



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

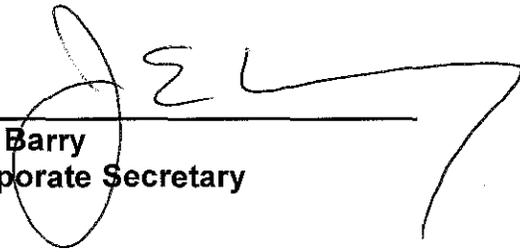
DAY: WEDNESDAY

DATE: JULY 13, 2011

**TIME: → REGULAR SESSION
6:00 pm**

PLACE: BOARD ROOM

175 INGRAM STREET



**Joe Barry
Corporate Secretary**



REGULAR BOARD MEETING
WEDNESDAY, JULY 13, 2011
6:00 PM – CVRD BOARD ROOM

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- B18 "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill", adoption. 129-130
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12. **RESOLUTIONS:**

13. **UNFINISHED BUSINESS:**

14. **NOTICE OF MOTION:**

15. **NEW BUSINESS:**

16. **QUESTION PERIOD:**

a) Public

b) Press

17. **CLOSED SESSION:**

19. **ADJOURNMENT:**

The next Regular Board meeting will be held August 3, 2011 at 6:00 pm, in the Board Room, 175 Ingram Street, Duncan BC.

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, June 8, 2011 at 3:01 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, D. Haywood
L. Iannidinardo, P. Kent, K. Kuhn, M. Marcotte,
I. Morrison, G. Seymour and
Alternate Directors R. Burgess, D. George and
R. Hartmann

ALSO PRESENT: Warren Jones, Administrator
Joe Barry, Corporate Secretary
Jacob Ellis, Manager, Corporate Planning
Brian Dennison, General Manager,
Engineering & Environmental Services

ABSENT: Directors R. Hutchins, T. McGonigle, B. Harrison,
L. Duncan and T. Walker

APPROVAL OF AGENDA

11-280

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

NB1 "CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011", 1st, 2nd and 3rd reading,

and that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

11-281

It was moved and seconded that the first line of CVRD Resolution No. 11-237-3.3 on page 9 of the May 11, 2011 Regular Board minutes be corrected to read "Bylaw No. 3290" not Bylaw No. 2989, and that the minutes, as amended, be adopted.

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

There was no business arising out of the minutes.

DELEGATIONS

D1

Joseph Gollner, Coordinator, representing the Cameron Taggart Group
Re: Cameron Taggart Group New Neighbourhood Initiatives

Joseph Gollner advised that his complaint to the Ombudsman last fall remains unresolved and active.

Joseph Gollner then introduced Dara Quast who expressed the communities continued opposition to the proposed EcoDepot and requested the Board to stop the proposal.

11-282 **It was moved and seconded that Delegation D2 be allowed up to 20 minutes for their presentation.**

MOTION CARRIED

D2 Stuart MacPherson, Executive Director, Private Managed Forest Lands Council
Re: Overview of the Private Managed Forest Land Council and Current Issues

Stuart MacPherson provided an overview of historical context, role, jurisdiction, objectives, etc. of the Council and current issues facing the Council.

REPORT OF CHAIRPERSON

The Chair turned the floor over to Director Marcotte who provided an update on the activities of the Regional Agricultural Committee and its working subcommittees.

CORRESPONDENCE

C1 Correspondence from Robert A. Harper, CGA, Secretary-Treasurer, Cowichan Valley School District No. 79, dated May 25, 2011 re: Trustee Representation Consultation was considered.

11-283 **It was moved and seconded that the correspondence from Robert A. Harper, CGA, Secretary-Treasurer, Cowichan Valley School District No. 79, dated May 25, 2011 re: Trustee Representation Consultation be received and filed, and further, that individual Directors be encouraged to provide input to the Board of Education if they wish.**

Opposed: Directors Haywood, Dorey, Morrison
and Alternate Director George

MOTION CARRIED

COMMITTEE REPORTS

CR1 The report and recommendations of the Regional Services Committee meeting of May 25, 2011 listing two items were considered.

11-284 **It was moved and seconded:**

- 1. That the five-year agreement for the Mount Wood Repeater Site, for the period January 1, 2011 to December 1, 2015 at an annual rate of \$1,600 plus HST, between TimberWest and the CVRD be approved; and that the Chair and Corporate Secretary be authorized to enter into the agreement on behalf of the CVRD.**

2. That the Question Period Procedure Policy, as attached to the Staff Report from the Corporate Secretary dated May 18, 2011 be approved, as amended, by adding the provision “Questions shall be addressed to the Chair”.

MOTION CARRIED

CR2

The report and recommendations of the Electoral Area Services Committee meeting of May 17, 2011 listing 13 items were considered.

11-285

It was moved and seconded:

1. That the request by David Bain to hold a music festival event (Rock of the Woods) August 26-27, 2011, at 1451 Trowsse Road (Bamberton), be approved.
2. That CVRD Bylaw No. 3496 – Mail Ballot Authorization and Procedure Amendment Bylaw, 2011 be forwarded to the Board for consideration of three readings and adoption.
3. That CVRD Bylaw No. 3209 – Ticketing Information Authorization Bylaw, 2008, be amended as per staff report dated May 11, 2011, from Nino Morano, Bylaw Enforcement Officer, and that the appropriate amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
4. That a letter be sent to Cycle Cowichan in response to their letter dated May 5, 2011, advising that the CVRD does not have the capacity to undertake a bicycle network plan at this time, and indicate that the Regional District will attempt to undertake the transportation component when they do their Sustainability Plan.
5. That the resignation of Colleen MacGregor from the Area E Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Ms. MacGregor.
6. That the CVRD submit a \$20,000 grant application to BC Parks for Community Legacy Program funding for a new playground at Bright Angel Park with matching funds provided from the 2011 Bright Angel Park Capital Budget.
7. That a statutory right of way be granted in favour of BC Hydro on the existing fire access road on lands to be dedicated to the Regional District as Fee Simple Parkland as part of the 3L Developments in Inwood Creek.
8. That a grant in aid, Area D – Cowichan Bay, be given to Koksilah School Historical Society, in the amount of \$1,500 to assist with completing the fence around the school yard.
9. That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, be given to Honeymoon Bay Volunteer Firefighter’s Association, in the amount of \$2,500 to assist with costs for the Honeymoon Bay Days fireworks display.

10. That a grant in aid, Area F – Cowichan lake South/Skutz Falls, be given to Cowichan Lake and District Chamber of Commerce, in the amount of \$6,000 to assist with 2011 Info-Centre initiatives.
11. That a grant in aid, Area A – Mill Bay/Malahat, be given to Ecole Mill Bay PAC in the amount of \$500 to assist with their Ecostravaganza event on June 4, 2011.

MOTION CARRIED

11-286

It was moved and seconded:

12. That application No. 3-E-11DP submitted by Greg Robson on behalf of 553227 BC Ltd. (Greg's RV) for construction of a new building on Lot A, Section 13, Range 7, Quamichan District, Plan VIP59929 Except That Part in Plan VIP87500 (PID: 018-970-095) be approved, subject to :
 - a) Building constructed in accordance with the plans dated May 5, 2011 including installation of the lattice screens on the south side of the building;
 - b) Installation of underground wiring;
 - c) Oil/water separator be installed in the parking area;
 - d) Fencing along the south property boundary will be black or green;
 - e) Landscaping is installed in accordance with the plans dated May 5, 2011 to BCSLA standards, including an underground irrigation system; and
 - f) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the May 5, 2011 landscape plan.
13. That Application No. 3-B-10DVP submitted by Mary Jane Thorne for a variance to Section 8.5(b) (3) of Bylaw No. 985 in order to reduce the required exterior side setback from 4.5 metres down to 1.1 metres on Lot 10, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 22349 (PID: 003-302-580) be approved, subject to receipt of a post construction survey confirming compliance with the approved variance.

MOTION CARRIED

CR2

The report and recommendations of the Electoral Area Services Committee meeting of May 31, 2011 listing 16 items were considered.

11-287

It was moved and seconded:

1. On recommendation from the Building Inspector, authorization be given to file a Notice against Land Title for the property owned by Carla Boe located at 5963 Heger Crescent legally described as: PID 000-148-652, Lot 7, Plan 32436, Block 675, Cowichan Lake Land District.
2. That a letter be sent to the Ministry of Transportation and Infrastructure requesting that the crosswalk located across from Mason's Beach be upgraded for safety purposes prior to the oncoming summer season.

3. That “CVRD Bylaw No. 3495 – Lake Cowichan Fire Protection Service Amendment Bylaw, 2011”, be forwarded to the Board for consideration of three readings and adoption.
4.
 1. That CVRD Bylaw No. 3504 – Election/Voting Procedures Amendment Bylaw, 2011 be forwarded to the Board for consideration of three readings and adoption.
 2. That CVRD Bylaw No. 3508 – Automated Vote Counting System Authorization and Procedure Bylaw, 2011 be forwarded to the Board for consideration of three readings and adoption.
 3. That pursuant to Section 41(1) of the *Local Government Act*, Kathleen Harrison be appointed Chief Election Officer and Rosa Johnston be appointed Deputy Chief Election Officer for the 2011 General Local Election and Other Voting.
 4. That the Election Pay Rates Policy be amended by setting the Chief Election Officer’s remuneration at \$1,500 and the Deputy Chief Election Officer’s remuneration at \$1,000.
5. That the CVRD proceed with establishing a bylaw to regulate wharf services on Thetis Island.
6. That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of no more than \$141,820 from the Community Parks General Reserve Fund (Area C – Cobble Hill) for the purpose of constructing a public washroom and site landscaping improvements; and that the bylaw be forwarded to the Board for consideration of three readings and adoption.
7. That the resignation of Carolyn LeBlanc from the Area F Parks Commission be accepted and that a letter of appreciation be forwarded to Ms. LeBlanc.
8. That the resignation of David Lowther from the Area F Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Mr. Lowther.
9. That a grant in aid, Area D – Cowichan Bay, be given to Frank Wilson/Palm Court Orchestra, in the amount of \$500 to assist with their Silver Jubilee Season 2011/2012 Presenting Concerts on Vancouver Island.
10. That a grant in aid, Area E – Cowichan Station/Sahtlam/Glenora, be given to Frank Wilson/Palm Court Orchestra, in the amount of \$250 to assist with their Silver Jubilee Season 2011/2012 Presenting Concerts on Vancouver Island.
11. That a grant in aid, Area D – Cowichan Bay, be given to Cowichan Community Land Trust Society, in the amount of \$1,000 to assist with the creation of the Interpretive Nature Centre for Cowichan Estuary.

12. That any Electoral Area Director who is interested in attending the Saving Small Towns Conference in Qualicum Beach, be authorized to attend, including applicable expenses.

MOTION CARRIED

11-288

It was moved and seconded:

13. That Application No. 2-I-11DVP by Roger Dardengo on behalf of Arturo and Maria Dardengo for a variance to Section 5.1(4) of Bylaw No. 2465 in order to reduce the required side setback from 3.0 metres down to 1.8 metres on Lot 2, Section 45, Renfrew District, Plan 21223 (PID: 003-519-511) be approved.
14.
 1. That CVRD Bylaws No. 3501 and 3502 for Application No. 2-B-10RS (Conner) be forwarded to the Board for consideration of first and second reading.
 2. That the application referrals to the Ministry of Transportation and Infrastructure, Shawnigan Lake Fire Department, Lidstech Holdings, and Vancouver Island Health Authority be accepted.
 3. That a public hearing be scheduled with Directors Cossey, Giles and Morrison appointed as delegates of the Board, following review by CVRD and Ministry of Transportation and Infrastructure of a parking plan designed by a registered architect or engineer that satisfies the requirements of the CVRD Parking Standards Bylaw No. 1001.
15. That Application 1-B-11DVP, submitted by Chad Bryden, respecting Lot 2, District Lot 16, Malahat District, Plan 6090, to reduce the setback of a garage from 7.5 metres to 4.5 metres from the front property line be approved as proposed on the attached plans, subject to a legal survey confirming the approved setback distance, as required by CVRD Building Inspector.

(16.1 only - Amended from original Committee recommendation):

16.
 1. That, in addition to previous referrals, the proposed South Cowichan Official Community Plan be referred to the Capital Regional District, the District of Highlands, the District of Saanich, the District of North Saanich, the District of Central Saanich, School District No.79, the Islands Trust, and to the Regional Agricultural Committee.
 2. That Bylaw No. 3510 - South Cowichan Official Community Plan - applicable to Electoral Area A (Mill Bay/Malahat), Electoral Area B (Shawnigan Lake) and Electoral Area C (Cobble Hill) be forwarded to the Board for consideration of 1st and 2nd reading.

3. a) The Regional Board has reviewed the Planning and Development Department staff report of May 25, 2011 and has examined the proposed South Cowichan Official Community Plan in conjunction with the most recent capital expenditure program and applicable economic strategy plans and has found the proposed official community plan to be consistent with the capital expenditure program and economic strategy plans.
- b. The Regional Board has reviewed Planning and Development Department staff report of May 25, 2011 and has examined the proposed South Cowichan Official Community Plan in conjunction with the applicable waste management plans and has found the proposed official community plan to be consistent with the waste management plans.
4. That, in accordance with the requirements of the *Local Government Act*, Bylaw No. 3510 - proposed South Cowichan Official Community Plan be referred to the Provincial Agricultural Land Commission for comment.
5. That an Official Public Hearing be held for proposed Bylaw No. 3510 - South Cowichan Official Community Plan, in accordance with the requirements of the *Local Government Act*, on June 27, 2011 at 7:00 p.m. at the Kerry Park Ice Arena, at 1035 Shawnigan-Mill Bay Road, Mill Bay, B.C.
6. That the Regional Board delegate the holding of the Public Hearing in accordance with the requirements of the *Local Government Act* to Electoral Area A - Mill Bay/Malahat Director Brian Harrison, Electoral Area B - Shawnigan Lake Director Ken Cossey, Electoral Area C - Cobble Hill Director Gerry Giles, Electoral Area D - Cowichan Bay Director Lori Iannidinardo, and Electoral Area E - Sahtlam/Glenora/Cowichan Station Director Loren Duncan.

MOTION CARRIED

CR3

The report and recommendations of the Engineering and Environmental Services Committee meeting of May 25, 2011 listing eight items were considered.

11-289

It was moved and seconded:

1. .1 That the Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the Woodley Range Water System, located in Electoral Area H, as requested by Woodley Range Water Works Ltd. subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:

- All lands with infrastructure works are to be transferred to CVRD, or, if not possible be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owners;
 - A CVRD review of the system be undertaken in order to address deficiencies in the water system;
 - The owner of the utility be willing to transfer the system to the CVRD;
 - A public consultation process regarding CVRD takeover be undertaken;
 - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
 - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed.
- .2 That an assessment of the system be carried out, funded to a maximum cost of \$15,000, to be funded from the CVRD Feasibility Study Function and, regardless of ownership transfer, repaid in full from funds held for Woodley Range Water System by the Comptroller of Water, and further
- .3 That, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.
2. .1 That a bylaw be prepared to amend "CVRD Bylaw No. 2790 – Electoral Area A – Sentinel Ridge Sewer System Service Establishment Bylaw, 2006", to increase the maximum requisition from \$34,000 to \$42,400, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
- .2 That a bylaw be prepared to amend "CVRD Bylaw No. 3052 – Electoral Area D – Lambourn Estates Sewer System Service Establishment Bylaw, 2008", to increase the maximum requisition from \$25,000 to \$31,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
- .3 That a bylaw be prepared to amend "CVRD Bylaw No. 2128 – Electoral Area D – Cowichan Bay Sewer System Service Establishment Bylaw, 2000", to increase the maximum requisition from \$150,000 to \$187,000, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

- .4 That a bylaw be prepared to amend “CVRD Bylaw No. 2871 – Electoral Area C – Twin Cedars Sewer System Service Establishment Bylaw, 2006”, to increase the maximum requisition from \$40,000 to \$49,900, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 - .5 That a bylaw be prepared to amend “CVRD Bylaw No. 3103 – Electoral Area C – Cobble Hill Sewer System Service Establishment Bylaw, 2008”, to increase the maximum requisition from \$30,000 to \$37,400, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 - .6 That a bylaw be prepared to amend “CVRD Bylaw No. 1653 – Electoral Area C – Maple Hills Sewer System Service Establishment Bylaw, 2002”, to increase the maximum requisition from \$25,000 to \$31,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 - .7 That a bylaw be prepared to amend “CVRD Bylaw No. 1910 – Electoral Area B – Shawnigan Beach Estates Sewer System Service Establishment Bylaw, 1999”, to increase the maximum requisition from \$125,000 to \$156,000, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 - .8 That a bylaw be prepared to amend “CVRD Bylaw No. 2489 – Electoral Area A – Kerry Village Sewer System Service Establishment Bylaw, 2004”, to increase the maximum requisition from \$20,000 to \$24,900, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 - .9 That a bylaw be prepared to amend “CVRD Bylaw No. 2549 – Electoral Area I – Youbou Sewer System Service Establishment Bylaw, 2004”, to increase the maximum requisition from \$37,000 to \$46,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
3. .1 That a bylaw be prepared to amend “CVRD Bylaw No. 3034 – Electoral Area D – Lambourn Estates Water System Service Establishment Bylaw, 2008”, to increase the maximum requisition from \$33,000 to \$41,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 - .2 That a bylaw be prepared to amend “CVRD Bylaw No. 2994 – Electoral Area A – Fern Ridge Water System Service Establishment Bylaw, 2007”, to increase the maximum requisition from \$14,600 to \$18,200, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

7. .1 That an Annual Financial Contribution Service be created with a maximum annual requisition limit of Forty Thousand Dollars (\$40,000), for the Thetis Island Residents and Ratepayers Association for the purpose of assisting with costs associated with the operation and collection of solid waste and recycling on Thetis Island.
 - .2 That CVRD Bylaw No. 3503 be forwarded to the Board for consideration of three readings and following provincial and voter approval be considered for adoption.
 - .3 That voter approval for adoption of CVRD Bylaw No. 3503 be obtained through an alternative approval process.
8. That “CVRD Bylaw No. 3507 – Dogwood Ridge Water System Management Amendment Bylaw, 2011” be forwarded to the Board for three readings and adoption.

MOTION CARRIED

CR4 The report and recommendation of the Economic Development Commission meeting of May 11, 2011 listing three items were considered.

11-290 It was moved and seconded:

1. That the Board endorse the 2011 Sustainable Economic Development Strategy prepared by EDCD Consulting.
2. That the Board approve the 2011-2012 Economic Development Work Plan 2011.
3. That the Board approved the 2011-2012 Sustainable Economic Development Strategy Summary.

MOTION CARRIED

CR5 The report and recommendation of the Kerry Park Recreation Centre Commission meeting of May 24, 2011 listing three items were considered.

11-291 It was moved and seconded:

1. That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of up to \$33,000 from Reserve Fund Bylaw No. 351 (Mill Bay Recreation Centre Capital Project Reserve Fund Bylaw, 1978) for the purpose of funding the sewer upgrades to the Kerry Park Recreation Centre, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.
2. That up to \$67,000 of the \$166,000 committed to the Kerry Park Sewer Upgrades through the “Gas Tax” Community Works Fund be utilized for the purpose of conducting studies to assist with the Kerry Park Sewer Upgrades.

3. That up to a maximum of \$70,000 in short term borrowing for the purchase of a bus be approved and that the loan be paid back over five years under the Liability Under Agreement Section of 175 of the Community Charter, and further, that the option of the vehicle being wheelchair accessible be considered.

MOTION CARRIED

CR5 The report and recommendations of the Parks Committee meeting of May 25, 2011 listing three items were considered.

11-292 It was moved and seconded:

1. That application be made to Trans Canada Trail for grant funding to financially assist with completion of sections of the Cowichan Valley Trail between the Chemainus River and Town of Ladysmith in 2011.
2. That an application be made to the Community Legacy Program Grant funding program for \$20,000 for parking lot and day use improvements and interpretive signage at Chemainus River Park.
3. That application be made on behalf of the Vancouver Island Spine Trail Association (VISTA) for \$8,000 in grant funding from the provincial government to complete a trail reconnaissance study for the proposed Vancouver Island Spine Trail section between the east end of Cowichan Lake and Francis Lake located in Alberni Clayoquot Regional District.

MOTION CARRIED

STAFF REPORTS

SR1 The Staff Report from the Corporate Secretary dated May 24, 2011 re: Pooled Funding Agreement Amendment Authorization – Bings Creek Transfer Station and Recycling Depot Upgrades Project was considered.

11-293 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 Amendment” for the Bing’s Creek Transfer Station and Recycling Depot project.

MOTION CARRIED

SR2 The Staff Report from the Deputy Corporate Secretary dated June 1, 2011 re: Results of Alternative Approval Process – Bylaw No. 3393 – Cowichan Station Area Association Annual Financial Contribution (Area B) Service was considered.

11-294 It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3393 be received.

MOTION CARRIED

- SR3 The Staff Report from the Environmental Technologist III dated June 1, 2011 re: Licence of Occupation for Cameron-Taggart lands was considered.
- 11-295 It was moved and seconded that the Board Chair and Corporate Secretary be authorized to sign a Licence of Occupation Agreement with Mr. Bill Wikkerink, for the purpose of harvesting hay from CVRD property located on Cameron-Taggart Road.
- MOTION CARRIED**
- BYLAWS**
- B1
11-296 It was moved and seconded that "CVRD Bylaw No. 3393 – Cowichan Station Area Association Annual Financial Contribution (Area B – Shawnigan Lake) Service Establishment Bylaw, 2011", be adopted.
- MOTION CARRIED**
- B2
11-297 It was moved and seconded that "CVRD Bylaw No. 3493 – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Amendment Bylaw, 2011", be adopted.
- MOTION CARRIED**
- B3
11-298 It was moved and seconded that "CVRD Bylaw No. 3494 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Amendment Bylaw, 2011", be adopted.
- MOTION CARRIED**
- B4
11-299 It was moved and seconded that "CVRD Bylaw No. 3495 – Lake Cowichan Fire Protection Service Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.
- MOTION CARRIED**
- B5
11-300 It was moved and seconded that "CVRD Bylaw No. 3496 – Mail Ballot Authorization and Procedure Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.
- MOTION CARRIED**
- B5
11-301 It was moved and seconded that "CVRD Bylaw No. 3496 – Mail Ballot Authorization and Procedure Amendment Bylaw, 2011", be adopted.
- MOTION CARRIED**
- 4:20 pm Director Seymour left the Board Room at 4:20 pm.
- B6
11-302 It was moved and seconded that "CVRD Bylaw No. 3499 – Youbou Street Lighting Service Area Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.
- MOTION CARRIED**

**B7
11-303** It was moved and seconded that "CVRD Bylaw No. 3500 – Arbutus Ridge Drainage Service Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
11-304** It was moved and seconded that "CVRD Bylaw No. 3504 – Election/Voting Procedures Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
11-305** It was moved and seconded that "CVRD Bylaw No. 3504 – Election/Voting Procedures Amendment Bylaw, 2011", be adopted.

MOTION CARRIED

**B9
11-306** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3507 – Dogwood Ridge Water System Management Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B9
11-307** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3507 – Dogwood Ridge Water System Management Amendment Bylaw, 2011", be adopted.

MOTION CARRIED

**B10
11-308** It was moved and seconded that "CVRD Bylaw No. 3508 – Automated Vote Counting System Authorization and Procedures Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B10
11-309** It was moved and seconded that "CVRD Bylaw No. 3508 – Automated Vote Counting System Authorization and Procedures Bylaw, 2011", be adopted.

MOTION CARRIED

4:25 pm Director Seymour returned to the Board Room at 4:25 pm.

B11 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3371 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Heart Lake Developments), 2011", be adopted.

**B11
11-310** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3371 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Heart Lake Development), 2011" be referred back to staff for further review and investigation into development of a policy for the utilization of recycled water.

Opposed: Directors Marcotte, Morrison, Kuhn, Cossey, Iannidinardo and Alternate Director Burgess

MOTION DEFEATED

11-311 VOTING RESUMED ON THE ORIGINAL MOTION

Motion restated for clarification:

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3371 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Heart Lake Development), 2011", be adopted.

Opposed: Director Dorey and Alternate Director George

MOTION CARRIED

B12
11-312 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3372 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (Heart Lake Developments), 2010", be adopted.

MOTION CARRIED

B13
11-313 It was moved and seconded that "CVRD Bylaw No. 3501 – Electoral Area B – Shawnigan Lake Official Community Plan Amendment Bylaw (Conner), 2011", be granted 1st and 2nd reading.

