



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

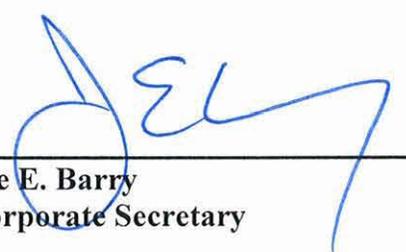
DAY: WEDNESDAY

DATE: JULY 8, 2009

**TIME: → REGULAR SESSION
6:00 P.M.**

PLACE: BOARD ROOM

175 INGRAM STREET



**Joe E. Barry
Corporate Secretary**



C·V·R·D

REGULAR BOARD MEETING

WEDNESDAY, JULY 8, 2009

6:00 PM - CVRD BOARD ROOM

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- B4 "CVRD Bylaw No. 3279 - Security Issuing (Loan Authorization Bylaw 2995, Loan Authorization Bylaw No. 2995, Loan Authorization Bylaw No. 3029, Loan Authorization Bylaw No. 3106, and Loan Authorization Bylaw No. 3197) Bylaw, 2009", adoption.

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

- B5 "CVRD Bylaw No. 3133 - Area A - Mill Bay/Malahat Official Community Plan Amendment Bylaw (School Sites), 2008", 3rd reading. 210-212
- B5 "CVRD Bylaw No. 3133 - Area A - Mill Bay/Malahat Official Community Plan Amendment Bylaw (School Sites), 2008", adoption.
- B6 "CVRD Bylaw No. 3263 - Area A - Mill Bay/Malahat Zoning Amendment Bylaw (Additional Parkland Regulation), 2009", 3rd reading. 213-214
- B6 "CVRD Bylaw No. 3263 - Area A - Mill Bay/Malahat Zoning Amendment Bylaw (Additional Parkland Regulation), 2009", adoption.
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- B9 "CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009", 1st and 2nd reading. 221-228
- B10 "CVRD Bylaw No. 3285 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom Estates), 2009", 1st and 2nd reading. 229-234

12. RESOLUTIONS:

- RES1 Appointments to the Electoral Area G - Saltair/Gulf Islands Parks Commission 235
- RES2 Appointment to the Thetis Island Port Commission 236

13. UNFINISHED BUSINESS:

14. NOTICE OF MOTION:

15. NEW BUSINESS:

16. QUESTION PERIOD:

- a) Public
- b) Press

17. CLOSED SESSION:

18. ADJOURNMENT:

The next Regular Board meeting will be held August 12, 2009 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, June 10, 2009 at 6:00 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
B. Harrison, D. Haywood, L. Iannidinardo,
P. Kent, K. Kuhn, M. Marcotte, T. McGonigle,
I. Morrison, G. Seymour <6:12 pm> and T. Walker
and Alternate Director S. Arnett

ALSO PRESENT: Warren Jones, Administrator
Joe Barry, Corporate Secretary
Rob Conway, Manager, Development Services Division

ABSENT: Director R. Hutchins

GUESTS: Former Chair, J. Peake
Former Director B. Hodson

RECOGNITION CEREMONY

Chair Giles welcomed the assembled former CVRD Directors and distributed commemorative recognition gifts to each of the former directors.

Selected speakers provided a brief history of the political CVRD career of each of the former Directors.

Director Marcotte provided an overview of the accomplishments including the energy and focus that former Director Hodson brought to his years at the CVRD and how he always put serving his area residents first and most importantly, to the best of his ability.

Director Kent summarized the political career of former Director Peake, his insight and thoughtfulness, and how invaluable his presence sitting at the table for various committees and outside organizations such as ICE-T and the Vancouver Island Corridor Foundation and as Mayor of the Town of Lake Cowichan.

APPROVAL OF AGENDA 09-303

It was moved and seconded that the agenda be amended with the deletion of the Four Ways Properties Inc. delegation, D2; and the addition of New Business Closed Session item CSCR2, Land Acquisition {Sub (1) (e)} and New Business Regular session items NB1 Cowichan Search and Rescue Society, and that the agenda as amended be approved.

MOTION CARRIED

ADOPTION OF MINUTES **It was moved and seconded that the minutes of the May 13, 2009 Regular Board meeting be adopted.**
09-304

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

DELEGATIONS

D1 **Debbie Smith and the Bench School, Make a Difference Club**
Re: Ways to Reduce Plastic Bags in the Cowichan Valley.

Debbie Smith, with the assistance of the Bench School Make A Difference Club members, illustrated the negative effects that plastic bags have on the environment and encouraged the CVRD Directors to support their local initiative to reduce plastic grocery bag use in the Cowichan Region.

D2 Deleted upon Approval of Agenda.

REPORT OF THE CHAIR

RC1 **Kinsol Campaign Launch**

The Chair reported on the launch of the Kinsol Campaign held earlier in the day that had been very successful with approximately 80 individuals in attendance and noted that Jack Peake is the Campaign Committee Chair and will do an excellent job of promoting such a worthwhile community project.

RC2 **Regional/Sub-Regional Recreation Committee Appointments**

The Chair proposed that the Committee be comprised of all CVRD Directors with the exception of Directors from Electoral Areas G - Saltair/Gulf Islands and H - North Oyster/Diamond and that Director Kent be nominated as Chair and Director McGonigle be nominated as Vice Chair.

09-305 **It was moved and seconded that the Regional/Sub-Regional Recreation Committee be comprised of all CVRD Directors with the exception of Electoral Areas G - Saltair/Gulf Islands and H - North Oyster/Diamond; and further, that Director Kent be appointed as Chair and Director McGonigle be appointed as Vice Chair of the Committee.**

MOTION CARRIED

RC3 Environment Commission Report

The Chair noted that three committees have been formed and that work is progressing on the development of an environmental lens, regional sustainability planning, environmental inventory mapping or indicators, and a communication strategy that would continue to build on the "12 Big Ideas".

Invitations have been extended to Michelle Vessey, Craig Whitman, Larry George and John Baldwin to attend the July 9th Environment Commission meeting to discuss the Cowichan Lake water levels given the lack of rainfall this past fall/winter and spring and the potential for a long hot summer.

The Board was encouraged to personally attend this meeting even though updates would be provided.

The Chair also advised that two community forums were planned:

1. Transition Town - sponsored by the District of North Cowichan being held June 18th; and
2. Seeds for Tomorrow - sponsored by the Cowichan Green Community being held on June 19th

and that both forums are featuring a slate of excellent speakers.

RC4 South Cowichan Service and Governance Review

The Chair reported that the South Cowichan Service and Governance Review is now complete; the report will be distributed to the Board shortly. The Chair also advised that the Chair of the South Cowichan Service and Governance Committee, David Towner, will be making a presentation at the July 8th Board meeting and will be available at that time to respond to questions.

RC5 Proposed Changes to the Regional Transit System

The Chair informed that Board that the proposed changes to the Regional Transit system will be posted on the BC Transit website with a link on the CVRD homepage and encouraged examination of the proposed changes and provision of feedback so that BC Transit benefits from the input of system users.

CORRESPONDENCE

C1 Correspondence from Greyhound Canada Transportation Corp. dated May 6, 2009 re: Public Notice regarding reduction of bus service in the CVRD.

09-306 It was moved and seconded that Greyhound Canada Transportation Corp. be asked to provide an explanation of its decision to reduce service as well as information on ridership.

MOTION CARRIED

09-307 It was moved and seconded that the Greyhound Canada Transportation Corp. be advised that the newly created Pacific Marine Circle Route can also be utilized for emergency routing in the event of a Malahat closure.

MOTION CARRIED

COMMITTEE REPORTS

CR1 The report and recommendations of the Regional Services Committee meeting of May 27, 2009 listing two items were considered.

09-308 It was moved and seconded:

1. 1. That the Cowichan Valley Regional District's 2008 Financial Statements be accepted.
 2. That the Directors' 2008 Statement of Remuneration and Expenses be accepted.
 3. That the Audit Findings Report dated April 24, 2009 be received.
-
2. That the following two projects for application to the Western Economic Diversification Canada Program Grants be approved:
 1. Recreational Infrastructure Canada Program: Cowichan Valley Trail - Lake Cowichan to Nanaimo Regional District Section.
 2. Community Adjustment Fund - Historic Kinsol Trestle Rehabilitation.

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of May 19, 2009 listing two items were considered.

09-309 It was moved and seconded:

1. That the Chair and Corporate Secretary be authorized to execute a Sidewalk and Landscaping Maintenance Agreement with Peninsula Consumer Services Co-operative and a Licence of Occupation with the Ministry of Transportation and Infrastructure for sidewalk improvements within the Deloume Road right-of-way.

MOTION CARRIED

09-310 It was moved and seconded:

2. That Application No. 2-C-08DP be approved, and that a development permit be issued to Victoria Truss Ltd. for Lot A, Sections 12 and 13, Shawnigan District, Plan 41285, for the construction of an addition to the existing building, subject to completion of the landscaping as proposed along the western property boundary, or posting of an Irrevocable Letter of Credit appropriate to cover landscaping costs if not completed prior to construction.

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of June 2, 2009 listing 12 items were considered.

09-311 It was moved and seconded:

1. 1. That the following resolution to create a Community Heritage Register (CHR) be adopted:

WHEREAS the Cowichan Valley Regional District, pursuant to the provisions of Section 954 of the *Local Government Act*, may, by resolution, establish a local government community heritage register;

AND WHEREAS the Board of Directors wishes to establish a local government heritage register for the benefit of the following electoral Areas: Electoral Areas A, B, C, D, E, F, G, H, and I;

NOW THEREFORE the Board of the Regional District enacts as follows:

1. Citation

This resolution may be cited for all purposes as “Cowichan Valley Regional District Community Heritage Register Resolution No. 09-311.1.”

2. Establishment of the Register

1. In the Cowichan Valley Regional District, a Community Heritage Register is established called the “Cowichan Valley Regional District Heritage Register”
2. The Board may maintain the Community Heritage Register in the CVRD Community Heritage Conservation Service Area;
3. For the purposes of maintaining a Community Heritage Register, the following provisions in relation to the heritage properties shall apply:
 - a) *Local Government Act*
Section 954 - Community Heritage Register;
Section 974 - Giving Notice to owners and occupiers;
Section 977 - Giving Notice to the minister responsible for the *Heritage Conservation Act*.

3. Participating Areas

1. The boundaries of the extended service area are the entire Cowichan Valley Regional District, excluding the member municipalities.
2. The participants in the Community Heritage Register established in clause 2.1 are the following which encompasses lands within Electoral Areas A, B, C, D, E, F, G, H, and I.

4. Amendment to the Community Heritage Register

The Regional District Board may add or remove a building, structure, landscape, artifact, or site from the Community Heritage Register by resolution. The owners of the subject building, structure, landscape, artifact, or site shall be advised of the Board’s decision pursuant to Section 974 of the *Local Government Act*.

2. That the Board place the Kinsol Trestle on the CVRD Community Heritage Register.
3. That the Planning and Development Department initiate a process for on-going implementation of the CHR.

4. That the Board place the Mill Bay Historical Church and Koksilah Historical School on the CVRD Community Heritage Register.
2. That any interested Electoral Area Directors be authorized to attend the UBCM Electoral Area Directors Meeting on June 26, 2009 in Vancouver, and that associated costs be approved.
3. That a grant-in aid request (Electoral Area G - Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation to provide a bursary to a deserving student who residents in Saltair and attends Ladysmith Secondary.
4. That a grant-in-aid request (Electoral Area G - Saltair) in the amount of \$500 be given to Chemainus Secondary School to provide a bursary to a deserving student who resides in Saltair.
5. That \$1,500 be granted to the Sahtlam Fire Department to complete the Sahtlam community kiosk sign and map project, and that the funds be drawn from the Electoral Area E Community Parks budget.

MOTION CARRIED

09-312

It was moved and seconded:

6. That Application No. 8-E-08DP (Landale Signs and Neon Ltd.) to permit additional fascia signs on Lot 1, Section 14, Range 6, Quamichan District, Plan 4077 shown outlined in red on Plan 1500R, except that part shown in red on Plan 1688OS and except part in Plan 40941 (PID: 012-522-449), be denied.
7. That Application No. 6-E-08DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Fay and Gordon Parkes with respect to Lot A, Section 9, Range 9, Sahtlam District, Plan VIP 59116 that would vary Section 5.23(g) of Zoning Bylaw No. 1840 by 2.8 metres to permit the length of the mobile home (small suite) to be increased from 13 metres to 15.8 metres.
8. That Application No. 2-I-09DP be approved, and the Planning and Development Department be authorized to issue a Development Permit with variance to Gerald and Caroline Thom with respect to Lot 4, Block 312 and Unnumbered Portion, Cowichan Lake District, Plan VIP 56533 (PID: 018-256-295) for the renovation of the dwelling and extension of the upper floors to correspond with the location of the foundation 4 metres from the natural boundary of Cowichan Lake.

9. That Application No. 3-D-08DP be approved, and that a development permit be issued to Hylton McAlister and Elizabeth Dianne Shatzko for District Lot 202, Cowichan District for the construction of a dwelling subject to:
 - a) Construction of the dwelling occurs subject to compliance with the recommendations and mitigation measures specified in the Streamline Environmental Consulting Ltd. report prepared July 9, 2008;
 - b) Reduction of the number of deck pilings to eight or fewer; and
 - c) That the platform of the stilt home including supports and decks be constructed of non- combustible material.

And further, that the following variances be granted:

- a) Relax Section 12.7(b) of Zoning Bylaw 1015 to reduce the front parcel line setback from 7.5 metres to zero, the west side parcel line setback from 0.762 metres to 0.6 metres and the east side parcel line setback from 0.762 metres to zero;
 - b) Relax Section 4.1 of Off-street Parking Bylaw No. 1001 to reduce the number of required off-street parking spaces for a single family dwelling from two to zero.
10. That the CVRD initiate a zoning amendment for 5070 West Riverbottom Road (Cowichan River Bible Camp), Electoral Area F, to change the zoning from P-1 to P-2, and further that the appropriate amendment bylaw be prepared and forwarded to the Regional Board for consideration of 1st and 2nd readings; and further that the public hearing be waived pursuant to Section 890(4) of the *Local Government Act*.
 11. 1. That a Zoning Amendment Bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to rezone a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, from Forestry Resource 1 (F-1) to Rural Residential 1 (R-1), and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;
 2. That an Official Community Plan amendment bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to redesignate a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984 from Forestry to Suburban Residential, and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;

3. That Application No. 1-F-06RS be referred to the Area F Parks Commission and the Cowichan Tribes for comment; and that following receipt of comments from these groups, that the application be referred to a public hearing, and that Directors Morrison, Marcotte, and Dorey be delegated to the hearing.
12. That the draft "Development Application Procedures and Fees Bylaw No. 3275" be approved to replace existing Bylaw No. 2255, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

CR3

The report and recommendations of the Engineering & Environmental Services Committee meeting of May 27, 2009 listing four items were considered.

09-313

It was moved and seconded:

1. That:
 - .1 A new operations facility and expansion of the existing staff building be constructed at Bings Creek Solid Waste Complex to support solid waste and water management operations.
 - .2 A loan authorization bylaw for approximately \$590,000 be prepared to cover the cost of the project.
 - .3 An Alternative Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.
4. That:
 - .1. As outlined in the approved CVRD solid Waste Management Plan, and building on secured Gas Tax Funding, the three existing CVRD ashfills be remediated, the three existing CVRD recycling depots be updated and expanded, and a new South Cowichan recycling depot be established.
 - .2 A loan authorization bylaw for approximately \$1,800,000 be approved to cover the cost of these projects.
 - .3 An Alternative Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.

MOTION CARRIED

It was moved and seconded:

2. That the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to the homeowners within Electoral Areas of the Cowichan Valley.

09-314

It was moved and seconded that this matter be referred back to the Engineering & Environmental Services Committee.

Opposed: Directors Cossey, Morrison, Dorey, Harrison,
Iannidinardo, Duncan and Giles

MOTION CARRIED

It was moved and seconded:

3. That Board Resolution No. 07-773 of October 24, 2007, to grant approval in principle for takeover of a sanitary sewer system for a proposed 50 lot subdivision within the Cowichan Bay Sewer System Service Area, be rescinded.

09-315

It was moved and seconded that this matter be referred back to the Engineering & Environmental Services Committee.

MOTION CARRIED

CR4

The report and recommendation of the Economic Development Commission meeting of May 14, 2009 listing one item was considered.

09-316

It was moved and seconded:

1. That the Board direct staff to prepare an amendment to the Economic Development Commission Establishment Bylaw No. 2497, Section 3 - Membership incorporating the following concept:
 1. The Commission shall consist of 13 members.
 2. Two Commission members shall be Directors from the Cowichan Valley Regional District.
 3. Eleven members shall be drawn from community groups, organizations or sectors concerned with economic development and growth within the Cowichan Valley Regional District.
 4. All members shall be appointed by Board resolution.

5. **Of the eleven members from the community, one member shall be appointed by the CVRD Board representing regional First Nations communities and one member shall be appointed annually by the Environment Commission.**

Opposed: Director Marcotte

MOTION CARRIED

CR5 The report and recommendations from the Parks Committee meeting of June 10, 2009 listing four items were considered.

09-317 It was moved and seconded:

1. **That the CVRD provide a letter supporting the Ditidaht First Nation proposal for construction of the section of Runners Trail through the Nitinaht Valley.**
2. **That the application from the Ceevac RoadRunners to hold a half marathon event on the Cowichan Valley Trail between Renfrew Road and the Kinsol Trestle on Sunday, November 1, 2009, be approved subject to the following conditions:**
 1. **Proof of a minimum \$2 million liability insurance coverage be provided by the organizers which covers the event and also includes the CVRD as an additional insured;**
 2. **A Course Marshall Plan is submitted prior to the event for CVRD review and approval;**
 3. **Confirmation that there will be appropriate flag persons at all road crossings along sections of the Cowichan Valley Trail Corridor used for the event;**
 4. **Confirmation that there will be notices of the event posted along the trail in advance of, and during the day of the event advising other trail users of the race, with such notice wording and locations pre-approved by the Regional District.**
 5. **Agreement by the organizers that the Renfrew Road to Kinsol Trestle may not be available for the November 1, 2009 event if rehabilitation work has commenced on the structure at that time, and that alternatively, the portion of the Cowichan Valley Trail from Renfrew Road south for approximately 4 kilometres would be available as an alternate route for the event.**

And that the Regional District has no objection to the use of "Kinsol" in the naming of the event.

3. That the funding contribution commitment of \$743,691 from the Regional Parks budget over the four-year period (2009-2012) towards the Cowichan Valley Trail Initiative as matching funds to the grant funding commitment from Island Coast Economic Trust be reaffirmed.
4. That staff be directed to prepare a policy for Board consideration to enter into written Funding Agreements with Third Parties as the basis for joint funding arrangements to purchase specific properties of mutual interest as Regional Parks sites.

MOTION CARRIED

CR6

The report and recommendations of the Cowichan Lake Recreation Commission meeting of May 25, 2009 listing three items were considered.

09-318

It was moved and seconded:

1. That the Cowichan Valley Regional District enter into a contract with Herold Engineering for the cost of \$15,300 for the provision of Civil Engineering services for the Cowichan Lake Sports Arena renovation project.
2. That the Chair and Corporate Secretary be authorized to sign the contract with Herold Engineering for the provision of Civil Engineering Services for the Cowichan Lake Sports Arena renovation project for the fees as noted.

(Amended from original Committee recommendation)

3. That the Cowichan Valley Regional District negotiate a change in location to the existing property line between the CVRD and the Town of Lake Cowichan at the east end of the Cowichan Lake Sports Arena. The proposed property line to move approximately 11.02 m to the east, with the proposed offset continuing north until 11.02 m from the existing Centennial Hall, where it will take a radius of 11.02 m from the southwest corner of the Centennial Hall back to the existing property line.

MOTION CARRIED

CR7 The report and recommendations of the Kerry Park Recreation Centre Commission meeting of May 26, 2009 listing two items were considered.

09-319 It was moved and seconded:

1. 1. That the Board request that the Liquor Control and Licensing Board (LCLB) approve the temporary change to the Primary Liquor License for July 4, 2009 Annual Summer Bonspiel held at the Kerry Park Recreation Centre.
2. That, as required by the LCLB, the Board of the Cowichan Valley Regional District has considered the following items: the potential for noise; the impact on the community; whether the extension will result in the establishment being operated in a manner that is contrary to its primary purpose and the views of the residents, and offers the following comments:
 1. Noise: The event, with 30 years previous experience without complaint, is held inside the facility. The license change is from the Curling Lounge and McLean Room to the Arena floor area;
 2. Impact on the Community: History of the event has been well received and supported by the community.
 3. Purpose: The amendment is consistent with the purpose of the original license with the change being a temporary relocation to facilitate the event; and
 4. Impact on Residents: No visible impact as the change is contained within the Kerry Park Recreation Centre Building.
2. 1. That staff be directed to prepare the necessary bylaws, resolutions, documents and processes to enable a November 2009 referendum to authorize the borrowing of funds for the renovation and upgrade of the Kerry Park Recreation Complex and the construction of a Community Aquatic Centre; and further, that the funding partners for this capital project be Electoral Areas A - Mill Bay/Malahat, B - Shawnigan Lake, and C - Cobble Hill.
2. That the project be designed and funded to accommodate the addition of a second ice surface in the future; and further
3. That the consulting advice be retained to confirm the initial cost estimates (including the cost to accommodate future expansion) for the Kerry Park upgrade and Aquatic Centre.

MOTION CARRIED

**PUBLIC
HEARINGS**

PH1 Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3141 and Zoning Amendment Bylaw No. 3142 (TCH Development Permit Area Expansion and I-1B Parcel Coverage/Outdoor Storage), applicable to Electoral Area C - Cobble Hill, were considered.

09-320 It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3141 and Zoning Amendment Bylaw No. 3142 (TCH Development Permit Area Expansion and I-1B Parcel Coverage/Outdoor Storage), applicable to Electoral Area C - Cobble Hill be received.

MOTION CARRIED

7:24 pm Director Iannidinardo declared a conflict of interest as her son is an Executive Director of TimberWest and Director Iannidinardo left the Board Room at 7:24 pm.

PH2 Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Authorization bylaw No. 3242 (Youbou Lands), applicable to Electoral Area I - Youbou/Meade Creek, were considered.

09-321 It was moved and seconded that Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Authorization bylaw No. 3242 (Youbou Lands), applicable to Electoral Area I - Youbou/Meade Creek, be received.

MOTION CARRIED

09-322 It was moved and seconded:

1. That prior to adoption of Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Adoption bylaw No. 3242, that the following issues be addressed:
 - a) That a publicly accessible boat launch be constructed prior to commencement of the Phase 2 development and that public access to the boat launch be protected by means of a statutory right-of-way in favour of the Cowichan Valley Regional District.

- b) That an amendment be made to the Phased Development Agreement to establish a process and criteria for the construction of waterfront lot docks.
- c) That the developer confirms commitments made at the public hearing regarding establishment of a fish hatchery.

Opposed: Directors Cossey and Dorey

MOTION CARRIED

09-323

It was moved and seconded:

2. That should Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Adoption Bylaw No. 3242 be adopted, that a letter be sent to the Ministry of Transportation and Infrastructure requesting that future subdivision approval include the following conditions:

- a) That the existing forestry road through the Youbou Lands site be dedicated as public road and be upgraded as necessary to provide road access for lands to the west.
- b) That the extension of Youbou Road through the site not extend to the western boundary of the subject lands, other than to provide a secondary emergency access and egress route.
- c) That traffic calming works be incorporated into the design and construction of the Youbou Road extension through the site, including traffic circles at the principal intersections.

MOTION CARRIED

7:51 pm

Director Iannidinardo returned to the Board Room at 7:51 pm.

BYLAWS

B1

09-324

It was moved and seconded "CVRD Bylaw No. 3266 - Shawnigan Beach Estates Sewer System Reserve Fund Expenditure (Treatment Plant Upgrades) Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B1

09-325

It was moved and seconded "CVRD Bylaw No. 3266 - Shawnigan Beach Estates Sewer System Reserve Fund Expenditure (Treatment Plant Upgrades) Bylaw, 2009", be adopted.

MOTION CARRIED

**B2
09-326** It was moved and seconded "CVRD Bylaw No. 3276 - Community Parks Reserve Fund (Area C - Cobble Hill) Expenditure Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B2
09-327** It was moved and seconded "CVRD Bylaw No. 3276 - Community Parks Reserve Fund (Area C - Cobble Hill) Expenditure Bylaw, 2009", be adopted.

MOTION CARRIED

**B3
09-328** It was moved and seconded "CVRD Bylaw No. 3141 - Area C - Cobble Hill Official Community Plan Amendment Bylaw (TCH Development Permit Area Expansion), 2009", be granted 3rd reading.

MOTION CARRIED

**B4
09-329** It was moved and seconded "CVRD Bylaw No. 3142 - Area C - Cobble Hill Zoning Amendment Bylaw (I-1B Parcel Coverage/Outdoor Storage), 2008", be granted 3rd reading.

MOTION CARRIED

**B5
09-330** It was moved and seconded "CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008", be adopted.

MOTION CARRIED

7:55 pm Director Iannidinardo declared a conflict of interest as her son is an Executive Director of TimberWest and Director Iannidinardo left the Board Room at 7:55 pm.

**B6
09-331** It was moved and seconded "CVRD Bylaw No. 3213 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Youbou Lands), 2008", be granted 3rd reading.

MOTION CARRIED

**B7
09-332** It was moved and seconded "CVRD Bylaw No. 3214 - Area I - Youbou/Meade Creek Zoning Amendment Bylaw (Youbou Lands), 2009", be granted 3rd reading.

MOTION CARRIED

ADJOURNMENT

09- 340
8:50 pm

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

MOTION CARRIED

The meeting adjourned at 8:50 pm

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

D1

[Handwritten signature]
JUN 14 2009

June 1, 2009

Director Gerry Giles, Chair, CVRD & Board Members
175 Ingram Street
Duncan, BC V9L 1N8

Re: Recommendations of the South Cowichan Services and Governance Committee

Dear Director Giles,

In a letter to the Board on April 2nd, 2008 the then Minister of Community Services, Hon Ida Chong said; "Based on your assessment of local conditions, I am pleased to support, in principle, a Study for the area. The primary purpose of such studies is to provide a comprehensive description of the current service delivery and governance arrangements, identify any issues or weaknesses in the system, and outline options for change that include both municipal and non municipal solutions. In the case of South Cowichan, it is my expectation that the Study will also determine public opinion on the need for a detailed incorporation study, and identify a rational boundary for that work. Public communication and consultation is therefore an essential component of the Study."

On behalf of the South Cowichan Services and Governance Committee, I am pleased to report that we have completed our work and have unanimously agreed to the following recommendations:

1. Based on the results of the Services and Governance analysis and the feedback received through the public consultation process, the committee recommends unanimously to the CVRD and The Province that they proceed to a Phase 2 Study
2. The committee unanimously recommends that the boundary to be considered is the "Combined South Cowichan" concept and that the boundary presented, be fine tuned in a Phase 2 Study.

* Please find attached a "Summary of the Public Information Process and map to show the "Combined South Cowichan" concept.

The lead consultant for the project, Mr. Tom Reid of Sussex Consultants Ltd has completed his Technical Report and will provide copies to the CVRD and Committee Members on Friday, June 5th, 2009.

The Committee would like to send special thanks to Mr. Warren Jones of the CVRD for his help and support throughout the study. He personally attended all but one of our meetings and open houses and was an immense help, above and beyond the call of duty. Thanks also to Allison Nelson for her support and time spent behind the scenes preparing minutes & agendas, and organizing meetings for the committee.

Board	<i>[Signature]</i>
Committee(s)	<i>[Signature]</i>
Date	June 5/09
File #	0112-28 SCOW

The Committee would also like to extend a sincere thank you to Mr. Tom Reid of Sussex Consulting for the thorough, professional expertise and hard work on this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Towner', written over a horizontal line.

David Towner
Chair
South Cowichan Services and Governance Committee

Summary of the Public Information Process

Household mailers and newsletters:

- January 2009: A 4-page newsletter describing the study and the current governance model was sent to all addresses at the post office, and also distributed to over 5,000 homes and locations as an insert to the Newsleader Pictorial newspaper. The newsletter also advertised the February public meetings.
- March 2009: A 1-page flyer was distributed to over 5,000 homes and locations advertising the March on-line survey on services and governance.
- May 2009: A 4-page newsletter, sent to all addresses at the post office, advertised the May public meetings and contained a short survey on boundary concepts.

Newspaper ads:

Display ads (4"x5") were run in multiple issues of both local papers (the Newsleader Pictorial and the Cowichan Citizen) before each set of public meetings. Altogether, eleven ads were run leading up to the two sets of public information meetings.

Public information meetings

Two sets of public information meetings were held. Each set had three meetings, and each started with a slide show presentation from the study consultant.

- The February 2009 meetings presented the current situation, explained the study, and asked residents for their views and questions on South Cowichan's local government and services.
 - February 7 (10 AM – noon) at the Shawnigan Lake Community Centre
 - February 7 (1–3 PM) at the Cobble Hill Hall
 - February 14 (10 AM – noon) at the Frances Kelsey Theatre
- The May 2009 meetings presented some alternative boundary concepts for further analysis and asked residents to consider whether they supported a Phase 2 study.
 - May 16 (11 AM – noon) at the Shawnigan Lake Community Centre
 - May 16 (1:30-2:30) at the Frances Kelsey Theatre (but then moved to the Mill Bay Community League Hall)
 - May 21 (7:30-8:30 PM) at the Cobble Hill Hall

Community surveys

Two surveys were conducted during the study.

- March 2009: This survey, conducted almost exclusively via the website, asked residents how they felt about certain local services and government processes. It was preceded by a separate mailer advising residents to look for the survey on-line. The participation rate was disappointing, with less than 60 responses.
- May 2009: This survey was conducted both on paper and on-line, and attracted almost 500 responses. It asked which boundary concept was preferred if more work is done, and whether residents support a Phase 2 study.

Stakeholder interviews

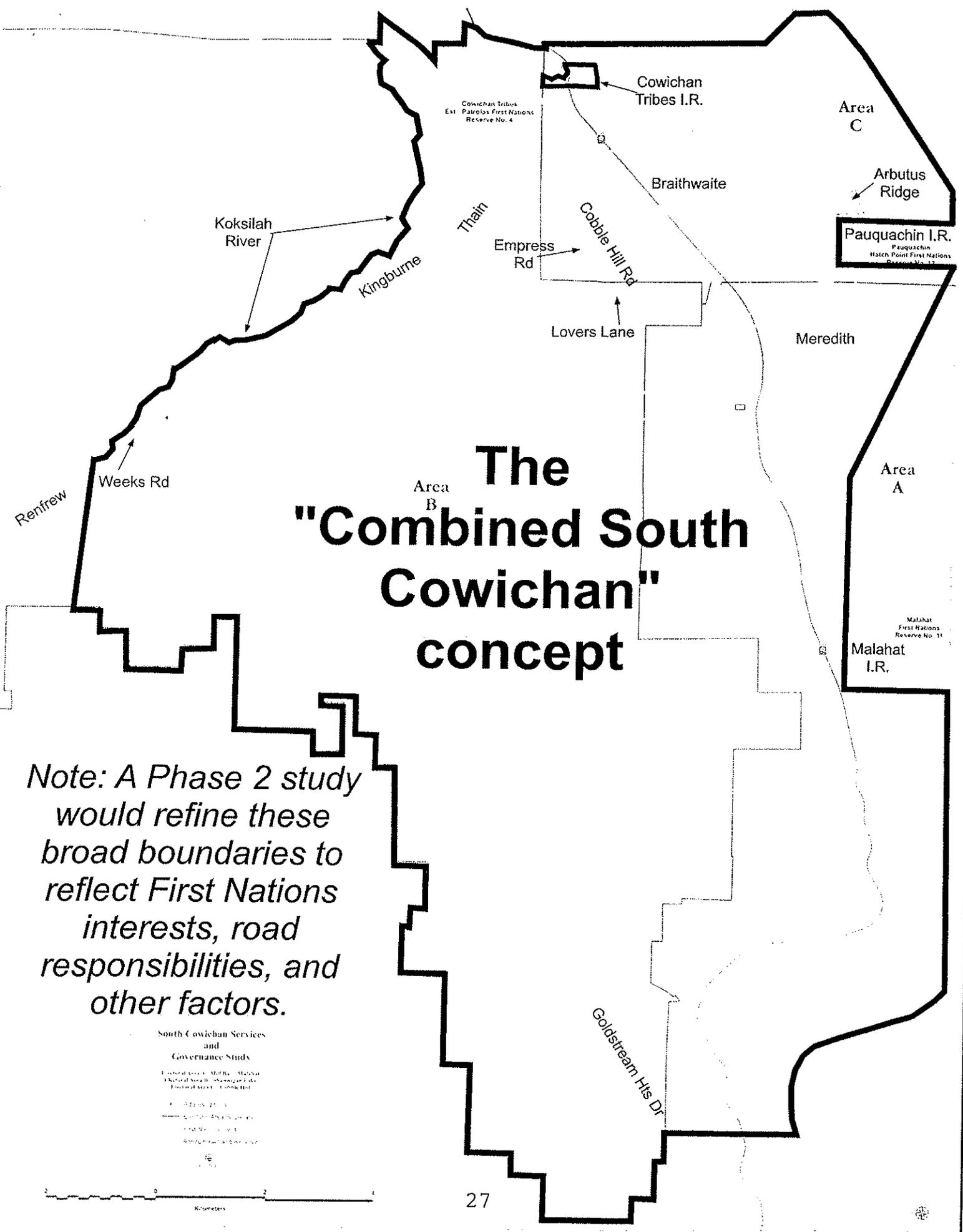
Special meetings were held with various stakeholder groups during the study, including representatives from the Pauquachin First nation, Malahat First Nation, water systems, farming community (two meetings), fire departments, and the Mill Bay Incorporation Committee. In addition, discussions were also held with the three electoral area directors. Finally, an invitation was extended to meet with representatives from Cowichan Tribes but they were unable to attend.

Website

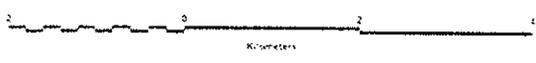
All the materials collected and produced during the study were posted on the study's dedicated website (www.SouthCoastWaterGovernance.ca). In addition, the website contained an "ask us" link to allow residents to post questions to the study consultant directly from the website.

The "Combined South Cowichan" concept

Note: A Phase 2 study would refine these broad boundaries to reflect First Nations interests, road responsibilities, and other factors.



South Cowichan Services and Governance Study
 Cowichan Tribes, Malahat District, Pauquachin District, First Nations, British Columbia
 Prepared by: [illegible]
 [illegible]
 [illegible]



South Cowichan Services and Governance Study

2009 Technical Report

*Prepared for:
The South Cowichan Services and Governance Study Steering Committee*

Sussex
Consultants Ltd

June 2009

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Summary and Conclusions

1. The three parts of South Cowichan that comprise the study area -- Electoral Area A (Mill Bay/Malahat), Area B (Shawnigan Lake), and Area C (Cobble Hill) -- are dynamic parts of the Regional District. Growth and development have doubled the area's population, to over 16,000, in the last two decades. This is one of the largest concentrations of electoral area population in the province. If South Cowichan were a municipality, it would have more people than 75% of the municipalities in BC.
2. South Cowichan's current local government model is a mixture of local, regional, and provincial bodies and agencies. The dominant body is the Cowichan Valley Regional District, but there are also three fire protection improvement districts and eight water improvement districts. In addition, the Province acts as a local government in terms of road maintenance, policing, subdivision approval, and tax collection.
3. In total, there are 50 elected officials in the study area: Three electoral area directors, and 47 improvement district trustees. Depending on where you live, there could be up to 13 elected officials representing your interests on these various local bodies.
4. There is no main or single body with authority for multiple South Cowichan community policies that is answerable to just South Cowichan voters. Policies, regulations, and budgets of the CVRD that affect South Cowichan require the approval of directors from outside the area. South Cowichan's three CVRD directors represent about 20% of the Board's voting strength. For example, a zoning bylaw for Mill Bay requires the approval of the CVRD directors from Youbou, North Oyster, and elsewhere.
5. In addition to the approvals required from other CVRD Board members, other important local policies and regulations in South Cowichan require the approval of, or are set directly by, the Province of BC. Examples include Official Community Plan bylaws, subdivision approvals, road standards and maintenance priorities, and property tax shifting policies.
6. The area's service and jurisdiction boundaries do not follow consistent patterns. For example, the fire protection boundaries do not follow the electoral area boundaries, and some water district boundaries straddle fire protection boundaries.
7. The multi-body and multi-boundary structure of South Cowichan can make it difficult to coordinate the planning, funding and delivery of local services. Examples include these.
 - There is no single body planning and managing the area's water supply (the aquifer).
 - The body setting zoning and development rules (the CVRD) is different than the bodies charged with responsibility to deliver water to the new residents.
 - The water districts and fire protection districts are separate, though clearly the fire departments rely on water as an essential part of their service.
 - The improvement districts are not eligible for grants, and their borrowing rates are higher, which puts pressure on the taxes they require.
8. The current model has not protected residents from rising property taxes. While school and hospital taxes on an average home have stayed flat (in constant dollars), other local taxes have risen by 64% in the last 11 years. (Of course, taxes under the municipal model have also risen from place to place.)
9. Growth and development are expected to continue, though the rate is uncertain. Mill Bay/Malahat faces the greatest growth pressures, where one development alone -- Bamberton -- could add another 7,000 residents. This is in addition to other significant development proposals either at the rezoning or discussion stage. It is not difficult to imagine a further doubling of the population in the next 20 years.
10. While residents of the three electoral areas do not speak with one voice, they generally share a common set of complaints or concerns about services and governance under the current model.
 - Policing needs to be improved.
 - Growth and development needs to be better planned, managed and coordinated, including subdivision approvals.

- The watershed and forestry areas needs better protection.
 - The community water supply needs better protection and management.
 - Bylaws need better enforcement, including more enforcement of building, zoning, noise, and lake activity regulations.
 - Road maintenance standards should be improved.
 - Drainage and storm water management need to be improved.
 - Parks and recreation plans and operations should be better managed.
11. Changing to municipal status is not the only option available to South Cowichan. Changes could be made under the current model in an attempt to address concerns about services and governance.
- A stronger “South Cowichan” committee or commission system of the CVRD could be established. This would reduce, to a degree, the reliance on the CVRD Board as a whole when trying to make certain policy changes, and manage services, that affect only South Cowichan.
 - The electoral area boundaries could be redrawn to more closely reflect the effective neighbourhoods that are now spread across three electoral areas. This could enhance the common sharing of local services, policies, and tax bases.
 - The electoral areas could be amalgamated into one large electoral area with multiple directors. This would create an enhanced electoral area with a greater stature at the CVRD Board than any one of the three can have individually.
 - Fire service areas and/or water service areas could become local service areas of the CVRD. As LSAs, they would be eligible for grants and lower borrowing rates. It would reduce the array of elected officials. It would be a step towards more unified management and coordination of South Cowichan services.
12. However, while they may be improvements, none of these steps would address three important concerns about the current model.
- **Independence:** Policies, regulations, budgets and service standards for South Cowichan would still require the approval of CVRD directors from remote areas, as well as approvals from improvement districts and the Province. This is particularly true of water supply management and resources for bylaw enforcement.
 - **Scope of authority:** Several key services and powers at issue now would still lie beyond local control -- policing, roads, subdivision approval and service planning. This affects not only South Cowichan’s ability to coordinate service delivery now, but also to coordinate the planning of future services.
 - **Flexibility:** Options under the current model would not improve flexibility to better coordinate service planning and service funding.
13. Municipal status would allow these concerns to be addressed more comprehensively, and by a local body. This is due to the centralized authority given to municipalities, in contrast to the powers that are dispersed among various bodies under the current model.
14. While there would be enhanced local authority to set community powers and regulations as a municipality, there would also be expanded requirements and obligations. For example, a municipality would set its own road maintenance priorities (an expanded local power) but it would also have to fund road the work (an expanded obligation).
15. It is not possible to state whether municipal status is, on balance, good or bad. Such a judgment would require each individual to use his/her own values and priorities when viewing the list of changes municipal status would bring.
16. More importantly, we do not yet have enough information to allow individuals to do this. An overall judgment would have to await a Phase 2 study. A Phase 2 study would produce detailed impacts about municipal status so that residents could determine for themselves whether municipal status would present a net advantage or disadvantage.
17. The table on the next page presents a summary of differences in key services between the current model and the municipal model.

Summary of Key Differences in Local Services and Powers

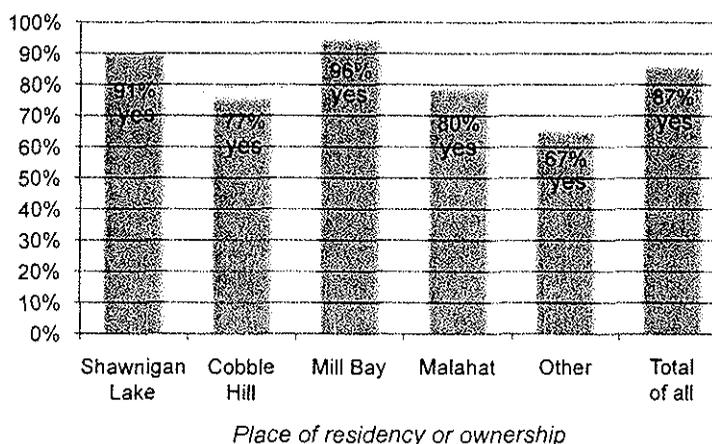
Function / Service	Under the current model	Under municipal status
Elected officials	3 CVRD directors + 47 improvement district trustees; approval for CVRD bylaws in local area requires approval from CVRD directors in other areas	Municipal council (1 mayor and 4-6 councillors), all elected by local voters only
Offices and staff	One CVRD office and staffing; several small improvement district offices	One municipal office and staffing; one CVRD office and staffing; no improvement district offices
Reliance on other or remote bodies	Large CVRD role and moderate provincial role in local services and policies	Minor CVRD role and smaller provincial role in local services and policies
Responsibility for local services (and the funding for them)	Limited (most are spread across larger areas and shared with other participants)	Larger (municipal has sole responsibility and obligation for more services and functions)
Policing	Limited local control/influence (but smaller cost)	Expanded control/influence on police resources (but higher cost)
Bylaw enforcement	Limited resources and willingness to use them	Enforcement resources and policies set by local municipal council
Regulation of activities on lake	Mainly federal rules	Mainly federal rules, but enhanced bylaw enforcement by municipality is possible
Sewage monitoring	Mainly Ministry of Health	Mainly Ministry of Health, but also municipal programs to investigate and educate
Drinking water quality standards	Provincial standards	Provincial standards, but also municipal programs to investigate and educate
Water supply management	No "whole community" planning, monitoring or management (multiple bodies and individuals)	Municipality could establish "whole community" program of planning, managing and monitoring
Watershed protection	Very limited local control (no local control of logging)	Limited local control (no local control of logging, but enhanced education programs possible, and broader tree-cutting regulations)
Land use planning	Zoning bylaws and OCPs require approval of other CVRD members; OCP requires provincial approval; subdivision approval up to Province	Zoning bylaws, OCPs, and subdivision approval up to municipality alone
Ability to coordinate service planning	Difficult due to number of different bodies involved	Enhanced, because municipality controls more services
Parks and recreation	Facilities, policies and standards set by CVRD	Facilities, policies and standards set by municipality
Drainage	Very limited storm water management	Expanded storm water management
Highway maintenance + repair	Policies and priorities up to Province	Still provincial, but expanded dialogue with municipality to coordinate with municipal roads
Local road maintenance + repair	Work priorities and standards up to Province and its contractor	Work priorities, budgets and standards up to municipality
Property tax policies for local services	Tax ratios between homes and businesses set by Province; service budgets set by 3 bodies (Province, CVRD, and improvement districts)	Tax policies and budgets set by municipality
Infrastructure grants	Limited access for CVRD; no access for improvement districts	Greater access for municipality
On-going, annual grants	Extremely limited for the CVRD; none for improvement districts	Significant annual grants from the Province for a municipality
Development cost charge powers	Somewhat limited (for CVRD); very limited for improvement districts	Enhanced for municipality

Caution: This list can't be used to judge whether municipal status is better or worse than the current model. More information about the impacts of municipal status would be needed to do that.

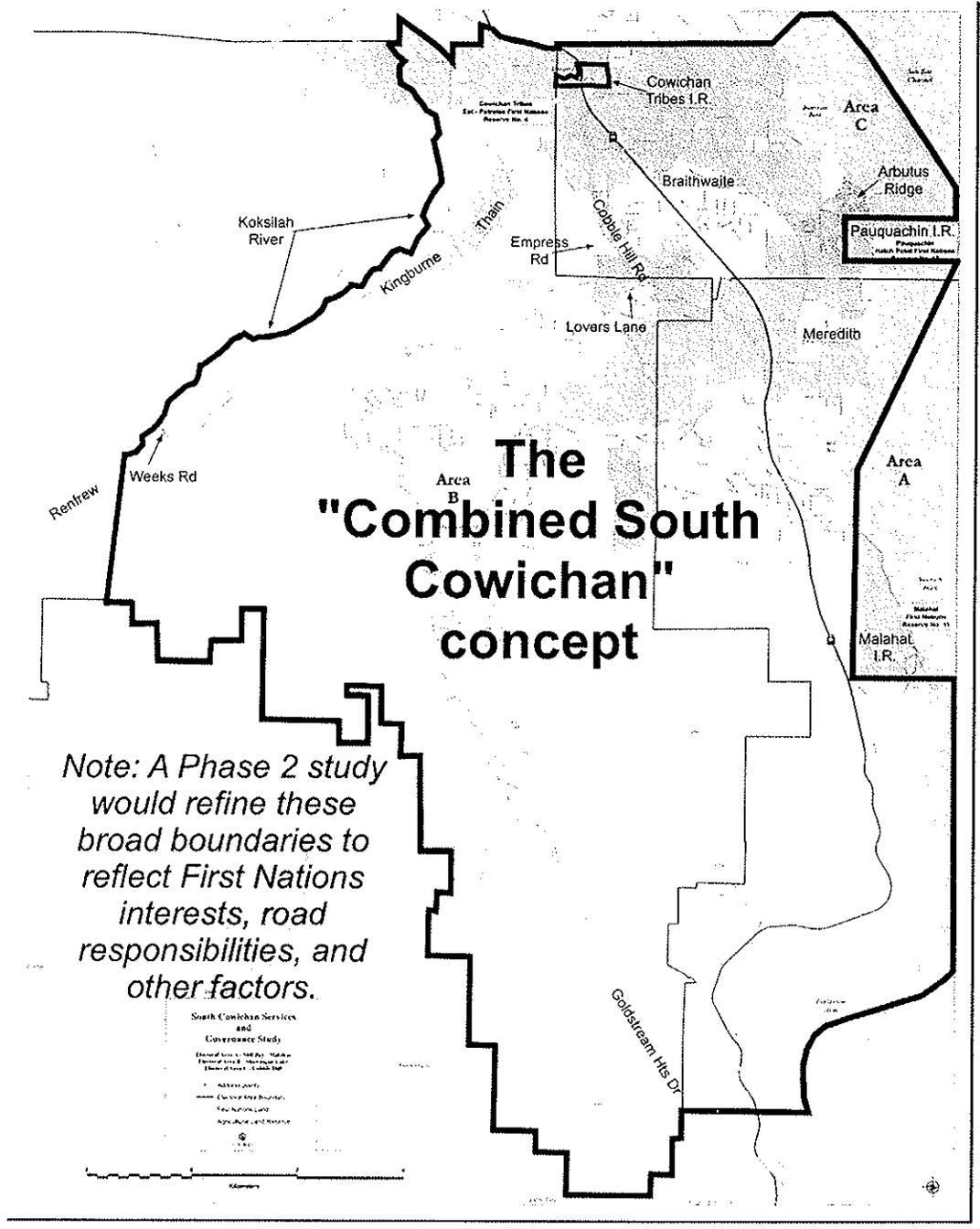
18. While municipal status would affect some of the identified service and regulation issues to be dealt with more comprehensively and more locally (see table above), there are some that would not be substantially changed:
- The ability to regulate forestry on licensed forestry land would remain with the Province.
 - The ability to rule on applications to change Agricultural Land Reserve status would remain with the Agricultural Land Commission.

- The ability to regulate and force correction of problems with on-site sewage disposal systems would remain with the Ministry of Health.
19. There are three First Nations reserves in the South Cowichan study area: Cowichan Tribes (Est Patrolas Reserve No. 4); Pauquachin (Hatch Point Reserve No. 12); and Malahat (Reserve No. 11). None of these would be in a municipality if one is created. First Nations are separate, independent levels of government and lie outside local government regulation and jurisdiction.
 20. Several principles suggest that a municipal boundary (if things get that far) should not include all of Electoral Area B (Shawnigan Lake).
 - There are virtually no residents in the far western forestry area.
 - A municipality would have no additional powers to regulate logging on forestry land, so there would no expansion of local control in this regard.
 - The lake's watershed does not extend very far west at all, so a larger boundary would not enhance the lake's watershed protection in any meaningful way.
 - While there would be some tax revenues form the far western area, these could be somewhat limited, and in any event, they could be offset by some future requirement for municipal services in the area.
 21. The western boundary of a potential municipality should generally follow the Koksilah River, as people north and west of it have a very weak link to Shawnigan Lake, Cobble Hill or Mill Bay/Malahat. Their access to these three neighbourhoods requires them to travel north out of the study area and then south back into it, which means a much stronger focus on Cowichan Bay and Duncan than to the study area.
 22. When surveyed about whether or not they would like to see a more detailed look at municipal impacts (that is, a Phase 2 study), the overwhelming majority (87%) of the almost 500 survey respondents indicated that they would like to see a Phase 2 study done.

Should the Committee request a provincially-funded Phase 2 study?



23. When asked which boundary concept they thought should be the focus of a Phase 2 study, a very strong majority of respondents from Shawnigan Lake (76%) and a strong majority from Mill Bay-Cobble Hill-Malahat (64%) both indicated that the preferred concept is a larger, combined South Cowichan area that includes Malahat, Mill Bay, Cobble Hill, and that part of Shawnigan Lake south of the Koksilah River. This boundary concept encompasses the vast majority of the South Cowichan population (see map on next page).
24. If there is a Phase 2 study, it should refine the boundary. While the Combined South Cowichan concept provides clear guidance in general terms, there needs to be a further look at certain areas within it to reflect finances and costs, service delivery arrangements, potential First Nations interests, and other practical considerations.



1. Introduction

Overview of the study

This study examines how local services are organized, provided, and funded in the South Cowichan part of the Cowichan Valley Regional District (CVRD). The area of interest covers three particular Areas of the RDCK with a combined population of over 16,000:

- Electoral Areas A (Mill Bay/Malahat)
- Electoral Area B (Shawnigan Lake)
- Electoral Area C (Cobble Hill).

The work looks at what services are provided, where property taxes go, who sets policies and service levels in the various communities that make up the large study area, and what the impacts might be of changing the system of services to an alternative model. The main alternative is municipal status, though some options under the current model are also described. Included in the study is an assessment of issues and concerns voiced by residents during a series of public information meetings and surveys during the work.

The main goal of the study is to provide answers to two main questions.

1. Is there support for learning more about municipal status? Learning more, in this context, means doing a Phase 2 study, which would identify the full range of impacts that municipal status could bring, and which could result in a referendum on municipal status. A Phase 2 study examines municipal status in much more depth than this Phase 1 work can.
2. If a Phase 2 study is to be undertaken, which boundary concept should be used?

Not possible to judge municipal status

This study does not identify the full range of impacts of becoming a municipality. For example, we don't know whether municipal status would mean a tax rise or not, or when policing responsibilities would be phased in. Without this level of knowledge, it is not possible for someone to decide whether the advantages of being a municipality would outweigh the disadvantages.

Any decisions about pursuing municipal status lies beyond the scope of this study and would be part of a next step, if one is taken. The issue here is, should there be a next step? The current study ends with this Technical Report and recommendations about a next step by the Study Committee (see next section).

Study management

The work has been prepared by Tom Reid of Sussex Consultants Ltd., with assistance from Rob Barrs of HB Lanarc (community planning) and from Wayne d'Easum (stakeholder interviews and services). Funding for the study has been provided by the provincial Ministry of Community Development as part of its local government structure programme.

The consultants report to the South Cowichan Services and Governance Study Committee, a group of local citizens representing a wide variety of community interests and organizations.

The Services and Governance Committee Membership

South Cowichan Services and Governance Study Committee
David Towner, Chair (Mill Bay)
Heather Broughton, Vice Chair (rec'n services representative)
Dave Balding (fire services representative)
Bob Brooke (Cobble Hill)
Sarah Fraser (Shawnigan Lake)
Paul Laraman (Mill Bay)
Jens Liebgott (water systems representative)
Tim Parker (Shawnigan Lake)
Robert Smethurst (Cobble Hill)
Gordon Smith (Cobble Hill)
Margaret Symon (Shawnigan Lake)
Mark Wyatt (Mill Bay)
<i>Ex officio members Cowichan Valley Regional District directors:</i>
- Brian Harrison (Area A - Mill Bay/Malahat)
- Ken Cossey (Area B - Shawnigan Lake)
- Gerry Giles (Area C - Cobble Hill)
<i>Invited First Nations: Cowichan Tribes, Pauquachin First Nation, and Malahat First Nation</i>

Much technical material for the study's analysis was provided by staff at the CVRD. The CVRD also made available numerous maps that are either presented in whole in this report or were used as the basis for stylized maps showing boundary concepts. This help from the CVRD staff deserves to be acknowledged with thanks.

The opinions and findings expressed in this report are those of the consultants, not the Study Committee, the CVRD, or the Province of BC.

Public information

A substantial effort was made during the study to not only inform residents about the work and the technical aspects of local governance but also seek their comments. This communication plan has several components.

- A website -- www.SouthCowichanGovernance.ca -- was established for this study. All the materials produced in the work were made available on the website, and there was an automatic "ask us" link that people could use to contact the consultant from the website. The web address was featured on all newsletters and ads.
- Six public information meetings were held:
 - Three, in February 2009, were held to outline the study, describe the current model, and hear comments and questions about local governance and services.
 - Three, in May 2009, were held to present the boundary concepts and hear questions and comments about them, as well as about possible next steps.
- Nine meetings or discussions were held with stakeholder groups and organizations, including First nations, fire service providers, water system representatives, the electoral area directors, the farming community, and the Mill Bay Incorporation Committee.
- Three newsletters were sent out: The first explained the study and invited people to the February 2009 meetings; the second alerted people to the on-line survey in March; and the third presented the boundary concepts, presented a short survey, and invited people to the May 2009 meetings.

- Two surveys were held. The first asked about people's views on local services and governance. The second asked which of three boundary concepts people preferred, and whether they thought a Phase 2 study should be requested by the Committee.

Report contents

This report consists of the following chapters.

1. Introduction.
2. Basic characteristics of the study area, like population and tax base.
3. How local services are provided under the current model.
4. How the Cowichan Valley Regional District is structured.
5. A description of improvement districts, the Province as a local service agency, and First nations.
6. Property taxes under the current system, including tax rates, taxes on an average home, and how taxes have changed over the last decade or so.
7. How services are provided under a municipal model.
8. Regulations and management authority for community water.
9. A summary and comparison of local service powers under the current model and under the municipal model.
10. Guidelines and principles in the selection of municipal boundaries.
11. Alternatives to the municipal model.
12. A description of the public information meetings held in February 2009.
13. A description of stakeholder meetings held with various community groups and entities.
14. A summary of the community survey on local services and governance.
15. A presentation of the May 2009 survey on whether there should be a Phase 2 study and which boundary concepts are preferred.

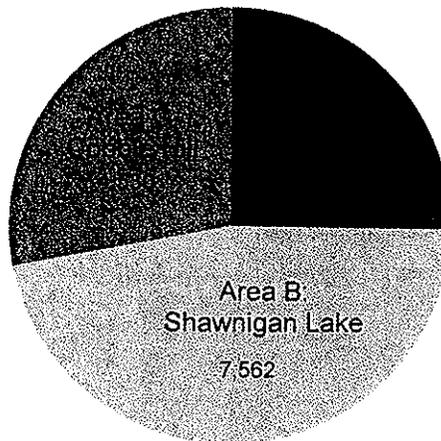
Finally, the appendices present a variety of maps and other technical materials produced and/or used in the study.

2. Basic Characteristics

Population

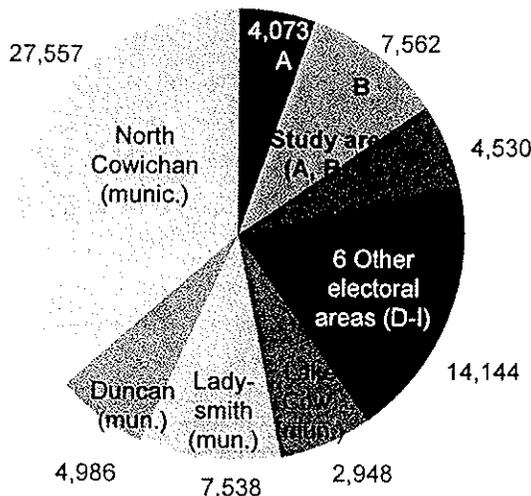
According to the 2006 Census, the year round population of the study area was 16,165. Almost half live in Area B (Shawnigan Lake), with the remainder more or less evenly split between Area A and Area C. For comparison, only 25% of BC's municipalities have more people than the study area.

