



C·V·R·D

**NOTICE OF
ELECTORAL AREA SERVICES COMMITTEE MEETING**

**Tuesday,
February 17, 2009
Regional District Board Room
175 Ingram Street, Duncan, BC**

3:00 pm

A G E N D A

3:00 PM START OF MEETING

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

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13. **NEXT MEETING**

Tuesday, March 3, 2009

14. **ADJOURNMENT**

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

Director B. Harrison
 Director K. Cossey
 Director I. Morrison

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

Director L. Iannidinaro
 Director L. Duncan
 Director M. Dorey

M1

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, February 3, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC

PRESENT

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

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager, Development Services Division
Brian Duncan, Chief Building Inspector
Brian Farquhar, Parks and Trails Manager
Dan Derby, General Manager
Kathleen Harrison, Deputy Manager
Warren Jones, Administrator
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included referring item D2 to the next meeting, adding one item to Parks and one item of New Business.

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

MOTION CARRIED

M1 - MINUTES

It was Moved and Seconded
That the minutes of the January 20, 2009 EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 – Tom Jarvis

Leslie Clarke, Planning Technician, presented Application No. 7-A-08DVP (Tom and Corrine Jarvis) to decrease the front line setback to 0.02 metres and decrease the exterior side lot line to 0.0 metres to locate an accessory building at 1695 Sandy Beach Road.

A question and answer session occurred.

Tom Jarvis, applicant, was present. He provided further information to his application.

There were questions to the applicant from Directors.

It was Moved and Seconded

That Application No. 7-A-08DVP by Tom Jarvis for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a front lot line to 0.02 m. (0.06 ft.) and decreasing the exterior side lot line to 0.0 m. (0.0 ft) for an accessory building on Lot 3, District Lot 79, Malahat District, Plan 13099, PID 004-716-655), be approved, subject to construction of a fence and receipt of engineer's drawing ensuring safety of the building.

MOTION DEFEATED

It was Moved and Seconded

That Application No. 7-A-08DVP by Tom Jarvis for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a front lot line to 0.02 m. (0.06 ft.) and decreasing the exterior side lot line to 0.0 m. (0.0 ft) for an accessory building on Lot 3, District Lot 79, Malahat District, Plan 13099, PID 004-716-655), not be approved.

MOTION CARRIED

D2 – Doug Denham

Application No. 8-I-08DP referred to the next EASC meeting.

STAFF REPORTS

**SR1 – Mesachie Lake
Fire Engine**

It was Moved and Seconded

1. That the services of Bob Hamilton Enterprises Inc. be obtained to undergo negotiations, inspection and purchase of a used fire engine on behalf of the CVRD prior to the adoption of the CVRD 2009 five-year financial plan.
2. That the sole source purchase of a used fire engine for the Mesachie Lake Volunteer Fire Department, with overall expenditure not to exceed \$120,000, be approved.
3. That \$50,000 in short term borrowing for the purchase of a used fire engine for the Mesachie Lake Volunteer Fire Department to be paid over five years under the Liabilities Section 175 of the Community Charter, be approved.
4. That the necessary Reserve Fund Expenditure Bylaw be prepared and that the Bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

Director Marcotte arrived to the meeting at this point.

000004

D3 – Warren Johnny

Tom Anderson, General Manager, presented Application No. 3-H-07RS (Chemainus First Nation) to manage a portion of the seabed of Ladysmith Harbour for active management and harvesting of shellfish resources; and to rezone the subject Crown Foreshore from W-1 and W-2 to proposed W-4A Zone.

A question and answer session occurred.

Warren Johnny, applicant, was present. He provided further information to the application.

There were no questions to the applicant from Directors.

It was Moved and Seconded

1. That Application No. 3-H-07RS (Chemainus First Nation) for a defined portion of Crown seabed in Ladysmith Harbour for the purposes of active management of the subject area's shellfish resource, be approved and that the subject Crown Foreshore be rezoned from W-1 and W-2 to a new W-4A Zone (Shellfish Culture), with predator netting being specifically excluded from the proposed zone, and further that the appropriate amendment bylaw be prepared and forwarded to the Regional Board for consideration and 1st and 2nd readings;
2. That a public hearing be arranged to be held in North Oyster, and that Directors Marcotte, Dorey and Kuhn be delegated to the Hearing;
3. That the referral of this application to the Ministry of Environment, Transport Canada, Town of Ladysmith, Integrated Land Management Bureau and Fisheries and Oceans Canada, be accepted.

