



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DAY: WEDNESDAY

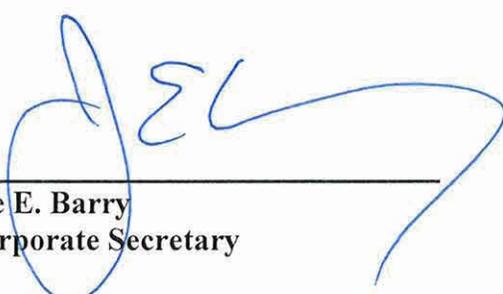
DATE: JANUARY 13, 2010

**TIME: → CLOSED SESSION
4:00 PM**

**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, JANUARY 13, 2010

4:00 PM – CLOSED SESSION

6:00 PM - OPEN SESSION

AGENDA

PAGES

- 1. **APPROVAL OF AGENDA:** 2-4
- 2. **CLOSED SESSION:**
 - Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.
 - CSM1 Adoption of Closed Session Minutes of December 9, 2009 5-6
 - CSSR1 Land Acquisition {Sub (1) (e)} 7-11
 - CSSR2 Potential Litigation {Sub (1) (g)} Verbal Update
- 3. **ADOPTION OF MINUTES:**
 - M1 Adoption of minutes of Board meeting – December 9, 2009 12-28
- 4. **BUSINESS ARISING FROM THE MINUTES:**
- 5. **DELEGATIONS**
 - D1 Tina Phillips representing the Cowichan Search and Rescue Society 29
Re: Update of Cowichan Search and Rescue Acquisitions and Activities
- 6. **REPORT OF THE CHAIRPERSON:**
 - RC1 2010 Standing Committee Appointments To Be Distributed
30
 - RC2 DRAFT 2010 CVRD Committee Calendar 31
- 7. **CORRESPONDENCE:**
 - C1 Correspondence from the District of North Cowichan requesting CVRD Board resolution supporting funding request to improve the Cowichan River diking system. 32

8. **INFORMATION:**9. **COMMITTEE REPORTS:**

- CR1 Environment Commission - Director Giles 33
Report and Recommendations of Meeting of December 10, 2009

10. **STAFF REPORTS:**

- SR1 Staff Report from the Manager, Development Services Division 34-38
Re: Third Reading and Adoption of Official Community Plan
Amendment Bylaw No. 3337 and Zoning Amendment Bylaw 3338
(Inwood Creek)
- SR2 Staff Report from the Corporate Secretary To Be
Re: Results of Alternative Approval Process - CVRD Bylaw 3320 Distributed
Cowichan Aquatic Centre 39-41
- SR3 Staff Report from the General Manager Public Safety 42-43
Re: Sahtlam RFP PS-2009-01 Purchase
- SR4 Staff Report from the Environmental Technologist 44-45
Re: Cowichan Biodiesel Cooperative - Membership and Project Update
- SR5 Staff Report from the General Manager, Public Safety 46
Re: CVRD Sahtlam Volunteer Fire Department Chief Appointment

11. **PUBLIC HEARINGS:**

- PH1 Public Hearing Report and Minutes 47-55
Re: Official Community Plan Amendment Bylaw No. 3337 and Zoning
Amendment Bylaw No. 3338 (Inwood Creek), applicable to Electoral
Area E - Cowichan Station/Sahtlam/Glenora.

12. **BYLAWS:**

- B1 "CVRD Bylaw No. 3320 - Cowichan Aquatic Centre Annual 56-57
Contribution Service Establishment Bylaw, 2009", adoption.

PENDING OUTCOME OF ALTERNATIVE APPROVAL PROCESS

- B2 "CVRD Bylaw No. 3343 - Fern Ridge Water System Service 58
Amendment Bylaw, 2009", adoption.

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

- B3 "Cowichan Valley Regional District Bylaw No. 3337 - Area E - 59-63
Cowichan Station/Sahtlam/Glenora Official Community Plan
Amendment Bylaw (Inwood Creek), 2009", 3rd reading.

B4 "Cowichan Valley Regional District Bylaw No. 3338 - Area E - Cowichan Station/Sahtlam/ Glenora Zoning Amendment Bylaw (Inwood Creek Estates), 2009", 3rd reading. 64-69

13. **RESOLUTIONS:**

RES1 Appointments to the Electoral Area E - Cowichan Station/Sahtlam/ Glenora Advisory Planning Commission. 70

14. **UNFINISHED BUSINESS:**

15. **NOTICE OF MOTION:**

16. **NEW BUSINESS:**

17. **QUESTION PERIOD:**

a) Public

b) Press

18. **ADJOURNMENT:**

The next Regular Board meeting will be held February 10, 2010 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, December 9, 2009 at 6:08 pm.

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

ALSO Tom Anderson, Acting Administrator
PRESENT: Joe Barry, Corporate Secretary
Kathleen Harrison, Deputy Corporate Secretary
Mark Kueber, General Manager, Corporate Services
Ron Austen, General Manager,
Parks, Recreation and Culture
Brian Dennison, General Manager,
Engineering and Environmental Services
Kate Miller, Manager, Regional Environmental Policy
Jim Wakeham, Manager,
Facility Management, Fleet and Transit
Brian Farquhar, Manager, Parks and Trails
Sharon Moss, Manager, Finance

ABSENT: Director M. Dorey

CALL TO ORDER

The Corporate Secretary called the meeting to order.

ELECTION OF CHAIR

The Corporate Secretary called for nominations for Chair. Mr. Barry noted that, by previous resolution of the Board, the Hospital Board Chair and Regional Board Chair are held by one Director elected by majority vote from among the members of the CVRD Board.

The Corporate Secretary called for nominations for Chair.

Directors Giles and Haywood were duly nominated.

ELECTION BY BALLOT

There being no further nominations, nominations were declared closed and Directors Giles and Haywood were provided an opportunity to address the Board in support of their candidacy for Chair. An election by ballot was conducted.

09-622

It was moved and seconded that the ballots for election of Hospital and Regional Board Chair for the year 2010 be destroyed.

MOTION CARRIED

- DECLARATION OF CHAIR FOR 2010** Director Giles was declared elected as Chair of the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Boards for the year 2010.
- NOMINATIONS FOR VICE-CHAIR** The Corporate Secretary called for nominations for Vice-Chair. Director Kent was duly nominated.
- DECLARATION OF VICE-CHAIR FOR 2010** There being no further nominations, nominations were declared closed and Director Kent was declared elected by acclamation as the Vice-Chair of the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Boards for the year 2010.
- ASSUMPTION OF CHAIR** Chair Giles assumed the Chair.
- APPROVAL OF AGENDA 09-623** It was moved and seconded that the agenda be amended with the addition of the following New Business Items:
- NB1 Staff Report from the Manager, Community and Regional Planning Division
Re: OCP Amendment Bylaw No. 3119 and Zoning Amendment Bylaw No. 3120 – C. Little (Cobble Hill);
 - NB2 Staff Report from the Manager, Development Services Division
Re: Agricultural Land Commission Subdivision and Non-Farm Use Application;
 - NB3 Public Hearing Report
Re: Zoning Amendment Bylaw No. 3334 applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora;
 - NB4 "Cowichan Valley Regional District Bylaw No. 3334 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009", 3rd reading and adoption;
 - NB5 Grant-in-Aid Request—Electoral Area C – Cobble Hill (Warmland House);
 - NB6 Grant-in-Aid Request—Electoral Area D – Cowichan Bay (Warmland House);
 - NB7 Grant-in-Aid Request—Electoral Area E – Cowichan Station/ Sahtlam/ Glenora (Warmland House);
 - NB8 Grant-in-Aid Request—Electoral Area A – Mill Bay/Malahat (Warmland House);
 - NB9 Grant-in-Aid Request—Electoral Area B – Shawnigan Lake (Warmland House); and
 - NB10 Health Network Meeting Update;

and further that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

**M1
09-624**

It was moved and seconded that the minutes of the Board meeting held November 12, 2009 be adopted.

MOTION CARRIED

**M2
09-625**

It was moved and seconded that the minutes of the November 25, 2009 Special Board meeting be adopted.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

The Corporate Secretary responded to the concern raised by Director Morrison at the November 12, 2009 meeting that a letter, signed by the Chair, quoted Resolution No. 09-516-1 although it was not the same as adopted in the Board minutes.

The Corporate Secretary advised that, due to a deadline, the letter was drafted and sent quoting a resolution that was different from the final draft minutes. In the future, said Mr. Barry, correspondence that must be sent prior to the finalization of the minutes will not quote a resolution but, instead, will describe the net result of the resolution.

**DELEGATIONS
D1**

Rodger Hunter, Coordinator of the Cowichan Basin Water Advisory Council, provided an update on the implementation of the Cowichan Basin Water Management Plan. Mr. Hunter requested that the Board create a Cowichan Basin Watershed Advisory Board and a governance framework under which it would operate.

09-626

It was moved and seconded that the Board endorse immediate establishment of the Cowichan Watershed Board and the general governance framework as outlined in the report presented by the Coordinator of the Cowichan Basin Water Advisory Council.

MOTION CARRIED

09-627

It was moved and seconded that staff report back to the Board with a report on funding for the Cowichan Watershed Board.

Opposed: Director Kent

MOTION CARRIED

REPORT OF THE CHAIRPERSON

RC2

Chair Giles requested the Directors to let her know of their preferences for sitting as members of various CVRD Committees for 2010.

Chair Giles noted that a number of Directors have expressed interest in having a 2010 budget workshop.

09-628 It was moved and seconded that a 2010 Budget workshop be arranged.

MOTION CARRIED

COMMITTEE REPORTS

CR1 The report and recommendation of the Regional Services Committee meeting of November 25, 2009, listing one item, were considered.

09-629 It was moved and seconded that the Chair and Corporate Secretary be authorized to sign the renewal agreement for the use of the Mt. Bruce C1911 Antenna Site.

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of December 1, 2009, listing nine items, were considered.

09-630 It was moved and seconded:

1. 1. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to amend the existing Parks and Trails Deficiencies Agreement with Woodland Shores to reduce the outstanding deficiencies value from \$44,400 to \$10,000, and furthermore that Woodland Shores be reimbursed \$34,400 from the deficiencies fund currently held by the Regional District under the terms of the existing agreement.
2. That the following transfer of 2009 yearend surplus amounts be approved for Electoral Area Community Parks functions 231 (Area A), 235 (Area E) and 237 (Area G):
 - Area A Community Parks Capital Reserve Fund - \$15,000
 - Area E Community Parks Capital Reserve Fund - \$70,000
 - Area G Community Parks Capital Reserve Fund - \$40,000
3. That a Grant-in-Aid (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$2000 be given to Caycuse Volunteer Fire Department to assist with equipment and building repair costs.
4. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$2205 be given to Sussex Consultants to assist with a funding shortfall for the South Cowichan Governance Study.
5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$2205 be given to Sussex Consultants to assist with funding for the South Cowichan Governance Study.
6. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$2205 be given to Sussex Consultants to assist with funding for the South Cowichan Governance Study.

7. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$1000 be given to CMS Foodbank Society to assist with local community needs.

MOTION CARRIED

09-631

It was moved and seconded:

8. 1. That Rezoning Application 4-A-07RS (Logan) be approved;
2. That prior to any reading of the amendment bylaws, the Ministry of Transportation and Infrastructure indicate in writing to the CVRD that the sight distance issue has been resolved or can be resolved to their satisfaction; AND a landscaping plan be submitted with cost estimates;
3. That prior to consideration of adoption of the amendment bylaws, the owner register a covenant on title prohibiting any signs from being posted along the southern boundary of the property along the Trans Canada Highway; and
4. That a BCLS survey be done of the 0.8 ha site being rezoned and that portion be fenced, or that a security (ILOC) sufficient to ensure fencing is installed be received by the CVRD; and that a security (ILOC) sufficient to ensure that landscape screening in the plan will be done is deposited with the CVRD.
9. That Application No. 1-G-09DVP by Reg and Anne Mann for a variance to Section 5.4(4) of Zoning Bylaw No. 2524, by decreasing the setback to a side interior parcel line from 1.8 metres down to 0.94 metres on Lot 20, District Lot 34, Oyster District, Plan 6095, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.