Where South Cowichan's 16,000 People Live



The study area has a bit less than a quarter of the regional district's total population of over 70,000. Combined, Areas A, B, and C would be the second largest CVRD member, behind the District of North Cowichan, which is a municipality.

Cowichan Valley Regional District Populations (total = 73,338)



2006 Census Populations of the CVRD

CVRD member	Pop'n	Pct
Electoral Area A (Mill Bay/Malahat)	4,073	5.4%
Electoral Area B (Shawnigan Lake)	7,562	10.3%
Electoral Area C (Cobble Hill)	4,530	6.2%
Subtotal, study area - Areas A, B, and C combined	16,165	22.0%
Electoral Area D (Cowichan Bay)	2,823	3.8%
Electoral Area E (Cowichan Station/Sahtlam/Glenora)	3,878	5.3%
Electoral Area F (Cowichan Lake South/Skutz Falls)	1,744	2.4%
Electoral Area G (Saltair/Gulf Islands)	2,249	3.1%
Electoral Area H (North Oyster/Diamond)	2,274	3.1%
Electoral Area I (Youbou/Meade Creek)	1,176	1.6%
Municipality: City of Duncan	4,986	6.8%
Municipality: Town of Lake Cowichan	2,948	10.3%
Municipality: Town of Ladysmith	7,538	4.0%
Municipality: District of North Cowichan	27,557	37.6%
CVRD total	73,338	100%

Housing

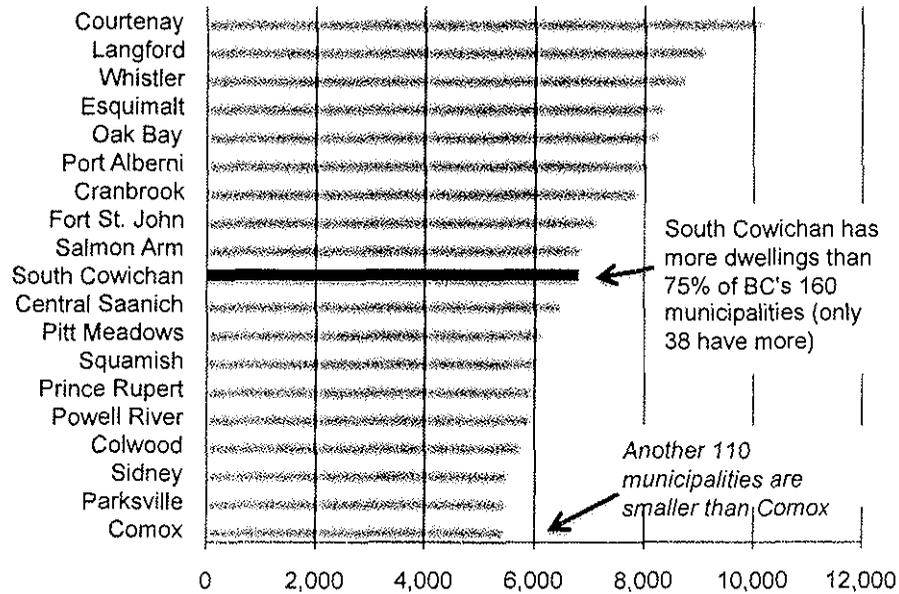
The 2006 Census results show that the study area has just over 6,000 dwellings. Overall, 94% of the housing stock is occupied by year round residents, though in Area B (Shawnigan Lake) the ratio is lower, with 10% of the dwellings not being occupied year round.

Housing Stock in the Study Area

	Occupied by usual residents	Seasonal or part time occupancy	Total dwellings
Area A (Mill Bay/Malahat)	1,654	73	1,727
Area B (Shawnigan Lake)	2,780	295	3,075
Area C (Cobble Hill)	1,945	54	1,999
Study area total	6,379	422	6,801
<i>Percent of total dwellings</i>	<i>94%</i>	<i>6%</i>	<i>100%</i>

For comparison purposes, the study area has more dwellings than 75% of BC's 160 municipalities, as shown following.

Comparison of Total Dwellings in Selected Communities



Property types

The vast majority (over 90%) of properties in the study area, by parcel count, are residential. However, it should be noted that there are over 300 farm parcels in the study area (many have homes on them). Proportionately, Area C has the most (5% of all its parcels are farm land), followed by Area B (3.5%) and then Area A (3% of the total). Of course, these shares do not reflect the total land mass occupied by farms, which is much higher than a simple parcel count would suggest.

Number of Properties in the Study Area

	Area A	Area B	Area C	Totals
Class 1 Residential	1,874	3,413	2,064	7,351
Class 2 Utility	16	24	15	55
Class 3 (not used in 2008)	--	--	--	--
Class 4 Major industry	0	0	0	0
Class 5 Light industry	6	16	17	39
Class 6 Business + other	52	40	49	141
Class 7 Managed forest land	19	95	0	114
Class 8 Rec'n + non-profit	6	1	2	9
Class 9 Farm land	61	132	110	303
Totals	2,034	3,721	2,257	8,012

Overall tax base

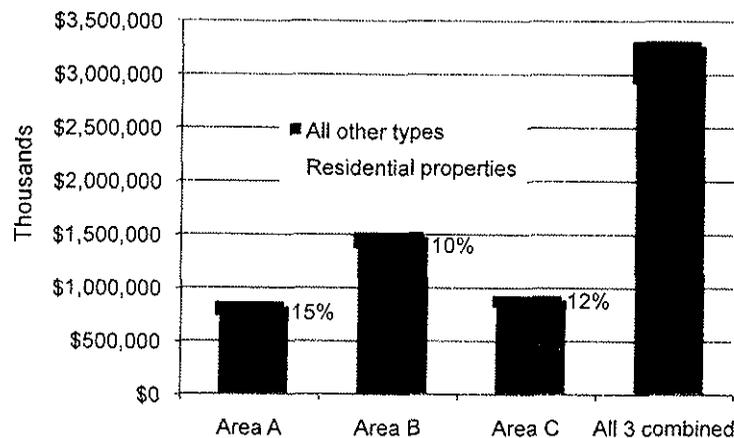
The tax base for funding local services is the sum of all property assessments. These assessments are set by the BC Assessment Authority, the independent provincial agency that supplies all local governments with the assessment rolls they use for property taxes. Note that two sets of tax base numbers are of interest here.

- *Simple value*: This is the taxable value established by the BC Assessment Authority and the ones that are shown on everyone's property assessment notice.
- *Weighted value*: This is the effective "residential tax-paying equivalent". It is not shown on the assessment notice but its effect is reflected in the *tax rates*, not the *assessed values*. For

residential properties, the weighted value and the simple value are one and the same thing. But business and industry properties pay higher tax rates than homes, so \$1 of assessed value for them is worth more, tax-wise, than \$1 of residential assessment. The ratio between them varies among the different taxing bodies, but the most common ratios are those used for regional district, improvement district and hospital taxes, where each dollar of industrial property assessment is worth \$3.40 in residential equivalents (in other words, the tax rate on industry is 3.4 times the residential rate), and each dollar of store or office property is worth \$2.45 in residential equivalents. *The weighted values are a truer measure of a community's effective tax base because they factor in the extra tax-paying power of business and industry.*

As shown following, the tax base in the study area is overwhelmingly residential, which means a limited ability to shift the tax burden to business and industry. For the three areas combined, only about 10% of the total weighted tax base is business and industry.

2008 Weighted Tax Base By Area (in \$000s)



Note: "Weighted" values reflect the higher tax-paying power of business and industry

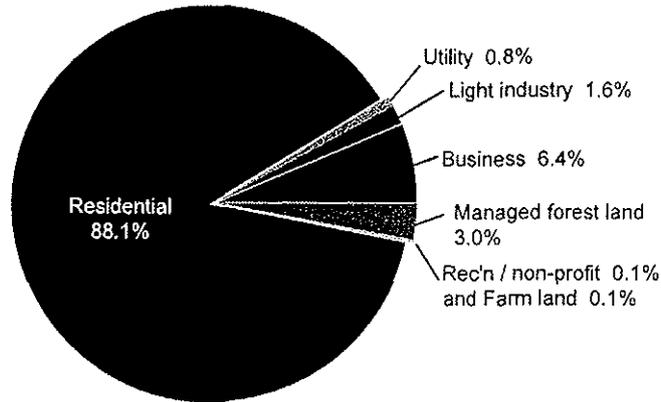
Study Area Tax Base (in \$000s)

Simple values in \$000s	Area A	Area B	Area C	Totals
Class 1 Residential	\$731,340	\$1,365,296	\$819,149	\$2,915,785
Class 2 Utility	\$1,456	\$5,340	\$1,082	\$7,878
Class 4 Major industry	\$0	\$0	\$0	\$0
Class 5 Light industry	\$959	\$2,124	\$12,101	\$15,184
Class 6 Business + other	\$46,308	\$15,366	\$24,804	\$86,478
Class 7 Managed forest land	\$3,456	\$29,327	\$0	\$32,783
Class 8 Rec'n + non-profit	\$1,000	\$121	\$1,493	\$2,614
Class 9 Farm land	\$593	\$1,092	\$986	\$2,671
Totals (in \$000s)	\$785,112	\$1,418,666	\$859,615	\$3,063,393

Weighted values in \$000s	Weights*	Area A	Area B	Area C	Totals
Class 1 Residential	1.00	\$731,340	\$1,365,296	\$819,149	\$2,915,785
Class 2 Utility	3.50	\$5,096	\$18,690	\$3,787	\$27,573
Class 4 Major industry	3.40	\$0	\$0	\$0	\$0
Class 5 Light industry	3.40	\$3,261	\$7,222	\$41,143	\$51,626
Class 6 Business + other	2.45	\$113,455	\$37,647	\$60,770	\$211,871
Class 7 Managed forest land	3.00	\$10,368	\$87,981	\$0	\$98,349
Class 8 Rec'n + non-profit	1.00	\$1,000	\$121	\$1,493	\$2,614
Class 9 Farm land	1.00	\$593	\$1,092	\$986	\$2,671
Totals (in \$000s)		\$865,112	\$1,518,048	\$927,328	\$3,310,488

* Weights based on hospital tax rate multiples

2008 Weighted Tax Base in the Study Area

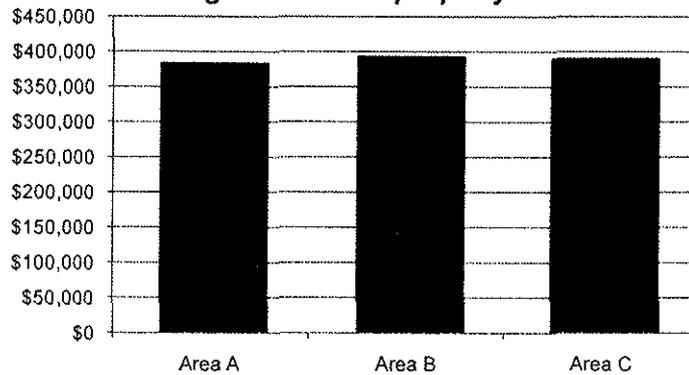


Note: "Weighted" to reflect higher taxes paid by business and industry

Residential property assessments

Overall, residential properties make up the vast majority (90%) of the study area's tax base. There is great consistency in the average residential values across the three electoral areas. Because of this consistency, the tax figures used in this study commonly use \$400,000 to represent the average residential folio.

2008 Average residential property assessment



This average includes both vacant lots and lots that have houses on them. Clearly, the average for lots with houses is higher than \$400,000, but it is still fair to use the \$400,000 average because owners of vacant lots pay taxes too. In addition, there are no doubt many lots with houses that are assessed at close to \$400,000; since the average land value for all types is \$236,000, you could have an average lot with a house assessed at \$164,000 and be right on the overall average. (The average land assessment for both vacant and built lots ranges from \$210,000 in Area C to \$254,000 in Area B, which is not a particularly wide gap.)

Farm assessment values

There are two kinds of farm properties of note here.

- First, there is farm land, which may or may not have a building; farm land is assessment class 9 in the preceding table.
- Second, there may be a building on the land; the building is usually assessment class 1 (though it could be class 6, if it is a business building).

This distinction matters because class 1 and class 9 properties have different tax rates for certain property taxes, like the school tax and the provincial rural tax, though they face the same rates for regional district, improvement district, and hospital taxes. For the vast majority of homes, both land and buildings are in assessment class 1, whereas farm land is class 9 and may have also a class 1 building on it. While a farm *house* may have more or less the same assessed value as a regular house, the farm *land* is assessed much lower than the land for a regular home.

As an example of the gap between farm land and a regular residential lot, consider that the average land assessment for a *regular home* (that is, not a home on farm land) is \$235,000 in the study area but the average *farm land parcel* is assessed at \$18,000.

For typical farm taxes, the study uses \$18,000 for the farm land, and if there is a farm house, it is assumed to be assessed at \$200,000, for a total of \$218,000.

Business and industry assessment values

Business properties (BC Assessment Authority class 6) account for about 6% of the total tax-paying power in the study area. This class spans a very wide range of property uses. While the most common are stores and offices, there are many other types too. The overall average assessment is about \$600,000 per property. However, it is more instructive to use the same value as the residential average -- \$400,000 -- in order to allow an easy comparison between the tax loads of the two types.

There is no "major" industrial property (class 4) in the study area, and there is only a small bit of light industry (class 5). It accounts for less than 2% of the total tax base. The average assessed value of these properties in the study area is \$389,300, and once again it is reasonable to use the \$400,000 figure in the tax tables in this report.

Forest land assessments

Managed forest land (assessment class 7), like business and industry, pays higher property tax rates than homes do. There is no managed forest land in Cobble Hill and only a modest amount in Mill Bay/Malahat. Area B, however, has almost \$30 million of forest land, which has a residential-equivalent tax-paying power of \$88 million. More than half of it lies west or south of the lake itself.

In total, the forestry assessments in the study area amount to \$98 million in terms of weighted values, which amounts to only 3% of the total tax-paying power.

Utility assessments

Utility properties (assessment class 2) consist mainly of telephone lines, cable TV lines, rail lines, and some hydro lines, and their associated poles, towers, and maintenance buildings. These properties generally pay the highest tax rates. For example, for regional district and improvement district taxes, the utility tax rates are 3.5 times the residential rates. The study area has relatively little utility assessments, accounting for under 1% of the study area's total tax base. Over half of this is in Area B (Shawnigan Lake).

Note that there is a difference in taxable utility values between electoral areas and municipalities. In electoral areas the assets that serve local residents pay property taxes based on their assessed values. In municipalities, however, these local-service assets are exempt from the general municipal tax and instead pay a 1% tax on the local consumption (that is, the local sales) of their services within the municipal boundary.

3. Local Services Under the Current Model

This section describes how selected local services are provided in the study area under the current governance model. They are broken into two groups here:

- Those that are related to which local governance model is in place (these account for most of the discussion here); and,
- Those that are *not* related to which model is in place (these are listed at the end of this section).

General administration

Each of the three main bodies providing services in South Cowichan -- the CVRD, the improvement districts, and the Province -- devotes resources to the administration of its programs. These include personnel management, budget preparation, paying bills, office operations, insurance, and so on, though the list varies among the three bodies.

The bulk of the CVRD administration costs are recovered via a region-wide "general administration" function that is funded by all members; in 2008, study area taxpayers paid \$522,000 in taxes for this function (including \$26,000 in provincial tax collection fees, itself an administration cost). In addition, each specific regional function (911, regional parks, etc) is charged a share of the overall general administration costs and this is included in the taxes paid for each one. Note that these CVRD administration cost are independent of whether South Cowichan is under the electoral area model or the municipal model because all CVRD members share in these costs.

There are also general administration costs built into each CVRD local area service budget, but these account for a much smaller share than is included in the regional functions.

Each improvement district also has its own administration costs. Most of the eleven districts in the study area are quite small, so their administration costs are generally small too. All must pay for an annual audit, insurance, photocopying, and, if they are large enough -- and half of them are -- they also have offices and wage costs and may remunerate their trustees. In addition to these direct costs, taxpayers in the three fire improvement districts (Mill Bay, Shawnigan, and Cowichan Bay) also pay an extra 5.25% to the Province as a tax collection fee.

Finally, the Province has administrative costs associated with its role as a local government (and here we refer to municipal- or CVRD- type services). However, there is no way to accurately tally the administrative costs linked to services in the study area alone. We can know the total *taxes collected*, to a degree, but not the *actual spending*, and the two probably don't equate. This is because the Province levies charges at the same rate across all electoral areas in BC and doesn't keep track of spending in each community separately (this would be an impossible task). For example, all electoral areas in BC properties pay the same provincial rural tax (\$0.50 per \$1000 in 2008). This is earmarked mainly for road maintenance, but the bulk of the Province's road cost is in the contracts to the private firms doing the work (Mainroad in the case at hand). We don't know the administration costs built into this. And even if we did, we wouldn't be able to say what portion of it relates to our study area alone, since the contract area is very much larger than just South Cowichan.

In terms of administrative bodies, there are twelve: one regional district Board and eleven improvement districts. There are 50 locally-elected officials: three CVRD directors and 47 improvement district trustees.

Property tax collection

Property taxes for CVRD services and the fire improvement districts are collected by the Province of BC, which charges a 5.25% fee for the service. The fee is built into the tax rates people see on their tax notices. In 2008, study area taxpayers paid \$400,000 in these tax collection fees. (Note that this is clearly an administration cost from the viewpoint of South Cowichan residents.) Water and sewer improvement districts collect their own taxes (these are almost always parcel taxes). User fees (mainly for garbage collection, recycling, water, and sewer) are collected by whichever body provides the service -- either the CVRD or an improvement district.

Policing

The Province provides policing to municipalities under 5000 and to electoral areas regardless of their population under a contract with the RCMP. It levies a separate tax for this, which varies slightly from area to area. The tax rate, which is set by the Province, not the local communities, is generally based on recovering about half of the local costs of policing. While regional districts and municipalities have input into their policing levels, responsibility for the service and its funding rests with the senior governments, not the local governments.

Fire protection

Four different bodies are responsible for fire protection in the study area -- the CVRD and three improvement districts. All fire protection areas are limited to certain geographic areas and none is electoral area-wide. The fire department boundaries and the electoral area boundaries do not line up particularly well (nor, at least originally, were they intended to).

- The Malahat fire protection area is a limited-boundary CVRD service provided to and funded by only Malahat taxpayers. It serves about 300 properties and does not extend beyond Area A. There is one fire hall, on Whittaker Road near Spectacle Lake. The CVRD maintains the hall and funds all the associated costs of fire protection. The fire fighters are volunteers.
- The Cowichan Bay Improvement District covers about 3,000 properties in Area D (Cowichan Bay) and the north part of Area C (Cobble Hill). Its fire hall is at Wilmot and Highway 1 in Cowichan Bay; there isn't a fire hall in the study area. The improvement district runs the hall and the associated costs of fire protection, and funds these mainly by way of a property tax (collected by the provincial government). Note that its southern boundary splits the Arbutus Ridge development; the top part is covered by the Cowichan Bay department and the bottom part of the development is covered by the Mill Bay department). An automatic mutual aid agreement with the Mill Bay fire department is in place for Arbutus Ridge and for the Kingburne Drive subdivision. There are about 30 fire fighters, all volunteers.
- The Mill Bay Fire Protection District (like the Cowichan Bay department, a large improvement district, serving 3,000 properties) has two fire halls in the study area: one at Dougan and Hutchinson, one on Lodgepole near Barry. It covers the bottom half of Cobble Hill and most of the top half of Mill Bay/Malahat. It also extends into a small portion of Area B (Shawnigan Lake). The improvement district provides the halls and the associated fire protection costs, and fund these via a property tax which is collected by the Province. The 30 fire fighters are volunteers.
- Like the other two fire improvement districts, the Shawnigan Improvement District is also large, covering almost 3,200 properties. It has two fire halls, one on West Shawnigan Lake Road near Clearihue, and one on Shawnigan Lake Mill Bay Road east of Wallbank. The improvement district operates the halls and associated fire protection costs. Funding is by way of a property tax that is collected by the Province. Note that there is one subdivision, at the west end of Ingot Road, that lies adjacent to but outside the fire department boundary. There are just under 30 volunteers on the department.

Building inspection

Under the current model, building permits and building inspections are regional district functions in the electoral areas. The work is funded mainly by fees from permits and inspections and by property taxes.

Animal control and other regulatory bylaws

The CVRD has in place an animal control bylaw to regulate animal behaviour (mainly dogs) in all the electoral areas, and dog licences are required. The main sources of revenue are licences and property taxes. The patrol, enforcement and response work is contracted out by the CVRD.

Bylaw enforcement

In addition to animal control contract, the CVRD uses its own staff resources to provide enforcement of various regulatory bylaws, including zoning, building, signage, noise, and unsightly premises. The CVRD's enforcement efforts are more reactive than pro-active, as enforcement is generally in response to complaints.

Planning and development

Under the current model, the CVRD is the main agency for land use planning and community development in electoral areas. It has its own staff to manage this and uses specialist contractors where needed. It does this through official community plan (OCP) bylaws and zoning bylaws. While OCP bylaws require provincial approval, zoning bylaws do not. These bylaws are the principle way to establish a cohesive and coordinated plan for the development of land and the resultant changes in community demands for services. However, the existence of multiple agencies and bodies in South Cowichan impedes the ability to integrate community development plans. For example, zoning is up to one body -- the CVRD -- but water systems are managed by not just the CVRD but also eight separate water improvement districts. Fire protection is offered by four different bodies, and most of them are different from the water agency that supplies the water needed to fight fires. Subdivision approval and road planning are up to the Province, and while these are referred to the CVRD for comment, in the end decisions on these are up to the Province.

None of this would matter so much if the study area weren't facing the potential for so much growth and development, but that is not the case. While a time frame is difficult to predict, there are development plans either approved or under serious consideration in the study area that could allow a doubling of the population (though this would no doubt take many years).

Local roads

Under the current model, maintenance, repair and upgrading of local roads and bridges (as opposed to Highway 1) is a provincial responsibility in electoral areas. The Province uses a private contractor (Mainroad) for this. South Cowichan is part of a much larger contract area that includes the whole southern portion of Vancouver Island as well as several Gulf Islands, so the study area represents only a small part of a larger service area (this is why we don't know the costs of maintaining study area roads -- though we do know the taxes paid by the study area).

Drainage

Storm drains, ditches and runoff management are the responsibility of the Province but this is mainly limited to the road right of way itself and usually excludes management and infrastructure on private lands. The development of more comprehensive drainage plans is often undertaken by regional districts under the current model, with Ministry of Transportation input and discussion. These plans can include regulations to ensure future developments help pay for their impacts and conform to storm water standards and drainage design criteria, even though the works will be on roadways that are a provincial responsibility.

The CVRD operates three storm water systems in the study area: Wilmot Road (69 parcels) that uses bio-swells maintained by the Ministry of Transportation and a CVRD-maintained pond; Sentinel Ridge (56 parcels), with soak-away catch basins; and Twin Cedars (76 parcels), where the water collection system is maintained by the Ministry and a detention pond is maintained by the CVRD.

Street lighting

The few street lights that exist in the study area are mainly the responsibility of the CVRD. Some, called “critical street lights”, are provided as electoral area-wide functions (all properties pay); others are provided a local service areas, where only the benefiting properties pay. The Shawnigan Improvement District also provides some lights, paid for by properties in that fire protection area.

Garbage collection

The CVRD has organized garbage collection by a private contractor at the south end of Shawnigan Lake, but for all other areas, garbage collection is up to individual owners.

Recycling

In addition to operating recycling and drop-off facilities, the CVRD offers curb-side collection of recycling throughout the study area, using a contractor. The service is funded mainly by a user fee, which is \$27 per home per year in Areas A and B and \$34 in Area C.

Community parks

The CVRD is the main provider of community parks in the electoral areas. Note that these are not the same as regional or sub-regional parks. Each electoral area funds its own parks. The parks are the result of required parkland dedication by developers when they subdivide their land, or the land purchased by the CVRD using money given in lieu of parkland dedication.

Cultural services

Under the current governance model, the CVRD provides grants, using taxes, for a number of cultural facilities and programs, including small grants to historical societies (Shawnigan Lake, Cobble Hill); grants to community organizations in all three electoral areas; and membership in the Vancouver Island Library District (funded through the CVRD).

Water systems

In terms of water systems, the current model features a mixture of smaller CVRD service areas, eight improvement districts (one large), multiple private utilities, and many areas without a community system, using individual wells. Each community water system is distinct from the others in terms of its governing body and funding policies. Each sets its own rates and usage policies (though all must meet provincial standards for water quality, monitoring, and reporting). There is no single body to manage water resources, implement future water planning or coordinate water policies for the area as a whole. Instead, the multiple agencies manage their individual systems independently. For example, each of the eight water improvement districts has its own water source, and the water demands of one are not coordinated with the demands of another. In addition, there is no formal way to coordinate community planning policies with water management at a regional level; while the CVRD is both the zoning body and a water system operator, its water systems are generally quite small (though this will change a bit when the Arbutus Ridge water system switches from a private utility to a CVRD function), so there is a limited opportunity for the CVRD to coordinate the two. This is not to say that there is no dialogue between the various bodies about long range planning, but it is a fair comment that the dispersion of authority among so many impedes the ability to develop cohesive and comprehensive long range plans.

Sewer collection and disposal

There are few community sewage collection systems in the study area; the vast majority of properties use individual on-site disposal (septic fields). The sewerred areas that exist are generally quite small. The CVRD operates several, and there are some private sewer utilities too. Each system uses its own collection system and its own treatment and disposal facilities, and each has its own set of taxes and/or user fees.

Services and functions not related to local government status

The delivery, funding and administration of the services above are different in the two main models (the current model and the municipal model). But there are many local services and functions that would not be affected in any meaningful way by changing the study area's governance model. These are discussed here.

CVRD regional and sub-regional services: Both municipal and electoral area members of the CVRD, or at least all members in this part of the CVRD, participate in a number of CVRD services. Switching to municipal status would not change South Cowichan's participation in them, would not change the scope and funding of them, and would not change the CVRD's responsibility for them.

CVRD Functions Not Affected by the Study Area's Local Government Model

Regional services	Sub-regional services
General government	Transit
911	Sub-regional parks
Economic development	South end parks
Regional tourism	Kerry Park recreation
Emergency planning	Theatre
Regional parks	S. Cowichan community policing
Solid waste complex	Victim services

Highway 1: Responsibility for maintaining and improving Highway 1 would remain with the senior governments (principally the Province).

ALR status: Agricultural Land Reserve status, or changes to it, are the responsibility of the regional Agricultural Land Commission. Under the current model, applications for change are made to the CVRD, whereas under municipal status, they are made to the municipality. However, this is not a meaningful difference, as the local government only has the authority to pass on its views to the ALC, and decision authority rests solely with the ALC.

Right to farm: Under provincial statute, farms have the right to conduct normal farm operations and local governments -- regional districts and municipalities alike -- can't prohibit these in their regulatory bylaws.

Forestry: Local governments -- both municipalities and regional districts -- can't prohibit forestry where provincial forestry permits have been issued.

Property assessments: The preparation of the annual property assessment roll used by all local governments remains the responsibility of the BC Assessment Authority. Creating a municipality has no effect on this, and there is no evidence that changing to municipal status has any measurable or predictable effect on the property values used by BCAA to develop the rolls.

Hospital taxes: Hospital taxes apply across the whole hospital district (in most cases this is the same geographic area as the regional district) and no distinction is made between electoral areas and municipalities.

School taxes: School tax rates are set by the Province and are not related to whether a community is a municipality or operates under the electoral area model.

Private utilities: These private companies operate independently of whether a community is a municipality or an electoral area. Nothing about municipal status requires taking over a private utility. This includes not just water and sewer companies and strata corporations, but also broader area utilities like hydro, cable TV, and telephone systems.

Home owner grant: School tax rates are set by the Province and are not related to whether a community is a municipality or operates under the electoral area model.

Social assistance: Responsibility for funding various social assistance programs, like welfare, would not change from the current provincial-federal agreements. Local governments -- either regional districts or municipalities -- do not pay into these functions.

Summary of local services

Local services in the study area are provided by a mix of government bodies. By far the most important body is the Cowichan Valley Regional District, followed by the numerous improvement districts and the Province of BC. The following figure shows who provides selected services and functions in the study area (excluding First Nations reserves).

Selected Local Services and Functions (excluding First Nations Reserves)

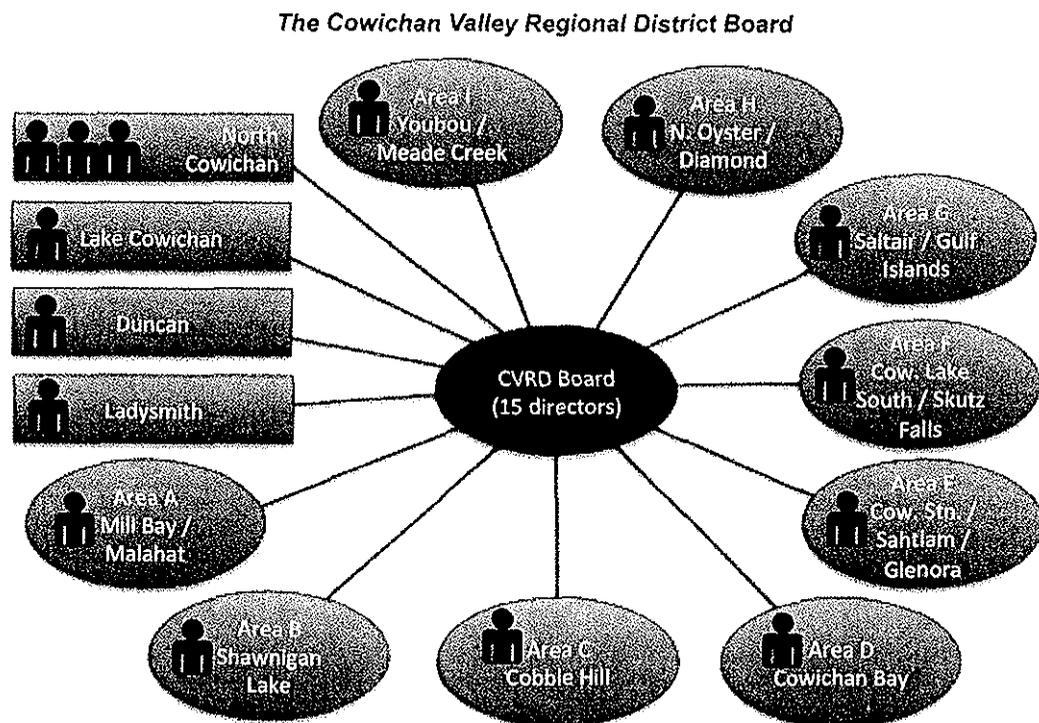
Function / Service	Who is responsible
General administration	Mainly CVRD, but also Province and improvement districts
Zoning bylaws	Regional Board
Official community plan bylaws	Regional Board (but bylaws also need provincial approval)
Subdivision approval	Province (but referred to Regional District)
ALR designation	Agricultural Land Commission
Building permits + inspection	Regional District
Unightly premises bylaw	Regional Board
Animal control	Regional District
Noise control	Regional District
Library services	Vancouver Island Library District
911 Phone service	Regional District
Emergency planning	Regional District
Economic development	Regional District
Regional + sub-regional parks	Regional District
Solid waste complex	Regional District
Recycling	Regional District
Garbage collection	Up to owners (CVRD in small part of Area B)
Transit	CVRD via BC Transit
Community parks	Mainly CVRD
Recreation facilities	Mainly CVRD
Policing	Province via RCMP contract
Bylaw enforcement	Mainly CVRD
Fire protection	1 CVRD area and 3 improvement districts
Sewage collection and disposal	Mainly individual owners; limited CVRD service areas; some strata corp'ns and private utilities
Water systems	Mixture of CVRD, 8 improvement districts, and private utilities (including strata corp'ns)
Drainage	Mainly Province (roadways only); limited CVRD areas
Highway maintenance + repair	Province via contractor
Local road maintenance + repair	Province via contractor
Street lights	Mainly CVRD (limited service)
Watershed protection	Mainly Province (with some RD controls)
Water quality regulations	Province
Property tax collection	Province
Property tax ratios	Province

4. The Cowichan Valley Regional District

Overview

The most significant local government in the study area is the Cowichan Valley Regional District. Regional districts are incorporated local governments that are essentially membership federations. There are two types of members: municipalities and electoral areas. The decision body is the regional board. Each electoral area gets one director on the board no matter what the population of the electoral area; a municipality's entitlement depends on its population.

The CVRD has 13 members -- four municipalities and nine electoral areas. The CVRD Board has 15 directors: North Cowichan, the largest municipality, has three directors, and all the others have one director each.



Most voting on the Board is done on the basis of one vote per director, though on money matters a weighted vote is used. Weighted votes vary with population.

CVRD Member Voting Strengths

Member	No. of directors	Weighted votes*
Electoral Area A (Mill Bay/Malahat)	1	3
Electoral Area B (Shawnigan Lake)	1	4
Electoral Area C (Cobble Hill)	1	3
Subtotal, study area	3	10
Electoral Area D (Cowichan Bay)	1	3
Electoral Area E (Cowichan Station/Sahtlam/Glenora)	1	3
Electoral Area F (Cowichan Lake South/Skutz Falls)	1	1
Electoral Area G (Saltair/Gulf Islands)	1	2
Electoral Area H (North Oyster/Diamond)	1	2
Electoral Area I (Youbou/Meade Creek)	1	1
Municipality: City of Duncan	1	3
Municipality: Town of Ladysmith	1	4
Municipality: Town of Lake Cowichan	1	2
Municipality: District of North Cowichan	3	14
CVRD total	15	45

* Population divided by 2000, then rounded up

The CVRD provides a variety of services in the study area. They can be broadly split into two sections and are shown in the following two tables.

- Regional or sub-regional functions and services that are shared by multiple members. Examples include 911, emergency planning, refuse disposal, regional parks, and funding for major recreation facilities. These functions would remain regional district services under both municipal and electoral area models.
- Localized, municipal-type functions and services in just the electoral areas or portions of electoral areas. Examples can include land use planning, building permits and inspection, street lights, animal control, water, sewer, and fire protection. These local services would be provided by a municipality under municipal status.

CVRD Services and Functions in the Study Area

Regional or sub-regional		
911 Service	Economic development	Regional tourism
Regional parks	Sub-regional parks	Solid waste complex
Emergency planning	Transit	South Cowichan policing
Kerry Park recreation	Cow. Community Ctre theatre	South end parks
Victim services		
Local services		
Zoning bylaws	Signage regulations	Recycling
Official community Plans	Bylaw enforcement	Grants in aid
Subdiv'n application review*	Community parks	Historical societies (limited)
Building permits	House numbering	Mill Bay recreation
Building inspections	Water system (limited areas)	Shawn. Lake comm. ctre
Unightly premises bylaw	Street lights (limited areas)	Cobble Hill hall
Animal control	Sewers (limited areas)	Van. Is. Library Dist.
Fireworks regulation	Drainage (limited areas)	Receive ALR applications^

* But approval is a provincial function ^ But approval is up to Ag. Land Commission

CVRD Functions and 2008 Tax Rates in the Study Area

	Area A	Area B	Area C	Who pays
Regional services and functions:				
General government	\$0.1499	\$0.1499	\$0.1499	All CVRD members
Library	\$0.1631	\$0.1631	\$0.1631	All CVRD members
911	\$0.0314	\$0.0314	\$0.0314	All CVRD members
Economic development	\$0.0233	\$0.0233	\$0.0233	All CVRD members
Regional tourism	\$0.0084	\$0.0084	\$0.0084	All CVRD members
Emergency planning	\$0.0292	\$0.0292	\$0.0292	All CVRD members
Regional parks	\$0.0575	\$0.0575	\$0.0575	All CVRD members
Solid waste complex	\$0.1850	\$0.1850	\$0.1850	All CVRD members
Subtotal	\$0.6478	\$0.6478	\$0.6478	
Sub-regional services:				
Transit	\$0.0945	\$0.0808	\$0.1102	All but Ladysmith and E, F, G
Sub-regional parks	\$0.0060	\$0.0060	\$0.0060	Areas A,B,C,D,E
South end parks	\$0.0130	\$0.0130	\$0.0130	Areas A,B,C,D
Kerry Park recreation	\$0.5756	\$0.5756	\$0.5756	Areas A,B,C,D
Theatre	\$0.0251	\$0.0252	\$0.0501	Ladysmith, N. Cow. (part), A,B,C
S. Cowichan community policing	\$0.0045	\$0.0045	\$0.0045	Areas A,B,C
Victim services	\$0.0079	\$0.0079	\$0.0079	Duncan, N. Cowichan, Areas A-D
Subtotal	\$0.7266	\$0.7130	\$0.7673	
Electoral area functions:				
Grants in aid	\$0.0083	\$0.0066	\$0.0094	Areas A-G, Area I
Elect. area feasibility studies	\$0.0048	\$0.0048	\$0.0048	All electoral areas
Community parks	\$0.0462	\$0.0902	\$0.1510	All electoral areas
Electoral area services	\$0.0285	\$0.0285	\$0.0285	All electoral areas
Animal control	\$0.0035	\$0.0035	\$0.0035	All electoral areas
Building inspection	\$0.0230	\$0.0230	\$0.0230	All electoral areas
Planning	\$0.2153	\$0.2153	\$0.2153	All electoral areas
Critical street lighting	\$0.0016	\$0.0001	\$0.0011	Areas A,B,C,D,I
Shawnigan Lake Comm. Ctre	--	\$0.2898	--	All of Area B
Shawnigan Lake Hist. Society	--	\$0.0056	--	All of Area B
Cobble Hill Historical. Society	--	--	\$0.0162	All of Area C
Subtotal	\$0.3312	\$0.6674	\$0.4528	
Total for each electoral area	\$1.7056	\$2.0282	\$1.8679	Excl. 5.25% tax collection fee
Local service areas*:				
Sentinel drainage	\$0.5139	--	--	Part of Area A
Sentinel st. lights	\$0.2569	--	--	Part of Area A
Sentinel sewer	\$522 pt	--	--	Part of Area A
Malahat fire protection	\$0.9743	--	--	Part of Area A (298 parcels)
Mill Bay recreation	\$0.0141	--	--	Part of Area A (1,626 parcels)
Kerry Village water	\$203 pt	--	--	Part of Area A (62 parcels)
Kerry Village sewer	\$203 pt	--	--	Part of Area A (62 parcels)
Brentwood College st. lights	\$0	--	--	Part of Area A (user fee only)
Mill Bay street lights	\$0	--	--	Part of Area A (user fee only)
Shawnigan Lake North water	--	\$212 pt	--	Part of Area B (637 parcels)
Shawnigan Beach Estates sewer	--	\$385 pt	--	Part of Area B (325 parcels)
Shawnigan Lake weir	--	\$0	--	Part of Area B
Cobble Hill recreation	--	--	\$0.0161	Virtually all of Area C (2,252 pcls)
Maple Hills sewer	--	--	\$395 pt	Part of Area C (60 parcels)
Satellite Park water	--	--	\$297 pt	Part of Area C (79 parcels)
Cobble Hill street lights	--	--	\$29 pt	Part of Area C (43 parcels)
Cobble Hill Village sewer	--	--	\$0 in '08	Part of Area C (starts in 2009)

* pt = parcel tax per year

Note: All tax rates exclude the 5.25% provincial tax collection fee

Note: The limited-area services like Sentinel drainage and various water and sewer areas -- called local service areas -- could remain more or less the same under both the municipal model and the electoral area model. No matter which model, only by the benefiting properties pay for them.

CVRD taxes

In addition to \$546 in taxes for regional and subregional services, in 2008 a typical home in the study area paid \$169 in taxes for CVRD "local" services -- that is, services that would be a municipal responsibility under the municipal model but are CVRD responsibilities under the current model. Of course, there are other local taxes, too, such as the provincial rural tax and

improvement district taxes. The next figure shows the composition of these CVRD taxes for a home in Area A, which is broadly representative of the whole area (though it should be noted that Area B taxes are a bit higher than this).

CVRD Local Taxes on a Typical Residential Property

CVRD local service	Area A	Area B	Area C
Grants in aid	\$3.41	\$2.79	\$3.97
Elect. area feasibility studies	\$1.97	\$2.03	\$2.03
Community parks	\$18.97	\$38.06	\$63.80
Electoral area services	\$11.70	\$12.03	\$12.04
Animal control	\$1.44	\$1.48	\$1.48
Building inspection	\$9.45	\$9.71	\$9.72
Planning	\$88.42	\$90.85	\$90.97
Critical street lighting	\$0.66	\$0.04	\$0.46
Shawnigan Lake Comm. Ctre	--	\$122.29	--
Shawnigan Lake Hist. Society	--	\$2.36	--
Cobble Hill Historical Society	--	--	\$6.85
Subtotal, electoral area services	\$136.02	\$281.62	\$191.32
Mill Bay recreation	\$5.96	--	--
Cobble Hill recreation	--	--	\$6.80
Total local CVRD taxes	\$141.98	\$281.62	\$198.12

*Excludes fire, sewer, water, recycling, street lights where applic.
 Note: Table shows only local services, not regional or sub-regional service taxes; taxes include 5.25% tax collection fee*

There are several points about the regional district financing system that warrant mention here.

- Regional districts set their own budgets but do not collect their own taxes. Instead, they tell the Province how much they need and the Province then collects the money and passes it on. The Province charges a 5.25% tax collection fee for this service. The fee is built into the tax rates people see on their tax notices. Note that the tax rates in the preceding table exclude the fee in order to show the amounts needed by the CVRD.
- Regional district taxes are balanced between homes, businesses, industry and other property types using the provincially-set tax ratios. Regional districts, like improvement districts, do not get to choose the balance.
- Unlike municipalities, regional districts must keep the accounts for each service separate from the others. There is no flexibility to shift funds between accounts. For example, funds collected for regional parks can't be used for, say, emergency planning. On the positive side, this can work toward more stringent adherence to the annual budget by making it harder to mingle funding. On the negative side, it removes flexibility that might be needed to adapt to changed circumstances.

Independence and accountability

Regional districts are quite independent, though not to the degree municipalities are. Regional districts can provide a broad (though not unlimited) array of services at their own choosing, and they needn't seek provincial approval to undertake new services. They have a robust and proper administrative structure to manage their own operations. They must use the provincially set tax balancing ratios between homes and businesses (but, as with the case at hand, this is hardly a significant weakness when over 90% of the tax base is residential), They have the ability to set user fees more as less as they feel appropriate, and they develop their own budgets and service priority levels.

Accountability is a more complex matter, and one that changes when the geographic area under scrutiny changes. In terms of broad regional and subregional functions, a regional district indeed acts on the wishes of only its own decision makers and not outside or remote authorities. However, if by accountability we mean a local community's control of those who make decisions, there is

less accountability. This is because provincial rules require that multiple directors vote on a regional district bylaw -- and this includes a bylaw that affects a very small area. For example, a zoning bylaw that applies a small portion of Mill Bay requires the assent of other CVRD directors, not just the Mill Bay director. But these other directors are not answerable to Mill Bay voters at all.

Thus, while it is certainly true that an electoral area director must answer to his or her constituency voters, it is also true that local area regulations, policies and bylaws -- the decisions for which accountability should exist -- require the approval of officials elected by and answerable to others.

5. Other Local Governments

Improvement districts

General description

Improvement districts are what might be called a junior form of local government. Like municipalities and regional districts, they are formally incorporated bodies with statutory authorities given to them under the provincial Local Government act, and they operate under regulations set by the Province. They are administered by locally elected trustees. Unlike the voting for municipal or regional district officials, where electors can be renters, the voting for trustees is often restricted to land owners, and, again unlike regional districts or municipalities, improvement districts are commonly restricted to one or two services, like fire protection or water (though some have more).

They range from the very small (10-12 lots) to the very large (over 3000 properties). This means there is a range in their capabilities. The budget of a large improvement district can more easily allow for comprehensive administration, especially in light of the new drinking water regulations, which require proper water quality monitoring and record keeping. In addition, larger districts have a much better ability to afford proper insurance and proper accounting and reporting. These are not minor concerns, especially as they relate to water quality. As an example, the Wace Creek Improvement District, in Area A, with only 15 water users, is hardly in the same position as the Mill Bay Waterworks District, with over 700 connections, in terms of being able to afford independent auditing, liability insurance, and water sampling, testing, and reporting.

Many improvement district members take pride in the generally low costs associated with their district. Certainly, their narrow scope of functions and their smaller sizes allow a certain informal level of operation, and this can keep costs down. However, for those improvement districts providing water, the increase in monitoring, accounting, and insurance requirements has begun to impose much more of a financial and administrative burden than before. To reduce costs, smaller improvement districts often have to make do with very modest administrative resources. Low costs, rapid decision making and efficient operations are strengths of improvement districts.

They have weaknesses, too, compared to municipalities and regional districts.

- They are not eligible for infrastructure grants.
- They can't obtain insurance through the Municipal Insurance Association, whose rates are lower than the private sector's rates.
- They can't borrow funds through the Municipal Finance Authority. Instead, they must borrow directly from the province at rates that are higher than the MFA rates.
- Their bylaws require provincial approval.
- While the water districts can set (with provincial approval) the parcel tax rates and user fees, the fire districts must use the provincially-set tax ratios and can't choose their own balance between residential and business tax rates.
- Their limited service arrays can make it hard to coordinate their role in community growth policies and decisions. For example, zoning is up to the CVRD but water supply may be up to an improvement district.

The Province's policy on improvement districts acknowledges that they provide a valuable service in rural areas and there is no program to force the dissolution of them. However, it is clear that municipalities and regional districts are considered by the Province to be better enabled to meet the needs of urban and large communities, and that, over time, many if not most improvement districts will convert to either municipal or regional district service areas. If and when this happens, the assets (and liabilities) of the improvement district are held in a special fund that applies only to the originating service area. This ensures that improvement district taxpayers retain the benefits of their assets and reserves after dissolution.

Note too that while improvement districts can exist in electoral areas (as they obviously do now), they would have to be dissolved if a new municipality is created (though the dissolution need not be immediate).

Independence and accountability

Improvement districts are only partly independent. They can only provide the services the Province specifically allows each one to offer. Their bylaws, budgets and taxes require provincial approval. They can't borrow money except from the Province directly (rather than the more rate competitive Municipal Finance Authority). Still, the budgets are developed by the trustees and not by the Province. Trustees must work as a body, with majority assent among them needed to enact policies and bylaws.

It must be noted that there is strong local accountability in this model, though for a limited array of services. All the elected decision makers -- that is, the trustees -- are elected by local voters only. It is true that renters do not get a vote for the trustees (and this weakens the accountability to the community), and it is true that the turnout for trustee elections can be poor, but in the end the elected officials are directly answerable to the citizens they serve.

The study area improvement districts

There are eleven improvement districts in the study area. All lie entirely within the study area except for the Cowichan Bay fire district, which extends south into Cobble Hill. The smallest ones lie entirely within an electoral area but the larger ones -- Mill Bay water, Shawnigan fire, and Mill Bay fire -- cross electoral area boundaries.

As shown in the following table, there 47 elected trustees in the eleven improvement districts. The largest has 200 times as many properties as the smallest.

Improvement Districts in the Study Area

Name	Part of which areas	No. of trustees	Allowed services	No. of parcels	No. of connections
Shawnigan Imp. District	A, B, C	5	Fire protection, st. lights, parks	3,155	--
Mill Bay Fire Protection Dist.	A, B, C	7	Fire protection	2,982	--
Cowichan Bay Imp. Dist.	B, C	5	Fire protection	2,966	--
Mill Bay Waterworks Distict	A	5	Water, drainage	825	725
Cobble Hill Imp. District	C	5	Water	341	230
Braithwaite Estates I.D.	C	5	Water	255	242
Meredith Road Imp. District	A	3	Water	48	44
Sylvania Imp. District	A	3	Water	31	31
Carlton Imp. Dist.	A	3	Water	31	31
Oceanview Imp. District	A	3	Water	21	21
Wace Creek Imp. District	A	3	Water	15	15

Improvement District Tax Rates and Water Sources

Shawnigan Imp. District	Fire protection, st. lights, parks	\$.3784/1000	--	--
Mill Bay Fire Protection Dist.	Fire protection	\$.4599/1000	--	--
Cowichan Bay Imp. Dist.	Fire protection	\$.4035/1000	--	--
Mill Bay Waterworks Distict	Water, drainage	\$75 pt	\$226 min	9 wells
Cobble Hill Imp. District	Water	\$100 pt	\$240 min	2 wells
Braithwaite Estates I.D.	Water	\$100-\$120 pt	\$240 min	3 wells
Meredith Road Imp. District	Water	\$234 pt	\$240 min	4 wells
Sylvania Imp. District	Water	\$0	\$470	1 well
Carlton Imp. Dist.	Water	\$0	\$360	1 well
Oceanview Imp. District	Water	\$0	\$400	1 well
Wace Creek Imp. District	Water	\$0	\$200	Wace Ck, 2 wells

The Province of BC

Overview

In addition to broad public policy formulation, the Province offers many specific services to communities, but most are not related to whether the community is a municipality or an electoral area. One example, Highway 1 is maintained by the provincial contractor (with federal funding help from Ottawa), and this applies equally in both electoral areas (like the study area) and municipalities (like North Cowichan). Other important functions of the provincial government that are not relevant to this study of local governance include education, social services, health care, and financial policies, and these are not addressed in this study.

Local community services

The Province serves as the provider of four particular local government-like services in the South Cowichan study area.

- **Local road maintenance:** The Province is responsible for all the public roads, not just the highway. (Note that public roads are not to be confused with private or forestry roads). This includes drainage and storm runoff on road allowances but generally not on private lands. The Province contracts road maintenance to a private company (Mainroad South Island Contracting Ltd.). The provincial rural tax (\$0.500 per \$1000 in 2008) is one of the funding tools for road maintenance in unincorporated areas.
- **Tax collection:** The Province is the collector of property taxes outside of municipalities (a role that municipalities themselves fulfill within their boundaries). The Province sends the tax notices to owners and collects their payments. It does this for multiple taxing agencies, including the Regional District and many improvement districts, and then forwards the funds on to each agency. For regional district and improvement district taxes it charges a 5.25% fee for this service. The fee is built into the tax rates printed on the tax notices. For example, if a regional district needs \$100,000 for a certain service, the tax rate is set as needed to generate \$105,250; the Province keeps \$5,250 as a collection fee and passes the \$100,000 on to the regional district. (There is no direct counterpart in a municipality; administration costs, including tax collection, are simply part of the overall municipal tax rate.)
- **Subdivision approval:** A provincial staff member serves as the independent Approving Officer outside municipalities, and the Province charges subdivision application fees to help cover the costs of this function. Subdivision applications are referred to the regional district for review (especially to check for conformity with zoning and development regulations).
- **Policing:** Policing in electoral areas and small municipalities (under 5000) is provided by the Province under a contract with the RCMP. The Province introduced a new policing tax in

2007 to help recover the costs of this service; in 2008 it was \$0.1063 per \$1000 in Area A and \$0.1055 in Area B and C. Note that BC municipalities over 5000 are responsible for their own policing. The vast majority contract this to the RCMP. Under the contract, the municipality between 5000 and 15,000 pays 70% of the officers' costs and 100% of the civilian costs; a municipality over 15,000 pays 90% and 100% respectively.

The \$0.500 provincial rural tax mentioned above applies in all electoral areas of BC (the only exception is the University Endowment Lands near UBC). This means an average residential property in Cobble Hill, assessed at \$400,000, pays \$200 whereas an average property outside, say, Burns Lake, assessed at perhaps \$250,000, pays only \$125. The use of one rate across the province means that the link between what an area pays for roads and what it receives can be weak. As a simple example, consider that spending another \$500,000 on Cobble Hill roads would have no measurable effect on the province-wide tax rate of \$0.50, so residents would see a large increase in their service quality but no real increase in their tax. This is in contrast to smaller area services, like the Cobble Hill Hall, where a budget jump of \$100,000 would mean a direct local tax jump of \$100,000 for Area B taxpayers.

The Province also sets tax rates for school purposes, for BC Assessment Authority funding, and for Municipal Finance Authority use. None of these are related to local government status (that is, whether you are a municipality or an electoral area).

Independence and accountability

The Province is obviously the most independent of the "local service" bodies. It has authority for not only the rules that other local governments must follow but also for setting the standards and budget priorities for some of the local services in a community.

In terms of accountability for provincial policies and decisions as they might affect local services, the influence local electors have on this "local government" body is limited to one MLA shared by the 50,000 or so residents of the provincial riding.

First Nations

There are three First Nations reserves in the study area.

- Cowichan Tribes Est-Patrolas Reserve No. 4 at the northern edge of the study area, at Dougan Lake.
- Pauquachin Hatch Point Reserve No. 12, on the ocean near Cobble Hill.
- Malahat First Nation Reserve No. 11 on the ocean just south of Mill Bay.

First Nations are independent forms of government, and reserves are not subject to local government regulations, bylaws, or taxes. This applies to both regional district and municipal bylaws. Consequently, there would be no meaningful change to any First Nations powers or authorities as a result of any change in local government models in the electoral areas. First Nations can, and often do, enter into service sharing arrangements with neighbouring local governments while retaining their independence.

The establishment of the principles of First Nations rights and self governance means that the three common and established types of local governments -- improvement districts, regional districts and municipalities -- need to respect their interests not just as neighbours but also as neighbouring local governments. This means creating government to government protocols and relationships among these bodies.

6. Property Taxes

Overview

The array of improvement districts and CVRD service areas combine to produce a very complex array of property taxes. In addition, there are numerous farms and ALR lands, particularly in Cobble Hill. Taxes on farms and ALR homes are lower than on regular homes because ALR and farm land has a 50% exemption for regional district and hospital taxes, whereas regular homes do not. In addition, houses on farm land are exempt from the provincial rural tax (an exemption they lose in a municipality).

Given the total number of service agencies in the study area and their sometimes overlapping boundaries, there are many unique “tax areas” – individual areas where the taxes are different than the taxes in another area. For example, two homes in Mill Bay may pay the same taxes for most CVRD functions but one is in the Cowichan Bay fire area while the other is in the Mill Bay fire area, so they have separate tax snapshots.

While there are four different fire service areas, each is quite large in area compared to the many more, localized service areas that dot the map, and these magnify the complex problem of presenting a snapshot of property taxes. For example, in Area A alone there are seven unique CVRD service areas and eleven distinct improvement districts. Across the whole study area there could easily be 50 or more unique tax pictures.

This complicated structure leads to several unwanted impacts.

- It creates uncertainty for residents about what services they are paying for.
- It makes it difficult for them to assess whether they are getting value for their money.
- It makes it hard for residents to be confident their tax bills are consistent between neighbours.

However, there is a way to present a comprehensible snapshot of taxes, and that is to leave out certain taxes that meet two criteria: they are extremely localized and are paid by few properties; and they could continue as localized taxes even if in a municipality. Fire protection taxes fail the first (they are generally large in area) and almost always fails the second. But below are the localized taxes that we can exclude from the discussion and still maintain a balance between presenting a fair picture of taxes and swamping the reader with numbers.

Local services excluded from the tax snapshots

CVRD local service areas	Where	Improvement districts	Where
Sentinel drainage	Area A	Mill Bay water	Area A
Sentinel street lights	Area A	Sylvania water	Area A
Sentinel sewer	Area A	Oceanview water	Area a
Kerry Village water	Area A	Meredith Road water	Area A
Kerry Village sewer	Area A	Carlton water	Area A
Brentwood College street lights	Area A	Wace Creek water	Area A
Shawnigan Lake North water	Area B	Cobble Hill water	Area C
Shawnigan Beach sewer	Area B	Braithwaite Estates water	Area C
Maple Hill sewer	Area C		
Satellite Park water	Area C		
Shawnigan Lake weir	Area C		

The following local service areas are included in the snapshots because they cover very large service areas.

- The Malahat, Mill Bay, Shawnigan and Cowichan Bay fire protection taxes (the first is a CVRD service; the rest are improvement district services).
- Mill Bay and Cobble Hill hall recreation service taxes (both CVRD functions).

This narrows down the list of "typical" home taxes to a very manageable number and leads to the figures shown following. As outlined elsewhere, the tax snapshots are based on properties with a 2008 assessed value of \$400,000 for residential, business, and light industry properties; \$18,000 for farm land; and \$200,000 for a house on farm land.

Property tax rates

The 2008 property tax rates are shown following, stated in dollars of tax per \$1000 of property assessment for each type of property as you read across. Note that the rates for CVRD and improvement district taxes include a 5.25% collection fee levied by the Province in its role as tax collector for the local governments.