MOTION CARRIED

**SR2 – 4-E-06RS
(Kaelble)**

It was Moved and Seconded

That staff report dated January 26, 2009, from Mike Tippet, Manager, Regional and Community Planning Division, regarding Application No. 4-E-06RS/Bylaws 3139/3140 (Kaelble), be tabled.

MOTION CARRIED

**SR3 – Covenant
7420 Nantree Rd**

It was Moved and Seconded

That the CVRD allow the owners of 7420 Nantree Road to register a new covenant to replace existing covenant CA37414I which will facilitate a two year extension for the completion of Building Permit #I-10-07 (Brooks).

MOTION CARRIED

SR4 - AAC

It was Moved and Seconded

That the Agricultural Land Commission be requested to forward a proposal to CVRD staff for review and comment providing direction on how to structure an Agricultural Advisory Committee, how to establish Terms of Reference for such a Committee, and further, outline how the Land Commission and the CVRD together could enforce the *ALC Act* (further reaffirming previous Board Resolution no. 08-673.2 passed October 8/08).

MOTION CARRIED

SR5 – Post Election

It was Moved and Seconded

That staff report dated January 27, 2009, from Tom Anderson, General Manager, regarding Post-Election Discussion, be tabled to a future EASC meeting, and that the CVRD Corporate Secretary, and representatives from School District #79 and #68 be invited.

MOTION CARRIED

SR6 – Director Training

Discussion ensued regarding staff report dated January 28, 2009, from Tom Anderson, General Manager, respecting Director training sessions and conferences. (Note: report generated discussion only.)

CORRESPONDENCE

C1 – Grant-in-Aid

It was Moved and Seconded

That a grant-in-aid (Electoral Area E – Cowichan Station/Sahtlam/Glenora) in the amount of \$1,000 be given to the Cowichan Agricultural Society to assist with education/ workshop expenses.

MOTION CARRIED

PARKS

PK1 - Minutes

It was Moved and Seconded

That the minutes of the Area D Parks Commission meeting of November 4, 2008, be received and filed.

MOTION CARRIED

PK2 - Minutes

It was Moved and Seconded

That the minutes of the Area I Parks Commission meeting of January 13, 2009, be received and filed.

MOTION CARRIED

PK3 - Minutes

It was Moved and Seconded

That the minutes of the Area H Parks Commission meeting of January 7, 2009, be received and filed.

MOTION CARRIED

PK4 – Community well sites, Area C

It was Moved and Seconded

That staff proceed to work with the provincial government and the Cobble Hill Improvement District to determine the necessary requirements and approvals with respect to amending the Section 219 covenant on Galliers Park limiting use of the land to public purposes only, and to amend the existing crown lease for Fairfield Road Park held by the Regional District to permit establishment of a community wellhead by the Cobble Hill Improvement District at both of these sites, subject to the following conditions:

- i. That the wellhead location, underground services and design/construction of the wellhead enclosure meet with CVRD Parks approval, including the Area C Parks and Recreation Commission.
- ii. That a one-time financial contribution be made by the Cobble Hill Improvement District to the Area C Community Parks function in the amount of \$3,450 for granting of the statutory right of way in favour of the Cobble Hill Improvement District to permit construction and operation of a wellhead within Galliers Park.
- iii. Execution of the necessary amendments to the Section 219 covenant on the Galliers Park property to permit installation of the necessary wellhead works.
- iv. Public access through an Alternative Approval Process being obtained permitting registration of a statutory right-of-way or like tenure on the Galliers park property in favour of the Cobble Hill Improvement District pursuant to Section 27 of the Community Charter.