MOTION CARRIED

B14
11-314 It was moved and seconded that "CVRD Bylaw No. 3502 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Conner), 2011", be granted 1st and 2nd reading.

MOTION CARRIED

B15
11-315 It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill", be granted 1st and 2nd reading.

MOTION CARRIED

RESOLUTIONS

RES 1
11-316 It was moved and seconded that the following appointment to the Electoral Area F – Cowichan Lake South/Skutz Falls Advisory Planning Commission be approved:

Appointed for a Term to Expire November 30, 2011:
Sue Restall

MOTION CARRIED

NEW BUSINESS

NB1
11-317 It was moved and seconded that "CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

11-318
4:57 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 (2) (b) Information Received in Confidence; (2) (a) FOIPOP, (1) (e) Land Acquisition and (1) (c) Employee Relations.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

11-323
5:40 pm

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

MOTION CARRIED

ADJOURNMENT

11-324
5:40 pm

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

MOTION CARRIED

The meeting adjourned at 5:40 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

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, June 22, 2011 at 6:02 pm.

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

ALSO PRESENT: Warren Jones, Administrator
Kathleen Harrison, Deputy Corporate Secretary
Tom Anderson, General Manager, Planning & Development
Mike Tippett, Manager, Community & Regional Planning
Sybille Sanderson, Acting General Manager, Public Safety
Kate McIntosh, Manager, Human Resources

ABSENT: Director G. Seymour

APPROVAL OF AGENDA

11-325 It was moved and seconded that the agenda be amended with the addition of New Business Item CSNB1 Labour Relations {Sub (1) (c)}, and that the agenda, as amended, be approved.

MOTION CARRIED

COMMITTEE REPORTS

CR1 The report and recommendations of the Electoral Area Services Committee meeting of June 21, 2011 listing ten items were considered.

6:05 pm Director Cossey declared a potential conflict of interest due to his consideration of the issue from his employer's perspective. Director Cossey left the Board Room at 6:05 pm.

11-326 It was moved and seconded:

6. That Rezoning Application No. 1-A-11RS (Bamberton Business Park) submitted by Bamberton Properties LLP be approved and the Mill Bay/Malahat Official Community Plan be amended by redesignating the proposed Business Park and adjacent light industrial park as Industrial on the Plan Map, that the OCP also be amended by allowing Forestry-designated lands to the east of the Highway to be developed for lease-only light industrial use without redesignation, that the appropriate areas of the subject lands be rezoned to allow for a mix of light industrial use, business park and outdoor recreation uses, and that the appropriate bylaws be presented to the Board for consideration of two readings, with eventual consideration of adoption being subject to a covenant on

all lands to be rezoned as I-3, I-3A, I-4 and F-1A, that would require that no building, subdivision or land clearing occur without the CVRD's express written consent until:

1. a Riparian Assessment is done on all rezoned lands,
2. the subject land presently not in a fire protection area is added to Mill Bay Improvement District's Service Area;
3. a Sensitive Ecosystem Inventory assessment of lands to be rezoned to Industrial and delineation of the affected areas is completed by a registered professional biologist, and a BC Land Surveyor provides mapping indicating the extent of riparian areas and other SEI areas that should be protected from development, either by the covenant or by the dedication of these areas to the CVRD as parkland;

(Amended from original Committee recommendation):

4. that a system be put in place that would monitor both the quantity and quality of water within the aquifer in the vicinity of Inlet Drive/Malahat First Nation and other users near Inlet Drive subdivision *including* Oceanview Improvement District water service; that an appropriate amount of security also be put in place to ensure there is a way of dealing with any deficiencies that may arise with respect to water quality and quantity and further that a hydrological report be prepared for the John's Creek watershed system;

(Amended from original Committee recommendation):

5. a lease agreement *or other methods* be investigated with respect to the Southlands to ensure the preservation and protection of these sensitive lands.

and that the proposed bylaws be referred to a public hearing, with Directors Harrison, Giles, Dorey, Kuhn and Duncan delegated to the hearing in accordance with Section 891 of the *Local Government Act*, and further that the referral of this application to Malahat First Nation, Cowichan Tribes, Tsarlip First Nation, Tsawout First Nation, Pauquachin First Nation, Ministry of Transportation and Infrastructure, BC Transit, Ministry of Environment, Ministry of Community, Sport and Cultural Development, CVRD Engineering and Environmental Services, Capital Regional District, Vancouver Island Health Authority, School District No. 79, Mill Bay Improvement District (Fire Department) be approved.

Opposed: Director Duncan

MOTION CARRIED

6:13 pm Director Cossey returned to the Board Room at 6:13 pm.

6:18 pm Director Duncan left the Board Room at 6:18 pm.

11-327

It was moved and seconded:

1. That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of no more than \$7,000 from the Community Parks General Reserve Fund (Area A – Mill Bay/Malahat) for the purpose of developing a new park located in Mills Springs inclusive of landscaping pathways and a sport court; and that the bylaw be forwarded to the Board for consideration of three readings and adoption.
2. That a grant in aid, Area C – Cobble Hill, be given to Garden House Foundation (Victoria Foundation), in the amount of \$500.00 to support those in need in the south-end.
3. That a grant in aid, Area C – Cobble Hill, be given to Shawnigan Cobble Hill Farmers Institute, in the amount of \$400.00 to assist in community celebration.
4. That a letter be sent to the Real Estate Foundation of BC on behalf of Bird Studies Canada stating the CVRD's support for their application for project funding.

MOTION CARRIED

6:25 pm

Director Duncan returned to the Board Room at 6:25 pm.

11-328

It was moved and seconded:

5. That Application No. 1-E-11DVP submitted by Ben & Margie Van Boven for a variance to Section 7.3 (b)(4) of Zoning Bylaw No. 1840 by reducing the minimum interior-side parcel line setback from 15 metres to 2 metres for Lot 4, Sections 3, 4 and 5, Range 7, Quamichan District, Plan 1233 (PID: 000-151-432), be approved subject to the applicant providing a legal survey confirming compliance with approved setbacks.
7.
 1. That draft amendment bylaws for OCP and Rezoning Amendment Application 1-E-11RS (Alderlea Farm) be forward to the CVRD Board for first and second reading.
 2. That application referrals to the Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Agricultural Land Commission, Cowichan Tribes and Duncan Volunteer Fire Department be accepted.
 3. That a public hearing be scheduled with Directors Duncan, Marcotte and Kuhn appointed as Board delegates.
 4. That a covenant be required as a condition of the proposed zoning amendment to exclude kennel as a permitted use on the subject property.
8. That Application No. 5-E-11DP/RAR/VAR be approved, and that a development permit with variance be issued to Jason and Andrea Waldron for the construction of a single family dwelling 20 metres from the natural boundary of Glenora Creek at Lot 1, Section 9, Range 3, Quamichan District, Plan 9569 (PID 026-302-322), subject to:

1. Compliance with the measures and recommendations outlined in RAR assessment report No. 1981, prepared by Kelly Schellenberg, RPF;
2. Construction of a permanent cedar fence along the SPEA boundary within 15 metres of the dwelling.

MOTION CARRIED

11-329

It was moved and seconded:

9. That Development Permit Application No. 18-B-10DP/RAR/VAR (Dowell) be revised to locate development within the RAR compliant area of the property as shown in draft Riparian Areas Assessment Report No. 1819 REV3 by Qualified Environmental Professional Craig Barlow and that the previously disturbed areas within the SPEA be restored.

Opposed: Directors Dorey and Duncan

MOTION CARRIED

11-330

It was moved and seconded:

10. 1. That the proponent be informed that the Regional District does not approve of the application to construct a Telecommunications Tower at the location identified at 820 Sheppard Road, Mill Bay as the proposed cell tower is at direct odds with the Trans Canada Highway Development Permit Area Guidelines of the Mill Bay/Malahat Official Community Plan which were established to protect the visual aesthetics of the Trans Canada Highway corridor. And, that the proponent be requested to find a less visible location to locate such a tower.
2. That the Staff Report and background information be forwarded to School District No. 79 and Jean Crowder, MP, for information.
3. That the proponent of the proposed telecommunications tower hold a public meeting to receive public input.

MOTION CARRIED

STAFF REPORTS

SR1

The Staff Report from the Manager, Finance Division, dated June 15, 2011 re: Fall Security Issuing Bylaw No. 3516 was considered for information.

BYLAWS

B1

11-331

It was moved and seconded that "CVRD Bylaw No. 3514 – Thetis Island Wharf Regulation Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

- B1
11-332** It was moved and seconded that "CVRD Bylaw No. 3514 – Thetis Island Wharf Regulation Bylaw, 2011", be adopted.
MOTION CARRIED
- B2
11-333** It was moved and seconded that "CVRD Bylaw No. 3516 – Security Issuing (Loan Authorization Bylaw No. 3281, Loan Authorization Bylaw No. 3287, and Loan Authorization Bylaw No. 3289) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.
MOTION CARRIED
- B2
11-334** It was moved and seconded that "CVRD Bylaw No. 3516 – Security Issuing (Loan Authorization Bylaw No. 3281, Loan Authorization Bylaw No. 3287, and Loan Authorization Bylaw No. 3289) Bylaw, 2011", be adopted.
MOTION CARRIED
- 6:29 pm** Director Cossey declared a potential conflict of interest due to his consideration of the issue from his employer's perspective. Director Cossey left the Board Room at 6:29 pm.
- B3
11-335** It was moved and seconded that "CVRD Bylaw No. 3497- Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be granted 1st and 2nd reading.

Opposed: Director Duncan
MOTION CARRIED
- B4
11-336** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", be granted 1st and 2nd reading.

Opposed: Director Duncan
MOTION CARRIED
- B5
11-337** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be granted 1st, and 2nd reading.

Opposed: Director Duncan
MOTION CARRIED
- 6:31 pm** Director Cossey returned to the Board Room at 6:31 pm.
- 6:32 pm** During the Question Period Director Cossey declared a potential conflict of interest due to his consideration of the issue from his employer's perspective, and Director Cossey left the Board Room at 6:32 pm.

**RESOLVING INTO
CLOSED SESSION**

**11-338
6:39 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, Subsection (1) (c) Employee and Labour Relations.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

**11-340
8:10 pm** It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

**11-341
8:10 pm** It was moved and seconded that the Special Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:10 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____



C·V·R·D

**ELECTORAL AREA SERVICES
COMMITTEE REPORT****OF MEETING HELD JULY 5, 2011****DATE:** July 6, 2011**To:** Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That staff be directed to prepare covenants or development agreements to mitigate the environmental and public health and safety impacts associated with subdividing and developing the properties, proposed to be brought into the Lambourn Estates Sewer System, including:
 - Lot 3, Section 4, Range 6, Cowichan District;
 - Lot B, Section 5, Range 6, Cowichan District;
 - Lot 1, Section 4, Range 7, Cowichan District;
 - Lot 7, Section 4, Range 6, Cowichan District; and
 - Lot 1, Section 5, Range 6, Cowichan District;and that such covenants be referenced as conditions of approval of the respective servicing agreements to be established between the CVRD and owners of these properties.
2.
 - 1) That the Cowichan Valley Starfinders Astronomy Club be permitted to pre-book for the next four (4) years in advance one (1) weekend per year at Bright Angel Park for their annual Star Party fundraising event which does not conflict with any other annual special events in the Park;
 - 2) That the request for a booking fee waiver for the ball field and upper picnic shelter not be endorsed for this annual event;
 - 3) Furthermore that the booking permit overnight stays by registered Club member astronomers during the event.
3. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents related to granting an Interim License of Use and Occupation renewal for up to two years to Scout Properties (BC/Yukon) Ltd. for the scout camp located in CVRD's Bald Mountain Community Park in Electoral Area I.
4. That a letter be sent to the Ministry of Transportation & Infrastructure bringing their attention to the dangerous intersection at Handy Road in Mill Bay.
5. That BC Hydro representatives be invited to appear before the Regional Board with regard to the installation of smart meters and how it may pertain to serious health concerns in the CVRD and further that prior to that meeting occurring no smart meters be installed in the CVRD.

6. That the UBCM be requested to hold a seminar with regard to the installation of smart meters.
7. That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, be given to Caycuse Volunteer Firefighters Association, in the amount of \$3,500.00 to assist with equipment repair and associated expenses.
8. That the subdivision application fee be waived for the North Oyster Community Hall.

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

9. That Application No. 6-A-10DP/RAR submitted by Mark Wyatt on behalf of Ocean Terrace Properties for subdivision for 203 residential lots, 3 multi-family designated areas, one mixed multi-family and commercial area, a lot dedicated for a school site, and designation of an area for subsequent strata subdivision (future 71 lots) on That Part of District Lot 77, Malahat District, Lying to the South of the South Boundaries of Parcel C (DD 43694¹) and Parcel D (DD 33154¹) of Said Lot and Except Those Parts in Plans 518RW, 50504 and VIP86314 (PID: 009-346-554), Parcel C (DD 43694¹) of District Lot 77, Malahat District (PID:009-346-511), Parcel D (DD33154¹) of District Lot 77, Malahat District (PID:009-346-520) be approved subject to:
 - a) Widening the highway buffer to a minimum 20 metres;
 - b) Connecting Roads E and F by a road connection to provide for a secondary access from Road F, in consultation with the Ministry of Transportation and Infrastructure;
 - c) Rainwater management system to provide for on-site infiltration galleries on each single family lot;
 - d) Sediment erosion and control plan be developed and implemented during construction to ensure runoff waters do not contribute sediment to any fish-or amphibian-bearing streams and that the plan be provided to CVRD prior to each phase;
 - e) Receipt of a tree assessment and retention plan prior to tree clearing in future phases in order to identify patches of trees/wildlife corridors that can be kept, and provide recommendations for mitigation from wind throw within park areas;
 - f) Areas of natural forest be allowed to remain on residential lots, and building footprints located in a sensitive manner;
 - g) Phasing to be generally in compliance with the June 9, 2011 Phasing Plan;
 - h) Trails and emergency access connections to be constructed to CVRD standards;
 - i) The single family lot on the northwest corner of central park be relocated and that this area be dedicated parkland;
 - j) Implement a 7.5 m height restriction on the multi-family units between Sangster Road and the Trans Canada Highway;
 - k) Provide a pre-emption light at the Butterfield Road and Trans Canada Highway intersection;
 - l) A sprinkler system be installed, for safety purposes, in all the multi-family units;And further that prior to issuance of the Development Permit:
 - m) The site plan is revised in the manner noted above;
 - n) A covenant be registered on title to secure the park dedication and park amenity commitments; and
 - l) A covenant is registered on title that would assign density to the multi-family sites and secure other development permit requirements as necessary.

10. That Application No. 6-D-08DP/RAR submitted by Parhar Holdings for construction of the first phase of the Parhar Business Centre consisting of three buildings totalling approximately 4,200 m² on Lot 1, Section 13, Range 7, Quamichan District, Plan VIP88052 (PID: 028-237-765) be approved, subject to:
- a) Buildings constructed in accordance with the building elevations dated August 23, 2010;
 - b) Installation of underground wiring;
 - c) Oil/water separators be installed in the parking areas;
 - d) Fencing along the Chaster Road frontage will be black or green chain link;
 - e) Submission of landscape construction drawings in accordance with the Phase 1 landscape plan dated February 2, 2011 prior to installation;
 - f) Landscaping installed in accordance with the plans dated February 2, 2011 to BCSLA standards, including an underground irrigation system;
 - g) Submission of a service area petition to enter into a service area for maintenance of the trees within the trail area;
 - h) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the February 2, 2011 Landscape Plan;
 - i) Confirmation from a landscape architect that landscaping has been installed in accordance with the approved plan. 50% of the landscaping security will be returned following successful installation of the landscaping and full construction of the pathway with the remaining 50% to be returned after successful completion of a 3 year maintenance period;
 - j) Refuse and recycling areas to be screened and contained within a solid fenced and gated compound(s);
 - k) Rainwater management system to be in accordance with Rainwater Management Plan dated December 01, 2010;
 - l) Any rooftop equipment will be screened;
 - m) Minimum 94 parking spaces required in Phase 1;
 - n) Sustainable building elements to include low water consumption plumbing fixtures and energy efficient windows and lighting;
 - o) Trail must be completed in consultation with the CVRD Parks and Recreation Department within 12 months of issuance of the development permit for Phase 1. If construction of the pathway is not complete to CVRD standards within this time frame, CVRD may draw on the landscape security funds to construct the pathway.
11. That Application No. 2-H-10DP/RAR submitted by Schon Timber Ltd. for subdivision of Lot A, District Lots 20 and 39G, Oyster District, Plan 49261 (PID: 014-945-291) be approved, subject to :
- a) Compliance with the recommendations of Riparian Areas Regulation Assessment No. 1844 which identifies a SPEA of 18.6 metres;
 - b) Landscaping installed in accordance with the proposed screening plan which includes installation of a new cypress hedge along a portion of the property and a new cedar fence;
 - c) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the Proposed Screening Plan to be refunded after a successful one-year maintenance period;
 - d) Continued removal of hog fuel in the manner described in the applicant's proposal dated March 31, 2011.

12. That Development Permit Application No. 3-A-11DP be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for Phases 12 to 19 of Mill Springs, subsequent to the lands being serviced with Community Sewer as defined in Area A Zoning Bylaw No. 2000, and subject to the following conditions:
 - a) All wiring to be installed underground;
 - b) Deloume Road West to be opened prior to subdivision of Phase 12;
 - c) Landscaping to be installed in the Phase 16 roadway median;
 - d) That the reserve field be dedicated to the CVRD at the time the sewer system is taken over by the CVRD.

13.
 1. That second reading of OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511 (Bamberton Business Park/Industrial) be rescinded;
 2. That Zoning Amendment Bylaw No. 3498, Schedule A map, be amended by adjusting the boundary of the I-3 Zone in accordance with the sketch prepared by Polaris Land Surveying;
 3. That OCP Amendment Bylaw No. 3511 be amended by adding Figure 10A to include the same boundaries as Figure 2A in Bylaw 3497;
 4. That the development permit sections of both OCP Amendment Bylaws 3497 and 3511 be amended by clarifying that only DP guidelines related to environmental protection, safety and the view protection from Saanich Inlet waters be applicable to areas that are zoned as I-2; and further
 5. That OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511, as amended, be considered for second readings.

14. That a letter be forwarded to Rogers Communications requesting that they investigate alternatives to the proposed Olsen Road cell tower site in Electoral Area G; and further, that a technical analysis of identified alternative sites be provided.



ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD JUNE 22, 2011

DATE: June 23, 2011

To: Chair and Directors of the Cowichan Valley Regional District

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

1. That the Board authorize short-term borrowing for an amount not to exceed \$33,000 towards capital upgrades to the Shawnigan Beach Estates Sewer pump stations, to be paid back over five years, under the Liabilities Agreement Section 175 of the Community Charter.
2. That staff proceed with a public awareness campaign and consultation process in order to gain public comment regarding the draft South Cowichan Residential Backyard Burning Bylaw in Electoral Areas A, B, C and D and a draft bylaw for Electoral Area E that is similar to North Cowichan's Fire Protection Bylaw, and further that the Fire Chiefs for Electoral Areas A, B C and D be invited to comment prior to the public awareness campaign proceeding.
3. That the Board accept the Utility Transfer Agreement between the CVRD and CRC Canadian Retirement Corporation and The Owners, Strata Plan VIS1601 for CVRD takeover of the water, sewer and drainage systems for Arbutus Ridge in Electoral Area C, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
4.
 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Wilmot Road Drainage Service Area be received.
 2. That the boundaries of the Wilmot Road Drainage System area be amended to include "*PID 009-032-649, Parcel B (DD 472441), Section 6, Range 4, Except parts in Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP 81664, Cowichan District and PID 005-167-841, Lot 1, Section 5, Range 4, Plan 10957 except that part of said lot shown outlined in red on plan 1659-R and parts in plans 15342, 16358, 18893 and VIP 81664*".
 3. That CVRD Bylaw 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011 be forwarded to the Board for consideration of 3 readings and adoption.
5. That the Board receive the Brownfield Registry and associated maps for information purposes and that staff update the registry and associated database as additional information becomes available; and further, that the Brownfield Registry be provided to member municipalities for their information and tracking.



CR3

TRANSIT COMMITTEE REPORT

OF MEETING HELD JUNE 22, 2011

DATE: June 23, 2011

To: Chair and Directors of the Cowichan Valley Regional District

Your Transit Committee reports and recommends as follows:

1. That the Board support BC Transit's recommendation to modify/improve the commuter schedule to better meet the documented demand for earlier return p.m. trips to Duncan; and further that a letter be written to the Province regarding the purchase of an additional bus and the required infrastructure (i.e. Park N rides) for the Cowichan Valley Commuter Service.
2. That a letter be sent to the Province requesting that monies collected from the fuel surcharge increase effective July 1, 2011, be provided to Local Governments towards alternate transportation choices.



CR4

**KERRY PARK RECREATION CENTRE COMMISSION REPORT
OF MEETING HELD JUNE 20, 2011**

DATE: July 5, 2011

To: Chair and Directors of the Cowichan Valley Regional District Board

Your Kerry Park Recreation Centre Commission reports and recommends:

1. That a new Minolta photocopier Model #C452 be purchased for Kerry Park Recreation Centre with partial funding through a \$3600 reduction in the 2011 transfer to reserve.



CR5

AGRICULTURAL ADVISORY COMMITTEE REPORT

OF MEETING HELD JUNE 28, 2011

DATE: July 4, 2011

To: Chair and Directors of the Cowichan Valley Regional District

Your Agricultural Advisory Committee reports and recommends as follows:

1. That "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.



SR1

STAFF REPORT

REGULAR BOARD MEETING
OF JULY 13, 2011

DATE: July 13, 2011 FILE NO:
FROM: Brian Farquhar, Manager Parks & Trails Division BYLAW NO:
SUBJECT: Cowichan Valley Trail Initiative and Historic Kinsol Trestle Rehabilitation

Recommendation/Action:

That this report be received for information.

Relation to the Corporate Strategic Plan:

Provide Exceptional Recreational, Cultural and Park Services – Continue to implement the *Regional Parks and Trails Master Plan* to respond to new park and trail needs and opportunities. Promote Individual and Community Wellness – Promote pedestrian and cyclist friendly roadways and trails between communities and neighborhoods.

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

Background:

The Cowichan Valley Trail Initiative was initiated in the mid 1990's by the Regional District Board to complete a 120 kilometre multi-use non-motorized regional trail linking communities and contributing to the 200 km overall route of the Trans Canada Trail on Southern Vancouver Island. Positive gains in recent years have been achieved to complete major sections of this regional trail through establishment of partnerships, land use agreements and grant funding contributions and such work continues to foster additional opportunities to complete remaining sections. A key component of the Cowichan Valley Trail is the historic Kinsol Trestle crossing over the Koksilah River, which for over a decade has been the "missing link" in the Cowichan Valley Trail between the communities of Shawnigan Lake and communities of Glenora, Duncan and the Town of Lake Cowichan on the trail route. Major efforts have been underway since early 2010 under the direction of the Regional Board, to apply secured grant funding, donations and in-kind contributions towards the rehabilitation of the trestle for use a safe crossing over the Koksilah River by regional trail users. This work is nearing completion with a public opening celebration scheduled for July 28th, 2011. The Cowichan Valley Trail Initiative and Historic Kinsol Trestle Rehabilitation presentation to be distributed at the Board meeting provides highlights on the progress made with these projects through the Regional Parks and Trails program.

Submitted by,

Brian Farquhar
Manager, Parks and Trails Division
Parks, Recreation and Culture Department
BF/ca

Approved by:

General Manager



STAFF REPORT

REGULAR BOARD MEETING
OF JULY 13, 2011

DATE: June 29, 2011 BYLAW No.: 3474 & 3475
FROM: Kathleen Harrison, Deputy Corporate Secretary
SUBJECT: "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" - Results of Alternative Approval Process.

Recommendation:

That the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw Nos. 3474 and 3475, be received.

Relation to the Corporate Strategic Plan:

These bylaws are consistent with the Corporate Strategic Plan's objectives of promoting individual and community wellness; providing exceptional recreation and cultural services; and achieving excellence through community partnerships.

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

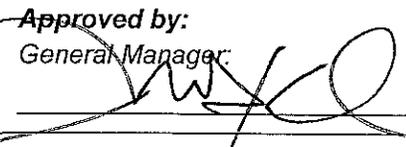
Background:

An alternative approval process for obtaining voter approval for the adoption of 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", was launched May 17th and expired June 28th at 4:30 pm.