2008 Property Tax Rates* (\$ per \$1000 of assessment)

	Who pays	Residential	Utility	Light industry	Business + other	Managed forest	Rec'n + non-prof.	Farm land
Wide-area taxes:								
School district	Whole S.D.	\$2.1970	\$14.2000	\$6.8000	\$6.8000	\$2.0000	\$3.6000	\$6.8000
Hospital district	All CVRD	\$0.1694	\$0.5929	\$0.5760	\$0.4150	\$0.5082	\$0.1694	\$0.1694
BC Asmnt Auth. (whole province)	All of BC	\$0.0615	\$0.4787	\$0.1944	\$0.1944	\$0.2705	\$0.0615	\$0.0615
MFA (whole province)	All of BC	\$0.0002	\$0.0005	\$0.0005	\$0.0001	\$0.0008	\$0.0002	\$0.0002
Subtotal: School, hospital, other		\$2.4281	\$15.2721	\$7.5709	\$7.4095	\$2.7795	\$3.8311	\$7.0311
"Local" taxes:								
Provincial rural tax	Electoral areas	\$0.5000	\$4.0600	\$2.8500	\$2.8500	\$0.4400	\$1.0000	\$0.5000
CVRD regional/sub-regional serv.								
- Area A (Mill Bay/Malahat)	All of Area A	\$1.4466	\$5.0629	\$4.9186	\$3.5438	\$4.3397	\$1.4466	\$1.4466
- Area B (Shawnigan Lake)	All of Area B	\$1.4322	\$5.0128	\$4.8700	\$3.5087	\$4.2967	\$1.4322	\$1.4322
- Area C (Cobble Hill)	All of Area C	\$1.4894	\$5.2129	\$5.0643	\$3.6487	\$4.4682	\$1.4894	\$1.4894
CVRD electoral area services								
- Area A (Mill Bay/Malahat)	All of Area A	\$0.3400	\$1.1902	\$1.1562	\$0.8330	\$1.0201	\$0.3400	\$0.3400
- Area B (Shawnigan Lake)	All of Area B	\$0.7041	\$2.4642	\$2.3940	\$1.7248	\$2.1122	\$0.7041	\$0.7041
- Area C (Cobble Hill)	All of Area C	\$0.4783	\$1.6741	\$1.6264	\$1.1718	\$1.4349	\$0.4793	\$0.4783
Police Area A (Mill Bay/Malahat)	All of Area A	\$0.1063	\$0.3721	\$0.3614	\$0.2604	\$0.3189	\$0.1063	\$0.1063
Police Area B (Shawnigan Lake)	All of Area B	\$0.1055	\$0.3693	\$0.3587	\$0.2585	\$0.3165	\$0.1055	\$0.1055
Police Area C (Cobble Hill)	All of Area C	\$0.1055	\$0.3693	\$0.3587	\$0.2585	\$0.3165	\$0.1055	\$0.1055
Shawnigan fire (improvement district)	Parts of A,B,C	\$0.3784	\$1.3244	\$1.2866	\$0.9271	\$1.1352	\$0.3784	\$0.3784
Mill Bay fire (improvement district)	Parts of A,B,C	\$0.4599	\$1.6097	\$1.5636	\$1.1268	\$1.3797	\$0.4599	\$0.4599
Malahat fire (CVRD service area)	Parts of A,B	\$1.0232	\$3.5812	\$3.4789	\$2.5069	\$3.0696	\$1.0232	\$1.0232
Cowichan Bay fire (imp. district)	Parts of C,D	\$0.4035	\$1.4123	\$1.3719	\$0.9886	\$1.2105	\$0.4035	\$0.4035
Mill Bay rec'n LSA	Part of A	\$0.0149	\$0.0522	\$0.0507	\$0.0365	\$0.0447	\$0.0149	\$0.0149
Cobble Hill rec'n LSA	Part of C	\$0.0170	\$0.0595	\$0.0578	\$0.0417	\$0.0510	\$0.0170	\$0.0170

Excludes local water, sewer, and street light charges.

Note: CVRD and improvement district tax rates include a 5.25% provincial tax collection fee

A note about the fire taxes: The Malahat fire tax (\$1.0232) is quite a bit higher than the other four (generally around \$0.40). Some of this is due to higher costs in Malahat and some is due to the lower average house values in Malahat (\$273,000 versus \$400,000 elsewhere). Lower home values push the tax rate up without necessarily raising the cost per home, since the assessed value is lower.

It can be seen from the table that the tax rates vary by type of property. Business and industry tax rates are always higher than the residential rate, though the ratio varies from tax to tax. These ratios are set by the Province of BC. The ratios for wide-area taxes don't matter in the context of this study because whatever they are, they apply equally to both electoral areas and municipalities.

However, the ratios for local taxes do matter here. This is because under the current model, the Province sets the ratios even though they are very localized taxes, but it would be different under the municipal model. Under municipal status, the list of local taxes would shrink to two items: a municipal tax rate and a CVRD tax rate. For the municipal tax rate, the ratio between the classes of properties would be up to the municipality; the CVRD tax rates could use either the municipal ratios or the provincial ratios.

Taxes on a typical residential property

The following figure shows the 2008 property taxes on an average residential property, assessed at \$400,000. The figures apply to both a vacant lot worth \$400,000 or a house and lot worth \$400,000 combined.

Note the 5.25% provincial tax collection fee is approximately \$50 and is built into the CVRD, fire protection, recreation/community hall, and improvement district taxes.

2008 Property Taxes on a \$400,000 Residential Property*

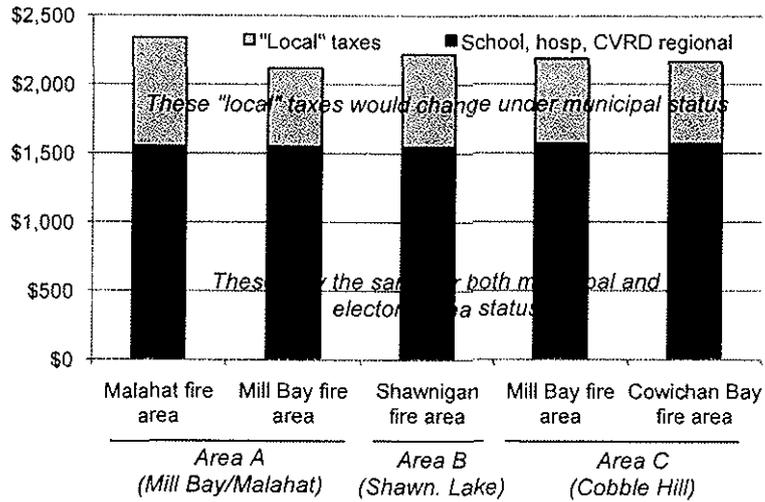
	Area A		Area B	Area C	
	Malahat fire area	Mill Bay fire area	Shawnigan fire area	Mill Bay fire area	Cowichan Bay fire area
Provincial rural tax	\$200	\$200	\$200	\$200	\$200
CVRD electoral area serv.	\$136	\$136	\$282	\$191	\$191
Fire protection	\$409	\$184	\$151	\$184	\$161
Police tax	\$43	\$43	\$42	\$42	\$42
Rec'n or community hall	\$0	\$6	\$0	\$7	\$7
"Local" taxes	\$788	\$568	\$675	\$624	\$602
CVRD regional/sub-reg.	\$579	\$579	\$573	\$596	\$596
School, hospital, other	\$971	\$971	\$971	\$971	\$971
Grand total	\$2,338	\$2,118	\$2,219	\$2,191	\$2,169

*Excludes local water, sewer, recycling and street light charges; excludes home owner grant

In general, the gaps between them are relatively small, with only about \$220 separating the highest and lowest.

Note: Local taxes -- that is, taxes that would or could be affected by a change to municipal status -- account for only about 30% of the total. The majority are wide-area taxes that do not vary with municipal or electoral area status.

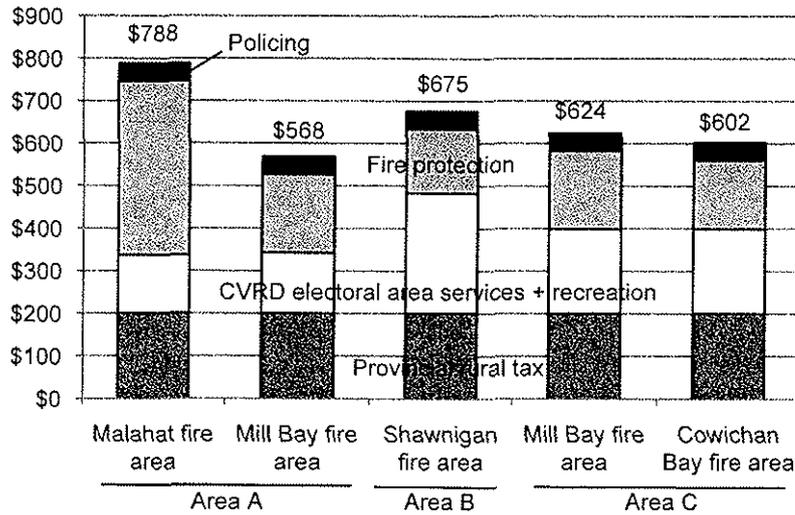
Summary of 2008 Property Taxes on a \$400,000 Residential Property*



*Excludes local water, sewer, recycling and street light charges; excludes home owner grant

A focus on "local" taxes -- that is, those property taxes that would vary depending on whether the electoral area model or municipal model is in place -- shows that there is a bit more variation than is evident in the total tax bills. Most properties pay about the same for wide-area services -- school, hospital, and CVRD regional service -- but there is some variation in the rates for local taxes.

2008 Local Taxes on a \$400,000 Residential Property



*Excludes local water, sewer, recycling and street light charges; excludes home owner grant

Residential tax history

Using past tax and assessment records, it is possible to look at what has happened to residential property taxes in the study area over the last decade or so. We have chosen 1997 as the comparison year; this was the first year following the referendum on municipal status.

To be meaningful, the inter-year comparison should use constant dollar values, so the 1997 tax loads have been factored up to 2008 using the Consumer Price Index. The CPI factor is 1.2533, meaning a \$1000 tax bill from 1997 is worth \$1,253.30 in 2008 dollar values.

The comparison uses the average residential property assessment for both years: \$184,000 for 1997 (stated in 1997 dollars) and \$400,000 in 2008. "Local" taxes have been redefined slightly. The detailed 2008 tax picture presented earlier shows CVRD taxes in two groups: regional and local. But for 1997 we don't have that breakdown, so for both the 1997 and 2008 taxes, both types of CVRD taxes are combined into one and included as a "local" rate (they are combined into one rate on the tax notices, too).

1997 Property Tax Rates and Taxes on an Average Residential Property

	Area A Malahat fire area	Area A Mill Bay fire area	Area B Shawnigan fire area	Area C Mill Bay fire area	Area C Cowichan Bay fire area
1997 Tax rates (\$ per \$1000):					
Provincial rural tax	\$1.0000	\$1.0000	\$1.0000	\$1.0000	\$1.0000
Provincial policing tax	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
CVRD electoral area tax	\$1.4195	\$1.4195	\$1.7417	\$1.5564	\$1.5564
Fire tax	\$0.5696	\$0.6074	\$0.7348	\$0.6074	\$0.5596
Rec'n or community hall	\$0.0000	\$0.0112	\$0.0000	\$0.0250	\$0.0250
Subtotal, local services	\$2.9891	\$3.0381	\$3.4765	\$3.1888	\$3.1410
School, hospital, BCAA, MFA	\$4.3230	\$4.3230	\$4.3230	\$4.3230	\$4.3230
Total	\$7.3121	\$7.3611	\$7.7995	\$7.5118	\$7.4640
1997 Taxes on an average property:					
Provincial rural tax	\$184	\$184	\$184	\$184	\$184
Provincial policing tax	\$0	\$0	\$0	\$0	\$0
CVRD electoral area tax	\$261	\$261	\$320	\$286	\$286
Fire tax	\$105	\$112	\$135	\$112	\$103
Rec'n or community hall	\$0	\$2	\$0	\$5	\$5
Subtotal, local services	\$550	\$559	\$640	\$587	\$578
School, hospital, BCAA, MFA	\$795	\$795	\$795	\$795	\$795
Total in 1997 dollars	\$1,345	\$1,354	\$1,435	\$1,382	\$1,373

The figures above can be translated into 2008 dollar values and then compared with the taxes from the actual 2008 tax bills on average properties, as shown following. Note again that the "local" taxes from 2008 now include CVRD regional taxes in order to be consistent with 1997 categories.

As can be seen in the following figures, the total property tax bill over the last 11 years has risen by about 25% -- about \$440 -- over and above the inflation rate (a bit more for a home in the Malahat fire area).

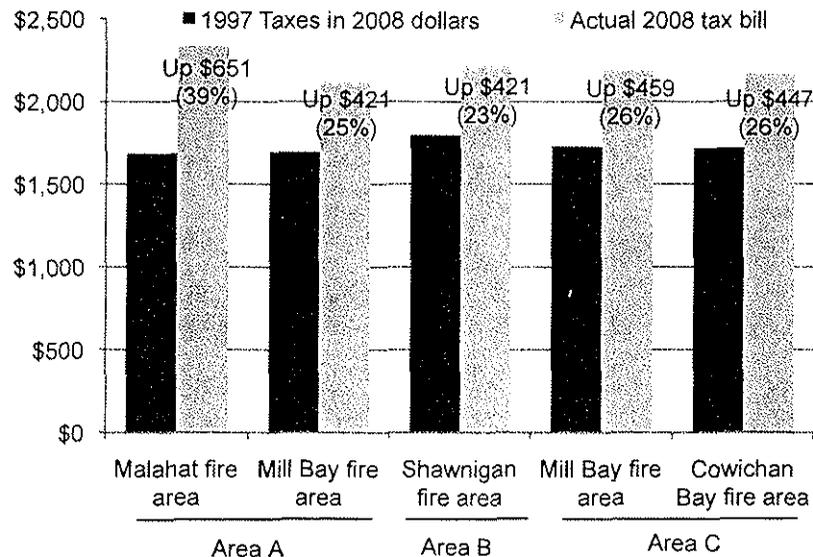
1997 and 2008 Property Taxes per Home (in constant 2008 dollars)

	Area A Malahat fire area	Area A Mill Bay fire area	Area B Shawnigan fire area	Area C Mill Bay fire area	Area C Cowichan Bay fire area
1997 Taxes in 2008 dollars					
Local taxes*	\$689	\$701	\$802	\$735	\$724
School, hospital, BCAA, MFA	\$997	\$997	\$997	\$997	\$997
Total in 1997 dollars	\$1,686	\$1,698	\$1,799	\$1,732	\$1,721
Actual 2008 tax bill					
Local taxes*	\$1,366	\$1,147	\$1,248	\$1,220	\$1,197
School, hospital, BCAA, MFA	\$971	\$971	\$971	\$971	\$971
Total in 2008 dollars	\$2,338	\$2,118	\$2,219	\$2,191	\$2,169
Rise from 1997 to 2008:					
Local taxes*	\$677	\$446	\$446	\$485	\$473
School, hospital, BCAA, MFA	-\$26	-\$26	-\$26	-\$26	-\$26
Total rise over 11 years	\$651	\$421	\$421	\$459	\$447
% Change over 11 years[^]					
In local taxes*	98%	64%	56%	66%	65%
In school, hospital, etc	-3%	-3%	-3%	-3%	-3%
Total rise over 11 years	39%	25%	23%	26%	26%
% Change per year[^]					
In local taxes*	6.4%	4.6%	4.1%	4.7%	4.7%
In school, hospital, etc	-0.2%	-0.2%	-0.2%	-0.2%	-0.2%
Annual rise in total	3.0%	2.0%	1.9%	2.2%	2.1%

* CVRD taxes, provincial rural tax, policing tax, fire taxes, and recreation taxes

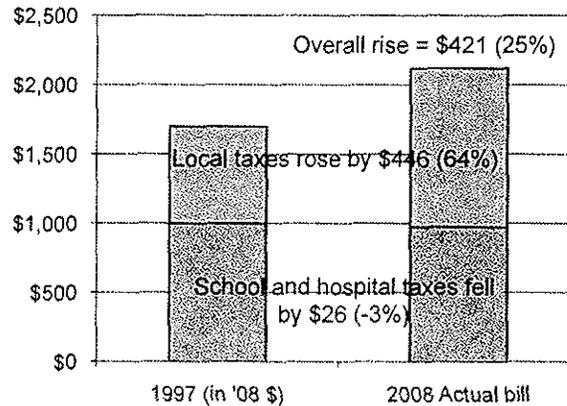
[^] Over and above the inflation rate

Summary of 1997 and 2008 Property Taxes (in constant 2008 dollars)



But the 25% overall rise is a bit misleading, because the jump in taxes has not been equal between the “local” group (that is, those taxes that would be affected if the local governance model changed to a municipality) and the wide-area group. In fact, wide-area taxes -- school and hospital taxes, mainly -- have actually *fallen* a very small amount when stated in constant 2008 dollars. So while the overall rise is about 25%, all of this is due to rises in local taxes, whose percentage rise is very much more than 25%. In fact, the *lowest* jump in local taxes was 56%. This is clear from looking at the tax changes in Shawnigan Lake, as in the following figure (Shawnigan Lake is a fair representation of the whole area, though there is some variation from place to place).

Tax Changes on an Average Residential Property at Shawnigan Lake



By far the biggest share of the rise in local taxes is accounted for by CVRD taxes (though the relatively new provincial policing tax also adds a bit). Two other local taxes -- the provincial rural tax per home and the Shawnigan fire tax per home -- have fallen slightly (in real dollars) during this period.

2008 Taxes on business

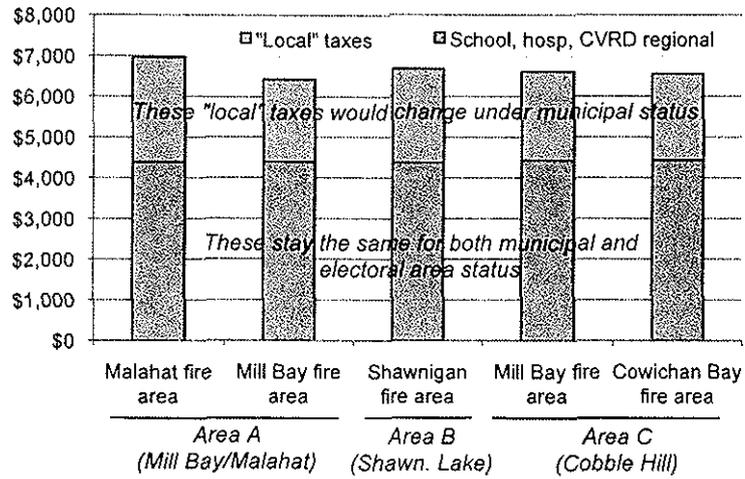
Business (assessment class 6) properties face much higher tax rates than homes do. The gap varies depending on the tax. For the provincial rural tax, for example, the rate for business is 5.7 times the residential tax; for CVRD and improvement district taxes the ratio is lower but still substantial, at 2.45. The Province sets these multiples. On balance, a \$400,000 business pays about three times the property tax that a \$400,000 home pays.

2008 Property Taxes on a \$400,000 Business Property*

	Area A		Area B	Area C	
	Malahat fire area	Mill Bay fire area	Shawnigan fire area	Mill Bay fire area	Cowichan Bay fire area
Provincial rural tax	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140
CVRD electoral area serv.	\$333	\$333	\$690	\$469	\$469
Fire protection	\$1,003	\$451	\$371	\$451	\$395
Police tax	\$104	\$104	\$103	\$103	\$103
Rec'n or community hall	\$0	\$15	\$0	\$17	\$17
"Local" taxes	\$2,580	\$2,043	\$2,304	\$2,179	\$2,124
CVRD regional/sub-reg.	\$1,418	\$1,418	\$1,403	\$1,459	\$1,459
School, hospital, other	\$2,964	\$2,964	\$2,964	\$2,964	\$2,964
Grand total	\$6,961	\$6,424	\$6,671	\$6,603	\$6,547

*Excludes local water, sewer, and street light taxes

Summary of 2008 Property Taxes on a \$400,000 Business Property*



*Excludes local water, sewer, and street light taxes

2008 Taxes on industry

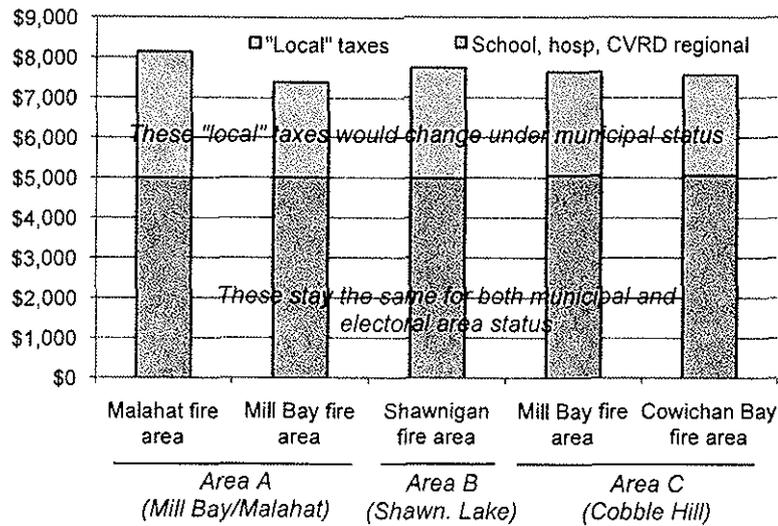
There are two classes of industry -- major industry (assessment class 4) and light industry (class 5) -- but there are no major industry properties (like mines and mills) in the study area, so "industry" here refers only to light industry. Like businesses, industrial properties pay higher taxes than homes do, though, as with business, the gap varies among the different property taxes. On balance, light industry tax rates are a bit higher than business taxes.

2008 Property Taxes on a \$400,000 Industrial Property*

	Area A		Area B	Area C	
	Malahat fire area	Mill Bay fire area	Shawnigan fire area	Mill Bay fire area	Cowichan Bay fire area
Provincial rural tax	\$1,140	\$1,140	\$1,140	\$1,140	\$1,140
CVRD electoral area serv.	\$462	\$462	\$958	\$651	\$651
Fire protection	\$1,392	\$626	\$515	\$626	\$549
Police tax	\$145	\$145	\$143	\$143	\$143
Rec'n or community hall	\$0	\$20	\$0	\$23	\$23
"Local" taxes	\$3,139	\$2,393	\$2,756	\$2,583	\$2,506
CVRD regional/sub-reg.	\$1,967	\$1,967	\$1,948	\$2,026	\$2,026
School, hospital, other	\$3,028	\$3,028	\$3,028	\$3,028	\$3,028
Grand total	\$8,135	\$7,389	\$7,732	\$7,637	\$7,560

*Excludes local water, sewer, and street light taxes

Summary of 2008 Property Taxes on a \$400,000 Industrial Property*



*Excludes local water, sewer, and street light taxes

2008 Taxes on farms

When discussing farm taxes, it is important to remember that there are two separate components: the farm land part, and the building part (if any). The land part is assessment class 9 (farm land) and the building part is usually class 1 (residential), though it could be business or, rarely, industry. We'll assume here that if there is a building, it is residential. Some class 9 and class 1 tax rates are the same (for example, the tax rate for regional district services), but for other taxes they are different (for example, the provincial rural tax).

And a further distinction is needed for the building itself, between a house and some other farm-related building. Barns and outbuildings have a \$50,000 assessment exemption from the provincial rural tax and the municipal tax (the exemption applies under both electoral area and municipal models), so it is not of much interest here. Houses, however, have a 100% exemption from the provincial rural tax but *no exemption from a municipal tax*.

These complicated regulations mean we need to present farm taxes under two cases: vacant farm land, and farm land with a house.

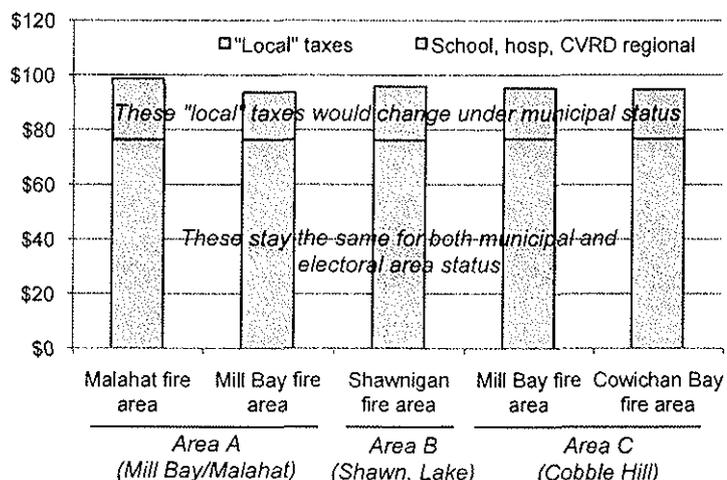
Under the current model, farms pay lower taxes than homes do, for two reasons. First, farm land assessed values are very much lower than regular residential lot values (\$18,000 versus \$235,000) ; and second, farm land has the 50% exemption from certain taxes. If there is a house, there is a third reason, too: the house is exempt from the provincial rural tax but not from the corresponding municipal tax.

2008 Property Taxes on a \$18,000 Farm Parcel (land only)*

	Area A		Area B	Area C	
	Malahat fire area	Mill Bay fire area	Shawnigan fire area	Mill Bay fire area	Cowichan Bay fire area
Provincial rural tax	\$9	\$9	\$9	\$9	\$9
CVRD electoral area serv.	\$3	\$3	\$6	\$4	\$4
Fire protection	\$9	\$4	\$3	\$4	\$4
Police tax	\$1	\$1	\$1	\$1	\$1
Rec'n or community hall	\$0	\$0	\$0	\$0	\$0
"Local" taxes	\$22	\$17	\$20	\$19	\$18
CVRD regional/sub-reg.	\$13	\$13	\$13	\$13	\$13
School, hospital, other	\$63	\$63	\$63	\$63	\$63
Grand total	\$99	\$94	\$96	\$95	\$95

*Excludes local water, sewer, recycling, and street light charges

Summary of 2008 Property Taxes on a \$18,000 Farm Parcel (land only)*



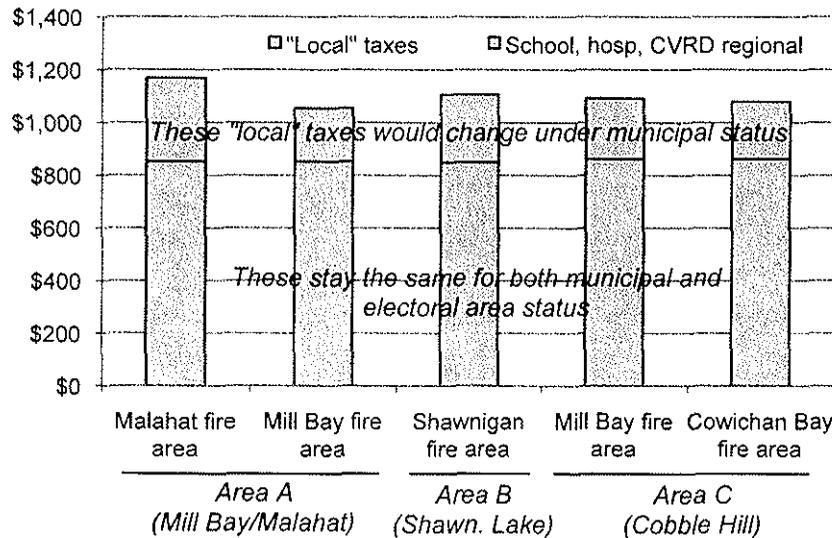
*Excludes local water, sewer, and street light taxes

2008 Taxes on an \$18,000 Farm and \$200,000 House*

	Area A		Area B	Area C	
	Malahat fire area	Mill Bay fire area	Shawnigan fire area	Mill Bay fire area	Cowichan Bay fire area
Provincial rural tax	\$9	\$9	\$9	\$9	\$9
CVRD electoral area serv.	\$71	\$71	\$147	\$100	\$100
Fire protection	\$214	\$96	\$79	\$96	\$84
Police tax	\$22	\$22	\$22	\$22	\$22
Rec'n or community hall	\$0	\$3	\$0	\$4	\$4
"Local" taxes	\$316	\$202	\$257	\$231	\$219
CVRD regional/sub-reg.	\$302	\$302	\$299	\$311	\$311
School, hospital, other	\$549	\$549	\$549	\$549	\$549
Grand total	\$1,167	\$1,053	\$1,106	\$1,091	\$1,079

*Excludes local water, sewer, recycling and street light charges; excludes home owner grant

Summary of 2008 Taxes on an \$18,000 Farm and \$200,000 House



Excludes local water, sewer, recycling and street light charges; excludes home owner grant

Several comments should be made about the taxes on farms. Again, remember that there are different tax rates on *farm land* than for farm house *buildings*.

- First, vacant farm land pays very low taxes, mainly because the assessed value of farm land is low (farm land assessments are not based on market values but on defined rates that vary with the type of products produced).
- Second, farms with houses pay significantly lower taxes than regular houses, even when the building assessment is the same. This is because (a) the house is exempt from the provincial rural tax; (b) the land's assessed value is very much less for a farm home than for a regular home (an average of \$18,000 versus \$235,000); and (c) farm land is 50% exempt from various local taxes.
- Third, only about 25% of a farm home's taxes are "local" taxes that would be affected by municipal status. Three quarters of the tax bill is for wide area and regional taxes that don't vary with electoral area or municipal status.

Total Property Tax Collections in 2008

The preceding discussions deal with taxes paid by typical properties in the study area, but what about the total taxes generated by the community as a whole? These are shown following. Note, however, that it is not possible to precisely calculate them in terms of the three electoral areas alone, because several services -- notably fire and recreation -- are funded by parts of two electoral areas and there is no easy way to know how much tax is collected from each. However, the following figures include an estimate of how these fire taxes might be allocated by area.

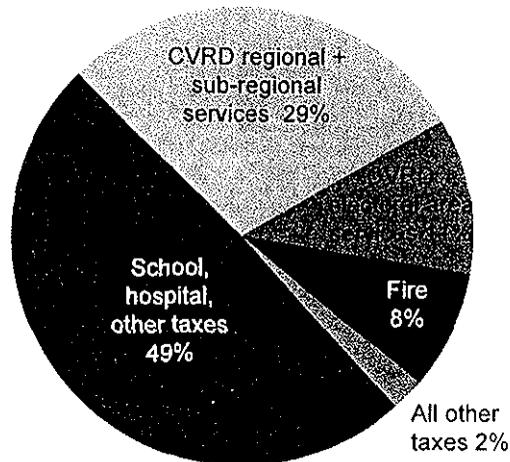
Total 2008 Property Taxes from the Study Area*

Property tax	Area A	Area B	Area C	All 3 areas
<i>Wide-area taxes:</i>				
School district	\$1,963,388	\$3,260,831	\$2,078,068	\$7,302,287
Hospital district	\$146,549	\$257,157	\$157,089	\$560,795
BC Asmnt Authority	\$55,896	\$97,930	\$58,222	\$212,048
Municipal Finance Authority	\$155	\$302	\$173	\$631
Subtotal	\$2,165,988	\$3,616,219	\$2,293,553	\$8,075,760
CVRD regional + sub-regional taxes^	\$1,251,433	\$2,174,213	\$1,381,156	\$4,806,801
Total not affected by local gov't status	\$3,417,420	\$5,790,432	\$3,674,709	\$12,882,561
<i>Local taxes:</i>				
CVRD taxes (electoral area services)^	\$294,172	\$1,068,793	\$443,550	\$1,806,516
Police tax (whole electoral area)	\$91,959	\$160,156	\$97,834	\$349,949
Shawnigan fire (imp. district)^	\$23,694	\$450,186	\$0	\$473,880
Mill Bay fire (imp. district)^	\$281,901	\$11,506	\$281,901	\$575,309
Malahat fire (CVRD service area)^	\$118,975	\$0	\$0	\$118,975
Cowichan Bay fire (imp. district)^	\$0	\$40,937	\$163,747	\$204,684
Mill Bay rec'n (CVRD service)^	\$10,542	\$0	\$0	\$10,542
Cobble Hill rec'n (CVRD service)^	\$15,765	\$0	\$0	\$15,765
Total affected by local gov't status	\$837,009	\$1,731,578	\$987,033	\$3,555,620
Grand total	\$4,254,429	\$7,522,010	\$4,661,742	\$16,438,181
^ Includes provincial tax collection fee	\$99,587	\$186,837	\$113,248	\$399,672

*Excludes water, sewer and street lights taxes

In total, properties in the study area paid over \$16 million in property taxes, including \$400,000 to the Province in tax collection fees. About 75% of the sum goes to wide service area taxes that would be more or less the same under both electoral area and municipal status.

Where the Study Area's 2008 Property Taxes Go



7. Services Under a Municipal Model

This section describes some of the shifts and changes in service responsibilities that would (or in some cases would not) occur if the study area were under municipal status rather than the current mixed electoral area-improvement district model.

Another alternative model -- realigned, amalgamated, or restructured electoral area boundaries -- would essentially provide a continuation of the current service delivery systems. The electoral area boundaries might be different than the current limits of Area A, B, and C, but the same bodies -- that is, the CVRD and numerous improvement districts -- would still be in place, with essentially the same powers and responsibilities as now. As a result, this alternative model does not need discussion in this particular context. It is only the municipal model that would require numerous shifts in responsibilities and powers.

The descriptions below focus mainly on services and functions that would change as a result of having a municipality. Many functions would not be affected at all. For example, all the CVRD regional services (911, landfills, regional parks, etc) would continue just as under the current model, with the municipality participating just as the electoral areas do now. This also applies to many provincial functions that are not related to local government status, like health and education.

General administration

- Current model: Administration of local services is provided by three types bodies: the CVRD, the eleven improvement districts, and the Province. Some CVRD administration costs, and all the improvement district costs, are fairly clearly identifies However, it is extremely difficult to measure the provincial, and to a lesser degree, some CVRD administration costs related to the study area alone. There are 50 locally elected officials with varying responsibilities (3 CVRD directors and 47 improvement district trustees). The main administration centre is the CVRD office in Duncan, with staffing for various services and functions; as well, there are several smaller improvement district offices.
- Municipal model: The CVRD would still administer numerous regional and sub-regional services and incur these administration costs just like now. However, the administration efforts of the improvement districts, the Province, and, for local services, the CVRD, would be replaced by the single municipal administration. These costs form part of an overall "general government" budget, general government being a department alongside other departments like roads, planning, recreation and so on. There would be 5-7 locally elected officials -- the municipal councillors, one of whom would also sit on the CVRD Board. The municipality would have its own administration offices and its own staff; the CVRD office (and most of its staff) would remain in place to handle regional (but not municipal) services; there would be no improvement district offices.

Property tax collection

- Current model: The Province is the tax collector for CVRD and fire improvement district taxes, and charges a 5.25% collection fee. Water improvement districts collect their own parcel taxes and user fees.
- Municipal model: Tax collection is a municipal responsibility. The costs of printing and mailing tax notices, tracking payments, preparing accounting forms, and so on form part of the overall "general government" budget of the municipality. There is no separate municipal tax for it. The municipality would also bill and collect user fees for water.

Policing

- **Current model:** The Province provides policing under a contract with the RCMP. It levies a separate tax for this, which varies slightly from area to area. The Province and the RCMP determine policing levels and standards.
- **Municipal model:** Municipalities with over 5000 residents are responsible for their own policing. Most choose to contract this service with the RCMP. Under the contract, the municipality, Province and RCMP negotiate service levels and other aspects of the service. Municipalities between 5000 and 15,000 pay 70% of the officers' costs, plus 100% of their own civilian support staff; those over 15,000 pay 90% and 100% respectively. This policing responsibility would be a significant factor in estimating the financial impacts of municipal status (assuming the municipal boundary includes over 5000 residents).

Fire protection

- **Current model:** Four different bodies are responsible for fire protection in the study area -- the CVRD and three improvement districts.
- **Municipal model:** Each fire area could remain separate, with a separate tax, though it is more usual to have one amalgamated department (after a transition period). The Malahat service could simply shift from being a CVRD local service area to a municipal local service area. However, the improvement districts would, at some point, have to be dissolved and transferred to the municipality. Their assets could be protected for the benefit of only the originating taxpayers.

Building inspection

- **Current model:** Building permits and inspections are a CVRD responsibility.
- **Municipal model:** These would be a municipal responsibility. Both regional districts and municipalities can contract out parts of this function. Note: No matter which local governance model is in place, all buildings must meet the BC Building Code and permits and inspections are used to ensure this.

Animal control and other regulatory bylaws

- **Current model:** The CVRD has adopted bylaws for animal control, noise control, unsightly premises, and signage regulation.
- **Municipal model:** These regulatory bylaws would be up to the municipality, though it can be assumed that those in place now would also be chosen by the municipality (the Province would mandate that some transfer over to a new municipality). In addition, the municipality could have additional regulations for road and traffic related matters.

Bylaw enforcement

- **Current model:** The CVRD is the main agency responsible for enforcing regulatory bylaws like zoning, animal control, noise control, unsightly premises, and signage bylaws. The CVRD is more reactive than pro-active in bylaw enforcement, acting more on complaints than on proscriptive.
- **Municipal model:** Bylaw enforcement is a normal part of municipal operations. It is often larger in scope than under electoral area status because in addition to the above-mentioned regulations, there can also be enforcement of road-related bylaws (parking, stopping, etc) that are not part of a regional district's services. In addition, municipal bylaw enforcement is often (but need not be) more pro-active than the regional district's. It is worth noting that a municipality would have an advantage in regulating activities on the lake. This is because the link between a municipality and its policing is closer than the link between an electoral area and its policing. A new municipality here would have more than 5,000, which means it would be responsible for its policing (and most of its funding), and this gives the municipality far more say in how policing resources are used. Most regulations would remain a federal matter but a number of local bylaws, like noise control, can be applied to various lake uses.

Planning and development

- Current model: The CVRD is the main agency, using official community plan (OCP) bylaws and zoning bylaws as its main tools for managing growth and development. OCP bylaws require provincial approval, and they, like zoning bylaws, require approval from CVRD directors from outside the area. Subdivision approval is up a second body, to the Province (though it refers applications to the CVRD for comment). Finally, a third layer, the improvement districts, are responsible for much of the water system planning.
- Municipal model: The same OCP and zoning powers are used by the municipality, but subdivision approval shifts from the Province to the same body that manages other aspects of growth -- the municipality. Small municipalities can get by with minimal planning staff, instead relying on contracted services as needed; larger municipalities usually have more robust planning departments, though they still make use of specialist contracts. Several points should be noted about the municipal model.
 - First, a municipal OCP does not require provincial approval; it is a purely local decision.
 - Second, a municipal zoning or OCP bylaw does not need approval from other parts of the CVRD; only municipal councillors vote on them.
 - Third, a municipality has authority for more services related to land use planning, such as subdivision approval, road plans, tree cutting bylaws, fire protection, water systems, and sewer systems, which means an enhanced ability to coordinate the planning of community services.
 - Fourth, creating a municipality doesn't mean having to create all new OCP and zoning bylaws. New municipalities inherit the existing bylaws intact.

Local roads

- Current model: Maintenance, repair and upgrading of local roads and bridges (as opposed to Highway 1) is a provincial responsibility.
- Municipal model: All local roads and bridges are the responsibility of the municipality. This includes both annual maintenance and capital improvements and repairs. Note that, as under the current model, new municipal roads are usually dedicated and built by developers and then turned over to the municipality. Municipal road budgets are an important part of the municipal tax load.

Island Highway

- Current model: Maintenance, repair and upgrading of the highway are a provincial responsibility.
- Municipal model: The highway would remain a provincial responsibility.

Drainage

- Current model: Storm drains, ditches and runoff management are mainly the responsibility of the Province, with small-area works by the CVRD, but these are mainly limited to the road right of way itself.
- Municipal model: Drainage plans and works are the responsibility of the municipality. In general, municipalities devote more resources to storm water management and infrastructure than either the Province or regional districts. The local service areas of the CVRD would simply become local service areas of the municipality.

Street lighting

- Current model: The few street lights in the study area are mainly the responsibility of the CVRD, with some provided by the Shawnigan Improvement District.
- Municipal model: The current system of street lights could continue just as now, with all properties paying into a core group of critical street lights and each local service area paying

for its own lights. However, it would be the municipality that operates them, not the CVRD or the improvement district.

Garbage collection

- Current model: Garbage collection is mainly up to individual owners, though there is a small area with CVRD-organized pick-up.
- Municipal model: The current system could continue, though it is a bit uncommon to find municipal garbage collection only in a small part of a municipality. This would be up to the municipality (as it is up to the CVRD now).

Recycling

- Current model: Curb-side collection of recycling is a CVRD service throughout the study area, with a separate user fee in each electoral area.
- Municipal model: Recycling would be a municipal responsibility, though no change would be needed in the nature of the service. However, it is more likely that a municipality would pool all the costs and have only one user fee for all areas.

Community parks

- Current model: The CVRD is the main provider of community parks in the electoral areas.
- Municipal model: Responsibility for community parks would shift to the municipality. Little would change in terms of the need for parks or the methods of creating them. The budgets for parks would be up to the municipality, just as it is up to the CVRD now.

Cultural services

- Current model: The CVRD uses tax dollars to provide grants to a number of cultural facilities and programs, and is the vehicle for membership in the Vancouver Island Library District.
- Municipal model: The same community grants could continue as is (funding levels would be up to the municipal council, just as it is up to the CVRD Board now). Membership in the library district would also be up to the municipality (though it is hard to imagine a decision to withdraw from it).

Water systems

- Current model: There is a mixture of smaller CVRD service areas, eight improvement districts (one large), multiple private utilities, and many areas without a community water system (where owners use individual wells). Each community water system is distinct from the others and sets its own rates and usage policies. There is no single body to manage water resources, implement future water planning or coordinate water policies for the area as a whole.
- Municipal status: Private water utilities would not be affected in any way, but the improvement district and CVRD water systems would transfer to a single body, the municipality. The improvement districts would, after a possible transition period, be dissolved and transferred to the municipality, though each water area could remain with its own tax rate and assets. Since a municipality also has responsibility for zoning, roads, and other community services, it is generally in a better position to coordinate long range planning and management.

Sewer collection and disposal

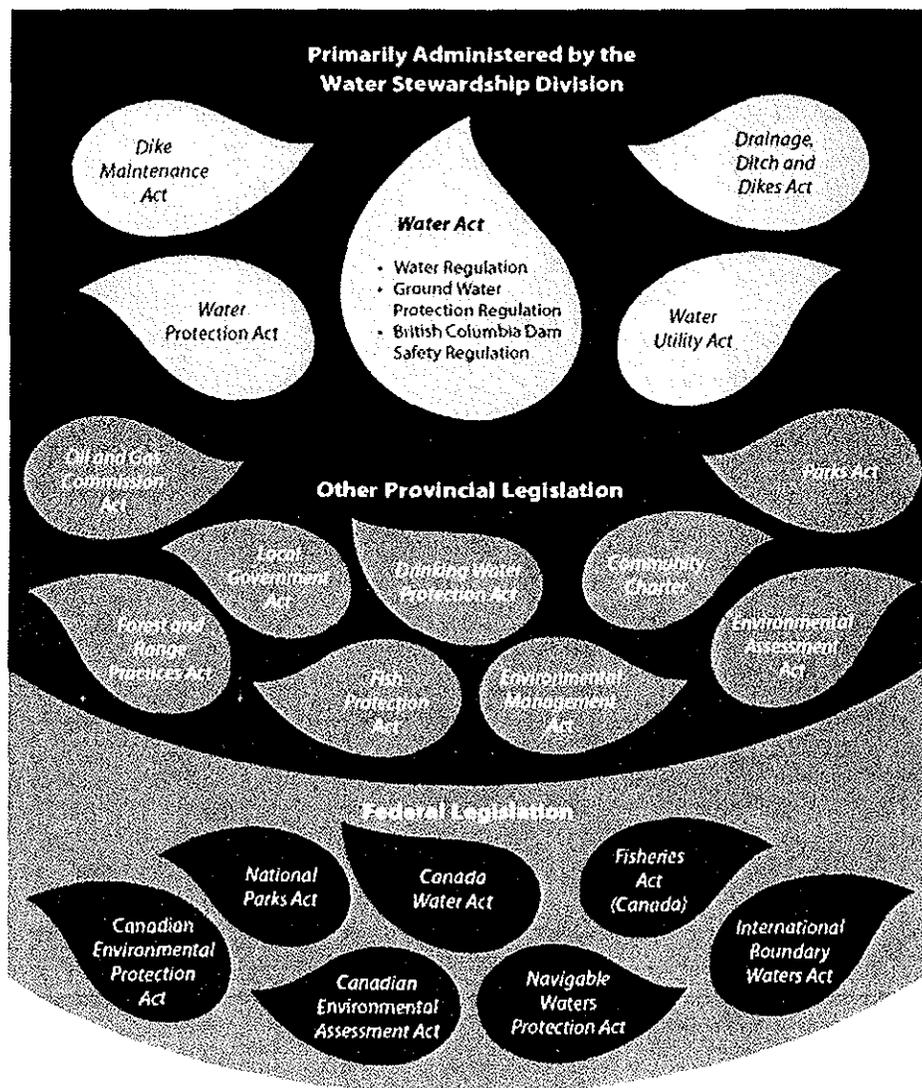
- Current model: There are few community sewage collection systems in the study area; the vast majority of properties use individual on-site disposal (septic fields).
- Municipal model: Municipal status does not trigger the need for more community sewer systems, and the current localized service areas could remain as is, though they would be a municipal responsibility rather than a CVRD responsibility. The private utilities and strata

corporation systems would remain private entities. The CVRD service areas would simply become service areas of the municipality.

8. Water Management and Protection

Introduction

During the Cowichan Valley Services and Governance Study, local residents asked for clarification about the differences between municipal powers and regional district powers for protecting water, water quality and watersheds. The following describes the key legislation and jurisdiction for managing water in the Province, identify the extent of local government powers where it exists, and describe any differences between municipal and regional government powers. It is not intended to be an exhaustive review of water related policy and regulations but rather to provide an overview of the key jurisdiction and highlight the key differences between municipalities and regional districts.



Local governments (municipalities, regional districts, and improvement districts have limited powers but play an important role in maintaining the quality of drinking water supplies and

ensuring that water use and management does not have a negative impact on local ecosystems. The powers of regional districts (RDs) and municipalities (and to a lesser extent Improvement Districts) are largely similar but with subtle and nevertheless important differences. The jurisdiction over water is fractured and complex and many of the significant powers fall under Provincial and Federal jurisdiction. The provincial *Local Government Act* and *Community Charter* are the main pieces of legislation empowering local governments in this regard. (source: Ministry of Environment Website - http://www.env.gov.bc.ca/wsd/water_rights/overview_legislation/index.html)

Drinking water supply and groundwater protection

Drinking Water Supply: The provincial *Drinking Water Protection Act* is the primary legislation for protecting the province's drinking water supply. The Act falls primarily under the jurisdiction of the Ministry of Health Services and focuses on defining the roles and responsibilities of the provincial government, water suppliers, and water testers. In addition, the Federal Government has developed Drinking Water Quality Guidelines that specify:

- Microbial quality for minimum exposure to disease-causing organisms;
- Turbidity as a measure of contamination or as an impediment to disinfections;
- Chemical and radiological content and local monitoring; and
- Treatment and monitoring requirements.

Private Individual Wells: The construction, monitoring and decommissioning of private individual wells is regulated under the provincial *Water Act* and the associated Ground Water Protection Regulation, administered and enforced by the Ministry of Environment.

Drinking Water Systems: Municipalities, RDs and improvement districts can all plan, finance and operate potable (drinking) water systems. The construction, altering, monitoring and testing of potable water systems (but not individual wells) is regulated by the provincial Ministry of Health under the *Drinking Water Protection Act* (DWPA) and its associated regulations. Local Ministry of Health authorities -- not municipalities, regional districts or improvement districts -- administer and enforce the act and regulations.

Drinking Water Protection: Both municipalities and regional districts control land use policy and regulations. Therefore, they can set policy and regulations regarding what type of new development they will allow to operate with a private well and conversely, what type of development will require connection to a municipal water system. They can also use these powers to protect groundwater aquifers and existing wells. Some communities with significant groundwater issues have taken a more active role in promoting the safety of their water supplies on a partnership basis (see <http://www.islandstrust.bc.ca/poi/gwater.cfm> for an example). Erecting "Groundwater Protection Area" signs was a popular project a few years ago, when local governments could get funding from the Province as a public education measure.

Withdrawals of surface water (that is, surface water licenses) are regulated under the BC Water Act by the provincial Ministry of Environment.

Drinking water conservation

In some communities, supplies of drinking water (especially in dry summer months) are limited. Local governments play a major role in conserving potable water through three kinds of initiatives:

- Irrigation bans and restrictions;
- Education and incentives (e.g. low flow toilet rebates); and
- Developing and enforcing guidelines and regulations for the use of water efficient plumbing and irrigation equipment in new development.

Municipalities generally play a more active role in these types of initiatives than regional districts.

Water pollution

The Waste Management Act is used to protect against point source pollution (from industrial and municipal sources) and is administered by the provincial Ministry of Environment.

Non-point source pollution (e.g. septic fields, storm water runoff) is now a more challenging problem and there are few applicable regulations. Therefore, local governments play an important role in implementing Best Management Practices (BMPs) for preventing water pollution. These BMPs cover urban storm water management, drainage system design, land use planning, subdivision control, minimizing the use of pollutants such as pesticides and fertilizers, maintenance procedures such as removal of animal wastes, debris removal, parking lot and street cleaning, road management and sanitary waste management. Municipalities generally play a more active role in managing non point source pollution of water than regional districts.

Storm water management and drainage

Although Regional Districts do have the power to regulate storm water, it is an optional service and few of them do. RDs may try to influence storm water management through land use planning and development management powers and tools (see above) or through a Liquid Waste Management Plan. Storm water management and drainage is usually an important function for municipalities because municipalities are responsible for drainage and can be sued for flood damage. Also, municipalities are responsible for local roads and storm water collection systems are usually an integral part of roads, whereas RDs are not. Typically municipal control of storm water includes OCP policies, drainage-specific bylaws, master drainage plans, ISMPs, and watershed plans (drainage oriented). Municipalities can regulate what gets put into storm systems. However, this is very difficult to enforce unless a specific crisis in drainage system can be traced to a specific user (e.g., fat/grease from an upstream restaurant plugging the pipe). Municipalities have the ability to regulate by bylaw any actions that would affect flows of streams for drainage purposes.

Sewage disposal and monitoring

Authority for regulating and monitoring individual septic systems and small communal sewage disposal systems (less than 22.7 m³/day) is regulated and enforced by the provincial Ministry of Health under the *Health Act* Sewerage System Regulation. However, regional districts do have authority under s.550 of the *Local Government Act* to "require the emptying, cleansing and disinfecting of private drains, cesspools, septic tanks and outhouses, and the removal and disposal of refuse from them." This is a rarely used power.

Communities with septic issues have adopted information and education measures. For example:

- Project Watershed in Comox Valley and the CVRD's "septic socials"
- The Nanaimo Regional District (RDN) is holding septic system workshops under its WaterSmart program.
- Also, in its new "action for water" program, the RDN proposes to work with the Ministry of Health to identify septic hot-spots and provide education, options, etc.

Larger community sewage systems (more than 22.7m³/day) are regulated under the provincial *Environmental Management Act* and its Municipal Sewage Regulation. It is not mandatory for local governments to provide sanitary sewage systems, although it would be virtually impossible for a densely populated area to comply with provincial health and pollution regulations without having one.

Subdivision control bylaws in urban areas normally require installation of sewer systems. Regional districts and municipalities that have sewage systems are usually required to create Liquid Waste Management Plans (the OCPs of the sewage world). Most municipalities operate complete systems, but some manage only the collection, with the Regional District or another municipality handling regional collection, treatment and disposal, which can allow for better economies of scale.

Fish and fish habitat

The Federal *Fisheries Act* and BC *Fish Protection Act* protect fish bearing waters and fish species/populations by preventing damage to fish habitat and preventing discharge of deleterious substances to water bodies which contain fish. However, this applies differently in built area than it does in forested and agricultural lands where controls are less stringent. All local governments are required to have measures in place to comply with the *Fisheries Act* and the Riparian Areas Regulation of the *Fish Protection Act*.

Land use planning and regulation

Almost all land (with the exception of small coastal areas draining directly to the ocean) is part of a watershed drained by a river and its tributaries. Protecting the watershed means managing the land base in way that respects the natural hydrological systems. Both regional districts and municipalities can create policy for shaping future land use and development using their planning powers under the Local Government Act. However, OCPs are not regulatory documents and are therefore implemented and enforced using bylaws such as zoning and subdivision approvals.

- Zoning powers are similar between the two types of local government.
- Subdivision powers (provided in the Land Titles Act) are dissimilar, with municipalities usually having their own Approving Officer, while in an electoral area the Approving Officer is an employee of the provincial Ministry of Transportation. The *Land Title Act* incorporates references to water protection and allows that approving officers may refuse subdivision plans if they do not adequately address water drainage requirements. The *Act* also outlines the setback requirements for construction and specifies that fill may not be deposited or vegetation disturbed in areas adjacent to streams on floodable land.

Management of private managed forest lands

The *Private Managed Forest Land Act* governs the approval of, and forest practices on, privately owned forest lands. No local government can regulate forestry practices; they have only negotiation/suasion if they wish to influence forestry practices and logging in their watersheds. One well known example is the City of Nanaimo's long-standing, often-reviewed agreement with Island Timberlands, the Ministry of Environment, and Department of Fisheries regarding the Nanaimo River watershed (the Nanaimo River being City's main water supply). However, both regional districts and municipalities can plan for and regulate other, non-forest land uses with these privately owned managed forest lands under the *Local Government Act* (see "Land Use Planning and Regulation" section above).

Summary of key differences in water management powers

- The key powers for managing water and water quality available to local governments are storm water management (drainage), land use and subdivision. While land use powers are similar, municipalities generally have greater subdivision control as they have their own approving officer who is likely more aware of and responsive to local policies. This allows them to better control development with an eye to their own water supply and management objectives and policies.
- Municipalities generally have a greater responsibility, ability and willingness to manage storm water and drainage by applying best practices to development and by controlling the release of substances into drainage systems. Regional districts have this ability too but generally do not have the resources or willingness to do so.
- Regional districts are more limited than municipalities in how they can fund services including water management. The municipal finance toolkit is bigger than the regional district toolkit.
- Regional districts are more limited in their ability to create a tree protection bylaw, which can be done for environmental reasons only (for example, rare or heritage tree status, or for safety sake to protect the integrity of soil and prevent landslip hazards). Municipalities have far more latitude to develop tree protection bylaws.

- Municipalities are generally more willing and have greater resources to introduce and enforce water conservation measures such as irrigation restrictions, education and plumbing equipment.
- Municipalities are better able to coordinate policies for multiple services that affect water quality, because they are responsible for more services. In electoral areas these policies rest with multiple bodies (for example, subdivision approval is a provincial responsibility, zoning and building regulation are regional district responsibilities, and water supplies are a mixture of regional district, improvement district, and individual owner responsibilities).

Further information

- Website of Min Community Development- Local Government Dept: http://www.cd.gov.bc.ca/lgd/regional/regional_district_services.htm
- Fraser Basin Council, June 21, 2005. "Authorities Affecting Source Water Protection in British Columbia: Research Paper": http://www.fraserbasin.bc.ca/publications/documents/FBC_%20Water_Final.pdf
- Water Bucket Website: The waterbucket.ca website is the key to the communication strategy for the Water Sustainability Action Plan for British Columbia (www.waterbucket.ca/waterbucket/dynamicImages/386_WaterSustainabilityActionPlanforBC.pdf). It is designed to provide the complete story on integrated water management - why, what, where and how.

9. Summary of Local Service Powers

The following presents a summary of the differences between the current model and municipal status with respect to selected local services, powers, and functions. In the tables, CVRD stands for Cowichan Valley Regional District.

Comparison of Service Powers and Responsibilities

Function / Service	Under the current model	Under municipal status
General administration	Mainly CVRD, but also Province and improvement districts; CVRD offices serves all members; several improvement district offices	Mainly municipal, with some CVRD and minor provincial roles; municipality would require its own offices; no improvement district offices
Zoning bylaws	Regional Board	Municipal council
Official community plan bylaws	Regional Board (but bylaws also need provincial approval)	Municipal council (bylaw doesn't need provincial approval)
Subdivision approval	Province (but referred to Regional District)	Municipality
ALR designation	Agricultural Land Commission	ALC - Same as current model
Building permits + inspection	Regional District	Municipality
Unightly premises bylaw	Regional District	Municipality
Animal control	Regional District	Municipality
Noise control	Regional District	Municipality
Library services	Vancouver Island Library District	VIRL - no change
911 Phone service	Regional District	CVRD - no change
Emergency planning	Regional District	CVRD - no change
Economic development	Regional District	CVRD - no change
Regional + sub-regional parks	Regional District	CVRD - no change
Solid waste complex	Regional District	CVRD - no change
Recycling	Regional District	Municipality
Garbage collection	Up to owners (but CVRD in small part of Area B)	Need not change (CVRD service becomes a municipal service area)
Transit	CVRD via BC Transit	CVRD - no change
Community parks	Mainly CVRD	Mainly municipality
Recreation facilities	Mainly CVRD	Mainly municipality (though major regional facilities could remain CVRD)
Policing	Province via RCMP contract	Municipality (most likely through RCMP contract)
Bylaw enforcement	Mainly up to CVRD	Up to municipality
Fire protection	1 CVRD area and 3 improvement districts	Municipality (continued use of volunteers)
Sewage collection and disposal	Mainly individual owners; limited CVRD service areas; some strata corp'ns and private utilities	CVRD systems transfer to municipality; need not combine services into one; private and owners' systems stay as is

Continued ...