MOTION CARRIED

PK5 – Work Crew Truck

It was Moved and Seconded

That a used 4x4 six passenger crew cab diesel truck and biodiesel storage tank be purchased through short term financing up to a maximum of \$30,000 with repayment of the loan to be apportioned through the annual Parks Summer Student Work Crew budgets in functions 231,232,233,234,235,239,280,281, and 282.

MOTION CARRIED

Against: Director K. Kuhn

**PK6 – Maintenance
Contract, Area H**

It was Moved and Seconded
That the Staff Report dated February 3, 2009, from Brian Farquhar, Parks and Trails Manager, regarding Area H Parks Maintenance Contract Award, be referred to Closed Session.

MOTION CARRIED

**PK7 – Cenotaph
Revitalization**

It was Moved and Seconded
That application be made to the federal Cenotaph/Monument Restoration Program for a \$25,000 grant towards planned revitalization of the Cobble Hill Cenotaph site located within Liberation Park within Cobble Hill Village.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded
That the December 2008 building report, be received and filed.

MOTION CARRIED

NEW BUSINESS

**1 – Youbou Bar &
Grill**

Tom Anderson advised that a resolution is required to request an extension to respond to the Liquor Control Branch respecting an application by the Youbou Bar & Grill.

It was Moved and Seconded
That the CVRD contact the Liquor Control and Licensing Branch to request a further 90 day extension to submit a response respecting the Liquor License Application from the Youbou Bar and Grill to increase the maximum indoor capacity to 117 persons and the outdoor capacity to 78 persons for a total capacity of 195 persons.

MOTION CARRIED

CLOSED SESSION

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

MOTION CARRIED

The Committee moved into Closed Session at 5:13 pm.

RISE The Committee rose without report.

ADJOURNMENT It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5: 43 pm.

Chair

Recording Secretary



C.V.R.D.

D 1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 3, 2009

DATE: January 28, 2009 **FILE NO:** 8-I-08 DP
FROM: Rachelle Moreau, Planning Technician **BYLAW NO:**
SUBJECT: Lucy & Doug Denham Application 8-I-08 DP

Recommendation:

That application 8-I-08 DP be approved, and the Planning Division be authorized to issue a development permit to Lucy and Doug Denham for the reconstruction of the principal residence on Lot 1, Section 45, Renfrew District, (situate in Cowichan Lake District), Plan VIP19229, subject to:

- Strict compliance with RAR Report # 840 by Harry Williams, RP Bio, and
- The 15 m Streamside Protection and Enhancement Area is flagged by a surveyor prior to construction and snow fencing is established separating the construction area from the SPEA;
- The reconstruction is to be located outside the 15 metre Streamside Protection and Enhancement Area, measured from the 164 metre high water mark.

Purpose:

To consider the issuance of a development permit for the re-construction of a recreational cabin on the subject property in accordance with the provisions of the Watercourse Protection Development Permit Area.

Financial Implications:

N/A

Interdepartmental/Agency Implications:

Notification sent by the Ministry of Environment that Riparian Areas Assessment Report # 840 has been accepted and local government may proceed.

Background:

Location of Subject Property: 11626 Cowan Road

Legal Description: PID 003-717-020, Lot 1, Section 45, Renfrew District, Situate in Cowichan Lake District) Plan VIP19229

000010

Date Application and
Complete Documentation Received:

Application received September 23, 2008.
Amended RAR Report #840 received
November 26, 2008

Owner: Lucy and Doug Denham

Applicant: same

Size of Parcel: ± 0.2 hectares

Existing Zoning: F-1 (Forest Resource 1 Zone)

Minimum Lot Size Under Existing Zoning: 80 hectares

Existing Plan Designation: Forestry

Existing Use of Property: Recreational residential

Existing Use of Surrounding Properties:

North:	Cowan Road
South:	Cowichan Lake
East:	Recreational
West:	Recreational

Services:

<u>Road Access:</u>	Cowan Road
<u>Water:</u>	N/A
<u>Sewage Disposal:</u>	On-site septic

Agricultural Land Reserve Status: Out

Contaminated Sites Regulation: declaration signed

Environmentally Sensitive Areas: The subject property is located along Cowichan Lake. Two small ditches run across the lot, and both are located within the Streamside Protection and Enhancement Area (SPEA).