As outlined in the attached *Certificate of Results*, Zero (Ø) *Elector Response Forms* were submitted in opposition to the adoption of the bylaws. Therefore the Board may proceed to adopt Bylaw Nos. 3474 and 3475.

Submitted by,


Kathleen Harrison
Deputy Corporate Secretary
Corporate Services Department

Reviewed by: Division Manager: NOT AVAILABLE
Approved by: General Manager: 

Attachments: Certificate of Results – Bylaw Nos. 3474 and 3475



**CVRD Bylaw Nos. 3474 and 3475
Certificate of Results - Alternative Approval Process**

I hereby certify that Zero (Ø) *Elector Response Forms* were received in opposition to the adoption of "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", that 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.

The total number of eligible electors in the service area to which the Alternative Approval Process applies is estimated at 56,610.

In accordance with Section 86 (1) of the *Community Charter*, the number of Elector Response Forms received (Ø) represents less than 10% of the electors in the area to which the Alternative Approval Process applies, and the Board of Directors of the Cowichan Valley Regional District may proceed to adopt CVRD Bylaw Nos. 3474 and 3475.

DATED at Duncan, British Columbia)
this 29th day of June, 2011)

) 
) Kathleen Harrison
) Deputy Corporate Secretary

Number of Eligible Electors in the Service Area (Municipalities and Electoral Areas)	10% of the Electors	Valid Elector Response Forms Received
56,610	5,661	Ø



STAFF REPORT

REGULAR BOARD MEETING
OF JULY 13, 2011

DATE: July 6, 2011

FROM: Catherine Tompkins, Senior Planner

BYLAW NO: 3510

SUBJECT: Proposed Bylaw No. 3510 – South Cowichan Official Community Plan, applicable to Electoral Areas A (Mill Bay/Malahat), B (Shawnigan Lake) and C (Cobble Hill).

Recommendation/Action:

That the amendments noted below be made to proposed Bylaw 3510 – South Cowichan Official Community Plan, prior to third reading and final adoption.

Relation to the Corporate Strategic Plan: N/A

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

Background:

The Board passed first and second readings of CVRD Bylaw No. 3510 – South Cowichan Official Community Plan at the regular Board meeting of June 8, 2011. Subsequently, a public hearing was held at the Kerry Park Ice Arena on June 27, 2011.

As a result of the public input at the hearing, and discussions with the public hearing delegates, the following amendments are recommended:

Main OCP Document

1. That the last sentence of paragraph 5, Section 1.2 *Purpose of the Plan* be amended by adding: "It will require a collective resolve from residents and the CVRD to uphold the OCP in the face of land use applications that would deplete the agricultural and forest resource base.";
2. That Policy 3.17 be amended by replacing "Gyrfalcons" with "Goshawk and Coopers Hawk";
3. That Policy 4.10 be amended by replacing "mooring of buoys" with "placing of unregistered buoys";
4. That Policy 7.10 be amended as follows: After "agri-tourism, art" add "recreation,";
5. That Policy 8.1, be amended by replacing the phrase "The CVRD may require the construction of the amenity" with "The CVRD may require the amenity", and replacing the subsequent lettering (a) through (i) with 1 through 9;

7. That Section 24.4.7B be amended by deleting subsection (e) and replacing it with the following:
- (e) Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming;
8. That Section 24.4.10 B be amended by adding Subsections (f) and (g) as follows:
- “(f) Provincially issued water licenses, where any disturbance to habitat is minimized and mitigated;
 - (g) Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming.”;
9. That Section 24.4.15A, Subsection 11 be amended by deleting “design of all dwellings with sprinklers”
10. That Policy 25.7 be amended by adding subsection (c) as follows:
- “(c) The CVRD wishes to ensure that information is obtained related to the impacts of a proposed activity or development on the community, including:
 1. Transportation patterns, including traffic flow;
 2. Local infrastructure;
 3. Public facilities including schools and parks;
 4. Community services; and
 5. The natural environment of the area affected.”
11. That Policy 25.16 be deleted and replaced with the following:

Policy 25.16: The CVRD recognizes the anomalies between the electoral area boundaries, and will work with the Province to rectify situations where residents in one electoral area may more easily interact and access within a different electoral area, including in the Cobble Hill Mountain area and areas north of the Koksilah River and west of the Trans Canada Highway;

Appendix A - Mill Bay Village Plan

12. Amend Appendix A *Mill Bay Village Plan* Policy 4.1.12 by adding “and neighbouring views,” after “in order to preserve”;
13. Amend Appendix A *Mill Bay Village Plan*, Section 4.1 by adding the following policy:
Policy 4.1.16: The implementing Zoning Bylaw will aim to protect ocean views through regulatory means including height, setback and lot coverage requirements.
14. Amend Appendix A *Mill Bay Village Plan* by deleting Section 11.4.6B, subsection (e) and replacing it with the following:
- (e) Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming;
15. Amend Appendix A *Mill Bay Village Plan*, Section 11.4.10 B by adding Subsection (f) as follows:
- “(f) Provincially issued water licenses, where any disturbance to habitat is minimized and mitigated;

- (g) Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming.”

Appendix B - Shawnigan Village Plan

16. Amend Appendix B *Shawnigan Village Plan*, Section 7.4.8 B by adding Subsection (f) as follows:

- “(f) Provincially issued water licenses, where any disturbance to habitat is minimized and mitigated;
- (g) Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming.”

Appendix C - Cobble Hill Village Plan

17. Amend Appendix C *Cobble Hill Village Plan*, Section 10.4.8 B by adding Subsection (f) as follows:

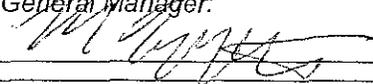
- “(f) Provincially issued water licenses, where any disturbance to habitat is minimized and mitigated;
- (g) Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming.”

Please note that the above recommended amendments can be made without holding an additional public hearing, as they do not affect the use and/or density of land.

Submitted by,



Catherine Tompkins, MCIP
Senior Planner
Community and Regional Planning Division
Planning and Development Department

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

CT/ca



C·V·R·D

PUBLIC HEARING REPORT
Bylaws No. 3451 and 3452

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452 (Drader), applicable to Electoral Area A – Mill Bay/Malahat, held on Monday, May 9, 2011, at the Malahat Fire Hall, 935 Whittaker Road, Malahat, B.C. at 7:00 p.m.

HEARING DELEGATES Director B. Harrison, Electoral Area A – Mill Bay/Malahat, Chairperson
Director K. Cossey, Electoral Area B – Shawnigan Lake
Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora

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 9 members of the public present.

CALL TO ORDER Director B. Harrison 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 29, 2011 and Wednesday, May 4, 2011) and *Leader Pictorial* (Friday, April 29, 2011 and Wednesday, May 4, 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. 3451 proposes to amend Electoral Area A – Mill Bay/Malahat Official Community Plan Bylaw No. 1890 in order to change the portion of the subject property, legally described as Lot A, District Lots 105 and 139, Malahat District, Plan VIP56326, that is currently designated Rural Residential in the Official Community Plan to the Tourist Commercial designation.

Zoning Amendment Bylaw No. 3452 proposes to amend Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 by rezoning a portion of the subject property, legally described as Lot A, District Lots 105 and 139, Malahat District, Plan VIP56326, from R-1 (Rural Residential) to C-4 (Tourist Commercial) Zone.

Currently, the subject property is split zoned C-4 and R-1. The purpose of Amendment Bylaw Nos. 3451 and 3452 is to rezone the R-1 portion of the lot to C-4, in order to expand the campground and accessory RV storage uses.

Ms. Garnett 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, May 9, 2011, at 4:30 p.m. She further advised that copies of the proposed Amendment Bylaws were located on the back table for review.

- Correspondence** The following item was received and is attached to the Minutes as an Exhibit:
1) Email dated May 9, 2011, from D. McFetridge (EXHIBIT 1).
- Location of the File** Director Harrison 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,
Neil Drader** Neil Drader stated the following with regard to Rezoning Application No. 2-A-10RS:
 - Subject property is dual zoned which can be quite confusing as the smaller portion is presently zoned R-1;
 - Rezoning of that R-1 portion would make it all C-4 consistent zoning;
 - Rezoning will offer further storage of vehicles and RV's as they have a number of guests that travel all over the world and store at their site;
 - Asset for them and also to the people on the Malahat.
- QUESTION PERIOD** Director Harrison 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.
- Guido Getjanc,
347 McCurdy Drive**
 - Also owns the adjacent property at 337 McCurdy Drive;
 - Concerned about the year round camping on the subject property as there have been break-ins and vandalism on his street;
 - Normally supports development but does not support the proposed application as he does not support year-round camping on that site.
- Director Harrison**
 - Asked if the applicant would be expanding the camping use or is the proposal strictly for storage?
- Neil Drader**
 - No changes in the camping as they are now open all year round;
 - Understands application is for storage, campground and accessory RV storage uses.
- John Erickson**
 - Owns the KOA Campground adjacent to the subject property and has been an owner/property resident for 32 years.
 - Was this zoning application initiated by Mr. Drader or was it initiated by someone who knew the property was not being used properly?
 - Is it normal to allow a property owner to continue using it until the proper zoning is in place or not?
- Alison Garnett**
 - A bylaw enforcement complaint was made at the CVRD office because of the rv storage use occurring on the residential portion of the subject property. As a result an application to rezone was applied for by the applicant.
- John Erickson**
 - Since Mr. Drader took over the property two robberies have occurred, the neighbourhood has changed and he has had to put up numerous no trespassing signs on his site.
- Director Harrison**
 - Asked for further questions from the public present regarding the proposed Amendment Bylaws.⁴³

- Guido Getjanc** ➤ Is year-round camping permitted on the site?
- Alison Garnett** ➤ C-4 (Tourist Commercial) Zone allows for temporary accommodation which is defined as a total of less than 22 weeks in a calendar year but not to a full-time residential use.
- John Erickson** ➤ His business is strictly seasonal.
- Leslie Stone,
Okotoks Road** ➤ Asked the purpose of the meeting?
- Alison Garnett** ➤ Applicant, Neil Drader, has applied to rezone a portion of the subject property that is presently zoned R-1 (Rural Residential) to C-4 (Tourist Commercial) to allow for an expanded RV storage/campground use on site.
- Director Harrison** ➤ Asked for further questions from the public present.
- Director Duncan** ➤ Are there any people that stay on site longer than 6 months?
- Neil Drader** ➤ Offer a discounted daily rate for persons staying a period of time and have people coming and going from as little as overnight to as long as six months.
- Director Duncan** ➤ There is a time limit on how long someone can occupy and stay on site.
- Neil Drader** ➤ They are very similar to all other RV parks in the area.
- Director Duncan** ➤ Is he familiar with the CVRD's Campground Bylaw?
- Neil Drader** ➤ No.
- Director Duncan** ➤ Planning staff can make a copy available to him.
- James Olfrey,
230 Trans Canada
Highway** ➤ Has there been an outcome from the Bylaw Enforcement Officer since he reviewed the subject property about the full-time residential use as they have suffered in the neighbourhood from thefts and the crime rate has sky rocketed?
- Director Harrison** ➤ Bylaw Enforcement is a separate issue and the proposed application is to expand the use of the subject site.
- Director Harrison** Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452.
- 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 Harrison 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.
- Guido Getjanc,** ➤ Against the proposed application.

**347 and 337
McCurdy Drive**

**James Olfry,
230 Trans Canada
Highway**

➤ Against the proposed application.

Director Harrison

➤ Asked for public comments or submissions two times from the public present.

Doreen Young, L.58

➤ Against the proposed application.

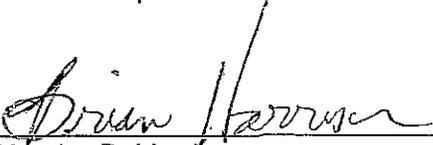
ADJOURNMENT

Chairperson Harrison asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452.

Chairperson Harrison declared the Public Hearing closed at 7:16 p.m.

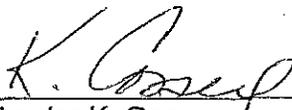
CERTIFICATION:

We attended the Public Hearing on Monday, May 9, 2011, and hereby certify that this is a fair and accurate report of the Public Hearing.



Director B. Harrison

Date May 17, 2011



Director K. Cossey

Date MAY 25/2011



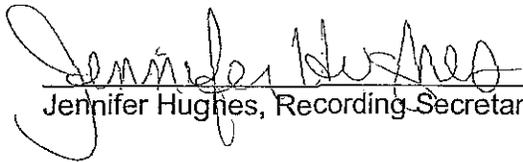
Director L. Duncan

Date May 25, 2011



Alison Garnett, Planner II

Date May 25, 2011



Jennifer Hughes, Recording Secretary

Date May 17, 2011



PUBLIC HEARING REPORT
Bylaw No. 3510

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Bylaw No. 3510, applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill, held on Monday, June 27, 2011, at the Kerry Park Recreation Centre, Ice Arena, 1035 Shawnigan Mill Bay Road, Mill Bay, BC, at 7:00 p.m.

**HEARING
DELEGATES**

Director G. Giles, Electoral Area C- Cobble Hill, Chairperson
Director B. Harrison, Electoral Area A – Mill Bay/Malahat
Director K. Cossey, Electoral Area B – Shawnigan Lake
Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora
Director L. Iannidinardo, Electoral Area D – Cowichan Bay

**CVRD STAFF
PRESENT**

Catherine Tompkins, Senior Planner
Mike Tippett, Manager, Community and Regional Planning Division
Cathy Allen, Recording Secretary

Members of the Public:

There were approximately 120 members of the public present.

CALL TO ORDER

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

Director Giles also recognized Board Directors Klaus Kuhn and Ian Morrison; staff members Tom Anderson, General Manager of the Planning and Development Department; Ann Kjerulf, Planner III; Warren Jones, CAO of the CVRD; and Councillor Russell Harry of the Malahat First Nation, who were present in the audience.

PROCEDURES

Catherine (Katy) Tompkins, Senior Planner, provided a powerpoint presentation which outlined *Local Government Act* requirements of the public hearing and official community plans, as well as highlighted sections of proposed South Cowichan OCP Bylaw No. 3510.

Hearing Notice: The public hearing was advertised in two consecutive issues of the *Citizen and News Leader Pictorial* newspapers (Friday, June 17, 2011 and Wednesday, June 22, 2011) as required by the *Local Government Act*. As well signs have been posted in the community since June 9, 2011, and notice posted on the CVRD website.

Effect: Official Community Plan (OCP) Bylaw No. 3510 is proposed to be in effect for all lands and water surfaces within Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill, of the Cowichan Valley Regional District.

Purpose: Official Community Plan Bylaw No. 3510 is to provide a statement of objectives and policies to guide decisions on planning and land use management for the South Cowichan Plan Area, which encompasses all lands and water surfaces within Electoral Area A – Mill Bay/Malahat, Electoral

Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill.

Plan Vision: The South Cowichan is a place of extraordinary beauty and unique socio-economic, cultural and environmental significance, where residences wish to retain the rural character, plan for sustainable village communities and protect their quality of life and natural environment.

Framework: Agricultural; Rural Resource; Residential; Community Land Stewardship; Commercial; Industrial; Parks; Institutional; Water Surface; Natural Environment; Marine Shoreline Management; Shawnigan Lake Watershed Management; Climate Change, Land Resources and Energy Efficiency; Economic Development; Social Sustainability; Community Heritage Conservation; Village Containment Boundaries; Transportation; Community Water Services; Liquid Wastewater Management; Solid Waste Management; Fire Protection.

Development Permit Areas: Protection of the Natural Environment, its ecosystems and biodiversity; Protection of life and property from hazardous conditions; Protection of farming; Revitalization of an area in which a commercial use is permitted; Form and character of commercial, industrial, multiple family and intensive residential development; Promotion of energy conservation; Promotion of water conservation; Reduction of greenhouse gas emissions.

South Cowichan OCP Components:

- Schedule A – the Plan Document: including the *Main OCP Document*; Appendix A – *Mill Bay Village Plan*; Appendix B – *Shawnigan Village Plan*; and Appendix C – *Cobble Hill Village Plan*;
- Schedule B – The Plan Map, including all map insets; and
- Schedule C – Plan Servicing Maps (showing community water and sewer service areas, both existing and proposed).

Mill Bay Village: With its marine environment and exquisite ocean views will become of the most desirable marine communities on Vancouver Island by improving waterfront access, revitalizing its commercial areas and providing for a street beautification plan that will accentuate its beauty and accommodate a variety of open space parks and walkways.

Highlights – A main goal is to provide for a diverse community; mix of commercial, multi family, institutional and single family at Stonebridge and Ocean Terrace; Shawnigan Mill Bay Road area seniors housing, health related commercial uses or hospital use; Revitalization of Mill Bay Centre, Pioneer Square and Frayne Centre with residential multi-family units above commercial; Multi-family development Bayview Centre area; Single family residential infill otherwise maintain single family; Marine Shoreline protection; long term public access; Servicing; Streetscape beautification plans; marine viewscapes; community amenity contributions.

Shawnigan Village – will truly be one of the most desirable places to live on Vancouver Island through revitalization that focuses on public spaces with exquisite access and watershed protection.

Highlights – Lakeside community views and access; Watershed protection; Commercial expansion and revitalization; Integration of institutional areas; Multi family through mixed use policies and rezoning; core area servicing; New multi family designation with adjacent mall area; Affordable housing at the legion site; Commercial designation for heritage sites; Generally less

density farther from core; Streetscaping Plan; Community amenity contributions.

Cobble Hill Village: is an agricultural community with a rural heritage character. Slow steady population growth is anticipated, helping to build an active welcoming commercial core and an abundance of public open space, making it one the most desirable places to live on Vancouver Island.

Highlights – Protection of rural, agricultural and heritage ambiance, vibrant core with quiet neighbourhoods; Commercial expansion; Mixed use commercial areas; Mixed use residential areas; Cobble Hill Commons; Multi-family uses encouraged through rezoning; Accommodation of light industry; Transition area with business park use, buffering; Streetscaping beautification plan; community amenity contributions.

Highlights – Protect Rural resource lands, agriculture; Accommodate and expand industrial development; Commercial areas maintained and new land designated; Minimize new automobile dependent neighbourhoods; Reduce fragmentation; Protect watersheds; Wildfire Interface.

Village areas are compact, complete, healthy and livable, with vibrant core areas; protection of rural lands, ecosystems, groundwater and surface water, forests and farm lands.

Highlights:

Summary – Economic growth; Social Sustainability, quality of life, provision of services; Environmental protection, use and density, DPA guidelines; Housing capacity under OCP; Shared implementation with broad participation; Balance of interests.

Economy – Commercial expansion in village areas; Protection for resource lands, agricultural and forestry as well as secondary manufacturing of products; Industrial nodes; New industrial business park; Integration of heritage, institutional and resource uses with economic development; Home based businesses.

Social Sustainability – Village containment boundaries; Vibrant village core areas; Diverse housing mix; Affordable housing policy; Community amenity contributions; Heritage conservation; Streetscape beautification Plans.

Environment – Village containment boundaries, use and density; Development Permit Area Guidelines; Marine shoreline protection, Shawnigan Lake watershed; Invasive weed control; Water protection; riparian and environmentally sensitive areas, wildfire interface, habitat protection; greenhouse gas emission reduction, energy efficiency, climate change, adaptation and mitigation.

Population Growth – 15 year housing need = 2,220 dwelling units; housing capacity under proposed OCP = 3,857.

Planning Process:

Stage 1 – Research and Information; Collect Background information; identify issues; Open houses, meetings, surveys, workshops; Prepare background report; Create planning principles; Suitability mapping (constraints, drivers); Apply findings and held open houses and surveys for Mill Bay, Malahat as well as Shawnigan Lake and Cobble Hill.

Stage 2 – Preparation of Draft OCP; Development of community visions, Development of policy framework; open houses, surveys, meetings and workshops; Referral process.

Stage 3 – Electoral Area Services: May 31, 2011; First and Second readings: June 8, 2011; Public Hearing: June 27, 2011; Third Reading and Adoption:

possibly on July 13th or August 3, 2011; Implementation and monitoring.

Stage 1 of the process was managed by an independent consultant prior to staff assuming management of the plan process. Area A was added to the process and stage 1 steps were repeated.

As the Plan is a shared OCP, three advisory planning committees will serve as one joint commission that will provide advice to the Regional District rather than one commission for each area.

The South Cowichan OCP is intended to replace and repeal Electoral Area A (Mill Bay/Malahat) Official Community Plan Bylaw 1890, as amended; Electoral Area B (Shawnigan Lake) Official Community Plan Bylaw 1010, as amended; and Electoral Area C (Cobble Hill) Official Community Plan Bylaw 1210, as amended.

Ten letters of response had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today (June 27, 2011) at 4:30 p.m.

Correspondence

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

- 1) Letter dated June 27, 2011 from Janet Yee (EXHIBIT 1);
- 2) Email sent June 27, 2011 from Alex Moll (EXHIBIT 2)
- 3) Email sent June 27, 2011 from Frank Ryan (EXHIBIT 3)
- 4) Email sent June 27, 2011 from Lavonne Huneck (EXHIBIT 4)
- 5) Email sent June 27, 2011 from Doug Ledding (EXHIBIT 5)
- 6) Email sent June 27, 2011 from Kathy Lachman (EXHIBIT 6)
- 7) Letter dated June 24, 2011 from Mary Desmond (EXHIBIT 7)
- 8) Letter dated June 22, 2011 from The Garnett Family (EXHIBIT 8)
- 9) Letter dated June 21, 2011 from Couverdon (EXHIBIT 9)
- 10) Email dated June 24, 2011 from Balaji Tatachari (EXHIBIT 10)
- 11) Email dated June 25, 2011 from Oceanview Improvement District (EXHIBIT 11)
- 12) Letter dated June 27, 2011 from Nola & Lorne Adams (EXHIBIT 12)
- 13) Letter dated June 27, 2011 from Ross Cameron (EXHIBIT 13)
- 14) Letter (received June 27, 2011) from Wendy & Glenn Robb (EXHIBIT 14)
- 15) Letters (received June 27, 2011) from Marcy Green (EXHIBIT 15)
- 16) Letter dated June 27, 2011 from M. MacLeod (EXHIBIT 16)
- 17) Letter dated June 27, 2011 from M. MacLeod (EXHIBIT 17)
- 18) Letter dated June 27, 2011 from David Burkmar (EXHIBIT 18)
- 19) Letter dated June 27, 2011 from Cowichan Valley Naturalists Society (EXHIBIT 19)
- 20) Letter dated June 27, 2011 from Morris E. Wadds (EXHIBIT 20)
- 21) Letter dated June 27, 2011 from David Gall (EXHIBIT 21)
- 22) Letter dated May 5, 2011 from JR Rehab Services Inc. (EXHIBIT 22)
- 23) Letter dated June 27, 2011 from Balu Tatachari (EXHIBIT 23)
- 24) Letter (received June 27, 2011) from Joseph Gollner (EXHIBIT 24)
- 25) Letter dated June 27, 2011 from Jim Wisnia (EXHIBIT 25)
- 26) Letter dated June 27, 2011 from B. McCartney (EXHIBIT 26)
- 27) Email sent June 27, 2011 from Brent Beach (EXHIBIT 27)
- 28) Letter (received June 27, 2011) from Nola & Lorne Adams (EXHIBIT 28)
- 29) Letter dated June 27, 2011 from James Little (EXHIBIT 29)
- 30) Letter dated June 27, 2011 from Doug Leighton (EXHIBIT 30)
- 31) Letter (received June 27, 2011) from Lena and Ron Lee (EXHIBIT 31)

- 32) Letter (received June 27, 2011) from Peter Nash (EXHIBIT 32)
- 33) Letter dated April 22, 2011 from Nola and Loren Adams (EXHIBIT 33)
- 34) Letter dated April 20, 2011 from Lorne Adams (Exhibit 34)
- 35) Letter dated June 24, 2011 (from Ernest Bednarz B. Com/Lech Kulmacz (EXHIBIT 35)
- 36) Letter dated June 21, 2011 from Russ and June Doyle/Gunter and Audrey Prodohl (EXHIBIT 36)

Appreciation

Director Giles extended appreciation to the 22 members of the South Cowichan OCP Steering Committee for their commitment and dedication to the community and the process.

Location of the File

Director Giles advised that the Information Binder was available for review on the side table, along with copies of the proposed Bylaw and advised that any letters or submissions 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.

QUESTION PERIOD

Director Giles opened the public question period of the Public Hearing. She 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 more questions could be taken.

Director Giles stated that public who wish to speak during the public hearing portion could sign up on the Speakers List but noted they could also pass on speaking if desired when their name is called.