Function / Service	Under the current model	Under municipal status
Water systems	Mixture of CVRD, 8 improvement districts, and private utilities (including strata corp'ns)	CVRD and improvement district systems become municipal systems; need not combine services into one; private utilities not affected
Drainage and storm water management	Mainly Province (roadways only); limited CVRD areas	Up to municipality
Highway maintenance + repair	Province via contractor	Province - no change
Local road maintenance + repair	Province via contractor	Municipality
Street lights	Mainly CVRD (limited service)	Municipality
Watershed protection	Mainly Province (with some RD controls)	Mainly Province, with some limited municipal policies
Water quality regulations	Province	Province - no change
Property tax collection	Province	Municipality
Property tax ratios	Province	Municipality
Development cost charges (costs levied against developers for community facilities)	CVRD can have DCCs for water, sewer, drainage, and open space; improvement districts have very limited DCC-like powers	Municipality can have DCCs for roads, water, sewer, drainage, and open space

Here is a description of how some key services, powers, and functions compare between the two local governance models. There are, of course, many other services and functions that affect community life that would not be affected in any meaningful way by changing the form of local government, and these are not included here (examples include schools, hospitals, and health care).

Where the preceding table presented a more technical listing of service differences, the following one incorporates a more value-based comparison, and generally focuses on those services and functions that residents most commonly identified during the public information meetings and web survey.

Caution: The following list can't be used to assess whether municipal status is better or worse than the current model. That would require much more information about the impacts – including finances – of creating a municipality, and we do not yet have the full picture.

Summary of Key Differences in Local Services and Powers

Function / Service	Under the current model	Under municipal status
Elected officials	3 CVRD directors + 47 improvement district trustees; approval for CVRD bylaws in local area requires approval from CVRD directors in other areas	Municipal council (1 mayor and 4-6 councillors), all elected by local voters only
Offices and staff	One CVRD office and staffing; several small improvement district offices	One municipal office and staffing; one CVRD office and staffing; no improvement district offices
Reliance on other or remote bodies	Large CVRD role and moderate provincial role in local services and policies	Minor CVRD role and smaller provincial role in local services and policies
Responsibility for local services (and the funding for them)	Limited (most are spread across larger areas and shared with other participants)	Larger (municipal has sole responsibility and obligation for more services and functions)
Policing	Limited local control/influence (but smaller cost)	Expanded control/influence on police resources (but higher cost)
Bylaw enforcement	Limited resources and willingness to use them	Enforcement resources and policies set by local municipal council
Regulation of activities on lake	Mainly federal rules	Mainly federal rules, but enhanced bylaw enforcement by municipality is possible
Sewage monitoring	Mainly Ministry of Health	Mainly Ministry of Health, but also municipal programs to investigate and educate
Drinking water quality standards	Provincial standards	Provincial standards, but also municipal programs to investigate and educate
Water supply management	No "whole community" planning, monitoring or management (multiple bodies and individuals)	Municipality could establish "whole community" program of planning, managing and monitoring
Watershed protection	Very limited local control (no local control of logging)	Limited local control (no local control of logging, but enhanced education programs possible, and broader tree-cutting regulations)
Land use planning	Zoning bylaws and OCPs require approval of other CVRD members; OCP requires provincial approval; subdivision approval up to Province	Zoning bylaws, OCPs, and subdivision approval up to municipality alone
Ability to coordinate service planning	Difficult due to number of different bodies involved	Enhanced, because municipality controls more services
Parks and recreation	Facilities, policies and standards set by CVRD	Facilities, policies and standards set by municipality
Drainage	Very limited storm water management	Expanded storm water management
Highway maintenance + repair	Policies and priorities up to Province	Still provincial, but expanded dialogue with municipality to coordinate with municipal roads
Local road maintenance + repair	Work priorities and standards up to Province and its contractor	Work priorities, budgets and standards up to municipality
Property tax policies for local services	Tax ratios between homes and businesses set by Province; service budgets set by 3 bodies (Province, CVRD, and improvement districts)	Tax policies and budgets set by municipality
Infrastructure grants	Limited access for CVRD; no access for improvement districts	Greater access for municipality
On-going, annual grants	Extremely limited for the CVRD; none for improvement districts	Significant annual grants from the Province for a municipality
Development cost charge powers	Somewhat limited (for CVRD); very limited for improvement districts	Enhanced for municipality

Caution:

- This list can't be used to judge if municipal status is warranted, as it doesn't include the full impacts of becoming a municipality.**
- The list shows things that would be different and excludes the many things that would not change (CVRD regional services, for example).**

10. Municipal Boundary Guidelines

The Province has set out several principles for choosing municipal boundaries, and some others suggest themselves, too. In the end, there is usually no “perfect” boundary, but rather an outline that is the best fit among often competing goals or principles. Some of the guidelines noted below can’t always provide a clear decision about a particular boundary because another guideline might emphasize a conflicting principle.

- **Population:** A municipality should generally have at least 500 residents in order to provide a suitable base of decision makers, of voters, and of property assessments. As well, very small municipalities can suffer from diseconomies of scale in their operations. Given the large population of the South Cowichan area, there can be little serious debate that the population is too small.
- **Property lines:** The boundary should follow legal lot lines; splitting one lot into a municipal portion and a rural portion should be avoided. An exception to this could be large tracts of unsurveyed or unsubdivided Crown lands.
- **Service areas:** The boundary should try to keep local service areas intact, so that not only will economies of scale be protected but also so that consistent service standards can be maintained. In the case at hand, there are many service area boundaries due to the array of fire and water areas.
- **Geographic features:** Natural features like rivers, shorelines and mountains can form obvious boundaries when defining a municipality. This includes consideration of the watershed area for a community’s water supply.
- **Road networks:** The municipal boundary should include roads that serve only or mainly its residents. In addition, the boundary should reflect the practicality of maintaining the roads and the ability to coordinate land development with road needs.
- **Community focus:** The boundary should try to include those residents who share a community focus, enjoy and use a common set of facilities and services, and regard the same service center as the hub of their community.
- **Shared economy:** The municipal boundary should try to include all those who share the same local economy, including common shopping areas.
- **Financial endowment:** The boundary should try to include enough of a tax base to endow the municipality with the financial resources to sustain a normal array of services and responsibilities.
- **Financial efficiency:** The boundary should, where practical, avoid areas that would impose an obvious financial burden on the municipality. An example would be including large areas with roads that are expensive to maintain or repair but where there is little tax base.
- **Management of growth:** The boundary should try to include areas where future development is imminent or planned so that proper service coordination and planning can take place. This is particularly true in the case of Electoral Area A (Mill Bay/Malahat).
- **Control of impacts:** The boundary should try to include those areas where normal community activities will impose an impact on residents, like added traffic flows or storm runoff. Enhanced local influence or control over environmental impacts, like watershed protection, might be obtained with larger boundaries.

11. Alternatives to Municipal Status

Rather than *municipal* status, there are some options under the *regional district model* that might be considered in terms of addressing the weaknesses identified earlier in the report. These options do not involve creating a municipality; electoral area status would continue, and the CVRD would continue to be the main service provider in the area. However, the alternatives would have some variation over the current CVRD system.

Under provincial legislation, several variations are possible with continued electoral area status.

- A local community commission
- A management committee of citizens (including the CVRD directors for the area)
- A commission of CVRD directors from the affected area
- Enhanced regional district service base, mainly with reduced improvement district presence
- Reorganized electoral area boundaries

Note that these are not all mutually exclusive responses; more than one could be used. For example, the conversion of improvement districts to CVRD service areas is possible under all these alternatives (though perhaps most prominent under the “enhanced regional district service” model).

Local community commission

A local community commission (LCC) is a formal body of the regional district that is designed to manage and administer regional district services in small communities. The purpose is to have a local body take over the day-to-day management of regional district services and thus be more independent than a regular part of an electoral area. An LCC reports to the regional board, and while it can have delegated management and administration authority, an LCC can’t adopt a bylaw; only the regional board can do that.

Section 838 of the Local Government Act sets out the rules and requirements for an LCC. They include:

- The regional board must adopt a bylaw establishing an LCC.
- The electors in the affected area must approve of creating an LCC in a formal referendum.
- The province must approve of the LCC’s creation.
- An LCC is a five-person body. Four are elected by voters in the commission area; the fifth is the electoral area director.
- An LCC can’t be dissolved by the regional board without the approval of the province and, usually, voters in the affected area.

In order for the LCC to work effectively, the regional board should let the LCC decide on policies and services and then implement the commission’s recommendations. The LCC model would not work well if the board does not let it operate as independently as possible.

Local community commissions were intended to serve small, more remote communities (two characteristics found in the four existing LCCs in the province). This model is a poor candidate for South Cowichan for several reasons.

- The area has a far larger population than was the target of the legislation.
- It spans a large geographic area, not the “small community” concept envisaged by the legislation.
- The area is not in the least remote (in addition to its own substantial population, it is close to a number of other, larger cities).
- The extent of shared services requires a more comprehensive, multi-community approach, not the narrower limitations of an LCC for one small community of the area.
- Finally, when viewed from the perspective of the whole South Cowichan area, a five-person LCC is not dramatically different than the current three-person collective of the CVRD electoral area directors.

It is difficult to believe that the Province would allow a local community commission for the large, populated area of South Cowichan, and this alternative should be excluded from serious consideration.

Management committee

The CVRD Board could create a management committee to administer its services. In accordance with the Local Government Act, members of a management committee are appointed by the regional board, but it is possible for them to appoint people selected by the community itself. Note that the concept here is a committee with a broader array of service and policy responsibilities, and more formal administrative capacities, than usually used by regional districts for single-purpose advisory bodies like an Official Community Plan committee.

The Regional Board could delegate various day-to-day administration powers to a management committee, though the power to adopt bylaws must stay with the board. Each year the committee proposes a budget and the board adopts the bylaw to implement it. Unlike a local community commission, there is no statutory requirement for the composition of a management committee, so membership is extremely flexible. In the end, it is up to the regional board to appoint members, but the selection of members could be by local election or by direct appointment or a mixture of the two, and members do not need to meet any particular requirement. A management committee is created, and can be terminated, solely by the regional board; no other approval is required.

A management committee structure might offer certain advantages over the current model.

- It would provide a vehicle for South Cowichan residents to help plan community services and policies from the perspective of the whole South Cowichan area, not just from their own corner of it. It would bring to one table a set of different viewpoints to help guide decisions about the community.
- It could reduce the impacts of inconsistencies between service area boundaries and jurisdiction boundaries. For example, some fire and water service areas cross electoral area boundaries.
- It would reduce the burden on each electoral area director. This may not be much of an issue in small, low population electoral areas, but it can be a significant issue in large, populous areas, where the numerous meetings, extensive research, and other duties can impose severe time burdens on a director.

Some aspects of this model, however, are not so positive.

- While the committee could bring area-wide viewpoints and considerations to the table, the continued existence of the improvement districts ensures that there will be significant expression of views representing small-area interests. Each district can be expected to act in its own interests first and in the broader community interest second. After all, improvement district trustees are elected to represent the views of their service area members.
- The large scale of the area's services would require significant administrative resources (the area has, after all, more people than 75% of the municipalities in BC). But a separate administration for the committee would require a duplication of some of the functions already provided by the CVRD administration, so it is doubtful that the efficiencies of small and sub-regional services would still form part of the tax bill.
- Its responsibilities would be restricted to the CVRD's responsibilities, which means that while it could deal with many important community planning elements, it would not be able to exercise decisions on matters of broad service coordination and planning. In particular, those committees' roles; this is also true of the provincial sphere (fire and water, mainly) would remain beyond the committee's advisory role on major policy matters that its recommendations may or may not be approved by the elected officials. This approval is needed if the committee's recommendations are to be effective. Since the committee would not have authority at the CVRD board level, there could be significant gaps between the committee's views and the views of the CVRD implementers – the electoral area directors.

Commission of local CVRD directors

Another type of non-statutory body (as opposed to a local community commission, which has statutory requirements) is a commission or committee of the regional district directors (the term “commission” is used here). Many regional districts use a multiple-area commission to set policies for shared services. Services commonly guided by a commission include shared sewage treatment plants and major recreation facilities like pools and arenas. In fact, South Cowichan already has just such a model for certain sub-regional services.

Purpose

The purpose of the commission would be to create a local CVRD presence for the community that is separate from the Regional Board as a whole. The commission could have a broad mandate, covering multiple CVRD services in the area. It could have a staffed office in the area, so residents would not have to travel to Duncan for most CVRD matters, though it must be noted that the distances here are quite short and it would be hard to justify a separate office. In many ways it could be the equivalent of a “South Cowichan regional district”.

It would deal with various regional district policies, services, regulations and procedures that apply in South Cowichan. Practices, duties and responsibilities would include these.

- Hold regular open meetings in the area.
- Receive applications and delegations from residents and community groups with respect to CVRD services and policies.
- Request, contract out and receive reports and information on various matters.
- Review CVRD staff reports on local matters and hear staff comments on applications.
- Direct staff to prepare draft bylaws affecting CVRD policies and regulations in the area.
- Prepare minutes of its meetings, policies and recommendations.
- Make presentations to the CVRD board on bylaws and other matters related to the South Cowichan community.

For the commission to be successful, the CVRD Board as a whole should take a “hands off” approach and give the commission the independence to work on its own as much as possible. One goal is to free the Board as a whole from having to deal with matters that affect only South Cowichan by transferring that responsibility to the commission.

Creation

The commission could be created solely by the regional board, through the adoption of a bylaw, without approval from voters or the Province. However, if the funding for the commission requires a tax rate greater than \$0.50 per \$1000, then residents must be given the opportunity to force a referendum on the funding. Note that this funding limit applies to the commission itself, not to the specific services it administers. The tax to fund the commission would be a new CVRD tax that is in addition to other CVRD taxes.

Membership and voting

Membership on the commission could be flexibly designed. At a minimum, however, it should include the South Cowichan directors on the Regional Board.

It could also include other members of the community, either selected by residents or appointed by the elected officials. One model could see the three CVRD directors themselves choose, by consensus or by vote, the other members. A second model could see the other members chosen directly by residents in some public process or election, though a potential difficulty with this is deciding whether or not a ward system should be used for these other members and, if so, what the wards are to consist of.

Realigned or reorganized electoral areas

Compared to most electoral areas in BC, the three in South Cowichan are populous yet small in geographic area. In the four decades or so since regional districts were established, the South Cowichan community's development and services patterns have evolved without much regard for the electoral area boundaries. The boundaries could be realigned or reorganized.

Realignment of electoral area boundaries

The electoral area boundaries could be realigned to follow major servicing lines. In the case at hand the fire protection boundaries are more or less the only service lines to be followed.

- The central eastern boundary of Electoral Area C (Shawnigan Lake) could be extended further east into Mill Bay to align with the boundary between the Mill Bay fire area and the Shawnigan fire area. This would be a relatively minor change and would become even less important as development in the rest of Mill Bay proceeds.
- Cobble Hill (Area C) presents a much more serious issue because most of Area C's population lies within the Mill Bay fire area and the less populated northern half is served by the Cowichan Bay department. Merging the southern part of Cobble Hill with the Mill Bay electoral area would not only produce a very large population for the merged area (close to 8,000) but it would also force a decision about what to do with the remaining northern part of Cobble Hill. Should it remain its own electoral area, with a small population, or be merged into Area D (Cowichan Bay)?
- The other problem with realigning Cobble Hill's electoral area boundary is that the fire area boundary splits the Braithwaite water improvement district. This means using the fire boundary as an electoral area boundary solves the split fire area by splitting a water area, which is not much of a solution.

On balance, the realignment of the Shawnigan Lake-Mill Bay boundary to match the fire boundary is perhaps the only practical application of this option, and it would not really solve a particularly notable problem of any kind. It would have no noticeable effect on the important community issues voiced by residents during this study.

Amalgamated electoral areas

Two, or all three, of the electoral areas could be merged into one. If all three were amalgamated, the new one would be the most populous electoral area in the province.

Ordinarily it would have only one director on the CVRD Board, but the Province could arrange for it to have more (as it did for the Westside, near Kelowna, before that community opted for municipal status). It is reasonable to assume that the only way this option could gain support would be if the new area has multiple directors. Clearly, the capacity of one director to serve the needs of 10-16,000 people would be strained too much to be effective. It would also mean a *reduction* of South Cowichan's role on the CVRD Board, since there are now three directors from South Cowichan.

There should be an odd number of directors under any such plan, since an even number could result in split votes on important policies for the area; this rules out four directors. And since it is difficult to support an increase from three to five, as the CVRD Board would be significantly affected by such a weighted representation from South Cowichan, the most likely number is three directors -- the same as now.

Having one large electoral area could provide several benefits for the community.

- It would enhance the concept of South Cowichan as a single, unified community by eliminating not just the separating lines on the map but also by advancing the standardization of some regulations, like community plans. It would encourage the sense of "whole community" among residents.
- It would broaden the sharing of benefits from growth and development among the whole South Cowichan area, since there would be one amalgamated tax base rather than three distinct ones.

- It could enhance the focus of the CVRD Board on South Cowichan matters. For example, rather than one director (one of 15 on the Board) proposing a regulation or policy for just one part of South Cowichan, the matter would be brought forward by three directors (20% of the Board's members). For comparison, a 3-director electoral area would have the same number of seats on the Board as North Cowichan.
- It could lead to more harmony among the (assumed) three directors, since all would be answerable to the same electorate and represent the same constituency. However, this is only a solution if disharmony is perceived as a problem, and there is no evidence of that. In addition, there would be no requirement that they vote with each other on the Board, so disagreements on votes on South Cowichan matters could still result.
- It could reduce the variation in the property taxes from community to community, though probably in a very minor way (after all, there is little variation now anyway).

It is important to note that having a single, multi-director electoral area would not expand the powers of the CVRD to manage growth and development, enforce bylaws, or improve policing or roads. The range of powers would remain as it is now, though the willingness to use them could be affected by a change to shared, multiple directorship for South Cowichan.

Also, the creation of a multi-director electoral area could place a strain on regional district administration. There is a chance that the unified-area directors, feeling that their role is closer to independent municipal status than ordinary electoral area status, could ask for policies and programmes that a municipality would otherwise initiate. This would require additional administration efforts of the part of the Regional District, and other directors may take exception to this use of shared resources by one area.

Restructured services

There are several modifications to how services are provided that could be considered in the context of addressing concerns over local government policies, finances and service standards.

Reduced improvement districts

There are 11 improvement districts in South Cowichan -- 3 fire districts and 8 water districts. Improvement districts has some limitations in finances and powers (though they have some strengths, too, in volunteerism and self-reliance). Some or all could become local service areas (LSA) of the CVRD. Each LSA could have its own rates, assets and liabilities.

Switching to a regional district LSA would offer these advantages.

- Better access to grants. Regional districts are eligible for infrastructure grants, whereas improvement districts aren't, for all practical purposes.
- Lower borrowing rates. Regional districts borrow at lower rates through the Municipal Finance Authority, whereas improvement districts must borrow directly from the Province, at higher rates.
- Economies of scale: For smaller improvement districts, it can be cumbersome and expensive to meet the reporting and monitoring requirements set out in provincial regulations. Regional districts are large enough that the costs of meeting the requirements can be spread across a much larger service base. Examples include water quality monitoring and lower insurance rates.
- Service coordination: Improvement districts are essentially limited to one or two services, whereas regional districts have much broader powers and are better able to coordinate the planning of community services. For example, under the current model, zoning is up to the regional district but water for the zoned area may be up to an improvement district. If this water area were a regional district LSA, the same body would deal with both zoning and water.

While the fire improvement districts are very large and serve thousands of properties each, thereby gaining economies of scale, some of the water districts are very small and may be good candidates for conversion to regional district service areas.

In addition, there may be merit in considering the amalgamation of adjacent water districts. For example, Cobble Hill and Braithwaite water districts abut one another. Since larger districts may afford more economies of scale and more opportunities for service integration, the idea of reducing the number of improvement districts through amalgamation (rather than conversion to LSAs) may warrant more detailed examination.

Subdivision approval authority

The approval of subdivisions is an important part of growth management, and in electoral areas this power rests with the Province (usually a Ministry of Transportation staff member). Since concerns over growth management was voiced by residents as a significant issue in South Cowichan, and since the other main growth management tools -- zoning and the Official Community Plan -- rest with the CVRD, people have asked whether the CVRD could also get subdivision approval powers.

Provincial legislation allows for this shift from the Province to a regional district, but only with provincial approval. To date, this approval has not been given to any regional district. The principal reason is that subdivision creates roads, and since responsibility for maintaining and fixing roads in electoral areas rests with the Province, as does legal liability for roads, it is understandable that the Ministry of Transportation is reluctant to give approval to a party that won't bear the responsibility for roads. (In a municipality, of course, the same body that approves subdivisions -- the municipality -- is also responsible for the roads that are created.)

In the end, there is a case to be made for expanding the growth management powers of regional districts by giving them subdivision approval authority, but it must be balanced off against the protection of the Province's interests and risks.

Fire protection boundaries

There are several adjustments to the current fire protection boundaries that merit consideration.

- There are awkward boundaries for fire protection at Arbutus Ridge, where the northern part lies within the Cowichan Bay department and the southern part lies within the Mill Bay department. The Cowichan Bay response vehicles would have to drive into, then out of, the Mill Bay coverage area to respond to a call in the northern part of the development. This awkward alignment has led to the establishment of an automatic mutual aid system for this area. This could be remedied by formally expanding the Mill Bay coverage area to include all of Arbutus Ridge.
- Similarly, there is an automatic mutual aid arrangement between two departments for the Kingburne Drive area. A formal extension of the Mill Bay department could rationalize this.
- There are several existing developed areas that lie outside a fire protection district, including Ingot Drive.
- There are several areas facing development applications or rezoning that are not within a fire protection area. This includes over 300 dwellings proposed for the area between Thain Road and Kingburne Drive, and virtually all of the 3220-unit Bamberton proposal.
- Note that if the Bamberton development proceeds, there will need to be a restructuring of fire protection in the area whether or not a municipality is created, because the development boundaries do not line up with fire protection boundaries: the John's Creek area (Prospect Road, Inlet Drive, and Glen Lane) is covered by the Mill Bay department; the southern, waterfront part of Bamberton is in the Malahat department area; and the northern part of Bamberton is not covered by any fire department.

Summary of alternative regional district models

The options under the current model would have varying but generally limited effects in terms of addressing the concerns about community policies and services that have been voiced by residents.

None would have the impacts of creating a municipality, since that option would see a significant shift in local decision powers to a purely South Cowichan body, whereas options within the current model would still leave a number of important responsibilities to more remote bodies.

Overview of Options Under the Current Local Governance Model

	Local community commission	CVRD management committee	CVRD director's commission	Electoral area realignment	Amalgamated electoral areas	Reduced improvement districts	Subdivision approval power for CVRD
Political aspects							
S. Cowichan seats on CVRD Board	Not affected	Not affected	Not affected	Not affected	1, 2, or 3 (up to Province)	Not affected	Not affected
Autonomy for S. Cowichan residents	Improved (for CVRD services)	Improved somewhat	Improved somewhat	Not affected	Possibly weakened	Weakened (for imp. district residents)	Weakened
Budget approval for most local services	CVRD Board + some imp districts [^]	CVRD Board	CVRD Board + some imp districts [^]				
Provincial approval required for option	Yes	No	No	Yes	Yes	Yes	Yes
More local service authority (roads, policing, etc)	No	No	No	No	No	No	Yes (just subdivision approval)
More financial flexibility	Possibly (but limited)	No	No	No	No	No	No
Local referendum required	Yes	No	No	No	No	No	No
Likelihood of implementation	Virtually nil	Up to local directors, then CVRD Board	Up to local directors, then CVRD Board	Up to Province (with CVRD input)	Up to Province (with CVRD input)	Up to Province and CVRD	Up to Province and CVRD
Issues voiced by residents							
Influence on policing levels	Not affected	Not affected	Not affected				
Bylaw enforcement	Possibly enhanced*	Possibly enhanced*	Possibly enhanced*	Not affected	Not affected	Not affected	Not affected
Regulation of activities on water	Possibly enhanced*	Possibly enhanced*	Possibly enhanced*	Not affected	Not affected	Not affected	Not affected
Parks and recreation	Possibly enhanced*	Possibly enhanced*	Possibly enhanced*	Not affected	Not affected	Not affected	Not affected
Local tools for growth mgmnt	Not affected	Not affected	Enhanced				
Local control of subdivision	Not affected	Not affected	Enhanced				
Road maintenance and standards	Not affected	Not affected	Not affected				
Drainage and ditches	Not affected	Not affected	Not affected				
Watershed protection	Not affected	Not affected	No change				
Local water systems	Not affected	Not affected	Enhanced coordination				
Service planning and coordination	Not affected	Slightly improved	Slightly improved				
Farm land protection	Not affected	Not affected	Not affected				
Access to grants	Not affected	Slightly improved	No change				

[^] Improvement district budgets are set by trustees but require provincial approval

* Depends on priorities set by commissioners and directors; budgets need approval of whole CVRD Board

The options under the current model -- that is, options that would see the CVRD as the main local government -- could address some of the community weaknesses and service issues observed in South Cowichan and voiced by residents. ***However, the main issues -- policing, roads, growth management, watershed protection, service planning, and so on -- would not be affected by the options in any meaningful way, or at all.*** One -- subdivision approval powers for the CVRD -- would be more substantive, at least in terms of growth management, but so far the Province has not allowed the transfer of this responsibility to a regional district, so this remains largely a theoretical option.

All of the options would still require reliance on the Regional District Board for approval of important functions like zoning bylaws, community plan bylaws, and the budget allocations for bylaw enforcement, parks and recreation, and long term service planning.

While amending the current model could increase South Cowichan's influence on the CVRD Board, the options would still leave approval of bylaws and budgets up to the Regional Board. This means that for South Cowichan to get the full benefits of the options, there would have to be acceptance by the Board that South Cowichan is to be accorded a certain level of autonomy even though the Board as a whole not only still votes on South Cowichan matters but also shares in the responsibility for any obligations associated with South Cowichan in the CVRD's name. This acceptance could prove difficult to maintain over the long term.

The options under the current CVRD model would also maintain the Province's role in policing and road maintenance standards.

Compared to changing to municipal status, these options under the current model should be viewed as fine tuning. Where municipal status would see a major shift in autonomy and obligations to the local community, the options discussed here would offer minor changes to certain limited aspects of local policy making. In the event that municipal status is not pursued any further, these options should be considered as a way to improve both the delivery of local services and the process for setting community policies and regulations for residents of South Cowichan.

12. February 2009 Public Meetings

Overview

Public information meetings were held on February 7th (two meetings) and February 14th (one meeting) to describe the study, outline how the current local government system operates, and hear people's questions and comments. The meetings were as follows, and all were open to residents of any area.

- February 7th, 10 AM-noon at the Shawnigan Lake Community Centre (approximately 45 attendees)
- February 7th, 1-3 PM at the Cobble Hill Hall (approximately 50 attendees)
- February 14th, 10AM-noon at the Frances Kelsey Theatre (approximately 50 attendees)

Each meeting featured a short introduction by the study committee vice-chair, then a 20-minute slide presentation by the consultants, and then a 90-minute question and answer period.

This section summarizes these comments and questions. Questions were answered at the meetings by the consultants, but a number of questions asked about matters that couldn't be resolved without some additional research. Also, a number of people made comments only, and these are shown here without answers because no question was asked. Questions, comments and answers have been summarized and edited here, and in some cases grouped together because multiple speakers made essentially the same point or asked the same question.

Note that the comments and questions from speakers have been not been combined with the written "feedback forms" submitted by attendees (there were nine of these).

Summary of questions and comments

A total of 100 comments and questions were recorded at the three meetings, six of which were later broken into two (typically a comment about some current deficiency, followed by a specific question), which raised the total to 106, grouped into five areas as follows.

- 28 that predominantly involve finances (costs, tax levels, etc);
- 19 that predominantly involve services (roads, police, fire, etc);
- 35 that predominantly involve governance (political structure, accountability development control powers and practices, etc) ;
- 18 that relate to the study itself and its processes;
- 6 that are not relevant to the local government issues.

Excluding the 24 in the last two groups because they do not relate to either service or governance issues, a total of 82 individual comments and questions, in three broad areas, are of interest here. These have been separated into four categories as shown following.

Summary of Comments and Questions at February 2009 Public Meetings

Finances		
Questions about the municipal model	16	→ { 3 Farm taxes 3 Total tax needs 3 Flexibility/powers 3 Risks
Questions about the current system	8	
Problems/complaints with current system	1	→ { 4 Separate comments/questions 2 Farm taxes/tax base 2 Flexibility/powers 2 Taxes elsewhere/total taxes 2 Separate comments/questions
Other comments/questions	3	
Total comments/questions	28	
Services		
Questions about the municipal model	10	→ { 5 Emergency services (fire, police, etc) 2 Bylaw enforcement 3 Separate comments/questions
Questions about the current system	2	
Problems/complaints with current system	5	→ { 2 Roads/snow removal 3 Separate comments/questions
Other comments/questions	2	
Total comments/questions	19	
Governance		
Questions about the municipal model	23	→ { 5 Control of development 5 Watershed/water quality/forestry control 2 Clout 2 Role in CVRD as a municipality 2 Effects on bare land strata homes
Questions about the current system	3	
Problems/complaints with current system	8	→ { 7 Separate comments/questions 3 Not enough accountability 2 Development controls 3 Separate comments/questions
Other comments/questions	1	
Total comments/questions	35	
Questions and comments above	82	
Questions/comments about the study process	18	
Other questions/comments not relevant here	6	
Grand total comments and questions	106	

Several things seem clear from these comments and questions.

- The bulk of questions and comments basically centered on learning about how both the current system and the municipal system work. These far outnumbered the complaints and problems people expressed about the current system (62 questions versus 14 problems).
- The greatest number of problems or complaints with the current system concerns governance (8) rather than finances (1) or service levels (5).
- Farm taxation questions were raised fairly often, which may not be surprising given the complex nature of farm taxes and the broad support for preserving farms.
- There were 7 questions and problems concerning development controls. This was the most common single subject raised at the meetings, followed by questions and comments about watershed and water supply protection.
- The vast majority of comments were question-based (indicating a desire to learn more) rather than judgmental for or against municipal status.
- There was only one comment that the study itself was unwarranted and should not have been started.

Overall, it is clear that the participants at the meetings wanted to learn more about how things might work under a municipal model (of course, this does not mean they would necessarily support municipal status). In addition, however, it may be worthwhile to note that there were numerous specific questions about how services and policies are managed now, which suggests that there exists some uncertainty about the current system.

Additional Questions and Comments on Feedback Forms

Feedback forms were available at all three public information meetings. Here is a summary of the issues and comments about services and local governance made by participants on the 9 forms submitted. These comments and questions have not been factored into the summary analysis above

because there is no way to determine whether or not this would be double counting, since speakers at the meetings may also have been people who submitted the feedback forms.

What issues or concerns do you have with local services under the current system?

- Roads and transportation (3 comments)
- Need for planning for the future (2)
- Improvement districts (1 comment)
- Regional District Board (1)
- Recreation facilities (1)
- Need for local garbage disposal facility (1)
- Subdivision approval (1)
- Water usage and supply (1)
- More street lighting (1)
- Fire protection (1)
- Policing (1)
- Local area infrastructure/services (1 comment)

What issues or concerns with governance do you have?

- Need more local control and coordination (3 comments)
- Costs/taxes (3)
- Tax shifting between business, industry and homes (1)
- Lake watershed management (1)
- Water protection (1)
- Need better bylaw enforcement (1)
- Deliver regional district services from the South End, not from Duncan (1)
- Lack of responsibility to local areas (1)
- Municipalities redirecting electoral area funds (1 comment)

Other comments / What additional information would you like to have?

- Do a Phase 2 study (2 comments)
- Let's vote on municipal status (1)
- Tell us about more options under the regional district model (1)
- Compare taxes among the models (1)
- I prefer municipal status (1)
- Examine closer links with CRD rather than the CVRD (1)
- Would municipal status reduce our role as a bedroom community? (1 comment)

13. Stakeholder Meetings

A series of meetings were held with selected stakeholder groups to explain the study and hear commentary and questions from these interested parties. The meetings consisted of the following.

- February 28, 2009:
 - Fire department representatives
 - Farming community members (2 meetings)
 - Mill Bay Incorporation Committee and Mill Bay Community League
- March 9 and March 10, 2009:
 - Water system representatives
 - Pauquachin First Nation
 - Malahat First Nation
 - CVRD Director for Electoral Area A (Brian Harrison)
 - CVRD Director for Electoral Area B (Ken Cossey)
 - CVRD Director for Electoral Area C (Gerry Giles)

Fire departments

Members of the four fire departments were invited to meet with the consultant on February 28th to discuss the study. Participants included:

- John Anderson (Mill Bay Fire Department)
- Dave Balding (Chief, Malahat Fire Department; also study committee member)
- Ron Beck (Mill Bay Fire Department)
- Ken Bulcock (Cowichan Bay Fire Department)
- Terry Culp (Chief, Mill Bay Fire Department)
- Dan Debry (Manager, CVRD Emergency Services)
- Keith Shields (Trustee, Shawnigan Fire District)
- Dennis Whitehead (Shawnigan Fire District)
- Mike Wright (Deputy Chief, Shawnigan Fire Department)

Here is a summary of discussion points and questions made by fire representatives.

- What have been the experiences of merging/blending multiple fire departments in new municipalities? Are there examples?
- Would there have to be fire protection provided everywhere in a municipality, including areas not covered now?
- Why isn't Area D (Cowichan Bay) part of the study?
- What triggered the study? Who started it?
- What are the advantages of being a municipality, from a fire protection view?
- Would there have to be career fire fighters? We are all volunteers now.
- Improvement districts are the "closest" form of local government and know their community best.
- It's often difficult to get residents to serve as trustees.
- Municipal status would bring both positives and negatives from a fire department viewpoint.
- Municipal status would mean expanded service (more preventative inspections, for example) but this better service would cost more.
- The departments may be staffed by volunteers but they deliver a professional service level.

Farming community

Two meetings were held with the members of the farming community, on February 28th and April 14th. A total of 16 members attended. Here is a summary of the questions and comments they made.

- Would the Ministry of Environment and/or the Ministry of Health play a role in correcting actions that threaten the water supply under the municipal model?
- Would bylaw enforcement be strengthened?
- Who appoints members to the Agricultural Land Commission? Would there be political pressure to appoint people with a certain viewpoint?
- Aren't municipalities essentially focused on promoting growth, which can only threaten farms?
- The ALC didn't provide adequate opposition to the eventual pipeline route through farm land.
- Wouldn't the municipality accelerate requests for removal of ALR land so it can be developed?
- Will the study incorporate material and information from the upcoming study of farming by the CVRD?
- The Right to Farm Act is weak and does not offer as much protection for farm activities as needed. Municipal bylaws and regulations would impede farming operations.
- Meetings with farmers should be in the evening, not the daytime.
- There are no controls on how much water a user can take from the ground, so why would having a municipality help protect the water supply?
- Farmers wouldn't be able to afford the higher water rates that a municipality would levy.
- Farmers would be outnumbered and outvoted in a municipality and their wishes would be second to the wishes of the developed areas.

Mill Bay Incorporation Steering Committee and Mill Bay Community League

On February 28th the Mill Bay Incorporation Steering Committee made a presentation of points it feels need to be considered in the course of the study, including the submission of several briefs and papers. Members in attendance were:

- Roger Burgess (spoke)
- Doug Higginson (spoke)
- Clyde Ogilvie (spoke)
- Archie Staats (spoke)
- Laurie Vasey
- Regan Dowling
- Phil Dowling
- Gary Barrett
- Pam Barrett

The committee supports and promotes the goal of municipal status for Mill Bay. The main points made in their presentations and submissions are summarized as follows.

1. Municipal status is the best way to plan and manage the large-scale development we will experience (potentially over 11,000 new dwellings). The CVRD system does not provide an appropriate way to manage the changes and challenges Mill Bay will face.
2. We are big enough to be a viable municipality.
3. While we can't say taxes would increase or decrease, we note that our current tax bills are within the range seen of many other communities. In fact, we pay higher taxes than some municipalities, due in part to the fact that we do not have as many services to support (and we have no debt to pay off).
4. The current system has not been able to produce the level of parks and recreation development that we want and have developed plans for. This includes not only the connection of a trails network but also sidewalks and upgrades to Kerry Park facilities. Growth and development will exacerbate these shortfalls.
5. We need to plan for and implement cohesive water and sewer networks, rather than expand the patchwork system of unconnected small systems that the current governance model has produced. This includes the need to properly identify groundwater reserves and capacities.

6. The demands of managing the Mill Bay water system is placing an increasing burden on the volunteer trustees of the improvement district and this is not sustainable in the longer term.
7. Under the current governance system we failed to get a community sewer system, but under municipal status we would be far better able to initiate and fund one that would serve Mill Bay efficiently.
8. Municipal status would better enable Mill Bay to coordinate and encourage industrial development to ease the tax burden on homeowners.
9. There should be a Phase 2 study and a referendum, and it should involve Mill Bay as its own municipality rather than a large district municipality that includes Cobble Hill.

Water districts

A meeting was held with five individuals from two water districts on March 9, 2009 at the Mill Bay Community League Hall. Here is a summary of the comments and questions raised by the attendees.

1. Will the study look at legislative changes to give the current model more local authority (such as subdivision approval)? (Answer: No)
2. Overall community planning is falling by the wayside.
3. Improvement districts must prove they have sufficient capacity when they receive applications for new development.
4. What would happen to current employees? Would they lose their jobs? (Answer: No)
5. We are very close to our customers; everybody knows one another, so we are a very "local" service.
6. A municipality would be better at managing growth and development (it could say no to developers, for example).
7. A municipality could provide better continuity of services by coordinating various services.
8. Improvement districts are flexible and can react quickly because they are small.

First Nations

Meetings were held with the Pauquachin First Nation and the Malahat First Nation on March 10. In both meetings the First Nations officials expressed interest in our study, asked questions about its goals and processes, and outlined various issues and policies they felt were relevant to the community's governance, including their planning for activities and development on their reserves. A meeting with Cowichan Tribes was planned for March 10 but was cancelled at their request.

Electoral area directors

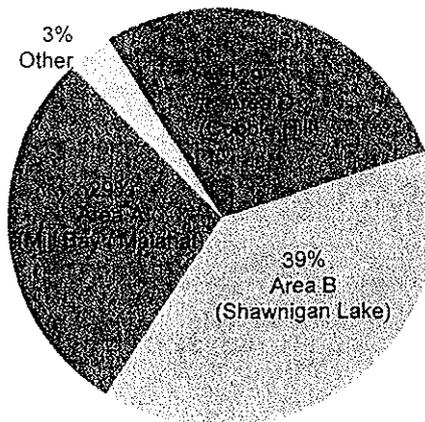
On March 10, individual discussions were held with the three electoral area directors about local governance. All three expressed some concerns or reservations about whether the current model was adequate to meet the needs of future growth and development and to provide solutions for ongoing service issues.

14. Summary of the March 2009 Survey on Local Services and Governance

An informal on-line survey about local governance and services was posted on the website for the month of March 2009. It was intended as a tool to help identify issues and comments, not as a scientifically valid assessment of public opinion. Overall, the response rate was weak, with only 57 responses from residents of the study area. There were no responses from three First Nations residents.

The location of the responders generally reflects the overall population distribution by area. For example, Area A and Area C have about the same population, and both have less than Area B, and this is also true of the survey responders.

Where Survey Respondents Live



Note: The 2 "Other" responses were from Cowichan Bay residents and are excluded from here on

The low response rate makes it very difficult to draw confident conclusions about the views of the community as a whole. This is particularly true when examining data on a neighbourhood-by-neighbourhood basis, since in many cases there are less than 5 responses to analyze.

Here is a summary of the results.

1. The response rate was poor (about 1% of households), with only 57 responses from residents of the study area.
2. The low response rate makes it very difficult to draw confident conclusions.
3. The location of respondents generally mirrors the population locations.
4. The top 5 services/functions needing improvement were: Roads, planning, building/zoning enforcement, watershed protection, and subdivision control.

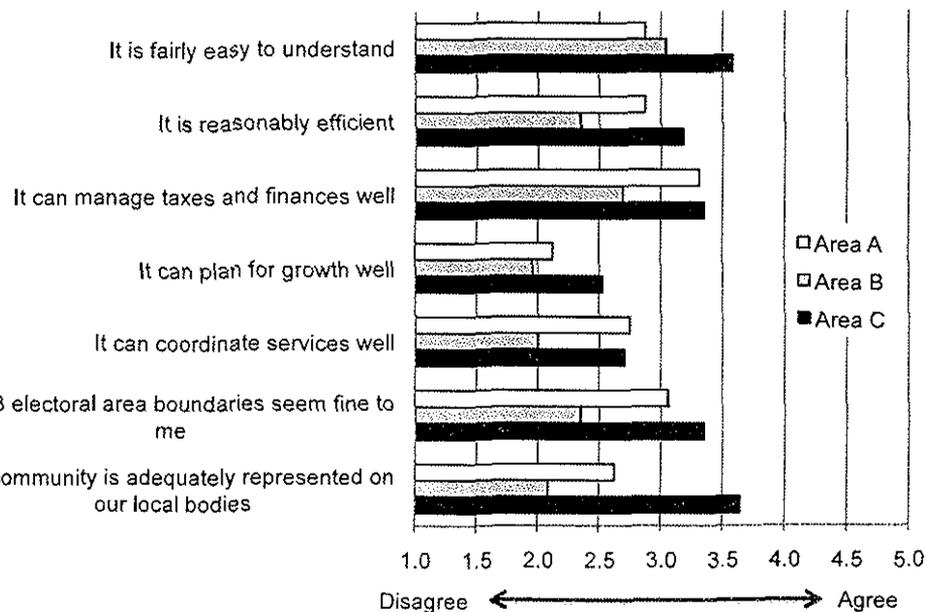
Each Area's Top 5 Services and Functions That Need Improvement

	Area A	Area B	Area C	Top 5 for 3 areas combined	Local control as a municipality compared to current model
Policing	✓		✓		Stronger (if over 5000)
Building/zoning bylaw enforcement	✓	✓	✓	✓	Slightly stronger as munic.
Regulation of activities on the water		✓			Slightly stronger as munic.
Parks and recreation			✓		Generally same as current
Planning (zoning, Official Community Plan, etc)	✓	✓	✓	✓	Generally same as current
Subdivision control		✓	✓	✓	Stronger as municipality
Road maintenance (surface, snow removal, etc)	✓	✓	✓	✓	Stronger as municipality
Drainage and ditches (storm water runoff, etc)			✓		Stronger as municipality
Watershed protection (forestry, tree cutting, etc)	✓	✓	✓	✓	Generally same as current
Local water distribution system			✓		Stronger as municipality

Includes ties

5. Satisfaction with the current model is higher in Cobble Hill than in Mill Bay or Shawnigan Lake. Growth management and service planning are the weakest features.

Average Agreement with Statements About the Current Model (3 = neutral)

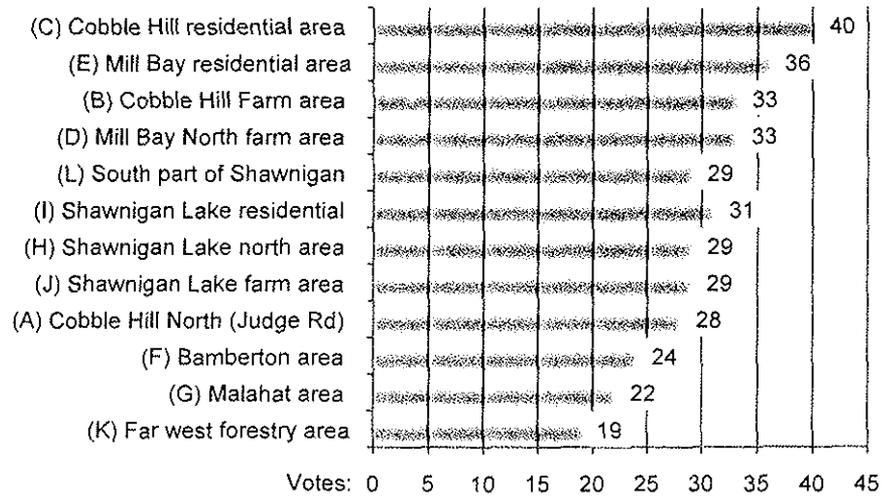


6. Most (71%) of respondents view the study area as their main shopping area, though this is less true for Cobble Hill residents (64%) than for Mill Bay (85%) and Shawnigan Lake (86%) residents.
7. The majority of respondents feel they have most in common with another neighbourhood in the study area rather than with Duncan/North or Langford/South. This affinity is weakest for Cobble Hill North, Shawnigan Lake North, and Shawnigan Lake South respondents.
8. As far as inclusion in a municipality if one is formed:
- A total of just over 350 votes were cast for all the neighbourhoods combined. The top four, and the only ones to receive over 30 votes each, were the Cobble Hill residential area, Mill Bay residential area, Cobble Hill farm area, and Mill Bay North farm area.
 - A majority of respondents from only one neighbourhood -- Shawnigan Lake North -- said they didn't want their area to be in a municipality if one is formed, and respondents from

Shawnigan Lake South were evenly split on whether their neighbourhood should be in a municipality if one is formed.

- A majority of respondents from all the other neighbourhoods said their neighbourhood should be in a municipality if one is created.
- Respondents from the big three housing areas strongly indicated that their area should be in a municipality if one is created: 73% of Cobble Hill respondents, 71% in Mill Bay, and 86% of Shawnigan Lake respondents.
- The weakest support was for including the far west forestry area, Malahat, and Bamberton.

Votes for Areas That Should be in a Municipality If One Is Formed



9. There were 29 comments from respondents, but more than 29 are shown below because some submissions referenced multiple topics. They can be grouped as follows.

- Comments about boundaries 7
- Comments about issues with local services 7
- Support for municipal status 7
- Comments on miscellaneous topics 7
- Do not want a municipality 6
- Issues with the study, survey or website 3
- Need for farm protection 2

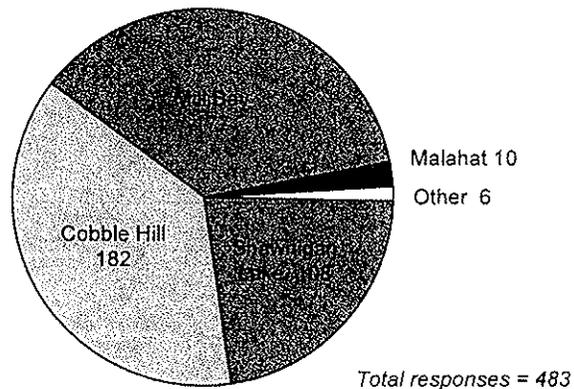
15. The May 2009 Survey on Boundaries and a Phase 2 Study

In May 2009 we ran a community survey about whether there should be a Phase 2 study and if so, which boundary concepts were preferred. In addition to the online form on the website, the survey form was part of a newsletter sent by unaddressed mail to all post addresses in the study area; the newsletter was also distributed outside several grocery stores and made available at three public information meetings held to discuss these two topics. In addition, display ads were placed in both local papers advising residents about the meetings and the survey. As with the March 2009 survey, the questionnaire was intended as a tool to help narrow down the boundary concepts and the level of interest in doing a Phase 2 study, not as a scientifically valid assessment of public opinion.

Participation was much stronger than in the first survey, with 483 responses received during the 16-day survey period. Overall, this represents 4%-5% of the adults in the study area, which is a fairly good participation rate for this kind of survey.

The location of the responders is a bit out of synch with the overall population distribution by area. For example, Area A and Area C have about the same population and show about the same survey response rate -- but Area B, which has notably more residents than A or C, is underrepresented in the survey.

Where the 483 Survey Respondents Live or Own

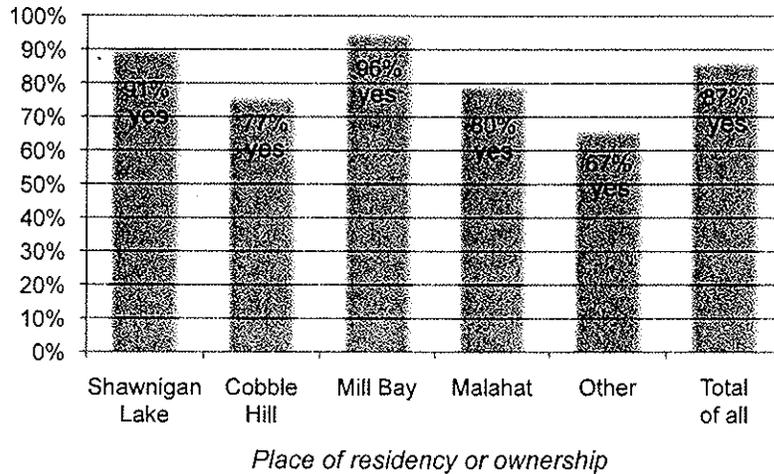


Should there be a Phase 2 study?

A Phase 2 study would provide much more detail about the impacts of municipal status and would allow residents to decide for themselves whether municipal status would be advantageous or not.

There were 455 responses to this yes-or-no question. Overall, 87% say Yes, there should be a Phase 2 study. Among the big three population areas (Cobble Hill, Shawnigan Lake, and Mill Bay), the lowest level was 77%.

Responses to "Do You Want a Phase 2 Study?"



Which boundary concept for a Phase 2 study?

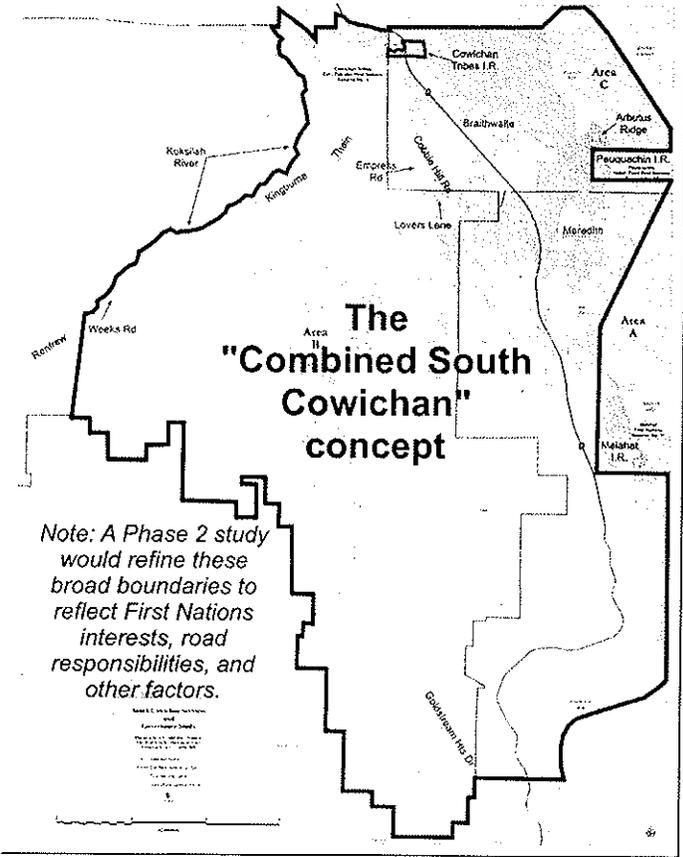
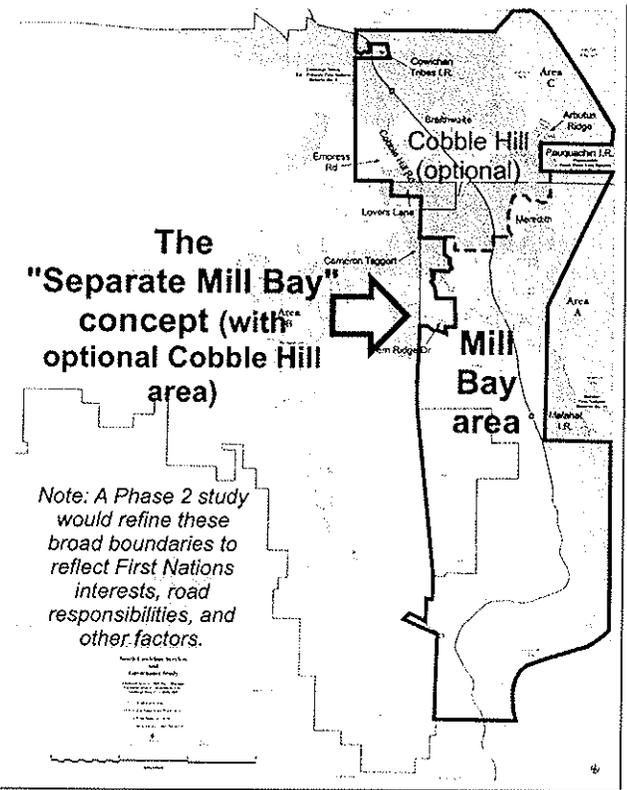
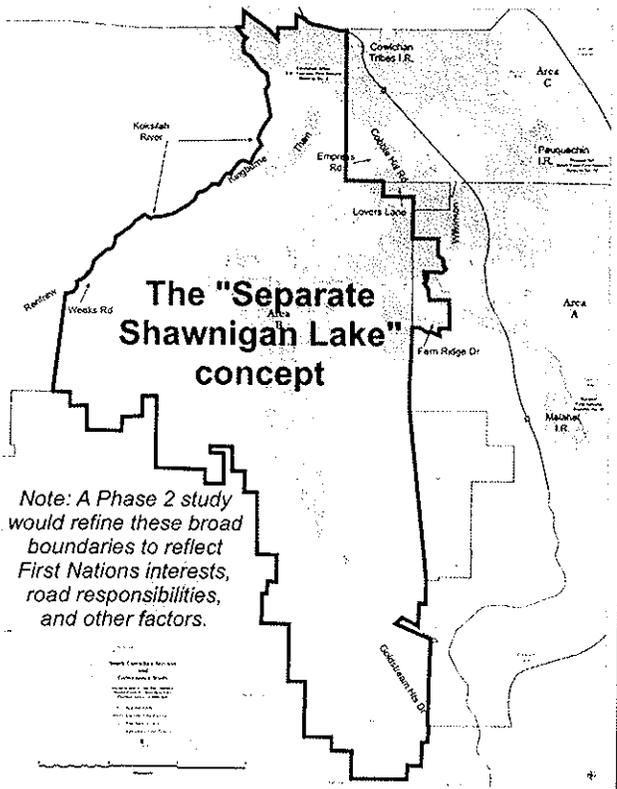
Prior to the survey, the Study Committee had narrowed down the boundary concepts to three: a separate Shawnigan Lake concept; a separate Mill Bay concept (with or without Cobble Hill); and a combined South Cowichan concept. Residents were asked in the survey which concept they prefer.

This question has to be viewed in two separate parts -- one for Shawnigan Lake residents, and one for Mill Bay-Cobble Hill-Malahat residents.

- For residents/owners in Shawnigan Lake:
 - Separate Shawnigan Lake concept .. or ..
 - Combined South Cowichan concept.
- For residents/owners from Cobble Hill, Mill Bay, and Malahat:
 - Separate Mill Bay Lake concept including Cobble Hill .. or ..
 - Separate Mill Bay concept excluding Cobble Hill .. or ..
 - Combined South Cowichan concept.

The two groups must be tallied separately because the choices are not uniform.

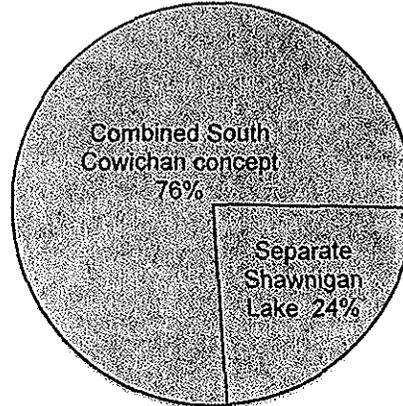
The maps on the next page show the boundary concepts.



Responses from Shawnigan Lake residents and owners:

There were 102 responses to this question. A strong majority -- 76% -- prefer the Combined South Cowichan concept over the stand-alone Shawnigan Lake concept.

Boundary Concept Preferences from Shawnigan Lake Residents and Owners

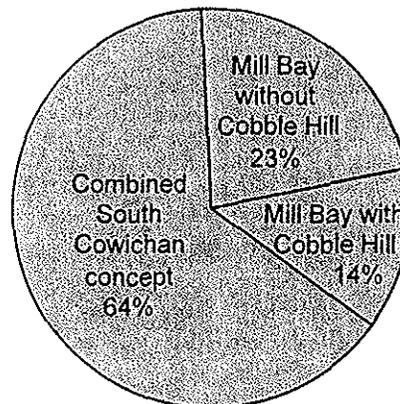


Total responses = 102

Responses from Cobble Hill, Mill Bay and Malahat residents and owners:

There were 349 responses from these residents and owners. Almost two-thirds of them prefer the Combined South Cowichan concept over the other two choices.

Boundary Preferences from Cobble Hill, Mill Bay and Malahat Residents and Owners

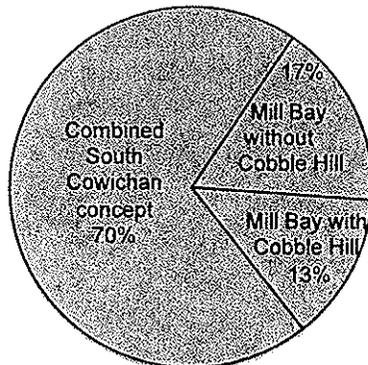


Total responses = 349

A further look at the responses from Cobble Hill and Mill Bay residents separately shows that Cobble Hill respondents prefer the Combined concept more strongly than Mill Bay respondents. Also, both groups prefer "Mill Bay without Cobble Hill" over "Mill Bay with Cobble Hill", though these "Separate Mill Bay" options are notably less popular than the Combined South Cowichan option.