MOTION CARRIED

CR3

The report and recommendations of the Engineering and Environmental Services Committee meeting of November 25, 2009, listing nine items, were considered.

09-632

It was moved and seconded:

1. That the Board authorize staff time to continue with the process of investigating takeover of the Carlton Improvement District Water system, located in Electoral Area B, as requested by Carlton Improvement Trustees, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
 - All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owners;
 - A CVRD review of the system be undertaken in order to address deficiencies in the water system;

- The owner of utility be willing to sell and/or transfer the system to the CVRD;
- A public consultation process regarding CVRD takeover be undertaken;
- A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
- This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed;

and further that an assessment of the system be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.

2. That the Board accept the Briarwood/Kerry Village Capital Works Agreement between Briarwood Estates Ltd. and the CVRD, as amended, and further that the Board Chair and Corporate Secretary be authorized to sign the agreement.
3. That CVRD Bylaw No. 3339 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2009 be forwarded to the Board for consideration of three readings and adoption.
4. That the Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the Shellwood Improvement District Water System, located in Electoral Area H – North Oyster/Diamond, as requested by Shellwood Improvement Trustees, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
 - All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owners;
 - A review of the system be undertaken in order to address deficiencies in the water system;
 - The owner of utility be willing to sell and/or transfer the system to the CVRD;
 - A public consultation process regarding CVRD takeover be undertaken;
 - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.

- This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed.

and further that an assessment of the system be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.

5. 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Fern Ridge Water System Service Area be received.
2. That the boundaries of the Fern Ridge Water System Service Area be amended to include "*Lot 9, District Lot 107, Malahat District, Plan VIP32245 except plan 32821*" and "*Lot 12, District Lot 107, Malahat District, Plan 32245*".
3. That "CVRD Bylaw No. 2994 – Fern Ridge Water System Service Establishment Bylaw, 2007", be amended to include Lot 9 and Lot 12, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.
6. 1. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
 - .1 CVRD Bylaw No. 3305 – Arbutus Ridge Water System Management Bylaw, 2009
 - .2 CVRD Bylaw No. 3306 – Arbutus Ridge Sewer System Management Bylaw, 2009
 - .3 CVRD Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009
 - .4 CVRD Bylaw No. 3308 – Arbutus Ridge Water Capital Reserve Bylaw, 2009
 - .5 CVRD Bylaw No. 3309 – Arbutus Ridge Water Parcel Tax Bylaw, 2009
 - .6 CVRD Bylaw No. 3310 – Arbutus Ridge Sewer Capital Reserve Bylaw, 2009
 - .7 CVRD Bylaw No. 3311 – Arbutus Ridge Sewer Parcel Tax Bylaw, 2009.
2. That the Board accept the Utility Transfer Agreement between the CVRD and CRC Canadian Retirement Corporation and Strata Plan VIS 1601 for CVRD takeover of the sewer, water and drainage systems for the Arbutus Ridge Strata Corporation in Electoral Area C, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.

7. That the CVRD apply a Water Conservation Fee of \$10,000 per connection to the following subject properties requesting inclusion into the Shawnigan Lake North Water System Service Area for the purpose of funding a Water Conservation, Metering And Backflow Prevention Program.

PID NOS.

001-429-876	003-122-310	009-481-079
004-166-248	009-255-702	006-121-161
009-480-901	009-255-753	006-121-179
001-959-646	008-441-804	009-255-516
003-126-102		

9. 1. That the Board accept the Utility Transfer Agreement between the CVRD and Dogwood Ridge Improvement District for CVRD takeover of the water system in Electoral Area E, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
2. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
 - CVRD Bylaw No. 3313 – Dogwood Ridge Water System Management Bylaw, 2009
 - CVRD Bylaw No. 3314 – Dogwood Ridge Water Capital Reserve Bylaw, 2009
 - CVRD Bylaw No. 3315 – Dogwood Ridge Water Parcel Tax Bylaw, 2009.

MOTION CARRIED

09-633

It was moved and seconded:

8. That the CVRD request that the Capital Regional District consider temporary acceptance of out-of-region municipal solid waste from the CVRD, commencing in 2012.

MOTION CARRIED

CR3

There was no report or recommendations of the Engineering and Environmental Services Committee meeting of December 9, 2009.

CR4

The report and recommendations of the Transit Committee meeting of December 9, 2009, listing three items, were considered.

09-634

It was moved and seconded:

1. That the change in scope to the revised Public Transit Agreement and Public Transit Infrastructure Program Funding Agreement be approved; and that the Board Chair and Corporate Secretary be authorized to sign the revised Agreement.

2. That the Board Chair and Corporate Secretary be authorized to sign Amendment #1 to the Cowichan Valley Regional Transit *Annual Operating Agreement* for the period April 1, 2009 to March 31, 2010.
3. That the Board Chair and Corporate Secretary be authorized to sign Amendment #1 to the Cowichan Valley Regional Transit *Youbou Annual Operating Agreement* for the period April 1, 2009 to March 31, 2010.

MOTION CARRIED

CR5

The report and recommendations of the Cowichan Lake Recreation Commission meeting of November 26, 2009, listing two items, were considered.

09-635

It was moved and seconded:

1. That the Board Chair and Corporate Secretary be authorized to execute the Community Access Program site funding agreement with the Victoria Frec-Net Association for funding and operation of the Industry Canada Community Access Program at the Youbou Community Hall operated under the function of Cowichan Lake Recreation.
2. That the CVRD Board support the grant application, in Phase 4 of the Community Grant Portion of the "Healthy Eating Strategy", for \$7,500 for funding to proceed with a healthy food and beverage initiative in the Cowichan Lake area.

MOTION CARRIED**STAFF REPORTS**

SR1

The Staff Report from the Deputy Corporate Secretary dated December 1, 2009, re: Results of Alternative Approval Process for CVRD Bylaw Nos. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) and 3278 – Solid Waste Management Loan Authorization (Operations Facility) was considered.

09-636

It was moved and seconded:

1. That the *Certificate of Results*, confirming that the CVRD Board may proceed to adopt Bylaw No. 3277, be received.
2. That the *Certificate of Results*, confirming that the CVRD Board may proceed to adopt Bylaw No. 3278, be received.

MOTION CARRIED

SR2

The Staff Report from the Chief Election Officer dated December 1, 2009, re: Report of the Chief Election Officer for the Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Referendum 2009, was received as information.

SR3 The Staff Report from the Assistant Manager, Planning and Development dated December 3, 2009, re: Third Reading and Adoption of Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Estates), was received as information.

PUBLIC HEARINGS

PH1 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 (Cooper), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, were considered.

09-637 It was moved and seconded that the Report and Minutes of the Public Hearing re: Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 (Cooper), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, be received.

MOTION CARRIED

PH2 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Park Dev. Corp./Anasona Investments Ltd [Robin Mayo]), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, were considered.

09-637 It was moved and seconded that the Report and Minutes of the Public Hearing re: Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Park Dev. Corp./Anasona Investments Ltd [Robin Mayo]), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, be received.

MOTION CARRIED

BYLAWS

B1
09-638 It was moved and seconded that "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009" be adopted.

MOTION CARRIED

B2
09-639 It was moved and seconded that "CVRD Bylaw No. 3278 - Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009" be adopted.

MOTION CARRIED

B3
09-640 It was moved and seconded that "CVRD Bylaw No. 3286 - Arbutus Ridge Water System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B4
09-641** It was moved and seconded that "CVRD Bylaw No. 3287 - Arbutus Ridge Water System Service Loan Authorization Bylaw, 2009" be adopted.

MOTION CARRIED

**B5
09-642** It was moved and seconded that "CVRD Bylaw No. 3288 - Arbutus Ridge Sewer System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B6
09-643** It was moved and seconded that "CVRD Bylaw No. 3289 - Arbutus Ridge Sewer System Service Loan Authorization Bylaw, 2009" be adopted.

MOTION CARRIED

**B7
09-644** It was moved and seconded that "CVRD Bylaw No. 3290 - Arbutus Ridge Drainage System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B8
09-645** It was moved and seconded that "CVRD Bylaw No. 3296 - Brulette Place Sewer System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B9
09-646** It was moved and seconded that "CVRD Bylaw No. 3297 - Brulette Place Sewer System Service Loan Authorization Bylaw, 2009" be adopted.

MOTION CARRIED

**B10
09-647** It was moved and seconded that "CVRD Bylaw No. 3313 - Dogwood Ridge Water System Management Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B10
09-648** It was moved and seconded that "CVRD Bylaw No. 3313 - Dogwood Ridge Water System Management Bylaw, 2009", be adopted.

MOTION CARRIED

**B11
09-649** It was moved and seconded that "CVRD Bylaw No. 3314 - Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B11
09-650** It was moved and seconded that "CVRD Bylaw No. 3314 - Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009", be adopted.

MOTION CARRIED

B12
09-651 It was moved and seconded that "CVRD Bylaw No. 3315 - Dogwood Ridge Water System Parcel Tax Roll Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B12
09-652 It was moved and seconded that "CVRD Bylaw No. 3315 - Dogwood Ridge Water System Parcel Tax Roll Bylaw, 2009" be adopted.

MOTION CARRIED

B13
09-653 It was moved and seconded that "CVRD Bylaw No. 3339 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

Opposed: Directors Morrison and McGonigle

MOTION CARRIED

B13
09-654 It was moved and seconded that "CVRD Bylaw No. 3339 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2009" be adopted.

Opposed: Director Morrison

MOTION CARRIED

B14
09-655 It was moved and seconded that "CVRD Bylaw No. 3343 - Fern Ridge Water System Service Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

NB1 It was the consensus of the Board to consider New Business Item NB1 at this point in the meeting.

Staff Report from the Manager, Community and Regional Planning Division dated December 8, 2009, re: OCP Amendment Bylaw No. 3119 and Zoning Amendment Bylaw No. 3120 – C. Little (Cobble Hill), was considered.

09-656 It was moved and seconded that the Board accept the cash deposit in the amount of \$5,000, as security for the proposed landscaping at the Arbutus RV site in Cobble Hill, and that the security be held for a period of one year from the date of adoption of Bylaw Nos. 3119 and 3120, and be used to correct any deficiencies if the landscaping, as shown on the map attached to the December 8, 2009 Report from the Manager, Community and Regional Planning Division, fails to survive or is not done in the first place.

MOTION CARRIED

B15
09-657 It was moved and seconded that "CVRD Bylaw No. 3119 - Area C - Cobble Hill Official Community Plan Amendment Bylaw (C. Little/TCH Screening Guidelines), 2008" be adopted.

MOTION CARRIED

B16
09-657 It was moved and seconded that "CVRD Bylaw No. 3120 - Area C - Cobble Hill Zoning Amendment Bylaw (C. Little), 2008" be adopted.

MOTION CARRIED

B17
09-658 It was moved and seconded that "CVRD Bylaw No. 3282 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009" be adopted.

MOTION CARRIED

B18
09-659 It was moved and seconded that "CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009" be amended as follows:

- a) That the following guidelines be added to Section 14.9.4 of Schedule A, under the heading "Road Layout Guidelines":
 - Street lighting will be provided to safely light the driveway entrance and Culverton Road intersection.
 - Internal street lighting shall be provided that is designated in a manner that minimizes spill light, glare, and sky glow and utilizes low energy fixtures.
- b) That the following guidelines be added to Section 14.9.4 of Schedule A, under the heading "Landscaped Buffer Guidelines":
 - Outdoor recreation areas shall include a minimum area of four (4) square metres per residential dwelling for use as fenced community garden.
 - Landscaped open space shall incorporate fruit trees, nut trees, and other edible plantings.