Director Giles stated that the question and answer period is where the public asks questions and staff or Directors answer the questions. Formal comments on the bylaw should be held off until the official public hearing portion. To hear from as many people as possible and to ensure that everyone has an opportunity to speak, Director Giles asked if a one minute, three minute or five minute limit is preferred for the question to be asked. The time limit simply gives everyone an opportunity to ask their question, and if more time is needed an individual may request to speak again. A vote was taken and the majority of public voted to permit three minutes for each individual to ask their question.

David Thomson

- Cobble Hill.
- Have demographics been looked at when compiling the OCP? By the year 2028 we will lose one quarter of our senior's population.

Katy Tompkins

- Yes demographics were looked at. Not all are in the Plan document itself.
- Recognized the need to plan for seniors and the need for diversity of housing for seniors.

Cliff Evans

- Shawnigan Lake.
- The OCP has protection policies for fish, forests, environment, etc. Does the OCP have policies that protect residents from industry and the proposed eco depot?

- Katy Tompkins**
- Use of property is regulated in the zoning bylaw and the subject of the eco depot was not directly addressed in the new OCP other than to continue to designate the property as agricultural. Zoning of the proposed eco depot site and utility uses will be discussed when the new zoning bylaw is prepared.
- Cliff Evans**
- Does the OCP ensure that the settlement areas will develop in a manner acceptable to the majority of the population, while respecting the requirements of senior government?
- Katy Tompkins**
- Many meetings have been held with senior government officials during preparation of the Plan and ministry jurisdictions are well reflected in the Plan.
 - Have been congratulated for work done on the plan by some ministries and may not be in full agreement with others.
 - Have received a lot of support for the OCP and we are here tonight to hear if there is general support.
- Director Giles**
- Noted that the Provincial Government, through Bill 27, required the CVRD to reduce the carbon footprint in the Cowichan Valley and policies respecting greenhouse gas emissions are written into the Plan.
- Graham Ross-smith**
- Shawnigan Lake.
 - Can changes be made to the Plan as a result of comments made tonight?
- Director Giles**
- Changes of a fundamental nature that don't differ with the Plan intent can be made.
- Mike Tippett**
- If changes involve use or density of property an amendment to the bylaw would be required as well as a second public hearing.
 - Generic statements and changes that don't involve use or density can be made without involving a further hearing.
- Balu Tatachari**
- Mill Bay.
 - Why has there not been a standard process, workshops, meetings, etc. for the official community Plan?
- Director Giles**
- Disagree that standard process was not followed.
 - A variety of meetings and open houses were held, questionnaires were mailed out to the community and well as made available on-line.
 - Meetings and open houses were well advertised, meetings were open to the public, staff were present as well as the OCP steering committee.
 - In the early stages the consultant held a variety of meetings with farmers as well as stake holder meetings and the public, and that information was rolled over.
- Katy Tompkins**
- The consultant did stage 1 and then Mill Bay/Malahat was added.
 - The plan has been a five year process.
 - Door to door mail-outs were done.
 - In 2009 a community survey questionnaire was done in Mill Bay/Malahat.
 - Surveys were out in the Mill Bay/Malahat area this year for one month as well as the rest of the planning area.

- Balu Tatachari**
- Saw the OCP Committee at work over the last year and a half and with all the surveys, responses, and input doesn't feel that the Mill Bay community was listened to.
 - Shawnigan and Cobble Hill is OK, but comments from Mill Bay were not discussed at OCP Committee.
- Director Giles**
- All information was available to all OCP Committee members and all of the committee members had an opportunity to read all of the material.
 - All information received from the public was considered.
- Brent Taylor**
- Shawnigan Lake.
 - The next step in the implementation process is to work on the zoning bylaw. Is it true, as seems to be stated throughout the OCP, that indicate that certain properties would not be subject to the zoning bylaw? And if so, why?
- Katy Tompkins**
- In some instances, for example, lands are designated in the OCP for commercial, but will be left zoned as is noted in the existing zoning bylaw until that zoning bylaw is reviewed. This gives the community more say over commercial development in their area.
 - A good example would be where there is residential land with dwellings on it today, and the plan designates it as commercial, it will continue to be regulated as residential in the zoning bylaw, but if someone decides to try and rezone it to commercial the chances would be greater because it is designated as commercial in the OCP.
 - Noted these are policy statements only.
- Director Giles**
- Noted that there are three areas in Cobble Hill with that policy statement which was done so that issues such as screening can be addressed when an application comes forward.
- Marcy Green**
- Shawnigan Lake.
 - Appreciate all the work that has been done on the OCP and the process, however, how long has the OCP in its current stage been available?
- Director Giles**
- Current Plan was first produced in March and has been available on the website since that time.
- Marcy Green**
- Why not consider a second stage for more input and discussion?
 - What is the hurry?
- Director Duncan**
- It is about time and money and resources.
 - It is now time to get on with other work that the CVRD needs to get to. Residents of Area E have been waiting for their OCP review to begin.
- Ross Cameron**
- 1685 Sandy Beach Road.
 - How was the working group established? Who decided who sat on the group?
 - Did not receive a survey and never saw ads for meetings.

- Director Giles**
- Representatives were appointed by the Board.
 - Noted that the post office sees “ad mail” as “junk mail” or “bulk mail” so will not deliver to addresses that have a sticker indicating they do not wish to receive this type of mail.
 - Have tried to ensure that everyone did receive the questionnaire. Shawnigan Lake received an individually addressed questionnaire but noted it is a very expensive process.
 - Personally wrote at least two articles a year over the last four years in the *South Cowichan Life* magazine about the value of the OCP and the work being done and requesting people to get involved in the process.
 - Over the course of the last year, billboards have been erected throughout the community to alert people to the OCP being developed and to the meetings taking place. And as well, information has been posted on the CVRD website.
- Madelaine Macleod**
- Cowichan Station area (hinterland/neverland of Area B and E).
 - Cowichan Station area did not receive survey. Made a call and the surveys were mailed out.
 - Thanked for all work done on the plan.
 - Have there been discussions with the South Island Corridor Foundation and BC Transit about establishing public transportation corridors and how this would fit into the OCP and in particular how would they address green house gas emission challenges?
- Katy Tompkins**
- The Plan designates areas for growth. The village containment areas encourage areas to promote transit.
 - Use and density is key to promoting transit.
 - The Plan addresses a variety of transit options, including trails for cycling.
- Director Giles**
- There is a long term 25 year plan transit study being done by the CVRD and BC Transit. People are being asked to provide input into that.
 - The Premier is scheduled to be in Nanaimo tomorrow to make an announcement respecting the E&N Railway.
- Madelaine McLeod**
- Recognize challenges with BC Transit.
 - Live in a rural environment with no transportation options. It is a perfect opportunity for the OCP to take into account those people who live outside of the core.
- Jim Wisnia**
- Mill Bay.
 - Thanked Directors and staff and committee members for all work done.
 - Responded to the survey on line. Can I assume Directors have or will read all survey responses and will be included as part of the public input/hearing process?
- Director Giles**
- Stated that she personally has read all documents and that they either have been read or will be read by all Directors involved. The three south end Directors indicated that they have read all responses.
 - The Directors of the Regional Board cannot receive any further comments after the close of the public hearing. Staff can be contacted to ensure that individual comments have been received.
- Jim Wisnia**
- Changes were made⁵⁴ to the plan wording since the survey results. Any

significant changes made?

- Director Giles**
- Doesn't recall significant changes being made.
- Katy Tompkins**
- Some changes were made by the Steering Committee.
 - Specific comments can still be submitted.
- Director Giles**
- Suggested that Mr. Wisnia submit original comments to staff who will respond to what changes have been made.
- Lynn Weaver**
- Shawnigan Village.
 - Is there anything in the Plan regarding south Shawnigan where there is a lot of residential and industrial development?
- Katy Tompkins**
- It is part of the OCP and the plan map shows designations in that area. The plan map is displayed here tonight.
- Lynn Gall**
- Kerry Village.
 - Quoted Policy 8.8 respecting safe routes for children. Wants to ensure same consideration is given to seniors and that the OCP includes safe routes for those with wheel chairs and scooters.
- Angela Auchincloss**
- Mill Bay.
 - What roads are proposed for cycling? Sees most roads used by farmers carrying farm equipment.
- Katy Tompkins**
- The CVRD does not have jurisdiction over roads.
 - Following the adoption of the OCP there is a proposed process to review issues such as street beautification and provision for paths and trails.
- speaker**
- Will there be opportunity for community input during the zoning bylaw process?
- Director Giles**
- Yes there will be opportunity to comment on the zoning bylaw, and it will be put on the CVRD website as well.
 - Explained that naming the OCP Steering Committee involved names being submitted by each regional director and then appointed by the Board. Originally there were two separate steering committees then were amalgamated into one. The Committee is a Board appointment.
- Balu Tatachari**
- Why is it just staff who is defending the community plan? Why are we not hearing from the steering committee?
- Director Giles**
- It is not the role of the Steering Committee to defend the OCP. They bring their knowledge and values of the community to the process. Their job ends there. It is up to staff to then review the comments of the Committee and bring forward concerns and recommendation. The Plan is now in the political process which consists of nine electoral area directors who decide if the plan will move forward or not.
 - Noted that much of what is in the OCP is dictated by the *Local Government Act*.

- Councillor Harry**
- Malahat First Nations relies on groundwater and they have concerns regarding effect on wells of new development like Ocean Terrace.
- Director Harrison**
- Ocean Terrace is supplied by the Mill Bay Water District and is not the same water that supplies the Malahat Band.
- Roy Davies**
- Shawnigan Lake.
 - If the CVRD has no control over roads, how will we deal with congestion in the village core with the addition of another 1000 homes?
- Katy Tompkins**
- The potential for 1,100 dwelling units in Shawnigan Village already exists but will not occur without proper services and yes road upgrades will be needed in the future.
- Mike Tippett**
- There is the potential for the Bamberton haul road to be opened up. Doing what we can to address the issue.
- Director Giles**
- Noted that the proposed density would not happen all at once. It is hoped that the Ministry of Transportation will continue to work with the affected areas to improve the situation.
- Roy Davies**
- Who will pay for road improvements?
- Director Giles**
- The Provincial Government pays for road improvements.
 - Street lighting and sewers are done by specified areas so only those residents in the specified area receiving the services pays for those services.
- Director Cossey**
- The Development Approval Information Bylaw deals with offsite impacts of development and specifies how these impacts will be mitigated in the event of an application being approved.
- Morris Wadds**
- Cobble Hill.
 - Can we talk about groundwater?
- Katy Tompkins**
- Have received good feedback from the Braithwaite Water District.
 - Have incorporated most of feedback received. The OCP is concerned with preserving, protecting and managing water.
 - A Groundwater Protection Plan is an important tool which should be followed and is recommended in the OCP.
- Director Giles**
- Stated that the South Cowichan area including Area D and a portion of Area E has undertaken a ground and surface water study and the first phase of the study is available on the CVRD website.
 - Directors and people in the South Cowichan area in general recognize that ground and surface water is a valuable entity within our communities and we need to strive to protect and preserve it.
- Angela Auchincloss**
- Mill Bay.
 - Continue to hear talk about encouraging density in the electoral area districts. With the implementation of the South Cowichan plan, is the next step to become a municipality of South Cowichan?

- Why did the Plans not stay independent? They seemed to work well the way they were.

Director Giles

- Some of the existing Plans date back 10 to 20 years. An OCP is a standalone process that is required by Provincial law.
- One reason that it is a three area plan is to recognize the importance of ground and surface water in the South Cowichan area. Groundwater knows no boundaries. The agricultural industry, forestry lands, as well as the natural recharge areas are also important and know no boundaries. If we work together to protect those areas, then we will have them for future generations.
- Aquifer recharge areas and protecting our natural resources is most critical and of most importance.

James Little

- Shawnigan Lake.
- When were the boundaries of Shawnigan Village first made?
- Will consideration be given to the Galley Restaurant being part of the Village area?

Katy Tompkins

- The boundaries have existed from the beginning through deliberations with the steering committee with the desire to have a village residential designation as opposed to an urban residential designation and is just a carryover from the existing plan.
- Also based on where urban densities, resource lands and agricultural lands exist.
- Requested Mr. Little to point out the area of the restaurant in question on the plan map.

Mike Tippett

- Boundaries are also based on where current services exist.

Mary Desmond

- Shawnigan Lake.
- In view of the rail announcement from the Premier, is there any chance that the policies regarding location of the business park and industrial sector could be reconsidered to move it to south of Shawnigan Road where there would be the advantage of the rail station? Why was the chapter in the OCP ignored that focuses on the urgent need to take climate change into account and reduce greenhouse gas emissions? Rail travel is much lower in greenhouse gases than highway travel.

Director Giles

- The Provincial announcement is only one part of the rail equation and there still needs to be a further announcement by the Federal government. Still lots of work to be done before the rail line can be upgraded.

Mary Desmond

- Why was the Bamberton plan not referred to clearly or specifically in the questionnaires?

Mike Tippett

- The proposed Plan has one policy respecting the Bamberton plan which is to support a business park in that area.
- The CVRD is currently going through a process regarding Bamberton industrial lands and there will be separate public hearing to discuss it.

- Director Giles**
- Reminded the public that this is the question and answer period and that when all questions have been asked and answered, we will move into the public hearing portion. Comments should be stated during the public hearing portion where they will be recorded and put into the public record. The minutes will then be distributed to all electoral area directors who will make a decision on the bylaw.
- Nola Adams**
- Shawnigan Lake.
 - Can written submissions be handed in at this time?
- Director Giles**
- Yes.
- Balu Tatachari**
- The Bamberton bylaws that were approved at the last Board meeting were based on the new OCP.
 - Who approved the OCP process and the label of “South Cowichan”?
- Director Giles**
- The Bamberton bylaws were not approved based on the new OCP.
 - There is a budget process and a work schedule that is brought forward to all electoral area directors. The South Cowichan OCP was put into the work plan and is currently going through a process. Also a new Planner was hired to work on the Cowichan Bay new OCP which is next on the agenda and is the oldest official plan that the CVRD has.
 - The South Cowichan OCP could have been called the “Mill Bay, Shawnigan Lake and Cobble Hill OCP but “South Cowichan OCP” is simply a shorter title.
- Mike Tippett**
- Noted that the South Cowichan OCP title follows existing practice and noted the CVRD had an existing “West Cowichan OCP” for Areas F and I.
- Balu Tatachari**
- Why was work on the Cowichan Bay plan not done first?
- Director Giles**
- It was the choice of the area Director.
- Dave Thomson**
- Are there plans for a crematorium/burial sites?
- Director Giles**
- No plans.
- Balu Tatachari**
- Why was the power point presentation incomplete?
- Director Giles**
- The power point presentation was meant to summarize and would be too long if went into finite details, which is what the question and answer session is for.
- Madelaine MacLeod**
- What happened to the south end incorporation process?
 - A grant was given by the government to look at removing a certain number of residents from Area B on Riverside Road because they do not have a connection to Shawnigan. The Cowichan Station Area Association has submitted a request to support a boundary change for Area B.
 - There is no connection for residents north of the Koksilah River to the South Cowichan OCP; including transit and other services.

- Director Cossey**
- The incorporation process is separate from the OCP process.
 - A boundary change is a separate process and would not be part of the OCP process.
- John Middleton**
- Cobble Hill.
 - Can an OCP document be amended without public input?
- Director Giles**
- No, a public process is required.
- Mike Tippett**
- Referenced Section 890 of the *Local Government Act*.
 - Amendments to the OCP requires a public hearing process.
 - If a minor amendment to a zoning bylaw is proposed, the Board may require only public notification in the local newspaper if it does not contradict the OCP.
- Brian Clark**
- Mill Bay.
 - Concerned about water supply protection when development occurs. Referred to the Sangha subdivision where adjacent residents were assured protection but advised that he has lost water.
- Director Harrison**
- Stated that those wells are being monitored and that people are being compensated if their water supply is affected. Requested Mr. Clark to contact him to discuss.
- Bruce Fredrick**
- Mill Bay.
 - Can a decision on the bylaw be held off until after the local election this Fall?
- Director Giles**
- The Board will make a decision on whether or not to proceed with the bylaw after they have reviewed the minutes of the hearing.
- speaker**
- Mill Bay.
 - After adoption of the Plan, what assurance is there that no development applications will occur right away.
- Director Giles**
- The OCP cannot be amended without holding a public hearing. The OCP is not written in stone and anyone can make application to amend it and it is up to Board to approve the amendment or not.
 - We have been seeing several recent amendments due to the age of the current OCP documents.
- Katy Tompkins**
- There is considerable pressure to develop lands in the valley and will continue.
 - The new OCP was written in a way to make it clear that every policy in the plan has a reason to be there, and that it is a community plan.
 - People need to have a clear understanding of the plan and need to show up at public hearings with comments and concerns when amendment applications come forward.

Balu Tatachari

- Will the Bamberton application be referred to all three APC's?

Katy Tompkins

- If the Bamberton application requires an amendment to the South Cowichan OCP after its adoption, it would be required to be referred to a joint advisory planning commission.

**PUBLIC
COMMENTS**

Director Giles asked for further questions. She reminded the public that there will be no more opportunity to answer questions once the formal portion of the hearing is opened and that we will only be receiving comments. Comments can be made verbally or submitted in writing.

Director Giles opened the Official Public Hearing at 9:16 pm to those members of the public present who deemed themselves affected by the proposed Bylaw. Chair Giles reminded the public that the Information Binder was available for review located on the side table, along with copies of the proposed Bylaw, and that all submissions must be received at the head table prior to the close of the Public Hearing.

Director Giles advised that speakers will be called in accordance with the Speaker List. Speakers need to state their name and address for the record. Asked if the public would like to see the time limit rule carried over into the official hearing process which would allow speakers to sign up again after everyone on the list has had their turn. Requested a show of hands in favour of a one minute, three minute or five minute limit. Majority showed in favour of a three minute time limit.

Joseph Gollner

- Cobble Hill.
- Resents time limit restriction. Has spent a good deal of time preparing presentation. Being denied right to make a proper presentation.
- Tomorrow will be sending a formal letter of complaint to Minister Ida Chong.

Director Giles

- Restated that people are permitted to come back as many times as desired.

Joseph Gollner

- Believes that the OCP should be rejected. There are numerous problems with the OCP. It is a very large and cumbersome document.
- Main problem is that it fails in accordance with the *Local Government Act* to link public finance and planning. The public has the right to know, in the OCP, that public financing is adequate and can find nowhere in the document where that is evident.
- Cannot understand what the urgency is to pass this OCP. Why can we not take the time to do it properly? The fact that it has taken five years to prepare is not our problem. What are the three south end directors afraid of?

- Bev Park**
- Couverdon Real Estate representing TimberWest Forest Corp. in Nanaimo.
 - Mission at Couverdon is to seek economically, environmentally and socially sustainable real estate development on a small portion of TimberWest overall holdings on lands within the OCP area.
 - Appreciate all hard work done on the OCP and the challenges faced.
 - Want three points to be considered. Generally in support Policy 12.9 but would like more flexibility in the area of park dedication; would like a more global approach regarding impact on the Shawnigan Lake Watershed (suggest Policy 12.9.j); and would like more flexibility in the area of sewer service and suggest that the plan be amended to include all existing residential properties around the lake as part of the Village core.
- Dave Aldcroft**
- Speaking on own behalf and for the Cowichan Valley Naturalists Society.
 - Congratulated the Planning Committee and staff for production of the document.
 - Supports Policy 12.9.f.iii, Policy 24.4.10, Policy 17.2, Policy 12.17, Policy 12.14, Policy 3.7.
 - No gyrfalcons nest in the Cowichan Valley (Policy 3.17), however recognition could be given to Goshawk and Coopers Hawk.
 - Feels that Bylaw 3510 gives a balanced approach to development and environmental protection.
- Director Giles**
- Reminded those present that the Information Binder was available for review on the side table, along with copies of the proposed Bylaw and advised that any letters or submissions which are 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. After the close of the hearing Directors cannot accept any further input on the Bylaw but staff can be contacted with questions or clarification.
- Balu Tatachari**
- Chair of the Friends of Saanich Inlet.
 - Suggest that the Cowichan Valley Regional District not approve Bylaw 3510 as it is not in the best interest of current residents for the following reasons: the entity "South Cowichan" does not exist and is not legal; residents of Areas A, B and C have had no opportunity for input; the Plan is an opinion of three southern electoral area directors who have only four months left in office; the Plan is being rushed without regard to due process; and change must be a democratic process.
 - Submitted petition with 17 names.
- Dave Burkmar**
- Mill Bay.
 - Supports the Bylaw.
 - Has concerns with riparian issues. Policy 7.4.10, wants provision added to recognize existing water licenses. Policy 4.10, wants buoys removed from statement as mooring a buoy is not a problem in Mill Bay. Policy 11.4.6 Marine Riparian Guideline Exemptions, remove requirement of an arborist to trim trees – is too restrictive.

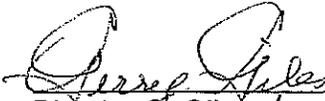
- Dave Thomson**
- Cobble Hill.
 - Fully supports the OCP.
 - Protect agricultural land and stop developers from planning subdivisions.
- Cliff Evans**
- Cobble Hill.
 - Would like to see a statement in the OCP that protects home owners from invasive industrial development, noise and increased traffic.
 - Would like a statement added that development should take place in such a manner as it is acceptable to the majority of adjacent residents and to senior local government.
- Marcy Green**
- Shawnigan Lake.
 - Noted that she submitted her comments in writing.
 - To tell members of the public that there is no more time or money is not conducive to the public process.
 - Would have liked more public consultation after the final document was completed.
- Don Harriott**
- Cobble Hill.
 - 30 year Valley resident.
 - Thanked the OCP Steering Committee for their time.
 - Generally supports the OCP.
 - Attended public meetings four years ago during the Smart Growth process and feels that he has had a great deal of opportunity to make comments.
 - Stated the saying "a good plan now is better than a perfect plan never".
 - Believes that five years is a reasonable time frame for input.
 - Feels the Plan has a good balance.
- Terry Parker**
- Mill Bay.
 - Noted there are policies in the OCP respecting ocean views protection and feels that a 7.5 metre height limit does not adequately protect views. Suggested that a provision also be put into the OCP adding a horizontal frontage component to provide more protection.
- Madelaine MacLeod**
- Thanked the Steering Committee for all their work.
 - Climate change Policy 6.1 needs to be stronger, specific and supportive respecting public transportation. Pays for bus service but has no access to it in Area B. If pay taxes for service wants service.
 - Policy 3.14 invasive plants – broom is not considered invasive. Language needs to be stronger respecting hogweed. Lives on the hydro lines and fight to keep it under control.
 - Wants consideration for boundary change that takes into account natural access to Area E. Request that the boundary for Area B and E be altered to include those lands west of the Trans Canada Highway and north of the Koksilah River and naturally accessed by roads that commence from within Area E.

- Brian Clark**
- Mill Bay.
 - Wants the OCP to provide for rezoning potential plus assurance for water and sewer service for residents east of Benko Road.
- Karen Chong**
- Mill Bay.
 - Quoted agricultural protection guidelines. The location of the proposed Eco Depot is in complete violation of Agricultural policies (Policy 11.1.3) of the OCP. The proposed depot belongs on industrial not agricultural land and should be reconsidered.
- Graham Ross-Smith**
- Name of Plan should be changed to South Cowichan Official "Communities" Plan.
 - The Village containment boundary should be urban containment boundary.
 - The Shawnigan Lake Watershed should appear on map.
 - Commended those who worked on the OCP.
 - Approves of the Watershed Policy and the Watershed Map. Would like to see a policy to manage especially the Shawnigan watershed.
- Joseph Gollner**
- Likes the overall approach taken by the Planners of the OCP design.
 - The approach of concentrating residential, commercial, and industrial activities in defined village areas while leaving the majority of the area to agricultural and forestry related rural activities is sound.
 - It should ease pressure on land use and enable effective development of public infrastructure. If the approach is followed it should help slow the erosion of our scarce agricultural land base by developers and especially by the CVRD.
 - To achieve this desirable objective will require strong support by us all.
 - Wants to see a much stronger statement at the start of the OCP under Article 1.2 Purpose of the Plan setting out our collective resolve to protect our agricultural land base, the rural nature of the South Cowichan and to resist incorporation.
 - Cannot find the required financial linkage between the coming infrastructure needs and development costs to the taxpayers for any the village sites. Such links are required by the *Local Government Act*. Taxpayers need to be alert. Provision of safe public water and effective liquid and solid waste management systems are not cheap. And by effective sewer systems is not talking about the CVRD controversial plans to pump sewer contaminants, Class A effluent, into our drinking water aquifers. Water and sewers are not exciting but they are important. Remember Walkerton. Remember that the tragedy was caused because local elected officials and public officials failed in their duty to protect the public.
 - An OCP is an important document that will affect us all for many years. The OCP has not been given enough attention by Directors.
 - The OCP is based on a reasonable approach and contains a fair amount of useful work but is clearly unfinished, has structural and content deficiencies and badly needs editing.
 - Asked Directors to consider why the rush.