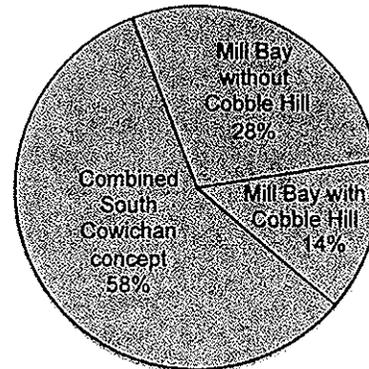
Boundary Preferences of Cobble Hill and Mill Bay Residents and Owners

Cobble Hill Residents



Total responses = 174

Mill Bay Residents



Total responses = 169

Comments from respondents

A total of 183 comments were recorded by respondents. They have been grouped and summarized as follows.

- The most common group of comments (45) were a reiteration of people's choices on boundaries and Phase 2 work; these are already reflected in the charts presented above.
- There were more comments against municipal status than for it (19 versus 13). However, it must be born in mind that these preferences were expressed without knowing the impacts of municipal status.
- There were 12 comments asking that the current CVRD system be maintained as is or in some amended form.
- There were 33 comments regarding the study process, covering a wide range of topics like boundary options, public meetings, information requests, and so on.
- Finally, there were 61 miscellaneous comments spanning a very broad spectrum of thoughts, observations and questions (for example, "Thanks for your efforts", and "My address has changed").

Appendix 1: Questions and Answers from the February 2009 Public Meetings

Meeting #1: Shawnigan Lake Community Centre February 7, 2009 10-Noon

10. Is farm land taxed at the same rate as farm homes?
A: No. First, farm land (note the stress on land) is 50% exempt from regional district and improvement district taxes; farm houses (that is, the buildings themselves) have no such exemption. Second, farm land pays the full provincial rural tax rate, but a farm house is exempt from this tax.
11. Would municipal status affect the farm taxation exemptions?
A: Yes. Under municipal status, farm land exemptions remain about the same as now, but the farm house must pay 100% of the municipal tax, whereas under the current model, the farm house is exempt from the provincial rural tax under the current model.
12. What about taxes on stores or businesses on farms? Would the property tax rules change for them too?
A: Their property assessments would not be affected. Setting the balance between the business tax rate and the residential tax rate would be up to municipal council, so this could be different under municipal status than under electoral area status.
13. What is planned for protecting our water supply so that we don't run out of water?
A: We will look into the current plans.
14. What would happen to existing mobile home parks? Would they be protected?
A: Nothing about municipal status would affect the operations of mobile home parks.
15. Would a municipality take over the water systems?
A: Private water systems would remain private entities, but the CVRD and improvement district systems would eventually become municipal systems. The systems do not have to be tied together, and each could still have its own charges (and sole access to its own reserves) under municipal status.
16. Would a municipality have more control over lake activities, like partying boats?
A: We will look into this.
17. We need more bylaw enforcement on matters like noise and light pollution. Would enforcement be better under municipal status?
A: Possibly. It would be up to the municipality to decide on the level of enforcement it wants. Generally, municipalities devote more resources to bylaw enforcement and are more proactive in their enforcement policies than regional districts are.
18. Taxes are too high in this area compared to the services we get.
19. What are the tools for controlling development under each model?
A: We will describe this in our work.
20. We need better protection of the lake water quality. Would municipal status help us do this? (Note: There were four other similar questions and comments about water quality protection.)
A: We will be outlining the water quality protection tools available under each model.
21. We need to see a balance sheet of advantages and disadvantages under municipal status, ranking things like water protection, costs, sewage controls, etc.

A: We will be listing the differences between the current model and the municipal model in terms of powers and responsibilities for individual services so that residents can compare them. However, we won't be judging which model is best, because "best" will vary from person to person. Each resident will have to use their own values when assessing which model will best serve their particular interests. Note that the purpose of this study is not decide which model is best, but to help decide whether a more detailed look at the matter is warranted.

22. This is the third time we've looked at this in 20 years. The negatives of municipal status include higher costs due to all employees wanting more money.
23. Costs matter. What are the total taxes paid by all properties in the study area? How does this total compare to municipal examples?
A: The study area paid total property taxes of \$16.4 million in 2008, of which about \$3.6 million was in purely "local" taxes -- that is, taxes that would be affected by a shift to municipal status (and this includes the provincial tax collection fee of \$400,000). Of the \$3.6 million in local taxes, Area A paid \$837,000; Area B paid \$1,732,000; and Area C paid \$987,000. However, a comparison to municipal data is not that straightforward and may not be particularly meaningful, as there are varying shifts in costs between each municipality and its regional district. If we look at total taxes for all agencies, the \$16.4 million here is close to the amounts in Comox, Colwood, and Esquimalt, and lower than in some other municipalities in the same general population range. It is important to stress that (a) total tax loads may not translate directly into taxes per home, as there are other factors to consider; and (b) each community sets its own spending priorities, and the tax loads chosen by one may not be at all related to another's. This topic could be further examined if a more detailed study is done.
24. Would a home owner's ability to defer property taxes be affected by municipal status?
A: No, the rules are the same. This is also true for the home owner grant.
25. Municipal status would mean more intrusion by government into our lives, with more regulations and rules.
A: Some people want more enforcement of regulations and bylaws; others do not.
26. There are three different areas here, and Shawnigan Lake should be considered on its own, not as part of a larger area with other parts.
27. Would municipal status mean our roads would be better maintained? Is there a lack of incentive for the Province to spend more money on this?
A: As a general rule, municipalities spend more on road maintenance than the Province does, and road maintenance standards are higher. As to the incentive to spend less, all governments, including the Province and municipalities, have to find a balance between the need for better services and the costs of providing it. One difference, though, is that under the current model, the Province has to balance costs and service priorities for many electoral areas throughout BC, and any one area might or might not be near the top of the priority list. A municipal government focuses only on its own road needs.
28. We need more controls over development, as the CVRD doesn't have the tools it needs, especially for sewage regulation. A Shawnigan Lake municipality would impose better rules. Costs aren't as important as control.
29. A municipality would have better resources (like watershed mapping) for water quality management.
A: The municipal resources devoted to water quality management would be up to the municipality. It was pointed out that watershed maps are already available for Shawnigan.
30. What is the timeline? How long before a municipality could be created?

A: Various things could affect this, but in very rough terms a municipality could be established and running in about two years. Note that this timeline would have to allow for a referendum on municipal status, as required by law.

31. Under the current model, our water systems are tested once a week and monitored regularly and properly.
32. We need a municipality with community water and sewage systems. Get on with it.
33. Would we have more clout with the Province if we were a municipality?
A: Yes, generally municipalities have more influence and clout than electoral area directors or improvement districts.
34. The current model does not adequately provide or plan for our infrastructure.
35. If only about 25% of our tax bill would be affected by municipal status, how big could the financial risk be anyway?
A: The fact that local taxes account for a minority of the tax bill now doesn't mean they wouldn't rise under municipal status.
36. What is a Phase 2 study, and is one guaranteed here?
A: Our work is a Phase 1 study that includes gauging people's interest in looking into this more. A Phase 2 study is that more detailed look, including explaining the processes and projecting the impacts of becoming a municipality. A Phase 2 study could lead to a referendum on municipal status (note that a municipality can't be created without a referendum). No commitment has been made to do a Phase 2 study; that topic will be part of the study committee's recommendations.
37. Which bylaws would a new municipality have to create?
A: It would have to adopt a number of procedural bylaws at the start, but it would inherit the OCP's and the zoning bylaws that have already been adopted by the Regional District, as well as a number of regulatory bylaws like noise control and animal control.
38. A municipality has more service powers and responsibilities, and more costs too. Our ability to manage our community infrastructure is overwhelming our largely volunteer resources. A municipality would be better at controlling development and planning infrastructure.
39. Why is Cowichan Bay not part of the study?
A: The CVRD director for Cowichan Bay at the time felt that his electoral area should not be part of the study and declined to participate.
40. The Province is funding the study and will hold us to account for the work.
41. Is it in the Province's financial interest to have us become a municipality?
A: That is not known; the answer depends on (a) what assumptions you make about future provincial spending on our services under the current model; and (b) what short term grants the Province would endow a new municipality with. It is more productive for residents to consider what we gain or lose rather than focus on what the Province might gain or lose.
42. Would controls on forestry be affected by municipal status?
A: Some limited controls would be available, but forestry rights that have been awarded under provincial licence can't be rescinded or thwarted by either a regional district or a municipality.
43. Are there provincial grants for fire protection services as a municipality?
A: Municipalities are eligible for numerous provincial grants that regional districts get less often and that improvement districts can't get. While some are earmarked for specific

municipal purposes like roads or recreation, others have no such limitations and could be used to improve any municipal service.

Meeting #2: Cobble Hill Hall February 7, 2009 1-3 PM

1. Why is Cowichan Bay not part of the Study?
A: The CVRD director for Cowichan Bay at the time felt that his electoral area should not be part of the study.
2. If we were a municipality, farmers would lose their property tax exemptions, wouldn't they?
We need to protect farms.
A: Farm houses in a municipality would pay more property taxes because they lose certain exemptions. The farm land itself could see a minor decrease in taxes. However, if there is a house on the farm land, the reduction in land taxes would not offset the rise in house taxes.
3. Municipalities need to keep growing in order to generate money to pay for things, so they have a pro-development outlook that will threaten the preservation of farms.
A: Municipal status does not mean inescapable growth, and there are examples of municipalities that are predominantly agricultural (Metchosin is a good one). There are also many examples of municipalities that have remained financially stable without development.
4. Can some areas opt out of this, like Riverside Road? We more properly align with Area E than the study area.
A: The study committee will be making recommendations not only on a next step but also on boundaries, and it is quite possible that electoral area realignment would be part of that recommendation.
5. We need more influence over our services (especially snow removal). We need a more visible model with greater local accountability.
6. We need to address the safety issues associated with snow removal and emergency vehicle access.
7. What share of the tax base do farms account for?
A: There are 303 farm properties in the study area, and the farm land assessments total \$2.7 million, which is just under 1% of the \$3 billion total for all types.
8. In Cobble Hill, do seasonal or part-time taxpayers expand the service loads and raise tax bills for the rest of the Area C residents?
A: There would be no way on really knowing this in detail, but it is extremely unlikely that these property owners impose any extra burden on the rest. In fact, given the generally higher than average property assessments at Arbutus Ridge, and the fact that they pay for their own roads and boulevards (they are strata responsibilities), the opposite is more likely.
9. Who started this study? I do not want it to proceed any further.
A (from the CVRD director for Area C): The CVRD electoral area directors agreed to support the study in response to requests from community members.
10. Will there be a list of pros and cons of municipal status?
A: We will be listing the differences between the current model and the municipal model in terms of powers and responsibilities for individual services so that residents can compare them. However, we won't be judging which model is best, because "best" will vary from person to person. Each resident will have to use their own values when assessing which model will best serve their particular interests. Note that the purpose of this study is not decide which model is best, but to help decide whether a more detailed look at the matter is warranted.

11. Would bare land strata communities be affected by municipal status? (*Note: There were two questions on this, the second asking what would happen to the strata's contingency funds.*)
A: No, the operations, powers and responsibilities of strata corporations would not be affected at all. They would remain just as they are now.
12. Would drinking water standards be affected?
A: No, drinking water quality standards are set by the Province, not by local government.
13. Subdivisions don't get completed as promised under the current system, and services are too fragmented. Delays will cost us when we eventually get around to tying them together, so we should do this sooner rather than later.
14. There is room enough in our community for both homes and farms.
15. I was disappointed that the community did not approve the proposed pool.
16. Could a municipality control the development of TimberWest lands?
A: Yes, through zoning and development standards bylaws. The CVRD also has these tools. However, one difference is that under the current model, subdivision approval rests with the province, whereas under municipal status it is a municipal function.
17. The Regional District is too spread out. Why does a decision about a service affecting only my neighbourhood require the approval of the CVRD director from Saltair?
A: Under the current model, regional district bylaws require the approval of directors from other areas.
18. Each fire department acts on its own, and we have two ladder trucks when we really need only one that can be shared.
19. Under the current model our fire crew can't transport an emergency medical case. Can a municipal fire department transport medical patients?
A: This is not related to the form of local government and it wouldn't be affected by changing to municipal status. The ability of a fire response crew to move a patient depends on various factors, including the emergency medical training of the fire crew and the arrangement with the BC Ambulance Service.
20. What are the costs of administration in a municipality?
A: Administration costs are a significant part of a municipality's budget and they are often higher under municipal status than under the current model. They are fairly easily seen in a municipal budget as they usually comprise a separate department. Under the current model there are administration costs too, but they are harder to identify because many are either imbedded in the overall cost of various services or not tracked for a particular geographical area. One we have identified is the \$400,000 tax collection fee that the Province charged South Cowichan taxpayers in 2008; this fee is build into the tax rates for CVRD and improvement district taxes and not shown separately.
21. We have four fire departments now. Would they be amalgamated into one if we were a municipality?
A: Yes, though it would be possible for each to remain as a separate geographical area service. Improvement districts must eventually be dissolved in a new municipality, but this could occur over time, following the development of a transition plan.
22. Would emergency planning change under municipal status?
A: This is possible but unlikely. All members of the CVRD, including the municipalities, have joined in a regional service to develop emergency response and preparation plans, and there is no obvious reason why this would change is a municipality is created in South Cowichan.

23. The provincial government has downloaded costs onto local communities. Would this be worse under municipal status?
A: The Province has downloaded some costs but also increased some revenue sources to local governments, and there is no way to predict how this may change in the future. It is worth pointing out, however, that the ability of senior governments to shift costs to local communities remains in effect whether you are a municipality or not. For example, the recent policing tax was imposed on both electoral areas and small municipalities.
24. Can the CVRD get subdivision approval powers under the current model?
A: The law allows this transfer of responsibility, though there hasn't yet been a case of it. The CVRD could apply for the power and it would be up to the Province to say yes or no.
25. I am concerned about improving social planning and programs for the regional as a whole. Why not a large, regional municipality for this?
A: In some ways the CVRD already is such a body, since its Board is made up of all the communities. Creating one regional municipality would be a very significant and difficult thing, given the large geographical area and the varying identities of its members. In any event, our study is limited to the South Cowichan area. While the committee could choose to make a recommendation about a larger area, many would view it as premature to do so without consulting the other members of the region.
26. You noted that the total property tax bill on an typical property rose 25% between 1997 and 2008. How does this compare to municipal experiences in places like Duncan or North Cowichan?
A: We haven't looked at tax histories outside our study area. It is not clear what could be learned from it, since each community sets its own spending and tax priorities based on its own unique circumstances. The events that produced a tax fall (or rise) in one municipality might never have happened in another one, and it can't be said that Town A's taxes will rise by x% because that is what happened in Town B.
27. Will you explore local government models found in other provinces, like Ontario?
A: No, our work is limited to those models currently allowed under BC statutes and regulations.
28. I own property here and in the District of North Cowichan (a municipality), and my taxes are higher in North Cowichan.

Meeting #3: Frances Kelsey Theatre February 14, 2009 10-noon

1. What's the difference in cost (taxes) between the Regional District model and the Municipal model?
A: We don't know that yet. Costs and taxes under a municipal model would be the subject of a Phase 2 study (if there is one). Clarification: The taxes for a typical home shown in the slideshow are before the homeowner grant.
2. I am unhappy with the current model. Having one director (out of 15) represent us is not good representation for us.
3. I am a water improvement district trustee and we are inundated with demand for service from both existing owners and new developments. It is very hard for a voluntary committee to address the demand effectively.
4. Why didn't Cowichan Bay participate in this study?
A: The CVRD director for Cowichan Bay at the time felt that his electoral area should not be part of the study and declined to participate.

5. Can you please provide a comparison of taxes in the other areas of the CVRD (i.e. not just areas A, B, C)?
A: Our study is restricted to the three electoral areas, and we haven't done tax calculations for areas outside this. In any event, while such a comparison might be interesting on some levels, it wouldn't be directly relevant here. Taxes vary from area to area because services vary, so any tax comparisons should also involve a comparison of service levels to be meaningful. In addition, of course, the tax and financial priorities made by residents of one area are likely different than those residents of other areas.
6. Who pays the transition costs to municipal status? Is there any Provincial money to assist with the costs? What are those costs likely to be?
A: The Province provides some transitional funding for a new municipality. Cost estimates would be examined in a Phase 2 study if one is done, rather than in this Phase 1 look at governance.
7. Can you provide comparisons of costs (taxes) with other areas of regional districts that have become municipalities? We don't need to re-invent the wheel. Let's learn from other areas about how this has been done.
A: A Phase 2 study would estimate the taxes for a new municipality and compare this to taxes in existing, comparable municipalities. A specific look at the experiences of other new municipalities presents several problems. For example, a simple tracing of their tax changes over, say, five years doesn't tell us much. The real question should be, "How do taxes as a municipality compare to the taxes that would have applied if a municipality had not been formed?", but that research is so complicated it is seldom attempted.
8. Are there other areas within the CVRD looking at switching to municipal status?
A: No.
9. Do you have more clout (with the Province) as a municipality?
A: Yes, generally municipalities have more influence and clout than electoral area directors or improvement districts.
10. Does one area (Shawnigan Lake) have any say in how other areas are developed? Would this change as a municipality?
A: Generally, Shawnigan Lake residents do not have much of a say in the land use plans for the other areas, though the directors from other area get to vote on zoning and Official Community Plan bylaws affecting each electoral area. It is different in municipalities, where only the municipal councillors get to vote on bylaws affecting their municipality.
11. Will the study show existing inefficiencies of the CVRD and how to improve?
A: The study will identify some issues with the whole array of services in South Cowichan, including CVRD functions, but an efficiency analysis of the CVRD is not a main focus of the work.
12. Do you have a greater ability to control growth and manage development as a municipality?
A: Yes, in three general ways. First, a municipality has more concentrated authority for various regulations that affect growth and development. For example, water, sewage, drainage, roads, zoning, and building permits would all be the responsibility of one body -- the municipality -- rather than various bodies. Second, the municipality sets its own policies and regulations, without such a need for approval from outside bodies. Third, municipalities have a greater ability to set policies for the funding of growth-related works and services.
13. Is there a difference in how the two models collect and use development fees and DCCs (development cost charges)?
A: Both a regional district and a municipality can levy DCCs on new development to help pay for new services, and the rules for the use of the funds are the same for both. However, municipalities generally make greater use of DCCs for roads and drainage than regional districts do. Both make more or less the same use of rezoning fees.

14. If the whole of South Cowichan incorporated, how many votes on the Regional Board would we have (based on current population)?
A: A South Cowichan municipality would get 2 directors (with 9 votes for money matters) on the Regional Board, compared to 3 directors and 10 weighted votes now. Of course, under the current model the 3 directors represent three different areas whereas in a municipality they all represent just the one municipality. Note also that the Regional Board would fall from 15 directors to 14 (the three electoral area directors would be replaced by only two municipal directors).
15. Would a South Cowichan municipality be part of the CVRD? Would it have to be part of a regional district or could it opt out of the RD altogether? Would it have to be part of the CVRD or could it become part of another regional district -- the CRD, for example? Could it become its own regional district?
A: A South Cowichan municipality would remain part of the CVRD and participate in numerous regional services; it would not participate in CVRD local services and functions like land use planning, community parks, and building permits. All municipalities in BC are part of a regional district. While joining another regional district is theoretically possible (this would be up to the Province) it is difficult to see much rationale for this. If it were to become a municipality, it could not be a regional district.
16. I am concerned about accountability. Is the municipal model more accountable to the voters than the RD model?
A: Yes, in two senses. First, decision makers in a municipality (that is, the municipal council) are answerable only to voters in the municipality, whereas regional district decision makers represent not just the area in question but other areas too. This is because a regional district bylaw affecting one area requires the approval of directors from other areas too, these other directors are not answerable to voters from the area in question. Note that by accountable, we mean that the decision makers must answer to voters at election time (of course, both municipal council and electoral area directors face elections).
17. In your report, will you be looking at re-organization of the Regional District model as well as at municipal status?
A: Yes, we are looking at some possibilities involving reorganizing how the CVRD provides services.
18. Are the votes at the Regional District board equal?
A (from the Director for area A, Gerry Giles): Votes are equal on everything except financial matters, which are weighted based on population. ("Equal" here refers to one vote per director.)
19. We have a crisis in Shawnigan Lake – our woodlands are being logged, water quality is deteriorating. The Province is logging in the provincial park. Would a municipality have greater influence over these issues?
A: We will be commenting on this issue in more detail later. It is worth pointing out, however, that neither a municipality nor a regional district can prevent logging where a provincial forestry licence has been issued.
20. Can a municipality exert greater control over tree cutting (a) on crown lands, (b) on private forest lands, and (c) on other private lands?
A: No, for Crown lands and for lands where there is a provincial licence for forestry. However, a municipality has more powers than a regional district to regulate tree cutting and removal on non-forestry private land. Regional district powers are limited to regulating tree cutting when there are slide or environmental hazards, whereas municipalities have far broader powers.

21. Municipal candidates are often part of slate that is aligned with one of the provincial parties. Would a municipality be more susceptible to political influence and perceived alliances with provincial parties?
A: Party affiliation of any nature is far more common in large municipalities than in small ones, and the vast majority of small municipalities operate with no party structure at all, merely independents. Party affiliation can occur under both models and it is not possible to predict how or if this would occur here.
22. Can you put PDFs of the maps on the website please?
A: Map PDFs are already on the website, in both large-scale and small-scale versions.
23. How long with process take to form a municipality? We can afford to wait too long.
A: Various things could affect this, but in very rough terms a municipality could be established and running in about two years. Note that this timeline would have to allow for a referendum on municipal status, as required by law.
24. I am in favour of controlled growth but I am also concerned about maintaining the unique identity of the different villages in South Cowichan. Would a single municipality make this a challenge?
A: This would probably not be a significant issue. Many of BC's municipalities have separate neighbourhoods or communities within them, such as Kitsilano in Vancouver or James Bay in Victoria.
25. I have been involved in these processes before in Ontario and I would encourage people to get involved and not drag it out too long.
26. Can you describe the differences in subdivision approval authority?
A: Under the current modal, subdivision approval is the responsibility of a provincial designate; under municipal approval it is the responsibility of a municipal designate. In both cases it is usually an employee of the respective body. By law in both cases, it is an independent position, not a political position.
27. How beholden to Council is a municipal subdivision approving officer?
A: Subdivision approving officers make approval decisions independently and are not required to make decisions in a public meeting or seek their Council's consent to make a decision. Municipal approving officers are generally more attuned to local issues and policy than the equivalent provincial employee under the current model. While they are usually on the payroll of municipality, subdivision approval officers must make decisions that take into account the "public interest" and this is generally defined through council policy and the OCP.
28. As a municipality, can we have our own police force? Would we have more influence over the number of police officers and how they were deployed?
A: If it were a small municipality -- under 5000 -- then policing decisions and standards would remain a provincial responsibility (within the RCMP contract arrangement). If it were to be a larger municipality, then it becomes responsible for its policing. It could create its own police force, but the vast majority of municipalities choose to enter into a contract with the Province and the RCMP for RCMP policing. These larger municipalities have much more influence over and input into policing policies and standards, since they are paying all or most of the costs.
29. Snow clearing: Wouldn't a municipality be more likely to suffer budget increases if there was a large snowfall. With the RD model, the Province takes care of snow clearing and so budget increases are spread over all rural tax payers, aren't they?
A: Heavy snowfalls require more municipal spending on road clearing. This extra funding usually comes from (a) reduced budgets for other municipal services when needed, and (b) reserves built up for just such occurrences.

30. How do we deal with contractors who don't adhere to service standards (for snow clearing for example). Would either model be better at dealing with this issue?
A: Performance assurance is up to whichever body administers the contract. Under the current model, this is the Province, for roads; under the municipal model, it would be the municipality, at least to the extent it uses contractors. Management of the contract is important under both models. It could be argued that local standards may be better enforced by a local body (for example, a municipality) than by a province-wide body.
31. What is the difference in degree of flexibility in budgeting between the two models?
A: Municipalities have far more flexibility in budgeting than regional districts do. In addition to the freedom to set tax shifts between business and homes, municipalities are also free to shift budgets between services as needed (for example, more on roads and less on parks in the event of heavy snowfalls). Regional districts cannot do either of these.
32. What is the appropriate boundary for a municipality? Would all of Areas A, B, and C be involved in a new municipality. How would boundaries be defined?
A: We will be examining potential boundaries for consideration, using both technical criteria (like broad land uses, water service boundaries and differential tax areas) and how residents view their relations and commonalities with their neighbours. There is no requirement that all or any specific areas would have to be in a municipality. The study committee may recommend a potential municipal boundary for any next step at the end of this work.
33. Could the municipal boundary be the entire South Cowichan Area? There may be some benefits to this, like control of municipal forests or control of growth on private timber lands.
A: Yes, it could be the whole South Cowichan Area.
34. I think you said that the "municipal style" tax revenues for the entire area are about \$3-4 million. Is this enough to run a municipality?
A: It might not be, but municipalities have numerous revenue sources other than taxes. A Phase 2 study would examine the budget and tax needs.
35. Are we destined to become a bedroom community to Victoria?
A: There is no definitive answer to this, but it may be worthwhile to point out that there is already a lot of commuting to nearby urban centres, yet many residents don't consider South Cowichan to be merely a bedroom community. In any event, this is largely a question for an Official Community Plan process and depends on many factors, including land use planning and economic development in the area.
36. Could water and sewer services be provided by the CRD? Wouldn't this make sense?
A: Regional districts and municipalities are able to contract for services with other municipalities or regional districts, so this is possible. However, given the fact that the CVRD is not only much closer as an administrative centre but also already provides local area services like water, it is extremely doubtful that much of a case can be made for CRD involvement.
37. Is there a difference in the type and amount of grants available to municipalities and regional districts?
A: Both are eligible for various senior government grants, but municipalities qualify for a broader variety of them.

Appendix 2: Comments and Questions from the May 2009 Public Meetings

Three public information meetings were held in May to present and discuss the boundary concepts chosen by the Study Committee. Each meeting featured a slide presentation and then a comment, question and answer period. Each was preceded by a 30-minute open house. The meetings were as follows:

- May 16: 11 AM - noon at the Shawnigan Lake Community centre, with approximately 30 participants
- May 16: 1:30-2:30 PM at the Frances Kelsey Theatre (but moved to the Mill Bay Community Hall), with approximately 30 participants
- May 21: 7:30-8:30 PM at the Cobble Hill Hall with approximately 40 participants

Here is a summary of the comments and questions put forth by attendees.

Shawnigan Lake Community Centre (May 16)

- What would happen to CVRD taxes and funding?
- Couldn't the municipality set tax rates to protect farms from a tax rise?
- Would CVRD taxes fall as a result of creating a municipality?
- What would the cost of a municipal administration be?
- What would the total tax load be in a municipality?
- What would policing cost, and what service level would we get?
- Why aren't there more people here at the meeting? Don't enough people care about this?
- Shawnigan Lake has too small a population for a municipality. It should be combined with Mill Bay if a municipality is formed.
- If we had multiple municipalities, couldn't they share services (like business licencing)?
- Could there be two Phase 2 studies - one for Shawnigan Lake and one for Mill Bay/
- The forestry area to the west should be included in a municipality.
- The boundary needs to be refined more.
- There should be one large municipality.
- What would happen to the remainder of the electoral area(s) if a municipality is formed?
- Why not the whole electoral areas, including the forest area?
- When could a Phase 2 study be done, and when could a referendum be held if things get that far?
- Would we have to have replace our volunteer fire fighters with paid, career fire fighters?
- What would happen to the ambulance service?
- Don't we already have an Official Community Plan?
- How would a ward system work in a municipality?
- Are terms of reference out for a Phase 2 study?

Mill Bay Community League Hall (May 16)

- Who can vote in a referendum and in municipal elections?
- What are the advantages and disadvantages of municipal status?
- How much farm land is there in the area?
- Would improvement districts be dissolved?
- How can an area opt in or out of the boundary?
- Why was the far west forestry area left out?
- Would there be a change in how ALR decisions are made?
- Is joining the Capital Regional District an option?

Cobble Hill Hall (May 21)

- Mill Bay should be its own area for municipal study.
- The tax base with a combined Mill Bay-Shawnigan Lake municipality would make more sense than any one of them on its own.
- There would just be more bureaucracy and taxes would rise.
- We should stop all development in Cobble Hill -- a moratorium.
- Would municipal status mean more control for us?
- Leave Cobble Hill out -- focus on a combined Mill Bay and Shawnigan Lake.
- What would happen to the water districts? How would their assets be protected?
- We need a Phase 2 study (from 2 speakers).
- We need a strategy to coordinate our utilities.
- Having 2 South Cowichan municipal directors on the CVRD Board is worse than having 3 as we do now, isn't it?
- Who chooses the RD director in a municipality?
- Why is Area D not part of this study?
- If we had a municipality, I bet the CVRD wouldn't lay off anyone at all even though their work load would fall.
- Would the ALR decision process be affected?
- Would the Official Community Plan be delayed because of a Phase 2 study?
- The Committee should note the lack of interest -- there aren't many people here.
- A low turnout here doesn't necessarily mean apathy -- there are other reasons why the turnout is low.
- How do the tax bases of the 3 areas compare? Is ALR property a significant part of this?
- The press didn't so a good job of advertising the study and the meetings.
- I like the current model and the RD system. It's not broken, so don't try to fix it.

Appendix 3: Website Comments and Questions

The following comments and questions were submitted to the SouthCowichanGovernance.ca website. They are reproduced here more or less exactly as received and unedited. Questions unrelated to the study subject are excluded (this group includes questions about meeting dates, address corrections, and so on).

1. I attended the meeting in Cobble Hill today and noticed a great deal of concern about the tax implications for our local farmers. I am wondering how many farmers in our area rely upon farming as their sole source of income. Would Statistics Canada be able to advise you? Many moons ago, I did Census work and had to provide a specific form for people who said that they were farmers. I imagine (but do not know for sure) that they would also list other sources of income. I believe that this is very relevant information and may sway people's decisions one way or the other.
2. Read your page (mostly)..a mostly residential tax base..with little industry to speak of, and the willingness to add some seems remote..therefore adding to the tax base using more residential areas seems to be the only way to go. It seems as though Shawnigan would be the largest stake holder in all of the future growth. The real questions are -- can we all become a separate regional district from the CVRD (scrd?) and work on the objectives..towards a more self governing body..as population increases ? What (how much) do we have to pay/what will it cost to leave and become a municipality..continuing costs** Also how much will it cost us if we stay, continuing costs ** Some percentages of tax monies used (for certain items) are rather vague (accountability) how can they be made more obvious ? Obviously allowing certain population densities..in certain areas is the only way to go but how do your get there if the province is the main player in that arena. Still to many questions I'm afraid..
3. Nice to see this happening,hoping it leads to us becoming a municipality. also we are in need of a community recycle centre for the southend, driving to bottle depot in north duncan or bings creek not working. ,judging by the amount of garbage dumped at our regional boxes. would like to see aall in one recycle centre (one stop) like some municipalities have .
4. I am in favor of creating a new municipality if it will reduce our property taxes at Shawnigan Lake.
5. Your chart showing how many reps each district have, could possibly be leading the public to believe that power of each district director have the same power, when in fact their votes are weighed, according to the population size they represent.
6. Has there been any attempt to bring in Cowichan Bay and that portion of Area "E" south of the Cowichan River? This would balance nicely with NC and be both manageable and less costly
7. Just wanted to say, that I don't think the south end is ready for incorporation. We don't have an industrial tax base and there isn't the population to support the services. Our taxes would sky rocket if we had to pay for roads, new town hall, and hire staff to duplicate all of the functions already provided. Maybe when Island Timberlands were to develop their 2000+ homes, or if Bamberton were to go ahead, but at this stage, I don't want my taxes to go up any further.
Thanks
8. The Mill Bay Incorporation Study Committee (MBISC) has been active in representing the community to review the potential for incorporation. The attached backgrounder shows that we are well established and have already persued many avenues of research in governance and consulted with the community.
9. We therefore ask the Steering Committee to grant us stakeholder status in the SCSGS so that a delegation from MBISC can meet with you for further discussion and share our views [Note: the MBISC request was accepted by the study committee and a meeting was held with that group]

10. I would like to comment on one thing that I think is important in regard to the Shawnigan area. In my view it is vitally important that the focus of all future planning and management for this part of south Cowichan must be the watershed. By watershed, however, I do not mean the entire Shawnigan creek system watershed. This is all that area of land that drains into Shawnigan Lake and South Shawnigan Creek. This is the area shown on the map on your website that came from the BC Water Resources Atlas. The critical watershed is the somewhat smaller area that drains into Shawnigan Lake only. I refer to this as the Shawnigan Lake watershed and to the area shown on your website as the Shawnigan Creek system watershed. There is a very simple reason that I believe it is the lake's watershed and not the entire creek system watershed that should be front and centre in any planning exercise and it is this: it is the water in the lake that is used by numerous households, farms and business as well as by persons boating, swimming and fishing in the lake. This water must be of the highest quality and is also the only part of the Shawnigan Creek drainage system likely to experience damaging and costly flooding in the event of extreme rapid run-off. If the water in the lake is of high quality, then the water in North Shawnigan Creek will be good also unless some toxins or pollutants enter the creek as the water flows from the lake to the sea. However, the stretch of creek from the lake to the sea is not, as far as I know, tapped into by any homes or businesses, so the quality of its water is less critical than is the quality of water in the lake itself. I am not suggesting that reckless and irresponsible activities on any part of the greater watershed are acceptable. They are not, but they are much less likely to have dire consequences for human health and wellbeing in that part of the watershed that drains into the N. Shawn Creek than the part that drains into the lake. In conclusion, I strongly suggest that you add to the maps on the website a map of the lake's watershed in order that people can see exactly what it looks like and so that they will be able to make the distinction between the lake's watershed and the creek system's watershed that I have described above.
11. In your survey why did you group CVRD with Improvement District? This is very disappointing as I know so many people are frustrated at CVRD but we get no complaints about the Shawnigan Improvement district. So if they don't like the CVRD in the survey the Improvement districts get the hit as well. Not well done!
12. Hi, I live in Shawnigan Lake and would like to know if South Cowichan was going to take part the the "Provincial Wood Stove Exchange Program" I understand the North Cowichan has joined and I would like to be able to take advance of this rebate program as well. We have an old wood burning stove that is approx. 20 year old and would like to replace it with one of the new CSA/ EPA-certified clean burning wood stove. Could you please let me know if this program will be coming to our district?
13. received the newsletter and I will send in the questionnaire. I own at shawnigan lake ...on the lake . I feel that the problems and complexities associated with the area warrent municipal status. I am mainly concerned with getting a water and sewage system for residents around the lake. and some very strict rules and regulations on pumping septic systems in the mean time I will vote for the separate shawnigan lake concept, mainly because of the focus it will give to the area, however, if the size of this area does not warrent municipal status, then the Combined concept would work for me Thanks for your efforts on this matter. Unfortunately I still live mostly in the Interior and cannot be much help in terms of volunteering.
14. Why are not Cobble Hill residents entitled to decide if they wish to join or not join with Mill Bay?
15. I would just like to thank you and the committee for doing such a professional job both in the information content and the website.
16. From the Mill Bay Incorporation Steering Committee (reformatted here): Our committee attended your public information meeting in Mill Bay on May 16th and was troubled to hear that there were very few responses to your preliminary survey in March 2009. We have held several open houses and public meetings in the Mill Bay community since 2007 and found that there was considerable interest in looking at alternative governance models. As well, we attended the Cobble Hill public information meeting on May 21st and noted that quite a few of the audience claimed that the low survey numbers reflected a lack of community interest in any change to the CVRD status quo. Because of our concern that the community was not showing interest in the Study, (contrary to our previous experience) the Committee set up an

information table outside Thrifty Foods in the Mill Bay Plaza all day on Sunday May 24th to make certain that as many people as possible were aware of the second survey in your May Newsletter #2. You will be aware that this location is the commercial heart of the community, with hundreds of people passing by for grocery shopping. By the end of the day, it was clear that the community is very interested in local government and possibly changing to a municipal model. In 6 hours we spoke to over 200 people: 35 surveys were completed at the table (these will be dropped off at the library); about 190 people were in favour of a phase two study and about 20 people were against any further studies. Many in the community commented that they had not seen either newsletter #1 or #2 and were not aware that surveys were being taken. This may well account for the very low number of surveys completed in March. Short of mailing a survey to each household or spending countless hours in a public space, there does not seem to be an effective but inexpensive method of informing the community. Our committee therefore urges you to reflect the community's interest and recommend a phase two study be carried out.

17. Your survey says it is open till May 26 this is. On your survey we wish to say we'd like the Seperate Shawnigan Lake concept. ALSO No to a Phase 2 Study. We live at (address withheld).

Appendix 4: Results of the March 2009 Survey on Services and Governance

Overview

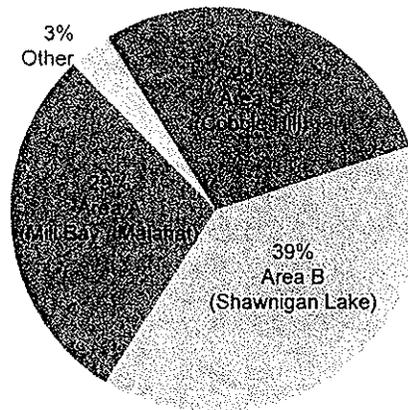
An informal on-line survey about local governance and services was posted on the website for the month of March 2009. It was intended as a tool to help identify issues and comments, not as a scientifically valid assessment of public opinion.

No attempt was made to block multiple responses from the same IP address, but a review of all the IP addresses reveals that there were few repeat addresses. Of course, some duplicates are to be expected because two household members might use the same computer, and since each has a valid right to take the survey, the repeated IP address can't be assumed to be abusive of the process.

Overall, the response rate was weak, as only 59 responses were recorded. The household response rate works out to a maximum of 1.2%. This is disappointing, as over 5000 flyers advertising the survey were sent out to area households; in addition, the survey was mentioned at each of the three public meetings, which drew a total of about 150 attendees. Note that two responses were from residents of Cowichan Bay, which lies outside the study area, and so are excluded from the analysis of results, leaving 57 responses from residents of the study area. There were no responses from three First Nations residents.

The location of the responders generally reflects the overall population distribution by area. For example, Area A and Area C have about the same population, and both have less than Area B, and this is also true of the survey responders.

Where Survey Respondents Live



Note: The 2 "Other" responses were from Cowichan Bay residents and are excluded from here on

Local services that need improvement

The first section of the survey asked people to identify which local services and functions need improvement from a list of eighteen. Multiple selections were allowed.

Road maintenance tops the list in all three electoral areas, followed by land use planning and building regulation/enforcement.

Each Area's Top 5 Services and Functions That Need Improvement

	Area A	Area B	Area C	Top 5 for 3 areas combined	Local control as a municipality compared to current model
Policing	✓		✓		Stronger (if over 5000)
Building/zoning bylaw enforcement	✓	✓	✓	✓	Slightly stronger as munic.
Regulation of activities on the water		✓			Slightly stronger as munic.
Parks and recreation			✓		Generally same as current
Planning (zoning, Official Community Plan, etc)	✓	✓	✓	✓	Generally same as current
Subdivision control		✓	✓	✓	Stronger as municipality
Road maintenance (surface, snow removal, etc)	✓	✓	✓	✓	Stronger as municipality
Drainage and ditches (storm water runoff, etc)			✓		Stronger as municipality
Watershed protection (forestry, tree cutting, etc)	✓	✓	✓	✓	Generally same as current
Local water distribution system			✓		Stronger as municipality

Includes ties

Votes for Local Services and Functions That Need Improvement

	Area A	Area B	Area C	All 3	Rank
Admin. (CVRD + Improvement Dist.)	8	6	2	16	11
Policing	9	6	4	19	8
Fire protection	2	4	0	6	18
Animal control	2	3	3	8	16
Noise bylaw enforcement	1	9	2	12	14
Building/zoning bylaw enforcement	10	11	7	28	3
Regulation of activities on the water	2	11	2	15	12
Burning bylaw + enforcement	2	3	3	8	16
Parks and recreation	8	5	4	17	10
Planning (zoning, Official Community Plan, etc)	10	11	9	30	2
Subdivision control	8	11	4	23	5
Road maintenance (surface, snow removal, etc)	12	16	10	38	1
Drainage and ditches (storm water runoff, etc)	4	10	6	20	6
Watershed protection (forestry, tree cutting, etc)	9	11	4	24	4
Water supply and quality	8	9	2	19	8
Local water distribution system	2	7	4	13	13
Sewage management/regulation	7	10	3	20	6
Garbage collection/recycling	4	3	2	9	15
Other (please specify)					
Tree removal on CVRD property	1			1	19
Better provincial funding for local improvement	1			1	19
More developer funds for community facilities/services	1			1	19
More political clout (from a larger collective)	1			1	19
More say in broader geographic facilities	1			1	19
Street lights		1		1	19
Adult oriented community functions		1		1	19
None need improvement - all are fine as is		1		1	19
Lower garbage disposal cost (need local site)		1		1	19
Provision of sidewalks			1	1	19
Better bus service			1	1	19

Excludes 2 responses from Cowichan Bay residents

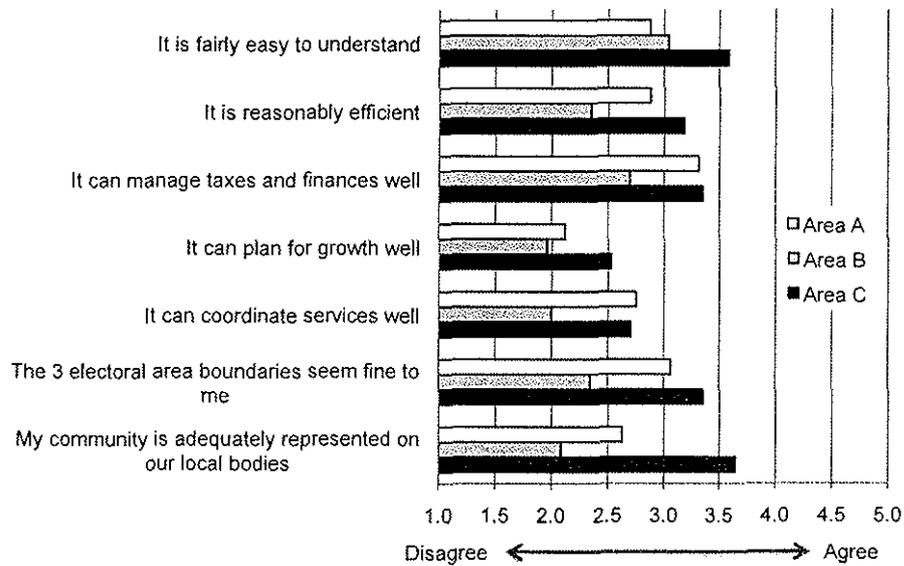
Agreement with statements about the current local government model

Section 4 of the questionnaire asked people how much they agree with certain statements about the current local governance model. The five choices, and their weights, were:

- Strongly agree (5 points)
- Somewhat agree (4 points)
- Neutral (3 points)
- Somewhat disagree (2 points)
- Strongly disagree (1 point)

On average, Area C residents gave the current model a passing grade (3.2 out of 5), whereas Area A and Area B respondents gave it a below average grade (2.8 and 2.4 respectively).

Average Agreement with Each Statement (3 = neutral)



The table below shows the total counts for each statement, by area.

Agreement with Each Statement about the Current Model, By Area

It is fairly easy to understand	Area A	Area B	Area C	All 3
Strongly agree	3	4	3	10
Somewhat agree	1	7	6	14
Neutral	5	2	6	13
Somewhat disagree	5	6	2	13
Strongly disagree	2	4	0	6
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	2.9	3.0	3.6	3.2

It is reasonably efficient	Area A	Area B	Area C	All 3
Strongly agree	1	2	1	4
Somewhat agree	5	4	4	13
Neutral	3	1	9	13
Somewhat disagree	5	9	3	17
Strongly disagree	2	7	0	9
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	2.9	2.3	3.2	2.8

Cont'd ..

... continued

It can manage taxes and finances well	Area A	Area B	Area C	All 3
Strongly agree	2	2	2	6
Somewhat agree	5	5	5	15
Neutral	5	4	7	16
Somewhat disagree	4	8	3	15
Strongly disagree	0	4	0	4
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	3.3	2.7	3.4	3.1

It can plan for growth well	Area A	Area B	Area C	All 3
Strongly agree	0	2	0	2
Somewhat agree	2	1	2	5
Neutral	4	1	7	12
Somewhat disagree	4	9	6	19
Strongly disagree	6	10	2	18
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	2.1	2.0	2.5	2.2

It can coordinate services well	Area A	Area B	Area C	All 3
Strongly agree	1	2	1	4
Somewhat agree	3	2	3	8
Neutral	5	1	7	13
Somewhat disagree	5	7	2	14
Strongly disagree	2	11	4	17
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	2.8	2.0	2.7	2.4

The 3 electoral area boundaries seem fine to me	Area A	Area B	Area C	All 3
Strongly agree	4	3	2	9
Somewhat agree	2	4	7	13
Neutral	3	2	4	9
Somewhat disagree	5	3	3	11
Strongly disagree	2	11	1	14
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	3.1	2.3	3.4	2.9

My community is adequately represented on our local decision-making bodies	Area A	Area B	Area C	All 3
Strongly agree	3	2	7	12
Somewhat agree	1	3	3	7
Neutral	4	2	2	8
Somewhat disagree	3	4	4	11
Strongly disagree	5	12	1	18
Total responses	16	23	17	56
Average (Strongly disagree=1 ... Strongly agree=5)	2.6	2.1	3.6	2.7

All seven questions combined	Area A	Area B	Area C	All 3
Strongly agree	14	17	16	47
Somewhat agree	19	26	30	75
Neutral	29	13	42	84
Somewhat disagree	31	46	23	100
Strongly disagree	19	59	8	86
Total responses	112	161	119	392
Average (Strongly disagree=1 ... Strongly agree=5)	2.8	2.4	3.2	2.7

Affinity among other neighbourhoods

Two survey questions dealt with how residents feel they relate to other neighbourhoods. The first asked where their main day-to-day shopping area is. A clear majority (71%) said their main centre is within the study area (that is, Mill Bay, Shawnigan Lake, or Cobble Hill), with Mill Bay being the most cited.

- Of the three main housing areas, the Cobble Hill residential neighbourhood showed the lowest in-area rate (64% cited in-area shopping), which is not surprising given its closer proximity to Duncan. Over 85% of the responses from the Mill Bay and Shawnigan Lake residential areas indicated that their main shopping centre is within the study boundary (mainly Mill Bay).
- Respondents from both Cobble Hill North and Shawnigan Lake North indicated strongly that their main shopping areas lie outside the study area.

The second question asked which neighbourhood residents feel they have the most in common with.

- The bulk of Cobble Hill respondents (that is, those living in the main Cobble Hill residential area) showed slightly more affinity with Mill Bay than with Shawnigan Lake.
- More Mill Bay respondents (that is, those living in the main Mill Bay residential area) indicated more affinity with Shawnigan Lake than with Cobble Hill.
- More Shawnigan Lake respondents (that is, those living in the main Shawnigan Lake residential area) showed equal affinity with both Mill Bay and Cobble Hill.

Main Day-to-Day Shopping Areas for Residents of the Study Area

Where respondents live ↓	No. of respondents	Main shopping area identified by respondents							Pct who view study area as main shopping area
		North of Cobble Hill (Duncan, etc)	Cobble Hill	Shawnigan Lake	Mill Bay	Malahat	South of Malahat (Langford, etc)	No answer	
(A) Cobble Hill North (Judge Rd)	3	2	0	0	1	0	0	0	33%
(B) Cobble Hill Farm area	3	0	1	0	2	0	0	0	100%
(C) Cobble Hill residential area	11	3	2	0	5	0	1	0	64%
(D) Mill Bay North farm area	1	0	0	0	1	0	0	0	100%
(E) Mill Bay residential area	14	2	0	0	11	0	0	1	85%
(F) Bamberton area	1	0	0	0	1	0	0	0	100%
(G) Malahat area	1	0	0	0	1	0	0	0	100%
(H) Shawnigan Lake north area	5	3	0	0	1	0	1	0	20%
(I) Shawnigan Lake residential	14	1	4	1	7	0	1	0	86%
(J) Shawnigan Lake farm area	1	1	0	0	0	0	0	0	0%
(K) Far west forestry area	1	0	0	1	0	0	0	0	100%
(L) South part of Shawnigan	2	0	0	0	1	0	1	0	50%
Totals	57	12	7	2	31	0	4	1	71%

Neighbourhoods That Residents Feel They Have Most in Common With

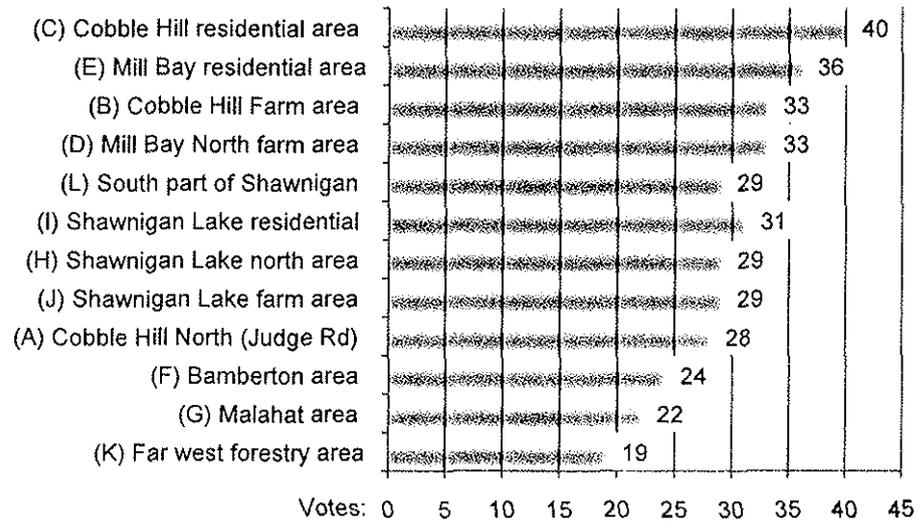
Where respondents live ↓	No. of respondents	Areas that respondents feel they have most in common with							Pct of respondents who cite another part of the study area
		North of Cobble Hill (Duncan, etc)	Cobble Hill	Shawnigan Lake	Mill Bay	Malahat	South of Malahat (Langford, etc)	No answer	
(A) Cobble Hill North (Judge Rd)	3	1	0	1	1	0	0	0	67%
(B) Cobble Hill Farm area	3	0	1	0	1	0	0	1	100%
(C) Cobble Hill residential area	11	1	0	2	4	0	1	3	75%
(D) Mill Bay North farm area	1	0	0	0	0	0	1	0	0%
(E) Mill Bay residential area	14	2	2	6	2	1	1	0	79%
(F) Bamberton area	1	0	0	1	0	0	0	0	100%
(G) Malahat area	1	0	0	0	1	0	0	0	100%
(H) Shawnigan Lake north area	5	1	2	1	0	0	1	0	60%
(I) Shawnigan Lake residential	14	1	5	0	5	1	1	1	85%
(J) Shawnigan Lake farm area	1	0	0	0	1	0	0	0	100%
(K) Far west forestry area	1	0	0	1	0	0	0	0	100%
(L) South part of Shawnigan	2	0	0	0	1	0	1	0	50%
Totals	57	6	10	12	16	2	6	5	77%

Components of a municipality

The last question with choices asked which areas should be included in a municipality if one were to be created. The survey preamble made it clear that expressing a preference for boundaries was not an endorsement of municipal status -- merely that if a municipality were to be formed, which neighbourhoods should be included in it.

- A total of just over 350 votes were cast for all the neighbourhoods combined. The top four, and the only ones to receive over 30 votes each, were:
 - Cobble Hill residential area (40 votes)
 - Mill Bay residential area (36 votes)
 - Cobble Hill farm area (33 votes)
 - Mill Bay North farm area (33 votes)
- A majority of respondents from only one neighbourhood -- Shawnigan Lake North -- said they didn't want their area to be in a municipality if one is formed, and respondents from Shawnigan Lake South were evenly split on whether their neighbourhood should be in a municipality if one is formed.
- A majority of respondents from all the other neighbourhoods said their neighbourhood should be in a municipality if one is created.
- Respondents from the big three housing areas strongly indicated that their area should be in a municipality if one is created: 73% of Cobble Hill respondents, 71% in Mill Bay, and 86% of Shawnigan Lake respondents.
- The weakest support was for including the far west forestry area, Malahat, and Bamberton.
- The survey included the three First Nations reserves in the choice list, but since reserves lie outside local government jurisdiction and are not part of municipalities, votes for these three areas have been excluded from the tallies.

Votes for Areas That Should be in a Municipality If One Is Formed



Comments from respondents

The survey form provided a free-form comment area. Two comments have been excluded because they were submitted by residents outside the study area (both respondents felt that Cowichan Bay should be part of the study). There were 29 submissions from study area residents. The comments can be categorized by topic as follows in descending order. There are more than 29 because some submissions referenced multiple topics.

- Comments about boundaries 7
- Comments about issues with local services 7
- Support for municipal status 7
- Comments on miscellaneous topics 7
- Do not want a municipality 6
- Issues with the study, survey or website 3
- Need for farm protection 2

The unedited comments are listed below in their entirety (though names have been excluded).

1. *The sooner the better for a municipality*
2. *Septic tanks work fine; leave well enough alone*
3. *Cowichan Bay should be included.*
4. *Read the detailed description of what is now and what could be later (political status) Exciting read - and that's saying something ! (oops - Yawn) Yes there is something lacking - to become more efficient and more locally accountable. Are we due for a south cowichan regional district OR something more meaningful ? It would be nice if things got better and the cost was at least the same. I have a relation that works for the BC. Gov. who handles and recommends practices and allocation of funds in this very area..(I know nothing of this) But it seems that the time could be right for looking forward. Regional policing would be a good idea versus the Federal Gov./RCMP, perhaps the more local service could be a more personable and familiar service.*
5. *For question #7, see if there is any interest from residents of the Cowichan Bay Area, say north to the Koksilah River (below Cowichan Station) Bigger is not necessarily better: "Cut-off pockets" would create problems - eg exclusion of farm land. Included "K" to "ensure" influence over future development - future site of a managed municipal forest might be a goal. Farm land taxation concerns need to be addressed throughout the plan.*
6. *We are happy with most services except two - land development and parks planning. The development approval process and parks planning processes are very confusing and cross provincial and regional jurisdictions. This results in a lot of finger-pointing re accountability*

- for planning. Constituents have trouble getting information or being proactively consulted on any matter. As a case in point, whenever I ask my hard-working director re commercial development in Shawnigan Lake townsite, he does not know the answers as they were provincially approved projects. As another example, the CVRD maps showed that the woodlot areas by Shawnigan Lake Provincial Park were parkland, yet it was legally logged recently to the surprise of residents since BC Forests had not reclassified the land as protected parkland. We feel that strong bylaws need to be set and enforced to protect special areas. New and future land developers should have clear due process that they must follow to involve and enhance the community that they are impacting. We agree that municipal planning could be an improved approach for our area. We feel that our streets - Filgate, Peerless, Shinrock and Steinway make more sense to be part of Cobble Hill rather than Shawnigan districts but do not have any strong preferences, as long as we can be proactively consulted and get information on any development planning in a better manner than today's processes...
7. Many people settled in this area because we liked the rural atmosphere, while still being close to all amenities. Now when we have invested our money to live in the circumstances that suit our lifestyle, I think it is unfortunate to get the rug pulled out from under us.
 8. First Nation Reserves should be governed by their own elected councils, unless they vote to join and participate in a municipality.
 9. We do not have adequate say in how we govern our community. The answer to appropriate representation is a south Cowichan Municipality.
 10. Shawnigan Lake is poorly managed for bylaw enforcement, water quality and cumulative impacts of growth, development and industrial activity in the watershed. Wake boats are eroding the shoreline and destroying wharves. Prohibited unmuffled boats are still active on the lake and after hour drinking and partying on the lake are still prevalent in summer months. Remote and isolated subdivisions are ill-considered for sustainability and services affordability. Sewage treatment in new subdivisions questionable given the proximity to the lake and the reliance on "professionals" as opposed to government regulation.
 11. Thought Nations were already included as a group with reps in CVRD.
 12. The map was very confusing. One map with the boundaries drawn in would have made things a lot easier. I know municipality status would cost us but it would also put a stop to some of the haphazard development. The Ministry of transportation really could not care less what the unscrupulous developer does to the existing neighbourhoods. Also it would give us a chance to build and maintain our own recreational facilities like Kerry Park and hopefully in the future a pool, rather than paying double after a 20km drive.
 13. It raises the question of Cowichan Bay and Glenora, which ought also to be incorporated, and should be either in Duncan or "South Cowichan", and not be a separate municipality. Under the present system, some services are not provided at all [eg drainage]. We need a better handle on land use - regional directors have too much influence.
 14. Mill Bay is growing like crazy and some more services, shopping/pool would be great.
 15. Mountain road residents would like to be out of our area, I see this as reasonable
 16. No incorporation, incorporation is not a good thing we are totally against it.
 17. The large tracts of farm land should not be considered to be part of any proposed municipality. Our farm land is considered one of the best in BC, if not the best. A municipality, if created will place enormous pressure of development of all vacant land to increase the tax base. Cowichan Bay is an excellent example of development out stripping the water supply and the road infrastructure.
 18. You will note I did not answer question 7. My arrea is located north of the Koksilah River and should not be part of this survey or any Community/Municipality considered as a result of this review. My property and my neighbours who live north of the river should be in Electoral Area E. his patchwork of a community needs help. I admire and support your efforts.
 19. I don't want a municipality.
 20. I am not in favour of Municipality status for Cobble Hill. I feel that whether municipality or Regional District, representation is largely dependent on the quality of the director or councillor. I feel we have been well served by our current director. During the recent information meetings, I felt the presenter was somewhat biased toward the municipal model. In addition, the information was presented as a comparison of the two systems as an either/or;

whereas it is my understanding that if we were to go to the Municipal model, we would still be governed by the Regional District as in North Cowichan and Victoria (13 municipalities and the CRD). This web site needs to be re-designed. It is almost impossible to locate the survey information as it is hidden behind large block letters on the opening page. In fact, I have spoken with several people who were under the impression (as were we) that the survey was not available as it cannot be easily seen on the page. Thank you.