MOTION CARRIED

B18
09-660 It was moved and seconded that "CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009" be granted 3rd reading, as amended.

MOTION CARRIED

B19
09-661 It was moved and seconded that "CVRD Bylaw No. 3285 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom Estates), 2009" be granted 3rd reading.

MOTION CARRIED

B18 AND B19
09-662

It was moved and seconded that, prior to adoption of Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285, the following issues be addressed:

- a) That the proposed Land Title Act Section 219 covenant be registered against the title of the subject property with the following amendments:
 - Require construction of recycled water system ("purple pipes") that would supply treated water from the project's waste water treatment system for irrigation and toilets;
 - Require water metering for individual homes and rate structure that encourages conservation;
 - Require installation of "low flow" water fixtures and appliances in the construction of new homes;
 - Require landscaped areas to use native and drought tolerant plant species;
 - Establish a maximum decibel standard for air-to-air heat pumps to minimize noise;
 - Permit ground source heat pumps to be used as an alternative to air-to-air heat pumps;
 - Require ground source heat pumps for all dwellings where the CVRD chooses to establish and finance a district energy system.
- b) That the applicant obtains a Certificate of Compliance or an Approval in Principle from the Ministry of Environment for remediation of the subject property by January 1, 2011.

MOTION CARRIED

B20
09-663

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3330 - Area E - Cowichan Station/Sahtlam/Glenora and Area F - Cowichan Lake South/ Skutz Falls Official Community Plan Amendment Bylaw (Cooper), 2009" be granted 3rd reading.

MOTION CARRIED

B21
09-664

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3331 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cooper), 2009" be granted 3rd reading.

MOTION CARRIED

RESOLUTIONS

RES1 It was moved and seconded that the following appointments to the
09-665 Electoral Area A – Mill Bay/Malahat Advisory Planning Commission
 be approved:

Term to expire November 30, 2011:

- Dola Boas
- Cliff Braaten
- David Gall
- Geoff Johnson
- Margo Johnston
- June Laraman
- Deryk Norton
- Ted Stevens
- Archie Staats

MOTION CARRIED

RES2 It was moved and seconded that the following appointments to the
09-666 Cowichan Lake Recreation Commission be approved:

Term to expire December 31, 2010:

- Dave Darling
- Sheila McFarlane
- Bill Peters
- Rocky Wise
- Larry Olson
- Corey Bath

MOTION CARRIED

NEW BUSINESS

NB1 Item NB1 was dealt with earlier in the agenda.

NB2 The Staff Report from the Manager, Development Services Division dated
December 8, 2009, re: Agricultural Land Commission Subdivision and
Non-Farm Use Application, was considered.

09-667 It was moved and seconded that Application No. 2-E-09ALR,
submitted by the CVRD Engineering and Environmental Services
Department, made pursuant to Section 21(2) of the Agricultural Land
Commission Act to subdivide a 0.2025 hectare parcel for use as a
water reservoir and water treatment facility be forwarded to the
Agricultural Land Commission with a recommendation to approve
the application; and further, that the Agricultural Land Commission
be requested to expedite consideration of this application.

MOTION CARRIED

NB3 The Report and Minutes of the Public Hearing re: Zoning Amendment Bylaw No. 3334, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, was considered.

09-668 It was moved and seconded that the Report and Minutes of the Public Hearing re: Zoning Amendment Bylaw No. 3334, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora be received.

MOTION CARRIED

NB4 It was moved and seconded that "Cowichan Valley Regional District
09-669 Bylaw No. 3334 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009" be granted 3rd reading.

MOTION CARRIED

NB4 It was moved and seconded that "Cowichan Valley Regional District
09-670 Bylaw No. 3334 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009" be adopted.

MOTION CARRIED

NB5 It was moved and seconded:

- NB6
NB7
NB8
NB9
09-671
1. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$500 be given to Warmland House to help with startup;
 2. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Warmland House to help with startup;
 3. That a Grant-in-Aid (Electoral Area E – Cowichan Bay) in the amount of \$500 be given to Warmland House to help with startup;
 4. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$500 be given to Warmland House to help with startup; and
 5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$200 be given to Warmland House to help with startup.

MOTION CARRIED

09-672 It was moved and seconded that \$1,000 from the Board's Contingency Fund be allocated to Warmland House as a Regional Grant-in-Aid.

Opposed: Director Morrison

MOTION CARRIED

NB10 Cowichan Valley Health Network Meeting

Director Seymour provided an update on the December 8, 2009 Cowichan Valley Community Health Network Working Group meeting.

**RESOLVE INTO
CLOSED SESSION**

09-673 It was moved and seconded that the meeting be closed to the public in
8:22 pm accordance with the Community Charter Part 4, Division 3, Section 90, Subsections (1) (e), (f) and (j) and Subsection (2) (b).

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

09-676 It was moved and seconded that the Board rise without report and
return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

09-677 It was moved and seconded that the Board meeting adjourn.
8:49 pm

MOTION CARRIED

The meeting adjourned at 8:49 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

Request to Appear as a Delegation

D1

Meeting Information

Request to Address:*

CVRD Board

Committee

If Committee, specify the Committee here:*

Cowichan Search and Rescue

Meeting Date:* 01/13/2010

Meeting Time:* 1800

Applicant Information

Applicant Name: Tina Phillips

Representing: Cowichan Search and Rescue Society

(Name of organization if applicable)

As: Society President

(Capacity / Office)

Number Attending:

Applicant Contact Information

Applicant Mailing Address: PO Box 1034

Applicant City: Duncan

Applicant Telephone: 250 746-8851

Applicant Fax:

Applicant Email: boardmembers@cowichansar.org

Presentation Topic and Nature of Request:

Cowichan Search and Rescue would like to update the CVRD on our major acquisition, the Command Vehicle, which was purchased through gaming funds. Also we would like to update you with our training progress and capabilities as they pertain to public safety and rescue in the Cowichan Valley and Regional Districts. For those members who may not be familiar with Cowichan Search and Rescue, we hope to leave having given a clear picture of what our volunteers do in this community.

The time and date are flexible for us.

Thank you for your consideration.

* indicates required fields.



RC1

2010 COMMITTEE MEMBERSHIP

STANDING COMMITTEES:

REGIONAL SERVICES:

Director P. Kent, Chair
Director R. Hutchins, Vice - Chair
Director K. Cossey
Director M. Dorey
Director L. Duncan
Director G. Giles
Director B. Harrison
Director D. Haywood

Director L. Iannidinardo
Director K. Kuhn
Director M. Marcotte
Director T. McGonigle
Director I. Morrison
Director G. Seymour
Director T. Walker

ELECTORAL AREA SERVICES:

Director B. Harrison, Chair
Director M. Marcotte, Vice - Chair
Director K. Cossey
Director M. Dorey
Director L. Duncan

Director G. Giles
Director L. Iannidinardo
Director K. Kuhn
Director I. Morrison

ENGINEERING & ENVIRONMENTAL SERVICES:

Director K. Cossey, Chair
Director K. Kuhn, Vice – Chair
Director M. Dorey
Director L. Duncan
Director G. Giles
Director B. Harrison

Director D. Haywood
Director L. Iannidinardo
Director P. Kent
Director M. Marcotte
Director I. Morrison

PARKS:

Director M. Dorey, Chair
Director I. Morrison, Vice - Chair
Director K. Cossey
Director L. Duncan
Director G. Giles

Director B. Harrison
Director D. Haywood
Director L. Iannidinardo
Director P. Kent
Director K. Kuhn

TRANSIT:

Director G. Seymour, Chair
Director I. Morrison, Vice – Chair
Director K. Cossey
Director L. Duncan
Director G. Giles
Director B. Harrison

Director D. Haywood
Director L. Iannidinardo
Director P. Kent
Director K. Kuhn
Director T. McGonigle

HEALTH ADVISORY COMMITTEE:

Director G. Seymour, Chair
Director M. Marcotte, Vice - Chair
Director M. Dorey
Director G. Giles

Director R. Hutchins
Director L. Iannidinardo
Director P. Kent

COMMUNITY SAFETY ADVISORY COMMITTEE:

Director L. Iannidinardo, Chair

Director P. Kent, Vice - Chair

KINSOL TRESTLE REHABILITATION COMMITTEE:

Director G. Giles, Chair
Director P. Kent, Vice - Chair
Director B. Harrison

Director K. Cossey
Director D. Haywood

TREATY ADVISORY COMMITTEE:

Director L. Duncan, Chair (TAC Rep)
Director T. Walker, Vice – Chair (TAC Alt)
Director G. Giles

Director R. Hutchins
Director P. Kent

COMMISSIONS: *(RESOLUTION OF THE BOARD)*

ECONOMIC DEVELOPMENT COMMISSION:

Director P. Kent, Vice - Chair

Director I. Morrison

ENVIRONMENT COMMISSION:

Director, L. Iannidinardo
Director R. Hutchins

Director P. Kent

Dave Polster
(Term to expire December 31, 2011)

Kevin Visscher
(Term to expire December 31, 2011)

NON – CVRD COMMITTEES / AUTHORITIES (REQUIRES BOARD RESOLUTION):

MAYOR’S ADVISORY COMMITTEE FOR PEOPLE WITH DISABILITIES:

Director G. Seymour

MUNICIPAL FINANCE AUTHORITY:

Director T. Walker

Director K. Kuhn (Alternate)

MUNICIPAL INSURANCE AUTHORITY OF BC (MIABC):

Director T. Walker

Director K. Kuhn (Alternate)

ISLAND COAST ECONOMIC TRUST (ICET):

Director G. Giles

ISLAND CORRIDOR FOUNDATION (ICF):

J. Peake

COWICHAN LAKE COMMUNITY FOREST COOPERATIVE:

Director K. Kuhn

Director I. Morrison (Alternate)

VANCOUVER ISLAND REGIONAL LIBRARY BOARD:

Director M. Dorey

Director L. Duncan (Alternate)

COWICHAN WATER BOARD

Director R. Hutchins, Co - Chair

Director K. Kuhn

Director L. Iannidinardo

Chief Lydia Hwitsum, Co - Chair

Councilor Darren George

Mayor Ross Forrest

Mr. Tim Kulchyski

Mr. David Anderson

Mr. Bruce Fraser

Advisory Members:

Dr. Arvid Charlie (Luschiim), Elder Advisor

Dr. Nicole Vaugeois, BC Regional Innovation Chair in

Tourism and Sustainable Rural Development

Vancouver Island University



COWICHAN VALLEY REGIONAL DISTRICT 2010 COMMITTEE CALENDAR

Legend:

Board Meeting

Electoral Area Services Committee (EASC)

Parks Committee (PC)

DRAFT

Regional Services Committee (RSC)

Engineering Services Committee (ESC)

Transit Committee (TC)

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31

Municipality of NORTH COWICHAN



7030 Trans Canada Highway, Box 278
Duncan, BC V9L 3X4

Tel 250 746 3100 Fax 250 746 3133
www.northcowichan.bc.ca

December 10, 2009

File No: 7140-20 CDR

Gerry Giles, Board Chair
Cowichan Valley Regional District
175 Ingram Street
DUNCAN, B.C. V9L 1N8

Dear Gerry

Re: **Cowichan River Flood**

This is to advise that the North Cowichan Municipal Council passed the following resolution at its December 2, 2009 Regular Council meeting:

It was moved, seconded and carried, that WHEREAS the Municipality of North Cowichan engaged *Willis Cunliffe Tait*, consulting engineers, in 1992 to prepare a diking upgrade plan; AND WHEREAS during the recent flood event the Municipality of North Cowichan made application as part of its response plan to the Provincial Regional Emergency Operations Centre (PREOC), for approval to implement the recommendations of that study at an estimated 2009 cost of \$9 million; AND WHEREAS that request was denied by PREOC and North Cowichan was referred to the diking authority of British Columbia; NOW THEREFORE be it resolved that the Municipal Council put the Province of British Columbia diking authority on notice that the Municipality of North Cowichan intends to apply for funding to improve diking to protect the residential communities of the Municipality, the City of Duncan and Cowichan Tribes; and further, that Council seek support for this action from the City of Duncan, Cowichan Tribes and Cowichan Valley Regional District.