- Balu Tatachari**
- Trustee for the Oceanview Improvement District.
 - Read, for the record, a formal complaint sent June 22nd to Honorable Minister Ida Chong responsible for Provincial Government stating that the CVRD Board and Committees responsible are not in compliance with Section 879 of the *Local Government Act* and have broken the law, and must be held in contempt for lack of proper consultation.
- Councillor Harry**
- Malahat band.
 - No major concerns with the OCP.
- Roy Davies**
- Shawnigan Lake.
 - Owns a business in the Village and supports the OCP for the most part.
 - We need to move forward and get Shawnigan Lake to the next level.
 - Understands that OCP's change over time and can be amended as needed.
 - The OCP is very important for the community.
- Lori Treloar**
- Shawnigan Lake.
 - Stated that this public hearing process has been the most valuable of all opportunities to date. Having all areas together to ask questions and get answers is better than holding separate open houses in each area.
 - Would like to see process delayed and not rushed through.
- Balu Tatachari**
- Feels that Policy 10.9 in the OCP was drafted to allow Bamberton to move forward.
- Director Giles**
- Asked for further comments from the public present with regard to Official Community Plan Bylaw No. 3510 reminded the public that all submissions must be received at the head table prior to the close of the Public Hearing.
- ADJOURNMENT**
- Chairperson Giles asked for public comments or submissions three times from the public present regarding Official Community Plan Bylaw No. 3510.
- Chairperson Giles declared the Public Hearing closed at 10.11 pm.

CERTIFICATION:

We attended the Public Hearing on Monday, June 27, 2011, and hereby certify that this is a fair and accurate report of the Public Hearing.


Director G. Giles

Date July 5, 2011


Director B. Harrison

Date July 5, 2011


Director K. Cossey

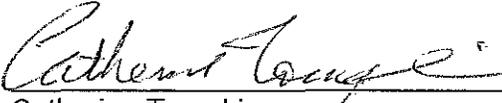
Date July 5/2011


Director L. Duncan

Date July 5, 2011


Director L. Iannidinardo

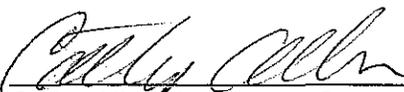
Date July 5, 2011


Catherine Tompkins

Date July 5, 2011


Mike Tippett, Manager

Date July 5 2011


Cathy Allen, Recording Secretary

Date July 5, 2011



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3474

**A Bylaw to Establish a Service for the Whole of the Cowichan Valley Regional District
for the Purpose of Borrowing Funds on Behalf of the Vancouver Island Regional Library for
the Construction of a New Library within the Town of Lake Cowichan**

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

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of borrowing funds on behalf of the Vancouver Island Regional Library for a new library in the Town of Lake Cowichan;

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

NOW THEREFORE the Board of 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. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of borrowing funds on behalf of the Vancouver Island Regional Library for the construction of a new library within the Town of Lake Cowichan.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are the boundaries of the whole of the Cowichan Valley Regional District.

4. PARTICIPATING AREA

The participating area for this service is the whole of the Cowichan Valley Regional District 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 – Sahtlam/Glenora/Cowichan Station; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. MAXIMUM REQUISITION

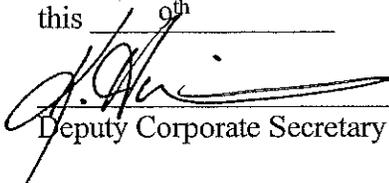
The maximum amount of money that may be requisitioned annually in support of this service shall not exceed \$0.00 cents per \$1,000 of net taxable value of land and improvements within the service area.

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 9th day of March, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3474 as given Third Reading on the this 9th day of March, 2011.


Deputy Corporate Secretary

March 14, 2011
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 4th day of April, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3475

**A Bylaw to Authorize the Borrowing of \$1,000,000 for the service of
Borrowing Funds on Behalf of the Vancouver Island Regional Library
for the Construction of a New Library within the Town of Lake Cowichan**

WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS the Board of the Cowichan Valley Regional District established a *Borrowing Service Area* pursuant to CVRD Bylaw No. 3474 cited as "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011" for the purpose of borrowing funds on behalf of the Vancouver Island Regional Library for the construction of a new library within the Town of Lake Cowichan;

AND WHEREAS in order to construct a new library within the Town of Lake Cowichan on Vancouver Island Regional Library property, it is necessary to borrow a sum not exceeding One Million Dollars (\$1,000,000), which is the amount of debt intended to be created by this bylaw;

AND WHEREAS the maximum term for which debentures may be issued to secure the debt created by this bylaw is for a term not to exceed 30 years and is to be repaid by the Vancouver Island Regional Library;

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

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors for this bylaw and Bylaw No. 3474 in accordance with the *Local Government Act* and *Community Charter*;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011**".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby authorized and empowered to borrow upon the credit of the Regional District a sum not exceeding One Million Dollars (\$1,000,000) for borrowing on behalf of the Vancouver Island Regional Library;

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 30 years.

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *Vancouver Island Regional Library Borrowing Service Area* established pursuant to CVRD Bylaw No. 3474, cited as "CVRD Bylaw No. 3474 - Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011".

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 9th day of March, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3475 as given Third Reading on the 9th day of March, 2011.


Deputy Corporate Secretary

March 14, 2011
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 4th day of April, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3495

**A Bylaw to Amend Lake Cowichan Fire Protection
Service Establishment Bylaw No. 1657**

WHEREAS the Board of the Cowichan Valley Regional District established the *Lake Cowichan District Fire Protection Area* under the provisions of Bylaw No. 1657, cited as "CVRD Bylaw No. 1657 – Lake Cowichan Fire Protection Service Establishment Bylaw, 1994", as amended, for the purpose of providing fire protection and suppression services within portions of Electoral Area F – Cowichan Lake South/Skutz Falls and Electoral Area I – Youbou/Meade Creek;

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 028-062-744, Lot 68, Blocks 117 and 1405, Cowichan Lake District, Plan VIP87272;

AND WHEREAS the Regional Board has received a sufficient petition to include the property within the fire protection service area;

AND WHEREAS the Directors for Electoral Area F - Cowichan Lake South/Skutz Falls and Electoral Area I – Youbou/Meade Creek have 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. 3495 – Lake Cowichan Fire Protection Service Amendment Bylaw, 2011**".

2. AMENDMENT

That Schedule A to CVRD Bylaw No. 1657 be deleted and replaced with the Schedule A attached to this bylaw.

READ A FIRST TIME this 8th day of June, 2011.

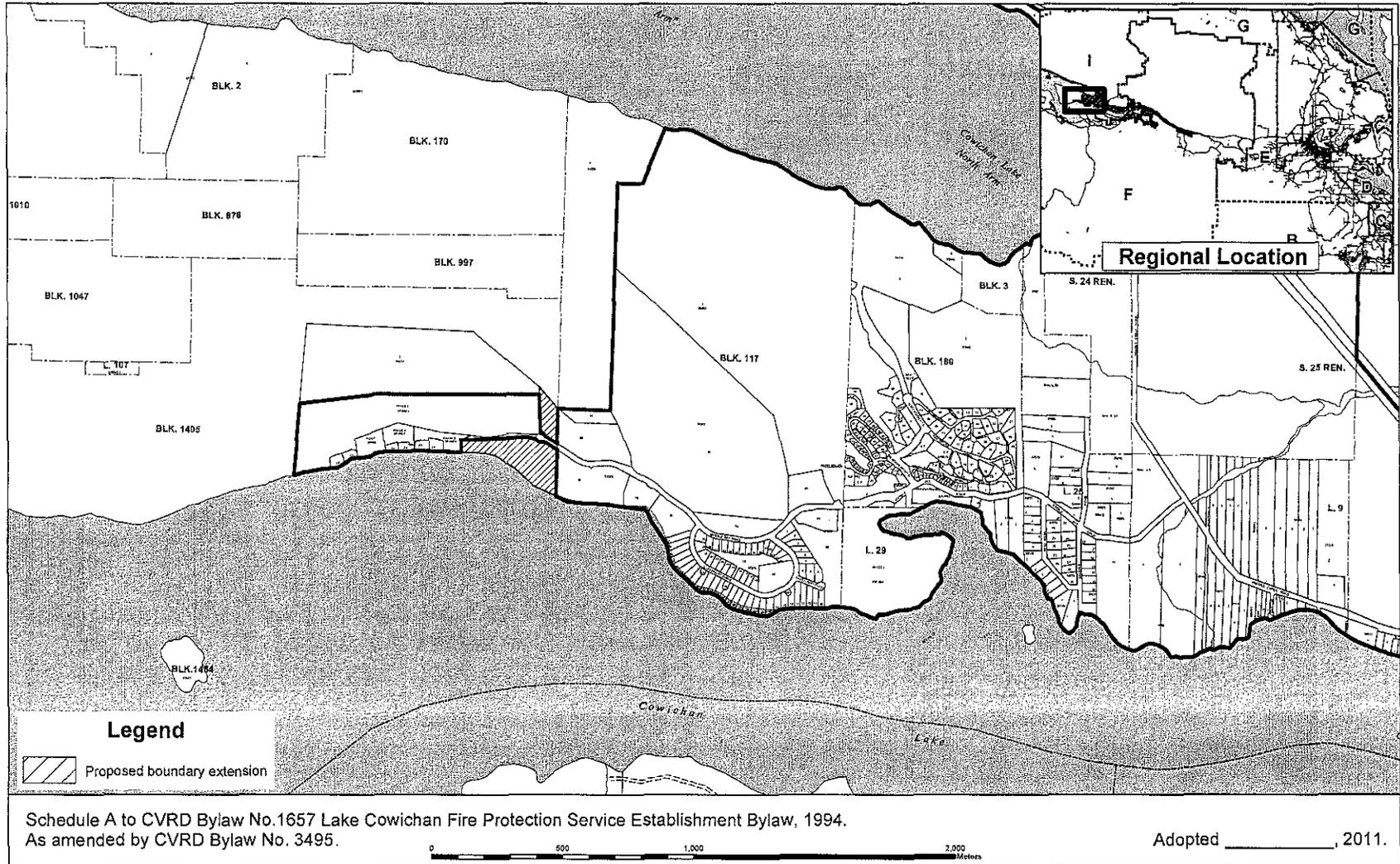
READ A SECOND TIME this 8th day of June, 2011.

READ A THIRD TIME this 8th day of June, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary





**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3500**

**A Bylaw to Amend Arbutus Ridge Drainage System Service
Establishment Bylaw No. 3290**

WHEREAS the Board of the Cowichan Valley Regional District established the *Arbutus Ridge Drainage System Service Area* under the provisions of Bylaw No. 3290, cited as "CVRD Bylaw No. 3290 – Arbutus Ridge Drainage System Service Establishment Bylaw, 2009";

AND WHEREAS the Regional District wishes to amend Bylaw No. 3290 by increasing the maximum annual requisition limit from \$31,104 to \$37,000;

AND WHEREAS the Director for Electoral Area C – Cobble Hill 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. 3500 – Arbutus Ridge Drainage Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 3290 be amended by deleting "\$31,104.00" in the second line of the first paragraph of the Section 6 - Maximum Requisition text and replacing it with "\$37,000", and deleting "\$0.0995 per \$1,000.00" between the words "of" and "to" in the third line of the Section 6 - Maximum Requisition text and replacing it with "\$0.1201/\$1,000".

READ A FIRST TIME this 8th day of June, 2011.

READ A SECOND TIME this 8th day of June, 2011.

READ A THIRD TIME this 8th day of June, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3505

A Bylaw Authorizing the Expenditure of Funds from the
Cowichan Bay Sewer System Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 270

WHEREAS as of May 31, 2011, there is an unappropriated balance in the *Cowichan Bay Sewer System Capital Reserve Fund* of One Hundred Sixty-Three Thousand Four Hundred Thirty-Four Dollars (\$163,434.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2010:		\$237,361.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	<u>\$ 1,073.</u>
		\$238,434.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>\$ 75,000.</u>
UNCOMMITTED BALANCE In Reserve Fund as at May 31, 2011		<u>\$163,434.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than One Hundred Fifty-Six Thousand Seven Hundred Sixty-Seven Dollars (\$156,767.) of the said balance to assist with financing the Joint Utility Board Flood Mitigation project and capital upgrades to the sewer system;

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. 3505 - Cowichan Bay Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011".

.../2

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of One Hundred Fifty-Six Thousand Seven Hundred Sixty-Seven (\$156,767.) is hereby appropriated from the *Cowichan Bay Sewer System Capital Reserve Fund* assist with financing the Joint Utility Board Flood Mitigation project and capital upgrades to the sewer system.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 11-289-4.1, adopted June 8, 2011.

3. SUMS REMAINING

Should any of the said sum of One Hundred Fifty-Six Thousand Seven Hundred Sixty-Seven Dollars (\$156,767.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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. 3506

A Bylaw Authorizing the Expenditure of Funds from the
Eagle Heights Sewer System Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 1126

WHEREAS as of May 31, 2011 there is an unappropriated balance in the *Eagle Heights Sewer System Capital Reserve Fund* of Nine Hundred Seventy-Nine Thousand Seven Hundred Sixty-Eight Dollars (\$979,768.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2010:		\$975,361.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	\$ <u>4,407.</u>
		\$979,768.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE In Reserve Fund as at May 31, 2011:		<u>\$979,768.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than One Hundred Eighty-Four Thousand Four Hundred Sixty-Seven Dollars (\$184,467.) of the said balance to assist with financing the Joint Utility Board Flood Mitigation project and capital upgrades to the sewer system;

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. 3506 – Eagle Heights Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011**".

.../2

2. **SUM TO BE APPROPRIATED**

- a) An amount not exceeding the sum of One Hundred Eighty-Four Thousand Four Hundred Sixty-Seven Dollars (\$184,467.) is hereby appropriated from the *Eagle Heights Sewer System Capital Reserve Fund* assist with financing the Joint Utility Board Flood Mitigation project and capital upgrades to the sewer system.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 11-289-4.2, adopted June 8, 2011.

3. **SUMS REMAINING**

Should any of the said sum of One Hundred Eighty-Four Thousand Four Hundred Sixty-Seven Dollars (\$184,467.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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. 3509

A Bylaw to Amend the Boundaries of the Wilmot Road Drainage Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Wilmot Road Drainage Service Area* under the provisions of Bylaw No. 2853, cited as "CVRD Bylaw No. 2853 – Wilmot Road Drainage Service Establishment Bylaw, 2006";

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 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 1659-R And Except Parts In Plans 15342, 16358, 18893 and VIP 81664; and
- PID 009-032-649, Parcel B (DD 47244I) of Section 6, Range 4, Cowichan District, Except Parts In Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP 81664;

AND WHEREAS the owners of the above noted properties have petitioned the Regional District to have their property included in the service area;

AND WHEREAS the Director of Electoral Area D – Cowichan Bay 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. 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That Bylaw No. 2853 be amended by deleting 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



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3515

A Bylaw to Establish a Regional Agricultural Advisory Commission for the Cowichan Valley Regional District.

WHEREAS the Board of Directors of the Cowichan Valley Regional District has adopted the Cowichan Region Area Agricultural Plan;

AND WHEREAS the Board wishes to increase awareness of agricultural issues in the Cowichan Valley Regional District and provide leadership in the promotion of agriculture as an important economic driver in the region;

AND WHEREAS the Board wishes to establish a Regional Agricultural Advisory Commission to direct the implementation of the Area Agricultural Plan;

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. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011".

2. **DEFINITIONS**

In this bylaw:

- a) "**Commission**" means the Regional Agricultural Advisory Commission established by this Bylaw.
- b) "**Board**" means the Board of the Cowichan Valley Regional District.

3. **MEMBERSHIP**

The Commission shall consist of sixteen members, as follows:

- a) Five Commission members shall be Directors of the Cowichan Valley Regional District (three Electoral Area Directors, one North Cowichan Municipal Director, and the Board Chairperson).
- b) One representative from each of the following organizations:
 - i. Nanaimo Cedar Farmer's Institute
 - ii. Shawnigan Cobble Hill Farmer's Institute
 - iii. Cowichan Agricultural Society
 - iv. CVRD Economic Development Commission

- v. CVRD Environment Commission
- vi. The Regional Agrologist, Ministry of Agriculture
- vii. Duncan Farmer's Market
- viii. Farm Credit Canada
- ix. Cowichan Watershed Board
- x. District A Farmer's Institute
- xi. Cowichan Exhibition Society

c) All non-elected members shall be appointed by Board resolution

4. TERM OF OFFICE

- a) The term of office for Commission members shall be three years and terms shall be staggered.
- b) In the event of vacancy of office, a replacement appointee shall hold office for the otherwise unexpired term of office.
- b) Commission members may be re-appointed for a further term or terms.
- c) The Board may, at any time, terminate the appointment of a member.
- d) The Board may remove from membership any member appointed who has failed to attend three consecutive Commission meetings without good cause.

5. PROCEDURE

- a) The Board Chair shall appoint a Chairperson and Vice-Chairperson of the Commission who shall hold office until a successor is appointed.
- b) In the absence of the Chairperson or Vice-Chairperson, the Commission shall elect from the members present a temporary Chairperson for the purpose of that meeting only.
- c) A quorum is nine members, one of whom must be a Director of the Board.
- d) All decisions, resolutions and recommendations of the Commission shall be made by a majority of the members present at the meeting, with each member having one vote.
- e) Where not otherwise covered in this bylaw, the rules of procedure governing Commission meetings shall be those of the current Board Committee and Commissions Procedures Bylaw of the Cowichan Valley Regional District.
- f) Minutes shall be kept for all meetings of the Commission, and a copy of such minutes shall be forwarded to the Legislative Services Division of the Cowichan Valley Regional District.

6. RESPONSIBILITIES

The responsibilities of the Commission shall be as follows:

- a) Implement the CVRD Agricultural Area Plan and the recommendations contained in that Plan. More specifically to:
 - Review all 78 recommendations;
 - Identify those activities already underway and identify the groups and organizations undertaking those activities;
 - Ensure that sufficient resources are available to accomplish activities and if required, identify the additional resources needed;
 - Prioritize activities to be undertaken;
 - Identify the activities that have not been addressed and prioritized;
 - Identify the necessary resources to complete those activities; and
 - Make recommendations to the CVRD to allocate resources to accomplish those activities.

- b) Advise the Board on issues of importance to the agricultural community, and on ALR exclusion applications, ALR subdivision applications and change of use applications as referred by the Electoral Area Services Committee as well as any other matters referred to it by the Board.

- c) Subject to the provisions otherwise contained in this bylaw, provide the Board with advice by way of:
 - (i) Matters which may legally or financially bind or commit the Board.
 - (ii) Provide input to an annual financial plan which will be become a specific Economic Development Agriculture Project in the annual Function 121 budget.
 - (iii) Quarterly progress/status reports to the Board.

7. GENERAL

- a) All members of the Commission shall serve without remuneration, except for such "out of pocket" expenditures as may have received prior authorization by the Board.

- b) No recommendation of the Commission or other matter requiring ratification by the Board shall be acted upon until it has been approved by the Board.

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. 3517

**A Bylaw Authorizing the Expenditure of Funds from the
Electoral Area C Community Parks Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 2734**

WHEREAS as of May 31, 2011 there is an unappropriated balance in the *Electoral Area C Community Parks Capital Reserve Fund* of One Hundred Forty-Two Thousand Four Hundred Sixty-One Dollars (\$142,461.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2010:		\$141,820.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	\$ <u>641.</u>
		\$142,461.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE In Reserve Fund as at May 31, 2011:		<u>\$142,461.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than One Hundred Forty-One Thousand Eight Hundred Twenty Dollars (\$141,820.) of the said balance for the purpose of constructing a public washroom at Quarry Park and site landscaping improvements;

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

1. **CITATION**

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3517 - Electoral Area C Community Parks Capital Reserve Fund Expenditure (Quarry Park Washroom and Site Landscaping Improvements) Bylaw, 2011".

2. **SUM TO BE APPROPRIATED**

- a) An amount not exceeding the sum of One Hundred Forty-One Thousand Eight Hundred Twenty Dollars (\$141,820.) is hereby appropriated from the *Electoral Area C Community Parks Capital Reserve Fund* for the purpose of constructing a public washroom at Quarry Park and site landscaping improvements.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 11-287-6, adopted June 8, 2011.

3. **SUMS REMAINING**

Should any of the said sum of One Hundred Forty-One Thousand Eight Hundred Twenty Dollars (\$141,820.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3534

A Bylaw Authorizing the Expenditure of Funds from the
Electoral Area A Community Parks Capital Reserve Fund
 Established Pursuant to CVRD Bylaw No. 2730

WHEREAS as of May 31, 2011 there is an unappropriated balance in the *Electoral Area A Community Parks Capital Reserve Fund* of Ninety-Eight Thousand Eight Hundred Fourteen Dollars (\$98,814) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2010:		\$98,370.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	\$ 444.
		\$98,814.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE in Reserve Fund as at May 31, 2011:		<u>\$98,814.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than Seven Thousand Dollars (\$7,000.) of the said balance for the purpose of developing a new park located in Mill Springs inclusive of landscaping pathways and a sport court;

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

1. CITATION

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3534 - Electoral Area A Community Parks Capital Reserve Fund Expenditure (Mill Springs Park Landscaping Pathways and Sport Court) Bylaw, 2011".

.../2

2. **SUM TO BE APPROPRIATED**

- a) An amount not exceeding the sum of Seven Thousand Dollars (\$7,000.) is hereby appropriated from the *Electoral Area A Community Parks Capital Reserve Fund* for the purpose of developing a new park located in Mill Springs inclusive of landscaping pathways and a sport court.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 11-327-1, adopted June 22, 2011.

3. **SUMS REMAINING**

Should any of the said sum of Seven Thousand Dollars (\$7,000.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3451

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1890,
Applicable To Electoral Area A – Mill Bay/Malahat**

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 A – Mill Bay/Malahat, that being Official Community Plan Bylaw No. 1890;

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 Official Community Plan Bylaw No. 1890;

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. 3451- Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Drader), 2010**".

2. **AMENDMENT**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, 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 8th day of December, 2010.

READ A SECOND TIME this 8th day of December, 2010.

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

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

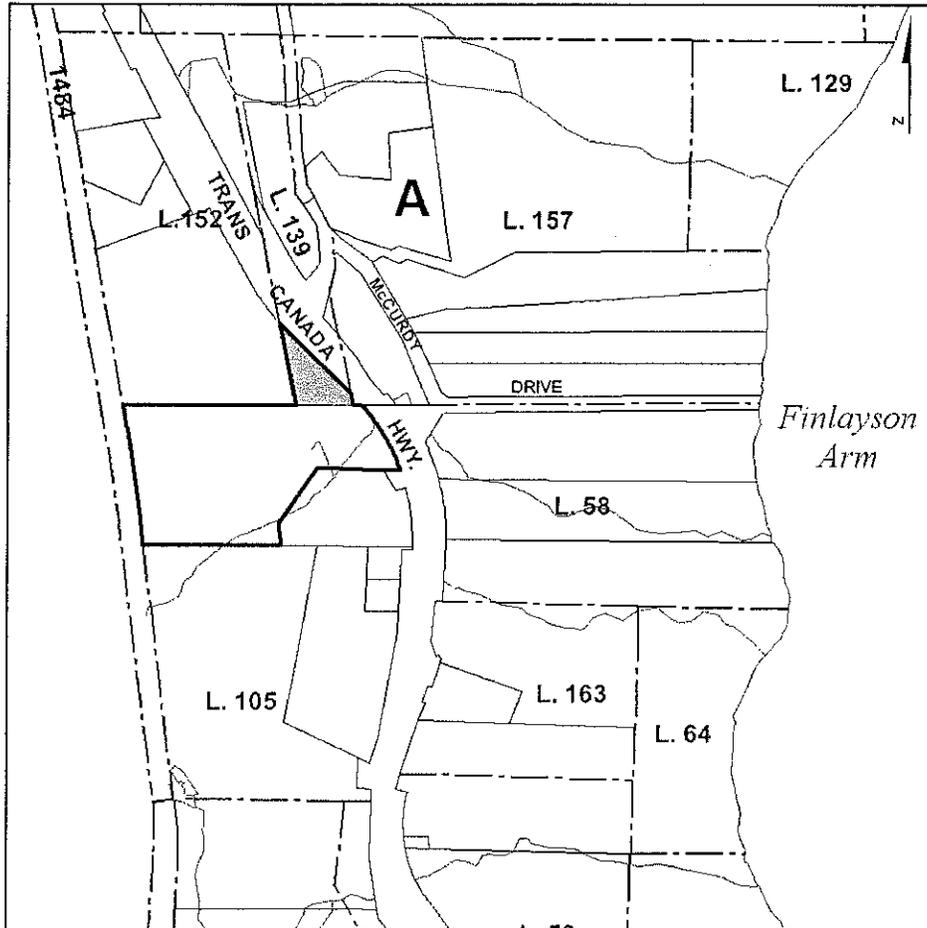
SCHEDULE "A"

To CVRD Bylaw No. 3451

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. That a portion of Lot A, District Lots 105 and 139, Malahat District, Plan VIP 56326, shown as shaded on Plan Number Z-3451 attached hereto and forming Schedule B of this bylaw, be redesignated from Rural Residential to Tourist Commercial; and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.