21. I believe one larger Municipality would provide better services all around. Fire, Police, Snow Removal, Growth, etc. It would also give the area more influence with both the Provincial and Federal forms of Government, in that grants are given to larger communities before small ones such as what we have in place now. I would like to see Police more active in stopping those drivers who think it is OK to drive on the wrong side of the street. Case in point Mailboxes at bottom of Terrace Rd. Very often I see cars pulled in and parked going the wrong way on the street so people can go to their mail box without actually crossing the street. I personally have been cut off by drivers pulling out onto the road without a thought to other vehicles on the road. Put up No Parking signs in winter so that snow can be removed from residential streets. This past winter there were many days that if someone had an emergency situation aid would not have been able to reach them because of snow on the streets.
22. I believe that we need to start with Mill Bay being incorporated and then have the flexibility to allow other communities to join our new municipality of "South Cowichan" when they are ready. We need a new and neutral name like South Cowichan to be inclusive of Cobble Hill, Shawnigan Lake, etc. if they decide to join us. I do not want to see several small municipalities like Victoria had for years with the duplication of essential services not communicating (eg police forces).
23. A municipality gives greater say to the residents and also gives more funding opportunities. We have to accept that the population in this area is going to increase. That is a given since there is very little room left near Victoria. Rather than have everything be decided by the province and funds from developers go to the province, a municipality would benefit and give greater local control. Funds from those developers could go to the community for, among other things, better parks, pathways and recreational improvements.
24. We feel that the whole South Cowichan area would be better served by a larger, inclusive body that represents ALL stake holders in the region, not hampered by petty bickering and NIMBYism and not largely controlled by one interest group, thereby ensuring reasonable, responsible growth that maintains/provides a wide range of housing/commercial/recreational options, and protects park and wilderness areas.
25. This is NOT a user friendly web-site. Most of the maps did not come up as requested and some could not be accessed at all. if you are going to do an important survey like this, get someone who knows how to create user-friendly web-sites and expand your survey questions. Having to refer back to the maps continually on the last question #7 was a nuisance.
26. Proper functioning of the lake's watershed is of vital importance to all residents whose homes, farms and businesses rely on water from the lake. The watershed is not managed as a planning unit and is therefore deteriorating as a result of timber harvesting and other human activities within its boundaries. In order to ensure first-class watershed management, the best municipal boundaries should be the watershed boundaries on the south, east and much of the west with some deviation based on the community to which residents most strongly identify on the north and north-west. By watershed I mean the lake's watershed, not the larger Shawnigan creeks system watershed. (Your website map shows the larger watershed.) The need to protect lands draining into North Shawnigan Creek is far less important than the need to protect the lands draining into the lake as it is the lake and not the N. Shawn. creek that is relied upon as a water source for thousands of households.
27. The lack of any enforcement of the building and zoning regulations is appalling. I would hope that a move to municipal status would improve this situation by enforcing the current regulations.
28. I think that because I live in the community of Arbutus Ridge, there is NO advantage to being in an incorporated municipality. Since we have our own water and sewer system there is no need for these type of services in other areas. We also do not require any planning or re-zoning needs since the community is already an approved and planned entity on its own. We have our own garbage, recycling, snow clearing and road maintenance program and again

this is done in a more timely and cost efficient manner than in other parts of the area. I am quite sure any form of incorporation would create a duplication of taxes in our area. We are a big enough area (600 plus homes) to be considered an "exclusion" from any form of municipal incorporation.

29. *My taxes decreased last year but every other municipal tax rate increased. We have the spectacle of North Cowichan ripping off the Crofton pulpmill at 46 times the residential tax rate and I don't want local politicians doing the same in our area. I am very happy with the services I currently get. As well, all studies point to the LEAST responsible taxation authority in BC as local government-taxes go up and wages of municipal employees increase every year without fail-huge salaries are paid to administrators and workers and I don't want to be part of any new taxation structure that taxes far in excess of growth or has benefits to employees far in excess of what most taxpayers have-CUPE is the biggest beneficiary of this scam -see the CTF study on municipal spending in the past 10 years. Why do most of the public buses run empty in this area-because its run by municipal politicians who don't care about taxpayers, are not accountable and are being driven by union workers.*

Appendix 5: Newsletters

Three household newsletters were sent out in the course of the study.

- January 2009: A 4-page flyer sent to all post office addresses via unaddressed ad mail; it was also distributed as an insert to the News Leader Pictorial.
- March 2009: A 1-page flyer distributed as an insert in the News Leader Pictorial newspaper.
- May 2009: A 4-page flyer sent to all post addresses via unaddressed ad mail.

South Cowichan Services and Governance Study

Newsletter #1 January 2009

A look at local governance

We are starting a review of local governance and services in South Cowichan. The study area includes Cobble Hill, Shawnigan Lake, Mill Bay, Malahat, and areas to the west. This is the first newsletter. Visit www.SouthCowichanGovernance.ca for much more.

Who we are

We are a volunteer group of local residents representing various neighbourhoods in South Cowichan.

South Cowichan Services and Governance Steering Committee
David Towner, Chair (Mill Bay)
Heather Broughton, Vice Chair (rec'n services representative)
Dave Balding (fire services representative)
Bob Brooke (Cobble Hill)
Sarah Fraser (Shawnigan Lake)
Paul Laraman (Mill Bay)
Jens Liebgott (water systems representative)
Tim Parker (Shawnigan Lake)
Robert Smethurst (Cobble Hill)
Gordon Smith (Cobble Hill)
Margaret Symon (Shawnigan Lake)
Mark Wyatt (Mill Bay)
Cowichan Valley Regional District directors (ex officio):
- Brian Harrison (Area A - Mill Bay/Malahat)
- Ken Cossey (Area B - Shawnigan Lake)
- Gerry Giles (Area C - Cobble Hill)
Invited First Nations: Cowichan Tribes, Pauquachin First Nation, and Malahat First Nation

Using a grant from the Ministry of Community Development, the Committee has retained an independent team working under Tom Reid of Sussex Consultants Ltd. to assemble technical information, present it for public discussion, and discuss alternative boundaries and forms of governance if a further study is undertaken.

Why do this?

A number of factors lead to the question of how best to manage our community. First, size: Electoral areas A, B, and C now have over 16,000 year-round residents. Second, we have a complex array of local services and agencies, including multiple fire and water departments. Third, we could be facing significant new growth, as

plans either approved or under consideration could add over 10,000 new residents in the next 10-20 years.

What do residents think about our current governance model? Is it the most appropriate way to deal with services and community policies? Is municipal status an option that should be considered? The study will address these matters, starting with an explanation of how the current model operates.

Public information

We will be holding information and discussion meetings in February (see below) as well as in late Spring. All our work can be seen on our website

(www.SouthCowichanGovernance.ca), so please visit it.

Our committee meetings are open to the public and you are welcome to attend and observe (check our website for meeting details). You can contact us three ways:

- Directly through a form on our website
- Email us at AskUs@SouthCowichanGovernance.ca
- Write to us: SCSGC c/o David Towner, Chair
1739 Sandy Beach Road
Mill Bay, BC V0R 2P4

**Please come to one of our information meetings!
Each meeting is open to residents of all areas.**

Date	Place	Time
Sat., Feb 7th (2 meetings)	•10 AM-noon •1-3 PM	• Shawnigan Lake Comm. Centre lounge • Cobble Hill Hall
Sat., Feb 14th	10 AM - noon	Frances Kelsey Theatre

Do we have to change?

No. This is only a study. If changes are sought, there would be additional consultation. If a municipal option is pursued, there would have to be a referendum in the affected area for the change to happen.

What are we now?

South Cowichan is an *unincorporated* community (that is, it is not incorporated as a municipality). It operates under a system of mixed government bodies and agencies. Some of these are very “local” bodies, serving just South Cowichan or even just smaller parts of it. Some bodies serve an area far larger than South Cowichan. These local service providers can be broken into five groups.

- The Province of BC
- The Cowichan Valley Regional District
- Improvement districts
- First Nations
- Private utilities.

The Province of BC

The Province has many roles that affect all communities, such as health services, courts and public safety, fiscal policies, major highways and ferries, and education, to name only a few. Many of them affect local government, such as the BC Assessment Authority and the Municipal Finance Authority, but they generally are not related to whether a community is a municipality or not.

However, there are several functions that warrant a separate listing in the context of this study because they are direct “local” services in unincorporated areas that would be affected if South Cowichan were to become a municipality. Some key ones are as follows.

- **Property tax collection:** The Province collects all the property taxes in unincorporated areas and distributes them to the appropriate agencies, including regional districts. It also levies its own tax, called the provincial rural tax, which doesn’t exist in a municipality (just as the municipal tax doesn’t apply in unincorporated areas).
- **Property tax shifting:** The Province sets the ratios between residential and commercial property tax rates in unincorporated areas.
- **Local road maintenance:** The Province uses a private contractor (Mainroad) to maintain local roads outside municipalities.
- **Subdivision approval:** A provincial employee serves as the approving officer in unincorporated areas.
- **Policing:** The Province provides policing to unincorporated areas (and small municipalities) under its contract with the RCMP.

The Cowichan Valley Regional District

The broadest local government in the study area is the Cowichan Valley Regional District, made up of four municipalities and nine unincorporated areas. The study boundary consists of three of these areas: Electoral Area A (Mill Bay/Malahat), Area B (Shawnigan Lake), and Area C (Cobble Hill). All electoral areas have their own director on the Regional Board, so the study area is

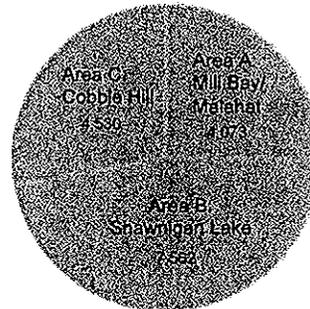
Learn more at www.SouthCowichanGovernance.ca

represented by three of the fifteen Board members (North Cowichan has three directors). The CVRD sets the budgets and taxes for each function; the Province collects the taxes for the CVRD.

The CVRD’s functions can be broken into three types:

- Regional or sub-regional services provided to and funded by *multiple members*, including municipalities. Examples include transit, 911, regional parks, recreation and recycling.
- Services provided to and funded by only the *electoral areas*, like zoning, community plans, building inspection, community parks, and bylaw enforcement.
- Limited area services provided to and funded by *parts* of electoral areas, such as the Malahat fire department, Kerry Village water, Maple Hill sewer, and Shawnigan Lake water and sewer.

Where
South
Cowichan's
16,000
people live



Improvement Districts

These are basic forms of local government with limited authority. Each has its own elected Board of Trustees (usually three or five). There are eleven in the study area.

- Three are large (Shawnigan fire, Mill Bay fire, and Cowichan Bay fire), with over 2,500 properties.
- One is medium sized (Mill Bay water), with 720 properties.
- The rest, all water services, are much smaller, ranging from 15 to 265 properties.

First Nations

There are three First Nations reserves in the area (Cowichan Tribes, Pauquachin, and Malahat First Nations). As independent jurisdictions with their own authority, reserves are not subject to local government regulations and controls under either the municipal or the electoral area models.

Private utilities

The study area has numerous private companies that provide what might be called “municipal-type” services.

Most are limited-area water providers. The largest, at Arbutus Ridge, serves over 600 customers; the smallest serves under 20. In addition, strata corporations would also fall under this description since they often provide municipal-type services like road maintenance within their boundaries and recreation facilities for their own members' use. Private utilities and strata corporations are not affected by local government status.

Key local functions

Here is a summary of who is responsible for selected community services, regulations and policies in the area.

Function / Service	Who is responsible
Zoning bylaws	Regional Board
Official community plan bylaws	Regional Board (but bylaws also need provincial approval)
Subdivision approval	Province (but referred to Regional Dist.)
ALR designation	Agricultural Land Commission
Building permits + inspect	Regional District
Unsanitary premises bylaw	Regional Board
Library services	Vancouver Island Library District
911 Phone service	Regional District
Emergency planning	Regional District
Economic develop.	Regional District
Regional parks	Regional District
Solid waste complex	Regional District
Recycling	Regional District
Garbage collection	Up to owners (CVRD in small part of B)
Transit	CVRD via BC Transit
Community parks	Mainly CVRD
Recreation facilities	Mainly CVRD
Policing	Province via RCMP
Fire protection	CVRD and 3 improvement districts
Sewage collection and disposal	Mainly individual owners, with limited CVRD service areas
Water systems	Mixture of CVRD, improvement districts, and private utilities
Drainage	Mainly Province (roadways only)
Highway maintenance	Province via contractor
Local roads	Province via contractor
Watershed protection	Mainly Province (with some RD controls)
Water quality regulations	Province
Property tax collection	Province
Property tax ratios	Province

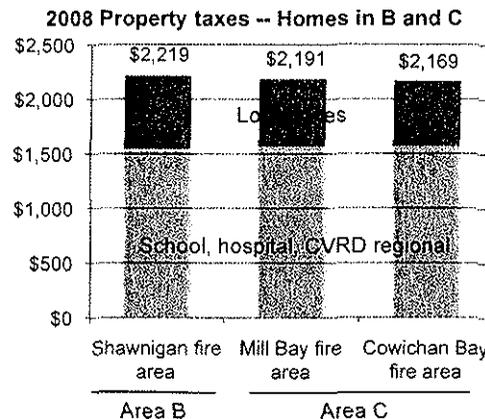
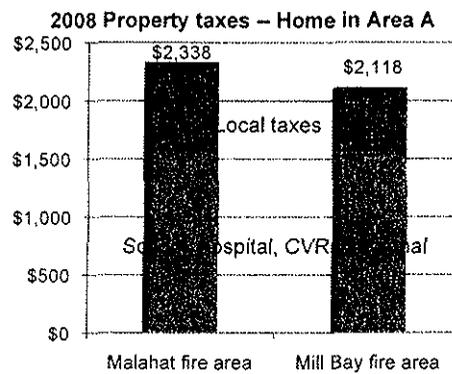
Political representation

Who sets community policies and regulations? A mixture of bodies. In terms of "local" government these include the Regional District Board, the various improvement districts, and, because it provides several municipal-type local services, the Province of BC. Study area voters directly elect three CVRD directors and 47 improvement district trustees who set service levels, budgets and community policies.

Property taxes

Your property taxes depend on two main things: your assessed property value and where you live. Your location determines the array of services you pay for and thus the tax rates that are applied to your assessed value. Because of the complex and multiple layered service boundaries in the study area, there are many different individual taxation areas within the three electoral areas.

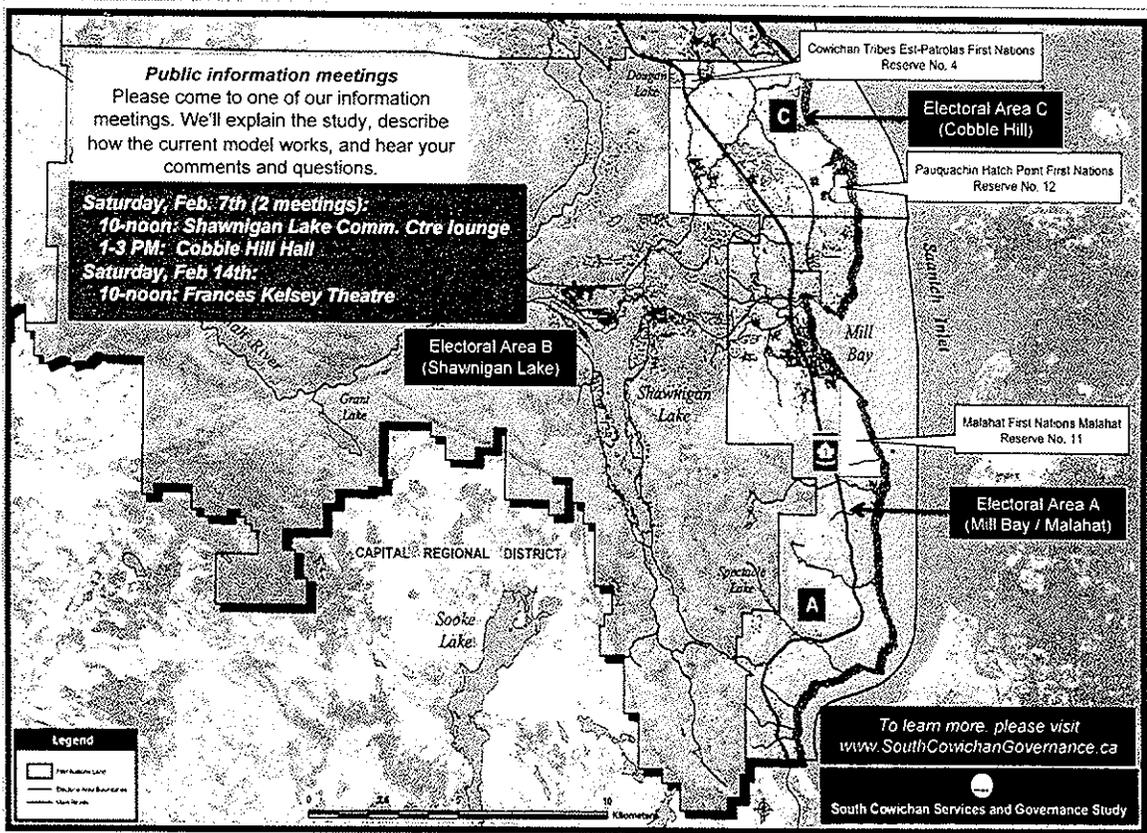
However, the following shows the 2008 taxes on a \$400,000 residential property (the 2008 average) in selected areas. These represent the vast majority of properties.



Note: Charts exclude street light, water and sewer charges and home owner grant; taxes are based on the average residential property assessment of \$400,000 in 2008.

Please participate!

There's a lot more to learn on our website, so please visit it. And we need to hear your questions and comments, so please come to our public meetings and participate in the discussions. Your views matter!



South Cowichan Services and Governance Study

We need to hear your views!

As part of our look at local services and governance, we've put a short survey on our website (www.SouthCowichanGovernance.ca) that we'd like you to see. The questionnaire asks a few simple questions about local services and governance in South Cowichan.

- Which local services you think need improvement?
- How do you think the current system of government is working?
- Which neighbourhoods share similar values?
- Which neighbourhoods would make the most appropriate municipality if that's what voters approved? (This is a hypothetical question, of course, because no referendum is planned, and a formal referendum must be held in order to create a municipality.)

By completing our questionnaire, you are not saying you support municipal status!

If you can't get to a computer, or know someone who can't, we'll mail you a questionnaire. Simply send a note to: SCSGC c/o David Towner, Chair
1739 Sandy Beach Road
Mill Bay, BC V0R 2P4

Who we are

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Jens Liebgott (water systems representative)
Tim Parker (Shawnigan Lake)
Robert Smethurst (Cobble Hill)
Gordon Smith (Cobble Hill)
Mark Wyatt (Mill Bay)

Why do this?

A number of factors lead to the question of how best to manage our community. South Cowichan now has over 16,000 residents, and growth and development could double our population. Our tax levels continue to rise. And our local services and administration are becoming more and more complex.

What do residents think about our current governance model? Is it the most appropriate way to deal with services and community policies? Is municipal status an option that should be considered? Our study addresses these matters.

Our work could lead to a municipal referendum, but no commitment has been made to request a referendum or prepare the impact analysis required before a referendum could be held. Municipal status would require the assent of the voters, if things get that far.

Learn more at www.SouthCowichanGovernance.ca

South Cowichan Services and Governance Study

Newsletter #2 May 2009

Our second newsletter

In our look at local governance and services, we have developed some boundary options for further study — if things get that far. We'd like to hear your views on them, so please look at Page 3. Visit www.SouthCowichanGovernance.ca for much more.

Mark your calendar and attend these important meetings! It's a great opportunity to give your input on South Cowichan's services and governance.

Public information meetings

Saturday, May 16 (2 meetings)	11 AM - noon	Shawnigan Lake Community Centre
	1:30-2:30 PM	Frances Kelsey Theatre
Thursday, May 21	7:30-8:30PM	Cobble Hill Hall

Who we are

We are a volunteer group of local residents representing various neighbourhoods in South Cowichan.

South Cowichan Services and Governance Steering Committee
David Towner, Chair (Mill Bay)
Heather Broughton, Vice Chair (rec'n services representative)
Dave Balding (fire services representative)
Bob Brooke (Cobble Hill)
Sarah Fraser (Shawnigan Lake)
Paul Laraman (Mill Bay)
Jens Liebgott (water systems representative)
Tim Parker (Shawnigan Lake)
Robert Smethurst (Cobble Hill)
Gordon Smith (Cobble Hill)
Margaret Symon (Shawnigan Lake)
Mark Wyatt (Mill Bay)
Cowichan Valley Regional District directors (ex officio):
- Brian Harrison (Area A - Mill Bay/Malahat)
- Ken Cossey (Area B - Shawnigan Lake)
- Gerry Giles (Area C - Cobble Hill)
Invited First Nations: Cowichan Tribes, Pauquachin First Nation, and Malahat First Nation

Using a grant from the Province of BC, the Committee has retained an independent team working under Tom Reid of Sussex Consultants Ltd. to assemble technical information and present it for public discussion.

Why consider municipal status?

At our public information meetings in February 2009 and in our March 2009 on-line survey, residents expressed a number of concerns about local governance and services. In particular, people questioned whether the current

model adequately handles community planning, growth management, policing, roads, watershed protection and bylaw enforcement.

Changing to municipal status would affect the community's ability to deal with these (though some more than others). It would mean more autonomy and authority, but it would also mean more obligations.

Do we have to change?

No. This is only a study. If a municipal option is pursued, there would have to be additional consultation and a referendum.

Next step

We want to hear two important things from you.

First, do you think we should request a Phase 2 study? This would examine the full array of municipal impacts and could lead to a referendum on municipal status. **Second**, which boundary concept do you think should be examined if a Phase 2 study is done?

More public discussion

We will be holding information and discussion meetings in May (see the schedule below). Our work can be seen on our website (www.SouthCowichanGovernance.ca), so please visit it. You can contact us three ways:

- Directly through a form on our website
- Email us at AskUs@SouthCowichanGovernance.ca
- Write to us: SCSGC c/o David Towner, Chair
1739 Sandy Beach Road, Mill Bay, BC V0R 2P4

Please come to one of our information meetings!

Each meeting is open to residents of all areas. There will be an informal, drop-in open house starting a half-hour before the start time shown for each meeting.

1

Q&A about a Phase 2 study

Q.1 What would a Phase 2 study look at?

Phase 2 would provide a detailed analysis of the administrative and tax impacts of creating a municipality so that people could decide how the advantages stack up against the disadvantages.

Q.2 Who decides if there will be a Phase 2?

The current study committee will recommend for or against doing a Phase 2 study. If we request one, it would be up to the Province to approve and fund the work.

Q.3 How would it be funded?

Phase 2 studies are funded by the Province, not by local taxpayers directly. The cost would depend on which boundaries are used, the number of public meetings, etc.

Q.4 Would it look at all three boundaries?

No, just one boundary concept, which is why we need to hear your preference among the three we've put forth.

Q.5 Why are First Nations reserves out?

First Nations are a separate government form and would not be part of a municipality.

Q.6 Would a Phase 2 study use one of the boundaries exactly as shown?

The boundary concept would be refined in Phase 2 to reflect First Nations interests, financial impacts, road responsibilities, and other factors.

Q.7 Who would do a Phase 2 study?

A local volunteer committee, similar to the current Phase 1 committee, with independent professional, technical help.

Q.8 What happens after a Phase 2 study?

A Phase 2 committee would recommend whether or not a referendum for municipal status should be held. If a vote is requested, the decision would be up to the Province.

Q.9 Would there have to be referendum?

No. No commitment has been made to proceed that far. However, creating a municipality would require the approval of the electorate in a formal referendum if things do get that far.

Q.10 What if I don't want municipal status?

We're not asking if you want a municipality -- only which boundary should be used if further work is done, and whether you support further work. Whatever your view of municipal status, you should still have a say in the boundary if it turns out that others do want municipal status, or even if they just want a Phase 2 study.

Q.11 What happens if there isn't much response to this questionnaire?

There won't be a Phase 2 study unless residents and owners indicate support for one. Examination of municipal status will end in early June unless there is support for more information.

Q.12 What happens next?

In early June we will review all the material assembled to date and make a recommendation to the Regional District and to the Province about whether there should be a Phase 2 study and, if so, which boundary concept should be used.

**Want to learn more or share your views?
Come to our public meetings! Each meeting is open to all.**

Public Information meetings*		
Saturday, May 16th (2 meetings)	11 AM - noon	Shawnigan Lake Community Centre
	1:30 - 2:30 PM	Frances Kelsey Theatre
Thursday, May 21st	7:30-8:30 PM	Cobble Hill Hall

* There will be an informal, drop-in open house 30 minutes before each posted time

Visit us at www.SouthCowichanGovernance.ca to see much more

Potential study boundaries

We've been examining how services are provided, who makes decisions about local policies, and how these might be affected by changing from the current electoral area model to a municipal status. The boundary concepts presented here represent a mixture of principles, such as preserving existing service boundaries and managing growth and future service needs.

Which boundary option do you think is most appropriate for the area you live in?

You are **not** endorsing municipal status!

By expressing a boundary preference, you are **not** saying you support municipal status. We don't have enough information to help you make that decision yet. You are simply helping us narrow down the choices if there is a next step.

These boundary concepts will need to be fine-tuned, and this could be done early in a Phase 2 study if one is done.

A Phase 2 study

A Phase 2 study would provide detailed impacts of changing to municipal status, including budgets, grants and taxes. The work would also identify what would change in how certain services would be provided, what

administrative changes would be needed, and how the transition from the current model to the municipal model could be implemented. Phase 2 studies are funded by the Province, not by local taxpayers.

A Phase 2 study could lead to a request for a referendum on municipal status. No commitment has been made to do a Phase 2 study.

Is there support for a Phase 2 study?

A Phase 2 study won't be done unless residents say they support the idea. The simple form at the bottom of this page (or the online version) is the main way to let us know your views on this. Without support for a Phase 2 study, the matter will end by June.

Tell us your preference

Please let us know your preferences on boundaries and whether a Phase 2 study should be undertaken. You can use the form below or fill it out on our website (please visit www.SouthCowichanGovernance.ca).

Got questions?

We've posted a lot of information about local governance and services on our website and we invite you to have a look at it. And please plan on attending one or more of our public discussion meetings.

Please complete the 4 simple questions below (or do it on our website) by May 26th

Note: By taking part, you are not endorsing municipal status, merely helping narrow down the options

✂ ✂

Q1. My address: _____

Q2. I live/own in: Shawnigan Lake Cobble Hill Mill Bay Malahat Other

Q3. Should the committee request a provincially-funded Phase 2 study? Yes No

Q4. What's your boundary preference if a Phase 2 study is done? **Please choose only one.**

See maps on next page

If you live or own at Shawnigan Lake, choose A or B

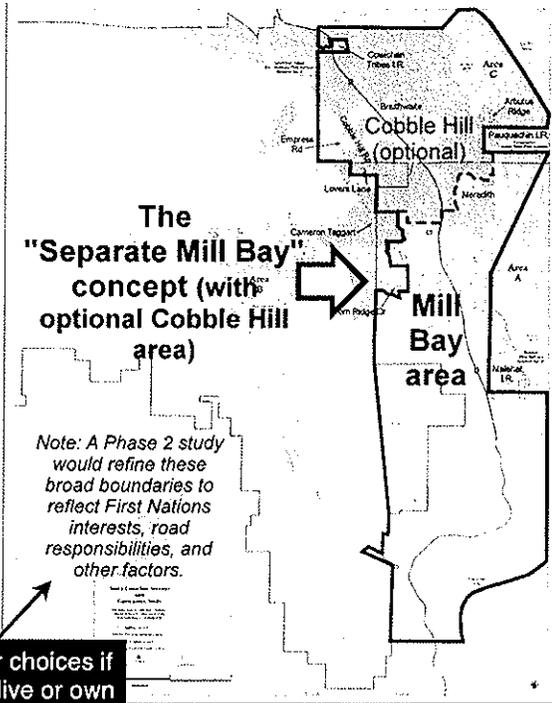
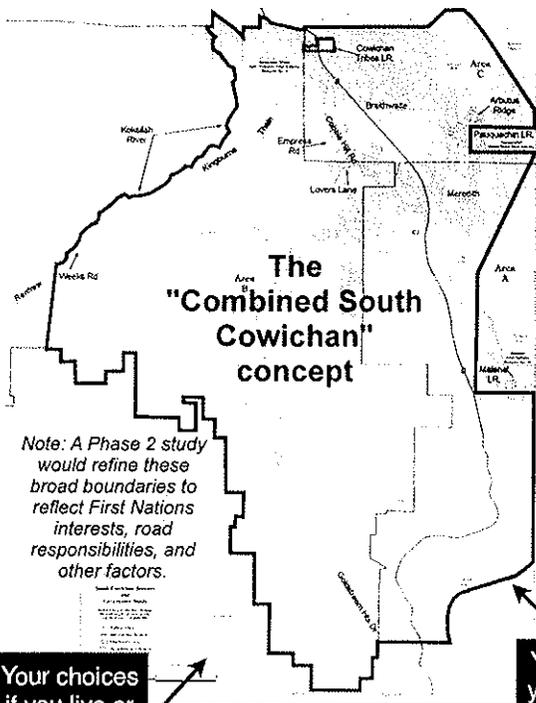
- A I prefer a study of the "Separate Shawnigan Lake" concept, or ..
- B I prefer a study of the "Combined South Cowichan" concept

If you live or own in Mill Bay, Cobble Hill, or Malahat, choose C, D, or E

- C I prefer a study of "Separate Mill Bay" without Cobble Hill, or ..
- D I prefer a study of "Separate Mill Bay" including Cobble Hill, or ..
- E I prefer a study of the "Combined South Cowichan" concept

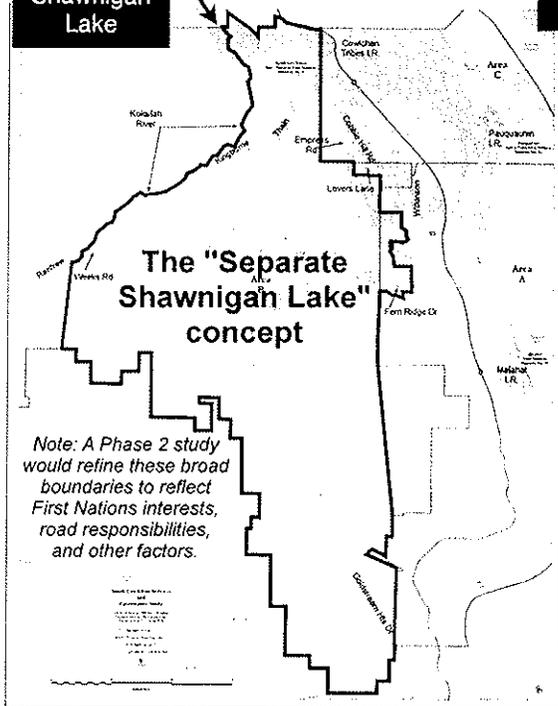
Comment: _____

4 ways to submit it Mail to: SCSGC, 1739 Sandy Beach Road, Mill Bay, BC V0R 2P4 .. or drop it off at the library .. or fax it to (250) 746-2513 .. or do it online at www.SouthCowichanGovernance.ca



Your choices if you live or own at Shawnigan Lake

Your choices if you live or own in Cobble Hill, Mill Bay, or Malahat



Which of these boundary concepts do you think warrants a closer look at municipal status if more work is done? Your choices depend on where you live or own property. You can see the maps in more detail on our website.

Thanks for sharing your views.

Learn more at
www.SouthCowichanGovernance.ca

Appendix 6: Maps of the Study Area

The CVRD supplied a series of high quality, large scale maps of the study area for use in displaying service areas and jurisdictional areas. These were used as the basis for preparing the concept maps that were presented for public discussion in May 2009 as part of the Study Committee's information gathering process.

The CVRD maps are reproduced here, as follows.

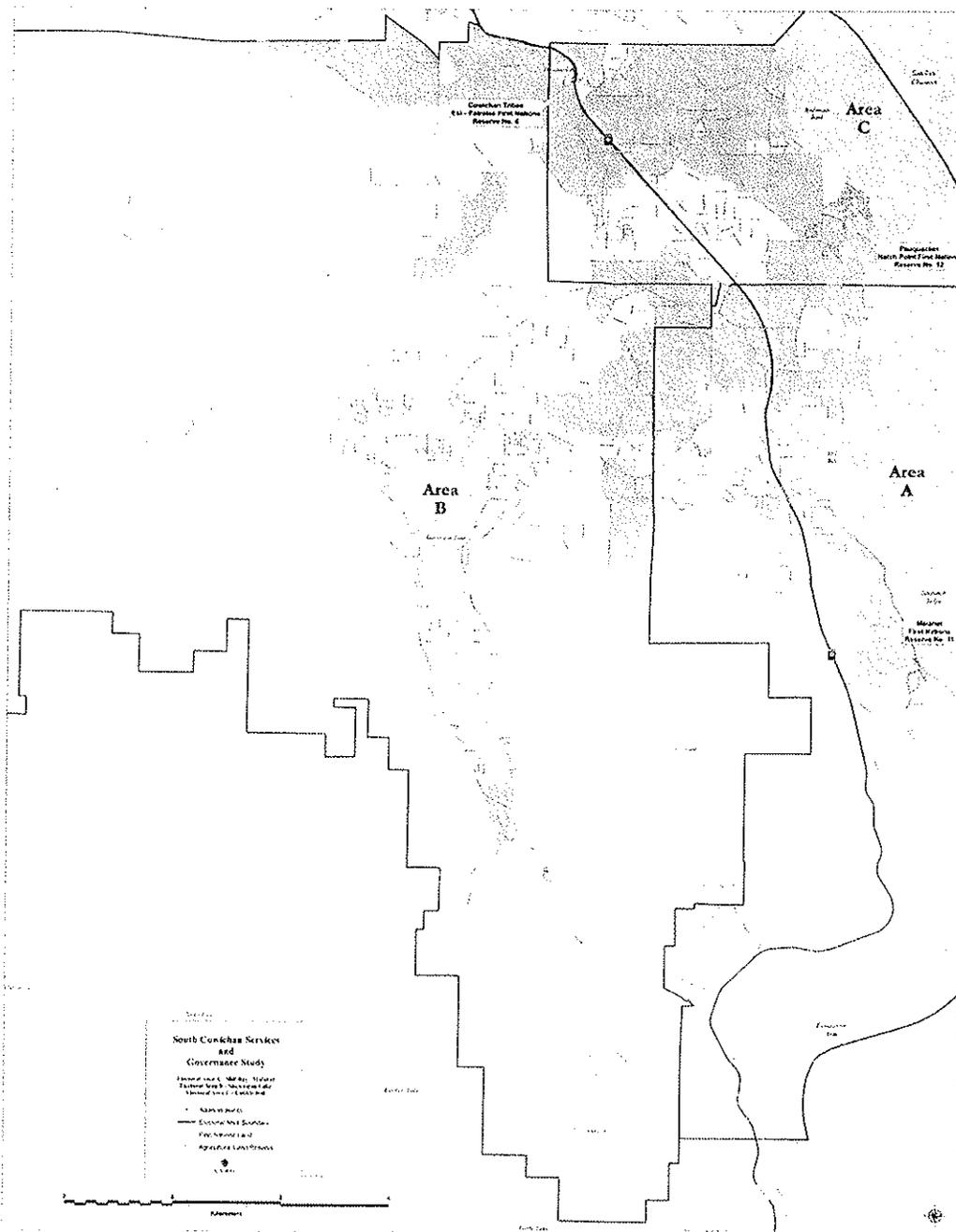
- ALR properties
- Fire service areas
- Water service areas
- Growth and development areas
- Crown lands and forestry parcels

We have also constructed a crude map of the Shawnigan Creek watershed.

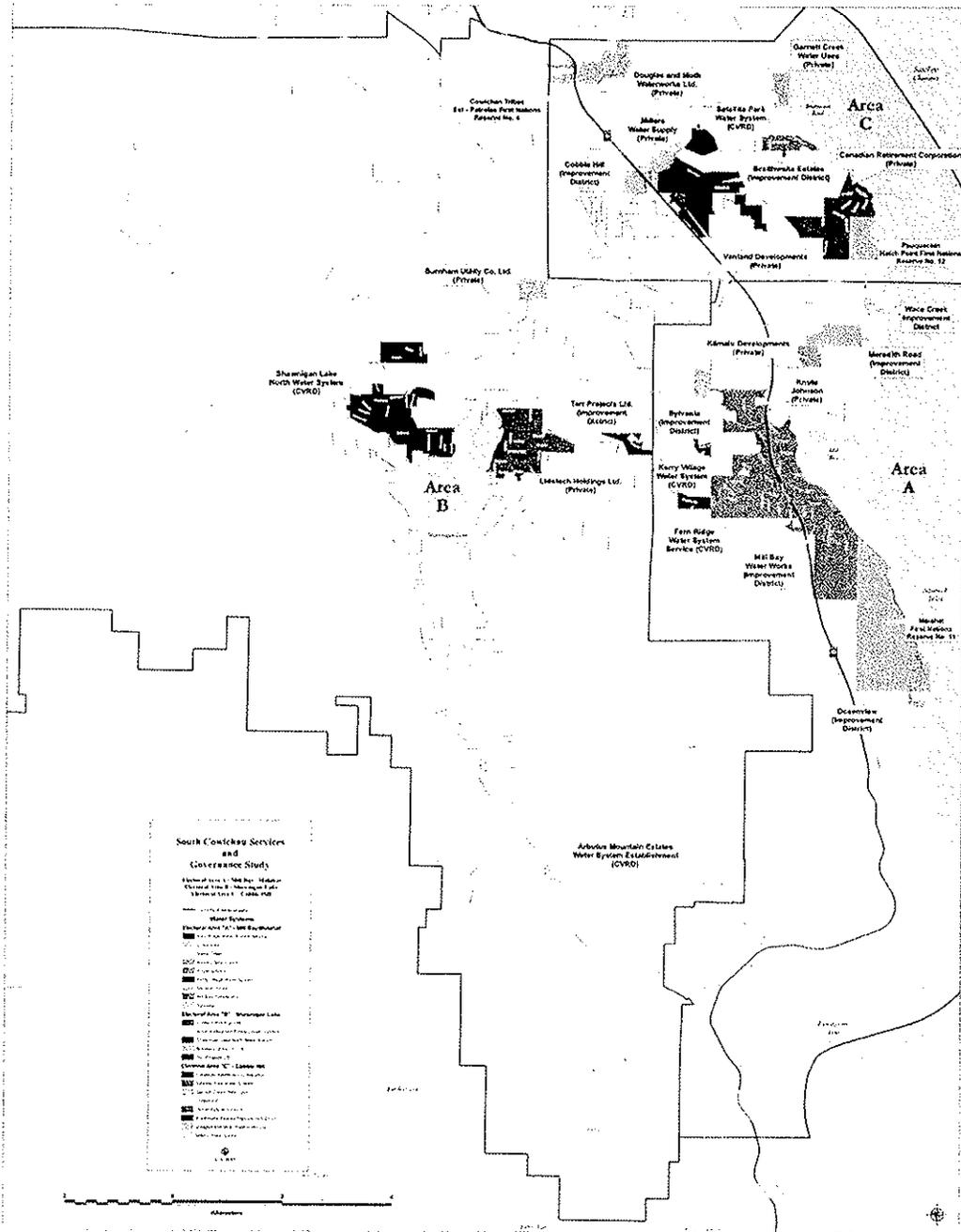
Using the ALR map as the base for our work, we produced the following Phase 2 concept maps, which were presented to residents in a May 2009 newsletter and at the May 2009 public information meetings.

- A separate Shawnigan Lake concept
- A separate Mill Bay concept, with or without Cobble Hill;
- A Combined South Cowichan concept.

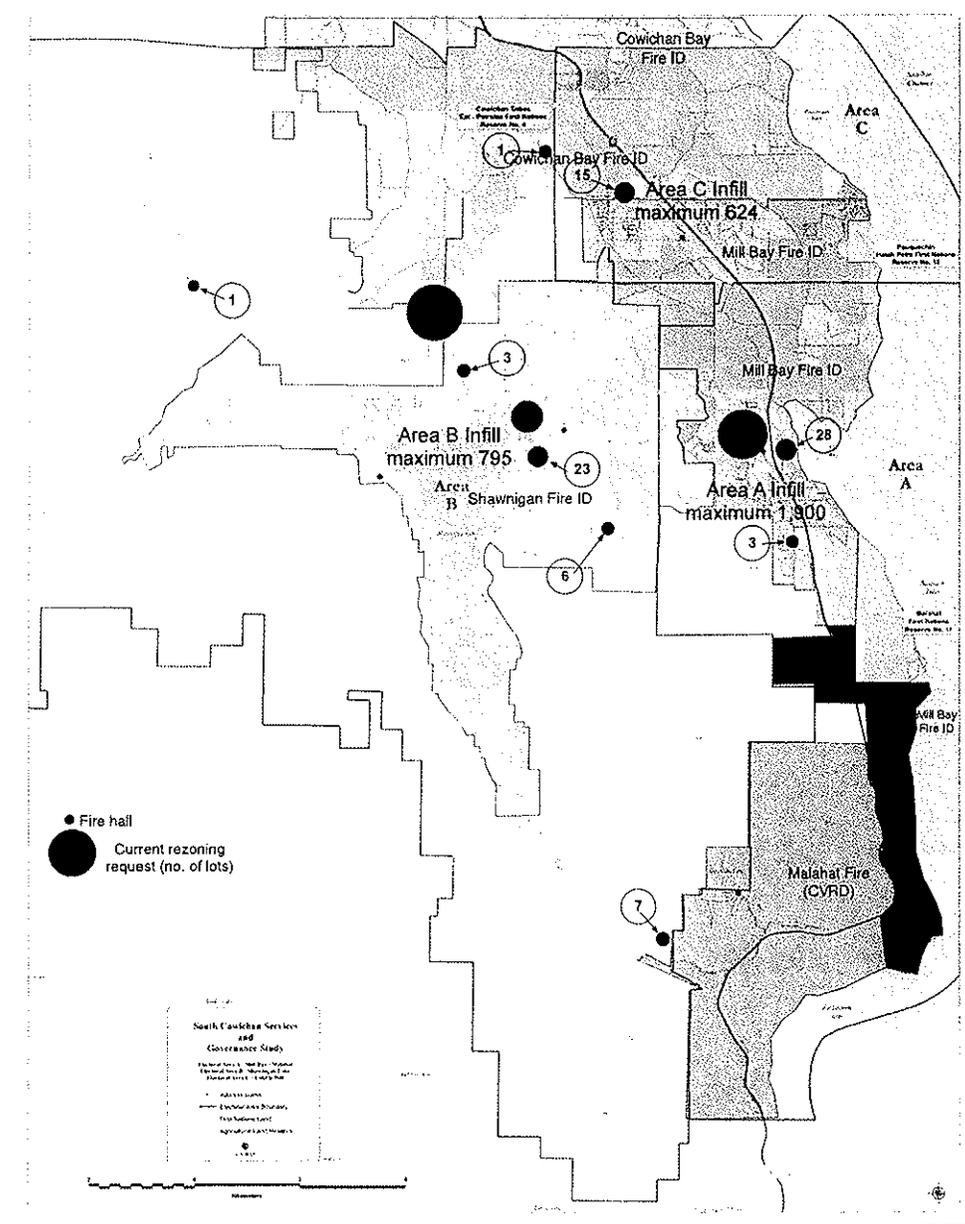
ALR Properties in the Study Area



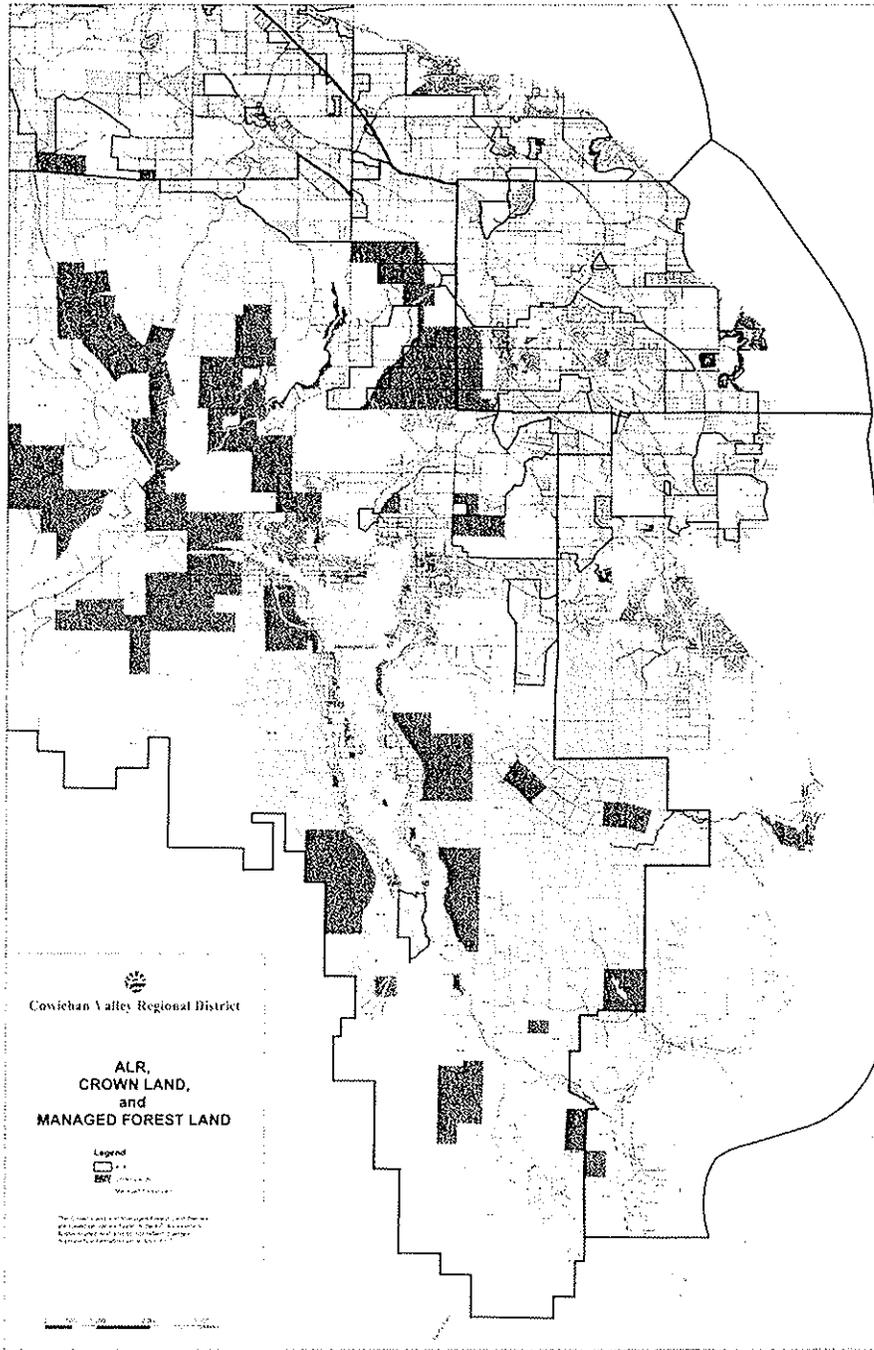
Water service areas



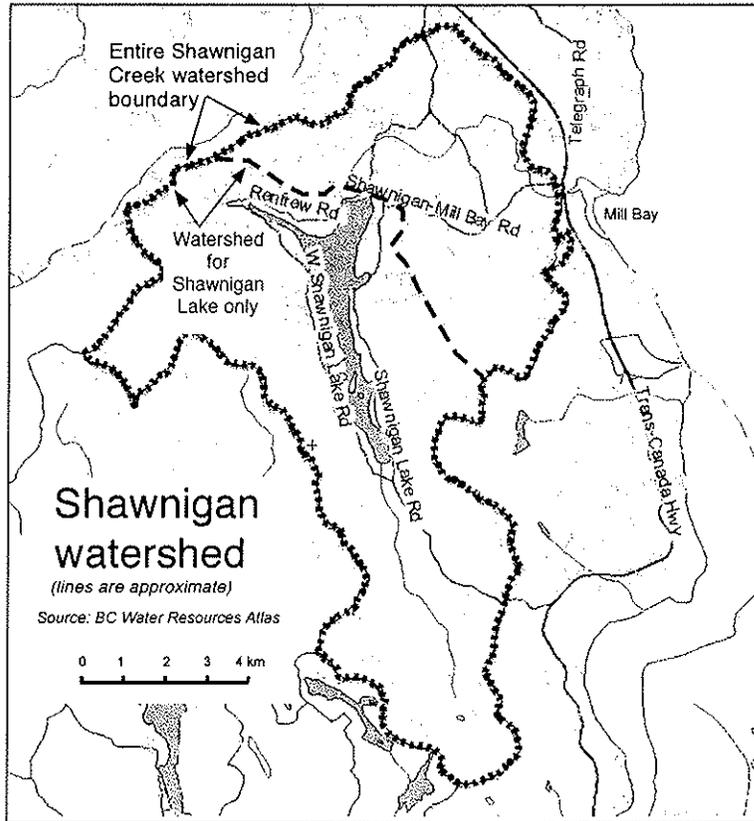
Growth and development areas



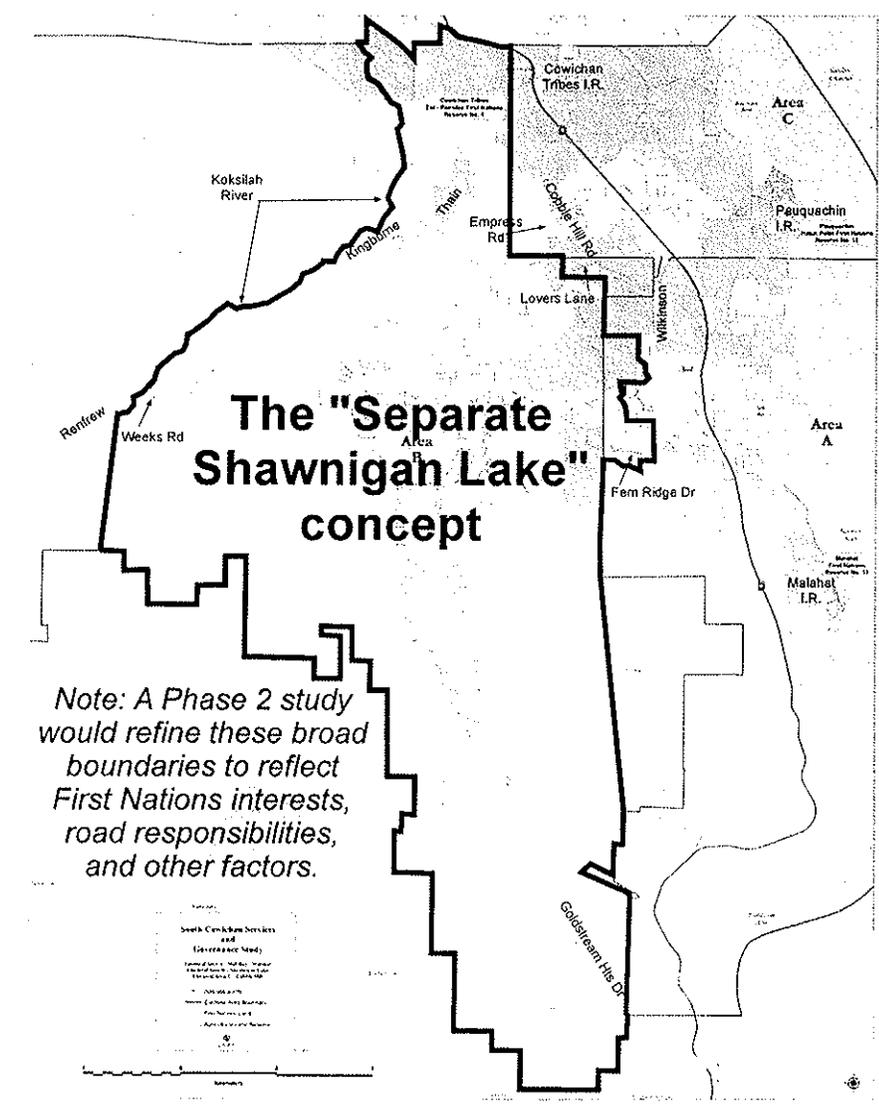
Crown lands and forestry parcels



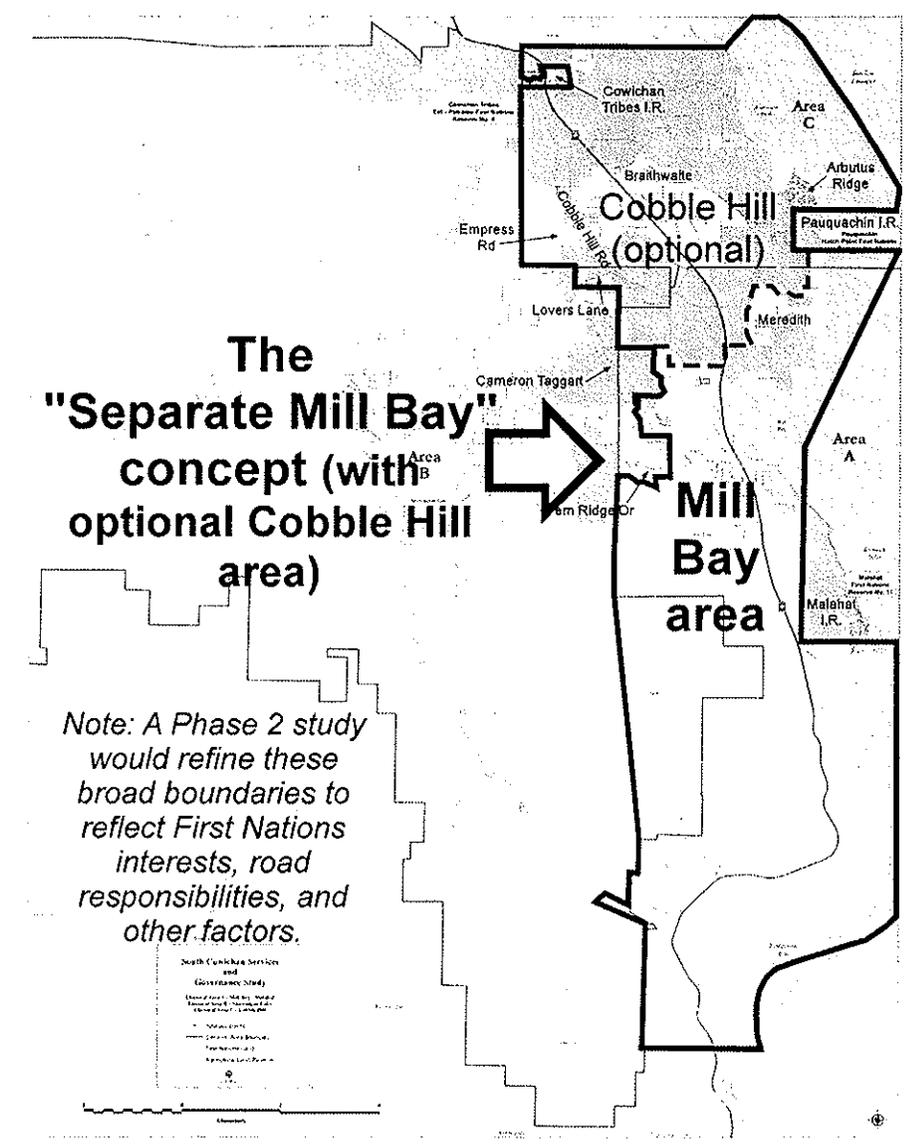
The Shawnigan Creek watershed.