The municipality requests that the Cowichan Valley Regional District pass a similar motion and forward it to the Ministry of Environment to support the request for funding to improve the diking system on the Cowichan River. If you have any questions I can be reached at, 250-746-3100.

Sincerely

Tom Walker, Mayor

TW/sc

pc: Jim Dias, Chief Administrative Officer
Mark Ruttan, Director of Administration
John MacKay, Director of Engineering and Operations
Chief Lydia Hwitsum - Cowichan Tribes
Phil Kent, Mayor - City of Duncan

BOARD
JAN 13
Chair
DEC 16/09



ENVIRONMENT COMMISSION REPORT

OF MEETING HELD DECEMBER 10, 2009

DATE: December 21, 2009

To: Chair and Directors of the Cowichan Valley Regional District

Your Environmental Commission reports and recommends as follows:

1. That the Regional Board require all CVRD departments to implement the Environmental Lens Review for all operations and capital initiatives by April 30, 2010.
2. That the Regional Board require that the format for staff reports include environmental implications.
3. That CVRD and all member municipalities engage in a Regional Growth Management Strategy.



SR1

STAFF REPORT

REGULAR BOARD MEETING
OF JANUARY 13, 2010

DATE: January 5, 2010 FILE NO: 2-E-08RS
FROM: Rob Conway, Manager BYLAW NO: 3337 & 3338
Development Services Division
SUBJECT: Third Reading and Adoption of Official Community Plan Amendment Bylaw
No. 3337 and Zoning Amendment Bylaw 3338 (Inwood Creek)

Recommendation:

For information.

Purpose:

To consider possible conditions for adoption of Bylaws 3337 and 3338.

Financial Implications: NA

Interdepartmental/Agency Implications: NA

Background:

A public hearing for OCP Amendment Bylaw 3337 and Zoning Amendment Bylaw 3338 was held on the evening December 3, 2009 at the Sahtlam Fire Hall. The proposed bylaws would amend OCP Bylaw No. 1490 and Zoning Bylaw No. 1840 to permit up to 41 one hectare lots and approximately 47 hectares of public land on three parcels of land located between Cowichan Lake Road and Highway 18 (Inwood Creek Estates – Phase 2). Directors Loren Duncan, Ian Morrison and Lori Iannidinardo attended the public hearing as delegates of the Board. Minutes from the public hearing are included on the January 13, 2010 Regional Board meeting agenda.

This report is intended to identify how commitments made by the applicant can be secured prior to adoption of Bylaws 3337 and 3338.

Applicant Commitments:

The following commitments have been offered by the applicant, and are identified in the OCP and zoning amendment application or were confirmed as commitments at the public hearing. Please note that these commitments are in addition to the land dedication commitments incorporated into Zoning Amendment Bylaw 3338.

1. Contribution to Sahtlam Fire Department

The developer has committed to providing a \$100,000 contribution to the Sahtlam Fire Department for the purchase of equipment, no later than 5 days following the registration of the first phase of subdivision. Staff recommend that this commitment be secured through a *Land Title Act* Section 219 Covenant registered against the subject properties prior to adoption of the amendment bylaws.

2. Reforestation:

The applicant has agreed to re-forest portions of the subject lands proposed for public dedication. To secure this commitment, staff recommends a process whereby the developer would be required to submit a re-forestation plan for review and approval by the Manager of the Parks and Trails Division prior to subdivision of the land. Completion of the re-forestation works in accordance with the approved plan would be required prior subdivision approval, unless security in a form acceptable to the Regional District is provided. This commitment would be best incorporated in to a Section 219 Covenant in favour of the Regional District.

3. Pedestrian Bridge

The applicant has offered to construct a pedestrian bridge over a creek that crosses the subject lands, conditional on the applicant receiving approval from the Ministry of Environment. Specifications for construction of the bridge would be determined by the Parks and Trails Division of the CVRD Parks, Recreation and Culture Department. This commitment should be incorporated as a requirement of the Section 219 covenant.

4. Fencing

The applicant has agreed to provide fencing between proposed residential lots and dedicated public land. The fencing would have a height of 1.5 metres and would be constructed of treated posts and page wire. Fencing would be installed concurrent with each phase of subdivision and would be secured through a Section 219 covenant.

5. Green Building Features:

The applicant has proposed to employ a number of green building initiatives to promote sustainable development through reduced water consumption, energy use and solid waste generation. The following initiatives are proposed:

- Water efficient fixtures and appliances;
- Individual air-to-air heat pumps, geo-source heat pumps, or an equivalent energy efficient heating system;
- Rain water storage and ground water re-charge ;
- A “three stream” solid waste separation system within dwellings(paper/containers, organics, and garbage);
- Energy efficient building construction (high insulation values, energy efficient glazing, interior daylighting, heat recovery ventilation, and use of other energy efficient technologies.
- Rough-in for a secondary heat source (e.g. wood or propane)

Staff suggests that these requirements would be best addressed through a combination of the Zoning Amendment Bylaw, a Section 219 covenant and the developer’s building scheme.

The following addition to Section 2 (c) of Zoning Amendment Bylaw No. 3338, is suggested:

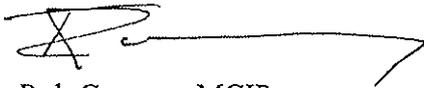
- (11) *Prior to any subdivision of the subject lands, the owner must register a covenant that includes the following provisions:*
 - a) *All dwellings placed or constructed on the subject lands must have an air-to-air heat pump, geo-source heat pump or an equivalent energy efficient heating system acceptable to the General Manager of the Planning and Development Department;*
 - b) *All dwellings placed or constructed on the subject lands shall utilize water efficient plumbing fixtures and appliances;*
 - c) *Dwellings shall be situated and designed so as to maximize solar gain in the winter and minimize solar gain in the summer.*

The green building initiatives suggested for the covenant, plus the ones listed above that are not proposed to be included in a covenant, should be incorporated into the developer's building scheme. Although the building scheme would not be enforceable by the Regional District, the requirements would be registered against the title and would be implemented through the developer's building review process.

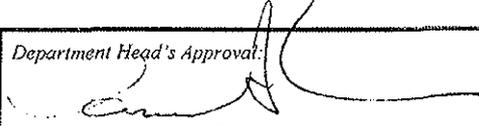
Summary:

Should the Board agree to grant Bylaw No. 3337 and 3338 third reading, conditions of final adoption should include registration of a Section 219 covenant and submission of a draft building scheme to ensure the commitments outlined above are secured.

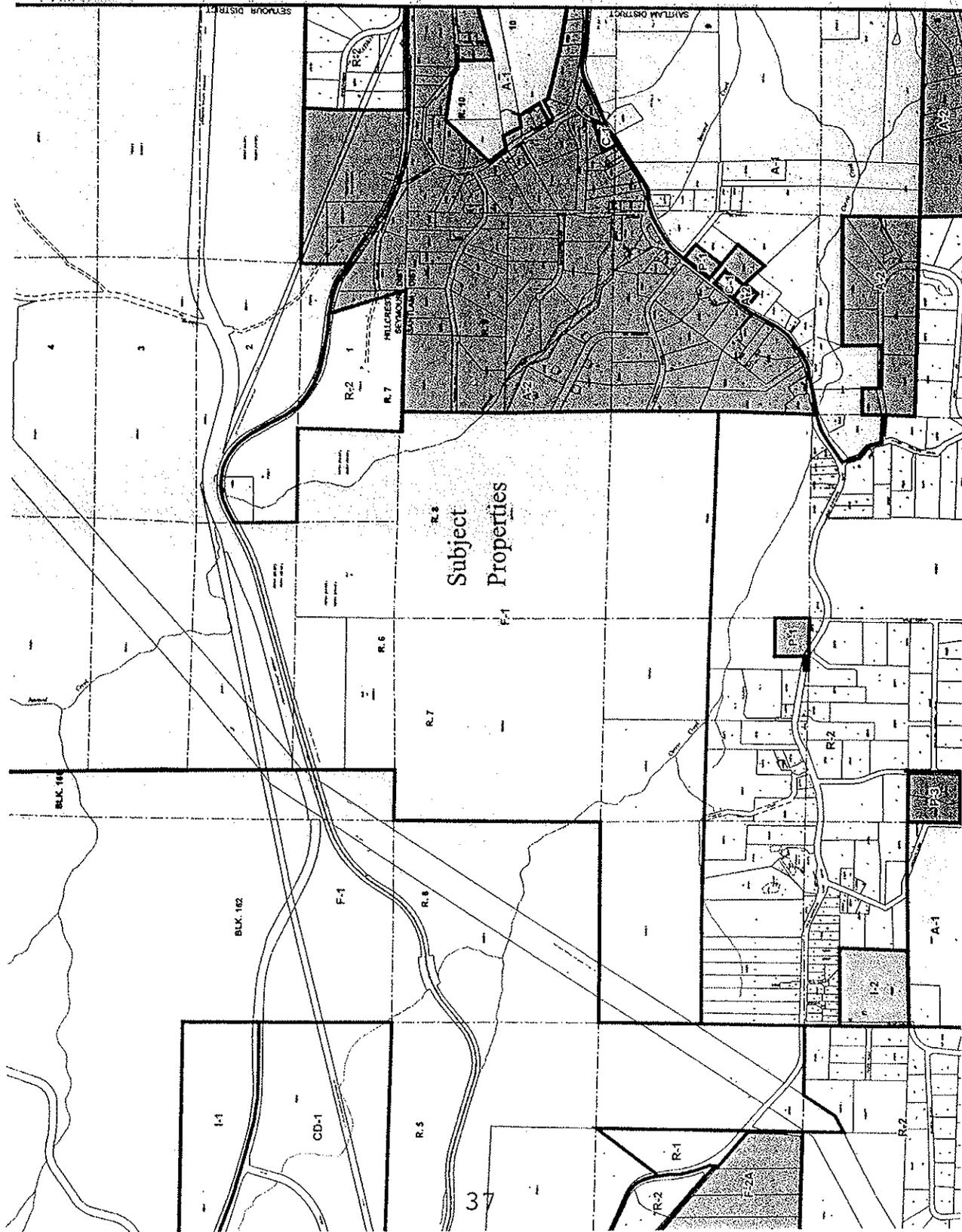
Submitted by,



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

<p>Department Head's Approval:</p>  <p>Signature</p>
--

RC/ca



1	DATE	1/15/2014
2	BY	CH
3	FOR	31% PARK
4	PROJECT	3L - Development
5	SCALE	AS SHOWN
6	DATE	1/15/2014
7	BY	CH
8	FOR	31% PARK
9	PROJECT	3L - Development
10	SCALE	AS SHOWN

