Monthly Average** of one-operating-day **Composite Sample** concentrations) will require the discharger to apply for a new **Waste Discharge Permit**. The **Manager** may require the discharger to apply for a new **Waste Discharge Permit** if the flow in any one-day increases to a volume that would limit the capacity of the downstream users.
- (f) Applications for **Sewer Service Connection(s)** shall be accompanied by a deposit equal to the **Sewer Service Connection Charge(s)** as set out in Schedule C.
- (g) The **Manager** may refuse a **Sewer Service Connection** application where, in his opinion, the **Mesachie Lake Sewer System** might be adversely affected, or where, in his opinion, there is insufficient sewage collection and treatment disposal available.
2. (a) **Applicants** for **Sewer Service Connection** shall pay the **Sewer Service Connection Charge** set out in Schedule C and upon completion of the **Sewer Service Connection**, the deposit made pursuant to Section 5.1 (f) shall be applied in payment of such charges.

- (b) When a new **Sewer Service Connection** is installed, the **Sewer Rate** levied shall be prorated in accordance with appropriate charges set out in the appropriate Schedule and shall be computed as determined by the **Treasurer**.
- (c) Where an abandoned **Sewer Service Connection** is in place on or adjacent to an **Applicant's** lands, the **Applicant** may apply to have the **Sewer Service Connection** reconnected and shall at such time apply to have the **Sewer Service Connection** inspected, shall pay the inspection fee set out in Schedule C, and shall expose the **Sewer Service Connection** and prepare it for inspection, provided, however, that the **Manager** may, upon inspecting such a **Sewer Service Connection**, refuse to reconnect it if it is in his opinion defective, and his opinion on this matter shall be final.
3. (a) All work involved in the installation and maintenance of **Sewer Service Connections** to the **Mesachie Lake Sewer System** is to be performed by duly **Authorized** employees or agents of the **District**.
- (b) Where the **Applicant** for a **Sewer Service Connection** indicates in his application a desired location for the **Sewer Service Connection**, the **Sewer Service Connection** will be located as indicated providing the proposed location is approved by the **Manager**.
- (c) Where the **Applicant** for a **Sewer Service Connection** does not indicate in his application a desired location for the **Sewer Service Connection**, the **Sewer Service Connection** will be located as determined by the **Manager**, and if the **Applicant** subsequently requires a relocation of the **Sewer Service Connection**, such relocation is to be at the expense of the **Applicant**.
4. (a) Unless otherwise directed by the **Manager**, all **Sewer Service Connections** shall conform to the Cowichan Valley Regional District specifications and standards, and shall not be less than 100 mm in diameter for single-family dwellings or units and shall be laid at a minimum grade of two percent (2%), and shall not be less than 150 mm in diameter, complete with inspection chamber, for commercial, industrial, institutional or multi-unit dwellings, and shall be laid at a minimum grade of one percent (1%).
- (b) Where practicable as governed by the depth of the **Sewer**, the minimum depth of the **Sewer Service Connection** at the property line shall be one (1) metre. Where possible, the **Sewer Service Connection** will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the **Sewer** and the lowest floor of the building or structure.

- (c) No **Sewer Service Pipe** may be installed in, over or across the property of another person or located on an easement, or statutory right-of-way except by the written consent of the **Owners** concerned and the approval of the **District** in writing.
 - (d) Except as otherwise provided in this section, or directed in writing by the **Manager**, separate and independent **Private Sewer Service Pipes** shall be provided to each building served by the **Mesachie Lake Sewer System**.
 - (e) Separate and independent **Sewer Service Connections** shall be supplied to semi-detached residential **Units** where each **Unit** is separately owned and to row housing **Units**, other than dwelling **Units** registered or to be registered under the B.C. The Strata Property Act, where each **Unit** is separately owned.
 - (f) Where more than one (1) parcel of land or **Premises** under separate ownership are served by a single **Sewer Service Pipe**, the **Manager** may order the affected **Consumers** to disconnect from the single **Sewer Service Pipe** and connect directly to the **Sewermain** and all connection and plumbing alteration costs shall be borne by the **Consumers**.
 - (g) If any **Sewer Service Pipe** is found not to comply with the drawings submitted, and approved by the **Manager**, pursuant to Section 5.4 (a) and (b), the **District** shall not accept sewage from the **Premises** served by the said pipe until such time as the installation is made to agree with the approved drawings.
 - (h) Where CVRD records indicate a **Sewer Service Connection** exists to the property line of a parcel of land, the applicant shall make a reasonable effort at his own expense to find the service in a workman-like manner based on the information available. If the service cannot be found in consultation with the CVRD, the CVRD will determine a course of action which may include looking for the existing service or installing a new **Sewer Service Connection**. This cost shall be borne by the **Applicant**.
 - (i) If it is determined that "as-constructed" records were incorrect and a **Sewer Service Connection** does not exist, then an extension to the existing service or a new service connection will be installed at the **Applicant's** cost based on the direct and indirectly related cost incurred by the CVRD to carry out the work.
5. (a) The **Owners** of land shall be responsible for the installation of **Private Sewer Service Pipes** joining **Sewer Service Connection**.

- (b) The **Owners** or occupants of land whose **Premises** are served by the **Mesachie Lake Sewer System** are responsible for providing a readily accessible 100-mm diameter clean-out, inspection chamber, pursuant to Section 5.4 (a) and (b), as near as possible at the point of connection between the **Private Sewer Service Pipe** and the **Sewer Service Connection**.
- (c) **Private Sewer Service Pipe** shall be installed in accordance with the requirements of the British Columbia Plumbing Code, and the requirements of other agencies having jurisdiction, and shall be constructed by the **Owner** entirely at his own expense. The **Private Sewer Service Pipe** shall be inspected by a CVRD representative prior to backfilling.
- (d) The **Private Sewer Service Pipe** shall be maintained by the property **Owner** at his sole expense. Where any **Sewer Service Pipe** becomes stopped, or otherwise fails to function, the **Owner** or occupier of the **Premises** served shall first determine that the blockage is not located in his **Private Sewer Service Pipe**, and then notify the **Manager** forthwith, and the **Manager** shall, as soon as practicable, arrange to have said **Mesachie Lake Sewer System** or **Sewer Service Connection** unstopped or otherwise restored to serviceable condition.
- (d) Where any stoppage or failure is found to exist in the **Sewer Service Connection** or **Private Sewer Service Pipe** and can be attributed to the user or occupant, then all costs incurred by the **District** in restoring service and unstopping the **Sewer Service Connection** or **Private Sewer Service Pipe** shall be paid by such **Owner** upon demand and if unpaid on the thirty-first (31) day of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.
- (f) When any **Private Sewer Service Pipe** is abandoned, the **Owner** or his agent shall notify the **Manager** and the **Owner** shall effectively block up the building **Sewer** at the **Sewer Service Connection** with a watertight seal to be inspected and approved by the **Manager**.
- (g) Whenever practical the **Sewer Service Connection** shall be installed prior to installation of the **Private Sewer Service Pipe** and connection of the **Private Sewer Service Pipe** to the **Sewer Service Connection** shall be made by the **Owner**. The **District** shall not be responsible to meet the elevation or connect to an existing **Private Sewer Service Pipe** installed by the **Owner** prior to installation of the **Sewer Service Connection**.
- (h) No **Private Sewer Service Pipe** shall be connected to a **Sewer Service Connection** until it has been inspected and approved by the **Manager**.

- (i) Where, in the opinion of the **Manager**, the infiltration and inflow from a **Private Sewer Service Pipe** exceeds that which would normally be associated with such pipe works and plumbing fixtures forming part of the **Private Sewer Service Pipe**, the **Manager** may require the **Owner** to rectify the problem within reasonable time and entirely at the **Owner's** cost.
- 6. (a) Where, in the opinion of the **Manager**, the **Sewer Service Connection** necessitates the installation of a manhole or inspection chamber at the property line, then the installation of the manhole or inspection chamber shall be the responsibility of the **Applicant** or **Owner** and the costs of such installation shall be borne by the **Applicant** or **Owner**.
 - (b) The **Manager** may connect if required a **Sewer Service Connection** to an existing manhole.
 - (c) Where, in the opinion of the **Manager**, a manhole or inspection chamber is required on the **Sewer Service Connection** but not yet constructed, the **Manager** may install the **Sewer** pipe and leave it plugged until a manhole or inspection chamber is constructed.
 - (d) Where a manhole or inspection chamber is connected after the installation of a **Sewer Service Connection**, the person constructing the manhole or inspection chamber shall connect the **Sewer Service Pipe** to the manhole or inspection chamber, as directed by the **Manager**, advise the **Manager** that such connection has taken place and request that the connection be inspected by the **Manager**.
- 7. Where a **Consumer** requires the replacement of a **Sewer Service Connection**, the existing **Sewer Service Connection** shall be disconnected and the cost of disconnecting the **Sewer Service Connection** as set out in Schedule C, is to be borne by the **Consumer**.
 - 8. No person shall make any temporary connection to any **Sanitary Sewer** except by special agreement with the **District**.

6. EXTENSION TO THE MESACHIE LAKE SEWER SYSTEM SERVICE AREA

- 1. All extensions of the **Mesachie Lake Sewer System** shall be undertaken upon the recommendation of the **Committee** and pursuant to bylaws and policy of the **Regional Board** authorizing such extensions.
- 2. (a) **Owner(s)** of land within the **Mesachie Lake Sewer System Service Area** may file with the **Manager** a written request for an extension of the **Mesachie Lake Sewer System** and shall supply the **Manager** with such information with regard to the proposed extension as he may request. Such application shall be

accompanied by a **Sewer Extension Application Charge** as set out in Schedule E.

- (b) The **Manager** shall forward all requests for extensions of the **Mesachie Lake Sewer System** to the **Committee**.
3. Extensions of the **Mesachie Lake Sewer System** may be undertaken upon such terms and conditions as the **Regional Board** may from time to time impose, including, but not limited to:
 - (a) In the event an **Applicant** wishes to proceed with an extension to the **Mesachie Lake Sewer System**, the **Manager** may, with the approval of the **Committee**, allow the extension, provided that the **Applicant** shall install the extension entirely at his own expense. The final cost to the **Applicant** of the **Mesachie Lake Sewer System** extension shall be the actual cost of design and construction together with a supervision charge in the amount stated in the approval to construct the extension and may include costs directly associated with upgrading existing facilities to accommodate the proposed development together with legal costs or other related costs incurred by the **District** and the **Applicant**.
 - (b) Any extension to the **Mesachie Lake Sewer System** shall be constructed in accordance with the plans and specifications of the **District** and to the approval of the **Manager**.
 - (c) Where a **Sewer** is extended, the minimum inside diameter shall be 200 mm and shall extend from the most convenient existing **Sewer** having sufficient surplus capacity and grade to carry the additional sewage resulting from the said extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension. The decision regarding the point of connection to the public **Sewer** rests with the **Manager**.

7. MISCELLANEOUS SERVICES

1. The **District** is responsible for the flushing, cleaning, rodding, unblocking and repairing of **Sewer Service Connections**.
2. Where any **Private Sewer Service Pipe** is found to have been blocked or damaged through the action of the **Consumer** occupying the property served by the pipe, or through the actions of any other person, the cost of labour and materials used to repair such blockage or damage shall be the responsibility of the **Owner**.
3. The **Treasurer** shall, upon written request accompanied by payment of the fee set out in Schedule D in respect to each separate parcel of land or **Premises**, furnish any **Applicant** with a written certificate showing the arrears of **Sewer Rates**, **Sewer Surcharge Rates**, **Sewer Charges** and **Parcel Tax** due on, or in respect of, any parcel of land or **Premises** up to

the date to which such **Sewer Rates** and **Sewer Charges** were last computed, the duration of the last billing period, and the net amount billed during that period.

4. Cheques submitted by **Consumers** for the payment of **Sewer Rates**, **Sewer Surcharge Rates**, **Sewer Charges**, or **Parcel Tax** and subsequently dishonoured by the banks on which they are drawn, will be processed by the **Treasurer** for the charge set out in Schedule D.

8. BILLING AND COLLECTING SEWER SURCHARGE RATES AND SEWER CHARGES

1.
 - (a) All **Sewer Rates**, **Sewer Surcharge Rates**, and **Sewer Charges** shall be payable for services provided and shall be due and payable when rendered.
 - (b) Subject to sub-section (c), regular billings for **Sewer Rates** or **Sewer Surcharge Rates** may be rendered annually, quarterly, monthly or bimonthly at the discretion of the **Treasurer**.
 - (c) The **Treasurer** may in writing direct that any **Consumer** receive regular billings for **Sewer Rates** or **Sewer Surcharge Rates** at any periodic interval other than the intervals set out in sub-section (b).
 - (d) The **Treasurer** may with reasonable notice advance or delay any regular billing of **Sewer Rates** or **Sewer Surcharge Rates**.
 - (e) To protect the **District** against potential losses from unpaid **Sewer Charges**, the **Treasurer** may, at his discretion, demand in writing a security deposit by way of cash, certified cheque, letter of credit or guarantee from a **Consumer** from whom delinquent charges and fees can not be applied to property taxes.
 - (f) The amount of the security deposit shall be no less than an amount equal to a **Consumer's** estimated **Sewer** bill for a period of 180 days.
2.
 - (a) All **Sewer Rates** and **Sewer Surcharge Rates** are established in amounts that reflect a discount for prompt payment in the percentage set out in the Schedules of this bylaw.
 - (b) Where any billing for **Sewer Rates** or **Sewer Surcharge Rates** remains unpaid after sixty (60) calendar days after the invoice date, the **Consumer** shall lose the discount for prompt payment set out in Schedules A and B, and/or as shown on the **Sewer** bill after the due date established by the **Treasurer**.
3.
 - (a) All **Sewer** bills shall be distributed to **Consumers** by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the **Treasurer**.

- (b) **Sewer Rates, Sewer Surcharge Rates and Sewer Charges** may, at the discretion of the **Treasurer**, be charged and billed to:
- (i) the person requesting that **Sewer** services be provided, or
 - (ii) the person in occupation of the **Premises** served by the **Mesachie Lake Sewer System**, or
 - (iii) the **Owner** of the **Premises** served by the **Mesachie Lake Sewer System**.
- (c) All **Sewer Rates, Sewer Surcharge Rates and Sewer Charges** for services rendered to buildings having multiple **Units** but served by a single **Sewer Service Connection** shall be charged and billed to the **Owner** of the building unless otherwise directed in writing by the **Treasurer** and agreed to by the **Treasurer**.
- (d) All **Sewer Rates, Sewer Surcharge Rates and Sewer Charges** for services rendered to buildings registered under The Strata Property Act shall be billed to the strata corporation unless otherwise directed in writing by the **Treasurer** and agreed to by the **Treasurer**.
- (e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the Cowichan Valley Regional District office at 175 Ingram Street, Duncan, British Columbia, V9L 1N8, or by telephone or internet banking.

9. OFFENCES AND SANCTIONS

1. Every person who:
- (a) wilfully hinders or interrupts, or causes or procures to be hindered or interrupted, the **District**, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;
 - (b) lays or causes to be laid any pipe or **Sewer** to communicate with any pipe or **Sewer** of the **Mesachie Lake Sewer System**, or in any way obtains use of **Sewer Services** without the consent of the **District**;
 - (c) wilfully causes the **Mesachie Lake Sewer System** to be blocked, obstructed, or damaged in any way;
 - (d) discharges or throws, or causes, allows or permits to be discharged, deposited or thrown into any Sewer Service Area, plumbing fixtures connected thereto, manhole, inspection chamber or any other part of the **Sewer** system, any substance of any kind whatsoever that would tend to obstruct or injure the **Mesachie Lake Sewer System**, or to cause any nuisance, or which will in any manner interfere with the proper functioning,

maintenance or repair of the **Sewer Service**, and will be dealt with under Schedule F of this bylaw.

(e) maliciously, wilfully, or negligently breaks, damages, destroys, uncovers, defaces, mars or tamper with any part of the Sewer Service Area is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00.

2. Pursuant to the Local Government Act, any rates, charges and/or fees which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance the Local Government Act.