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



THE AREA SHOWN SHADED IS REDESIGNATED FROM

Rural Residential

TO

Tourist Commercial

APPLICABLE

TO ELECTORAL AREA A



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3452

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2000
Applicable to Electoral Area A – Mill Bay/Malahat**

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 A – Mill Bay/Malahat, that being Zoning Bylaw No. 2000;

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. 2000;

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. 3452 - Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Drader), 2010**".

2. **AMENDMENT**

Cowichan Valley Regional District Zoning Bylaw No. 2000, as amended from time to time, is hereby amended in the following manner:

- a) That Schedule B (Zoning Map) to Zoning Bylaw No. 2000 is amended by rezoning a portion of Lot A, District Lot 105 and 139, Malahat District, Plan VIP56326, which is shown as shaded on Plan Z-3452 attached hereto and forming Schedule A of this Bylaw, from R-1 (Rural Residential) to C-4 (Tourist Commercial).

.../2

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 8th day of December , 2010.

READ A SECOND TIME this 8th day of December , 2010.

READ A THIRD TIME this day of , 2011.

ADOPTED this day of , 2011.

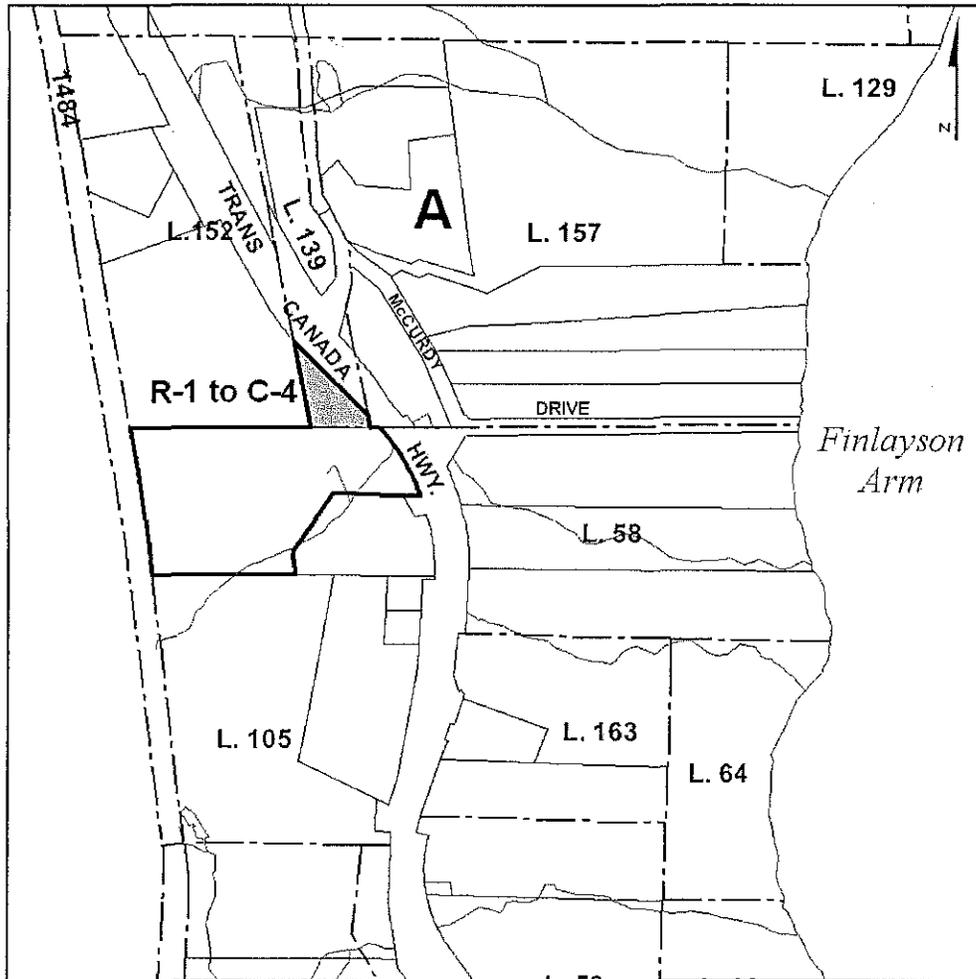
Chairperson

Corporate Secretary

PLAN NO. Z-3452

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

3452



THE AREA SHOWN SHADED IS REZONED FROM

R-1 (Rural Residential) **TO**

C-4 (Tourist Commercial) **APPLICABLE**

TO ELECTORAL AREA A



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.

.../2

“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 travellers.

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; excluding automotive, truck, recreational vehicle and boat sales and servicing;
- (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);

(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 this 13th day of April, 2011.

READ A THIRD TIME AS AMENDED this 11th day of May, 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 11th day of May , 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).

.../2

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.

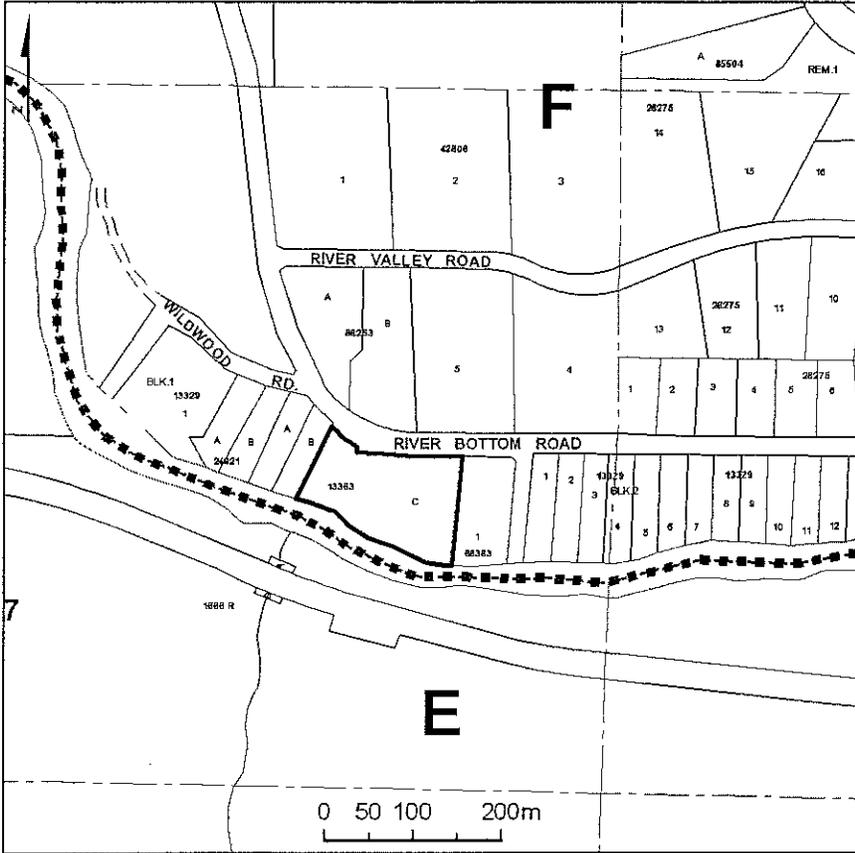
READ A THIRD TIME this 11th day of May , 2011.

ADOPTED this _____ day of _____ , 2011.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

C-4 (Tourist Commercial) **TO**

RC-5 (River Corridor 5) **APPLICABLE**

TO ELECTORAL AREA F



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3497

**A Bylaw For The Purpose Of Amending Official Community Plan Bylaw
No. 1890, Applicable To Electoral Area A – Mill Bay/Malahat**

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 A – Mill Bay/Malahat, that being Mill Bay/Malahat Official Community Plan Bylaw No. 1890;

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. 1890;

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. 3497 - Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, 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 22nd day of June, 2011.

READ A SECOND TIME this 22nd day of June, 2011.

SECOND READING RESCINDED this ____ day of _____, 2011.

SECOND READING AS AMENDED this ____ day of _____, 2011.

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

Exempt from approval by the Minister of Community, Sport and Cultural Development under Section 2 (a) and (b) of the *Cowichan Valley Regional District Approval Exemption Regulation* pursuant to Ministerial Order No. MO36, February 21, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3497

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. The following is added after Policy 6.3.11:

POLICY 6.3.12

Notwithstanding other policies in this Plan to the contrary, lands in the Forestry designation that are also identified on Figure 2A may be zoned for light industrial and outdoor recreational uses while remaining in the Forestry designation, and such lands, other than for lease purposes, will remain subject to a 80 hectare minimum parcel size requirement, similar to that of the Forestry designation. However, long-term leases may be registered over such lands. In the event that these lands are eventually proposed to be redesignated and rezoned for subdivision for industrial, commercial or residential purposes, the CVRD Board expects that a zoning for amenities provision would be enacted which would entail the permanent protection in the public realm of sensitive ecosystem lands to the immediate south of the lands subject to redesignation and rezoning.

POLICY 6.3.13

Notwithstanding other policies in this Plan to the contrary, lands in the Forestry designation that are within a 1 kilometre radius of the Bamberton Highway interchange, and are on the west side of the Trans-Canada Highway, may be eligible to be redesignated and rezoned for light industrial and business park uses, and for subdivision to lot sizes suitable for the proposed uses. In considering whether to apply this policy to any particular site, the Board will have regard for:

- a) the suitability of the site for light industrial and business park uses;
 - b) the availability of similar sites in the existing business and light industrial park in the immediate vicinity and the likelihood that an expansion will be needed to meet market demand;
 - c) the availability of community sewer and water services;
 - d) the possibility of capturing new economic development opportunities for the region;
 - e) Protection sensitive environmental features from development and protection of the appearance of this area from vantage points within the Cowichan Valley.
2. Schedule B to the Mill Bay/Malahat Official Community Plan – the Plan Map – is amended by redesignating part of Block 176, Malahat District, as shown shaded in grey on the Schedule Z-3497 attached hereto and forming part of this Bylaw, from Forestry to Industrial.

3. The following is added after Section 14.9 (Mill Bay Comprehensive Development Permit Area):

14.10 BUSINESS PARK / LIGHT INDUSTRIAL DEVELOPMENT PERMIT AREA

14.10.1 CATEGORY

The Business Park/Light Industrial Development Permit Area is designated pursuant to Section 919.1(a), (b) and (f): protection of the natural environment, its ecosystems and biological diversity, protection of development from hazardous conditions and establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

14.10.2 SCOPE

The Business Park/Light Industrial Development Permit Area applies to all lands that are zoned industrial within the area shown on Figure 13 as follows:

- (a) the guidelines regarding environmental protection (sections 14.10.4(a) 1 to 4 and (b) 1 to 3), natural hazards (section 14.10.4(a) 5) and views (section 14.10.4(b) 5) shall apply to lands that are zoned I-2; and
- (b) all guidelines shall apply to all other industrial zoned lands.

14.10.3 JUSTIFICATION

The Business Park/Light Industrial Development Permit Area is created for the following reasons:

- a) The subject lands ultimately drain into Saanich Inlet, which is a highly sensitive marine environment, therefore special measures may be required to mitigate the potential for negative impacts upon the Inlet that could arise in the course of light industrial and related commercial development;
- b) The subject lands are in some cases highly visible from the Trans-Canada Highway or from the surface waters of Saanich Inlet, and in both cases it is appropriate to regulate the form and character of light industrial and business park buildings and structures, to ensure that a very high standard of development quality is established and maintained on lands that are within the aforementioned viewsheds;
- c) The subject lands are in an area of extremely varied topography which may present rockfall and other geotechnical hazards.

14.10.4 GUIDELINES

- a) Land Subdivision Guidelines

Environmental Protection

1. Lands in a proposed subdivision plan that contain or are adjacent to riparian features should respect the existence of the riparian area by having a substantial additional usable site area beyond the Streamside Protection and Enhancement Area (SPEA). Ongoing protection of the riparian areas generally and the SPEAS in particular is strongly encouraged through mechanisms such as dedication of these lands to the CVRD or the use of covenants in favour of the CVRD. This

should minimize the likelihood of difficult-to-develop industrial parcels being created and protect the riparian areas from damage.

2. Buffer areas beyond the SPEA should be landscaped with naturalized plantings. Orientation and positioning of driveways and potential building envelopes on proposed parcels should be sensitive to these features. A development permit may specify additional setbacks from a Streamside Protection and Enhancement Area (SPEA) as required in the zoning bylaw, where such additional setback would be required to offer adequate protection to the riparian area due to the nature of the proposed land use.
3. Infiltration systems, constructed wetlands, and other features in open spaces that are forested should be designed and planted with species that require minimal irrigation and/or have a role in supporting indigenous birds and other small fauna.
4. The site grading of all proposed parcels should be designed at the subdivision stage to direct rainfall that will be collected on roofs and paved surfaces into infiltration systems wherever feasible. These systems should be engineered to allow slow infiltration of rainwater into the ground in locations that will reduce the effect of increased flows on existing watercourses and wetlands.

Natural Hazards

5. A report concerning potential natural hazards to the subdivision will be submitted along with an application, and the report will contain the following:
 - a) Assessment of the risk of geotechnical hazards by an appropriately qualified professional engineer or professional geoscientist with experience in natural hazard assessment and mitigation.
 - b) Assessment of the risk of wildland/urban fire transfer by a qualified professional in the field. The report will contain advice for the subdivision layout and describe in its recommendations the appropriate protective measures to mitigate any risk.

Lot Layout

6. A report on the proposed measures for rainwater management should be prepared by a appropriately qualified professional engineer as part of each DP application for subdivision.
7. Lots should front on roads that have been laid out in response to the topography in order to minimize grades by following contour lines where feasible and appropriate.
8. The subdivision plan should indicate the parcel lines, the potential building envelope reflecting required setbacks and other siting constraints.
9. If appropriate, parcel lines should not be symmetrical across the street in all locations. Lot sizes should vary occasionally to take advantage of environmental features and for variety and to encourage visual interest.

Local Roads

10. Local roads should be designed with rights-of-way and paved lanes to the narrowest width that would still be suitable for business park and light industrial traffic, with a view to minimizing the disruption to the landscape on sloped areas.
11. Preference will be given to main local roads with a surface swale of adequate capacity to collect rainwater from the development sites uphill from it.
12. Where permitted by the Road Authority, street trees should be planted within the right-of-way along streets where they will not affect driveways, sight lines or other infrastructure features, except where a road traverses an area of retained or replaced natural forest. The street tree planting scheme should use a variety of tree types chosen from a range of native and drought-tolerant species and planted in informal rhythms and clusters rather than in regularly spaced lines. To achieve the desired integration with the natural forest context, a minimum of 20% of trees planted should be coniferous species.
13. The local road network should be adapted to the requirements of local transit service, including, for example, transit stops.

Landscape Character

14. Street tree planting, if permitted by the Road Authority, should use a variety of tree species. The Development Permit application for subdivision should include a conceptual street tree planting scheme prepared by a registered Landscape Architect that sets out the species selection for each street from among appropriate drought-tolerant and climate compatible species.

Streetscape Furniture

15. As part of the development permit application for subdivision, the project Landscape Architect shall identify a suite of furnishings for the public realm: bench, light standards, waste receptacle, bike rack, and bollard for use throughout the Business Park and adjacent Industrial Park. This suite of furnishings should be integrated in terms of materials and design expression and should express a contemporary, industrial character. Lighting selections shall be made that have low light emissions into the night sky. Site furnishing specifications of metal, concrete, stone and/or wood should be used to express the Pacific Northwest theme yet blend into the background landscape; aluminum, stainless steel, or painted/powder coated in natural tones (including grey) should be considered; wood, wood-like materials, concrete or metal are suitable as a trim especially for the seating surface of benches.

Visual Buffers

16. A visual natural buffer comprised of natural forest should be provided along the majority of the Trans-Canada Highway to a minimum depth of 10 metres. It should be comprised of retained existing forest vegetation to the greatest extent feasible.

17. Limited gaps in the visual landscape buffers along the Trans-Canada Highway will be provided to achieve visual recognition of the presence of the Business Park. Additional gaps may be provided for specific users in both the Business Park and the adjacent Light Industrial Park, subject to consideration of the quality of building design, landscaping proposed and the resultant overall appearance of the land use.

Signs

26. Pylon signs may be used along the Trans-Canada Highway to identify the Business Park site, which generally should not be backlit and will not contain LCD/LED elements or video/scrolling message elements. The sign should be mounted on a well engineered base and be up to 6 metres in height, allowing visibility to drivers along the highway for an appropriate distance before the exit ramp from the Trans-Canada Highway, while still being below the height of the background trees in the highway buffer strip.

b) Site Development and Building/Structure Form and Character Guidelines

Environmental Protection

1. Where feasible, the use of "green" roof structures is encouraged, to reduce heating and cooling needs and to buffer rainwater flows. Total site imperviousness figures will be submitted with any application and the measures utilised to reduce the effective impervious areas will be described in material accompanying the application.
2. Applications for development permits for buildings and development generally on the parcels for which a development permit application is made must take account of the industrial processes that will occur within the buildings and on the land, and where the proposed uses involve potential contaminants of land or water, sufficient containment measures to prevent spills of potential contaminants shall be taken in the design of both buildings and the site upon which such activities will take place. A report by a qualified professional respecting the measures to be taken in this regard may be required as a precondition to consideration of development permit issuance, and where the report makes recommendations concerning the measures required to contain such potential risks, these shall be made a requirement of the development permit. Air emissions are regulated directly by the Province of British Columbia.
3. Parking areas and any other portions of the parcel that would have machinery and other equipment parked or installed on it should be surfaced in a way that intercepts potential contaminants and separates them from rainwater, allowing for their regular removal or treatment.

Building Form, Character and Signs

4. Building façade articulation, such as recessed window and door penetrations, is encouraged to create variation and visual interest. Front entries should be marked with architectural features and where more than one entry point is proposed, the main entry should be most prominent. Entrances should be illuminated in keeping with their hierarchy of importance at levels to achieve safety and security for users. Large expanses of building façade without

windows are discouraged, but where necessary, these should be oriented to side and rear yards or, if facing the front yard, should be given an architectural treatment to achieve visual interest. Building lighting must be designed to avoid overspill into the public realm or the night sky.

5. Particular attention must be paid, in the building and landscape design, to the appearance from the Trans-Canada Highway and the surface waters of Saanich Inlet. Buildings and structures which blend into the landscape by virtue of careful colour palette control and appropriate form, materials and scale are preferred to those which would present a visually imposing presence more typical of an urban area, which would be at odds with the generally scenic rural resource lands in this area.
6. Finishing materials of buildings and structures should be appropriate to local climatic conditions and durable so as not to require frequent replacement over the building's lifespan. Acceptable exterior materials include: wood, brick, stone, stucco, concrete slab or block, and metal, fiberglass, cementitious and composite panels. Wherever possible building colours should be selected from a palette of natural tones that express the intention of integrating the Business Park into the surrounding natural environment.
7. Using landscape strategies to reduce the need for heating and cooling including: using deciduous trees on the southern and western facing side of a building to maximize the warming effect of solar radiation in winter months and the cooling effect of shade in the summer, locating evergreen trees so they block winter winds without blocking solar access.
8. Signs should be designed in coordination with the site and any buildings on it. Signage for individual industrial or commercial development sites should be either integrated with the building architecture or freestanding within the front yard landscaped area. Consideration should be given to coordinating new signs with the style of the prevailing informational and directional signage for the business area.

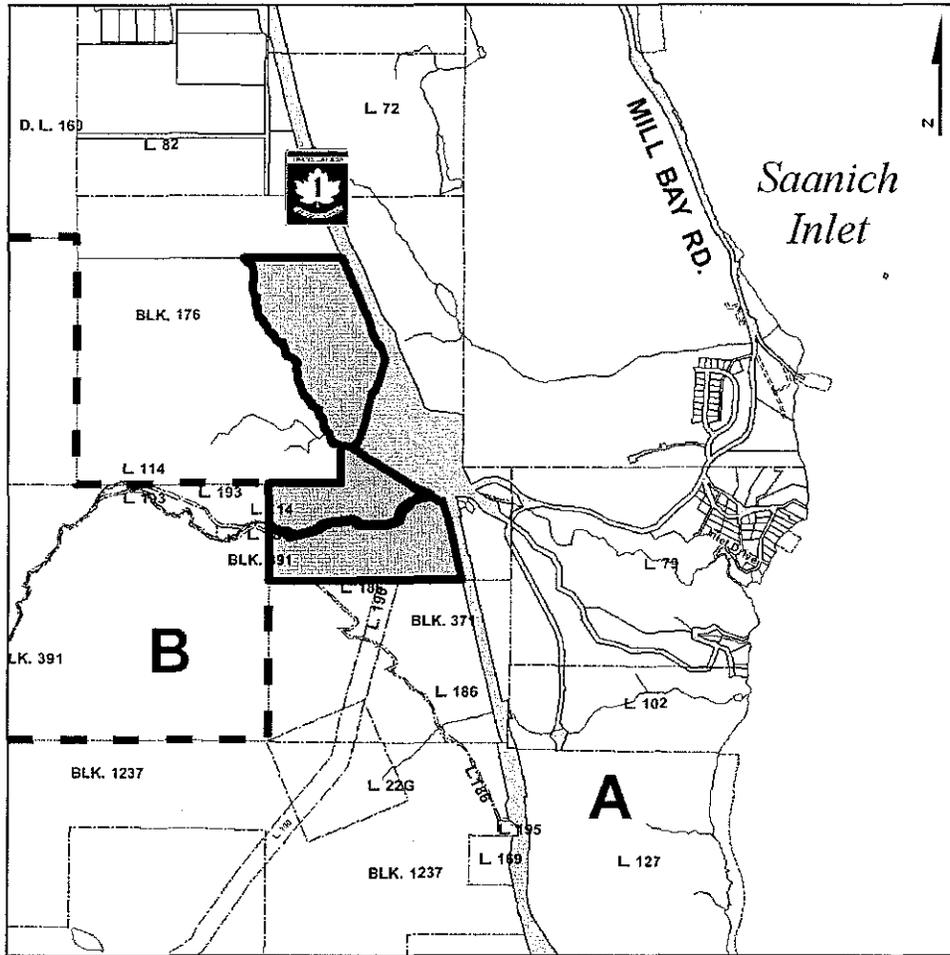
Landscape and Parking Area Standards

9. A comprehensive landscaping plan should be prepared by a Landscape Architect to BCSLA/BCNTA standards, and be submitted along with the application form. Plantings should consist of a variety of plant species, dominated by native and drought tolerant types appropriate to this biogeoclimatic zone.
10. Site imperviousness figure shall be calculated by the applicant. Effective impervious surfaces of paved areas should be reduced through the use of mitigating measures such as infiltration wells for cleansed rainwater where feasible, such measures collectively being designed to reduce the surface runoff in rainfall events to a level that approaches that of the site before it was developed.
11. Fences should be constructed of wood, stone, brick, black coloured chain-link, ornamental metal work or suitable alternative materials of similar appearance.

12. Garbage and recycling containers, utility boxes, fans, vents, and outdoor storage areas should be screened from viewers in the adjacent public realm.
13. End-of-trip facilities for cyclists, including bike lockers or at a minimum, bike racks, should be provided.