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

Planning Division Comments:

The subject property is a 0.2 ha lot located on Cowan Road, west of Cottonwood Creek, and is used as recreational property by the applicants, Lucy and Doug Denham. The lot is one of approximately 30 small lots within an area of generally larger forestry parcels.

000011

There are two existing dwellings on the lot, and the applicants would like to demolish the larger one and build a new cabin. The zoning is currently F-1 (Forest Resource 1) and permits only one single family dwelling. The CVRD has a policy, established in 1991, that applies to situations of non-conforming uses on a property. This policy states that where a parcel is occupied by more lawfully established and occupied dwellings than the prevailing zoning allows, the dwelling that possesses the largest ground floor area (as measured from the outside of the foundation) shall be considered to be the conforming dwelling and any other dwelling shall be considered non-conforming. In this circumstance, the cabin planned to be rebuilt is the dwelling with the largest footprint. The applicants understand that the other dwelling will be considered legal non-conforming, and as such will be governed by Section 911 of the Local Government Act.

The subject property is located in the Watercourse Protection Development Permit Area, under Youbou/Meade Creek Official Community Plan Bylaw No. 2650. Therefore, prior to construction of a building, the applicants must receive a Development Permit issued by the CVRD. The principal requirement of the Watercourse Protection Development Permit is a Riparian Areas Regulation Assessment Report, prepared by a Qualified Environmental Professional. Attached is Report No. 840 by Harry Williams, RP Bio., which was accepted by the Ministry of Environment on November 24th, 2008.

The report outlines measures to mitigate the effects of building in close proximity to Cowichan Lake, and delineates a 15 metre Streamside Protection and Enhancement Area (SPEA) for the lake, measured from the 164 m high water mark. The intent of establishing a SPEA is to identify an area which is protected from development. According to Harry Williams, RP Bio., the 15 m SPEA encompasses and provides adequate protection for two ditches on the subject property, which are located between the cabins and the lake.

The applicants have retained the services of Focus, who have surveyed and flagged the 164 metre high water mark, as well as the 167.33 metre elevation, which is the 200 year floodplain bench mark. Review of the application by the Building Department confirms that it is feasible to rebuild a cabin on the site, although the residence will have to be designed such that the habitable portion of the dwelling will be above the floodplain level.

As shown on the site plan (page 10) in RAR Report No. 840, the southern portion of the existing cabin and deck is located within the 15 metre SPEA. Repairs or reconstruction of a building on its *existing foundation* is exempt from the Riparian Areas Regulation. Theoretically then, the applicants could rebuild within the SPEA, if the reconstruction was limited to the existing foundation. However, a site visit conducted by Building Department staff has found that the existing foundation is not suitable for reconstruction. As a new foundation is required in order to rebuild the cabin, the entire rebuilt structure must be located outside the 15 metre SPEA.

Advisory Planning Commission Comments:

This application was not referred to the APC.

Options:

1. That application No. 8-I-08 DP be approved, and the Planning Division be authorized to issue a development permit to Lucy and Doug Denham for the reconstruction of the principal residence on Lot 1, Section 45, Renfrew District (situate in Cowichan Lake District), Plan VIP19229, subject to:
 - Strict compliance with RAR Report # 840 by Harry Williams, RP Bio.;
 - The 15 m Streamside Protection and Enhancement Area (SPEA) is flagged by a surveyor prior to construction; and snow fencing is established separating the construction area from the SPEA;
 - The reconstruction is to be located outside the 15 metre Streamside Protection Enhancement Area, measured from the 164 metre high water mark.