10. SOURCE CONTROL

1. Refer to Schedule F for details.

11. REMAINDER OF BYLAW TO REMAIN INTACT

In the event that a Court of competent jurisdiction declares any portion of this bylaw ultra vires, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

12. FORCE AND EFFECT – SCHEDULE A

Schedule A (Sewer Surcharge Rates {Metered Water Consumption}) may come into force and effect once a CVRD metered water system is in place.

c) That Schedules A, B and C be deleted in their entirety and replaced with Schedules A, B and C attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE A

TO BYLAW NO. 1970

SEWER SURCHARGE RATES (METERED WATER CONSUMPTION)

This Schedule is intended for metered water consumption. Sewer surcharge rates are calculated on a basis of water consumed, which is not applicable in this Bylaw.



SCHEDULE B

TO CVRD BYLAW NO. 1970

SEWER SERVICE CHARGES

(a) **Consumers** of **Sewer Services** shall pay the minimum billing set out in sub-section (b) below. A 10% discount will be applied for timely payment.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling – Per Dwelling	137.50
STEP System – Per dwelling	116.88
Apartment – Per Unit	116.88
Mobile Home Park – Per Unit	137.50
RV Trailer Park/Campground:	
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	68.75
b) <u>Site not Connected to Sewer:</u> Per pad or site	13.75
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per unit	55.00
b) <u>Kitchenette or Housekeeping Unit</u>	82.50
Restaurants - Per seat:	8.25
Licensed Premises - per seat:	13.75
Laundromat: Minimum charge for each washing machine	137.50
Commercial:	
Minimum charge for the first 5 employees or portion thereof per shift	68.75
Each additional 5 employees or portion thereof per shift	68.75
School - Minimum charge per classroom	137.50
Continuing Care Facility: Minimum charge for each bed	103.13

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<u>Classification</u>	<u>Charge</u>
Bed & Breakfast/Rooming House: The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom	
a) Single Family Dwelling:	137.50
b) Per guest room	55.00

Other

There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-family Dwelling rate to offset the cost of septic tank pump-outs (typically a maximum of every 5-years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate ~~Sanitary Sewer~~ disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single-family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered for calculated flow, rounded to the higher whole number.



SCHEDULE C

TO CVRD BYLAW NO. 1970

1. Parcel Tax Being Paid

The **Sewer Service Connection Charges** for property, which has been paying the annual Parcel Tax, are outlined below:

.1 EXISTING LOT (permits servicing of one unit or building).

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

100-mm or 150-mm diameter connection \$300.00

plus a deposit in the amount of the **Manager's** estimate to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the **Sewer Service Connection** installation.

(b) Where the **Sewer Service Connection** has been installed by the subdivider entirely at his cost and the **Sewer Service Connection Charge** for each connection has been prepaid, the **Applicant** for **Sewer Service** shall only be required to complete a Sewer Connection Application.

.2 EXISTING LOT TO BE SUBDIVIDED:

(a) Lot presently serviced:

- *First lot exempt n/a
- Each additional lot created \$3,500.00

*Where the existing **Sewer Service Connection** is not utilized, the **Subdivider** will pay a **Sewer Service Connection Charge** of \$300.00

(b) Lot not presently serviced:

- First lot \$300.00
- Each additional lot created \$3,500.00

(c) Pre-installed Sewer Connection – where the **Sewer Service Connection** has been installed by the subdivider entirely at his own cost, but the **Sewer Service Connection Charge** has not been prepaid, then the **Applicant** for **Sewer Service** shall be required to complete a **Sewer Service Connection** Application and pay the **Sewer Service Connection Charge** of \$3,500.00.

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.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS: Where a **Sewer Service Connection** is to be installed to additional **Units** or buildings on an existing lot and the lot is:

- (a) Vacant: First **Unit** or building n/a
 (included under Sub-Section 1.1)
 Each additional unit or building \$3,500.00
- (b) Presently Occupied and Serviced
 Each additional **Unit** or building \$3,500.00

2. Parcel Tax Not Being Paid

.1 EXISTING LOT:
 (permits servicing of one **unit** or **building**)..... \$3,500.00

.2 EXISTING LOT TO BE SUBDIVIDED:
 Each and every newly created **Lot**..... \$3,500.00

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS: Where a **Sewer Service Connection** is to be installed to additional **Units** or buildings on an existing lot and the lot is:

- (a) Vacant: First **Unit** or building n/a
 (Included under Section 2.1 above)
 Each additional **Unit** or building \$3,500.00
- (b) Presently Occupied and Serviced
 Each additional **Unit** or building \$3,500.00

3. High Flow Rates

The above **Sewer Service Connection Charge** shall be levied where applicable; however, where in the pinion of the **District**, the flow rates from the intended use or from a change in use of a **Lot, Unit** or **Building**, exceeds maximum daily flow of 2.5 cubic metres per day (550 Imperial gallons per day), then the **Applicant** may be required to pay additional **Sewer Service Connection Charges** in proportion to the flow rates as determined by the **District**, and/or complete an application of a Waste Discharge Permit. The decision of the **District** shall be final.

4. Other

The above Sewer Service Connection Charge shall be levied where applicable, however, where in the opinion of the **District**, the flow rates from the intended use or change in use of a **Lot, Unit** or **Building** may be limited, temporary or seasonal, the **Applicant** may submit a detailed report for review by the **District** to determine if the **Sewer Service Connection Charge** may be adjusted to suit the intended use. The decision of the **District** shall be final.

5. **Disconnection of a Sewer Service Connection**

Where a ***Sewer Service Connection*** is to be abandoned and must be disconnected as determined by the ***Manager***, the cost to the ***Owner*** of the property serviced shall be based on the actual cost to complete the work required plus a 10% administration charge.

6. **Re-use of Abandoned Sewer Service Connection**

Inspection fee of previously abandoned, or disused,
Sewer Service Connection -----\$50.00, plus the actual cost of a video inspection



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3481

**A Bylaw to Amend the Mesachie Lake Water System Management
Bylaw No. 1971**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Mesachie Lake Water System pursuant to "CVRD Bylaw No. 1971, cited as "CVRD Bylaw No. 1971 – Mesachie Lake Water System Management Bylaw, 1999";

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

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

1. **CITATION**

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 3481 - Mesachie Lake Water System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

That Schedules B and C be deleted in their entirety and replaced with Schedules B and C attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C.V.R.D.

SCHEDULE B

TO BYLAW NO. 1971

MESACHIE LAKE METERED WATER RATES

Water Rates

(a) The **Consumer of District Water** supplied through **Water Meters** shall pay the charges set out in Section (b) below. A 10% discount will be applied for timely payment.

(b) **Water Rates and Charges per Classification**

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group A				
Single Family Dwelling: Per Dwelling	0	- 200 m ³	\$ 65.00	
Laundromat: Minimum charge for each washing machine	201	- 300 m ³	\$ 65.00	+ 1.00 per m ³ over 200 m ³
Elementary/Middle School: Minimum charge per 20 students or portion thereof	301	- 400 m ³	165.00	+ 1.50 per m ³ over 300 m ³
	over 400	m ³	315.00	+ 2.25 per m ³ over 400 m ³
Group B				
Apartment: Per Unit	0	- 160 m ³	\$ 48.75	
Mobile/Modular Home Park: Per Unit	161	- 240 m ³	\$ 48.75	+ 1.00 per m ³ over 160 m ³
	241	- 320 m ³	\$128.75	+ 1.50 per m ³ over 240 m ³
	over 320	m ³	\$248.75	+ 2.25 per m ³ over 320 m ³
Group C				
Commercial: Minimum charge for each 10 employees or portion thereof per shift	0	- 130 m ³	\$ 39.00	
	131	- 195 m ³	\$ 39.00	+ 1.00 per m ³ over 130 m ³
	196	- 260 m ³	\$104.00	+ 1.50 per m ³ over 195 m ³
	over 260	m ³	\$201.50	+ 2.25 per m ³ over 260 m ³
Group D				
Continuing Care Facility: Minimum charge for each bed	0	- 100 m ³	\$ 32.50	
	101	- 150 m ³	\$ 32.50	+ 1.00 per m ³ over 100 m ³
	151	- 200 m ³	\$ 82.50	+ 1.50 per m ³ over 150 m ³
	over 200	m ³	\$157.50	+ 2.25 per m ³ over 200 m ³
Group E				
RV Trailer Park/Campground-Site Connected to Sewer: Per service pad or Site	0	- 67 m ³	\$ 21.67	
	68	- 100 m ³	\$ 21.67	+ 1.00 per m ³ over 67 m ³
Restaurant: Per 10-seats or patrons, or portion thereof	101	- 133 m ³	\$ 54.67	+ 1.50 per m ³ over 100 m ³
Hotel/Motel: per housekeeping unit	over 133	m ³	\$104.17	+ 2.25 per m ³ over 133 m ³
Group F				
Bed & Breakfast House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Group	0	- 40 m ³	\$ 13.00	
	41	- 60 m ³	\$ 13.00	+ 1.00 per m ³ over 40 m ³
	61	- 80 m ³	\$ 33.00	+ 1.50 per m ³ over 60 m ³
	over 80	m ³	\$ 63.00	+ 2.25 per m ³ over 80 m ³
Group G				
RV Trailer Park/Campground-Site not Connected to Sewer: - Per service pad or Site	0	- 20 m ³	\$ 6.50	
	21	- 30 m ³	\$ 6.50	+ 1.00 per m ³ over 20 m ³
	31	- 40 m ³	\$ 16.50	+ 1.50 per m ³ over 30 m ³
	over 40	m ³	\$ 31.50	+ 2.25 per m ³ over 40 m ³

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CLASSIFICATION	USER CHARGES								
	Water Use				Charge				
Group H High School: Minimum charge per 20 students or portion thereof per shift	0	-	270	m ³	\$ 81.25				
	271	-	405	m ³	\$ 81.25	+	1.00	per m ³ over	270 m ³
	406	-	540	m ³	216.25	+	1.50	per m ³ over	405 m ³
	over	540	-	m ³	418.75	+	2.25	per m ³ over	540 m ³
Group I Hotel/Motel: per room or suite	0	-	50	m ³	\$ 16.25				
	51	-	75	m ³	\$ 16.25	+	1.00	per m ³ over	50 m ³
	76	-	100	m ³	\$ 41.25	+	1.50	per m ³ over	75 m ³
	over	100	-	m ³	\$ 78.75	+	2.25	per m ³ over	100 m ³
Group J Licensed Premises: Per 10 seats or portion thereof	0	-	83	m ³	\$ 26.00				
	84	-	125	m ³	\$ 26.00	+	1.00	per m ³ over	83 m ³
	126	-	167	m ³	\$ 68.00	+	1.50	per m ³ over	125 m ³
	over	167	-	m ³	\$131.00	+	2.25	per m ³ over	167 m ³

Other:

The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of developments that, in the opinion of the **Manager**, do not fall within the above classifications, shall be determined by the **Manager** and his decision shall be final.

Aggregate Allotment:

Where more than one of the above classifications including "**Other**" is in use, or intended for use, then the applicable charges shall be applied to each and every classification.

UNDETECTED LEAKS

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classification(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the **Consumer** describing the nature of the leakage and the action taken to rectify the problem must be received by the **Manager** before the one-time forgiveness will be granted. The leakage problem must be rectified by the **Consumer** within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex or a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or Ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, or temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a sanitary sewer disposal system, the *minimum charge shall be based on the Allotment* of water as set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate sanitary sewer disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the *Allotment* of water as set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the *Allotment* of water set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the *Allotment* set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to a connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board to British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations for residents requiring full-time professional care that include living, sleeping, cooking, and sanitary facilities, but does not apply to an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



C.V.R.D.

SCHEDULE C

TO BYLAW NO. 1971

MESACHIE LAKE UNMETERED WATER RATES

Water Rates

The *Consumer of Unmetered District Water* shall pay the charges set out below.

Water Rates and Charges per Classification

<u>CLASSIFICATION</u>	<u>RATE STRUCTURE</u>		
<i>Single Family Dwelling</i>	\$ 65.00	\$ 6.50	\$ 58.50
<i>Laundromat</i>	\$ 65.00	\$ 6.50	\$ 58.50
<i>Elementary/Middle School</i>	\$ 65.00	\$ 6.50	\$ 58.50
<i>Apartment</i>	\$ 48.75	\$ 4.88	\$ 43.87
<i>Mobile Home Park</i>	\$ 48.75	\$ 4.88	\$ 43.87
<i>Commercial:</i>			
Minimum charge for the first 10 employees or portion thereof per shift	\$ 39.00	\$ 3.90	\$ 35.10
<i>Continuing Care Facility</i>			
Minimum charge for each bed	\$ 32.50	\$ 3.25	\$ 29.25
<i>RV Trailer Park / Campground:</i>			
<u>Site Connected to Sewer:</u> per serviced pad or site	\$ 21.67	\$ 2.17	\$ 19.50
<i>Restaurants:</i>			
Minimum charge for the first 10 seats or patrons or portion thereof	\$ 21.67	\$ 2.17	\$ 19.50
<i>Hotel / Motel</i>			
b) <u>Housekeeping Unit:</u>	\$ 21.67	\$ 2.17	\$ 19.50
<i>Bed & Breakfast / Rooming House:</i>			
The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guest room	\$ 13.00	\$ 1.30	\$ 11.70
<i>RV Trailer Park / Campground:</i>			
<u>Site Not Connected to Sewer:</u> per pad or site	\$ 6.50	\$ 0.65	\$ 5.85

High School

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<u>CLASSIFICATION</u>	<u>RATE STRUCTURE</u>		
Minimum charge for the first 20 students or portion thereof	\$ 81.25	\$ 8.13	\$ 73.12
Hotel / Motel			
Room or Suite: per room or suite	\$ 16.25	\$ 1.63	\$ 14.62
Licensed Premises:			
Minimum charge for the first 10 seats or patrons or portion thereof	\$ 26.00	\$ 2.60	\$ 23.40

Other:

The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of developments that, in the opinion of the **Manager**, do not fall within the above classifications, shall be determined by the **Manager** and his decision shall be final.

Aggregate Allotment:

Where more than one of the above classifications including "**Other**" is in use, or intended for use, then the applicable charges shall be applied to each and every classification.