Phase Two Proposed Development

41 Single Family Lots

51% Dedicated Park/Open Space Area

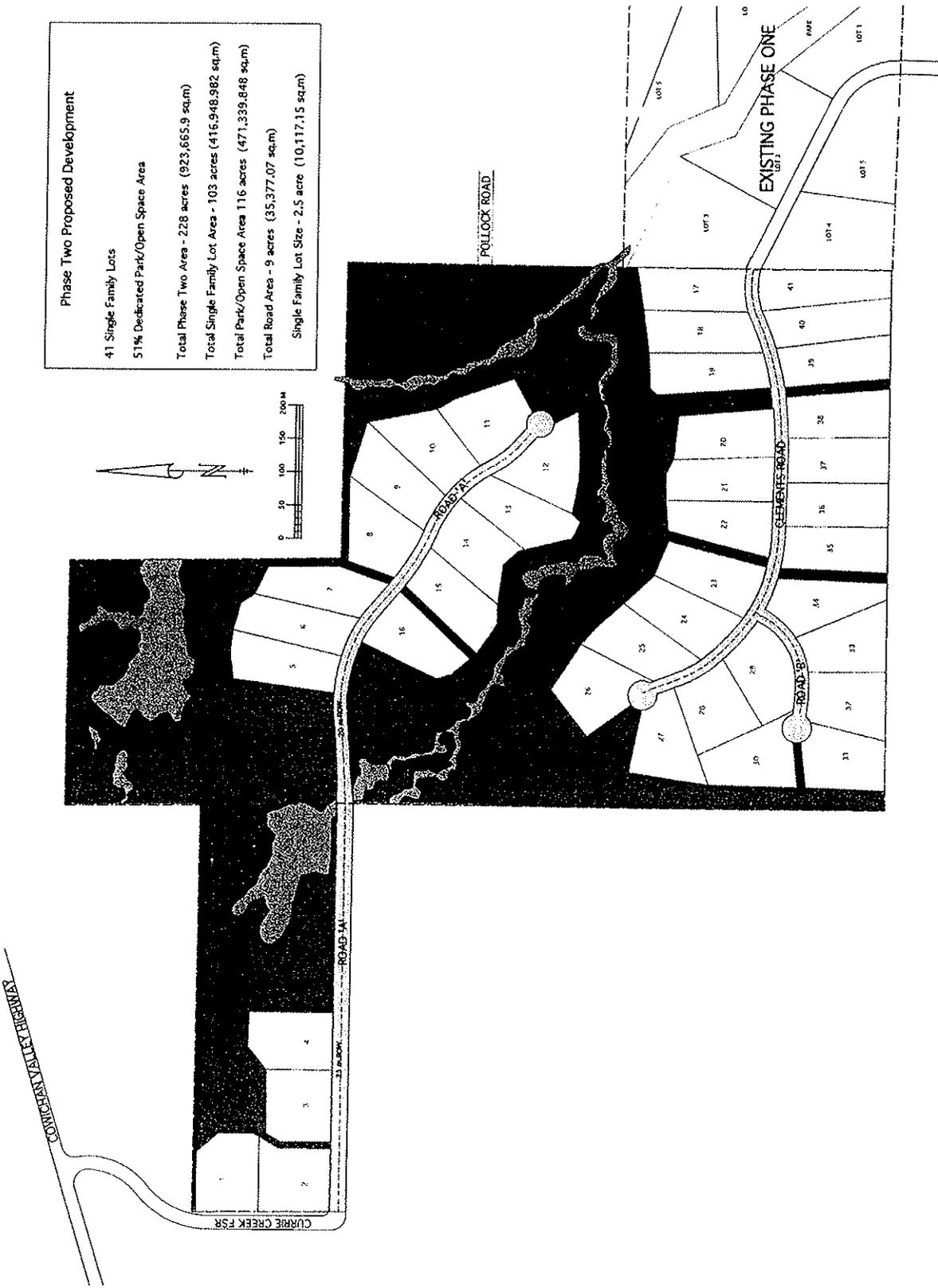
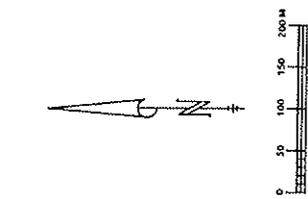
Total Phase Two Area - 228 acres (923,665.9 sq.m)

Total Single Family Lot Area - 103 acres (416,948,982 sq.m)

Total Park/Open Space Area 116 acres (471,339,848 sq.m)

Total Road Area - 9 acres (35,377.07 sq.m)

Single Family Lot Size - 2.5 acre (10,117.15 sq.m)



3L - Development

Development Plan
Inwood Creek Estates
Phase Two
51% PARK





SR2

STAFF REPORT

REGULAR BOARD MEETING
OF JANUARY 13, 2010

DATE: January 13, 2010

Bylaw No: 3320

FROM: J.E. Barry, Corporate Secretary

SUBJECT: Results of Alternative Approval Process – CVRD Bylaw No.
3320 – Cowichan Aquatic Centre Annual Contribution
Service Establishment Bylaw, 2009

Recommendation:

That the *Certificate of Results* confirming that the CVRD Board must not proceed to adopt Bylaw No. 3320, unless the bylaw receives the assent of the electors, be received.

Purpose:

To present the results of the Alternative Approval Process for CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009.

Background:

An Alternative Approval Process for Bylaw No. 3320 was held for the electors of Electoral Area D – Cowichan Bay. The process closed January 12, 2010.

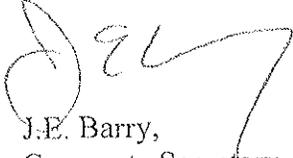
A total of 606 Elector Response Forms were submitted indicating opposition to the adoption of Bylaw No. 3320. 8 forms were rejected for the following reasons: 5 were duplicates; 2 contained street addresses that do not exist and could not be verified; and 1 form was altered.

As outlined in the attached *Certificate of Results*, the 598 Elector Response Forms that were accepted as valid in opposition to the adoption of Bylaw No. 3320 represent 20.6% of the electors in the service area. Since this is greater than 10% of the electors, the Board must not adopt the bylaw without obtaining the assent of the electors (through referendum).

If the Board wishes to proceed, a referendum must be held within 80 days of the close of the Alternative Approval Process (January 12, 2010), pursuant to Section 162(2)(b) of the *Local Government Act*. A resolution appointing a Chief Election Officer and Deputy Chief Election Officer would be required along with the setting of a date for the referendum.

The latest the Board could hold a referendum on this bylaw is Saturday March 27, 2010.

Submitted by,



J.E. Barry,
Corporate Secretary



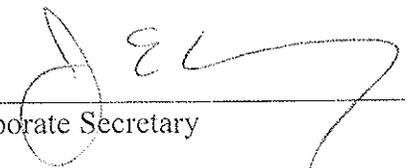
**CVRD Bylaw No. 3320
Certificate of Results – Alternative Approval Process**

I hereby certify that 598 valid *Elector Response Forms* were received in opposition to CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009 which would authorize the Regional District to provide an annual financial contribution to the Cowichan Aquatic Centre of up to One Hundred and Thirty-Two Thousand Dollars (\$132,000) to assist with costs associated with the operation and maintenance of the facility.

The number of *Elector Response Forms* received represents 20.6% of the electors in the service area

Pursuant to Section 86 of the *Community Charter*, the Cowichan Valley Regional District may not proceed with adoption of CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009, unless the bylaw receives the assent of the electors.

DATED at Duncan, British Columbia)
)
 this 13th day of January, 2010)
)



 Corporate Secretary

Elector Response Forms Received	10% of the Electors	Number of Electors in the Service Area
598	290	2,898
Bylaw No. 3320 may not proceed unless the bylaw receives the assent of the electors.		



CVRD

SR3

STAFF REPORT

REGULAR BOARD MEETING
OF JANUARY 13, 2010

DATE: December 24, 2009
FROM: Daniel J. Derby, General Manager Public Safety
SUBJECT: Sahtlam RFP PS-2009-01 Purchase

Recommendation:

That the Board authorize the purchase of the CAN/ULC – S515-04 Mobile Water Tender Firefighting Apparatus for the Sahtlam Fire Protection Service Area from Rocky Mountain Phoenix in the amount of \$185,869 (before taxes).

Purpose: As per the CVRD Purchasing Policy – *Approval of the Regional Board is required for selection of other than low tenders.*” The purpose is to obtain Board approval for the purchase of a new fire truck (CAN/ULC – S515-04 Mobile Water Tender Firefighting Apparatus) for the Sahtlam Fire Protection Service Area. Justification for the recommended bid is:

- Chassis is locally supplied,
- Pump supplied with other bids did not fulfill requirements,
- Other bids provided a weaker galvanized steel tank,
- Fold down drop tank racks instead of the requested tank storage compartments,
- Fold up steps instead of a ladder,
- Fold up steps for tank top access

Financial Implications: The new truck is expected to cost \$185,869 (before taxes). The lowest bid submitted during the Request for Proposal (RFP) process was \$1,659 less (before taxes).

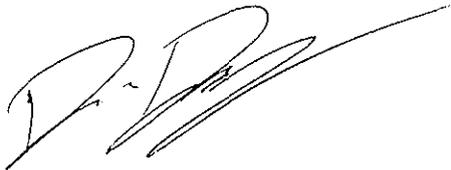
Interdepartmental/Agency Implications: The CVRD Board has approved the loan authorization bylaw, to borrow money for this purpose. The Board adopted the loan authorization bylaw, after receiving the approval of the Province and the service area voters. Voter approval was obtained by way of an alternative approval process.

Background: Household insurance ratings are based on a number of factors including the age and maintenance records relating to primary fire response vehicles. Sahtlam VFR Tanker #59 built by the department is a 1600 gallon water tender. The department has kept the vehicle in exemplary condition however ratings dictate that we must update our fleet to ensure continuity of insurance premiums for the residents of the Sahtlam area. The fire department anticipated this replacement and has been building a reserve in expectation of a 2009 change out.

The members of the Sahtlam department working with Public Safety staff completed a detailed Request for Proposal for a replacement vehicle with the competition ending on November 30, 2009. Four submissions were received. It is recommended that Rocky Mountain Phoenix be awarded the bid.

Once the new vehicle is in service Tanker #59 will be disposed of as per CVRD policy.

Submitted by,



D. Derby
General Manager, Public Safety Department



SR4

STAFF REPORT

BOARD MEETING OF JANUARY 13, 2010

DATE: January 4, 2010 **FILE NO:** 1660-20-CEA
FROM: Harmony Huffman, Environmental Technologist
SUBJECT: Cowichan Biodiesel Cooperative – Membership and Project Update

Recommendation:

- 1) That the Board Chair and Corporate Secretary be authorized to sign a lease agreement with the Cowichan Energy Alternatives Society regarding the establishment of a waste vegetable oil collection/recycling depot and bio-fuel production facility at the CVRD's Bings Creek Solid Waste Management Complex; and
- 2) That the Board Chair and Corporate Secretary be authorized to sign a membership agreement with the Cowichan Biodiesel Cooperative for the purpose of allowing the CVRD to purchase bio-fuel from said Cooperative.

Purpose: To provide authority for staff to negotiate a lease agreement with Cowichan Energy Alternatives Society (Registered Society/Not for Profit) regarding the Bings Creek Solid Waste Management Complex; to provide authority for staff to enter into a membership with the Cowichan Biodiesel Cooperative for the purpose of purchasing bio-fuels; and to inform Directors of the CVRD's progress with regard to the utilization of bio-fuels in CVRD machinery and equipment.

Financial Implications: Hard costs of \$55 during 2010, and \$50 per year thereafter (for membership with the Cowichan Biodiesel Cooperative); in addition to a slight increase in fuel costs during 2010 (i.e. less than \$500).

Interdepartmental/Agency Implications: None.

Background: In 2009, the CVRD began hosting a pilot facility operated by the Cowichan Biodiesel Cooperative (CB-DC) and Cowichan Energy Alternatives Society (CEA) at the Bings Creek Solid Waste Management Complex. This temporary facility, housed near the entrance of the Bings Creek site, is rented to the CEA and provides a public drop-off and recycling location for waste vegetable oil. The facility, operated by the CB-DC, also functions as a retail outlet for biodiesel and straight vegetable oil produced onsite, as well as a research and education facility for local oil recycling and biodiesel production.

Discussion: CB-DC operations at Bings Creek are restricted by the temporary nature of their current accommodations. As such, the CB-DC is unable to produce biodiesel onsite except in very small 'demonstration' quantities. As the long-term intent of the facility is to provide a locally-produced sustainable fuel alternative, the CB-DC expressed interest as early as 2007 in occupying an existing structure located at the entrance to the Bings Creek site, which is currently occupied by CVRD Water Management crews. 44 .../2

In early 2010, construction of a new operations building and expansion of existing offices will commence on the Bings Creek site. Upon completion, the new space will be occupied by CVRD Water Management crews, leaving the existing structure at the site entrance vacant and available for occupancy by the CB-DC. This arrangement will also satisfy the CVRD's obligations with regard to \$100,000 of Community Work Funding received in 2007 for the purpose of assisting in the local production of alternative fuels. These funds will help pay for the new construction at Bings Creek, thereby freeing up the existing building (which has been assessed at \$100,000) for occupancy by the CB-DC.