PLAN NO. Z-3497

**SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO. 3497
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



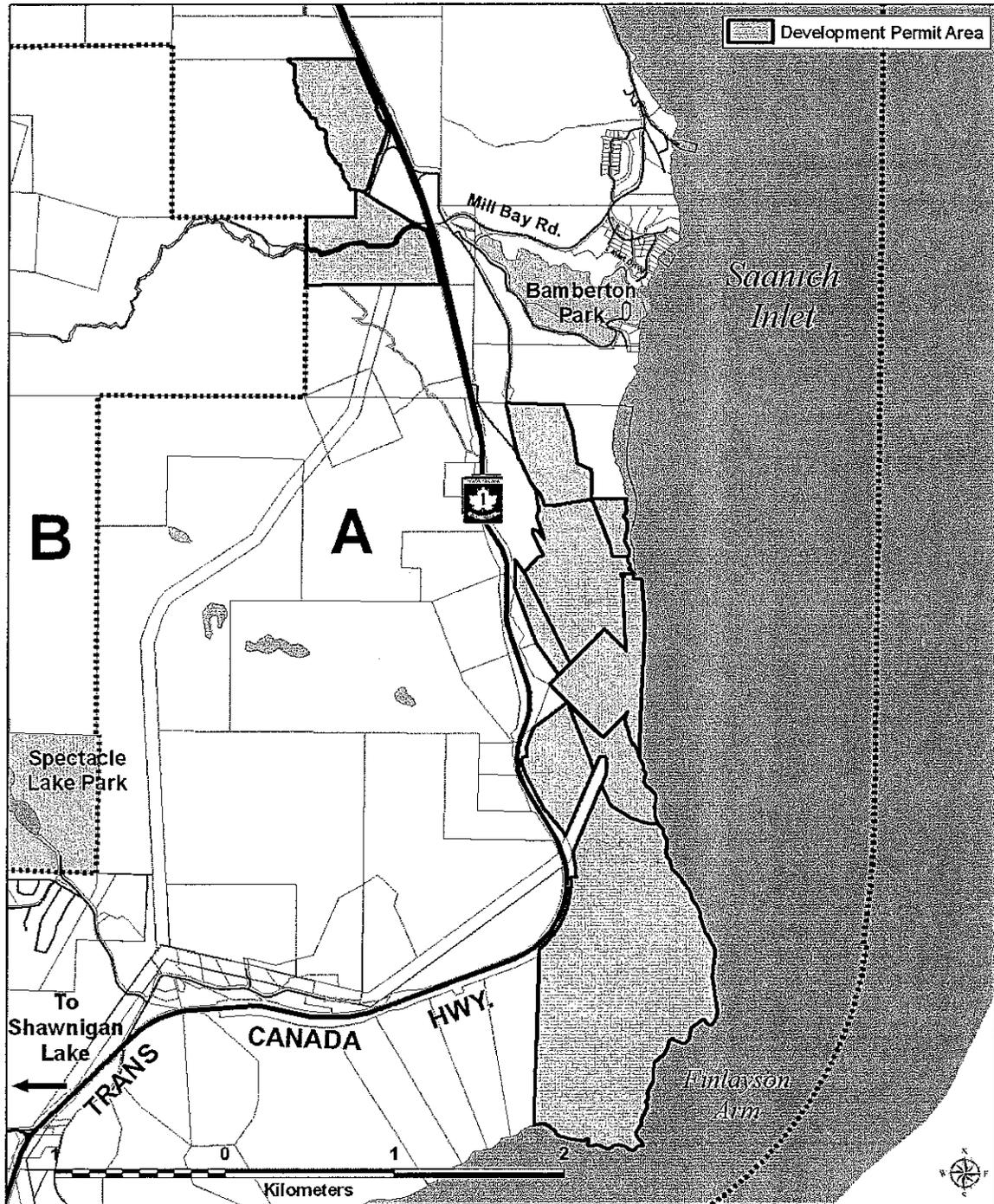
THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry TO
Industrial APPLICABLE

TO ELECTORAL AREA A

FIGURE 13

**Buisness Park / Light Industrial
Development Permit Area**





COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3498

**A Bylaw for the Purpose Of Amending Zoning Bylaw No. 2000
Applicable to Electoral Area A – Mill Bay/Malahat**

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 A – Mill Bay/Malahat, that being Zoning Bylaw No. 2000;

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. 2000;

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. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2000, as amended from time to time, is hereby amended in the following manner:

a) The following is added after Section 11.2:

I-3 ZONE – BAMBERTON LIGHT INDUSTRIAL 3

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this Bylaw, the following regulations apply in the I-3 Zone:

(a) **Permitted Uses**

The following principal uses and no others are permitted in an I-3 zone:

- (1) Agriculture, horticulture, silviculture;
- (2) Aquaculture, depuration of shellfish;
- (3) Assembly;

- (4) Boat and/or watercraft building, sales and repair and storage, marine services;
- (5) Building and construction material supply;
- (6) Commercial parking;
- (7) Concrete batch plant and concrete products manufacturing;
- (8) Contractor's workshop and yard;
- (9) Convenience store;
- (10) Equipment sales, repair, storage and rental;
- (11) Electronic equipment manufacturing and repair with accessory sales;
- (12) Feed, seed and agricultural supplies, sales and storage;
- (13) Food preparation and catering, including culinary education services;
- (14) Food and beverage manufacturing, processing, packaging, distribution, and storage, bakery, brewery, excluding fish cannery and abattoir;
- (15) Funeral services;
- (16) Indoor recreational facilities;
- (17) Laboratory, research and development centre;
- (18) Lumber and storage yards, sale of wholesale and retail building supplies;
- (19) Manufacturing;
- (20) Motor vehicle sales, service and repair, including autobody restoration and repair but excluding wrecking or salvaging;
- (21) Modular home, mobile home, truss and prefabricated home manufacturing;
- (22) Offices;
- (23) Outdoor recreation;
- (24) Personal services establishment;
- (25) Port facilities;
- (26) Printing and publishing;
- (27) Processing and sale of gardening and landscaping supplies and materials;
- (28) Recreational vehicle manufacturing, with accessory sales;
- (29) Research and development centre;
- (30) Restaurant, coffee shop including take-out, but not including a drive-through;
- (31) Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m² in total retail floor area;
- (32) Secondary processing and manufacturing of wood products;
- (33) Software engineering office and accessory uses;
- (34) Technical services;
- (35) Trade/vocational school;
- (36) Warehousing, including mini-warehousing, distribution and forwarding of freight;
- (37) Welding shop, steel and metals fabrication, extrusion, finishing and accessory sales;
- (38) Wholesale sales;

The following accessory uses are permitted in the I-3 Zone:

- (39) Retail sales accessory to a principal permitted use;
- (40) Single family dwelling unit accessory to a principal permitted use, subject to Section 11.3(b)(3) below.

(b) Conditions of Use

For any lease area in an I-3 zone:

1. The coverage shall not exceed 60 percent of total lease area for all *buildings and structures*;
2. The *height* of all *buildings and structures* shall not exceed 20 m;
3. Not more than three single family residences are permitted per lease area of land, only in conjunction with a principal permitted use under Section 11.3(a) above;
4. Buildings and structures shall be set back not less than 7.5 metres from any lease area boundary or lot line that abuts a non-industrial zone.
5. Buildings and structures shall be set back not less than 7.5 metres from a Streamside Protection and Enhancement Area (SPEA) as designated in a Riparian Assessment Report.
6. A convenience store shall not be larger than 230 m² in floor area.

(c) Minimum Parcel Size for Subdivision

Subject to Part 13, the minimum *parcel* size in the I-3 Zone is 80 hectares. Notwithstanding this regulation, where a subdivision in the I-3 Zone is proposed to follow a land use zone boundary on an existing parcel that is split-zoned, any area within a single zone may be subdivided below the usual 80 hectare minimum, so long as the subdivision only isolates the entirety of the different zones on that parcel.

(d) Lease Areas

Areas of land in the I-3 Zone may be leased, including leases registered in the Land Title Office by Explanatory Plan, of any size, provided each lease area is of sufficient size to accommodate the other regulations of this Zone and provided it also has a source of water and sewage disposal system that are suitable to the Provincial authorities having jurisdiction. For the purposes of the I-3 Zone only, the regulations concerning use, density and other matters apply to each leased area.

(e) Definition

The definition of "parcel" in Section 3.1 does not apply to lease areas in the Bamberton Light Industrial 3 Zone.

(f) Parking

Notwithstanding CVRD Off-Street Parking Bylaw No. 1001, or any other CVRD bylaws that may require off-street parking spaces, the minimum number of off-street parking spaces required on a parcel in the I-3 Zone is 1 space per 48 m² of gross floor area, plus one space per accessory residential dwelling.

11.3A I-3A ZONE – LIGHT INDUSTRIAL 3A

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this Bylaw, the following regulations apply in the I-3A Zone:

(a) Permitted Uses

The following principal uses and no others are permitted in an I-3A zone:

- (1) Agriculture, horticulture, silviculture;
- (2) Aquaculture, depuration of shellfish;
- (3) Assembly;
- (4) Boat and/or watercraft building, sales and repair and storage, marine services;
- (5) Building and construction material supply;
- (6) Commercial parking;
- (7) Contractor's workshop and yard;
- (8) Convenience store;
- (9) Equipment sales, repair, storage and rental;
- (10) Electronic equipment manufacturing and repair with accessory sales;
- (11) Feed, seed and agricultural supplies, sales and storage;
- (12) Food preparation and catering, including culinary education services;
- (13) Food and beverage manufacturing, processing, packaging, distribution and storage, bakery, brewery, excluding fish cannery and abattoir;
- (14) Funeral services;
- (15) Furniture manufacturing with accessory sales;
- (16) Indoor recreation;
- (17) Laboratory, research and development centre;
- (18) Lumber and storage yards, sale of wholesale and retail building supplies;
- (19) Manufacturing;
- (20) Motor vehicle sales, service and repair, including autobody restoration and repair but excluding wrecking or salvaging;
- (21) Modular home, mobile home, truss and prefabricated home manufacturing;
- (22) Offices;
- (23) Outdoor recreation;
- (24) Personal services establishment;
- (25) Printing and publishing;
- (26) Processing and sale of gardening and landscaping supplies and materials;
- (27) Recreational vehicle manufacturing, with accessory sales;
- (28) Research and development centre;
- (29) Restaurant, coffee shop including take-out, but not including a drive-through;
- (30) Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m² in total retail floor area;
- (31) Secondary processing and manufacturing of wood products;

- (32) Software engineering office and accessory uses;
- (33) Technical services;
- (34) Trade/vocational school;
- (35) Warehousing, including mini-warehousing, distribution and forwarding of freight;
- (36) Welding shop, steel and metals fabrication, extrusion, finishing and accessory sales;
- (37) Wholesale sales;

The following accessory uses are permitted in the I-3A Zone:

- (38) Retail sales accessory to a principal permitted use;
- (39) Single family dwelling unit accessory to a principal permitted use, subject to Section 11.3A(b)(3) below.

(b) Conditions of Use

For any *parcel* in an I-3A zone:

1. All parcels shall be connected to a community water and community sewer system;
2. The coverage shall not exceed 60 percent of total parcel area for all *buildings* and *structures*;
3. The *height* of all *buildings* and *structures* shall not exceed 20 m;
4. Not more than three single family residences are permitted per parcel of land, only in conjunction with a principal permitted use under Section 11.3A(a) above;
5. A convenience store shall not be larger than 230 m² in floor area;
6. The following setbacks apply in the I-3A Zone:

COLUMN I Type of Line	COLUMN II Setback for Buildings and Structures
Front Parcel Line	4.5 metres
Interior Side Parcel Line	0 metres where the abutting parcel is zoned Industrial 7.5 metres where the abutting parcel is not zoned Industrial
Exterior Side Parcel Line	4.5 metres
Rear Parcel Line	0 metres where the abutting parcel is zoned Industrial 4.5 metres where the abutting parcel is not zoned Industrial
Streamside Protection and Enhancement Area (SPEA)	7.5 metres

(c) Minimum Parcel Size

Subject to Part 13, the minimum *parcel* size in the I-3A Zone is 0.1 ha for *parcels* served by a *community water* and *sewer system*.

(d) Parking

Notwithstanding CVRD Off-Street Parking Bylaw No. 1001, or any other CVRD bylaws that may require off-street parking spaces, the minimum number of off-street parking spaces required on a parcel in the I-3A Zone is 1 space per 48 m² of gross floor area, plus one space per accessory residential dwelling.

11.4 I-4 ZONE – BUSINESS PARK INDUSTRIAL-COMMERCIAL 4

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this Bylaw, the following regulations apply in the I-4 Zone:

(a) Permitted Uses

The following principal uses and no others are permitted in an I-4 zone:

- (1) Assembly use;
- (2) Auction sales;
- (3) Cabinet making, home improvement products manufacturing and accessory sales;
- (4) Clothing manufacturing, cleaning, repair and storage, with accessory sales;
- (5) Commercial parking;
- (6) Convenience store;
- (7) Day care and nursery school;
- (8) Educational institution;
- (9) Equipment sales, repair, storage and rental;
- (10) Electronic equipment manufacturing and repair with accessory sales;
- (11) Feed, seed and agricultural supplies, sales and storage;
- (12) Food preparation and catering, including culinary education services;
- (13) Food and beverage manufacturing, storage, processing, packaging, frozen food locker, cold storage plant, bakery, brewery, excluding fish cannery and abattoir;
- (14) Funeral services, excluding crematorium;
- (15) Furniture manufacturing with accessory sales;
- (16) Indoor recreation;
- (17) Laboratory, research and development centre;
- (18) Light manufacturing;
- (19) Lumber and storage yards, sale of wholesale and retail building supplies;
- (20) Motor vehicle sales, service and repair, including autobody restoration and repair but excluding wrecking or salvaging;
- (21) Modular home, mobile home, truss and prefabricated home manufacturing;
- (22) Office use;
- (23) Outdoor recreation;
- (24) Personal services establishment;
- (25) Printing and publishing;

- (26) Professional offices;
- (27) Recreation facility, including martial arts, boxing and yoga studio;
- (28) Recreational vehicle manufacturing, with accessory sales;
- (29) Research and development centre;
- (30) Restaurant, café, coffee shop including take-out and catering, but not including a drive-through;
- (31) Retail sales, unrelated to any other principal permitted use, limited to a maximum of 250 m² in total retail floor area per enterprise;
- (32) Secondary processing and manufacturing of wood products;
- (33) Software engineering office and accessory uses;
- (34) Technical services;
- (35) Warehousing, including mini-warehousing, self-storage distribution and forwarding of freight;
- (36) Wholesale sales;

The following accessory uses are permitted in the I-4 Zone:

- (37) Retail sales accessory to a principal permitted use;
- (38) Single family dwelling unit accessory to a principal permitted use, subject to Section 11.4(b)(3) below.

(b) Conditions of Use

For any *parcel* in an I-4 zone:

1. All parcels shall be connected to a community water and community sewer system;
2. The *parcel coverage* shall not exceed 60 percent for all *buildings* and *structures*;
3. The *height* of all *buildings* and *structures* shall not exceed 18 m;
4. Not more than three single family residences are permitted per parcel of land, only in conjunction with a principal permitted use under Section 11.4(a) above;
5. A convenience store shall not be larger than 230 m² in floor area;
6. The following minimum *setbacks* apply:

COLUMN I Type of Line	COLUMN II Buildings & Structures
Front Parcel Line	4.5 metres
Interior Side Parcel Line	0 metres where the abutting parcel is zoned Industrial 5 metres where the abutting parcel is not zoned Industrial
Exterior Side Parcel Line	4.5 metres
Rear Parcel Line	0 metres where the abutting parcel is zoned Industrial 4.5 metres where the abutting parcel is not zoned Industrial
Streamside Protection and Enhancement Area (SPEA)	7.5 metres

(c) Minimum Parcel Size

Subject to Part 13, the minimum *parcel* size in the I-4 Zone is 0.1 ha for *parcels* served by a *community water and sewer system*.

(d) Parking

Notwithstanding CVRD Off-Street Parking Bylaw No. 1001, or any other CVRD bylaws that may require off-street parking spaces, the minimum number of off-street parking spaces required on a parcel in the I-4 Zone is 1 space per 48 m² of gross floor area, plus one space per accessory residential dwelling.

b) The following is added after Section 7.1:

7.1A F-1A ZONE - FORESTRY / OUTDOOR RECREATION(a) Permitted Uses

The following *uses* and no others are permitted in an F-1A zone:

- (1) *Agriculture, silviculture, horticulture;*
- (2) *Bed and breakfast accommodation;*
- (3) *Daycare, nursery school accessory to a residential use;*
- (4) *Home occupation;*
- (5) *Management and harvesting of primary forest products, excluding: sawmilling, manufacturing, and works yards;*
- (6) *Outdoor recreation;*
- (7) *Secondary suite, or small suite;*
- (8) *Single family dwelling;*
- (9) *Office, retail sales and cafeteria accessory to an outdoor recreation use.*

(b) Conditions of Use

For any *parcel* in an F-1A zone:

- (1) The *parcel coverage* shall not exceed 20 percent for all *buildings and structures*;
- (2) The *height* of all *buildings and structures* shall not exceed 10 m;
- (3) Not more than one single family dwelling shall be permitted on a parcel of land, plus one of either a small suite or secondary suite;
- (4) The following minimum *setbacks* shall apply:

COLUMN I Type of Line	COLUMN II Residential, Recreational & Accessory Buildings & Structures	COLUMN III Forestry, Agricultural and Other Permitted Buildings & Structures
Front Parcel Line	7.5 metres	30 metres
Interior Side Parcel Line	3.0 metres	15 metres
Exterior Side Parcel Line	4.5 metres	15 metres
Rear Parcel Line	7.5 metres	15 metres
Streamside Protection and Enhancement Area (SPEA)	7.5 metres	7.5 metres

(c) Minimum Parcel Size

Subject to Part 13, the minimum *parcel* size in the F-1A Zone is 80 hectares.

c) The following definitions are inserted into Section 3.1:

“light manufacturing” means the manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair, distribution, and storage of retail or wholesale consumer products;

“manufacturing” means the manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair, treatment, distribution, and storage of products, materials, fabric, substances or compounds;

d) The definition of “outdoor recreation” under Section 3.1 of Zoning Bylaw 2000 is deleted and replaced with the following:

“outdoor recreation” means a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element and includes adventure tourism, archery, *park* or open space, playing field, botanical garden and arboretum, but does not include a golf course;

e) Section 11.2 (a) is deleted and replaced with the following:

(a) Permitted Uses

The following *uses* and no others are permitted in an I-2 zone:

- (1) Boat buildings, repair and storage;
- (2) Clothing cleaning, manufacture, repair and storage;
- (3) Contractor's workshop, yard and storage;
- (4) Dry land log sorting;

- (5) Equipment repair, sales, storage and rental;
- (6) Feed, seed and agricultural supplies, sales and storage;
- (7) Food and candy products manufacturing, storage, processing, packaging, frozen food locker, cold storage plant, but excluding fish cannery and abattoir;
- (8) Forest products processing, milling and storage, excluding pulp and paper mill;
- (9) Industrial manufacturing, repair, storage and packaging;
- (10) Kennels for the keeping, boarding, raising, training and/or breeding of cats and dogs and animal hospital;
- (11) Lumber and storage yards, sale of wholesale and retail building supplies;
- (12) Manufacturing, repair, treatment and storage of products, materials, fabric or compounds;
- (13) Motor vehicle repair, sales, body repair, painting, wrecking, storage, salvage;
- (14) Modular or prefabricated home structure, and truss manufacturing;
- (15) Outdoor recreation;
- (16) Parking garage;
- (17) Processing and sale of gardening and landscaping supplies and materials;
- (18) Retail and wholesale sale of petroleum products and accessory storage of petroleum products not exceeding 455,000 litres;
- (19) Secondary processing and manufacturing of wood products;
- (20) Recycling, sorting and storage of any substance or material, and excluding external storage of any type of septage, animal material or animal substance;
- (21) Residential suite;
- (22) Restaurant;
- (23) Warehousing, including mini-warehousing;
- (24) Welding shop;
- (25) Wholesale sales;
- (26) Office accessory to a principal use permitted in Section 11.2(a)(1-25);
- (27) Retail sales accessory to a principal use permitted in Section 11.2(a)(1-25);
- (28) One single family dwelling unit per parcel accessory to a use permitted in Section 11.2(a)(1-25).

f) Section 6.1 (Creation of Zones) is amended by adding the following to the existing table:

	ZONE	ZONE TITLE
Forestry	F-1A	Forestry/Outdoor Recreation
Industrial	I-3	Bamberton Light Industrial
	I-3A	Light Industrial
	I-4	Business Park Industrial/Commercial

- g) Schedule B (Zoning Map) is amended by rezoning Part of Block 176, Part of District Lot 95, Part of District Lot 127, District Lot 135, Part of District Lot 118 and a small part of District Lot 183, all of Malahat Land District, being those areas shown outlined in a thick black line on the Schedule Z-3498 attached hereto and forming part of this Bylaw, from Primary Forestry (F-1) to Bamberton Light Industrial 3 (I-3), Light Industrial 3A (I-3A), Business Park Industrial/Commercial 4 (I-4) and Forestry/Outdoor Recreation (F-1A) as indicated on Schedule Z-3498 and adding these new zones to the legend.

3. FORCE AND EFFECT

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

READ A FIRST TIME this 22nd day of June, 2011.

READ A SECOND TIME this 22nd day of June, 2011.

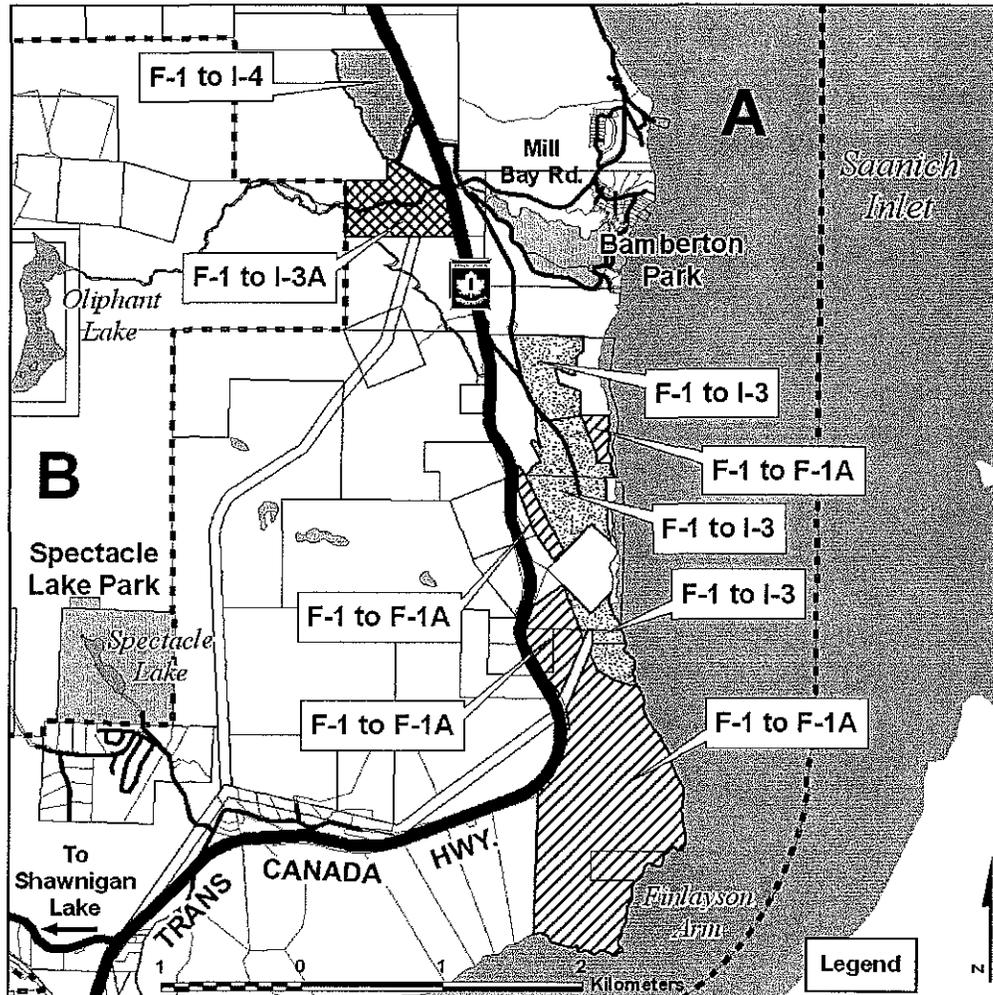
READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

Primary Forestry (F-1) **TO**

Bamberton Light Industrial 3 (I-3), Light Industrial 3A (I-3A), Business Park Industrial/
Commercial 4(I-4) and Forestry/Outdoor Recreation (F-1A) **APPLICABLE**

TO ELECTORAL AREA A



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3510

A Bylaw to Adopt an Official Community Plan for the Cowichan Valley Regional District Applicable to Electoral Area A – Mill Bay/Malahat; Electoral Area B – Shawnigan Lake; and Electoral Area C – Cobble Hill

WHEREAS Section 876 of the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt official community plan bylaws;

AND WHEREAS the *Act* provides that an official community plan bylaw applies to an area outside of a municipality that is designated in the Plan as being covered by the Plan;

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 adopt Official Community Plan Bylaw No. 3510;

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 South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill**".