USER CLASSIFICATION DESCRIPTIONS**Single Family Dwelling:**

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex or a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or Ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

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RV Trailer Park/Campground:

Applies to any connection servicing land used, or temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a sanitary sewer disposal system, the minimum charge shall be based on the **Allotment** of water as set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate sanitary sewer disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the **Allotment** of water as set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the **Allotment** of water set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the **Allotment** set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to a connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board to British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations for residents requiring full-time professional care that include living, sleeping, cooking, and sanitary facilities, but does not apply to an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



C·V·R·D

B6

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3482

**A Bylaw to Amend the Arbutus Ridge Water System Management
Bylaw No. 3305**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Arbutus Ridge Water System pursuant to "CVRD Bylaw No. 3305, cited as "CVRD Bylaw No. 3305 – Arbutus Ridge Water System Management Bylaw, 2009";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3482 - Arbutus Ridge Water System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

That Schedules B and C be deleted in their entirety and replaced with Schedules B and C attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO BYLAW NO. 3305

ARBUTUS RIDGE METERED WATER RATES

Water Rates and Charges

The **Consumer** of **District Water** supplied through **Water Meters**, shall pay the minimum charge set out in subsection (b) below.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES	
	Water Use	Charge
Group A	0 – 200 m ³	\$ 172.78
- Single Family Dwelling – Per Dwelling	201-300 m ³	\$ 172.78 + \$1.25 per m ³ over 200 m ³
- Laundromat: Minimum charge for each washing machine	301-400 m ³	\$ 297.78 + \$1.85 per m ³ over 300 m ³
- Elementary/Middle School: Minimum charge per 20 students or portion thereof	Over 400 m ³	\$ 482.78 + \$2.50 per m ³ over 400 m ³
Group B	0 – 160 m ³	\$ 129.59
- Apartment/Suite – Per Unit	161-240 m ³	\$ 129.59 + \$1.25 per m ³ over 160 m ³
- Mobile/Modular Home Park – Per Unit	241-320 m ³	\$ 229.59 + \$1.85 per m ³ over 240 m ³
	Over 320 m ³	\$ 377.59 + \$2.50 per m ³ over 320 m ³
Group C	0 – 130 m ³	\$ 103.67
- Commercial - Minimum charge for each 10 employees or portion thereof per shift	131-200 m ³	\$ 103.67 + \$1.25 per m ³ over 130 m ³
	200-260 m ³	\$ 184.92 + \$1.85 per m ³ over 195 m ³
	Over 260 m ³	\$ 305.17 + \$2.50 per m ³ over 260 m ³
Group D	0 – 100 m ³	\$ 86.39
- Continuing Care Facility: Minimum charge for <u>each bed</u>	101-150 m ³	\$ 86.39 + \$1.25 per m ³ over 100 m ³
	151-200 m ³	\$ 148.89 + \$1.85 per m ³ over 150 m ³
	Over 200 m ³	\$ 241.39 + \$2.50 per m ³ over 200 m ³

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CLASSIFICATION	USER CHARGES		
	Water Use	Charges	
Group E			
- RV Trailer Park/Campground: Site Connected to Sewer: Per serviced pad or site	0 – 67 m ³	\$ 57.59	
	68-100 m ³	\$ 57.59	+ \$1.25 per m ³ over 67 m ³
- Restaurant: per 10 seats or patrons, or portion thereof	101-133 m ³	\$ 98.84	+ \$1.85 per m ³ over 100 m ³
- Hotel/Motel: per housekeeping unit	Over 133 m ³	\$ 159.89	+ \$2.50 per m ³ over 133 m ³
Group F			
- Bed & Breakfast/Rooming House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Room	0-40 m ³	\$ 34.56	
	41-60 m ³	\$ 34.56	+ \$1.25 per m ³ over 40 m ³
	61-80 m ³	\$ 59.56	+ \$1.85 per m ³ over 60 m ³
	Over 80 m ³	\$ 96.56	+ \$2.50 per m ³ over 80 m ³
Group G			
- RV Trailer Park/Campground: Site not Connected to Sewer: Per pad or site	0-20 m ³	\$ 17.28	
	21-30 m ³	\$ 17.28	+ \$1.25 per m ³ over 20 m ³
	31-40 m ³	\$ 29.78	+ \$1.85 per m ³ over 30 m ³
	Over 40 m ³	\$ 48.28	+ \$2.50 per m ³ over 40 m ³
Group H			
- High School: Minimum charge per 20 students or portion thereof	0 – 270 m ³	\$ 215.98	
	271-405 m ³	\$ 215.98	+ \$1.25 per m ³ over 270 m ³
	406-540 m ³	\$ 384.73	+ \$1.85 per m ³ over 405 m ³
	Over 540 m ³	\$ 634.48	+ \$2.50 per m ³ over 540 m ³
Group I			
- Hotel/Motel: Per Room or Suite	0 – 50 m ³	\$ 43.20	
	51-75 m ³	\$ 43.20	+ \$1.25 per m ³ over 50 m ³
	76-100 m ³	\$ 74.45	+ \$1.85 per m ³ over 75 m ³
	Over 100 m ³	\$ 120.70	+ \$2.50 per m ³ over 100 m ³
Group J			
- Licensed Premises: Per 10 seats or patrons or portions thereof.	0 – 83 m ³	\$ 69.11	
	84-125 m ³	\$ 69.11	+ \$1.25 per m ³ over 83 m ³
	126-167 m ³	\$ 121.61	+ \$1.85 per m ³ over 125 m ³
	Over 167 m ³	\$ 199.31	+ \$2.50 per m ³ over 167 m ³
Group K			
- Golf Course: for potable water only. Based on 3.5% of total water system operating budget or minimum of:			\$ 5,796.00
Other			
The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the Manager , do not fall within the above classifications, shall be determined by the General Manager of Engineering and Environmental Services and his decision shall be final.			
Aggregate Allotment - Where more than one of the above classifications including "Other" is in use, or intended for use, then the applicable charges shall be applied to each and every classification			

UNDETECTED LEAKS:

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classifications(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the **Consumer** describing the nature of the leakage and the action taken to rectify the problem must be received by the **Manager** before the one-time forgiveness will be granted. The leakage problem must be rectified by the **Consumer** within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS

Single Family Dwelling: Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment: Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park: Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground: Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

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Hotel/Motel: Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant: Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises: Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat: Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial: Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School: Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility: Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast: Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House: Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Golf Course: For potable water usage only.



SCHEDULE C
TO CVRD BYLAW NO. 3305
UNMETERED WATER CHARGES

WATER RATES:

The *Consumer of Unmetered District Water* shall pay the charges set out below.

Water Rates and Charges per Classification per six (6) month period:

	<u>Charge</u>
Single Family Dwelling:	\$172.78
Apartment/Suite	129.59
Mobile Home Park:	129.59
RV Trailer Park/Campground:	
<u>Site Connected to Sewer:</u> per serviced pad or site.	57.59
<u>Site Not Connected to Sewer</u> - per pad or site.	17.28
Hotel/Motel:	
a) Room or Suite: per room or suite.	43.20
b) Kitchenette or Housekeeping Unit:	57.59
Restaurants:	
Minimum charge for the first 10 seats or patrons or portion thereof	57.59
Each additional 10 seats or patrons or portion thereof .	57.59
Licensed Premises:	
Minimum charge for the first 10 seats or patrons or portion thereof .	69.11
Each additional 10 seats or patrons or portion thereof .	69.11
Laundromat: Minimum charge for each washing machine	172.78
Commercial:	
Minimum charge for the first 10 employees or portion thereof per shift.	103.67
Each additional 10 employees or portion thereof per shift .	103.67
Elementary/Middle School: Minimum charge for 20 students or portion thereof	172.78
High School: Minimum charge for 20 students or portion thereof	215.98

	<u>Charge</u>
Continuing Care Facility: Minimum charge for each bed	86.39
Bed & Breakfast/Rooming House:	
The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guest room .	
a) Single Family Dwelling	172.78
b) Per guest room	34.56
Golf Course:	
Based on potable water – Based on 3.5% of total water system operating budget or minimum of.:	5,796.00

Other:

The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of developments that, in the opinion of the **Manager**, do not fall within the above classifications shall be determined by the Manager of Engineering Services and his decision shall be final.

Aggregate Allotment:

Where more than one of the above classifications including **“Other”** is in use, or intended for use, then the applicable charges shall be applied to each and every classification.

Single Family Dwelling

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, or temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

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Where individual spaces for the above accommodations are connected directly to a sanitary sewer disposal system, the minimum charge shall be based on the **Allotment** of water as set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate sanitary sewer disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the **Allotment** of water as set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure, which contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended use for the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to a connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board to British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available to public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include for residents requiring full-time professional care that include living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

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Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Golf Course: For potable water usage only.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3483

**A Bylaw to Amend the Arbutus Ridge Sewer System Management
Bylaw No. 3306**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Arbutus Ridge Sewer System pursuant to "CVRD Bylaw No. 3306, cited as "CVRD Bylaw No. 3306 – Arbutus Ridge Sewer System Management Bylaw, 2009";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3483 - Arbutus Ridge Sewer System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 3306

SEWER SERVICE CHARGES

(a) **Consumers** of **Sewer Services** shall pay the minimum billing set out in sub-section (b) below.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling – Per Dwelling	172.78
STEP System – Per dwelling	146.86
Apartment – Per Unit	146.86
Mobile Home Park – Per Unit	172.78
RV Trailer Park/Campground:	
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	86.39
b) <u>Site not Connected to Sewer:</u> Per pad or site	17.28
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per room or suite	69.11
b) <u>Kitchenette or Housekeeping Unit</u> (per room or suite)	103.67
Restaurants - Per seat:	10.37
Licensed Premises - per seat:	17.28
Laundromat: Minimum charge for each washing machine:	172.78
Commercial:	
Minimum charge for the first 5 employees or portion thereof per shift	86.39
Each additional 5 employees or portion thereof per shift	86.39
School - Minimum charge per classroom	172.78
Continuing Care Facility: Minimum charge for each bed	129.59
	.../2

<u>Classification</u>	<u>Charge</u>
Bed & Breakfast/Rooming House: The minimum charge for such a facility shall include the minimum charge for a single family dwelling unit, plus a minimum charge for each and every guestroom.	
a) Single Family Dwelling:	172.78
b) Per guest room	69.11
Golf Course: Based on 3.5% of total sewer system operating budget or minimum of	5,796.00
Other There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number	
Single Family Dwelling: Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.	
Septic Tank Effluent Pumping (STEP): Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-family Dwelling rate to offset the cost of septic tank pump-outs (typically a maximum of every 5-years).	
Apartment: Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.	
Mobile Home Park: Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.	
RV Trailer Park/Campground: Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.	
Where individual spaces for the above accommodations are connected directly to a Sanitary Sewer disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).	

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single-family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered for calculated flow, rounded to the higher whole number.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3484

**A Bylaw to Amend the Maple Hills Sewer System Management Bylaw
No. 1748**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Maple Hills Sewer System* pursuant to CVRD Bylaw No. 1748, cited as "CVRD Bylaw No. 1748 – Maple Hills Sewer System Management Bylaw, 1996";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to update the language of the bylaw and to revise Schedule B.

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3484 - Maple Hills Sewer System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

- a) That Parts I through IX be deleted in their entirety and replaced with the following Sections 2 through 12:

2. **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

"Air" means the atmosphere, but, except in a **Sewer** or a **Sewage Facility** or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.

"Air Contaminant" means any **Substance** or odour whether gaseous, liquid, solid or a combination that is emitted into the **Air** and that:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with visibility;
- (d) interferes or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person, or,
- (f) damages or is capable of damaging the environment.

.../2

"Applicant" means a request for one of the following:

- (a) a **Waste Discharge Permit**;
- (b) to amend, add or delete a term or condition of a **Waste Discharge Permit**;
- (c) to change the activity that is the subject of a **Waste Discharge Permit**;
- (d) to renew a **Waste Discharge Permit**;
- (e) an **Authorization**.

"Authorized" or **"Authorization"** means that **Authorization** in writing by the **Manager** upon such terms and conditions as specified therein;

"Biomedical Waste" means **Biomedical Waste** as defined in the "Guidelines for the Management of **Biomedical Waste**" established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992, or the most current regulations and guidelines as determined by the **Manager**.

"Biosolids" means treated municipal **Wastewater Sludge** that meets quality criteria for beneficial use as a fertilizer or soil amendment product.

"BOD" means Biochemical Oxygen Demand, being the quantity of oxygen utilized in the biochemical oxidation of organic **Substances** under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in **Standard Methods**.

"Capable of Connection" means that the parcel of land abuts a street, lane, public **Sewer** right-of-way or easement, upon or under which there is a **Sewermain** with excess capacity and that the **Sewer** service connection will have adequate cover at the property line, and drain towards the **Sewer**, and allowing the house or building to be connected to the service connection by either a gravity building **Sewer**, or a pump and forcemain.

"COD" means Chemical Oxygen Demand, being a measure of the equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in **Standard Methods**.

"Combined Sewer" means a **Sewer** designed for the collection and transmission of **Uncontaminated Water, Wastewater, and Stormwater**.

"Committee" means a standing committee, comprised of representatives from the **Regional Board**, which the Engineering and Environmental Services Department reports to.

"Composite Sample" means a sample of **Waste** which is composed of equivalent portions of a specified number of **Grab Samples** collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period.

.../3

"Condensed Water" means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.

"Consumer" means the owner or occupant of property that is serviced by, connected to and uses the **Maple Hills Sewer System**.

"Contaminate" means any **Substance**, whether gaseous, liquid or solid, whether dissolved or suspended, or any **Wastewater** quality parameter that, when present above a certain concentration in **Wastewater**:

- (a) injures or is capable of injuring the health or safety of a person;
- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with the proper operation of a **Sewer** or sewerage facility;
- (d) causes or is capable of causing material physical discomfort to a person; or
- (e) damages or is capable of damaging the environment.

"Daily Flow" means the total flow over a 24-hour period, as measured by an approved calibrated flow meter.

"Discharge" means to directly or indirectly introduce a **Substance** into a **Sewer** or **Sewage Facility** by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means.

"District" means the Cowichan Valley Regional District.

"District Water" means water carried by a community water system operated and managed by the **District**.

"Domestic Sewage" means **Sanitary Waste** produced on a **Residential Property**.

"Domestic Waste" means **Sanitary Waste** or the water-carried wastes from drinking, culinary purposes, washing, bathing, laundering or food processing which is produced

on a **Residential Property** and is **Discharged** directly or indirectly into a **Sewer** connected to a **Sewage Facility** operated by the **District**.

"Enactment" means any applicable act, regulation, bylaw, or **Authorization**, by a federal, provincial, regional or municipal government or their **Authorized** representatives.

"Environmental Management Act" means the **Environmental Management Act** of the Province of British Columbia or any legislation that replaces the **Environmental Management Act**.

"Grab Sample" means a sample of **Waste** collected at a particular time and place.

"Hazardous Waste" means **Hazardous Waste** as defined in the **Environmental Management Act**.

"Hazardous Waste Regulation" means the *Hazardous Waste Regulation* enacted pursuant to the *Environmental Management Act*.

"Hazardous Waste Regulation Leachate Quality Criteria" means the *Contaminant* concentrations for leachate set out in Schedule 4 of the *Hazardous Waste Regulation*.

"High Volume Discharge" means any *Discharge* of *Non-domestic Waste* into a *Sewer* in excess of 2.57 cubic metres per day (550 Imperial Gallons per day) or 90 cubic metres over any consecutive 30-day period, but not including water from a pool.

"Improvement District" means an *Improvement District* incorporated under the Local Government Act.

"Manager" means the person duly appointed *Manager* of the Engineering Services Department by the *Regional Board*.

"Maple Hills Sewer System" means the *Sewer* system currently servicing the *Maple Hills Sewer System Service Area* including all *District* buildings, structures, sewage, collection, treatment, disposal facilities, equipment, electrical works, pumping stations, forcemains, *Sanitary Sewermains*, appurtenances, *Sewer Service Connections*, and all sewage works designated for the collection and disposal of sewage together with all lands appropriated for such purposes and uses.

"Maple Hills Sewer System Service Area" means a service area established and defined by Bylaw, within which the *District* manages and operates a *Sewer* system.

"Mass Loading" means the concentration of a constituent multiplied by the flow rate.

"Metered District Water" means *District* water supplied to *Consumers* through individual meters located on serviced connections from a community water system operated and managed by the CVRD.

"Monitoring Point" means an access point to a *Sewer*, *Private Drainage Systems*, or other *Sewer* for the purpose of:

- (a) measuring the rate of flow or volume of *Wastewater* being *Discharged* from a *Premises*;
- (b) collecting representative samples of *Wastewater* being *Discharged* from a *Premises*.

"Monthly Average" means the arithmetic mean of all measurements taken over a calendar month.

"Municipality" means any participating member city, town, or other incorporated area of the *District*.

"Non-domestic Waste" means all *Waste* except *Domestic Waste*, *Trucked Waste*, *Sanitary Waste*, *Stormwater* and *Uncontaminated Water*.

"Oil and Grease" means an organic *Substance* or *Substances* recoverable by procedures set out in *Standard Methods* or procedures *Authorized* by the *Manager* and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes and high-molecular weight carboxylic acids.

"Owner" means any person who is registered under the Land title Act as the owner of land, or any other person who is in lawful possession of land, or who is in lawful possession or occupancy of any buildings situated on the land.

"Parcel Tax" means an annual tax levied on each parcel of land within the *Maple Hills Sewer System Service Area*.

"PCB" means any mono-chlorinated, de-chlorinated, or polychlorinated or any mixture that contains one or more of these.

"Pesticides" means pesticides regulated under the Pesticide Control Act of British Columbia.

"pH" means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in *Standard Methods*.

"Phenols" means the hydroxyl derivatives of aromatic hydrocarbons as determined by the appropriate procedure described in *Standard Methods*.

"Pool" means any water receptacle used for swimming or as a bath or hot tub designed to accommodate more than one bather at a time, or designed for decorative purposes.

"Premises" means any land or building or both, or any part thereof.

"Private Drainage System" means a privately owned assembly of pipes, fittings, fixtures, traps and appurtenances that is used to convey *Wastewater*, *Uncontaminated Water*, *Stormwater*, or foundation drainage to a *Sewer*, *Sewage Facility*, or a private *Wastewater* disposal system.