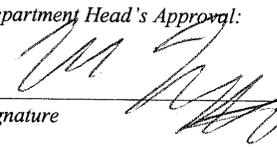
2. That application No. 8-I-08 DP not be approved

Submitted by,



Rachelle Moreau,
Planning Technician
Development Services
Planning and Development Department

RM/ca

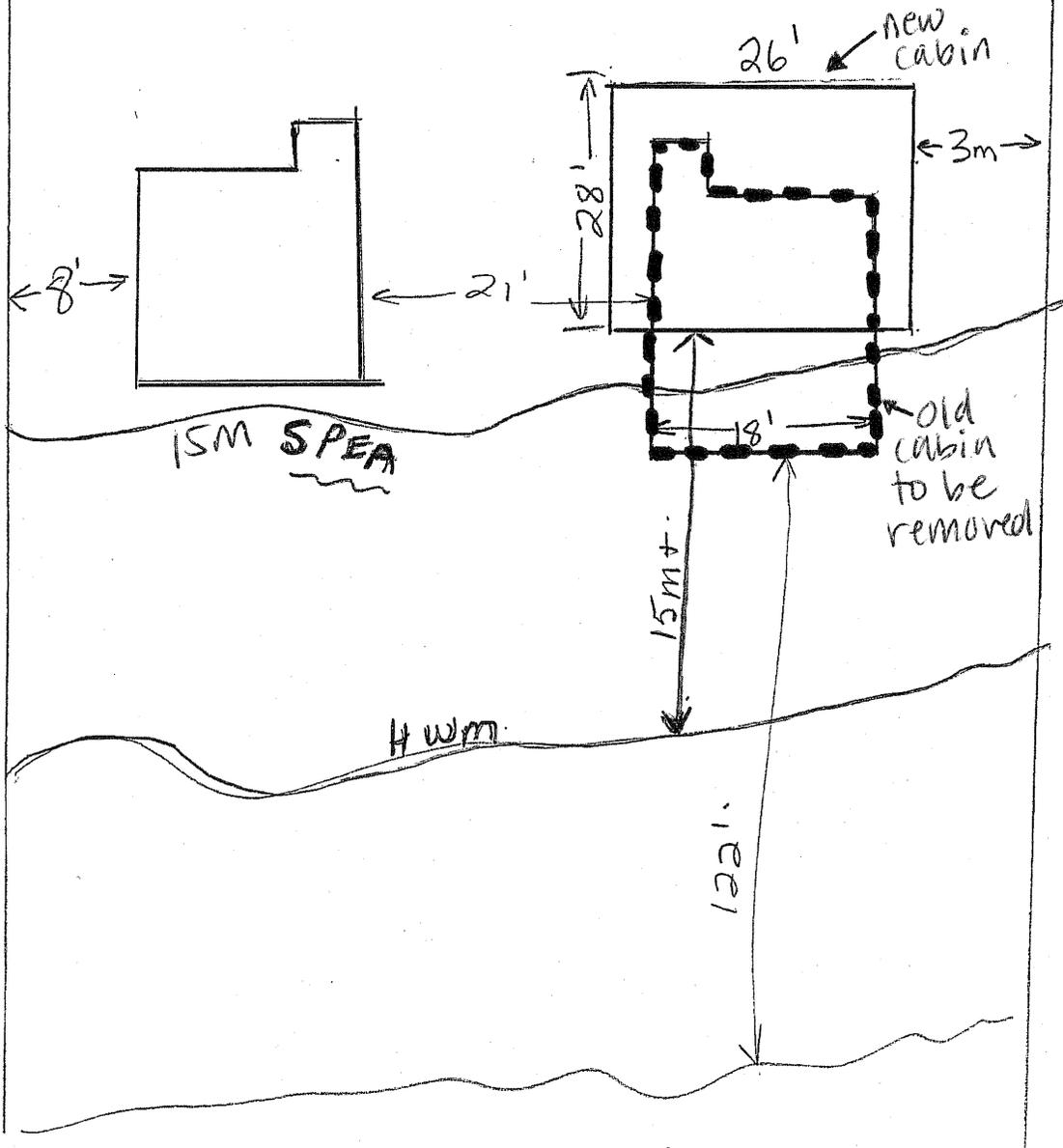
<p>Department Head's Approval:</p>  <hr/> <p>Signature</p>
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000013