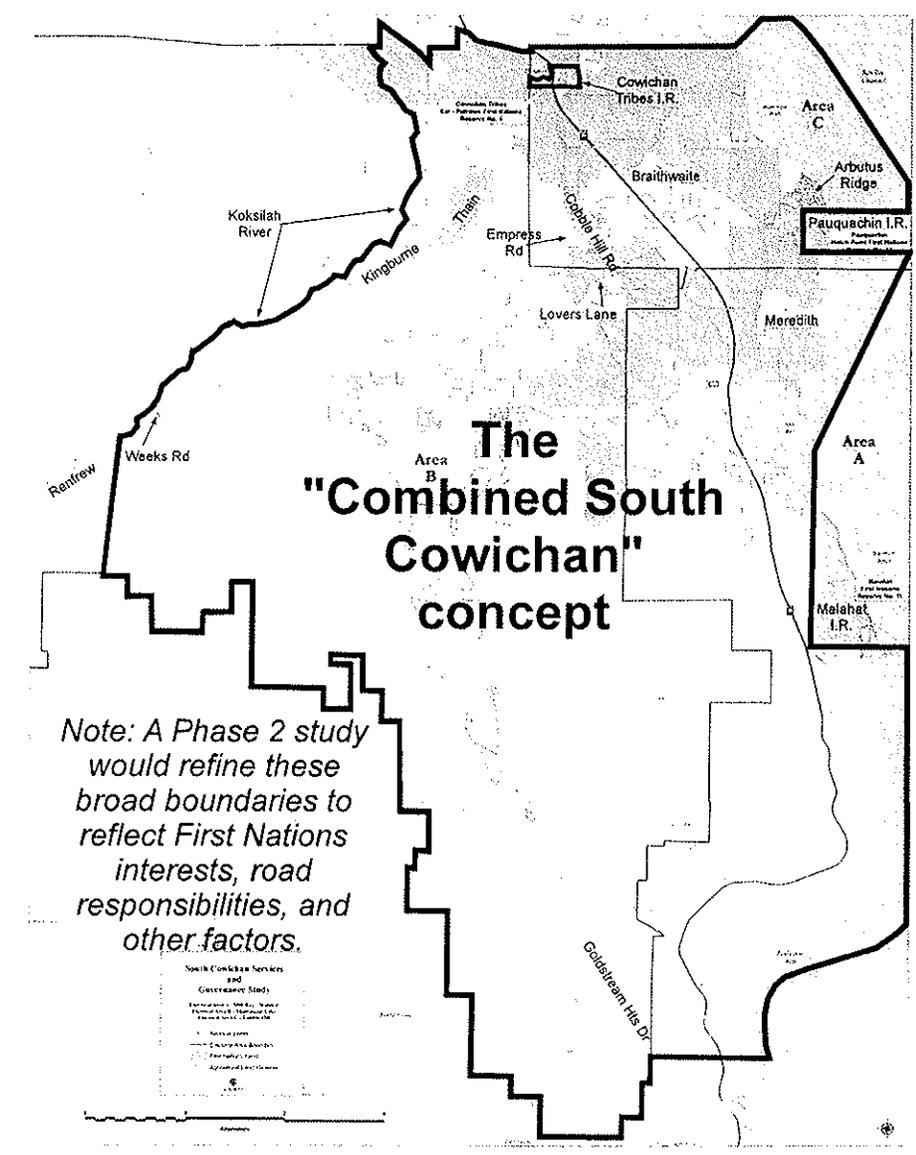
Phase 2 Boundary Concept: Separate Shawnigan Lake



Phase 2 Boundary Concept: Separate Mill Bay



Phase 2 Boundary Concept: Combined South Cowichan



11095 Valdon Road,

Ladysmith, B.C.,

V9G 1Z2

June 23, 2009

Gerry Giles, Board Chairperson,
Cowichan Valley Regional District,
175 Ingram Street,
Duncan, B.C. V9C 1N8

Dear Madam Chair,

As your representative on the Vancouver Island Regional Library (VIRL) and an executive member, I am making you aware of the current plan of VIRL to do a Consolidated Facilities Master Plan for their library system on Vancouver Island. They have hired a consultant David Nairne & Associates/Diamond and Schmitt Architects Inc. to do this work and they will probably be contacting you. They want to help us come up with a good plan for the future as we move forward. They will review all the library buildings in the system, some of them undersized and some deteriorating. In the Cowichan Valley we have libraries in Ladysmith, Chemainus, Duncan, Lake Cowichan, and South Cowichan. Some of these are owned by municipalities and leased to the library and others are leased from private landlords.

As suggested by our own Dave Haywood, who also sits on the VIRL executive of the VIRL board, there is an opportunity to include new facilities in with the recreation plans for Lake Cowichan and Kerry Park of South Cowichan. This "one stop shop" idea has worked well in other communities where the library facilities are in with other recreation facilities. It is also efficient for managing the buildings especially from a janitorial and maintenance point of view. Tim McGonigle our board member and Councillor Ray Cadorette of Duncan also sit on VIRL and are aware of the plan. This plan is an opportunity to upgrade the library facilities in our area as well.

The executive director of the library system will also be writing you a letter letting you know of these developments. The consultants will begin their work in July of this year and complete it by January of 2010 so time is of the essence. So I am hoping that this item can get on the Electoral Services Committee Agenda as soon as possible and then to either the Regional Services or Board Agenda as you see fit.

Yours truly,

Mel Dorey, Area G Director, CVRD

June 23, 2009

RECEIVED
C.V.R.L.D.
JUN 25 2009

Gerry Giles, Chair
175 Ingram Street
Duncan, British Columbia, V9L 1N8

Dear Chairperson Giles and Directors:

Re: FACILITIES PLANNING

Vancouver Island Regional Library (VIRL) is pleased to advise that we are embarking on the creation of a Consolidated Facility Master Plan.

This plan will aid greatly in determining the proper standards for facilities in the future and will help ensure that an orderly provision of updating and renewing facilities is undertaken to maximize service to its members. The plan is expected to be completed in early 2010.

To assist Vancouver Island Regional Library in its planning process we would appreciate knowing if your area

- Has any plans or concerns regarding the provision of library space.
- If so when your area might be considering a new facility where a library might be housed.
- Has any other pertinent information that might affect our planning process.

Vancouver Island Regional Library is vitally interested in being part of your planning process where Library Facilities are concerned.

Your response, even if you have no current plans, would be appreciated.

Yours truly



Rosemary Bonanno BA MLS
Executive Director

c.c. – Warren Jones, Chief Administrative Officer
Mel Dorey, VIRL Board Member

Original: <i>file</i>	Copies to: <i>WJ</i>
Board: <i>WJ</i>	<i>Mel Dorey</i>
Committee(s):	
Date: <i>June 26/09</i>	
File #	



**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD JUNE 16, 2009

DATE: June 24, 2009

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the CVRD continue with Latitude Geographics Group Ltd. to supply a hosted interactive internet mapping system for publishing CVRD spatial information to the internet.
2. That the request to hold the Half-Cutz softball tournament event at Mesachie Lake Park from July 30-August 2, 2009 be approved subject to the event organizers complying with the following conditions:
 - Provision of liability insurance listing the CVRD as an additional insured in the amount no less than \$2 million;
 - Written confirmation from event organizers that they understand and acknowledge the current size and layout of the Mesachie Lake Park youth ball field and agree to take full responsibility and liability for any and all incidents that may arise as a result of adult use of this field.
 - Preparation of “sandwich boards” advising of errant fly balls to be installed/maintained for the duration of the event in locations around the exterior of the ballpark fence, including but not limited to the commercial store parking lot and the park playground, with such wording and layout to be approved by the CVRD.
 - Ensuring event participant compliance with CVRD Park Bylaws, inclusive with respect to campfire ban restrictions and after-hours noise in the park.
 - Posting of additional signage regarding campfire ban restrictions that may be in place during the event, inclusive of removal/storage of any fire rings prior to the event;
 - Provision of site security to for the duration of the event manage event access to registered participants only, inclusive of licensed security staff on-site from the hours from 8 pm to 4 am during the event to control access and address any after-hours noise issues;
 - Posting signage clearing specifying event hours;
 - Providing additional port-o-potties at the park for the duration of the event; and
 - Providing additional dumpsters for refuse collection/disposal for the duration of the event.

.../2

3. That the CVRD provide funding in the amount of \$13,000 to the RCMP to assist with costs for additional summertime lake patrols, and that the funds be extracted from Bylaw Enforcement Budget Function 328.
4. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$250 be given to Cowichan Bay Improvement Association to assist with expenses to repair the Mariner sign at the west entrance to Cowichan Bay Village.
5. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$1,250 be given to Cowichan Bay Improvement Association to assist with costs to construct and install a Welcome Sign at the east entrance to Cowichan Bay.
6. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$2,000 be given to Cowichan Community Land Trust Society to assist with costs associated with the Cowichan Eelgrass Stewardship Project.
7. That the following resolution be forwarded to the Board for consideration and submission to UBCM:

WHEREAS Search and Rescue organizations provide essential life and safety services to British Columbia's residents and visitors through volunteer organizations funded largely by private fundraising, local government grants and other forms of uncertain revenues;

AND WHEREAS the costs of providing search and rescue services are escalating dramatically due to call volumes and equipment costs;

NOW THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the provincial government to provide a significant level of predictable and sustainable funding to the Province's Search and Rescue organizations, including provision of adequate liability insurance.

8. That a letter be forwarded to the Ministry of Transportation requesting that emergency pre-emption lights be installed at two heavy traffic intersections in Mill Bay (new Mill Bay regional gas station intersection; Hutchinson Road intersection); and further that the CVRD pursue implementing additional application fees to cover costs for pre-emption lights for applications that would involve development in areas of heavy traffic intersections.

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

9. That application No. 2-I-05RS (Friesen et. al.) on Parcel A (DD72787I) of Section 45, Renfrew District for a new rural residential designation and zone be denied and that a partial refund be given to the applicants in accordance with the CVRD Development Applications Procedures and Fees Bylaw No. 2255.

.../3

10. That Application No. 1-B-09DVP (Betty and Brian Town) for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to a front parcel line for an accessory building from 7.5 metres down to 2.9 metres, on Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan VIP13231, be approved subject to receipt of a legal survey showing the proposed setback.
11. That the draft Seasonal Cabins Building Regulations Policy be amended by changing the definition that a cabin “is used no more than 180 days per calendar year” to “is used for no more than six months per calendar year”, and that the Seasonal Cabins policy, as amended, be adopted by the Board.
12. That the minimum \$55 building permit fee be charged for installation of a solar hot water system in the CVRD provided that a double-walled heat exchanger with leak detection is installed.
13. 1. That Youbou/Meade Creek Zoning Bylaw No. 2465 be amended as follows:
 - a) Deleting Section 3.4.2(a) and replacing it with the following:

(a) the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the Land Title Act to the effect that the owner removes the existing dwelling or converts it to an accessory building under a Building Permit to the satisfaction of the Building Inspector, prior to the issuance of an occupancy permit;
 - b) The last sentence of Section 3.10.2 be deleted and replaced with the following:

No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.
 - c) Section 3.14 be amended by deleting subsections (c) and (d) and replacing them with the following:

(c) where the parcels involved are all under 10 hectares in area, the resulting parcels may be of any size provided that a required area for a sewage disposal field and reserve field area and a reasonable building envelope are available on each proposed parcel, and that any existing buildings and structures are set back the required minimum distance from proposed lot lines;

(d) where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel’s area by greater than 20% of its original size.
2. That a public hearing be waived pursuant to Section 890(4) of the *Local Government Act* and public notice occur in its place.
3. That the referral of this application to the Ministry of Transportation, CVRD Engineering and Environmental Services Department, and the Town of Lake Cowichan, be accepted.



ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD JULY 7, 2009

DATE: July 8, 2009

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the application from the MS Society of Canada to hold their 9th annual RONA MS Bike Tour event on August 8th and 9th in the Cowichan Valley, including having a rest stop in West Shawnigan Lake Provincial Park and a lunch stop in Hecate Park to be approved subject to the following conditions:
 1. Proof of a minimum \$2 million liability insurance coverage be provided by the organizers which covers the event and also includes the CVRD as an additional insured;
 2. A Course Marshall Plan is submitted prior to the event for CVRD review and approval;
 3. Confirmation that there will be appropriate flag persons at all road crossings along sections around West Shawnigan Lake Provincial Park and Hecate Park in Cowichan Bay.
2.
 1. That the *Certificate of Sufficiency* confirming that the petitions for inclusion in the Lake Cowichan Fire Protection Service Area is sufficient, be received.
 2. That CVRD Bylaw No. 1657 be amended by extending the boundaries of the service area to include the following two properties:
 - District Lot A, VIP 82489, (PID 026-953-315) Owner -711933 BC Ltd.;
 - District Lot 1, Block 117 (except Plan VIP 84239 & Block 180), Plan VIP#82490, (PIC 026-953-374) Owner – Cowichan Lake Holdings
 3. That the Lake Cowichan Fire Protection Service Area amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 4. That Schedule A to the agreement with the Town of Lake Cowichan to provide fire protection to the Lake Cowichan Protection Service Area, be amended to include the expanded boundary.
 5. That the Chair and Corporate Secretary be authorized to sign the amended Lake Cowichan Fire Protection Service Area agreement.
3.
 1. That it be recommended to the Board that the *Certificate of Sufficiency* confirming that the petitions for inclusion in the North Oyster Fire Protection Service Area is sufficient, be received.

2. That it be recommended to the Board that CVRD Bylaw No. 1689 be amended by extending the boundaries of the service area to include the following two properties:
 - District Lot 51, Oyster District, Except the Right of Way of the Esquimalt and Nanaimo Railway Company, Except Part Coloured Red on Plan Deposited Under DD272791, and Except Part Shown Outlined in Red on Plan Deposited Under DD285551 (PID 009-439-714)
 - District Lot 51, Oyster District, Shown Coloured in Red on Plan Deposited Under DD272791 (PID 000-879-185).
4. That a letter of response be forwarded to the Regional District of Nanaimo advising that the Cowichan Valley Regional District does not support their proposed Nanaimo Airport lands boundary adjustment.
5. That the procedure section of the Parks Commission Bylaws for Areas A, C, D, G and I be amended to include the election of a Co-Chair.
6. That a letter be forwarded to BC Hydro requesting them to appoint a designated individual to coordinate responses and claims by residents of Electoral Area F respecting the recent hydro power surge and resultant damages.

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

7. That the CVRD provide funding in the amount of \$13,000 to the RCMP on a one time basis to assist with costs for additional summertime lake patrols and that the funds be extracted from Bylaw Enforcement Budget Function 328, and further, that alternative enforcement and funding models be structured for 2010.
8. That application No. 2-E-09DP be approved, and that a development permit be issued to Top Shelf Feeds Inc. for Lot A, Section 12, Range 7, Quamichan District, Plan 21549, Except Part in Plans 22632, 27248 and 29799 for the construction of a new warehouse and retail building, subject to the following:
 - a. Underground wiring be installed;
 - b. Landscaping be installed to BCSLA standards in the amount and location as illustrated on the Revised Landscaping Plan, including an underground irrigation system;
 - 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 revised landscape plan be provided with 75% of the security being refunded once the landscaping has been installed and the balance being returned after successful completion of a one year maintenance period.

9. That Application No. 3-E-09DP be approved and that the Planning and Development Department be authorized to issue a development permit to DEF Autoworld Properties Ltd. for Lot 1, Range 6, Section 13, Plan 9381, Quamichan District for the construction of an automotive sales building with conditions in the development permit including replacement of the existing chain link fencing along Koksilah Road with decorative wooden fencing, and requirement for underground irrigation; and further that an irrevocable letter of credit in the amount of 125% of the estimated cost of landscaping be submitted to the CVRD, to be released once the landscaping has been completed and the vegetation is established for one year.
10. That the Agricultural Land Reserve Applications Policy sections 1 through 4 inclusive be deleted and replaced with the following:
- (a) ALR subdivision applications which are subject to CVRD bylaws will only be forwarded to the ALC if:*
- 1. the minimum parcel size regulation is complied with; or*
 - 2. if the minimum parcel size regulation is not complied with, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading;*
- (b) ALR non-farm use applications will only be forwarded to the ALC if:*
- 1. the proposed non-farm use complies with CVRD bylaws; or*
 - 2. if the proposed non-farm use does not comply with CVRD bylaws, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading;*
- and that the amended Agricultural Land Reserve Applications Policy be forwarded to the Board for adoption.
11. That Electoral Area A – Mill Bay/Malahat be included in the South Cowichan OCP review process, and that staff provide a progress report to the EASC in three to six months.



ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD JUNE 24, 2009

DATE: June 25, 2009

To: Chair and Directors of the Cowichan Valley Regional District

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

1. .1 That "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009", be forwarded to the Board for consideration of 3 readings and, following Provincial and voter approval, be adopted.
 - .2 That it be recommended to the Board that voter approval for CVRD Bylaw No. 3277 be obtained through an alternative approval process over the entire service area.
2. .1 That "CVRD Bylaw No. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009", be forwarded to the Board for consideration of 3 readings and, following Provincial and voter approval, be adopted.
 - .2 That it be recommended to the Board that voter approval for CVRD Bylaw No. 3278 be obtained through an alternative approval process over the entire service area.
3. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Arbutus Ridge Water System Service Area and authorizing the borrowing of up to \$100,000.00, be received.
 - .2 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Arbutus Ridge Sewer System Service Area and authorizing the borrowing of up to \$125,000.00, be received.
 - .3 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Arbutus Ridge Drainage System Service Area.
 - .4 That Service Establishment and Loan Authorization bylaws be prepared for the Arbutus Ridge Water, Sewer and Drainage Systems and forwarded to the Board for consideration of three readings, and following provincial approval, adoption.
 - .5 That, following adoption of the service establishment and loan authorization bylaws, Capital Reserve Fund Establishment Bylaw, Parcel Tax Roll Bylaws and Service Management Bylaws be prepared for each of these systems and forwarded to the Board for consideration of three readings and adoption.

.../2

4. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Dogwood Ridge Water System Service Area and authorizing the borrowing of up to \$220,000.00, be received.
 - .2 That Service Establishment and Loan Authorization bylaws be prepared for the Dogwood Ridge Water System and forwarded to the Board for consideration of three readings and, following Provincial approval, adoption.
 - .3 That, following adoption of the Dogwood Ridge Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaws, a Parcel Tax Roll Bylaws and a Service Management Bylaws be prepared and forwarded to the Board for consideration of three readings and adoption.
5. That an Alternative Approval Process be carried out to obtain consent of the voters to create a service area of the Shawnigan Lake waterfront properties in Electoral Area B, for the purpose of cleanout of the creek bottom at the mouth of Shawnigan Creek to allow drainage and restoration of the natural system function; and further that an establishment bylaw be created for this service area.
 6. That the Board receive the petitions for inclusion into Cowichan Bay Sewer Service Area, located in Electoral Area D, by extending the boundaries to include the properties described as:
 - *PID: 001-321-463, Lot 1, Section 4, Range 5, Cowichan District, Plan 20768*
 - *PID: 000-140-571, Lot 1, Section 4, Range 5, Cowichan District, Plan 18449*
 - *PID: 003-579-301, Lot 1, Section 4 & 5, Range 5, Cowichan District, Plan 20693*
 - *PID: 003-437-116, Lot A, Section 4, Range 5, Cowichan District, Plan 21381*
 - *PID: 011-721-031, Lot A, Section 4, Range 5, Cowichan District, Plan 47087*
 -as requested by Four Ways Properties Ltd., for a strata development, subject to the following conditions:
 - .1 CVRD Board Resolution No. 07-773, providing approval in principle for takeover of a 50 unit sewer system for this development, approved in 2007, be rescinded;
 - .2 The size of this development be limited to 36 unit residential strata units;
 - .3 Thirty six Joint Utility Board Sewer Capacity Units be transferred from Eagle Heights Sewer System to Cowichan Bay Sewer System for this development;
 - .4 The developer pay sewer connection fees of \$3500 per connection;
 - .5 The developer pay for a re-routing of the Cowichan Bay Sewer System from Pritchard Road to Fenwick Road to reduce loading of the sewer main along Cowichan Bay Road, estimated at \$30,000;
 - .6 The preliminary concepts, detailed design and installation of service works must be approved by Engineering and Environment staff to ensure compliance with CVRD Design Standards, and Subdivision Bylaw 1215;
 - .7 All lands on which infrastructure works are located are transferred to the CVRD except where not practical, in which case will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - .8 The owner of the utility be willing to transfer the service works including emergency generator to the CVRD;

.../3

- .9 The developer undertakes to provide a two-year warranty on the completed service works, backed by a letter of credit;
- .10 The Four Ways Properties Ltd. development be designed in such a way as to permit access via a strata road to an adjacent parcel of land that is the subject of a development proposal by Kim Johannsen.

and further that an amendment bylaw to extend the boundaries of the Cowichan Bay Sewer System service area be prepared and forwarded to the Board for consideration of three readings and adoption.

- 7. That a letter be sent to Bench School Make a Difference Club congratulating them on their award and informing them of actions that the CVRD is taking to advance their cause.
- 8. That the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to the homeowners within Electoral Areas of the Cowichan Valley; and further that the Province strengthen the legislation to reduce the possibility of legal claims.



TRANSIT COMMITTEE REPORT

OF MEETING HELD JULY 8, 2009

DATE: July 8, 2009

To: Chairperson and Directors of the Board

Your Transit Committee reports and recommends as follows:

1. That the CVRD provide twenty bus passes to the Canada World Youth team members visiting our community from September, 2009 to November, 2009.
2. That the cash fares on the Cowichan Valley Regional Transit System be reduced to zero (no charge) on Saturday, October 31, 2009 for the Olympic Torch Relay celebrations happening region-wide.



CR4

COWICHAN LAKE RECREATION COMMISSION REPORT

OF MEETING HELD JUNE 25, 2009

DATE: June 25, 2009

TO: Chairperson and Directors of the Board

Your Cowichan Lake Recreation Commission reports and recommends as follows:

1. That the CVRD Board request the Liquor Control and Licensing Branch approve the application to permanently change the liquor license hours of the Youbou Community Bowling Alley License No. 300537 from Sunday, Monday, Tuesday, Thursday 6:30 – 10:30 p.m. and Saturday 6:30 p.m. – midnight to Sunday, Monday, Tuesday, Wednesday, Thursday 6:30 p.m. – midnight and Saturday 6:30 p.m. – 1:00 a.m.; and further, that the proposed changes will:
 1. Allow for more flexibility in programming such as youth bowling on Wednesday afternoon and an adult men's or corporate league on Wednesday night;
 2. Allow for more options when applying to host tournaments; and will
 3. Accommodate the annual application for the extension of the liquor license to the gymnasium area for the Youbou Regatta Dance.



CR5

KERRY PARK RECREATION COMMISSION REPORT

OF MEETING HELD JULY 6, 2009

DATE: July 7, 2009

To: Chair and Directors of the Board

Your Kerry Park Recreation Commission reports and recommends as follows:

1. That staff be authorized to prepare a Loan Authorization Bylaw for up to \$25 million to renovate the Kerry Park Recreation Centre to include an Aquatic Centre and the possibility of a Library space.
2. That the maximum requisition limit for the Kerry Park Recreation Service area be increased to allow for the cost increase associated with this project.
3. That the Board support a Kerry Park Recreation Commission application to the Olympic Torch Relay Community Grant Program to assist in costs associated with the events taking place in the Cowichan Bay and Mill Bay Route Communities.



STAFF REPORT

**BOARD MEETING
OF JULY 8, 2009**

DATE: June 11, 2009 **BYLAW NO:** 3272
FROM: Kathleen Harrison, Legislative Services Coordinator
SUBJECT: Sahtlam Fire Protection Service Loan Authorization Bylaw – Notice of Alternative Approval Process and Elector Response Form

Recommendation:

That the *Notice of Alternative Approval Process and the Elector Response Form* for CVRD Bylaw No. 3272, be approved.

Purpose: To set the deadline for *Elector Response Form* submissions for the *Alternative Approval Process* for, "CVRD Bylaw No. 3272 – Sahtlam Fire Protection Service Area Loan Authorization Bylaw, 2009".

Financial Implications: Not applicable

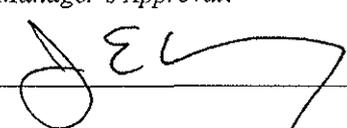
Interdepartmental/Agency Implications: Not applicable

Background: CVRD Bylaw No. 3272 was granted first three readings by the Board of Directors at its meeting held May 13, 2009, and was forwarded to the Inspector of Municipalities for approval. Provincial approval has now been received, and therefore, the Board may now proceed with obtaining elector consent through an alternative approval process.

Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses for an alternative approval process. The attached *Notice of Alternative Approval Process and Elector Response Form* set the deadline for responses for Tuesday, August 18, 2009.

Submitted by,


Kathleen Harrison
Legislative Services Coordinator

Division Manager's Approval:  Signature
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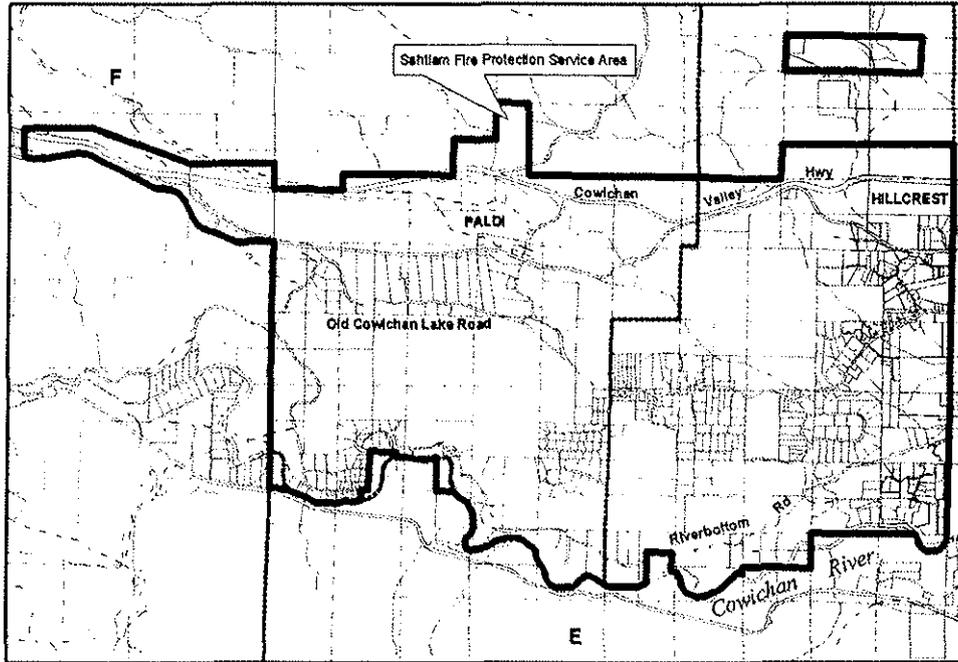
Attachments



CVRD

NOTICE TO ELECTORS OF THE SAHTLAM FIRE PROTECTION SERVICE AREA
(Portion of Electoral Areas E and F)
OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD LOAN AUTHORIZATION BYLAW No. 3272

NOTICE IS HEREBY GIVEN that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 3272 – Sahtlam Fire Protection Service Loan Authorization Bylaw, 2009".



BYLAW SUMMARY

If adopted, Bylaw No. 3272 will allow the Cowichan Valley Regional District to borrow up to a maximum of \$130,000.00 for a period of 10 years to help finance the purchase of a new mobile water tender firefighting apparatus for the Sahtlam Fire Protection Service Area. Should the maximum amount be borrowed, the cost to property owners within the service area with a residential property assessed at \$100,000.00 would be \$8.07 per annum. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:00 a.m. - 4:30 p.m., excluding statutory holidays. A copy of the bylaw is also available on the CVRD website at www.cvrdbc.ca.

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office no later than 4:30 p.m. on Tuesday, August 18, 2009. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of the service area are entitled to sign. The service area includes that portion of Electoral Area E - Cowichan Station/Sahtlam/Glenora and Electoral Area F - Cowichan Lake/Skutz Falls that comprises the Sahtlam Fire Protection Service Area as shown outlined in the map above. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

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

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

If less than 10% (100) of the service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 995.

A copy of the bylaw and *Elector Response Form* is available from the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 746-2500/1 800 665-3955, e-mail kharrison@cvrd.bc.ca OR is also available on the CVRD website at www.cvrdbc.ca



**ELECTOR RESPONSE FORM
BYLAW NO. 3272**

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3272 - Sahtlam Fire Protection Service Loan Authorization Bylaw, 2009" which allows the Regional District to borrow up to a maximum of \$130,000. for a period of 10 years to help finance the purchase of a new mobile water tender firefighting apparatus for the Sahtlam Fire Protection Service Area. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this *Elector Response Form* to the Regional District office by 4:30 p.m., Tuesday, August 18, 2009. Only those persons who live or own property within the Sahtlam Fire Protection Service Area and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

- I am a Canadian citizen;
- I am an individual who is, or will be, on August 18, 2009, age 18 or older;
- I have been a resident of British Columbia for at least the past six months;
- I have been a resident of the Sahtlam Fire Protection Service Area for the past 30 days **or** I am entitled to register as a non-resident property elector;
- I am not disqualified by the *Local Government Act*, or any other enactment, from voting in an election or am not otherwise disqualified by law.

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

NAME OF ELECTOR:

(Please Print Full Name)

ELECTOR STREET ADDRESS:

OR

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

SIGNATURE OF ELECTOR:

NOTE: The *Elector Response Form* must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 **on or before 4:30 p.m., Tuesday, August 18, 2009.** Regular office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding statutory holidays.

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



STAFF REPORT

**BOARD MEETING
OF JULY 8, 2009**

DATE: June 16, 2009 **BYLAW NO:** 3085
FROM: Kathleen Harrison, Legislative Services Coordinator, Corporate Secretariat Division
SUBJECT: Cobble Hill Drainage System Service – Notice of Alternative Approval Process and Elector Response Form

Recommendation:

That the *Notice of Alternative Approval Process and the Elector Response Form* for CVRD Bylaw No. 3085, be approved.

Purpose: To set the deadline for *Elector Response Form* submissions for the *Alternative Approval Process* for, "CVRD Bylaw No. 3085 – Cobble Hill Drainage System Service Establishment Bylaw, 2008".

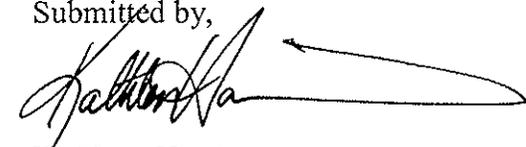
Financial Implications: Not applicable

Interdepartmental/Agency Implications: Not applicable

Background: CVRD Bylaw No. 3085 was granted third reading as amended by the Board of Directors at its meeting held March 11, 2009, and was forwarded to the Inspector of Municipalities for approval. Provincial approval has now been received, and therefore, the Board may now proceed with obtaining elector consent through an alternative approval process.

Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses for an alternative approval process. The attached *Notice of Alternative Approval Process and Elector Response Form* set the deadline for responses for Tuesday, August 18, 2009.

Submitted by,


Kathleen Harrison
Legislative Services Coordinator
Corporate Secretariat Division

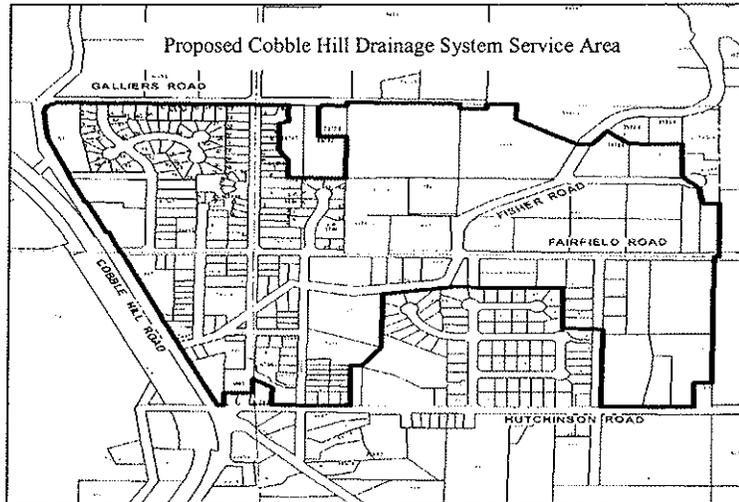
<p><i>Division Manager's Approval:</i></p> <p>NOT AVAILABLE</p> <p><i>Signature</i></p>
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Attachments



**NOTICE TO ELECTORS OF THE PROPOSED
COBBLE HILL DRAINAGE SYSTEM SERVICE AREA
(Within a Portion of Electoral Area C – Cobble Hill)
OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD SERVICE ESTABLISHMENT BYLAW NO. 3085**

NOTICE IS HEREBY GIVEN that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 3085 – Cobble Hill Drainage System Service Establishment Bylaw, 2008".



BYLAW SUMMARY

If adopted, Bylaw No. 3085 will allow the Cowichan Valley Regional District to operate and maintain a drainage system service within a portion of Electoral Area C - Cobble Hill. The maximum cost to property owners within the proposed service area with a residential property assessed at \$200,000.00 would be \$28.68 per annum. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:00 a.m. – 4:30 p.m., excluding statutory holidays. A copy of the Bylaw is also available on the CVRD website at www.cvrld.bc.ca.

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the proposed service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later** than 4:30 p.m., on Tuesday, August 18, 2009. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of the proposed service area are entitled to sign. The service area includes that portion of Electoral Area C – Cobble Hill that comprises the Cobble Hill Drainage System Service Area, as shown outlined in the map above. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

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

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

If less than 10% (38) of the service area electors submit an *Elector Response Form*, the Bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 383.

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



**ELECTOR RESPONSE FORM
BYLAW NO. 3085**

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3085 – Cobble Hill Drainage System Service Establishment Bylaw, 2008" which authorizes the Regional District to operate and maintain a drainage system service within a portion of Electoral Area C – Cobble Hill. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this *Elector Response Form* to the Regional District office by 4:30 p.m., Tuesday, August 18, 2009. Only those persons who live or own property within the proposed service area and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

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

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

NAME OF ELECTOR:

(Please Print Full Name)

ELECTOR STREET ADDRESS:

or

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

(contact telephone number including area code)

SIGNATURE OF ELECTOR:

NOTE: The *Elector Response Form* must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before 4:30 p.m., **Tuesday, August 18, 2009**. Regular office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding statutory holidays.

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



SR3

STAFF REPORT
REGULAR BOARD MEETING
OF JULY 8, 2009

DATE: June 17, 2009 **FILE NO:** EDC 2009
FROM: Geoff Millar, Economic Development Manager
SUBJECT: Tourism Cowichan Restructure

Recommendation:

That it be recommended to the Board:

1. That a Tourism Cowichan Community Working Committee be created to develop and plan for the restructuring of Tourism Cowichan; to examine all aspects of the program, determine reasonable timelines for implementation, expanded Committee membership, expand on the principles for regional operation and collaboration made in the Duncan Tourism Plan with a goal to create and develop a reasonable and logical business/operational plan including a seamless transition from the present structure to the new "Tourism Cowichan Council".
2. That the Tourism Cowichan Community Working Committee consist of 10 to 20 individuals representing all stakeholder groups including operators and sector representatives from within the Region including political appointees and representation from the Economic Development Commission.
3. That Economic Development Commission member Mike Kelly be appointed as the EDC representative on the Community Working Committee.

Purpose:

To create a new structure for Tourism Cowichan with dedicated representation from Tourism stakeholders.

Background:

Tourism Cowichan is currently under the immediate direction of the Economic Development Division of the CVRD with a part time Marketing Coordinator facilitating external tourism marketing initiatives on behalf of all tourism businesses in the Region. There have been efforts over the past 18 months to determine a more direct method of administering the tourism program through strategic leadership and guidance by a representative group of tourism industry members within the CVRD Region.

The City of Duncan has completed and approved a Tourism Development Plan (April 2008-February 2009) and a number of the recommendations from that plan pertain to regional tourism. A letter of request from the City of Duncan to Warren Jones – CAO – CVRD dated March 19, 2009 is part of this Staff Report. The letter request was forwarded to the Economic Development Division.

The letter takes its primary recommendation directly from the Duncan Tourism Development Plan – *“That the governance structure of Tourism Cowichan be modified to ensure adequate representation of stakeholders throughout the region, with a re-structured committee being accountable to the CVRD, the municipalities and industry stakeholders through the Economic Development Commission.”*

In order to follow through on the request from the City of Duncan, the matter was referred to the Economic Development Commission meeting held on 14 May 2009.

Program Details:

A Power Point presentation has been edited to generally review the specific City of Duncan recommendations and focus directly on the recommendations with CVRD regional implications.

Tourism BC has approved an application submitted by the CVRD Economic Development Commission to fund the creation of a Regional Tourism Development Plan. The creation of the plan will draw from the work already completed in the CVRD including the Tourism Development Plans for the Town of Ladysmith and the City of Duncan as well as the regional Visitor Servicing Strategy completed in 2008. It will include more specific tourism planning for sub-regions in South Cowichan, Chemainus and the Cowichan Lake area.

Tourism BC does not require a financial contribution from our region for this process, but, in their words, “It is paramount that we (Tourism BC) receive the necessary stakeholder commitment to ensure the appropriate input is provided.”

We will have a core group called the Tourism Cowichan Community Working Committee of 10 – 20 individuals to begin this process and include representation from all stakeholder groups including operators and sector representatives. Also incorporated in the list are political representations or appointees plus regional representation from the Economic Development Commission.

The Tourism Cowichan Community Working Committee will examine all aspects of the program and determine reasonable timelines for implementation, further membership in the Committee and will expand on the principles for regional operation and collaboration made in the Duncan Tourism Plan. The goal is to create and develop a reasonable and logical business and operational plan with a seamless transition from the present structure to the new Tourism Cowichan Council.

An important component of the new organization will be a Terms of Reference for the Council and an appropriate fiscal reporting policy. Economic Development staff will develop a suitable structure and report back to the Economic Development Commission and the CVRD Board.

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If approved by the CVRD Board of Directors, the creation of the Tourism Cowichan Community Working Committee will begin immediately with further recommendations to be brought forward to the Board for approval before December 2009.

Submitted by,



Geoff Millar
Economic Development Manager

Rosa/EconomicDevelopment/StaffReports2009/TCRstructure.



C.V.R.D.
RECEIVED

MAR 23 2009

CITY OF DUNCAN

March 19, 2009

Warren Jones
Chief Administrative Officer
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Dear Mr. Jones:

RE: Tourism Cowichan governance

City of Duncan Council, at its meeting of March 16, 2009, passed a resolution directing "that the City write to the CVRD and suggest that it review the governance of Tourism Cowichan and work with stakeholders to implement a new model of governance, as a priority."

As you are probably aware, the City of Duncan recently completed the Duncan Tourism Development Plan 2009 – 2014. This project, commissioned jointly by the City of Duncan, Duncan-Cowichan Chamber of Commerce, and Cowichan Tribes, was to help develop a Tourism Strategy specifically for the urban Duncan area (including the Tribes). A consultant of Tourism BC led the development of the Plan through a steering committee that was representative of the industry and which included staff from the Cowichan Economic Development Commission and Tourism Cowichan.

One of the most significant findings is that in order to strengthen regional and local organizational capacity to deliver tourism effectively, that the governance structure of Tourism Cowichan be modified "to ensure adequate representation of stakeholders throughout the region, with a restructured committee being accountable to the CVRD, the municipalities and industry stakeholder through the Economic Development Commission".

I am attaching a copy of the final Tourism Development Plan. I would like to direct your attention specifically to pages 8 to 12, wherein a new model for Tourism Cowichan is discussed.

City Council hopes that you will take this request to your Board as soon as possible and advise us of the outcome of their deliberations.

Yours truly,


Tony Ireland, CAO

cc: Mayor & Council

File	Initials
Comments	12 - letter only
Date	Mar. 25/09



May 7, 2009

Geoff Millar
Cowichan Valley Regional District
135 Third Street
Duncan, BC V9L 1R9

Dear Geoff,

Thank you for your application to the Community Tourism Foundations® program.

Your submission has been reviewed, and I am pleased to inform you that Tourism BC is able to work with the Cowichan Valley in order to develop a Tourism Development Plan. The creation of this plan will include stakeholder involvement and draw from the work already completed in communities within the Cowichan Valley through their respective participation in the Community Tourism Foundations program.

The Community Tourism Foundations program primarily consists of Tourism BC providing professional resources to assist communities in developing a tourism plan. While most of the efforts in putting this plan together are performed by one of our seven program facilitators, it is based on the input of each respective community we are working with. Tourism BC does not require a financial contribution from a community for this process, but it is paramount that we receive the necessary stakeholder commitment to ensure the appropriate input is provided. This will involve community stakeholders agreeing to participate in two to three meetings within the following six month period. At the end of the development process, a document is produced that captures where the stakeholders wish to proceed with tourism in the Cowichan Valley.

With this in mind, a community working committee of ten to twenty individuals will be required and should include representation from the following stakeholder groups:

- Mayor and/or council representation;
- Tourism agency/organization;
- Visitor Centre Manager;
- First Nations;
- Chamber of Commerce;
- Business Association;
- Arts/Culture/Heritage organizations;



- Tourism business operators (accommodation, food & beverage, outdoor adventure, etc.); and
- Other groups/individuals that you feel can provide important insight to your community's tourism efforts.

Please forward a list of proposed initial meeting attendees (with contact information) to the Community Development Coordinator, Monique Brunel at Monique.Brunel@tourismbc.com. Monique will then be in contact with you regarding the next steps.

Tourism BC looks forward to the opportunity to work with the Cowichan Valley on your tourism development plans.

If you have any questions please feel free to contact Monique at 604-660-3763 or myself at 604-660-3754.

Yours truly,



Caterina Papadakos
Manager, Community Partnerships
Tourism British Columbia

Cc: Bobbi-Jean Goldy, Tourism Vancouver Island



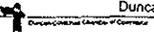
COMMUNITY
TOURISM
FOUNDATIONS



Tourism Development Plan



Prepared for:
City of Duncan
Duncan-Cowichan Chamber of Commerce
Cowichan Tribes




(adapted for)
Cowichan Valley Regional District
24 June 2009

Tourism BC Facilitator:
Jennifer Houellebecq

COMMUNITY
TOURISM
FOUNDATIONS



The Planning Process

- Initial meeting held in February 2008
- Visioning Workshop – April '08
 - > Overview of the current situation
 - > Established strategic directions
- April/May development of tactics through small working groups
- 5-Year Plan framework – review workshop – June '08
- Draft Tourism Plan – review workshop – December '08
- Preparation of 1-Year Action Plan
- Presentation to Duncan City Council – February 2009

COMMUNITY
TOURISM
FOUNDATIONS



The Planning Process

Participants:

- City of Duncan – staff and Council
- Duncan-Cowichan Chamber of Commerce
- Quw'utsun' Cultural Conference Centre/Cowichan Tribes
- Duncan Business Improvement Centre
- Tourism Cowichan
- Cowichan Region EDC
- Municipality of North Cowichan
- Accommodation sector – hotels and B&Bs
- Arts & culture sector
- Retail sector
- Attractions
- Tourism Vancouver Island
- Tourism BC






Duncan Tourism Goals

- GOAL:**
Establish a Duncan Tourism Committee as a sub-committee of Tourism Cowichan
- GOAL:**
Establish a stronger and sustainable funding formula for both regional and local initiatives
- GOAL:**
Commit to working towards the implementation of the 2% Additional Hotel Room tax throughout the region
- GOAL:**
To enhance the attractiveness of Downtown as a core visitor product/experience.



Duncan Tourism Goals

- GOAL:**
To improve the competitiveness of Duncan through strengthening and consolidating existing product offerings.
- GOAL:**
To improve the competitiveness of Duncan through servicing the visitor effectively, and delivering a memorable experience.
- GOAL:**
To support Tourism Cowichan in undertaking key destination management functions that will assist in strengthening the tourism industry regionally and locally



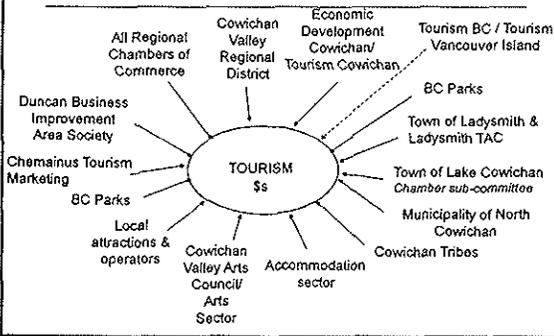
Duncan Tourism Goals

- GOAL:**
To increase awareness of the Duncan area in the regional markets, and generate a greater volume of visitors and increased visitor spending in the community year round.
- GOAL:**
To strengthen the tourism industry locally through building a greater appreciation for tourism within the Duncan area and supporting Tourism Cowichan in related tactics.

The Planning Process

Next.....
Regional Goals

Regional Tourism Goals from the Duncan Plan



Regional Tourism Goals from the Duncan Plan

GOAL:
To strengthen regional and local organizational capacity to deliver tourism effectively.

"That the governance structure of Tourism Cowichan be modified to ensure adequate representation of stakeholders throughout the region, with a re-structured committee being accountable to the CVRD, the municipalities and industry stakeholders through the Economic Development Commission."

Quote from the Duncan Tourism Development Plan – February 2009

COMMUNITY TOURISM FOUNDATIONS 

Regional Tourism Goals from the Duncan Plan

GOAL: (continued)
To strengthen regional and local organizational capacity to deliver tourism effectively.

- Mandate of new Council – to oversee the growth and development of tourism within the Cowichan region and to promote the interests of all tourism stakeholders

COMMUNITY TOURISM FOUNDATIONS 

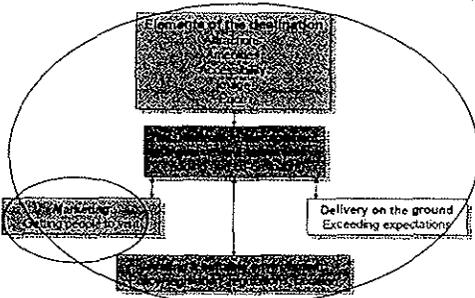
Regional Tourism Goals from the Duncan Plan

GOAL:
To strengthen regional and local organizational capacity to deliver tourism effectively.

- Recommend a restructuring of Tourism Cowichan and the establishment of a new Tourism Cowichan Council to replace the existing committee
 - Mandate of Tourism Cowichan – to be extended to include a range of marketing and tourism management roles for the overall region
 - Benefits ➡ Cost efficiencies, improvement of visitor services, strengthening of the regional brand and market position, and a reduction in duplication

COMMUNITY TOURISM FOUNDATIONS 

Regional Tourism Goals from the Duncan Plan



Source: Carter 2007



Regional Tourism Goals from the Duncan Plan

- Establish a stronger and sustainable funding formula for both regional and local initiatives
 - Commit to working towards the implementation of the 2% Additional Hotel Room tax throughout the region
 - Implications of pursuing this as a regional initiative to be reviewed in the regional planning process



Regional Tourism Goals from the Duncan Plan

- Implement range of tactics aimed at improving customer service and quality of experience
 - Consider working towards becoming a "WorldHost Region"
- Move forward with regional signage program
- Work towards providing an integrated Visitor Centre network
 - Duncan VC location issue
 - Develop regional service agreements
 - Provide extended services in areas such as Downtown Duncan



Regional Tourism Goals from the Duncan Plan

IMPORTANT NOTE

Support for Tourism Cowichan relates to a range of management functions that the private sector cannot do on its own

- Maintain regional database of product inventory
- Develop systems for maintaining an ongoing scan on market trends
- Measure the value of tourism to the regional economy
- Measure the effectiveness of marketing initiatives
- Report trends and findings to stakeholders
 - Assist small businesses in being more responsive to market changes and opportunities

Regional Tourism Goals from the Duncan Plan

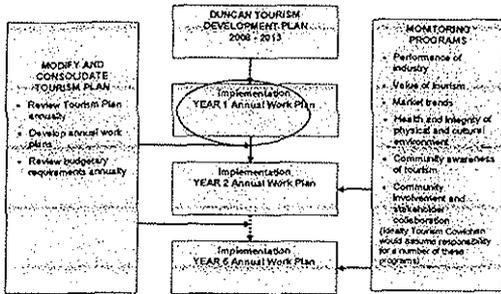
Support an integrated regional marketing approach led by Tourism Cowichan

> Several Duncan related goals also included here.

Tourism Cowichan to take a lead in continuing an internal communications strategy

- Develop press release policy
- 'Be a visitor in your own region'
- Annual regional tourism event
- Regional e-newsletter for tourism stakeholders

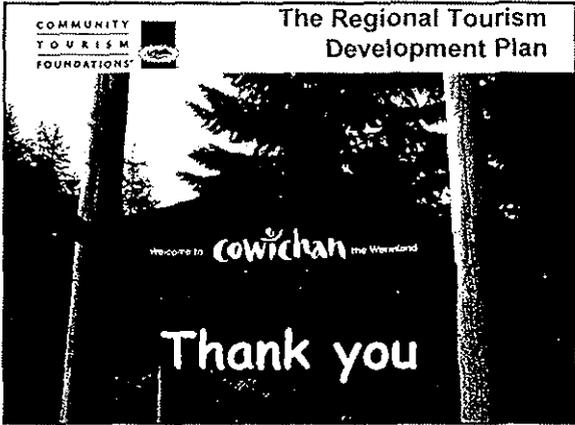
Implementation



Implementation

The Economic Development Commission Recommends to the CVRD Board:

1. The CVRD plan for and initiate the process of restructuring Tourism Cowichan and establish a new Tourism Cowichan Council to replace the existing committee.
2. Approve and ratify the EDC appointment to the Community Working Committee for the Regional Tourism Development Plan.





STAFF REPORT

REGULAR BOARD MEETING
OF JULY 8, 2009

DATE: June 23, 2009

FILE NO:

FROM: Sharon Moss, Manager, Finance Division

BYLAW 3279

NO:

SUBJECT: Fall Security Issuing Bylaw

Recommendation:

That CVRD Security Issuing Bylaw 3279 be given three readings and adoption.

Purpose:

To obtain authorization from the Board to approve the Security Issuing Bylaw for the borrowing of funds for the upgrade of Fern Ridge Water System, to construct a water treatment plant & reservoir for Satellite Park Water System, the upgrade of Cobble Hill Sewer System, and the renovation of Cowichan Lake Sports Arena.

Financial Implications:

The debt payments for this borrowing will be borne by the property owners within their respective service areas.

Interdepartmental/Agency Implications:

All borrowing by the Regional District and its member Municipalities must be from MFA and must flow through the Regional District. MFA goes out on the open market and obtains financing twice per year, spring and fall.

Background:

The Regional District has received the appropriate public approval and has adopted Loan Authorization Bylaws approving this borrowing. The Regional District has 5 years to request funds from the MFA under each Loan Authorization Bylaw which is done through a Security Issuing Bylaw. The identified projects require funds now or will this fall.

Submitted by,

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

SM:tk

Attach.

General Manager Approval:

Signature



STAFF REPORT

BOARD MEETING
OF JULY 8, 2009

DATE: July 29, 2009

FILE NO:

FROM: Brian Duncan, Chief Building Inspector

SUBJECT: SEASONAL CABINS POLICY

Recommendation:

That the CVRD's Planning and Development "*Seasonal Cabins*" policy be adopted as presented.

Purpose:

To allow seasonal cabins to be built within the CVRD's electoral areas where connection to a piped water supply and public sewer system is not possible due to their unique location.

Financial Implications: Not applicable.

Interdepartmental/Agency Implications: Not applicable.

Background:

The Staff Report submitted to the Electoral Area Services Committee meeting of May 5, 2009 is included and offers an overview of the issue and how it can be remedied with the implementation of a "seasonal cabins" policy for the CVRD's electoral areas. The "Seasonal Cabins" policy is submitted for the Board's consideration.

Submitted by,

Brian Duncan
Chief Building Inspector

rlj
rosa/Board/Agenda/July2009/SR5 Seasonal Cabins Policy

General Manager's Approval:

NOT AVAILABLE

Signature



**PLANNING & DEVELOPMENT
POLICIES and PROCEDURES**

Title: SEASONAL CABINS

Classification: Building Regulations – Building Permits & Inspections

Approval History:

Effective Date:

PURPOSE:

CVRD land use bylaws do not define "seasonal cabin". The CVRD receives permit applications for seasonal cabins in remote areas and on the Gulf Islands. These cabins are used for recreational purposes only and do not require registration with the Homeowner Protection office because they are not considered a single-family dwelling. A single-family dwelling is connected to a private/public sewer and water system, and is intended for year-round habitation.

DEFINITION:

A "seasonal cabin" is defined as a structure that:

- is intended for recreational or seasonal use only;
- is not connected to a public/private sewer or water system;
- may contain eating, living, sleeping, and cooking facilities;
- has a self contained sanitation facility and a source of potable water;
- has a floor area that does not exceed 74 square metres; and
- is used for no more than six months per calendar year.

POLICY:

A seasonal cabin shall not be permitted in an area where sewer and water are readily available to the property.



STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF MAY 5, 2009

DATE: May 5, 2009 **FILE NO:**

FROM: Brian Duncan, Chief Building Inspector
Planning and Development Department **BYLAW NO:**

SUBJECT: Seasonal Cabins

Recommendation:

That the Board adopt a policy which defines dwellings meant for seasonal use (maximum 180 days per year) that, because of their unique location, cannot be connected to a piped potable water system or a public/private sewer system. A "seasonal cabin" is a dwelling which is not intended for year round residential occupancy, has a self contained sanitation facility and may contain cooking, eating, living and sleeping facilities. Its use is limited to 180 days per year and it cannot exceed 74 sq. m. in floor area.

Purpose:

To allow seasonal cabins to be built within the CVRD where connection to a piped water supply and public sewer system is not possible due to their geographical location.

Financial Implications:

N/A

Interdepartmental/Agency Implications:

N/A

Background:

The BC Building Code requires all dwelling units to be supplied with potable water and where a piped water supply is available, hot and cold water shall be supplied to all sinks and showers, and cold water shall be supplied to all toilets. It goes on to say that all fixtures shall discharge to a sewer system. There are areas in the CVRD where there is no water or sewer system, namely some of the Gulf Islands, and water access only to islands such as those in Shawnigan Lake. We do get inquiries for seasonal cabins but this term is hardly used and does not appear in any of our land use bylaws. The Island Trust has issued approvals for seasonal/recreational cabins, and we, in turn, have issued permits for "seasonal cabin only" on the Gulf Islands. These cabins usually

have a composting toilet, rain water collection and solar power in place of connections to conventional services.

This policy would allow us to issue a permit for a seasonal use dwelling as long as we are provided with details of the sanitation facilities and water supply. The conditions of the permit would limit the use and the possibilities of converting the structure to year round accommodation.

Submitted by,

Brian Duncan,
Chief Building Inspector
Planning and Development Department

<i>Department Head's Approval:</i>
<hr/>
<i>Signature</i>

BD/ca

000041



PUBLIC HEARING REPORT
Bylaws No. 3133 and 3263

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3133 (School Sites) and Zoning Amendment Bylaw No. 3263 (Additional Parkland Regulation), applicable to Electoral Area A – Mill Bay/Malahat, held on Tuesday, June 9, 2009, at the Kerry Park Recreation Centre, Curling Rink, 1035 Shawnigan Mill Bay Road, Mill Bay, BC, at 7:08 pm:

HEARING DELEGATES Director B. Harrison, Electoral Area A – Mill Bay/Malahat, Chairperson
Director K. Cossey, Electoral Area B – Shawnigan Lake

Absent:

Director G. Giles, Electoral Area C – Cobble Hill

CVRD STAFF PRESENT Mr. M. Tippett, Manager, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:

There were 2 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 Mr. Tippett explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, June 3, 2009 and Friday, June 5, 2009) and within the *Leader Pictorial* (Saturday, May 30, 2009 and Wednesday, June 3, 2009) as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3133 would delete existing Policy 10.3.28 and add the following new policies to the Electoral Area A – Mill Bay/Malahat Official Community Plan Bylaw No. 1890:

POLICY 10.3.28: The CVRD encourages the School District to make operational public school buildings and grounds in the Community Plan Area available to community members, for recreational and cultural activities as well as educational programs, during non-school hours.

POLICY 10.3.29: Where the School District proposes to close public schools and sell the property and buildings, the Regional District strongly encourages the School District to give preference to local community groups and associations as well as regional recreation functions, among others, with the

goal of keeping the buildings and facilities open to the public.

POLICY 10.3.30: Examples of public uses that the CVRD considers to be worthy of encouragement at disused school sites are: daycare, pre-school and kindergarten, after-school care, alternative education (private or public), senior citizens programs, civil emergency public shelter and similar uses. The CVRD is prepared to work with the community and other government agencies in order to encourage such uses at disused school sites.

POLICY 10.3.31: The Regional District considers all properties and facilities that are zoned as Parks and Institutional in the implementing zoning bylaw to be important for public uses, and converting these sites to an alternative land use zone that would exclude the public and close the facilities will be very strongly discouraged by the Board.

POLICY 10.3.32: The Regional District may be prepared to consider adding permitted land uses, such as limited commercial, to the Parks and Institutional zone that applies to school sites, so long as these uses would be complementary to the principal institutional use.

The purpose of Amendment Bylaw No. 3133 is to highlight the importance of school sites to small communities, and to signal that the CVRD would not be inclined to see such properties turned over to alternate uses that are not institutional in nature.

Mr. Tippett stated that 12 submissions had been received at the CVRD office with regard to Official Community Plan Amendment Bylaw No. 3133 and those submissions along with any submissions received at the Public Hearing will form part of the Minutes for the Public Hearing.