"Private Sewer Service Pipe" means that part of the *Sewer Service Pipe* located within the boundaries of the property being serviced, or outside the boundaries of a CVRD Statutory right-of-way, and which is connected, or intended, to connect to the *Maple Hills Sewer System* via a *Sewer Service Connection*.

"Prohibited Waste" means *Prohibited Waste* in Article "A" of Schedule F of this Bylaw.

"Radioactive Materials" means *Radioactive Materials* as defined in the Atomic Energy Control Act of Canada and Regulations under that Act.

"Regional Board" means the Board of Directors of the Cowichan Valley Regional District.

"Residential Property" means a property that is used primarily for the purposes of residence by persons on a permanent, temporary or seasonal basis.

"Restricted Waste" means **Restricted Waste** as defined in Article "B" of Schedule F of this Bylaw.

"Sanitary Sewer" means a **Sewer** which carries **Sanitary Waste** or **Wastewater**, but which is not intended to carry **Stormwater** or **Uncontaminated Water**.

"Sanitary Waste" means **Waste** that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"Seasonal Use" means the use of the **Sewer Service(s)** for a dwelling, unit or recreational accommodation which is not continuously inhabited for more than three months in any calendar year or which is inhabited from time to time for not more than four months in any calendar year.

"Sewer" means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the **District**, or one or more municipalities, for collecting, pumping, and transporting **Wastewater** either to a **Sewage Facility**, or otherwise and includes all such pipes, conduits, drains, and other equipment and facilities, which connect with those of the **District** or one or more municipalities.

"Sewer Charges" means the charges set out in the applicable Schedule(s) forming part of this Bylaw.

"Sewer Extension" means any installation requiring the construction of a 200-mm diameter **Sewermain**, or larger, within a public road allowance or right-of-way or easement, from the most convenient existing **Sewer**, but does not include a **Sewer Service Connection** or a **Private Sewer Service Pipe**.

"Sewer Extension Application Charge" means the charges as set out in the applicable Schedule(s) forming part of this Bylaw.

"Sewage Facility" means works owned or otherwise under the control, or jurisdiction of the **District**.

"Sewer Rates" means the rates set out in the applicable Schedule(s) forming part of this Bylaw.

"Sewer Service(s)" means the collection, treatment and disposal of sewage.

"Sewer Service Charges" means the charges as set out in the applicable Schedule(s) forming part of this Bylaw.

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"Sewer Service Connection" means the **Sewer** pipe and its integral appurtenances, which are placed from the **Sewermain** to the boundary of the property being serviced; or from the **Sewermain** to the boundary of the right-of-way, when the **Sewermain** is located in a right-of-way in favour of the **District**.

"Sewer Service Connection Charges" means the charges as set out in the applicable Schedule(s) forming part of this Bylaw.

"Sewer Service Pipe" means the conduit connecting a **Sewermain** that is part of the Maple Hills **Sewer System** with lands or buildings and consisting of both a **Sewer Service Connection** and a **Private Sewer Service Pipe**.

"Sewer Surcharge Rates" means the rates as set out in the applicable Schedule(s) forming part of this Bylaw, and are applied in proportion to the amount of **Metered District Water** consumed by a user.

"Sewermain" means a pipe forming part of the community sewage collection system, other than those pipes serving as **Sewer Service Connections**.

"Sharps" means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects that have acute rigid corners, edges or protuberances.

"Sludge" means **Wastewater** containing more than 0.5% total solids.

"Spill Reporting Regulation" means the Spill Reporting Regulation enacted pursuant to the **Environmental Management Act Regulation**.

"Standard Methods" means the latest edition of **"Standard Methods of Examination of Water and Wastewater"** jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation.

"Storm Sewer" means a **Sewer** for the collection and transmission of **Stormwater** or **Uncontaminated Water**.

"Stormwater" means water resulting from natural precipitation from the atmosphere and which is intended to be transported in a **Storm Sewer**, or a **Combined Sewer** or a **Watercourse**.

"Substance" includes any solid, liquid or gas.

"Suspended Solids" means the portion of total solids retained by a filter, as determined by the appropriate procedure in **Standard Methods**.

"Total Ammonia" means the sum of the concentrations or masses of ionized ammonia and un-ionized ammonia.

"TN (Total Nitrogen)" means the sum of the concentrations or masses of organic nitrogen, **Total Ammonia**, nitrite and nitrate.

"TP (Total Phosphorus)" means the sum of the concentrations or masses of organic phosphates, ortho-phosphates and polyphosphates.

"Treasurer" means the person duly appointed *Treasurer* by the *Regional Board*, or his duly appointed delegate.

"Trucked Waste" means any *Waste* that is collected and transported from the site where the *Waste* originated by means other than *Discharge* to a *Sewer* including, but not limited to, holding tank water, septic tank waste, chemical toilet contents, *Oil and Grease* from interceptors or traps, and other *Sludge* of organic or inorganic origin.

"Uncontaminated Water" means any water excluding *Stormwater* but including cooling water, *Condensed Water* and water from municipal *Waterworks*, or a private water supply to which no *Contaminate* has been added as a consequence of its use, or to modify its use by any person.

"Unit" means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

"Waste" means any *Substance* whether gaseous, liquid or solid, that is or is intended to be *Discharged*, or discarded, directly or indirectly, to a *Sewer* or *Sewage Facility*.

"Waste Discharge Permit" means a *Waste Discharge Permit* issued by the *Manager*.

"Wastewater" means the composite of water and water-carried *Wastes* from residential, commercial, industrial or institutional *Premises*, or any other source.

"Wastewater Sludge" means the removed material resulting from chemical treatment, coagulation, flocculation, sedimentation, flotation, or biological oxidation of *Wastewater*.

"Water" includes seawater, surface water, groundwater and ice.

"Watercourse" means:

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of water; or
- (b) a canal, ditch, reservoir or other man-made surface feature whether it contains or conveys water continuously or intermittently.

"Waterworks" means any works owned, or otherwise under the control or jurisdiction of the *District*, or one or more of its member *Municipalities*, or private owned water system, or an *Improvement District* that collects, treats, transports, or stores drinking water.

"Works" includes:

- (a) a drain, ditch, **Sewer** or **Waste** disposal system including a sewage treatment plant, pumping station or outfall;
- (b) a device, equipment, land or a structure that:
 - (i) measures, handles, transports, stores, treats, or destroys **Waste** or a **Contaminant**; or
 - (ii) introduces **Waste** or a **Contaminant** into the environment;
- (c) an installation, plant, machinery, equipment, land; or a process that causes or may cause a release of a **Contaminant** into the environment; or is designed, or used to measure or control the introduction of **Waste** into the environment, or to measure or control a **Contaminant**;
- (d) an installation, plant, machinery, equipment, land or a process that monitors or cleans up a **Contaminant** or **Waste**.

3. ADMINISTRATIVE POLICY

1. (a) The responsibility for the construction, operation and maintenance of the **Maple Hills Sewer System** is hereby vested in the **Manager** who shall operate the same under the established policy of the **Regional Board**.
- (b) No construction, operation or maintenance work of any kind or nature, not specifically authorized by this Bylaw, shall be performed on the whole or any part of the **Maple Hills Sewer System** except as **Authorized** in writing by the **Manager**.
- (c) Ownership of **Maple Hills Sewer System**: The **Maple Hills Sewer System**, required for treatment, disposal and collection of sewage from the **Owner's** property, which are constructed, whether at the **Owner's** expense or **District's** expense in present or future public highways or within **District** right-of-way property, shall be the property of the **District**.
2. (a) The **District** may supply **Sewer Service** as circumstances, collection, treatment and disposal capacity permit.
- (b) No **Sewer Service(s)** shall be supplied to any parcel of land or **Premises** outside of the **Maple Hills Sewer System Service Area** except by special agreement with the **District**, and/or the expansion of the sewer system service area by CVRD Bylaw.
- (c) No person shall allow wastewater, sewage, septage or any form of liquid or substance to be brought into the **Maple Hills Sewer System Service Area** for the sole purpose of disposal directly or indirectly into the **Maple Hills Sewer System** unless otherwise approved by the CVRD and other agencies having jurisdiction.

- (d) All reasonable efforts will be made to ensure a continuous **Sewer Service**; however, the **District** does not guarantee to the **Consumer** an uninterrupted discharge of sewage, nor shall any failure to provide an uninterrupted supply of **Sewer Service**, or to meet any such standard be construed as neglect on the part of the **District**.
3. Any person authorized by the **Manager** shall have free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other **Premises** to which **Sewer Services(s)** are supplied for the purpose of inspecting, repairing, or disconnecting any **Sewer Service Pipe** and appurtenances within a serviced structure or located on the lands in question.
4. (a) The **Manager** may, upon reasonable notice, limit or restrict **Sewer Services** within all or any part of the **Maple Hills Sewer System Service Area**, however, in emergency situations, notice may not be given.
- (b) The **District** is not liable for damages caused by the breakage or failure of the **Maple Hills Sewer System**.
5. Any person before proceeding with, or authorizing any construction which is, or is proposed, to be located under, across or along any sanitary **Sewer**, forcemain, or other sewage works forming part of the **Maple Hills Sewer System**, shall notify the **Manager** in writing of his intention to proceed with the same, and if it shall, in the opinion of the **Manager**, become necessary as a consequence to support or relocate such **Sanitary Sewer**, or other sewage works, the cost of supporting or relocating the same shall be charged against that person and the **Manager** shall supervise and direct the supporting or relocating of such **Sanitary Sewer** or other sewage works.
6. Any person(s) who has proceeded with or who has authorized any construction which is located under, over, across or along any **Sewermain** or other **Sewer** works forming apart of the **Maple Hills Sewer System** shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the **Manager** in reasonable time as determined by him, the **Manager** may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

4. SEWER RATES AND SEWER CHARGES

1. (a) Revenues for the **Maple Hills Sewer System** may be raised by **Sewer Rates, Sewer Charges** and **Parcel Taxes**.
- (b) If in any fiscal year the revenues generated by the rates and charges set out in sub-section (a) do not meet the expenditures of the **Maple Hills Sewer System Service Area**, the deficit may be covered by a duly authorized increase in any or all of the charges set out in sub-section (a) for the succeeding fiscal year.
- (c) All revenue raised by the methods herein described or **Authorized** shall be applied to the **Maple Hills Sewer System**.

.../11

2. (a) **Consumers** of **Sewer Service(s)** who receive **Metered District Water** shall be charged the **Sewer Charges** set out in Schedule A.
- (b) **Consumers** of **Sewer Service(s)** who do not receive **Metered District Water** shall pay the **Sewer Charges** set out in Schedule B.
- (c) Person(s) desiring the extension of the **Maple Hills Sewer System** to lands which they own, or occupy, shall make formal application and pay the appropriate charges as set out in Schedule E and comply with Sections 5 and 6 of this Bylaw.
- (d) Person(s) requiring the miscellaneous services set out in Section 7 of this Bylaw shall pay the charges therefore set out in Schedule D.
3. (a) The **Sewer Rates** and **Sewer Charges** set out in Schedules A, B, C, D and E shall be subject to periodic review by the **Manager** and the **Committee** who may make recommendations on the revision of the said Schedules to the **Regional Board**.
- (b) Schedules A, B, C, D, E, and F may be revised by Bylaws enacted by the **Regional Board**.

5. SEWER CONNECTION SERVICE

1. (a) An **Owner** of lands within the **Maple Hills Sewer System Service Area** which abut a sewer line which is part of the **Maple Hills Sewer System** may apply to have his property connected to the **Maple Hills Sewer System**.
- (b) No connection shall be made to the **Maple Hills Sewer System** until an application for **Sewer Service** has been completed and approved by the **Manager**.
- (c) A **Sewer Service Connection** application shall be in the form provided by the **Manager**, and shall be certified to be correct and signed by the **Applicant**, and shall be submitted at least four (4) weeks prior to the date by which connection to the **Maple Hills Sewer System** is required.
- (d) **Sewer Service Connection** applications for property located within the **Maple Hills Sewer System Service Area** must be made prior to the issuance of a building permit, where such permit is necessary.
- (e) Waste Discharge Permit Applications.
 - i) Where a **Sewer Service Connection** is to be installed for other than single family residential use, or where more than 90 m³ of non-domestic **Wastewater** in any 30-day period, or where any **Restricted Waste**, will be deposited in the **Sanitary Sewer** system, an application will be submitted to the **District**, in the form of a Schedule G to this Bylaw, and a **Waste Discharge Permit** shall be completed before connecting the **Premises** to the **Sanitary Sewer** system.

- ii) All **Sewer Service Connection(s)** for other than single-family residential use, which is in existence at the date of adoption of the Bylaw, will complete a **Waste Discharge Permit**.
 - iii) An **Owner** or occupier who intends to expand or alter a facility for other than single-family use, which is in existence at the date of adoption of this Bylaw, such that an increase in the effluent flow rate of more than 25% (based on a monthly average of the effluent **Daily Flow** rates), or increase in the effluent concentration of any **Contaminant** listed under Article "B" of Schedule G to this Bylaw of more than 25% (based on a monthly average of one-operating-day **Composite Sample** concentrations), or increase in the effluent **mass load** of any **Contaminant** of more than 25% (based on a monthly average of the effluent **Daily Flow** rates multiplied by the **Monthly Average** of one-operating-day **Composite Sample** concentrations) will require the discharger to apply for a new **Waste Discharge Permit**. The **Manager** may require the discharger to apply for a new **Waste Discharge Permit** if the flow in any one-day increases to a volume that would limit the capacity of the downstream users.
- (f) Applications for **Sewer Service Connections** shall be accompanied by a deposit equal to the **Sewer Service Connection Charge** as set out in Schedule C.
- (g) The **Manager** may refuse a **Sewer Service Connection** application where in his opinion the **Maple Hills Sewer System** might be adversely affected, or where in his opinion there is insufficient sewage collection and treatment disposal available.
2. (a) **Applicants** for **Sewer Service Connections** shall pay the **Sewer Service Connection** charges set out in Schedule C and upon completion of the **Sewer Service Connection**, the deposit made pursuant to Section 5.1(f) shall be applied in payment of such charges.
- (b) When a new **Sewer Service Connection** is installed, the **Sewer Rate** levied shall be pro-rated in accordance with appropriate charges set out in the appropriate Schedule. Commencement of charges shall be determined by the **Treasurer**.
- (c) Where an abandoned **Sewer Service Connection** is in place on or adjacent to an **Applicant's** lands, the **Applicant** may apply to have the **Sewer Service Connection** reconnected and shall at such time apply to have the **Sewer Service Connection** inspected, shall pay the inspection fee set out in Schedule C, and shall expose the **Sewer Service Connection**, and prepare it for inspection, provided, however, that the **Manager** may, upon inspecting such a **Sewer Service Connection**, refuse to reconnect it if it is in his opinion defective, and his opinion on this matter shall be final.

- 3 (a) All work involved in the installation and maintenance of **Sewer Service Connections** to the **Maple Hills Sewer System** is to be performed by duly authorized employees or agents of the **District**.
- (b) Where the **Applicant** for a **Sewer Service Connection** indicates in his application a desired location for the **Sewer Service Connection**, the **Sewer Service Connection** will be located as indicated, providing the proposed location is approved by the **Manager**.
- (c) Where the **Applicant** for a **Sewer Service Connection** does not indicate in his application a desired location for the **Sewer Service Connection**, the **Sewer Service Connection** will be located as determined by the **Manager**, and if the **Applicant** subsequently requires a relocation of the **Sewer Service Connection**, such relocation is to be at the expense of the **Applicant**.
4. (a) Unless otherwise directed by the **Manager**, all **Sewer Service Connections** shall conform to the Cowichan Valley Regional District specifications and standards, and shall not be less than 100 mm in diameter for single family dwellings or units and shall be laid at a minimum grade of two percent (2%), and shall not be less than 150 mm in diameter, complete with inspection chamber, for commercial, industrial, institutional or multi-unit dwellings, and shall be laid at a minimum grade of one percent (1%).
- (b) Where practicable as governed by the depth of the **Sewer**, the minimum depth of the **Sewer Service Connection** at the property line shall be one (1) metre. Where possible, the **Sewer Service Connection** will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the **Sewer** and the lowest floor of the building or structure.
- (c) No **Sewer Service Pipe** may be installed in, over or across the property of another person or located on an easement, or statutory right-of-way except by the written consent of the **Owners** concerned and the approval of the **District** in writing.
- (d) Except as otherwise provided in this section, or directed in writing by the **Manager**, separate and independent **Private Sewer Service Pipes** shall be provided to each building served by the **Maple Hills Sewer System**.
- (e) Separate and independent **Sewer Service Connections** shall be supplied to semi-detached residential **Units** where each **Unit** is separately owned and to row housing **Units**, other than dwelling **Units** registered or to be registered under the *Strata Property Act*, where each **Unit** is separately owned.