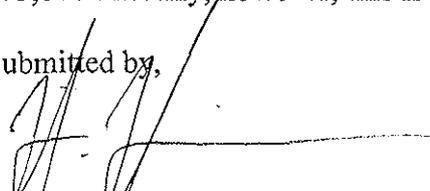
In order to facilitate the CB-DC's occupation of this structure, it is suggested that staff be authorized to negotiate a lease-agreement with Cowichan Energy Alternative Society. A public notification process, as required by the *Local Government Act*, would be completed prior to entering into negotiations.

Having a locally-produced source of biodiesel located at the Bings Creek site also facilitates the CVRD's use of biodiesel in all compatible equipment. The CVRD's ability to support the Cowichan Biodiesel Cooperative through the purchase of fuel forms a key part of the initial understanding reached between staff and the CB-DC regarding the CB-DC's occupancy of the Bings Creek site. Blending biodiesel with regular fuel in diesel-powered machinery will allow the CVRD to reduce its carbon footprint, while supporting a local sustainability initiative. The CVRD must become a member of the Cowichan Biodiesel Cooperative in order to purchase fuel, thus it is also recommended that the Board Chair and Corporate Secretary be authorized to sign a membership agreement with the Cowichan Biodiesel Cooperative.

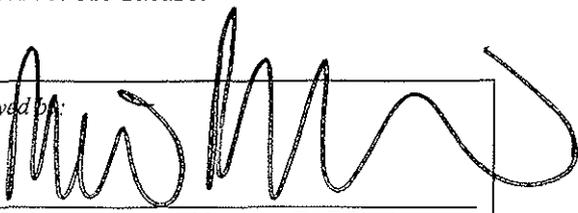
Membership with the CB-DC will result in an annual cost to the CVRD of \$50 (plus a one-time \$5 share purchase fee). Biodiesel is provided to co-op members at a cost of \$1.25 per litre, which may result in a slight increase to fuel costs (given current diesel prices of approximately \$0.90 to \$1.10 per litre). However, any cost increase would be limited by the fact that only a small portion (approximately 5%) of the CVRD's diesel fuel budget would be spent on biodiesel. Furthermore, any slight cost increase would be compensated by the opportunity for the CVRD to demonstrate environmental leadership and raise public awareness about the use of alternative fuels.

Staff are currently working with the CB-DC in order to determine the type and quantity of biodiesel that may be used in CVRD rolling stock located at the Bings Creek site. It is anticipated that over the next few months, the CVRD will be able to use about \$5,000 worth of biodiesel (or approximately 4,000 litres). As the onsite production of biodiesel is further refined, it is anticipated that CVRD usage of biodiesel will exceed these initial quantities. As per the CVRD purchasing policy, dated January 1, 2009, the sole-source purchase of bio-fuels from the CB-DC is justified given the non-profit status of the CB-DC and the CVRD's desire to support this local organization. Board authorization will be required should this arrangement exceed \$75,000 annually, however, this is not anticipated in the foreseeable future.

Submitted by,


Harmony Huffman
Environmental Technologist

Approved by:


Brian Dennison, General Manager, E&E Services



C·V·R·D

SR5

STAFF REPORT

REGULAR BOARD MEETING
JANUARY 13, 2010

DATE: January 6, 2010 File No.:0550-05
FROM: Daniel J. Derby, General Manager Public Safety
SUBJECT: CVRD Sahtlam Volunteer Fire Department Chief Appointment

Recommendation:

That the Board of Directors approves the appointment of **Mr. Allan Reid** as Fire Chief to the CVRD Sahtlam Volunteer Fire Department for a 1-year term to expire December 31, 2010.

Purpose: To obtain Board of Director's approval for the appointment of a new Fire Chief for the Sahtlam Volunteer Fire Department.

Background: CVRD Fire Department Bylaws state that "subject to the Position Posting and Eligibility Program for all CVRD fire departments, the Fire Chief, Deputy Fire Chief and Senior ranking officers shall be appointed by resolution of the Regional Board for a 2-year term."

Although his term was to expire at the end of this year; Mr. Mike Lees tendered his resignation as Sahtlam VFD Fire Chief one year early. An interview was conducted by the General Manager of Public Safety, Dan Derby and Human Resources Consultant, Mary Hulti.

As it is practice to appoint all the Fire Chiefs at the same time; it is recommended that Mr. Reid's appointment be a one year appointment and that the Sahtlam Fire Chief position be included in the appointment process with the other CVRD Fire Department Chiefs in the fall of 2010.

Submitted by,

Daniel Derby
General Manager, Public Safety

/bw



PH1

PUBLIC HEARING REPORT
Bylaws No. 3337 and 3338

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338 (Inwood Creek), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Thursday, December 3, 2009, at the Sahtlam Fire Hall, 4384 Cowichan Lake Road, Sahtlam, BC, at 7:08 p.m.

**HEARING
DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora,
Chairperson
Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls
Director L. Iannidinardo, Electoral Area D – Cowichan Bay

**CVRD STAFF
PRESENT**

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

Members of the Public:

There were approximately 17 members of the public present.

CALL TO ORDER

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

Director Duncan further stated that he wanted the Hearing to be considered a safe meeting where people can share their views and to also show respect for their neighbours.

PROCEDURES

Mr. Conway explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Public Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, November 25, 2009 and Friday, November 27, 2009) and *Leader Pictorial* (Wednesday, November 25, 2009 and Friday, November 27, 2009) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3337 proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490 by creating a new Rural Residential / Forestry Conservation designation and re-designating Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, from Forestry to Rural Residential/Forestry Conservation.

Zoning Amendment Bylaw No. 3338 proposes to amend Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 by creating a new Rural Residential/Forestry Conservation Zone (RF-50/50) and rezoning Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, from Primary Forestry (F-1) to Rural Residential/Forestry

Conservation (RF-50/50).

If approved, OCP Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338 would permit the subject property to be developed for up to 41 one hectare lots with approximately 47 hectares, or 51% of the site dedicated as public land.

Mr. Conway stated that four letter of response had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, December 3, 2009, at 4:30 pm.

Mr. Conway summarized the Rezoning Application by stating the following:

- The subject property is about 92 hectares in area (or about 228 acres) and is comprised of three separate titles;
- The property is located between Old Lake Cowichan Road and Highway 18, west of Pollock Road and Creighton Road;
- The property is presently zoned F-1 (Primary Forestry) and is designated Forestry in the Official Community Plan (OCP);
- Lands to the east are generally zoned A-2, which has a minimum lot size of 2 ha (5 ac.);
- Lands to the north, south and west are zoned Primary Forestry, with a minimum parcel size of 80 ha (198 ac.);
- There is Suburban Residential zoned land nearby along Cowichan Lake Road and north east at the old Hillcrest Mill site. The minimum lot size for the R-2 Zone is determined by the level of servicing available. If community sewer and water are not available, the minimum parcel size is 2 ha. It is .4 ha (1 acre) if community water is available.
- This application proposes to change the OCP Designation from Forestry to Rural Residential/Forestry Conservation and to change the zoning from F-1 to a new RF-50/50 Zone;
- The purpose of the OCP and Zoning Bylaw Amendments is to allow the property to be subdivided into 41 residential lots and public land.

Copies of the amendment bylaws are on the back table and noted there are some features to the proposed Amendment Bylaws.

Bylaw 3337:

- Amends the OCP;
- Includes policies that recognize the value of the forestry conservation lands for wildlife habitat and secondary objectives for recreation;
- Establishes criteria where the RR/FC designation will be considered (within fire protection service area, transfer of non-residential lands to public ownership, public meeting and neighbourhood planning and conservation strategy required);
- Density bonusing can be used to protect natural features and ESAs;
- Minimum lot size is 1.0 ha, but zoning may require a large lot size;

Bylaw 3338:

- This is the zoning amendment bylaw and, if adopted it would change the zoning on the subject properties from F-1 to RF-50/50.

- The RF-50/50 Zone is a density bonus zone that allow additional density if the owner provides community amenities;
- The minimum density permitted by the zone is three lots;
- If the owner dedicates up to 47.13 hectares of public land, up to 25 residential lots can be developed;
- Up to 41 residential lots can be developed if, in addition to the public land, the owner transfers one fully serviced residential lot. This lot could either be used as additional Forest Conservation land, or sold and the proceeds used for the Electoral Area E Parks function;
- The maximum number of lots that can be developed is 41.

In addition to the two bylaws, a Restrictive Covenant is also proposed that would secure commitments the applicant has made which are not dealt with in the Bylaws. Commitments included in the proposed Covenant are:

1. The owner is committing to provide \$100,000 to the Sahtlam Fire Department for the purchase of firefighting equipment;
2. Reforestation of the public land areas;
3. Construction of a pedestrian bridge;
4. Fencing between the boundaries of the proposed residential lots and public lands.

Correspondence

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

- 1) Email dated December 3, 2009, from Ana and David Schramm (EXHIBIT 1);
- 2) Letter dated November 27, 2009, from Leslie Drew (EXHIBIT 2);
- 3) Letter dated December 2, from Gerald Edward Lundahl (EXHIBIT 3);
- 4) Letter dated December 3, 2009, from M. Irene Evans (EXHIBIT 4);
- 5) Letter dated December 3, 2009, from Paul Slade (EXHIBIT 5);
- 6) Letter dated December 3, 2009, from Stephen Holmes (EXHIBIT 6).

Location of File

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

APPLICANT, Kabel Atwall

Kabel Atwall was present on behalf of 3L Developments and stated the following with regard to the proposed Rezoning Application:

- 3L Developments owns the subject properties as well as the adjacent properties that they have carried out their first phase of development on;
- Within the proposal they are requesting to rezone 228 acres, they will be dedicating 51 percent of the property as park, one lot will be given to the Area E Parks and Recreation Commission and they will also be making a \$100,000. contribution to the Sahtlam Fire Hall;
- They are also committed to following up on their reforesting and fencing commitments;
- Proposing 41 - 2.5 acre lots;

- Covenant has been drafted and the final details of that covenant will be finalized in the future if the rezoning is approved;
- The new zone they have applied for is unique and it strives to protect the conservation and environmental values of the property. It also recognizes the transitional position of the property between the rural residential uses and forest land uses in the immediate area;
- 51% of the property is being dedicated as park as they want to protect the land, wildlife habitat and the environmental qualities of the property;
- The proposal of the open space maintains and enhances the recreational corridors that already exist on the property which also are enjoyed by the many people that walk through the property daily and weekly;
- Proposed development dedications will also enhance the Trans Canada Trail;
- Property is located between rural and forestry lands uses and noted that those properties may be slated for residential development in the future;
- Subject property is divided into two sections by an unnamed tributary that flows into Inwood Creek creating a northern phase and southern phase;
- Northern phase will be accessed by the Forest Service Road which will be turned into a public road and it will be built to the Ministry of Transportation's standards;
- Southern phase will be accessed by an extension onto Clements Road and stated that there will be no connection through the properties or across the creek except for the Fire Department. Intent is to gate the crossing and the Fire Department will have the only key;
- 16 lots located in the northern section and 25 in the southern areas and one of the lots, likely Lot 5, will be donated to the Area E Parks and Recreation Commission;
- Lots will be serviced by septic fields and wells. Their studies have shown the area is suitable for septic and there is great potential for wells and there will not be an impact on the groundwater in the area. Any lot that cannot prove water or septic will not be developed;
- Have undertaken traffic studies in the area that shows there will be negligible impact;
- Looking at sustainability initiatives as far as the design guidelines by possibly re-using rainwater and solid waste and that would be incorporated into the design guidelines of the disclosure statements for the properties;
- They have been very responsive to the comments they have received throughout the rezoning process from the public, APC, Parks Commission, the CVRD and their neighbours;
- The new zone created is unique, their density is no greater than if they had proposed 5-acre parcels for the total property, they have given up half of their property for parkland and they are protecting conservation, environmental and recreational values on site.