Zoning Amendment Bylaw No. 3263 would amend the Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 by deleting existing Section 13.09 and adding the following:

13.09 Dedication for Public Use:

A parcel which is reduced in size by not more than ten (10) percent as a result of a dedication for a public use by:

- a. the Regional District, other than for regional or community parkland in fully serviced areas (community water and community sewer);
- b. a municipality;
- c. the Provincial Government;
- d. the Federal Government;
- e. an Improvement District;
- f. the Board of School Trustees; or
- g. a Public utility.

by expropriation or purchase, shall be considered to have the same size as it did prior to the dedication for public use. If this deemed size would

permit further subdivision, then such subdivision may occur pursuant to the general regulations of this Bylaw and the regulations of this zone in which the parcel is located. No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.

13.10 Parcel Area Requirements Where Additional Parkland is Accepted by CVRD:

Where an owner of land being subdivided into Bare-Land Strata lots under the *Strata Property Act* dedicates as parkland in fee simple title to the CVRD an amount greater than 5% of the land being subdivided, the area of fee-simple parkland that is greater than 5%, but not more than 50%, may, for the purposes of calculating minimum parcels sizes set out in this Bylaw, be included in the total area of lots being created in the Bare-Land Strata, and the parkland in fee simple is deemed not to be a parcel or lot. This regulation is subject to all of the following conditions:

- a. lot yield shall not be increased over what would be available were no additional parkland being proposed;
- b. the parcels being created shall not be so small as to cause difficulties with the area required for a sewage disposal field or well, or create parcels which would require setback variances in order to be built upon;
- c. the parklands proposed must be in a location and condition that is acceptable to the CVRD.

The purpose of Zoning Amendment Bylaw No. 3263 is to provide the option of the CVRD taking over as public parkland what might otherwise become part of the common property of a strata corporation under a conventional Bare-Land Strata subdivision. This will give the CVRD Parks Division the opportunity to acquire locally and regionally significant lands for park at no cost.

In the event that the CVRD agrees that the land being proposed by a subdivider as public park is suitable and agrees to accept it, and it is located in an area with both community water and sewer services, the Bare-Land Strata subdivision may still contain the same number of lots as it would have if the entire site was subdivided into such lots, with no parkland at all. This could mean, in a case where 50% of the total area to be subdivided in a Bare-Land Strata Plan is accepted as park, that the strata lots would be clustered onto non-Park portions of the land, with the average strata lot size being approximately one-half that required by the zone in which the land is located. No additional lots would be created than would have been present had the entire site been subdivided into strata lots.

Mr. Tippett stated that no submissions had been received at the CVRD office with regard to Zoning Amendment Bylaw No. 3263 from the date the advertising was placed within the local newspapers to the close of the CVRD office today, June 9, 2009 at 4:30 pm.

Mike Tippett

Further explained that:

- Zoning Amendment Bylaw No. 3263 (Additional Parkland Regulation) would give the CVRD, at its sole discretion, the ability to accept up to 50 percent of the land being subdivided as park, if it is a Bare-Land Strata subdivision. In such cases, the developer could still create the identical subdivision with the open space being either a strata lot or a part of common property, so this amendment would also allow this land to become park.
 - The proposed amendment gives more flexibility in dealing with land dedication situations;
 - CVRD Parks Manager is very keen on the proposed amendment and noted that it has already been used in Cowichan Bay;
 - If approved this Policy may be used in Mill Bay as there is a proposed subdivision on the Bickford property that would benefit from this amendment;
 - Does not change the nature of the Bare-Land Strata subdivision as it gives the CVRD the flexibility to accept, as public land, the land a developer does not want to develop but also noted that the CVRD does not have to take it if they do not wish to.
-
- Official Community Plan Amendment Bylaw No. 3133 (School Sites) was first brought forward in some of the other Electoral Areas where former school sites were being deemed surplus property by the School District and they were selling them to third parties. He also noted that some of the properties had been gifted years ago on behalf of the community to the School District with the assumption was that they would always be in public use because in some rural communities the school is the historical centre of the area;
 - Electoral Area E was the first area to go to Public Hearing on the proposed amendment and since then other Electoral Areas have joined in with similar Amendments;
 - Proposed Amendment is to try to convince the School District to not sell to the highest bidder and noted that since the first amendment was adopted the School District has since changed their policy on how they deal with "surplus" sites;
 - CVRD is presently in negotiations with the School District to lease the Cowichan Station School site.

Correspondence

There was no correspondence received for Zoning Amendment Bylaw No. 3263 (Additional Parkland Regulation) and the following items were received with regard to Official Community Plan Amendment Bylaw No. 3133 (School Sites) and are attached to the Minutes as Exhibits:

- 1) Email dated June 22, 2008, from Melinda Piatkowski (EXHIBIT 1);
- 2) Email dated June 22, 2008, from Duncan Brown, Chair of the Community Alliance for Public Education (CAPE) EXHIBIT 2);
- 3) Email dated June 22, 2008, from E. Haythornthwaite (EXHIBIT 3);

- 4) Email dated June 22, 2008, from Katherine Reid (EXHIBIT 4);
- 5) Email dated June 23, 2008, from S & E Copland (EXHIBIT 5);
- 6) Email dated June 23, 2008, from Joanne Circle/Richard Palmer (EXHIBIT 6);
- 7) Email dated June 23, 2008, from Angela Davies, Treasurer, Cowichan Station Area Association (EXHIBIT 7);
- 8) Email dated June 23, 2008, from Erin Arrowsmith (EXHIBIT 8);
- 9) Email dated June 23, 2008, from Steve Watson (EXHIBIT 9);
- 10) Email dated June 23, 2008, from Mary Ann Watson (EXHIBIT 10);
- 11) Email dated June 27, 2008, from Blaine Castle (EXHIBIT 11);
- 12) Letter dated June 18, 2008, from A. Brian Simmons, Chair, Board of Education, Cowichan Valley School District No. 79 (EXHIBIT 12).

- Location of File** Director Harrison advised that the Information Binders were available for review on the side table, along with copies of the proposed Amendment Bylaws and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.
- 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.
- Director Harrison** ➤ The previous Bayview School site was located where the Tim Horton's/McDonalds mall site is now located in Mill Bay and that he felt that has added to the traffic congestion of that particular intersection and that he felt it would have been better left in public use rather than selling it. If the proposed Amendment had already been in place it may have been possible to have saved it.
- David Gall** ➤ Taxpayers have paid for the Schools and the School District does not have the right to sell them off;
➤ Totally supports the proposed School Sites Bylaw as he felt the schools should be kept for community use.
- Director Harrison** ➤ Asked for further questions with regard to the proposed Amendment Bylaws.
- David Gall** ➤ Does the Parks Division get a say in which way the parkland should be dedicated?
- Mike Tippett** ➤ Provincial Legislation applies but noted that the proposed Policy would provide flexibility that does not exist within the existing Zoning Bylaw;
➤ At present the Bickford property is the only property that the proposed Amendment may apply to, subject to Parks Division approval.

- Director Harrison** ➤ CVRD Parks Commission’s would also be asked for their comments.
- David Gall** ➤ Is a Strata subdivision deemed by the developer?
- Mike Tippett** ➤ Developer decides whether it will be strata or regular subdivision;
➤ CVRD can offer the option of taking on land as a park as it would provide greater protection of land.
- David Gall** ➤ Feels that the 5 percent dedication is a joke and asked where that regulation comes from.
- Mike Tippett** ➤ Five percent dedication is found under Section 941 of the *Local Government Act*.
- David Gall** ➤ Sentinel Ridge subdivision was developed poorly as no trail was dedicated down to the water.
- Mike Tippett** ➤ Feels that a small corridor was dedicated through that subdivision down to the water and suggested that he speak to Brian Farquhar, Parks and Trails Division Manager about that issue.

Director Harrison Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3133 and Zoning Amendment Bylaw No. 3263.

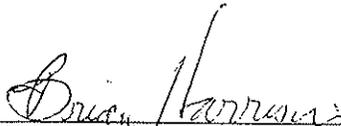
PUBLIC COMMENTS The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Harrison reminded the public that the Information Binders were available for review located on the side table, along with copies of the proposed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

ADJOURNMENT Chairperson Harrison asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3133 and Zoning Amendment Bylaw No. 3263.

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

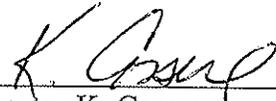
CERTIFICATION:

We attended the Public Hearing on Tuesday, June 9, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.



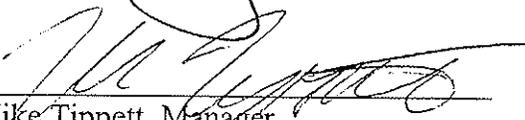
Director B. Harrison

Date June 22, 2009



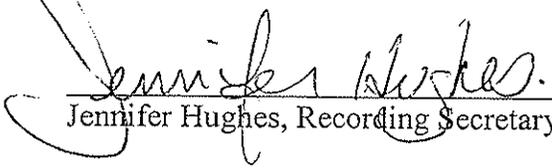
Director K. Cossey

Date June 22/09



Mike Tippett, Manager

Date June 22/2009



Jennifer Hughes, Recording Secretary

Date June 22, 2009



B1

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3258

A Bylaw for the Purpose of Controlling and Regulating Air Pollution within the
Cowichan Valley Regional District

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 pursuant to Section 797.1(1)(d) of the *Local Government Act*, the Regional Board of the Cowichan Valley Regional District wishes to establish a service to control and regulate air pollution, nuisances, unwholesome or noxious materials, odours and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia within the regional district;

AND WHEREAS the Cowichan Valley Regional District may, pursuant to Section 725(1)(g) of the *Local Government Act*, require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through the emission of smoke, dust, gas, sparks, ash, soot cinders, fumes or other effluvia; and prescribe measures and precautions to be taken for this purpose; and establish limits not to be exceeded for those emissions;

AND WHEREAS the Regional Board of the Cowichan Valley Regional District wishes to promote the preservation of air quality for all residents within the regional district;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3258 – Air Pollution Control Service Establishment Bylaw, 2009**".

.../2

2. SERVICE BEING ESTABLISHED

- 1) The service being established is the control of pollution, nuisances, unwholesome or noxious materials, odours and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia within the service area (the "service").
- 2) The purpose of the service is to do one or more of the following: require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through emissions referred to in subsection (1); to prescribe measures and precautions to be taken for this purpose; and to establish limits not to be exceeded for those emissions.

3. SERVICE AREA BOUNDARIES

The boundaries of the service area are coterminous with the boundaries of the electoral areas of the Cowichan Valley Regional District.

4. PARTICIPATING AREAS

The participating areas for the Service are: Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands, H – North Oyster/Diamond; and I – Youbou/Meade Creek.

5. METHOD OF COST RECOVERY

The annual costs for providing the Service shall be recovered by one or more of the following:

- a) the requisition of money to be collected by a property value tax to be levied and collected on the net taxable value of land and improvements within the service area;
- b) the imposition of fees and other charges that may be fixed by separate bylaw; and
- c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. APPORTIONMENT OF COSTS

The annual costs of providing this service shall be apportioned among the participants on the basis of the converted value of land and improvements within the participating areas.

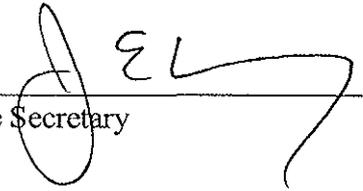
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READ A FIRST TIME this 8th day of April, 2009.

READ A SECOND TIME this 8th day of April, 2009.

READ A THIRD TIME this 8th day of April, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3258 as given Third Reading on the 8th day of April, 2009.



Corporate Secretary

APRIL 14, 2009

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 6th day of June, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



B2

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3277

**A Bylaw to Authorize the Borrowing of Funds to Help Finance
Solid Waste Works**

WHEREAS the Board of the Cowichan Valley Regional District established the *Solid Waste Management Service* under the provisions of Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to borrow money to help finance the remediation of three CVRD ashfills, upgrade and expand three existing CVRD recycling depots, and construct a new recycling depot in South Cowichan;

AND WHEREAS the estimated total cost for the remediation of three CVRD ashfills, upgrades and expansion of three existing CVRD recycling depots, and construction of a new recycling depot in South Cowichan, including expenses incidental thereto, is Three Million Dollars (\$3,000,000.00);

AND WHEREAS the sum to be borrowed is not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00), which is the amount of debt to be created by this bylaw;

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 in accordance with the *Local Government Act* and *Community Charter*;

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. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009**".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to remediate three CVRD ashfills, upgrade and expand three existing CVRD recycling depots, and construct a new recycling depot in South Cowichan in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing, to borrow upon the credit of the Regional District a sum not exceeding One Million Eight Hundred Thousand Dollars (\$1,800,000.00).

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *Solid Waste Management Service Area* established pursuant to Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996".

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

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

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

I hereby certify this to be a true and correct copy of Bylaw No. 3277 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

RECEIVED the approval of the Inspector of Municipalities this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



B3

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3278

**A Bylaw to Authorize the Borrowing of Funds to Help Finance the Design
and Construction of a new Operations Facility at the
Bings Creek Solid Waste Management Complex**

WHEREAS the Board of the Cowichan Valley Regional District established the *Solid Waste Management Service* under the provisions of Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to borrow money to help finance the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex;

AND WHEREAS the estimated total cost for the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex, including expenses incidental thereto, is Six Hundred and Ninety Thousand Dollars (\$690,000.00);

AND WHEREAS the sum to be borrowed is not to exceed Five Hundred and Ninety Thousand Dollars (\$590,000.00), which is the amount of debt to be created by this bylaw;

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 in accordance with the *Local Government Act* and *Community Charter*;

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. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009".

.../2



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3279

**A Bylaw to Authorize the Entering into an Agreement Respecting Financing
Between the Cowichan Valley Regional District and the
Municipal Finance Authority of British Columbia**

WHEREAS the Municipal Finance Authority of British Columbia (the “Authority”) may provide financing of capital requirements for regional districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the Regional District on whose request the financing is undertaken;

AND WHEREAS under the provisions of Section 825 of the *Local Government Act*, the amount of borrowing authorized by the following Loan Authorization Bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder and the amount being issued under the authority thereof by this bylaw is as follows:

L/A Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
2995	Upgrade of Fern Ridge Water System	\$56,000		\$56,000	20 Years	\$23,175
3029	Construct a Water Treatment Plant & Reservoir for Satellite Park Water System	\$160,000	Nil	\$160,000	20 Years	\$160,000
3106	Upgrade of Cobble Hill Sewer System	\$25,000	Nil	\$25,000	10 Years	\$25,000
3197	Renovation of Cowichan Lake Arena	\$7,500,000	Nil	\$7,500,000	20 Years	\$2,500,000
TOTAL		\$7,741,000	Nil	\$7,741,000		\$2,708,175
TOTAL Financing under Section 825						\$2,708,175

.../2

AND WHEREAS the Regional Board, by this bylaw, hereby requests such financing shall be undertaken through the Authority;

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

1. **CITATION**

This bylaw may be cited for all purposes as “**CVRD Bylaw No. 3279 - Security Issuing (Loan Authorization Bylaw No. 2995, Loan Authorization Bylaw No. 3029, Loan Authorization Bylaw No. 3106, and Loan Authorization Bylaw No. 3197) Bylaw, 2009**”.

2. The Authority is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Cowichan Valley Regional District up to, but not exceeding Two Million, Seven Hundred and Eight Thousand, One Hundred Seventy-Five (\$2,708,175.) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees of the Authority shall determine but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$2,708,175. in Canadian dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.
3. Upon completion by the Authority of financing undertaken pursuant hereto, the Chairperson and Treasurer of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements which said agreement or agreements shall be substantially in the form annexed hereto as Schedule A and made part of the bylaw (such agreement or agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
4. The Agreement in the form of Schedule A shall be dated and payable in the principal amount or amounts of monies and in Canadian dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 2 of this bylaw and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
5. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.

.../3

6. The Agreement shall be sealed with the seal of the Regional District and shall bear the signatures of the Chairperson and Treasurer.
7. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Victoria and at such time or times as shall be determined by the Treasurer of the Authority.
8. If during the currency of the obligations incurred under the said Agreement to secure borrowings in respect of "CVRD Bylaw No. 2995 – Fern Ridge Water System Service Loan Authorization Bylaw, 2007", "CVRD Bylaw No. 3029 – Satellite Park Water System Service Loan Authorization Bylaw, 2007", "CVRD Bylaw No. 3106 – Cobble Hill Sewer System Service Loan Authorization Bylaw, 2008", and "CVRD Bylaw No. 3197 – Cowichan Lake Sports Arena Renovation Loan Authorization Bylaw, 2008" the anticipated revenues accruing to the Regional District from the operation of the Central Youbou Water System are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.
9. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided however, that if the sum provided for in the Agreement is not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional District shall make provision to discharge such liability.
10. At the request of the Treasurer of the Authority and pursuant to Section 15 of the "Municipal Finance Authority of British Columbia Act", the Regional District shall pay over to the Authority such sums and execute and deliver such promissory notes as are required pursuant to said Section 15 of the "Municipal Finance Authority of British Columbia Act", to form part of the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.

READ A FIRST TIME this _____ day of _____, 2009

READ A SECOND TIME this _____ day of _____, 2009

READ A THIRD TIME this _____ day of _____, 2009

ADOPTED this _____ day of _____, 2009

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

to CVRD Bylaw No. 3279

CANADA

PROVINCE OF BRITISH COLUMBIA

Dollars

AGREEMENT

COWICHAN VALLEY REGIONAL DISTRICT

The Cowichan Valley Regional District hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ (\$ _____) in lawful money of Canada, together with interest thereon from the _____ day of _____ at varying rates of interest calculated semi-annually in each and every year during the currency of this Agreement; and payments shall be as specified in the table appearing on the reverse hereof commencing on the _____ day of _____ provided that in the event of payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

DATED at _____, British Columbia, this _____ day of _____, 20__.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 3279 cited as "CVRD Bylaw No. 3279 - Security Issuing (Loan Authorization Bylaw 2995, Loan Authorization Bylaw 3029, Loan Authorization Bylaw 3106, and Loan Authorization Bylaw 3197) Bylaw, 2009." This Agreement is sealed with the Corporate Seal of the Cowichan Valley Regional District and signed by the Chairperson and Treasurer thereof.

Chairperson

Treasurer



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3133

**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 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. 3133 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (School Sites), 2008**".

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 11th day of June, 2008

READ A SECOND TIME this 11th day of June, 2008.

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3133

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

1. That the following is added after the fourth paragraph of Section 10.1. Recreation, Parks and Institutional Uses - Introduction:

“Schools are gathering places for the community, places of socialization, centres of recreational activities and, in rural areas and smaller settlements, they are often the very heart of the community. School properties are therefore vital to the health and well-being of such communities, and need to remain available for institutional uses.”

2. Policy 10.3.28 is deleted and replaced by the following policies:

POLICY 10.3.28: The CVRD encourages the School District to make operational public school buildings and grounds in the Community Plan Area available to community members, for recreational and cultural activities as well as educational programs, during non-school hours.

POLICY 10.3.29: Where the School District proposes to close public schools and sell the property and buildings, the Regional District strongly encourages the School District to give preference to local community groups and associations as well as regional recreation functions, among others, with the goal of keeping the buildings and facilities open to the public.

POLICY 10.3.30: Examples of public uses that the CVRD considers to be worthy of encouragement at disused school sites are: daycare, pre-school and kindergarten, after-school care, alternative education (private or public), senior citizens programs, civil emergency public shelter and similar uses. The CVRD is prepared to work with the community and other government agencies in order to encourage such uses at disused school sites.

POLICY 10.3.31: The Regional District considers all properties and facilities that are zoned as Parks and Institutional in the implementing zoning bylaw to be important for public uses, and converting these sites to an alternative land use zone that would exclude the public and close the facilities will be very strongly discouraged by the Board.

POLICY 10.3.32: The Regional District may be prepared to consider adding permitted land uses, such as limited commercial, to the Parks and Institutional zone that applies to school sites, so long as these uses would be complementary to the principal institutional use.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3263

**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 enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3263 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Additional Parkland Regulation), 2009**".

2. **AMENDMENTS**

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

a) That Section 13.09 is deleted and replaced with the following:

13.09 **Dedication for Public Use:**

A parcel which is reduced in size by not more than ten (10) percent as a result of a dedication for a public use by:

- a. the Regional District, other than for regional or community parkland in fully serviced areas (community water and community sewer);
- b. a municipality;

.../2

- c. the Provincial Government;
- d. the Federal Government;
- e. an Improvement District;
- f. the Board of School Trustees; or
- g. a Public utility.

by expropriation or purchase, shall be considered to have the same size as it did prior to the dedication for public use. If this deemed size would permit further subdivision, then such subdivision may occur pursuant to the general regulations of this Bylaw and the regulations of this zone in which the parcel is located. No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.

13.10 Parcel Area Requirements Where Additional Parkland is Accepted by CVRD:

Where an owner of land being subdivided into Bare-Land Strata lots under the *Strata Property Act* dedicates as parkland in fee simple title to the CVRD an amount greater than 5% of the land being subdivided, the area of fee-simple parkland that is greater than 5%, but not more than 50%, may, for the purposes of calculating minimum parcels sizes set out in this Bylaw, be included in the total area of lots being created in the Bare-Land Strata, and the parkland in fee simple is deemed not to be a parcel or lot. This regulation is subject to all of the following conditions:

- a. lot yield shall not be increased over what would be available were no additional parkland being proposed;
- b. the parcels being created shall not be so small as to cause difficulties with the area required for a sewage disposal field or well, or create parcels which would require setback variances in order to be built upon;
- c. the parklands proposed must be in a location and condition that is acceptable to the CVRD.

3. FORCE AND EFFECT

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

READ A FIRST TIME this 25th day of March, 2009

READ A SECOND TIME this 25th day of March, 2009.

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



B7

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3282

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 notification period and with due regard to the public comments 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 enacts as follows:

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3282 - Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009**".

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 Schedule A (Zoning Map) to Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 is further amended by rezoning Lot 3, Section 6, Range 5, Sahtlam District, Plan 2771, Except That Part Thereof Lying To The South of Sahtlam Road And To The West and North West Respectively of Boundaries Parallel To And Perpendicularly Distant 100 Feet From The Westerly And North Westerly Boundaries of Said Lot And The Productions of Said Boundaries and Except Part In Plan 32679, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3282, from P-1 (Parks 1 Zone) to P-2 (Institutional 2 Zone).

.../2

b) That Schedule A (Zoning Map) to Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 is further amended by rezoning That Part of Lot 3, Section 6, Range 5, Sahtlam District, Plan 2771, Lying To The South of Sahtlam Road as Said Road is Shown on Said Plan, And To West And North West Respectively of Boundaries Parallel To And Perpendicularly 100 Feet From the Westerly and North Westerly Boundaries of Said Lot And Productions of Said Boundaries as shown outlined in a solid black line on Schedule B attached hereto and forming part of this bylaw, numbered Z-3282, from P-1 (Parks 1 Zone) to P-2 (Institutional 2 Zone).

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this _____ day of _____, 2009

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

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

I hereby certify this to be a true and correct copy of Bylaw No. 3282 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

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

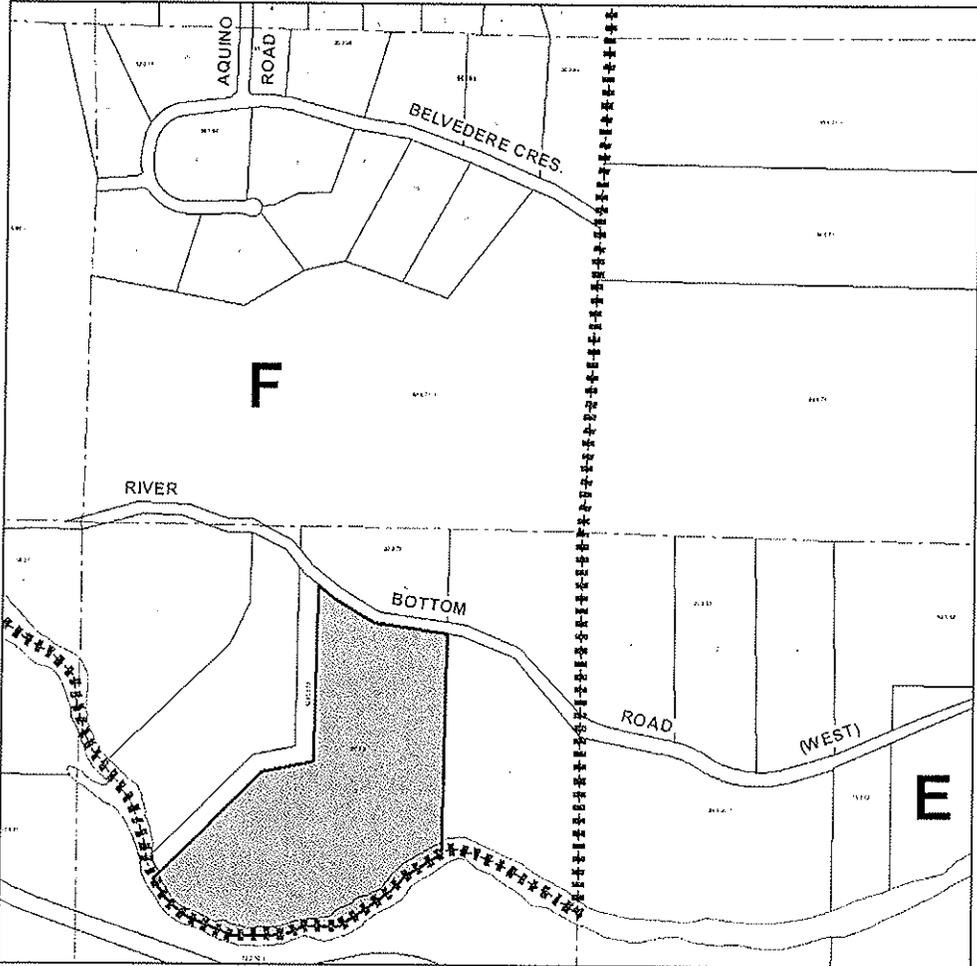
this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

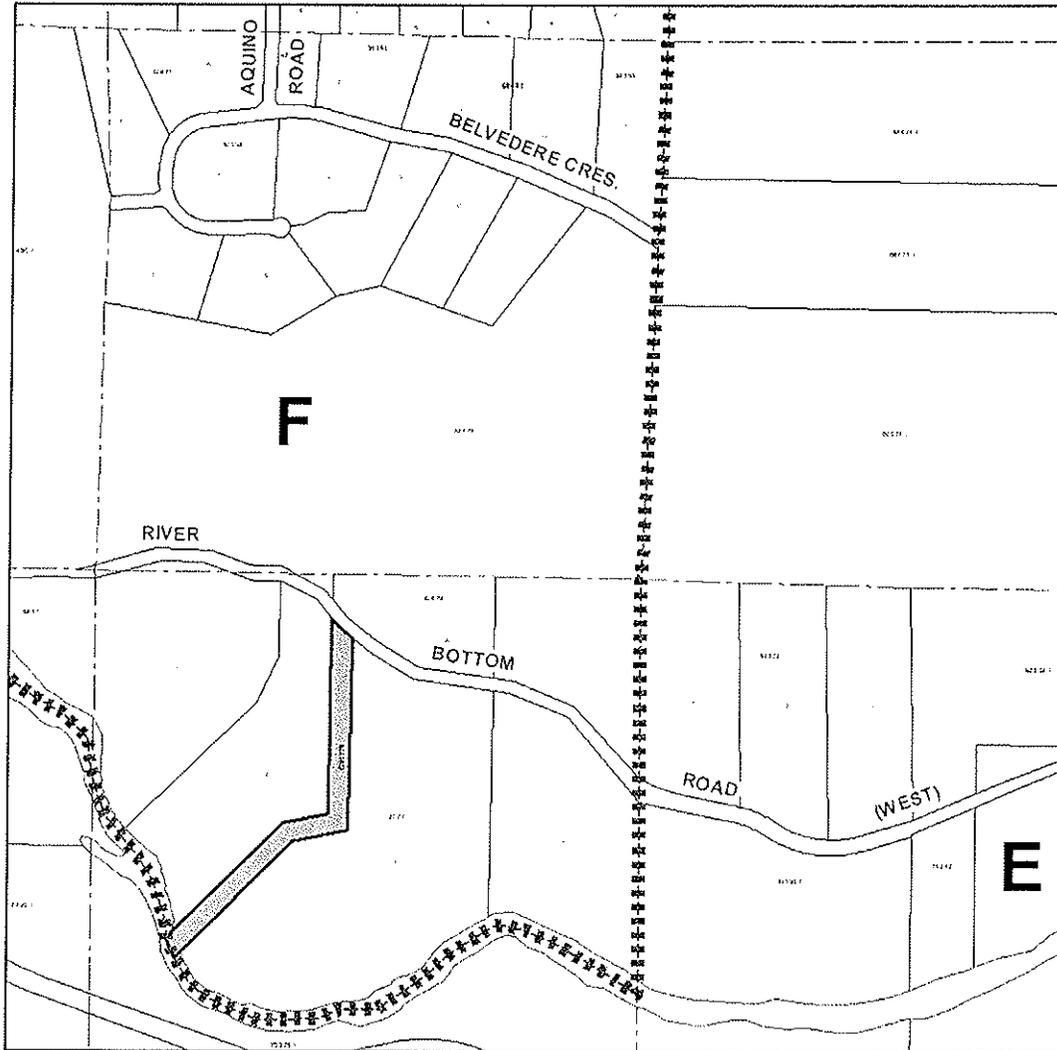
P-1 (Parks 1 Zone) TO

P-2 (Institutional 2 Zone) APPLICABLE

TO ELECTORAL AREA F

PLAN NO. Z-3282

SCHEDULE "B" TO ZONING AMENDMENT BYLAW NO. 3282
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

P-1 (Parks 1 Zone)

TO

P-2 (Institutional 2 Zone)

APPLICABLE

TO ELECTORAL AREA F



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3283

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3283 – Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Housekeeping), 2009**".

2. **AMENDMENTS**

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

a) Section 3.4.2(a) is deleted and replaced by the following:

- (a) the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the Land Title Act to the effect that the owner removes the existing dwelling or converts it to an accessory building under a Building Permit to the satisfaction of the Building Inspector, prior to the issuance of an occupancy permit;

b) The last sentence of Section 3.10.2 is deleted and replaced with the following:

No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.

c) Section 3.14 is amended by deleting subsections (c) and (d) and replacing them with the following:

(c) where the parcels involved are all under 10 hectares in area, the resulting parcels may be of any size provided that a required area for a sewage disposal field and reserve field area and a reasonable building envelope are available on each proposed parcel, and that any existing buildings and structures are set back the required minimum distance from proposed lot lines;

(d) where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel's area by greater than 20% of its original size.

3. FORCE AND EFFECT

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

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

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

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3284

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3284 - Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009**".

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.



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3284

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

1. That the following is added to the "Table of Contents" at the end of Part Fourteen:

14.9 Bare Land Strata Subdivision Development Permit Area

2. That the following is added after Section 14.8:

14.9 BARE LAND STRATA SUBDIVISION DEVELOPMENT PERMIT AREA

14.9.1 *Category*

The Bare Land Strata Subdivision Development Permit Area is designated pursuant to Section 919.1(1)(a) and (e) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity and establishment of objectives for the form and character of intensive residential development.

14.9.2 *Justification*

The CVRD Board recognizes that the development of lands within the Bare Land Strata Subdivision Development Permit Area represents an urban land use in a rural setting. To ensure that these lands are developed in manner that minimizes impacts on adjacent agricultural uses and rural residential lands and protects the natural environment, the Board wishes to establish objectives and guidelines for bare land strata subdivision based on the following objectives:

- To establish buffers between residential and agricultural uses.
- To establish buffers between intensive residential housing and adjacent rural and suburban residential development.
- To ensure amenities and open space are provided.
- To protect ground water quality and maintain natural drainage patterns and hydrology.

14.9.3 *Applicability*

The Bare Land Strata Subdivision Development Permit Area applies to those lands highlighted on Figure 15, Bare Land Strata Subdivision Development Permit Area. A development permit shall be required prior to subdivision of the subject land, as defined by section 872 of the *Local Government Act*.

.../2

14.9.4 *Guidelines*

Development permits shall be issued where proposed development complies with the following guidelines:

Lot Layout Guidelines:

1. No residential lot shall be within 30 metres of any adjacent residential or agricultural property on the perimeter of the site comprising the bare land strata subdivision.
2. Pedestrian trail corridors with a minimum width of 4.0 metres shall be provided.
3. All lots are to be designed in a manner that ensures a building site and on-site parking for two vehicles.
4. Recreational vehicle storage areas should be fenced and screened with landscaping, and shall not exceed 500 square metres in area.

Road Layout Guidelines:

5. Internal roadways shall have a minimum width of 10 metres and be designed to accommodate the turning radius of emergency vehicles.
6. A secondary emergency access constructed to standard acceptable to the local fire department shall be provided.
7. Roadways will include median or boulevard landscaping, including street trees, shrubs, grass or groundcover.

Landscaped Buffers Guidelines:

8. A landscaped buffer with a minimum width of 15 metres shall be provided and maintained along the entire length of all parcel lines contiguous to the Agricultural Land Reserve. The buffer shall be constructed in accordance with standards specified in *Guide to Edge Planning, Ministry of Agriculture and Lands, June, 2009* or to an alternate standard approved by the Agricultural Land Commission.
9. A landscaped buffer with a minimum width of 7.5 metres shall be provided and maintained along the entire length of any parcel line contiguous to a public roadway and the perimeter of the lands comprising the bare land strata subdivision. The landscaped buffer shall be bermed and planted with trees, shrubs and groundcover so as to maintain the privacy of adjacent properties. Fencing shall be provided, other than along public roadways.
10. Required landscaped buffers are to be designated common property and shall be exclusive of residential lot area.
11. No structure, parking or storage is permitted in a required buffer area.
12. Landscaped buffers shall be planted with native plants and plant material that requires minimal watering.

Open Space and Recreation Area Guidelines:

13. A minimum of 5% of the bare land strata site area shall be designated and developed as outdoor recreation area. Such areas shall be developed for active and passive recreation, including lawn bowling, horse shoe pitch, dog run, picnic area, or similar type uses.
14. All common open space and recreation area shall be landscaped.

Ground Water Protection Guidelines:

15. Storm water systems shall be designed by a professional engineer in a manner that maintains the natural hydrology of the subject property and pre-development drainage patterns and flow rates.
16. Storm water management techniques such as bio swales, pervious pavements, detention and retention, and infiltration shall be incorporated into the storm water management design.

14.9.5 *Exemptions*

Development permits are not required for:

- a) Building or landscaping on approved and registered bare land strata lots.
- b) Construction of sewer or water utilities approved by the CVRD.
- c) Emergency works to repair or replace utilities or infrastructure.

14.9.6 *Application Requirements*

Before the CVRD Board considers the issuance of a development permit for a parcel in the Bare Land Strata Subdivision Development Permit Area, the application shall submit an application that includes:

- a) Written description of the proposed development
- b) Subdivision plan showing the proposed lot layout, size and dimension of proposed lots, road network, trail way, landscaped buffers, watercourses and other natural features, recreation area and open spaces.
- c) Conceptual servicing plan, showing the location of all utilities and sewage disposal areas
- d) Storm water management plan
- e) Landscape plan prepared in accordance with BCLSA standards showing a proposed hard and soft landscaped areas, grading, and a plant list indicating the size, quantity and species of all proposed plant material.
- f) Prior to issuance of a development permit, a cost estimate for all required landscaping and security in a form acceptable to the CVRD is required. 75% of the security shall be returned to the applicant upon confirmation that landscaping has been installed in accordance with the permit drawings. The remainder shall be returned upon successful completion of a one year maintenance period.

.../4

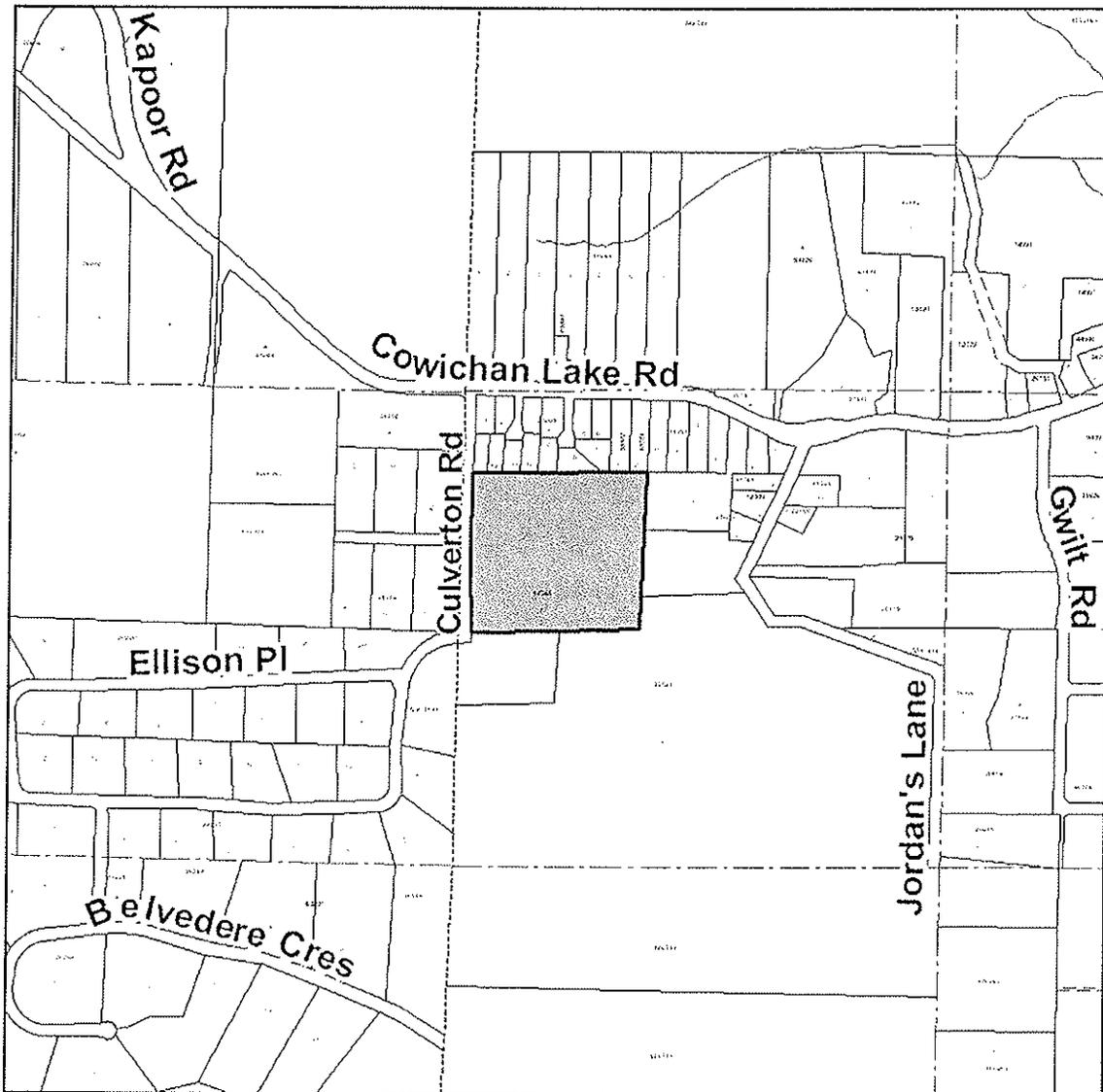
14.9.7 *Concurrent Development Permit Areas*

Where more than one development permit area applies to land in the Bare Land Strata Development Permit Area, a single development permit may be issued.

3. Schedule B (Plan Map) to Official Community Plan Bylaw No.1490 is hereby amended as follows:

That Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157, as shown outlined in a solid black line on Plan number Z-3284 attached hereto and forming Schedule B of this bylaw, be re-designated from Industrial to Manufactured Home Park Residential

FIGURE 15

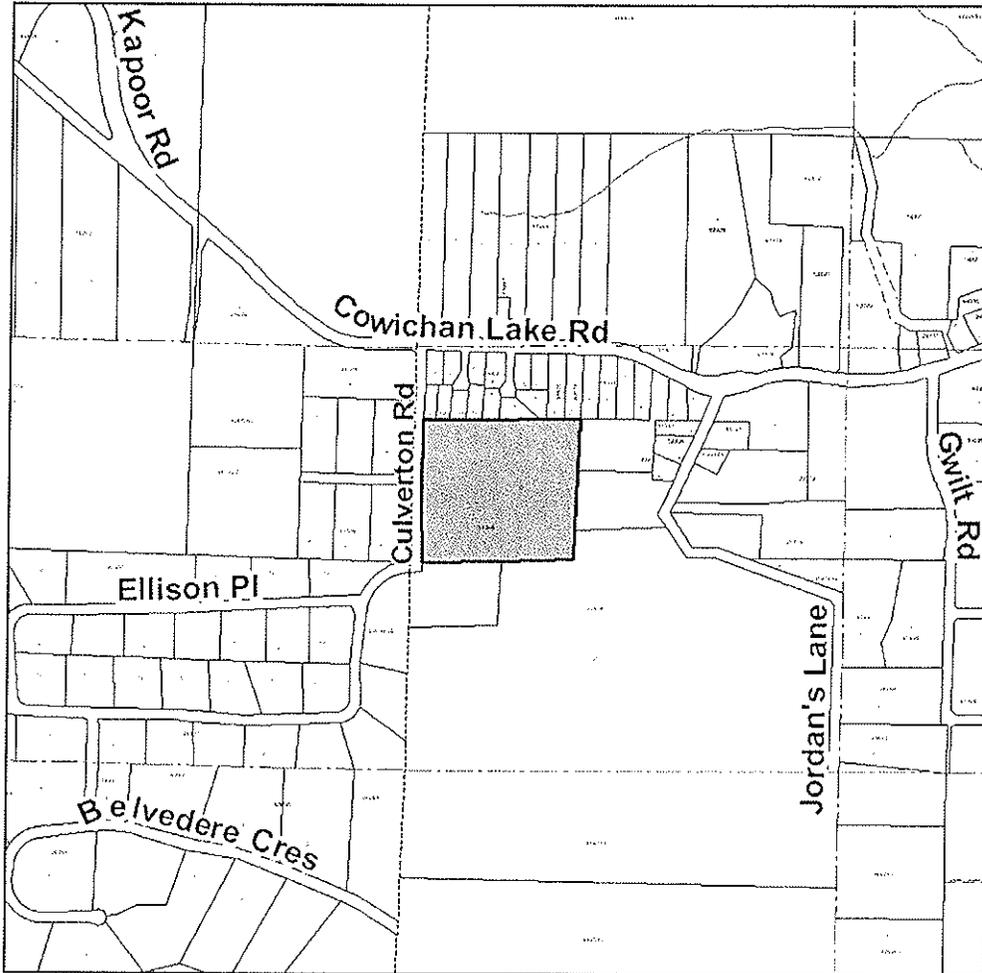


BARE LAND STRATA SUBDIVISION DEVELOPMENT PERMIT AREA

PLAN NO. Z-3284

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

3284



THE AREA IN A GREY TONE IS REDESIGNATED FROM

Industrial TO

Manufactured Home Park Residential APPLICABLE

TO ELECTORAL AREA E



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3285

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3285 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom Estates), 2009**".

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 Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding "R-6 Bare Land Strata Residential" to Section 6.1 – Creation of Zones.
- b) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding the following after Section 8.9:

.../2

8.10 R-6 ZONE – BARE LAND STRATA RESIDENTIAL ZONE

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

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an R-6 zone:

- (1) *modular home*
- (2) *single family dwelling*
- (3) *daycare* or nursery school *accessory* to a residential use;
- (4) *home occupation*
- (5) *horticulture*

(b) Conditions of Use

For any *parcel* in the R-6 zone:

- (1) the *parcel coverage* shall not exceed 35%
- (2) the *height* of all *buildings* and *structures* shall not exceed 6.0 metres, except for accessory buildings, which shall not exceed a *height* of 4.5 metres.
- (3) *Buildings* shall not exceed a single *storey*.
- (4) *Dwellings* shall not exceed a *gross floor area* of 120 square metres.
- (5) *Accessory Buildings* shall not exceed a combined *gross floor area* of 30 square metres.
- (6) The minimum *setbacks* for the types of *parcel lines* set out in *Column I* of this section are set out for the *principal* and *accessory uses* listed in *Column II* and *III*;
- (7) In no case shall the number of *dwelling units* per *parcel* exceed one.

COLUMN I Type of Parcel Line	COLUMN II Principal Use	COLUMN III Accessory Use
Front	5.5 m	5.5 m
Interior Side	2.0 m	1.0 m
Exterior Side	3.0 m	2.0 m
Rear	4.5 m	1.0 m.

(c) Density and Density Bonus

Subject to Part 12, the following regulations apply in the R-6 Zone

- (1) The number of residential parcels that may be created by subdivision in the R-6 zone must not exceed 3, including any remainder parcel.
- (2) Despite Section 8.10(c)(1), the number of residential parcels that may be created by subdivision in the R-5 zone may be increase to 18 if park land in the form of a title lot, with a minimum area of 0.81 hectares, in a location acceptable to the Regional District, is provided at no cost.
- (3) Despite Section 8.10(c) (1) and (2), the number of residential parcels that may be created by subdivision in the R-5 zone may be increased to 50 if the conditions in Sections 8.10(7) are met.
- (4) The minimum parcel area for the purposes of s. 946(4) of the *Local Government Act* is 25 hectares.
- (5) The minimum residential parcel size is 400 square metres.
- (6) The maximum residential parcel size 460 square metres.
- (7) In order to develop any residential lot in excess of 18, a strata-owned amenity building and grounds must be constructed that will include:
 - i) A minimum gross floor area of 650 square metres;
 - ii) Interior improvements and furnishings, including a common kitchen and dining room, workshops, dance studio and meeting rooms;
 - iii) A minimum of 20 paved parking spaces;
 - iv) Site landscaping.

- c) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended BY adding the following definition to Part Three, between “manufactured home park” and “motel”:

“**modular home**” means a factory built dwelling that:

- (a) conforms to CSA A277 series standard;
- (b) has a pitched roof with a minimum slope of 4:12; and
- (c) is assembled on a permanent foundation.

- d) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding Bare Land Strata Residential Zone (R-6) to the legend.
- e) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Part of Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157 as shown outlined in a grey tone on Schedule A attached hereto and forming part of this bylaw, numbered Z-3285 from Heavy Industrial (I-2) to Bare Land Strata Residential (R-6).

.../4

- f) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Part of Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157 as shown outlined in a grey tone on Schedule B attached hereto and forming part of this bylaw, numbered Z-3285 from Heavy Industrial (I-2) to Parks and Institutional (P-1).

3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2009

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

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

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

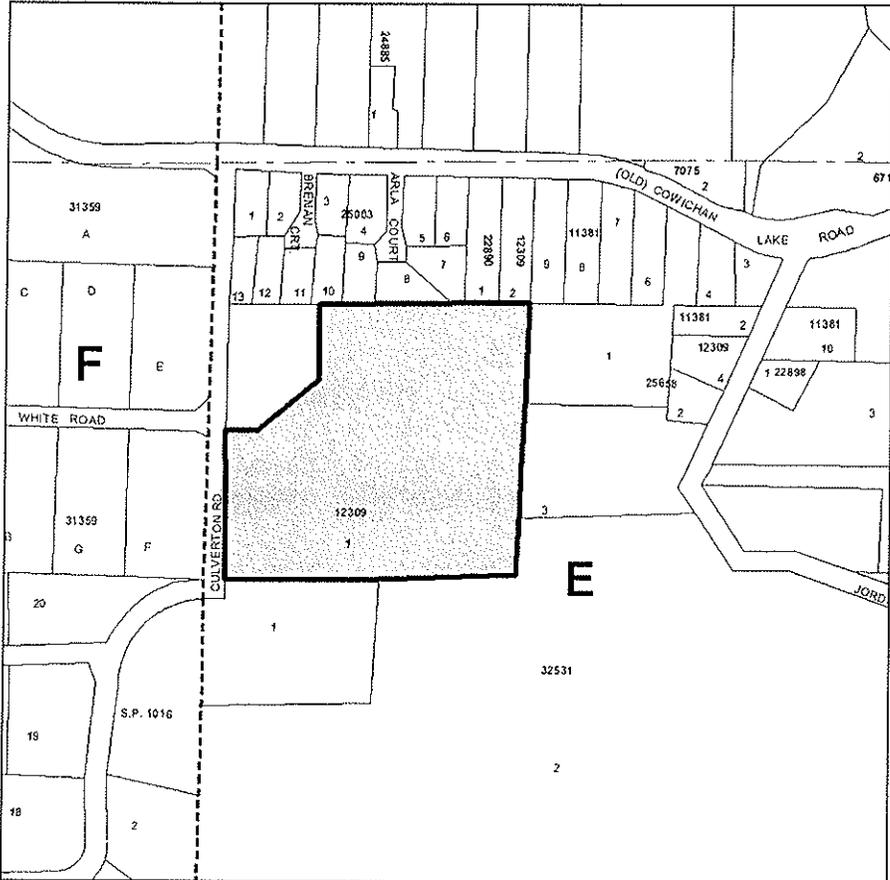
this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3285
OF THE COWICHAN VALLEY REGIONAL DISTRICT



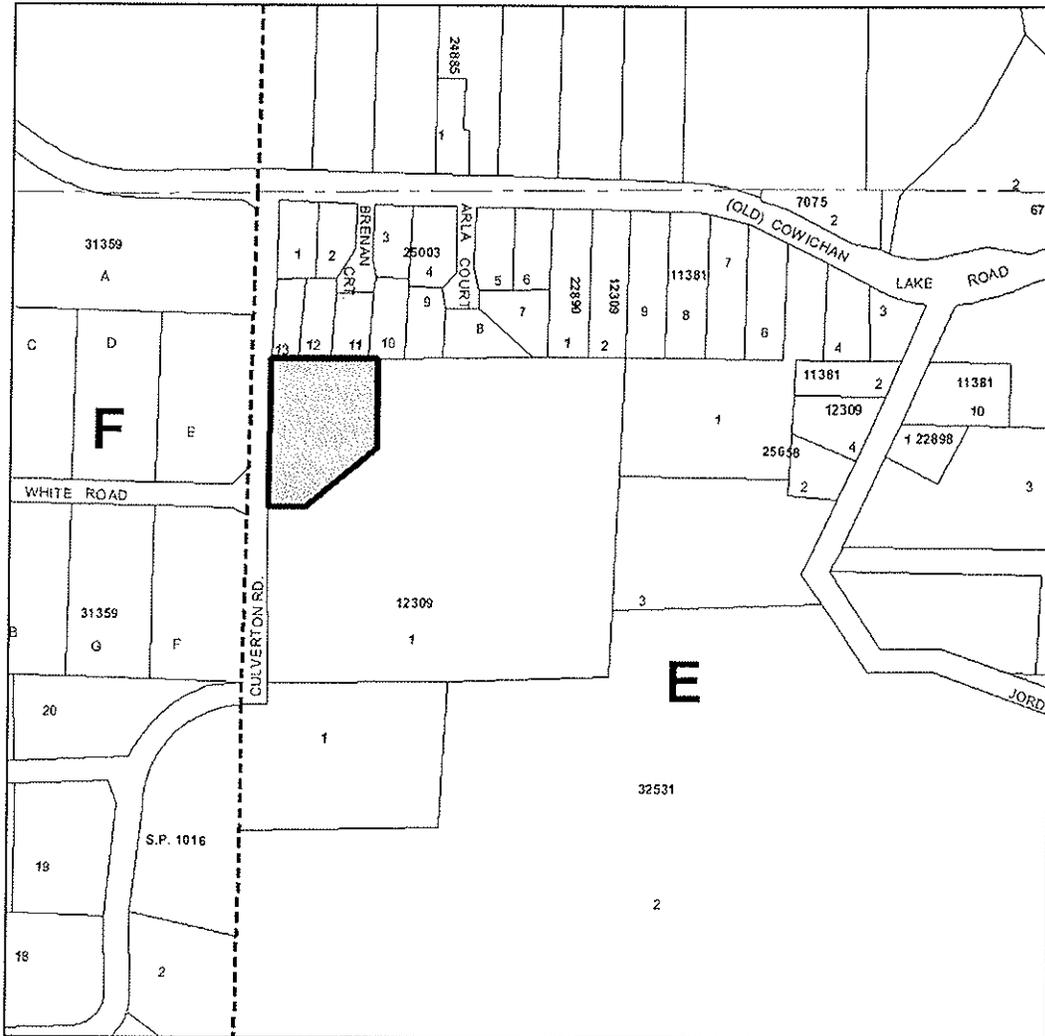
THE AREA IN A GREY TONE IS REZONED FROM

Heavy Industrial (I-2) TO

Bare Land Strata Residential (R-6) APPLICABLE

TO ELECTORAL AREA E

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



THE AREA IN A GREY TONE IS REZONED FROM

 Heavy Industrial (I-2) TO

 Parks and Institutional (P-1) APPLICABLE

TO ELECTORAL AREA E



RES1

COMMISSION APPOINTMENTS

REGULAR BOARD MEETING
OF JULY 8, 2009

DATE: June 22, 2009

FROM: Director M. Dorey

SUBJECT: Electoral Area G - Saltair/Gulf Islands Parks Commission

Recommendation:

That the following appointments to the Electoral Area G - Saltair/Gulf Islands Parks Commission be approved:

Appointed:

Tim Godau

Term to Expire: December 31, 2009

Elected:

Paul Bottomley

Jackie Rieck

Kelly Schellenberg

Term to Expire: December 31, 2009



RES2

COMMISSION APPOINTMENTS

REGULAR BOARD MEETING
OF JULY 8, 2009

Date: June 29, 2009
FROM: Director Dorey
Subject: Thetis Island Port Commission Appointment

Recommendation:

That the following appointment to the Thetis Island Port Commission be approved:

Thetis Island Residents and Ratepayers Association Representative:
Chris Pegg

Term to Expire: December 31, 2011



NEW BUSINESS SUMMARY

BOARD MEETING – JULY 8, 2009

- NB1** Appointment to the Electoral Area A - Mill Bay/Malahat Advisory Planning Commission.
- NB2** Report and recommendations of the Kinsol Trestle Revitalization Committee meeting of July 8, 2009.
- NB3** Staff Report from the Regional Environmental Policy Division Manager re: Cowichan Basin Water Contract Authorizations



NB1

COMMISSION APPOINTMENTS

**REGULAR BOARD MEETING
OF JULY 8, 2009**

DATE: July 6, 2009

FROM: Director B. Harrison

SUBJECT: Electoral Area A - Mill Bay/Malahat Planning Commission

Recommendation:

That the following appointment to the Electoral Area A - Mill Bay/Malahat Planning Commission be approved:

Term to Expire: November 30, 2009
Geoff Johnson



C·V·R·D

NB3

STAFF REPORT

**BOARD MEETING
OF JULY 8, 2009**

DATE: July 8, 2009 **FILE** 02320-20-CBWAC
FROM: Kate Miller, Manager, Regional Environmental Policy Division
NO:
SUBJECT: Cowichan Basin Water Contract Authorizations

Recommendation:

That the Chair and Corporate Secretary be authorized to sign on behalf of the Cowichan Valley Regional District:

- 1. a contract with the Fraser Basin Council, to allow the transfer of \$40,000 from the Fraser Basin Council to assist the CVRD to in order to hire a Cowichan Basin Water Advisory Council (CBWAC) coordinator; and**
- 2. a contract Vis à Vis Management Resources Inc. to act as the CBWAC coordinator for the next year with an upset price of \$80,000 excluding GST.**

Purpose:

The hiring of a contractor to act as a Cowichan Basin Water Advisory Council (CBWAC) coordinator.

Financial Implications:

Funding to move this program forward and to contract with an interim coordinator has been sourced from a number of external partners, most notably Living Rivers Trust Fund (\$85,000), and the Province (\$40,000) through the Fraser Basin Council. The CVRD in its last budget also allocated \$25,000 to the program resulting in a working budget of \$150,000 for the program.

Interdepartmental/Agency Implications:

This is a complex program that will require ongoing relationship building with a wide variety of internal and external partners. Retaining a coordinator is a highly visible action which will be a locus for continuing agency and public discourse.

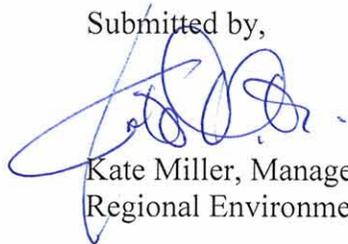
Background:

The initiative to form a Cowichan Basin Water Management Plan was begun in 2004. The purpose of the *Water Management Plan* is to provide actions to manage water and its use that:

- have broad public support,
- protect the ecological function of the system,
- balance water supply and use today and in the future, and
- increase the understanding of the Cowichan Basin system and its water issues.

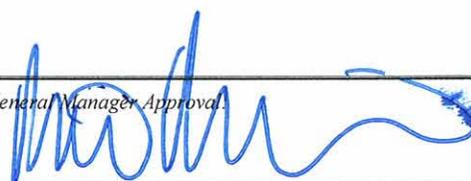
One of the immediate recommendations was to retain a coordinator to move the program forward and to specifically address the formation of a public advisory council. Given the specialist nature of the contract position inquiries were made with the province and other agency partners for potential candidates, after an interview process with lead candidates the hiring committee agreed upon Vis à Vis Management Resources, Inc., with Rodger Hunter as the lead.

Submitted by,



Kate Miller, Manager
Regional Environmental Policy Division

General Manager Approval



Signature