- (f) Where more than one (1) parcel of land or **Premises** under separate ownership are served by a single **Sewer Service Pipe**, the **Manager** may order the affected **Consumers** to disconnect from the single **Sewer Service Pipe** and connect directly to the **Sewermain** and all connection and plumbing alteration costs shall be borne by the **Consumers**.
- (g) If any **Sewer Service Pipe** is found not to comply with the drawings submitted, and approved by the **Manager**, pursuant to Section 5.4 (a) and (b), the **District** shall not accept sewage from the **Premises** served by the said pipe until such time as the installation is made to agree with the approved drawings.
- (h) Where CVRD records indicate a **Sewer Service Connection** exists to the property line of a parcel of land, the applicant shall make a reasonable effort at his own expense to find the service in a workman like manner based on the information available. If the service cannot be found in consultation with the CVRD, the CVRD will determine a course of action which may include looking for the existing service or installing a new **Sewer Service Connection**. This cost shall be borne by the **Applicant**.
- (i) If it is determined that "as-constructed" records were incorrect and a **Sewer Service Connection** does not exist, then an extension to the existing service or a new service connection will be installed at the **Applicant's** cost based on the directly and indirectly related cost incurred by the CVRD to carry out the work.
5. (a) The **Owner(s)** of land shall be responsible for the installation of **Private Sewer Service Pipes** joining **Sewer Service Connection**.
- (b) The **Owner(s)** or occupants of land whose **Premises** are served by the **Maple Hills Sewer System** are responsible for providing a readily accessible 100-mm diameter clean-out, inspection chamber, pursuant to Section 5.4 (a) and (b), as near as possible at the point of connection between the **Private Sewer Service Pipe** and the **Sewer Service Connection**.
- (c) **Private Sewer Service Pipe** shall be installed in accordance with the requirements of the British Columbia Plumbing Code, and the requirements of other agencies having jurisdiction, and shall be constructed by the **Owner** entirely at his own expense. The private sewer service pipe shall be inspected by a CVRD representative prior to backfilling.
- (d) The **Private Sewer Service Pipe** shall be maintained by the property **Owner** at his sole expense. Where any **Sewer Service Pipe** becomes stopped, or otherwise fails to function, the **Owner** or occupier of the **Premises** served shall first determine that the blockage is not located in his **Private Sewer Service Pipe**, and then notify the **Manager** forthwith, and the **Manager** shall, as soon as practicable, arrange to have said **Maple Hills Sewer System** or **Sewer Service Connection** unstopped or otherwise restored to serviceable condition.

- (e) Where any stoppage or failure is found to exist in the **Sewer Service Connection** or **Private Sewer Service Pipe** and can be attributed to the user or occupant, then all costs incurred by the **District** in restoring service and unstopping the **Sewer Service Connection** or **Private Sewer Service Pipe** shall be paid by such **Owner** upon demand and if unpaid after December 31 in any year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.
- (f) When any **Private Sewer Service Pipe** is abandoned, the **Owner** or his agent shall notify the **Manager** and the **Owner** shall effectively block up the building **Sewer** at the **Sewer Service Connection** with a watertight seal to be inspected and approved by the **Manager**.
- (g) Whenever practical the **Sewer Service Connection** shall be installed prior to installation of the **Private Sewer Service Pipe** and connection of the **Private Sewer Service Pipe** to the **Sewer Service Connection** shall be made by the **Owner**. The **District** shall not be responsible to meet the elevation or connect to an existing **Private Sewer Service Pipe** installed by the **Owner** prior to installation of the **Sewer Service Connection**.
- (h) No **Private Sewer Service Pipe** shall be connected to a **Sewer Service Connection** until it has been inspected and approved by the **Manager**.
- (i) Where, in the opinion of the **Manager**, the infiltration and inflow from a **Private Sewer Service Pipe** exceeds that which would normally be associated with such pipe works and plumbing fixtures forming part of the **Private Sewer Service Pipe**, the **Manager** may require the **Owner** to rectify the problem within reasonable time and entirely at the **Owner's** cost.
6. (a) Where, in the opinion of the **Manager**, the **Sewer Service Connection** necessitates the installation of a manhole or inspection chamber at the property line, then the installation of the manhole or inspection chamber shall be the responsibility of the **Applicant** or **Owner** and the costs of such installation shall be borne by the **Applicant** or **Owner**.
- (b) The **Manager** may connect, if required, a **Sewer Service Connection** to an existing manhole.
- (c) Where, in the opinion of the **Manager**, a manhole or inspection chamber is required on the **Sewer Service Connection** but not yet constructed, the **Manager** may install the **Sewer** pipe and leave it plugged until a manhole or inspection chamber is constructed.
- (d) Where a manhole or inspection chamber is connected after the installation of a **Sewer Service Connection**, the person constructing the manhole or inspection chamber shall connect the **Sewer Service Pipe** to the manhole or inspection chamber, as directed by the **Manager**, advise the **Manager** that such connection has taken place and request that the connection be inspected by the **Manager**.

.../16

7. Where a **Consumer** requires the replacement of a **Sewer Service Connection**, the existing **Sewer Service Connection** shall be disconnected and the cost of disconnecting the **Sewer Service Connection** as set out in Schedule C, is to be borne by the **Consumer**.
8. No person shall make any temporary connection to any **Sanitary Sewer** except by special agreement with the **District**.

6. EXTENSION TO THE MAPLE HILLS SEWER SYSTEM SERVICE AREA

1. All extensions of the **Maple Hills Sewer System** shall be undertaken upon the recommendation of the **Committee** and pursuant to bylaws and policy of the **Regional Board** authorizing such extensions.
2. (a) **Owner(s)** of land within the **Maple Hills Sewer System Service Area** may file with the **Manager** a written request for an extension of the **Maple Hills Sewer System** and shall supply the **Manager** with such information with regard to the proposed extension as he may request. Such application shall be accompanied by a **Sewer Extension Application Charge** as set out in Schedule E.

(b) The **Manager** shall forward all requests for extensions of the **Maple Hills Sewer System** to the **Committee**.
3. Extensions of the **Maple Hills Sewer System** may be undertaken upon such terms and conditions as the **Regional Board** may from time to time impose, including, but not limited to:
 - (a) In the event an **Applicant** wishes to proceed with an extension to the **Maple Hills Sewer System**, the **Manager** may, with the approval of the **Committee**, allow the extension, provided that the **Applicant** shall install the extension entirely at his own expense. The final cost to the **Applicant** of the **Maple Hills Sewer System** extension shall be the actual cost of design and construction together with a supervision charge in the amount stated in the approval to construct the extension and may include costs directly associated with upgrading existing facilities to accommodate the proposed development together with legal costs or other related costs incurred by the **District** and the **Applicant**.
 - (b) Any extension to the **Maple Hills Sewer System** shall be constructed in accordance with the plans and specifications of the **District** and to the approval of the **Manager**.
 - (c) Where a **Sewer** is extended, the minimum inside diameter shall be 200 mm and shall extend from the most convenient existing **Sewer** having sufficient surplus capacity and grade to carry the additional sewage resulting from the said extension, to a point opposite the furthest boundary of the last parcel of

land to be served by the said extension. The decision regarding the point of connection to the public **Sewer** rests with the **Manager**.

7. MISCELLANEOUS SERVICES

1. The **District** is responsible for the flushing, cleaning, rodding, unblocking, and repairing of **Sewer Service Connections**.
2. Where any **Private Sewer Service Pipe** is found to have been blocked or damaged through the action of the **Consumer** occupying the property served by the pipe, or through the actions of any other person, the cost of labour and materials used to repair such blockage or damage shall be the responsibility of the **Owner**.
3. The **Treasurer** shall, upon written request accompanied by payment of the fee set out in Schedule D in respect to each separate parcel of land or **Premises**, furnish any **Applicant** with a written certificate showing the arrears of **Sewer Rates, Sewer Surcharge Rates, Sewer Charges** and **Parcel Tax** due on, or in respect of, any parcel of land or **Premises** up to the date to which such **Sewer Rates** and **Sewer Charges** were last computed, the duration of the last billing period, and the net amount billed during that period.
4. Cheques submitted by **Consumers** for the payment of **Sewer Rates, Sewer Surcharge Rates, Sewer Charges**, or **Parcel Tax** and subsequently dishonoured by the banks on which they are drawn, will be processed by the **Treasurer** for the charge set out in Schedule D.

8. BILLING AND COLLECTING SEWER SURCHARGE RATES AND SEWER CHARGES

1. (a) All **Sewer Rates, Sewer Surcharge Rates**, and **Sewer Charges** shall be payable for services provided and shall be due and payable when rendered.
(b) Subject to sub-section (c), regular billings for **Sewer Rates** or **Sewer Surcharge Rates** may be rendered annually, quarterly, monthly or bimonthly at the discretion of the **Treasurer**.
(c) The **Treasurer** may in writing direct that any **Consumer** receive regular billings for **Sewer Rates** or **Sewer Surcharge Rates** at any periodic interval other than the intervals set out in sub-section (b).
(d) The **Treasurer** may with reasonable notice advance or delay any regular billing of **Sewer Rates** or **Sewer Surcharge Rates**.
(e) To protect the **District** against potential losses from unpaid **Sewer Charges**, the **Treasurer** may, at his discretion, demand in writing a security deposit by way of cash, certified cheque, letter of credit or guarantee from a **Consumer** from whom delinquent charges and fees can not be applied to property taxes.

.../18

- (f) The amount of the security deposit shall be no less than an amount equal to a **Consumer's** estimated **Sewer** bill for a period of 180 days.
2. (a) All **Sewer Rates** and **Sewer Surcharge Rates** are established in amounts that reflect a discount for prompt payment in the percentage set out in the Schedules of this Bylaw.
- (b) Where any billing for **Sewer Rates** or **Sewer Surcharge Rates** remains unpaid after sixty (60) calendar days after the invoice date, the **Consumer** shall lose the discount for prompt payment set out in Schedules A and B, and/or as shown on the **Sewer** bill after the due date established by the **Treasurer**.
3. (a) All **Sewer** bills shall be distributed to **Consumers** by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the **Treasurer**.
- (b) **Sewer Rates, Sewer Surcharge Rates** and **Sewer Charges** may, at the discretion of the **Treasurer**, be charged and billed to:
- (i) the person requesting that **Sewer** services be provided, or
 - (ii) the person in occupation of the **Premises** served by the **Maple Hills Sewer System**, or
 - (iii) the **Owner** of the **Premises** served by the **Maple Hills Sewer System**.
- (c) All **Sewer Rates, Sewer Surcharge Rates** and **Sewer Charges** for services rendered to buildings having multiple **Units** but served by a single **Sewer Service Connection** shall be charged and billed to the **Owner** of the building unless otherwise directed in writing by the **Treasurer** and agreed to by the **Treasurer**.
- (d) All **Sewer Rates, Sewer Surcharge Rates** and **Sewer Charges** for services rendered to buildings registered under the *Strata Property Act* shall be billed to the strata corporation unless otherwise directed in writing by the **Treasurer** and agreed to by the **Treasurer**.
- (e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the Cowichan Valley Regional District office at 175 Ingram Street, Duncan, British Columbia, V9L 1N8, or by telephone or internet banking.

9. OFFENCES AND SANCTIONS

1. Every person who:
- (a) wilfully hinders or interrupts, or causes or procures to be hindered or interrupted, the **District**, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;

.../19

- (b) lays or causes to be laid any pipe or **Sewer** to communicate with any pipe or **Sewer** of the **Maple Hills Sewer System**, or in any way obtains use of **Sewer Services** without the consent of the **District**;
 - (c) wilfully causes the **Maple Hills Sewer System** to be blocked, obstructed, or damaged in any way;
 - (d) discharges or throws, or causes, allows or permits to be discharged, deposited or thrown into any **Sewer** system, plumbing fixtures connected thereto, manhole, inspection chamber or any other part of the **Sewer** system, any substance of any kind whatsoever that would tend to obstruct or injure the **Maple Hills Sewer System**, or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the **Sewer Service**, and will be dealt with under Schedule G of this Bylaw.
 - (e) maliciously, wilfully, or negligently breaks, damages, destroys, uncovers, defaces, mars or tampers with any part of the **Sewer** system is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00.
2. Pursuant to the "Local Government Act", any rates, charges and/or fees, which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance with the "Local Government Act".

10. SOURCE CONTROL

1. Refer to Schedule G for details.

11. REMAINDER OF BYLAW TO REMAIN INTACT:

In the event that a Court of competent jurisdiction declares any portion of this bylaw ultra vires, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

12. FORCE AND EFFECT – SCHEDULE A

Schedule A (Sewer Surcharge Rates {Metered Water Consumption}) is not applicable at this time

- b) That Schedule B be deleted in its entirety and replaced with Schedule B attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO CVRD BYLAW NO. 1748

SEWER SERVICE CHARGES

(a) **Consumers of Sewer Services** shall pay the minimum billing set out in sub-section (b) below. A 10% discount will be applied for timely payment.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling – Per Dwelling	150.00
STEP – Per Dwelling	127.50
Apartment – Per Unit	127.50
Mobile Home Park – Per Unit	150.00
RV Trailer Park/Campground:	
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	75.00
b) <u>Site not Connected to Sewer:</u> Per pad or site	15.00
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per room or suite	60.00
b) <u>Kitchenette or Housekeeping Unit (per room or suite)</u>	90.00
Restaurants - Per seat:	9.00
Licensed Premises - per seat:	15.00
Laundromat: Minimum charge for each washing machine	150.00
Commercial:	
Minimum charge for each 5 employees or portion thereof per shift	75.00
Each additional 5 employees or portion thereof per shift	75.00
School: Minimum charge per classroom	150.00

<u>Classification</u>	<u>Charge</u>
Continuing Care Facility: Minimum charge for each bed	112.50
Bed and Breakfast/Rooming House:	
The minimum charge for such facility shall include the minimum charge of a single-family dwelling unit, plus a minimum charge for each and every guestroom.	
a) Single Family Dwelling:	150.00
b) Per guest room	60.00

Other:

For each 1.18 m³ (259-gal.) of daily metered or calculated flow. There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP)

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-Family Dwelling rate to offset the cost of pump outs (typically a maximum of every 5 years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

.../3

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered or calculated flow, rounded to the higher whole number:



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3485

**A Bylaw to Amend the Cherry Point Estates Water System
Management Bylaw No. 1690**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Cherry Point Estates Water System pursuant to "CVRD Bylaw No. 1690, cited as "CVRD Bylaw No. 1690 – Cherry Point Estates Water System Management Bylaw, 1995";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3485 - Cherry Point Estates Water System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C.V.R.D.