QUESTION PERIOD

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

- Dan Ferguson, Glenora** ➤ Is an Elk corridor being created on site?
- Kabel Atwall** ➤ Yes, the Forestry Conservation land will provide an Elk corridor.
- Dan Ferguson** ➤ Will Elk fencing be put up on the property?
- Kabel Atwall** ➤ 1.2 metre high fencing is proposed.
- Rob Conway** ➤ Required fencing is 1.5 metres, but it is not intended as Elk fencing.
- Director Duncan** ➤ Proposed fence is not to keep the Elk out the purpose of the fencing would be to keep the people within their lots.
- Dan Ferguson** ➤ Is there a height limitation with regard to the Elk fence?
- Director Duncan** ➤ If there was an issue with the Elk a fence higher than 1.5 m could be constructed.
- Nancy Sims, 5929 Clements Road** ➤ Owns Lot 2 on the first phase and they fenced the perimeter of their property with cedar fencing and noted that the Elk jump over her fencing.
- Shawn Pierce, 4375 Inwood Creek** ➤ Elk fencing may be a waste of money as he felt people will want to put up their own style of fencing around their properties;
➤ Fencing could possibly be put into a building scheme.
- Director Duncan** ➤ Fencing is not about the Elk as the intention of the fence is to keep people on their property and not encroach onto the public property.
- Shawn Pierce** ➤ Why do you have to close things off as he and his neighbour do not have fencing between them but they each know where their property boundary is located as he felt fencing was a waste of money.
- Director Duncan** ➤ Understands his comments and concerns.
- Shawn Pierce** ➤ Fencing gets away from the natural rural setting and parklands.
- Director Duncan** ➤ It is forestry conservation land and the Parks and Recreation Budget does not have adequate funding to fence 160 acres of parkland;
➤ The fenced area will be forestry land with park uses being encouraged on the trails for the public to use;
➤ 50-60 years from now the community will have to decide how to manage and what to do with those forestry lands.
- Shawn Pierce** ➤ That fence might last 10 years but it will not last 50 years and asked who will bear the costs to repair that fence?

- Director Duncan** ➤ That would have to be dealt with through the Electoral Area E Parks Budget.
- Shawn Pierce** ➤ If the CVRD was trying to establish a set line of property boundaries that issue should be put into a building scheme that each owner must fence their own property.
- Director Duncan** ➤ It may be possible that some of the lots may have animals and livestock on them and they may require fencing for management control.
- Mike Lees,
4948 Arla Court** ➤ In the 1970s TAL Developments subdivided land in the area and parkland was dedicated and noted that have seen residents moving onto public lands and taking them over.
- Stephen Holmes,
6658 Hillcrest Road** ➤ If the proposed development is accepted he understands the balance of the property will be left in fee-simple and asked if there will be a covenant in place restricting further subdivision of that dedicated 51% parkland?
- Director Duncan** ➤ No.
- Rob Conway** ➤ The zone states that the maximum number of lots that could be subdivided is 41 and if the Regional District wanted to subdivide the conservation area that zone would have to be amended and the rezoning process would have to occur.
- Stephen Holmes** ➤ Will the covenant be registered and remain into perpetuity?
- Rob Conway** ➤ Covenants are not always iron clad and noted they can be changed.
- Stephen Holmes** ➤ The best fencing should be put up now and be well maintained to keep the people out and stated not to worry about the Elk as they will look after themselves.
- Frank McCorkell,
3965 John's Road** ➤ Where is the walking bridge located?
- Kabel Atwall** ➤ Walking bridge is subject to approvals from the Ministry of Environment and Riparian Areas Regulations and, if approved, it will connect the walkways.
- Frank McCorkell** ➤ Is Lot 5 the dedicated lot?
- Kabel Atwall** ➤ Yes, Lot 5 will be dedicated.
- Paul Slade,
Wheatley Road** ➤ Is there any writing paper available for written submissions?
- Director Duncan** ➤ Yes, he has a pad of paper for the public to write out their written

submissions.

- Dan Ferguson** ➤ What is the CVRD's intention of that dedicated lot, will it be sold or used to broaden the Elk habitat?
- Director Duncan** ➤ Not sure at this stage and that will be the decision of the Area E Parks and Recreation Commission;
➤ Wants to see trail connectivity through the trails down into the Sahtlam community;
➤ Will have to listen to the people who live within that subdivision and the community as to what they would like to see that lot used for as that lot will be an asset for the community's needs.
- Director Duncan** ➤ Asked for further questions from the public present with regard to the proposed Amendment Bylaws and reminded the public that the Information Binder was available for review on the back table and that written submissions must be received at the front table prior to the close of the Public Hearing.
- Nancy Sims** ➤ She would like to read her neighbour's written submission.
- Director Duncan** ➤ She should read that submission during the official comment section of the Public Hearing?
- Roy Parkhouse,
Thain Road** ➤ Does the road end before the subject property at the end of Pollock Road?
- Kabel Atwall** ➤ That road is unconstructed and stated that nobody can drive across that bridge and it is used for walking purposes only.
- Roy Parkhouse** ➤ Concerned about people driving through the area and leaving their debris behind.
➤ Concerned about the road that leads to the bridge that crosses the creek.
- Kabel Atwall** ➤ There is a right-of-way in that area but noted that it will be gated and the Fire Department will have the only key and access through that area.
- Director Duncan** Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338.
- 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 Duncan reminded the public that the Information Binder was available for review located on the back table, along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.

- Nancy Sims,
5929 Clements Road**
- Her neighbours, Ana and David Schramm, could not attend the Public Hearing and asked that she read verbatim their Email (EXHIBIT 1) dated December 3, 2009, noting that they supported the proposed Bylaw Amendments.
- Shawn Pierce,
Lot 2 Inwood Creek**
- Moved into the area from Victoria for the larger acreages and felt the proposed subdivision will be a huge asset for the area;
 - He has horses and is looking forward to seeing more trails developed in the area;
 - Supports the development.
- Dan Ferguson**
- The developer has done a good job accommodating the community.
- Mike Lees**
- Planned development and he is supportive of it especially when huge amounts of land are being dedicated as parkland.
- Nancy Sims,
5929 Clements Road**
- She and her husband are in support of the proposed development and they are looking forward to seeing the gate across the bridge as she has noticed traffic has picked up over the last 1½ years;
- Stephen Holmes
Hillcrest Road**
- He is opposed to the subdivision as he feels it is a waste of the prime forest land as it is the only renewable resource in the area;
 - Horse houses will not pay the bills in the long term;
 - If you want to increase density there are lots of acreages that presently exist within the serviced areas.
- Irene Evans,
Cowichan Station**
- It is a fine idea as there are larger pieces of property being dedicated as forestry.

ADJOURNMENT

Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3337 and Zoning Amendment Bylaw No. 3338.

Chairperson Duncan declared the Public Hearing closed at 7:58 pm.

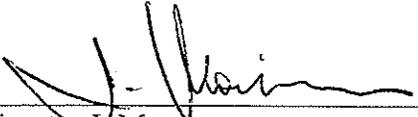
CERTIFICATION:

We attended the Public Hearing on Thursday, December 3, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.



Director L. Duncan

Date Dec 18, 2009



Director L. Morrison

Date 12/22/2009



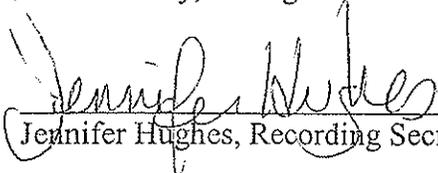
Director L. Iannidinardo

Date 12/22/2009



Rob Conway, Manager

Date Dec 18/09



Jennifer Hughes, Recording Secretary

Date Dec 18/09



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3320

**A Bylaw to Establish a Service to Provide an
Annual Financial Contribution to the Cowichan Aquatic Centre.**

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

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish an annual financial contribution service for the Cowichan Aquatic Centre for the purpose of assisting with costs associated with the operation and maintenance of the facility;

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

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

1. **CITATION**

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to assist the Cowichan Aquatic Centre with costs associated with the operation and maintenance of the facility. The service shall be known as the "Cowichan Aquatic Centre Annual Contribution Service".

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are the boundaries of Electoral Area D – Cowichan Bay.

4. **PARTICIPATING AREA**

Electoral Area D – Cowichan Bay is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area; and/or,
- b) revenues raised by other means authorized by the *Local Government Act*.

6. MAXIMUM REQUISITION

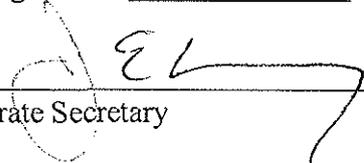
The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$132,000. or an amount equal to the amount that could be raised by a property value tax of \$0.2739 per \$1,000. of net taxable value of land and improvements within the service area.

READ A FIRST TIME this 9th day of September, 2009.

READ A SECOND TIME this 9th day of September, 2009.

READ A FIRST TIME this 9th day of September, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3320 as given Third Reading on the 9th day of September, 2009.



 Corporate Secretary

OCTOBER 1, 2009

 Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 23rd day of October, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3343

A Bylaw to Amend the Boundaries of the Fern Ridge Water System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Fern Ridge Water System Service Area* under the provisions of Bylaw No. 2994, cited as "CVRD Bylaw No. 2994 – Fern Ridge Water System Service Establishment Bylaw, 2007";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to extend the boundaries of the service area to include the following properties:

- Lot 12, District Lot 107, Malahat District, Plan 32245, PID 001-080-822; and
- Lot 9, District Lot 107, Malahat District, Plan 32245, Except that part in Plan 32821, PID 001-080-768;

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

AND WHEREAS the Director of Electoral Area A – Mill Bay/Malahat has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3343 – Fern Ridge Water System Service Amendment Bylaw, 2009**".

2. **AMENDMENT**

That bylaw No. 2994 be amended by deleting and replacing the existing Schedule A with the Schedule A attached to this bylaw.

READ A FIRST TIME this 9th day of December, 2009.

READ A SECOND TIME this 9th day of December, 2009.

READ A THIRD TIME this 9th day of December, 2009.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

B3

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3337

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 "**Cowichan Valley Regional District Bylaw No. 3337 - Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Inwood Creek), 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.

.../2

3. CAPITAL EXPENDITURE PROGRAM

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

READ A FIRST TIME this 12th day of November, 2009.

READ A SECOND TIME this 12th day of November, 2009.

READ A THIRD TIME this _____ day of _____, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3337 as given Third Reading on the _____ day of _____, 2010.

Corporate Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT UNDER SECTION 882(1) OF THE *LOCAL GOVERNMENT ACT*

this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3337

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

- a) That the following Section is added after Section 7.4.3:

7.5 Policies: Rural Residential / Forestry Conservation

POLICY 7.5.1

The primary focus of the Rural Residential / Forestry Conservation designation is the protection of forestry lands for wildlife habitat and the inherent value of forest land and riparian area ecology for sustaining flora and resident and transient fauna. Provision of habitat for threatened, endangered and protected species of mammals, amphibians and others creatures is a particular emphasis of the designation. Secondary objectives of the Rural Residential / Forestry Conservation designation may be the use of forestry conservation lands for parks, trails and publicly-owned green space.

POLICY 7.5.2

A preservation and restoration plan may be developed for forestry conservation lands, as necessary.

POLICY 7.5.3

The Rural Residential / Forestry Conservation designation shall only be considered for forested lands located between lands zoned for residential and agricultural use, and lands zoned for primary forestry. Isolated parcels away from existing residential settlement are not considered appropriate for the Rural Residential / Forestry Conservation designation.