2. **SCHEDULES**

For the purposes of expressing the policies for land use and development of Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill, the Board of the Cowichan Valley Regional District hereby adopts the Official Community Plan Report and including Schedule A, Appendix A - Mill Bay Village Plan; Schedule A, Appendix B – Shawnigan Village Plan; Schedule A, Appendix C – Cobble Hill Village Plan marked Schedule A; the Plan Maps marked Schedule B; and the Plan Servicing Maps marked Schedule C, attached, which are an integral part of this bylaw.

.../2

3. VALIDITY

If any section, subsection, sentence, clause, phrase or map of this bylaw is for any reason held invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainders of the bylaw.

4. 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.

5. REPEAL

CVRD Official Community Plan Bylaw No. 1890 – Electoral Area A (Mill Bay/Malahat), as amended, is hereby repealed;

CVRD Official Community Plan Bylaw No. 1010 – Electoral Area B (Shawnigan Lake), as amended, is hereby repealed.

CVRD Official Community Plan Bylaw No. 1210 – Electoral Area C (Cobble Hill), as amended, is hereby repealed.

5. FORCE AND EFFECT

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

READ A FIRST TIME this 8th day of June , 2011.

READ A SECOND TIME this 8th day of June , 2011.

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

Exempt from approval by the Minister of Community, Sport and Cultural Development under Section 2 (a) and (b) of the *Cowichan Valley Regional District Approval Exemption Regulation* pursuant to Ministerial Order No. MO36, February 21, 2011.

ADOPTED this _____ day of _____ , 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3511

A Bylaw for the Purpose of Amending South Cowichan Official Community Plan Bylaw No. 3510, Applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill

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 A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill, that being South Cowichan Official Community Plan Bylaw No. 3510;

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. 3510;

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. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011**".

2. AMENDMENTS

South Cowichan Official Community Plan Bylaw No. 3510, 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 22nd day of June, 2011.

READ A SECOND TIME this 22nd day of June, 2011.

SECOND READING RESCINDED this day of , 2011.

SECOND READING AS AMENDED this day of , 2011.

READ A THIRD TIME this day of , 2011.

Exempt from approval by the Minister of Community, Sport and Cultural Development under Section 2 (a) and (b) of the *Cowichan Valley Regional District Approval Exemption Regulation* pursuant to Ministerial Order No. MO36, February 21, 2011.

ADOPTED this day of , 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3511

Schedule A to Official Community Plan Bylaw No. 3510, is hereby amended as follows:

1. The following is added after Policy 12.23:

POLICY 12.24

Notwithstanding other policies in this Plan to the contrary, lands in the Rural Resource designation that are also identified on Figure 10A may be zoned for light industrial and outdoor recreational uses while remaining in the Rural Resource designation, and such lands, other than for lease purposes, will remain subject to a 80 hectare minimum parcel size requirement, similar to that of the Rural Resource designation. However, long-term leases may be registered over such lands. In the event that these lands are eventually proposed to be redesignated and rezoned for subdivision for industrial, commercial or residential purposes, the CVRD Board expects that a zoning for amenities provision would be enacted which would entail the permanent protection in the public realm of sensitive ecosystem lands to the immediate south of the lands subject to redesignation and rezoning.

POLICY 12.25

Notwithstanding other policies in this Plan to the contrary, lands in the Rural Resource designation that are within a 1 kilometre radius of the Bamberton Highway interchange, and are on the west side of the Trans Canada Highway, may be eligible to be redesignated and rezoned for light industrial and business park uses, and for subdivision to lot sizes suitable for the proposed uses. In considering whether to apply this policy to any particular site, the Board will have regard for:

- a) the suitability of the site for light industrial and business park uses;
 - b) the availability of similar sites in the existing business and light industrial park in the immediate vicinity and the likelihood that an expansion will be needed to meet market demand;
 - c) the availability of community sewer and water services;
 - d) the possibility of capturing new economic development opportunities for the region;
 - e) Protection sensitive environmental features from development and protection of the appearance of this area from vantage points within the Cowichan Valley.
2. Schedule B to the South Cowichan Official Community Plan – the Plan Map – is amended by redesignating part of Block 176, Malahat District, as shown shaded in grey on the Schedule Z-3511 attached hereto and forming part of this Bylaw, from Rural Resource to Industrial.

3. The following is added to the guidelines of the South Cowichan Rural Development Permit Area:

24.4.16A Industrial/Business Park Guidelines

The Industrial/Business Park Guidelines apply to the subdivision of land and construction of buildings or structures or landscaping for all industrial zoned lands in the Plan Area as follows:

- (a) *the guidelines regarding environmental protection (guidelines a) 1 to 4 and b) 1 to 3), natural hazards (guideline a) 5) and views (guideline b) 5) shall apply to all lands that are zoned I-2.*
- (b) *all guidelines shall apply to all other industrial zoned lands.*

Where these guidelines collide with those in other Sections, these guidelines shall prevail.

a) Land Subdivision Guidelines

Environmental Protection

1. Lands in a proposed subdivision plan that contain or are adjacent to riparian features should respect the existence of the riparian area by having a substantial additional usable site area beyond the Streamside Protection and Enhancement Area (SPEA). Ongoing protection of the riparian areas generally and the SPEAS in particular is strongly encouraged through mechanisms such as dedication of these lands to the CVRD or the use of covenants in favour of the CVRD. This should minimize the likelihood of difficult-to-develop industrial parcels being created and protect the riparian areas from damage.
2. Buffer areas beyond the SPEA should be landscaped with naturalized plantings. Orientation and positioning of driveways and potential building envelopes on proposed parcels should be sensitive to these features. A development permit may specify additional setbacks from a Streamside Protection and Enhancement Area (SPEA) as required in the zoning bylaw, where such additional setback would be required to offer adequate protection to the riparian area due to the nature of the proposed land use.
3. Infiltration systems, constructed wetlands, and other features in open spaces that are forested should be designed and planted with species that require minimal irrigation and/or have a role in supporting indigenous birds and other small fauna.
4. The site grading of all proposed parcels should be designed at the subdivision stage to direct rainfall that will be collected on roofs and paved surfaces into infiltration systems wherever feasible. These systems should be engineered to allow slow infiltration of rainwater into the ground in locations that will reduce the effect of increased flows on existing watercourses and wetlands.

Natural Hazards

5. A report concerning potential natural hazards to the subdivision will be submitted along with an application, and the report will contain the following:
 - a) Assessment of the risk of geotechnical hazards by an appropriately qualified professional engineer or professional geoscientist with experience in natural hazard assessment and mitigation.
 - b) Assessment of the risk of wildland/urban fire transfer by a qualified professional in the field. The report will contain advice for the subdivision layout and describe in its recommendations the appropriate protective measures to mitigate any risk.

Lot Layout

6. A report on the proposed measures for rainwater management should be prepared by a appropriately qualified professional engineer as part of each DP application for subdivision.
7. Lots should front on roads that have been laid out in response to the topography in order to minimize grades by following contour lines where feasible and appropriate.
8. The subdivision plan should indicate the parcel lines, the potential building envelope reflecting required setbacks and other siting constraints.
9. If appropriate, parcel lines should not be symmetrical across the street in all locations. Lot sizes should vary occasionally to take advantage of environmental features and for variety and to encourage visual interest.

Local Roads

10. Local roads should be designed with rights-of-way and paved lanes to the narrowest width that would still be suitable for business park and light industrial traffic, with a view to minimizing the disruption to the landscape on sloped areas.
11. Preference will be given to main local roads with a surface swale of adequate capacity to collect rainwater from the development sites uphill from it.
12. Where permitted by the Road Authority, street trees should be planted within the right-of-way along streets where they will not affect driveways, sight lines or other infrastructure features, except where a road traverses an area of retained or replaced natural forest. The street tree planting scheme should use a variety of tree types chosen from a range of native and drought-tolerant species and planted in informal rhythms and clusters rather than in regularly spaced lines. To achieve the desired integration with the natural forest context, a minimum of 20% of trees planted should be coniferous species.
13. The local road network should be adapted to the requirements of local transit service, including, for example, transit stops.

Landscape Character

14. Street tree planting, if permitted by the Road Authority, should use a variety of tree species. The Development Permit application for subdivision should include a conceptual street tree planting scheme prepared by a registered Landscape Architect that sets out the species selection for each street from among appropriate drought-tolerant and climate compatible species.

Streetscape Furniture

15. As part of the development permit application for subdivision, the project Landscape Architect shall identify a suite of furnishings for the public realm: bench, light standards, waste receptacle, bike rack, and bollard for use throughout the Business Park and adjacent Industrial Park. This suite of furnishings should be integrated in terms of materials and design expression and should express a contemporary, industrial character. Lighting selections shall be made that have low light emissions into the night sky. Site furnishing specifications of metal, concrete, stone and/or wood should be used to express the Pacific Northwest theme yet blend into the background landscape; aluminum, stainless steel, or painted / powder coated in natural tones (including grey) should be considered; wood, wood-like materials, concrete or metal are suitable as a trim especially for the seating surface of benches.

Visual Buffers

16. A visual natural buffer comprised of natural forest should be provided along the majority of the Trans-Canada Highway to a minimum depth of 10 metres. It should be comprised of retained existing forest vegetation to the greatest extent feasible.
17. Limited gaps in the visual landscape buffers along the Trans-Canada Highway will be provided to achieve visual recognition of the presence of the Business Park. Additional gaps may be provided for specific users in both the Business Park and the adjacent Light Industrial Park, subject to consideration of the quality of building design, landscaping proposed and the resultant overall appearance of the land use.

Signs

18. Pylon signs may be used along the Trans-Canada Highway to identify the Business Park site, which generally should not be backlit and will not contain LCD/LED elements or video/scrolling message elements. The sign should be mounted on a well engineered base and be up to 6 metres in height, allowing visibility to drivers along the highway for an appropriate distance before the exit ramp from the Trans-Canada Highway, while still being below the height of the background trees in the highway buffer strip.

b) Site Development and Building/Structure Form and Character Guidelines**Environmental Protection**

1. Where feasible, the use of "green" roof structures is encouraged, to reduce heating and cooling needs and to buffer rainwater flows. Total site imperviousness figures will be submitted with any application and the measures utilised to reduce the effective impervious areas will be described in material accompanying the application.
2. Applications for development permits for buildings and development generally on the parcels for which a development permit application is made must take account of the industrial processes that will occur within the buildings and on the land, and where the proposed uses involve potential contaminants of land or water, sufficient containment measures to prevent spills of potential contaminants shall be taken in the design of both buildings and the site upon which such activities will take place. A report by a qualified professional respecting the measures to be taken in this regard may be required as a precondition to consideration of development permit issuance, and where the report makes recommendations concerning the measures required to contain such potential risks, these shall be made a requirement of the development permit. Air emissions are regulated directly by the Province of British Columbia.
3. Parking areas and any other portions of the parcel that would have machinery and other equipment parked or installed on it should be surfaced in a way that intercepts potential contaminants and separates them from rainwater, allowing for their regular removal or treatment.

Building Form, Character and Signs

4. Building façade articulation, such as recessed window and door penetrations, is encouraged to create variation and visual interest. Front entries should be marked with architectural features and where more than one entry point is proposed, the main entry should be most prominent. Entrances should be illuminated in keeping with their hierarchy of importance at levels to achieve safety and security for users. Large expanses of building façade without windows are discouraged, but where necessary, these should be oriented to side and rear yards or, if facing the front yard, should be given an architectural treatment to achieve visual interest. Building lighting must be designed to avoid overspill into the public realm or the night sky.
5. Particular attention must be paid, in the building and landscape design, to the appearance from the Trans-Canada Highway and the surface waters of Saanich Inlet. Buildings and structures which blend into the landscape by virtue of careful colour palette control and appropriate form, materials and scale are preferred to those which would present a visually imposing presence more typical of an urban area, which would be at odds with the generally scenic rural resource lands in this area.

6. Finishing materials of buildings and structures should be appropriate to local climatic conditions and durable so as not to require frequent replacement over the building's lifespan. Acceptable exterior materials include: wood, brick, stone, stucco, concrete slab or block, and metal, fiberglass, cementitious and composite panels. Wherever possible building colours should be selected from a palette of natural tones that express the intention of integrating the Business Park into the surrounding natural environment.
7. Using landscape strategies to reduce the need for heating and cooling including: using deciduous trees on the southern and western facing side of a building to maximize the warming effect of solar radiation in winter months and the cooling effect of shade in the summer, locating evergreen trees so they block winter winds without blocking solar access.
8. Signs should be designed in coordination with the site and any buildings on it. Signage for individual industrial or commercial development sites should be either integrated with the building architecture or freestanding within the front yard landscaped area. Consideration should be given to coordinating new signs with the style of the prevailing informational and directional signage for the business area.

Landscape and Parking Area Standards

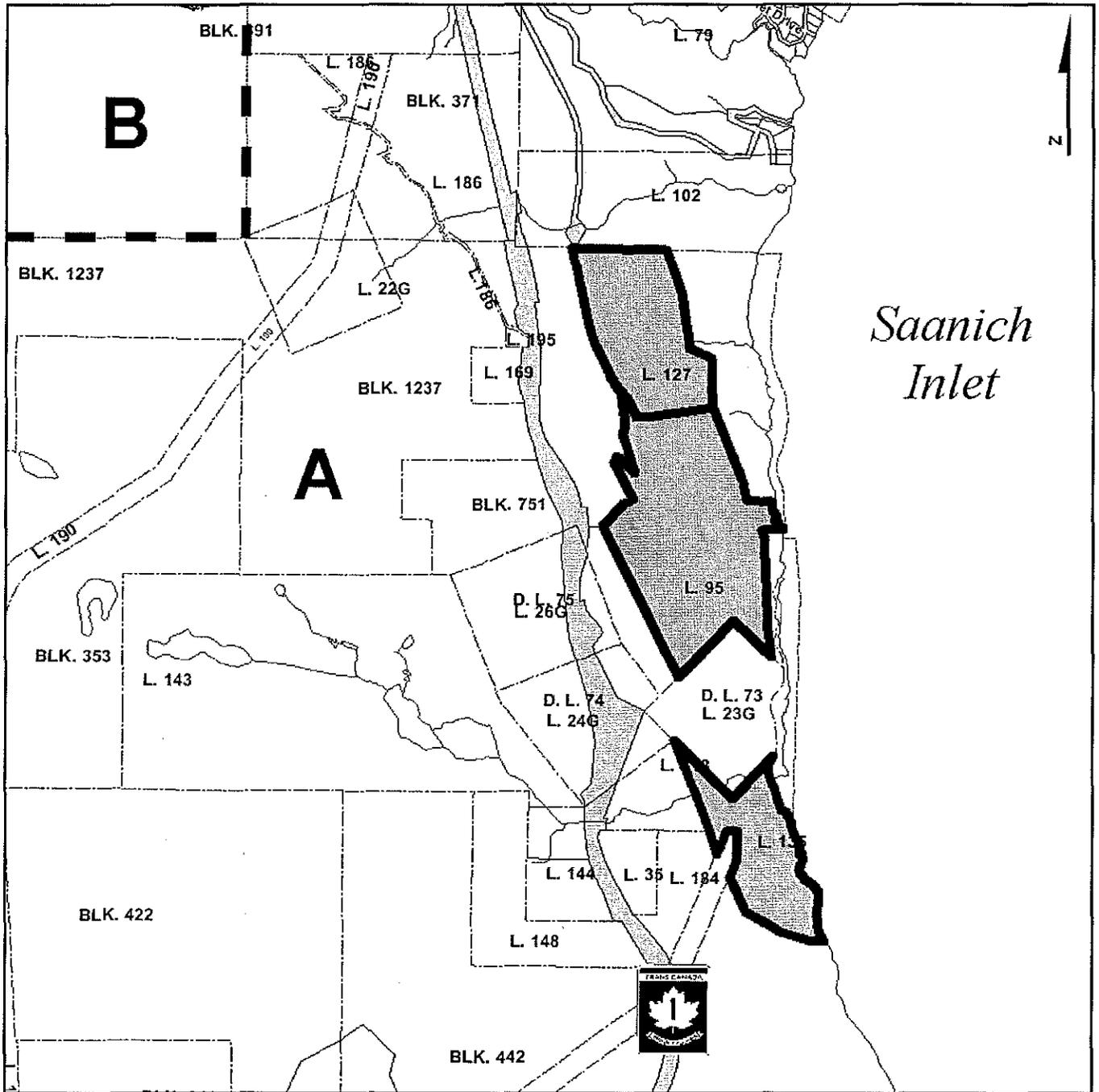
9. A comprehensive landscaping plan should be prepared by a Landscape Architect to BCSLA/BCNTA standards, and be submitted along with the application form. Plantings should consist of a variety of plant species, dominated by native and drought tolerant types appropriate to this biogeoclimatic zone.
10. Site imperviousness figure shall be calculated by the applicant. Effective impervious surfaces of paved areas should be reduced through the use of mitigating measures such as infiltration wells for cleansed rainwater where feasible, such measures collectively being designed to reduce the surface runoff in rainfall events to a level that approaches that of the site before it was developed.
11. Fences should be constructed of wood, stone, brick, black coloured chain-link, ornamental metal work or suitable alternative materials of similar appearance.
12. Garbage and recycling containers, utility boxes, fans, vents, and outdoor storage areas should be screened from viewers in the adjacent public realm.
13. End-of-trip facilities for cyclists, including bike lockers or at a minimum, bike racks, should be provided.

24.4.16B Industrial/Business Park Guideline Exemptions

The Industrial/Business Park Guidelines do not apply to:

- a. Interior renovations to existing buildings;
- b. Minor exterior alterations to existing buildings;
- c. Changes to the logo, words or other information on an existing sign;
- d. A boundary adjustment between two or more existing parcels of land, provided all provisions of the otherwise applicable guidelines can be maintained following the adjustment (e.g. Buffer Area).

FIGURE 10A





C·V·R·D

B20

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3535

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3535 - Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Alderlea Farm), 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.

.../2

3. CAPITAL EXPENDITURE PROGRAM

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

READ A FIRST TIME this _____ day of _____, 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. 3535

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

- a) That the following policy is added after policy 4.1.20:

POLICY 4.1.21

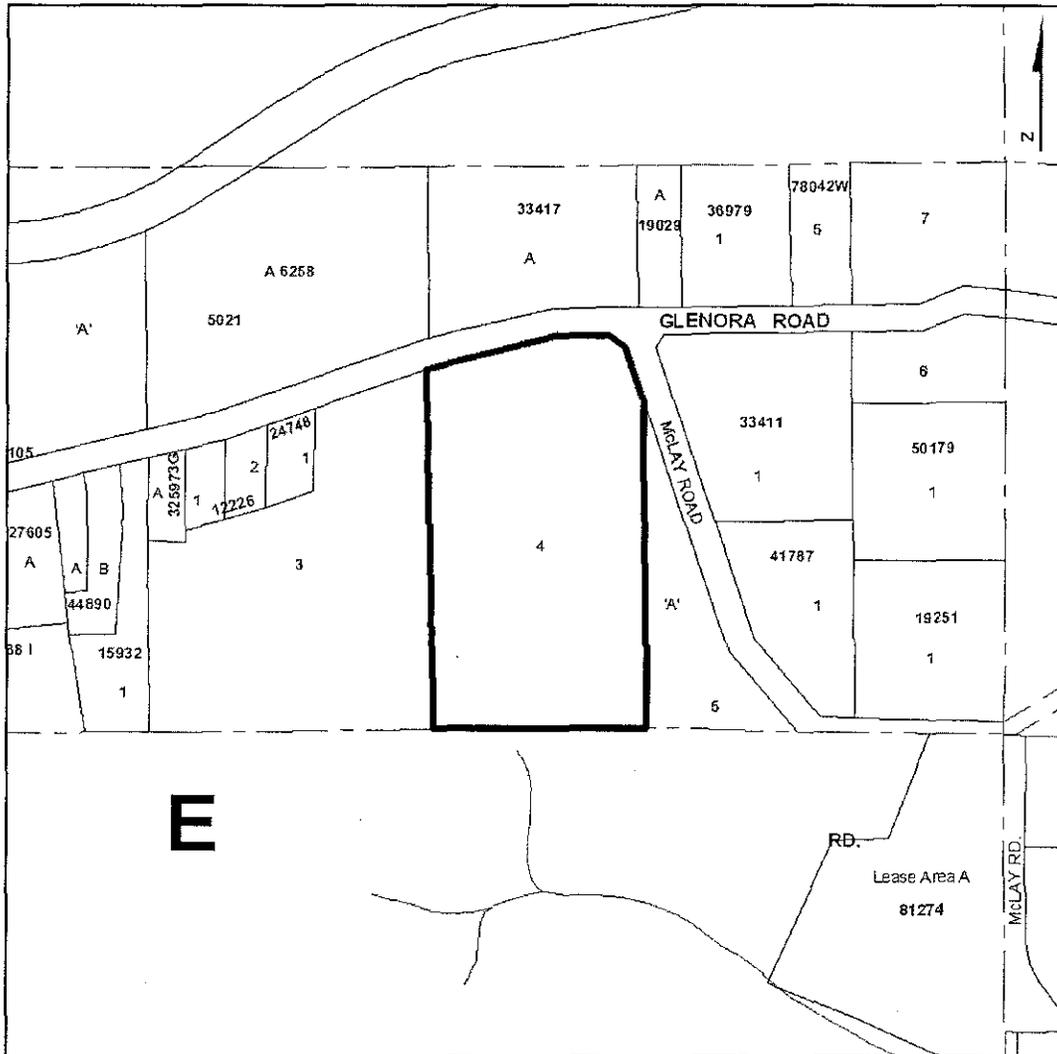
The promotion, marketing and sale of locally grown crops are encouraged. Ancillary non-farm uses that are compatible and supportive of agricultural may be considered through site specific zoning amendments.

- b) That Lot 4, Section 11, Range 4, Quamichan District, Plan 5021, Except that Part in Plan 33417, as shown outlined in a solid black line on Plan number Z-3535 attached hereto and forming Schedule B of this bylaw, be re-designated from Rural Residential to Agricultural and that Schedule B of Bylaw 1490 be amended accordingly.

PLAN NO. Z-3535

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

3535



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Rural Residential

TO

Agricultural

APPLICABLE

TO ELECTORAL AREA E



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3536

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3536 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 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) That the following definition be added to Section 3.1:

“local farm products” means commodities grown or reared on a farm within 160 km (100 miles).

b) That Section 7.7(a) be amended to add “processing, storage and retail sales of local farm products” and “food and beverage café, accessory to a use permitted in 7.7(a)(2) and (3)*” to the list of permitted uses.

- c) That Section 7.7(a) be amended to remove “one single family dwelling accessory to a use permitted in 7.7(a)(1) and (2) above” from the list of permitted uses
- d) That Section 7.7(b)(1) be amended to reduce the maximum permitted parcel coverage from 60% to 30%.
- e) That the following Condition of Use be added after Section 7.7(b)(1):
 - (2) Notwithstanding Section 7.7(b)(1) *parcel coverage* may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;
- f) That Section 7.7 (b) be amended to change the heading of Column II from “Residential and Accessory Uses” to “Non-Agricultural Principal and Accessory Uses”.
- g) That Section 7.7(b) be amended by adding the following conditions of use:
 - (6) food and beverage café use shall not exceed 125m2 of indoor floor area and 125 m2 of outdoor patio and deck area, and a maximum seating capacity of 65 persons.
 - (7) A slaughterhouse, abattoir or stockyard shall be specifically prohibited.
- h) That Section 7.7(c) be amended to change the minimum parcel size in the A-5 zone from 1.0 ha. to 5.0 ha.
- i) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 be amended by rezoning Lot 4, Section 11, Range 4, Quamichan District, Plan 5021, except that part in Plan 33417, as shown outlined in the solid black line on Plan Number Z-3536 on Schedule A attached hereto and forming part of this bylaw, be rezoned from Suburban Residential (R-2) to Agricultural Market (A-5).

3. **FORCE AND EFFECT**

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

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