SCHEDULE B

TO BYLAW NO. 1690

CHERRY POINT ESTATES METERED WATER RATES

WATER RATES AND CHARGES

The *Consumer* of *District Water* supplied through *Water Meters*, shall pay the minimum charge set out in subsection (b) below. A 10% discount will be applied for timely payment.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group A				
Single Family Dwelling: Per Dwelling	0	- 200 m ³	125.00	
Laundromat: Minimum charge for each washing machine	201	- 300 m ³	125.00	+ 1.00 per m ³ over 200 m ³
Elementary/Middle Scholl: Minimum charge per 20 students or portion thereof	301	- 400 m ³	225.00	+ 1.50 per m ³ over 300 m ³
	over 400	m ³	375.00	+ 2.25 per m ³ over 400 m ³
Group B				
Apartment: Per Unit	0	- 160 m ³	\$ 93.75	
Mobile/Modular Home Park: Per Unit	161	- 240 m ³	\$ 93.75	+ 1.00 per m ³ over 160 m ³
	241	- 320 m ³	173.75	+ 1.50 per m ³ over 240 m ³
	over 320	- m ³	293.75	+ 2.25 per m ³ over 320 m ³
Group C				
Commercial: Minimum charge for each 10 employees or portion thereof per shift	0	- 130 m ³	\$ 75.00	
	131	- 195 m ³	\$ 75.00	+ 1.00 per m ³ over 130 m ³
	196	- 260 m ³	140.00	+ 1.50 per m ³ over 195 m ³
	over 260	- m ³	237.50	+ 2.25 per m ³ over 260 m ³
Group D				
Continuing Care Facility: Minimum charge for each bed	0	- 100 m ³	\$ 62.50	
	101	- 150 m ³	\$ 62.50	+ 1.00 per m ³ over 100 m ³
	151	- 200 m ³	112.50	+ 1.50 per m ³ over 150 m ³
	over 200	- m ³	187.50	+ 2.25 per m ³ over 200 m ³
Group E				
RV Trailer Park/Campground-Site Connected to Sewer: Per service pad or Site	0	- 67 m ³	\$ 41.67	
	68	- 100 m ³	\$ 41.67	+ 1.00 per m ³ over 67 m ³
Restaurant: Per 10 seats or patrons, or portion thereof	101	- 133 m ³	\$ 74.67	+ 1.50 per m ³ over 100 m ³
Hotel/Motel: per housekeeping unit	over 133	- m ³	124.17	+ 2.25 per m ³ over 133 m ³
Group F				
Bed & Breakfast House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Group	0	- 40 m ³	\$ 25.00	
	41	- 60 m ³	\$ 25.00	+ 1.00 per m ³ over 40 m ³
	61	- 80 m ³	\$ 45.00	+ 1.50 per m ³ over 60 m ³
	over 80	- m ³	\$ 75.00	+ 2.25 per m ³ over 80 m ³
Group G				
RV Trailer Park/Campground-Site not Connected to Sewer: - Per service pad or Site	0	- 20 m ³	\$ 12.50	
	21	- 30 m ³	\$ 12.50	+ 1.00 per m ³ over 20 m ³
	31	- 40 m ³	\$ 22.50	+ 1.50 per m ³ over 30 m ³
	over 40	- m ³	\$ 37.50	+ 2.25 per m ³ over 40 m ³

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group H High School: Minimum charge per 20 students or portion thereof per shift	0 - 270 m ³	\$156.25		
	271 - 405 m ³	\$156.25 + 1.00	per m ³ over	270 m ³
	406 - 540 m ³	\$291.25 + 1.50	per m ³ over	405 m ³
	over 540 - m ³	\$493.75 + 2.25	per m ³ over	540 m ³
Group I Hotel/Motel: per room or suite	0 - 50 m ³	\$ 31.25		
	51 - 75 m ³	\$ 31.25 + 1.00	per m ³ over	50 m ³
	76 - 100 m ³	\$ 56.25 + 1.50	per m ³ over	75 m ³
	over 100 - m ³	\$ 93.75 + 2.25	per m ³ over	100 m ³
Group J Licensed Premises: Per 10 seats or portion thereof	0 - 83 m ³	\$ 50.00		
	84 - 125 m ³	\$ 50.00 + 1.00	per m ³ over	83 m ³
	126 - 167 m ³	\$ 92.00 + 1.50	per m ³ over	125 m ³
	over 167 - m ³	155.00 + 2.25	per m ³ over	167 m ³

Other

The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the **Manager**, do not fall within the above classifications, shall be determined by the General Manager of Engineering and Environmental Services and his decision shall be final. Aggregate Allotment - Where more than one of the above classifications including "**Other**" is in use, or intended for use, then the applicable charges shall be applied to each and every classification

UNDETECTED LEAKS:

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classification(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the **Consumer** describing the nature of the leakage and the action taken to rectify the problem must be received by the **Manager** before the one-time forgiveness will be granted. The leakage problem must be rectified by the **Consumer** within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS

Single Family Dwelling: Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment: Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park: Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground: Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel: Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant: Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises: Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat: Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial: Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School: Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility: Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast: Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House: Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3486

**A Bylaw to Amend the Youbou Sewer System
Management Bylaw No. 2560**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Youbou Sewer System pursuant to "CVRD Bylaw No. 2560, cited as "CVRD Bylaw No. 2560 – Youbou Sewer System Management Bylaw, 2005";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3486 - Youbou Sewer System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

That Schedules A and B be deleted in their entirety and replaced with Schedules A and B attached to and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE A

TO CVRD BYLAW NO. 2560

SEWER SURCHARGE RATES (METERED WATER CONSUMPTION)

NOT APPLICABLE AT THIS TIME.



SCHEDULE B

TO CVRD BYLAW NO. 2560

SEWER SERVICE CHARGES

(a) *Consumers* of *Sewer Services* shall pay the minimum billing set out in sub-section (b) below. A 10% discount will be applied for timely payment.

(b) Minimum Sewer Classification Charge per Six (6) month billing period

<u>Classification</u>	<u>Charge</u>
Single Family Dwelling – Per Dwelling	172.50
STEP System – Per dwelling	146.63
Apartment – Per Unit	146.63
Mobile Home Park – Per Unit	172.50
RV Trailer Park/Campground:	
a) <u>Site Connected to Sewer:</u> Per serviced pad or site	86.25
b) <u>Site not Connected to Sewer:</u> Per pad or site	17.25
Hotel/Motel:	
a) <u>Room or Suite:</u> - Per room or suite	69.00
b) <u>Kitchenette or Housekeeping Unit (per room or suite)</u>	103.50
Restaurants - Per seat:	10.35
Licensed Premises - per seat:	17.25
Laundromat: Minimum charge for each washing machine	172.50
Commercial:	
Minimum charge for the first 5 employees or portion thereof per shift	86.25
Each additional 5 employees or portion thereof per shift	86.25
School - Minimum charge per classroom	172.50

<u>Classification</u>	<u>Charge</u>
Continuing Care Facility: Minimum charge for each bed	129.38
Bed & Breakfast/Rooming House: The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guestroom.	
a) Single Family Dwelling:	172.50
b) Per guest room	69.00
Other There should be a minimum of 1 unit applied to each connection if the above calculation yields less than one, where calculation yields an uneven number round to the higher whole number	

Single Family Dwelling:

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Septic Tank Effluent Pumping (STEP):

Applies to a connection that pumps grey water and retains solids in a holding tank. The rate is calculated at 85% of the Single-family Dwelling rate to offset the cost of septic tank pump-outs (typically a maximum of every 5-years).

Apartment:

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile Home Park:

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground:

Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travelers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel:

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant:

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises:

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat:

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial:

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

School:

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility:

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast:

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House:

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.

Other:

The volume of discharge to be apportioned for other types of developments that do not fall within the above classifications. Single-family residential equivalents shall be calculated at 1.18 m³ (259 lgal.) per day metered for calculated flow, rounded to the higher whole number.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3487

A Bylaw to Amend the Youbou Water System Management Bylaw No. 2946

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Youbou Water System pursuant to "CVRD Bylaw No. 2946, cited as "CVRD Bylaw No. 2946 – Youbou Water System Management Bylaw, 2007";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3487 - Youbou Water System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

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

READ A FIRST TIME this _____ day of _____, 2011.

~~READ A SECOND TIME this _____ day of _____, 2011.~~

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO BYLAW NO. 2946

YOUBOU METERED WATER RATES

WATER RATES AND CHARGES

The *Consumer* of *District Water* supplied through *Water Meters*, shall pay the minimum charge set out in subsection (b) below. A 10% discount will be applied for timely payment.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group A				
Single Family Dwelling: Per Dwelling	0	- 200 m ³	\$ 75.00	
Laundromat: Minimum charge for each washing machine	201	- 300 m ³	75.00 + 1.00	per m ³ over 200 m ³
Elementary/Middle School: Minimum charge per 20 students or portion thereof	301	- 400 m ³	175.00 + 1.50	per m ³ over 300 m ³
	over 400	- m ³	325.00 + 2.25	per m ³ over 400 m ³
Group B				
Apartment: Per Unit	0	- 160 m ³	\$ 56.25	
Mobile/Modular Home Park: Per Unit	161	- 240 m ³	56.25 + 1.00	per m ³ over 160 m ³
	241	- 320 m ³	136.25 + 1.50	per m ³ over 240 m ³
	over 320	- m ³	256.25 + 2.25	per m ³ over 320 m ³
Group C				
Commercial: Minimum charge for each 10 employees or portion thereof per shift	0	- 130 m ³	\$ 45.00	
	131	- 195 m ³	45.00 + 1.00	per m ³ over 130 m ³
	196	- 260 m ³	110.00 + 1.50	per m ³ over 195 m ³
	over 260	- m ³	207.50 + 2.25	per m ³ over 260 m ³
Group D				
Continuing Care Facility: Minimum charge for each bed	0	- 100 m ³	\$ 37.50	
	101	- 150 m ³	37.50 + 1.00	per m ³ over 100 m ³
	151	- 200 m ³	87.50 + 1.50	per m ³ over 150 m ³
	over 200	- m ³	162.50 + 2.25	per m ³ over 200 m ³
Group E				
RV Trailer Park/Campground-Site Connected to Sewer: Per service pad or Site	0	- 67 m ³	\$ 25.00	
	68	- 100 m ³	25.00 + 1.00	per m ³ over 67 m ³
Restaurant: Per 10 seats or patrons, or portion thereof	101	- 133 m ³	58.00 + 1.50	per m ³ over 100 m ³
Hotel/Motel: per housekeeping unit	over 133	- m ³	107.50 + 2.25	per m ³ over 133 m ³
Group F				
Bed & Breakfast House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Group	0	- 40 m ³	\$ 15.00	
	41	- 60 m ³	15.00 + 1.00	per m ³ over 40 m ³
	61	- 80 m ³	35.00 + 1.50	per m ³ over 60 m ³
	over 80	- m ³	65.00 + 2.25	per m ³ over 80 m ³

.../2

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group G RV Trailer Park/Campground-Site not Connected to Sewer: - Per service pad or Site	0 - 20 m ³	\$ 7.50		
	21 - 30 m ³	7.50 + 1.00	per m ³ over	20 m ³
	31 - 40 m ³	17.50 + 1.50	per m ³ over	30 m ³
	over 40 - m ³	32.50 + 2.25	per m ³ over	40 m ³
Group H High School: Minimum charge per 20 students or portion thereof per shift	0 - 270 m ³	\$93.75		
	271 - 405 m ³	93.75 + 1.00	per m ³ over	270 m ³
	406 - 540 m ³	228.75 + 1.50	per m ³ over	405 m ³
	over 540 - m ³	431.25 + 2.25	per m ³ over	540 m ³
Group I Hotel/Motel: per room or suite	0 - 50 m ³	\$18.75		
	51 - 75 m ³	18.75 + 1.00	per m ³ over	50 m ³
	76 - 100 m ³	43.75 + 1.50	per m ³ over	75 m ³
	over 100 - m ³	81.25 + 2.25	per m ³ over	100 m ³
Group J Licensed Premises: Per 10 seats or portion thereof	0 - 83 m ³	\$ 30.00		
	84 - 125 m ³	30.00 + 1.00	per m ³ over	83 m ³
	126 - 167 m ³	72.00 + 1.50	per m ³ over	125 m ³
	over 167 - m ³	135.00 + 2.25	per m ³ over	167 m ³
Other The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the Manager , do not fall within the above classifications, shall be determined by the General Manager of Engineering and Environmental Services and his decision shall be final.				
<u>Aggregate Allotment</u> - Where more than one of the above classifications including " Other " is in use, or intended for use, then the applicable charges shall be applied to each and every classification.				

UNDETECTED LEAKS:

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classification(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the **Consumer** describing the nature of the leakage and the action taken to rectify the problem must be received by the **Manager** before the one-time forgiveness will be granted. The leakage problem must be rectified by the **Consumer** within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS

Single Family Dwelling: Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment: Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park: Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground: Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers. Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s). Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel: Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s). Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit. Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant: Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises: Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat: Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial: Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School: Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility: Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast: Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House: Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3488

**A Bylaw to Amend the Fern Ridge Water System Management Bylaw
No. 2996**

WHEREAS the Board of the Cowichan Valley Regional District established the management of the Fern Ridge Water System pursuant to "CVRD Bylaw No. 2996, cited as "CVRD Bylaw No. 2996 – Fern Ridge Water System Management Bylaw, 2008";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3488 - Fern Ridge Water System Management Amendment Bylaw, 2011**".

2. **AMENDMENT**

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE B

TO BYLAW NO. 2996

FERN RIDGE METERED WATER RATES

Water Rates and Charges

The **Consumer** of **District Water** supplied through **Water Meters**, shall pay the minimum charge set out in subsection (b) below. A 10% discount will be applied for timely payment.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group A				
Single Family Dwelling: Per Dwelling	0 - 250	m ³	\$187.50	
Laundromat: Minimum charge for each washing machine	251 - 300	m ³	\$187.50 + 1.10	per m ³ over 250 m ³
Elementary/Middle Scholl: Minimum charge per 20 students or portion thereof	301 - 400	m ³	\$242.50 + 1.65	per m ³ over 300 m ³
	over 400	m ³	\$407.50 + 2.48	per m ³ over 400 m ³
Group B				
Apartment: Per Unit	0 - 160	m ³	\$140.63	
Mobile/Modular Home Park: Per Unit	161 - 240	m ³	\$140.63 + 1.10	per m ³ over 160 m ³
	241 - 320	m ³	\$228.63 + 1.65	per m ³ over 240 m ³
	over 320	m ³	\$360.63 + 2.48	per m ³ over 320 m ³
Group C				
Commercial: Minimum charge for each 10 employees or portion thereof per shift	0 - 130	m ³	\$112.50	
	131 - 195	m ³	\$112.50 + 1.10	per m ³ over 130 m ³
	196 - 260	m ³	\$184.00 + 1.65	per m ³ over 195 m ³
	over 260	m ³	\$291.25 + 2.48	per m ³ over 260 m ³
Group D				
Continuing Care Facility: Minimum charge for each bed	0 - 100	m ³	\$ 93.75	
	101 - 150	m ³	\$ 93.75 + 1.10	per m ³ over 100 m ³
	151 - 200	m ³	\$148.75 + 1.65	per m ³ over 150 m ³
	over 200	m ³	\$231.25 + 2.48	per m ³ over 200 m ³
Group E				
RV Trailer Park/Campground-Site Connected to Sewer:	0 - 67	m ³	\$ 62.50	
- Per service pad or Site	68 - 100	m ³	\$ 62.50 + 1.10	per m ³ over 67 m ³
Restaurant: Per 10 seats or patrons, or portion thereof	101 - 133	m ³	\$ 98.80 + 1.65	per m ³ over 100 m ³
Hotel/Motel: per housekeeping unit	over 133	m ³	\$153.25 + 2.48	per m ³ over 133 m ³
Group F				
Bed & Breakfast House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Group	0 - 40	m ³	\$ 37.50	
	41 - 60	m ³	\$ 37.50 + 1.10	per m ³ over 40 m ³
	61 - 80	m ³	\$ 59.50 + 1.65	per m ³ over 60 m ³
	over 80	m ³	\$92.50 + 2.48	per m ³ over 80 m ³
Group G				
RV Trailer Park/Campground-Site not Connected to Sewer:	0 - 20	m ³	\$ 18.75	
- Per service pad or Site	21 - 30	m ³	\$ 18.75 + 1.10	per m ³ over 20 m ³
	31 - 40	m ³	\$ 29.75 + 1.65	per m ³ over 30 m ³
	over 40	m ³	\$ 46.25 + 2.48	per m ³ over 40 m ³

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
Group H High School: Minimum charge per 20 students or portion thereof per shift	0	- 270 m ³	\$234.38	
	271	- 405 m ³	\$234.38	+ 1.10 per m ³ over 270 m ³
	406	- 540 m ³	\$382.88	+ 1.65 per m ³ over 405 m ³
	over 540	- m ³	\$605.63	+ 2.48 per m ³ over 540 m ³
Group I Hotel/Motel: per room or suite	0	- 50 m ³	\$ 46.88	
	51	- 75 m ³	\$ 46.88	+ 1.10 per m ³ over 50 m ³
	76	- 100 m ³	\$ 74.38	+ 1.65 per m ³ over 75 m ³
	over 100	- m ³	\$115.63	+ 2.48 per m ³ over 100 m ³
Group J Licensed Premises: Per 10 seats or portion thereof	0	- 83 m ³	\$ 75.00	
	84	- 125 m ³	\$ 75.00	+ 1.10 per m ³ over 83 m ³
	126	- 167 m ³	\$121.20	+ 1.65 per m ³ over 125 m ³
	over 167	- m ³	\$190.50	+ 2.48 per m ³ over 167 m ³

UNDETECTED LEAKS:

User Charges will be adjusted on a one-time forgiveness basis, where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classification(s), and there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the **Consumer** describing the nature of the leakage and the action taken to rectify the problem must be received by the **Manager** before the one-time forgiveness will be granted. The leakage problem must be rectified by the **Consumer** within 30 days upon discovery, or notification of the problem.