POLICY 7.5.4

Lands designated Rural Residential / Forestry Conservation in the Plan Map must comply with the following criteria:

- i) Where the designation would result in five or more parcels, a detailed neighbourhood plan / conservation strategy be prepared by the land owner and a public meeting be held prior to the land being considered for rezoning.
- ii) The Rural Residential land is not anticipated to be serviced with community water for at least 20 years.
- iii) Lands must be within a fire protection service area.
- iv) Non-residential lands intended for Forestry Conservation shall be transferred to public ownership.

.../2

POLICY 7.5.5

Lands designated Rural Residential / Forestry Conservation shall have a minimum parcel size of 1.0 hectare.

POLICY 7.5.6

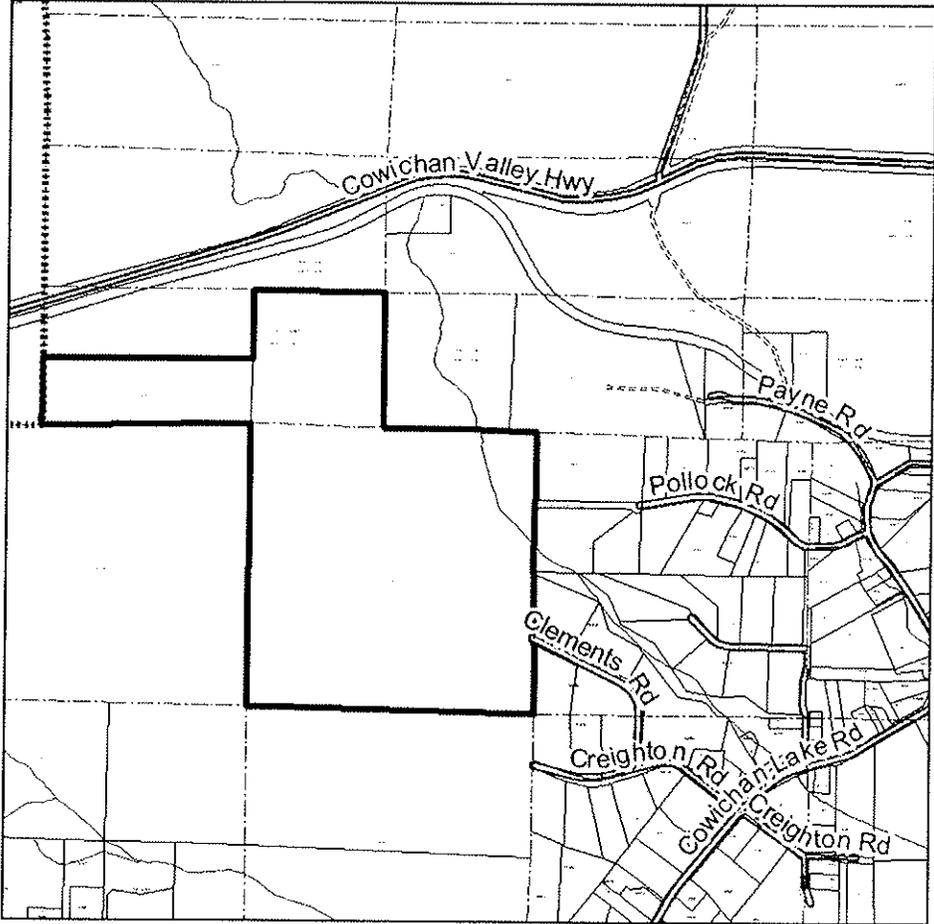
Density bonusing, in accordance with Policy 3.1.17 of this Plan, may be used to protect environmentally sensitive areas and natural features.

- b) That Sections 7.5 to 7.8 are re-numbered to 7.6 to 7.9.
- c) That Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, as shown outlined in a solid black line on Plan number Z-3337 attached hereto and forming Schedule B of this bylaw, be re-designated from Forestry to Rural Residential / Forestry Conservation and that Schedule B of Bylaw 1490 be amended accordingly.

PLAN NO. Z-3337

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

3337



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry TO

Rural Residential/Forestry Conservation APPLICABLE

TO ELECTORAL AREA E



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3338

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3338 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Inwood Creek 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 "RF- 50/50 Rural Residential /Forestry Conservation Zone" 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:

8.10 RF-50/50 ZONE – RURAL RESIDENTIAL/FORESTRY CONSERVATION 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 Sections 4.4 and 4.5, and no others are permitted in an RF-50/50 zone:

- (1) One single family *dwelling*;
- (2) *agriculture, horticulture, silviculture*;
- (3) *daycare* or nursery school *accessory* to a residential *use*;
- (4) *home occupation*;
- (5) *secondary suite*.

(b) Conditions of Use

For any *parcel* in the RF-50/50 zone:

- (1) the *parcel coverage* shall not exceed 30% for all *buildings* and *structures*.
- (2) the *height* of all *buildings* and *structures* shall not exceed 10.0 metres, except for accessory buildings, which shall not exceed a *height* of 7.5 metres.
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this Section are listed for the residential, non-agricultural, agricultural and *accessory* uses in Column II and III.

COLUMN I Type of Parcel Line	COLUMN II Residential and Non-Agricultural Principal and Accessory Uses	COLUMN III Agricultural Principal and Accessory Uses
Front	7.5 m	30 m
Interior Side	3.0 m	15 m
Exterior Side	4.5 m	15 m
Rear	4.5 m	15 m.

- (4) Notwithstanding Section 8.10(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.
- (c) Density and Density Bonus
- (1) In no case shall the minimum parcel size be less than 1 hectare.
- (2) The minimum parcel area for the purpose of s. 946(4) of the *Local Government Act* is 25 hectares.
- (3) Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, as shown outlined in black on Schedule A of Bylaw No. 3338, shall be subject to Density and Density Bonus provisions of Section 13.1
- b) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding “Part 13 - Appendices” after Section 12.10.
- c) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding the following Section to Part 13.

Appendix 13.1:

Subject to Part 12, the following regulations apply to Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District as shown outlined in black on Schedule A of Bylaw No. 3338:

- (1) The number of residential parcels that may be created by subdivision on the subject lands must not exceed 3.
- (2) Despite Appendix 1(1), the number of parcels that may be created by subdivision may be increased to 25 if the conditions in Appendix 1(5) are met.
- (3) Despite Appendix 1 (5), the number of parcels that may be created by subdivision may be increased to 41 if the conditions in Appendix 1 (7) are met.
- (4) Density averaging is permitted, provided that the average density in any subdivision, including public land dedication, does not exceed one parcel per 2.0 hectares of gross land area.
- (5) In respect of any parcel created in excess of 3, an area of land equivalent to 47.13 hectares must be transferred to the Regional District for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances, at no cost to the Regional District.
- (6) Land provided to the Regional District described in Appendix 1 (5) may be phased, if the area of public land dedicated is at least proportional to the area of land to be subdivide.

- (7) In respect to any parcel created in excess of 25, one parcel must be transferred to the Regional District in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances including any statutory building scheme not specifically approved in writing by the Regional District, to be used for purposes set out in Appendix 1 (9) and the cost of transfer including the Regional District’s actual, reasonable legal costs must be paid by the subdivider.
- (8) The parcel transferred to the Regional District referred to in Appendix 1 (7) must generally be located in the northern portion of the subject property, with the location and boundaries of the parcel approved by the Regional District.
- (9) The parcel transferred to the Regional District under Appendix 1 (7) must be used for community park purposes, including the sale of the parcel and the deposit of the proceeds into an Electoral Area E parks statutory reserve fund.
- (10) Notwithstanding Appendix 1 (7), the subdivider may register a restrictive covenant against the parcel referred to in the Section, precluding sale of the parcel for five years following registration of the subdivision and the sale of the lot below market price.

d) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by renumbering Part 13 - Transition as “Part 14 – Transition”, and the Table of Contents is amended accordingly.

e) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding Rural Residential / Forestry Conservation Zone (RF-50/50) to the legend.

f) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District as shown outlined in black on Schedule A attached hereto and forming part of this bylaw, numbered Z-3338 from Primary Forestry (F-1) to Rural Residential / Forestry Conservation (RF-50/50).

3. FORCE AND EFFECT

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

READ A FIRST TIME this 12th day of November , 2009

READ A SECOND TIME this 12th day of November , 2009.

READ A THIRD TIME this day of , 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3085 as given Third Reading on the _____ day of _____, 2010.

Corporate Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT
UNDER SECTION 882(1) OF THE *LOCAL GOVERNMENT ACT*

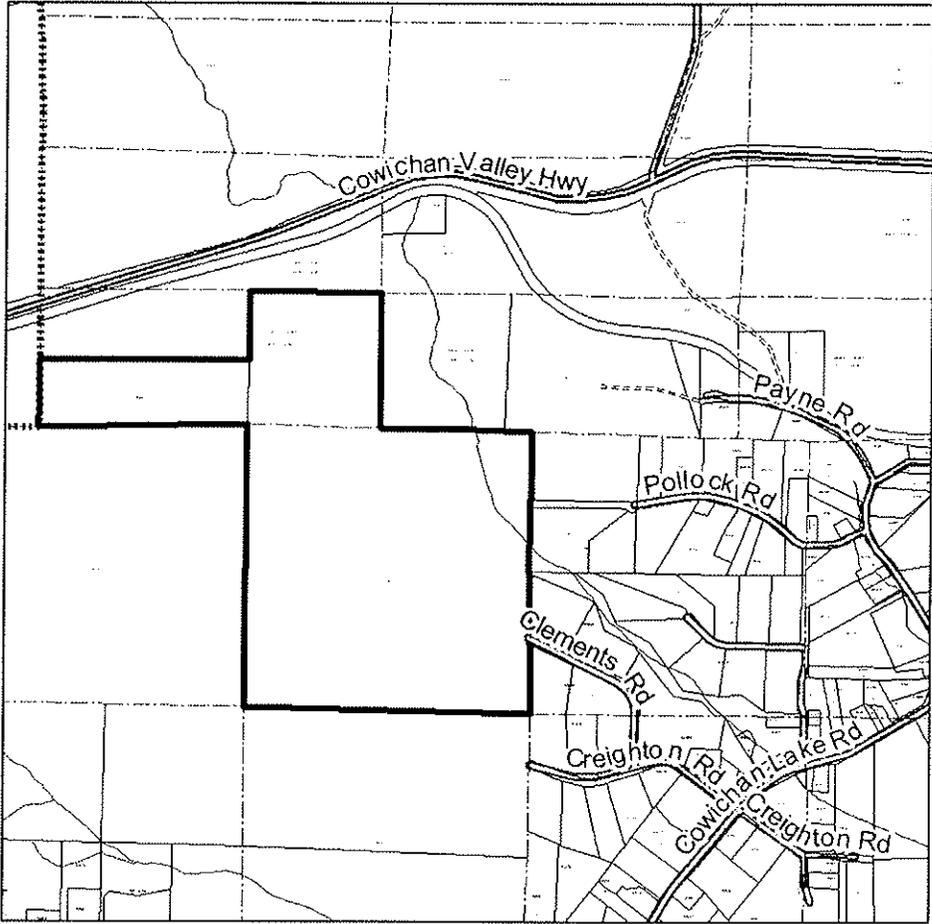
this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3338
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

Primary Forestry (F-1) TO

Rural Residential / Forestry Conservation (RF-50/50) APPLICABLE

TO ELECTORAL AREA E



RES1

COMMISSION APPOINTMENTS

BOARD MEETING
OF JANUARY 13, 2010

DATE: January 5, 2010
FROM: Director Duncan
SUBJECT: **Electoral Area E - Cowichan Station/Sahtlam/Glenora
Advisory Planning Commission**

Recommendation:

That the following appointments to the Electoral Area E - Cowichan Station/Sahtlam/Glenora Advisory Planning Commission be approved:

Term to expire November 30, 2010:

David Coulson
Dan Ferguson
Colleen MacGregor
Ben Marrs
Jim Marsh
Frank McCorkell
David Tattam
Keith Williams