USER CLASSIFICATION DESCRIPTIONS

Single Family Dwelling: Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

Apartment: Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

Mobile/Modular Home Park: Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

RV Trailer Park/Campground: Applies to any connection servicing land used, temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a **Sanitary Sewer** disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate **Sanitary Sewer** disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Hotel/Motel: Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s). Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit. Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

Restaurant: Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

Licensed Premises: Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

Laundromat: Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

Commercial: Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

Elementary School and High School: Applies to a connection servicing an institution of learning, or teaching facility, as defined by the School Act.

Continuing Care Facility: Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

Bed & Breakfast: Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

Rooming House: Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3489

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

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

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

- PID 009-032-649, Parcel B (DD47244I) of Section 6, Range 4, Cowichan District, Except Parts in Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP81664; and
- PID 005-167-841, Lot 1, Section 5, Range 4, Cowichan District, Plan 10957, Except That Part of Said Lot Shown Outlined in Red on Plan 1656-R and Except Parts in Plans 15342, 16358, 18893 and VIP81664;

AND WHEREAS the property owners have petitioned the Regional District Board to include the properties in the service area;

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3489 – Cowichan Bay Sewer System Service Area Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 2128 be amended as follows:

That Schedule A to CVRD Bylaw No. 2128 be deleted and replaced with the Schedule A attached to this bylaw.

READ A FIRST TIME this 13th day of April, 2011.

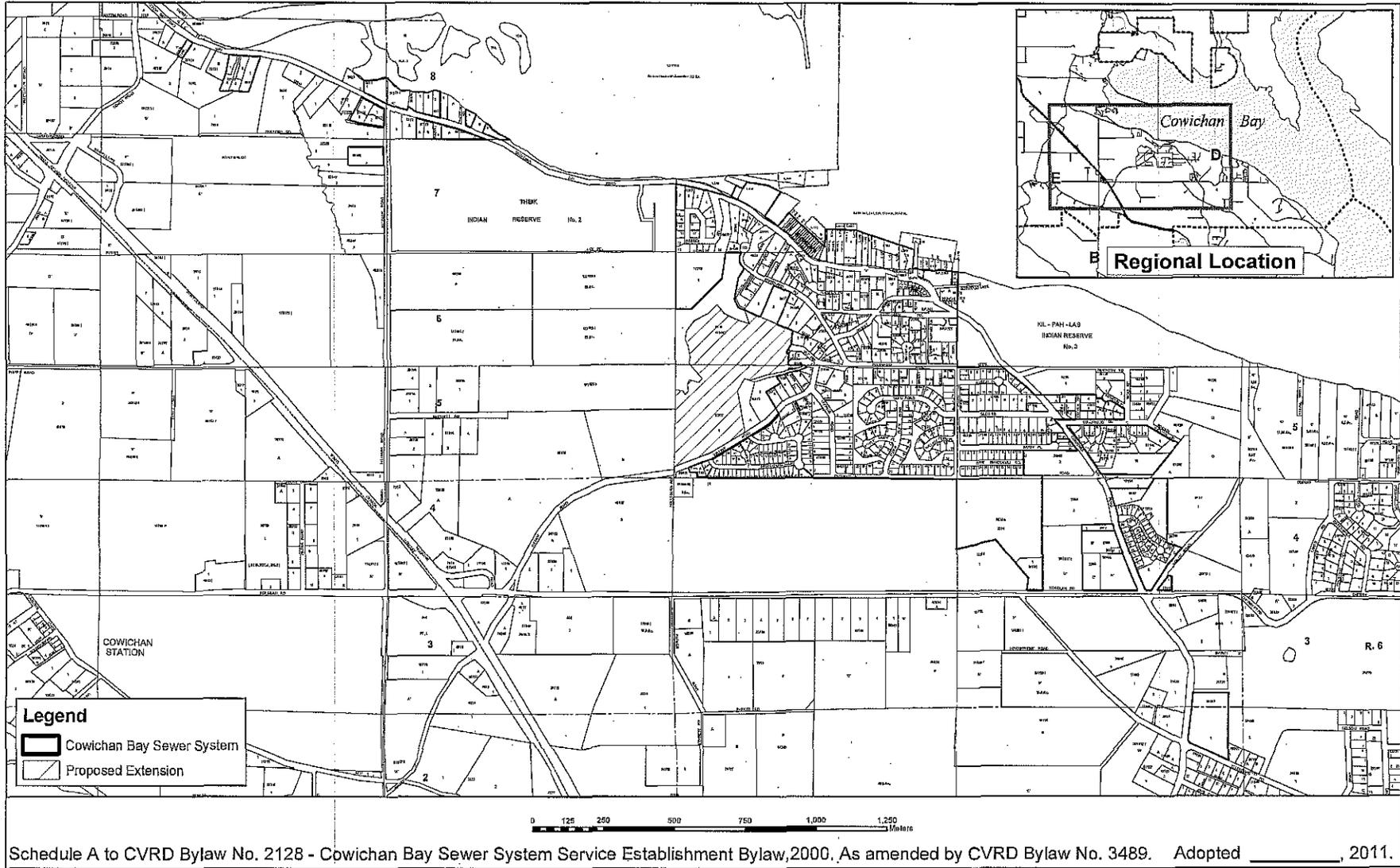
READ A SECOND TIME this 13th day of April, 2011.

READ A THIRD TIME this 13th day of April, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



Schedule A to CVRD Bylaw No. 2128 - Cowichan Bay Sewer System Service Establishment Bylaw, 2000. As amended by CVRD Bylaw No. 3489. Adopted _____, 2011.



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3493**

**A Bylaw to Amend Shawnigan Lake (Electoral Area B) Local Service (Community Hall)
Establishment Bylaw No. 4, 1991**

WHEREAS the Board of the Cowichan Valley Regional District established the *Shawnigan Lake (Electoral Area B) Community Hall Local Service Area* under the provisions of Bylaw No. 1355, cited as "CVRD – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Establishment Bylaw No. 4, 1991", as amended, for the purpose of providing a community hall within the boundaries of Electoral Area B – Shawnigan Lake and offering services and programs, both on and off site, through the Shawnigan Lake Community Hall;

AND WHEREAS the Regional District wishes to amend Bylaw No. 1355 by increasing the maximum annual requisition limit from \$210,000 to \$719,000;

AND WHEREAS the Director for Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited as "CVRD Bylaw No. 3493 – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Amendment Bylaw, 2011".

2. AMENDMENT

That Bylaw No. 1355, cited as "CVRD – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Establishment Bylaw No. 4, 1991", be amended by deleting "\$.3700/\$1,000.00" between the words "of" and "of" in the third line of the Section 3 - Maximum Requisition text and replacing it with "\$0.46213/\$1,000" and deleting the figure "\$210,000.00" and replacing it with "\$719,000".

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3494

A Bylaw to Amend the Boundaries of the Honeymoon Bay Water System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Honeymoon Bay Water System Service Area* under the provisions of Bylaw No. 1588, cited as "CVRD – Honeymoon Bay Local Service (Community Water Supply and Distribution) Establishment Bylaw No. 10, 1993", as amended;

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

- PID 018-871-020, Lot 2, Section 38, Renfrew District (Situate in Cowichan Lake District), Plan VIP59274;

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

AND WHEREAS the Director of Electoral Area F – Cowichan Lake South/Skutz Falls has consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3494 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Amendment Bylaw, 2011**".

2. AMENDMENT

That Bylaw No. 1588 be amended by deleting the existing Schedule A and replacing it with the Schedule A attached to this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

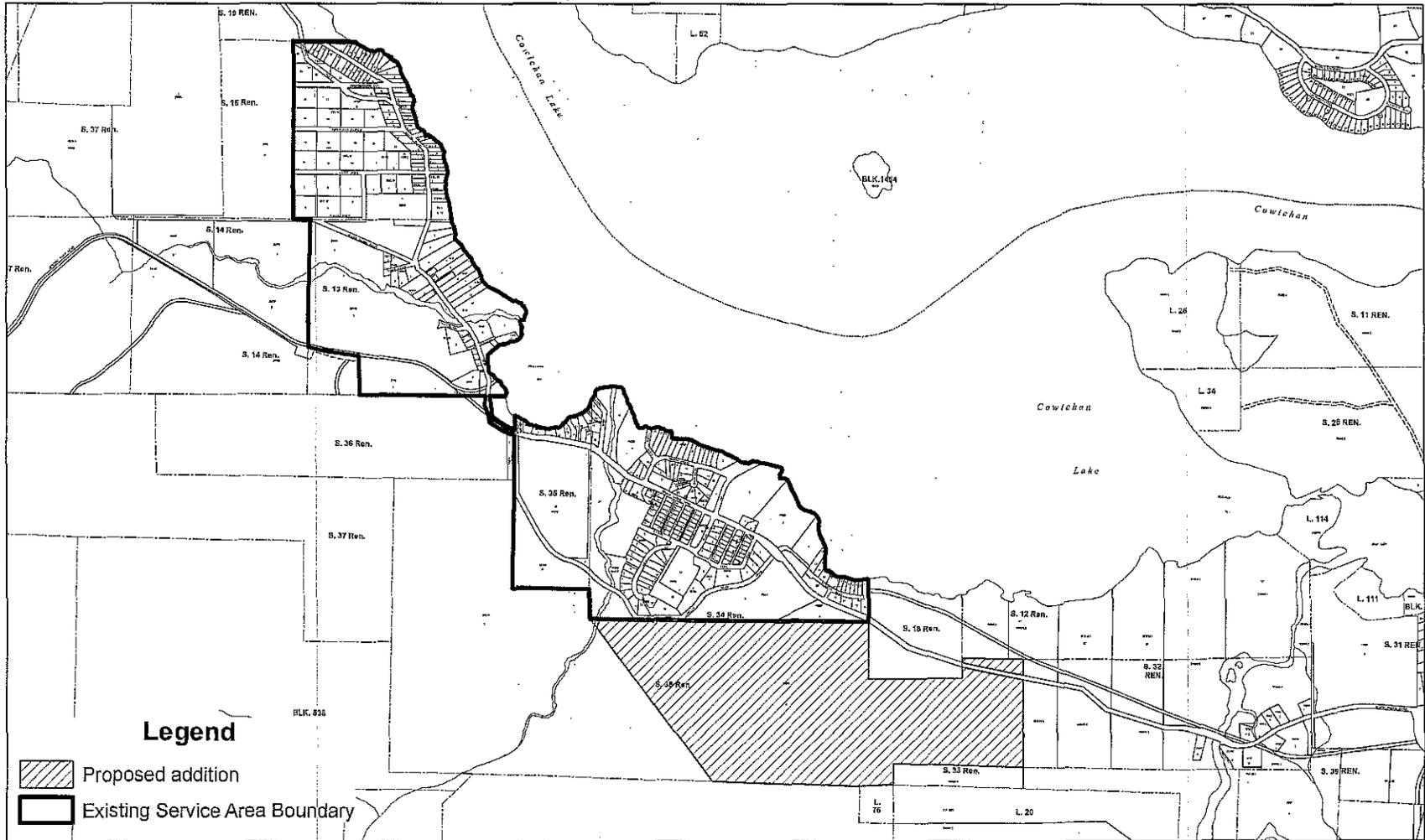
READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



Schedule A to Bylaw No. 1588 "CVRD - Honeymoon Bay Local Service (Community Water Supply and Distribution) Establishment Bylaw No.10, 1933. Amended by Bylaw No. 3494.

Adopted _____, 2011.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3371

**A Bylaw For The Purpose Of Amending Official Community Plan Bylaw
No. 1497, Applicable To Electoral Area H – North Oyster/Diamond**

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 H – North Oyster/Diamond, that being Official Community Plan Bylaw No. 1497;

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. 1497;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3371 - Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Heart Lake Developments), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1497, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. CAPITAL EXPENDITURE PROGRAM

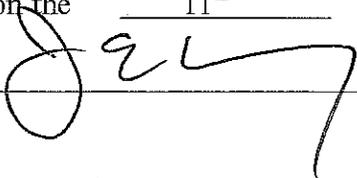
This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

READ A FIRST TIME this 14th day of April, 2010.

READ A SECOND TIME this 14th day of April, 2010.

READ A THIRD TIME this 11th day of August, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3371 as given Third Reading on the 11th day of August, 2010.

Secretary 

Date FEBRUARY 7, 2011

APPROVED BY THE MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT UNDER SECTION 882(1) OF THE *LOCAL GOVERNMENT ACT*

this 12th day of MARCH, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson _____

Secretary _____



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3371

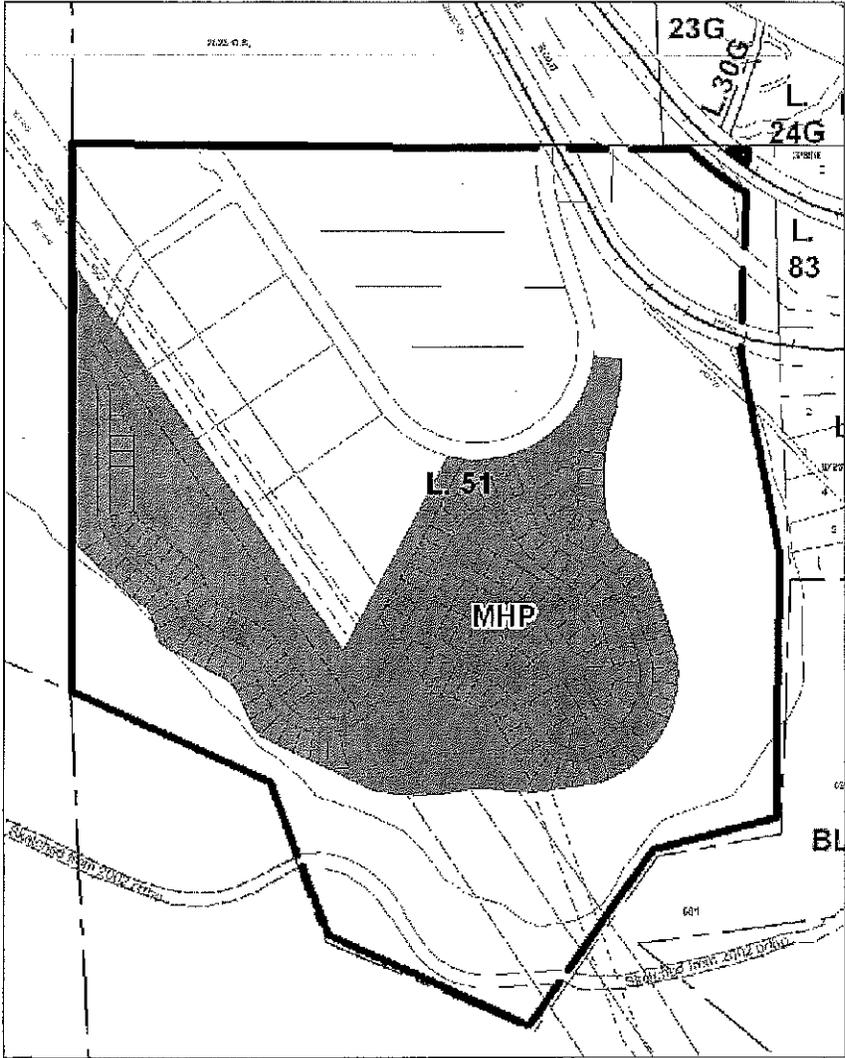
Schedule A to Official Community Plan Bylaw No. 1497, is hereby amended as follows:

1. That Part of District Lot 51, Oyster District, Except the Right of Way of the Esquimalt and Nanaimo Railway Company, Except Part Coloured Red on Plan Deposited Under DD 27279I, and Except Part Shown Outlined in Red on Plan Deposited Under DD 28555I AND That Part of District Lot 51, Oyster District, Shown Coloured Red on Plan Deposited Under DD27279I, as shown outlined in a solid black line on Plan number Z-3371 attached hereto and forming Schedule B of this bylaw, is redesignated from **Agricultural** to **Mobile Home Park Residential**, and that Schedule B to Official Community Plan Bylaw 1497 be amended accordingly.

PLAN NO. Z-3371

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

3371



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Agricultural TO

Mobile Home Park Residential APPLICABLE

TO ELECTORAL AREA H



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3372

**A Bylaw For The Purpose Of Amending Zoning Bylaw No. 1020
Applicable To Electoral Area H – North Oyster/Diamond**

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws, and Section 904 permits the creation of zones for amenities and affordable housing;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area H – North Oyster/Diamond, that being Zoning Bylaw No. 1020;

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. 1020;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3372 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (Heart Lake Developments), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1020, as amended from time to time, is hereby amended in the following manner:

- a) Bush Creek Manufactured Home Residential (MH-2) is added to Section 6.1 "Creation of Zones" following the MH-1 - Manufactured Home Residential Zone;

- b) That the following definition is added to Part Three, between the definition of “lane” and “mollusc”:

“manufactured home” means a factory built dwelling that conforms to the CSA A277 series standard and is assembled on a permanent foundation.

- c) The following is inserted after Section 8.5:

8.5 MH-2 – BUSH CREEK MANUFACTURED HOME RESIDENTIAL

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

(a) Permitted Uses

The following principal uses and no others are permitted in the MH-2 Zone:

1. Single Family Dwelling;
2. Manufactured Home;

The following accessory uses and no others are permitted in the MH-2 Zone:

1. Buildings and structures accessory to a principal permitted use;
2. Administration and recreation buildings;
3. Home occupation;
4. Horticulture.

(b) Conditions of Use

For any parcel in the MH-2 Zone:

1. The parcel coverage shall not exceed 35% for all buildings and structures;
2. The height of principal structures shall not exceed 7.5 metres;
3. The height of accessory structures shall not exceed 5.0 metres;
4. The minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

Column I Type of Parcel Line	Column II Residential and Accessory Uses
Front	5.5 metres
Side (Interior)	3.0 metres from one side parcel line and 1.5 metres from the opposite side parcel line
Side (Exterior)	4.5 metres
Rear	7.5 metres

(c) Density, Density Bonus and Amenity Provisions

1. The number of residential parcels that may be created by subdivision in the MH-2 zone shall not exceed three, including any remainder parcel.
2. Despite Section 8.5(c)(1), the number of residential parcels that may be created by subdivision in the MH-2 zone may be increased up to 147 if the condition in Section 8.5(c)(3) is met.
3. In order to develop more than three residential lots, 24.51 hectares of land, in a location acceptable to the Regional District and generally identified as P-1 and P-2 on Schedule A of Bylaw 3372, shall be transferred to the Regional District in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances including any statutory building scheme not specifically approved in writing by the Regional District, and the costs of transfer including the Regional District's actual, reasonable legal costs paid by the subdivider.
4. Despite Section 8.5 (c)(3), the owner of the subject lands may register rights of first refusal by way of a restrictive covenant on the lands to be transferred to the CVRD under this Section, with the terms of such rights of first refusal to be valid for no more than 10 years from the date of transfer of the lands to the CVRD, with the terms and conditions of the covenant to be approved in writing by the CVRD prior to registration.
5. Not more than one dwelling per parcel shall be permitted;
6. The minimum parcel area for the purposes of s. 946(4) of the *Local Government Act* is 25 hectares.

(d) Minimum Parcel Size

Subject to part 13, the minimum parcel size in the MH-2 zone shall be:

- (1) 540 sq.m. for parcels served by a community water and sewer system
- (2) 2.0 ha. for parcels served by a community water system only;
- (3) 2.0 ha. for parcels served by neither by a community water or sewer system.

- d) That Schedule B (Zoning Map) to Electoral Area H – North Oyster/Diamond Zoning Bylaw No. 1020 is amended by adding MH-2 Zone – Bush Creek Manufactured Home Residential to the legend.

e) That Schedule B (Zoning Map) to Electoral Area H – North Oyster/Diamond Zoning Bylaw No. 1020 is further amended by rezoning District Lot 51, Oyster District, Except the Right of Way of the Esquimalt and Nanaimo Railway Company, Except Part Coloured Red on Plan Deposited Under DD 27279I, and Except Part Shown Outlined in Red on Plan Deposited Under DD 28555I AND That Part of District Lot 51, Oyster District, Shown Coloured Red on Plan Deposited Under DD27279I, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3372, from Primary Agricultural A-1 to:

- a. Bush Creek Manufactured Home Residential - MH-2
- b. Secondary Agricultural - A-2
- c. Park and Recreation – P-1
- d. Institutional – P-2

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 14th day of April, 2010.

READ A SECOND TIME this 14th day of April, 2010.

READ A THIRD TIME this 11th day of August, 2010.

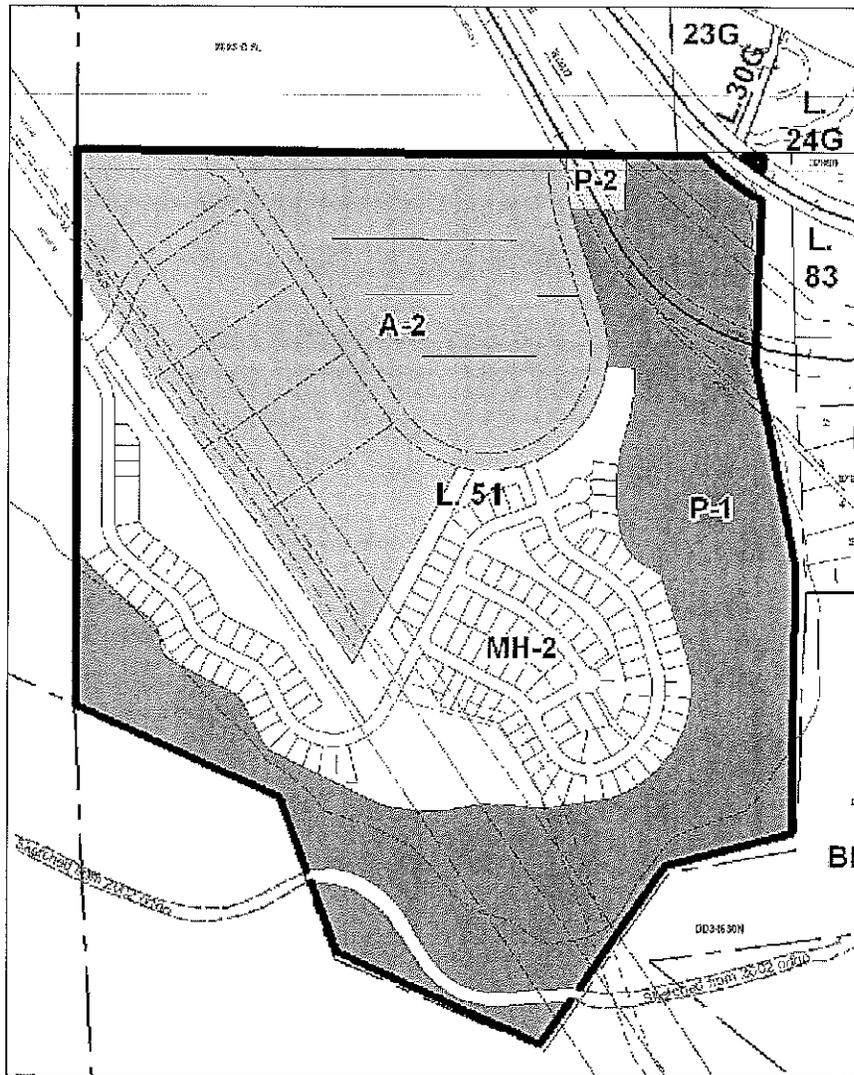
ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary

PLAN NO. Z-3372

**SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3372
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

A-1 (Primary Agricultural) **TO**

MH-2 (Bush Creek Manufactured Home Residential); A-2 (Secondary Agricultural);

P-1 (Park and Recreation); and P-2 (Institutional) **APPLICABLE**

TO ELECTORAL AREA H



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3465

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3465 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Wandering U Inc.), 2011**".

2. **AMENDMENTS**

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

a) Part 3, Definitions, is amended by adding:

“equipment” means large mechanical equipment including farm machinery and implements, construction and industrial machinery.

“household equipment” means small equipment commonly used in a residence including appliances, power tools, and exercise equipment

b) Section 11.4 is deleted in its entirety and replaced with the following:

11.4 I-5 - RESTRICTED LIGHT INDUSTRIAL

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

(a) Principal Permitted Uses

The following uses, uses permitted under Section 4.4, and no others are permitted in an I-5 zone:

- (1) agricultural equipment manufacture, repair, storage and accessory retail and wholesale sales;
- (2) bulk sale of agricultural supplies, feed and seed;
- (3) lawn and garden equipment manufacture, sales, repair and storage;
- (4) light industrial manufacture, repair and storage and accessory retail and wholesale sales;
- (5) one office and one single family dwelling per parcel accessory to the uses permitted in Section 11.4(a)(1) to 11.4(a)(4);
- (6) automotive, truck, recreational vehicle and boat sales and servicing is not permitted.

(b) Secondary Permitted Uses

The following *uses* are considered secondary permitted uses, and are permitted only in conjunction with a Principal Permitted Use:

- (1) Equipment sales, rental and repair;
- (2) Household equipment sales, rental and repair.

(c) Conditions of Use

For any parcel in an I-5 zone:

- (1) the parcel coverage shall not exceed 50 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all buildings and structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	9.0 metres
Interior & Exterior Side	9.0 metres
Rear	9.0 metres

.../3

(d) Minimum Parcel Size

Subject to Part 12, the minimum parcel size shall be:

- (1) 0.2 Ha. for parcels served by a community water and sewer system;
- (2) 0.4 Ha. for parcels served by a community water system only;
- (3) 1.0 hectares for parcels served neither by a community water or sewer system.

3. FORCE AND EFFECT

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

READ A FIRST TIME this 13th day of April, 2011.

READ A SECOND TIME AS AMENDED this 13th day of April, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3471

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1490
Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora and Part of
Electoral Area F – Cowichan Lake South/Skutz Falls**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora and Part of Electoral Area F – Cowichan Lake South / Skutz Falls, that being Official Community Plan Bylaw No. 1490;

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3471 - Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Hignell), 2011**".

2. **AMENDMENTS**

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

3. **CAPITAL EXPENDITURE PROGRAM**

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

.../2

READ A FIRST TIME this 9th day of March, 2011.

READ A SECOND TIME this 9th day of March, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED THIS _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3471

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

1. Policy 7.7.7 is added to the River Corridor Policies:

POLICY 7.7.7

Notwithstanding Policy 7.7.1, in specific circumstances the Regional Board may allow for a River Corridor 5 (RC-5) Zone, wherein the minimum parcel size is 0.4 hectares. The RC-5 Zone is appropriate for land that was previously zoned for tourist commercial use, and where a 0.4 hectare minimum parcel size is consistent with the adjacent settlement pattern.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3472

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2600
Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**

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 F – Cowichan Lake South / Skutz Falls, that being Zoning Bylaw No. 2600;

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. 2600;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3472 - Area F – Cowichan Lake South / Skutz Falls Zoning Amendment Bylaw (Hignell), 2011**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2600, as amended from time to time, is hereby amended in the following manner:

a) That Part 5 be amended by adding the following after Section 5.9:

5.9A RC-5 RIVER CORRIDOR 5 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RC-5 Zone:

1. **Permitted Uses**

The following principal uses and no others are permitted in the RC-5 Zone:

- a. Single family dwelling;
- b. Agriculture, excluding intensive agriculture;
- c. Environmental protection and conservation;

The following accessory uses are permitted in the RC-5 Zone:

- d. Bed and breakfast accommodation;
- e. Buildings and structures accessory to a principal permitted use;
- f. Home-based business.

2. Minimum Parcel Size

The minimum parcel size in the RC-5 Zone is 0.4 hectares.

3. Setbacks

The following minimum setbacks apply in the RC-5 Zone:

Type of Parcel Line	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

4. Height

In the RC-5 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 7.5 metres, except in accordance with Section 3.9 of this Bylaw.

5. Parcel Coverage

The parcel coverage in the RC-5 Zone shall not exceed 20 percent for all buildings and structures.

6. Parking and Loading

Off-street parking spaces in the RC-5 Zone shall be provided in accordance with Section 3.15 of this Bylaw.

- b) That Part 4, Section 4.1 Creation of Zones be amended by adding the following to the Zones Table in the Waterfront category:
 “River Corridor 5 Zone (RC-5)”

- c) That Appendix One- Minimum Parcel Size Summary be amended by adding the minimum parcel size for RC-5 Zone, and that RC-5 Zone be added to the Table of Contents.
- d) That Schedule B (Zoning Map) to Electoral Area F – Cowichan Lake South / Skutz Falls Zoning Bylaw No. 2600 is amended by rezoning Lot C, Section 7, Range 1, Sahtlam District, Plan 13363, except part in Plan VIP68383, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3472, from C-4 (Tourist Commercial 4) to RC- 5 (River Corridor 5).

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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 9th day of March, 2011

READ A SECOND TIME this 9th day of March, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

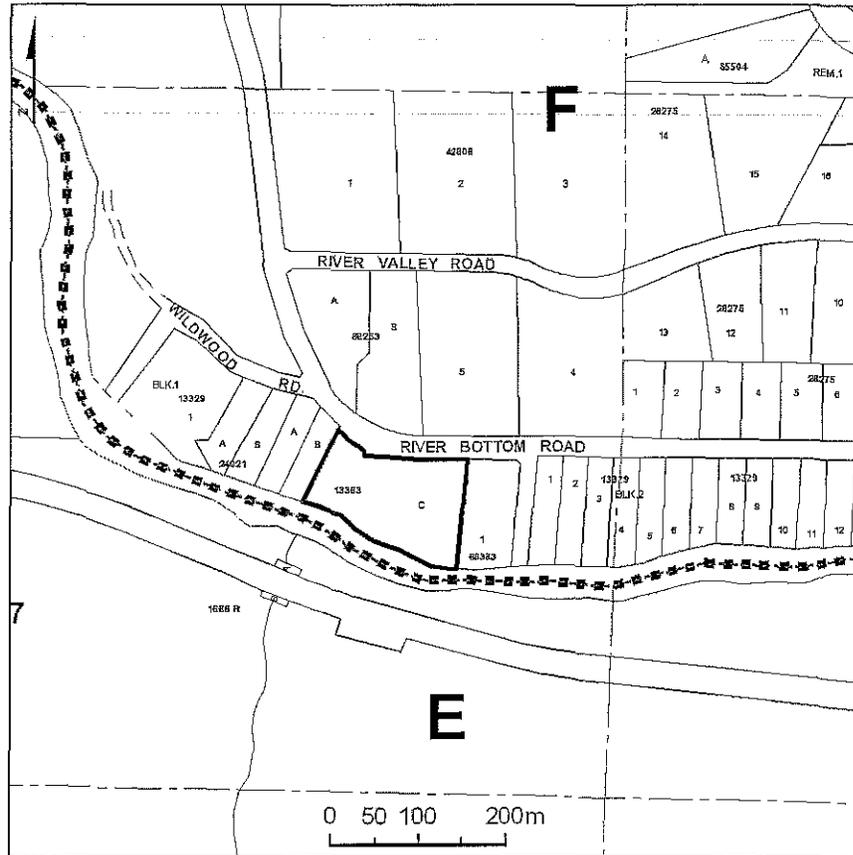
ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary

PLAN NO. Z-3472

**SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3472
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

C-4 (Tourist Commercial) TO

RC-5 (River Corridor 5) APPLICABLE

TO ELECTORAL AREA F