Site Plan

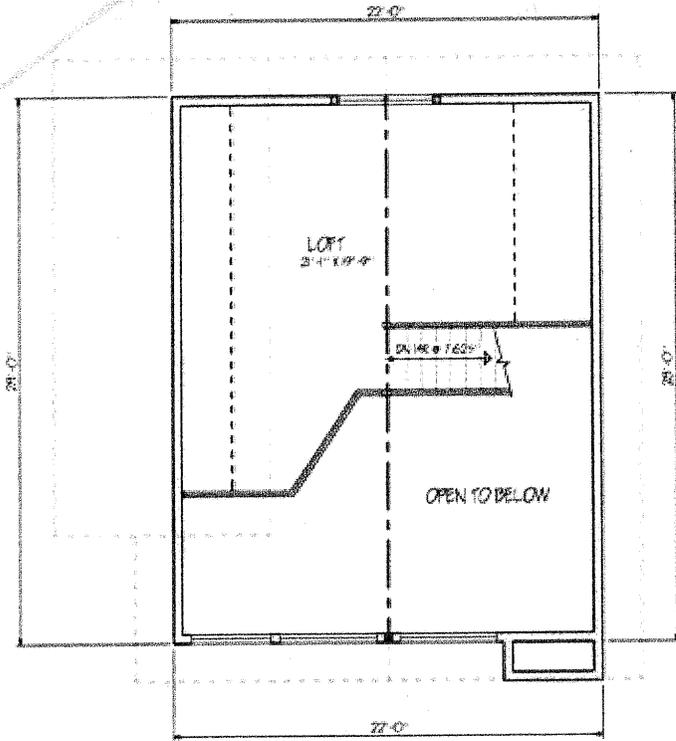
LOT #19229.

11626 COWAN ROAD

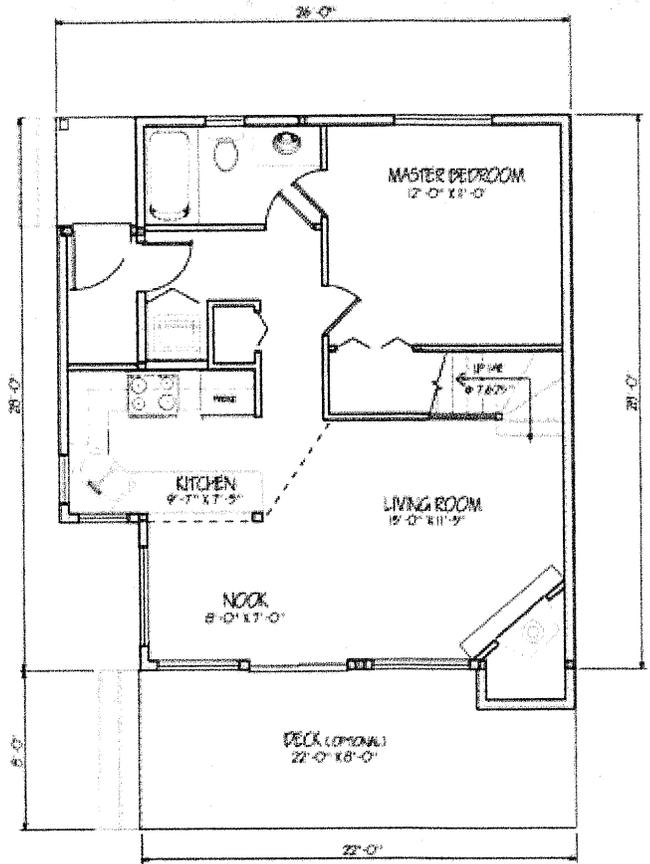


- NEW CABIN IN RED.
- ALL BUILDING ABOVE 200 YR FLOOD PLAIN LEVEL OF 167m.

000014



LOFT FLOOR PLAN
TOTAL FLOOR AREA: 24 SQ. FT.



MAIN FLOOR PLAN
TOTAL FLOOR AREA: 606 SQ. FT.
DECK AREA: 102 SQ. FT.

The Huron
1027 sq. ft.

LAKA



Cowichan Valley Regional District

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

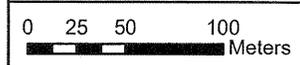
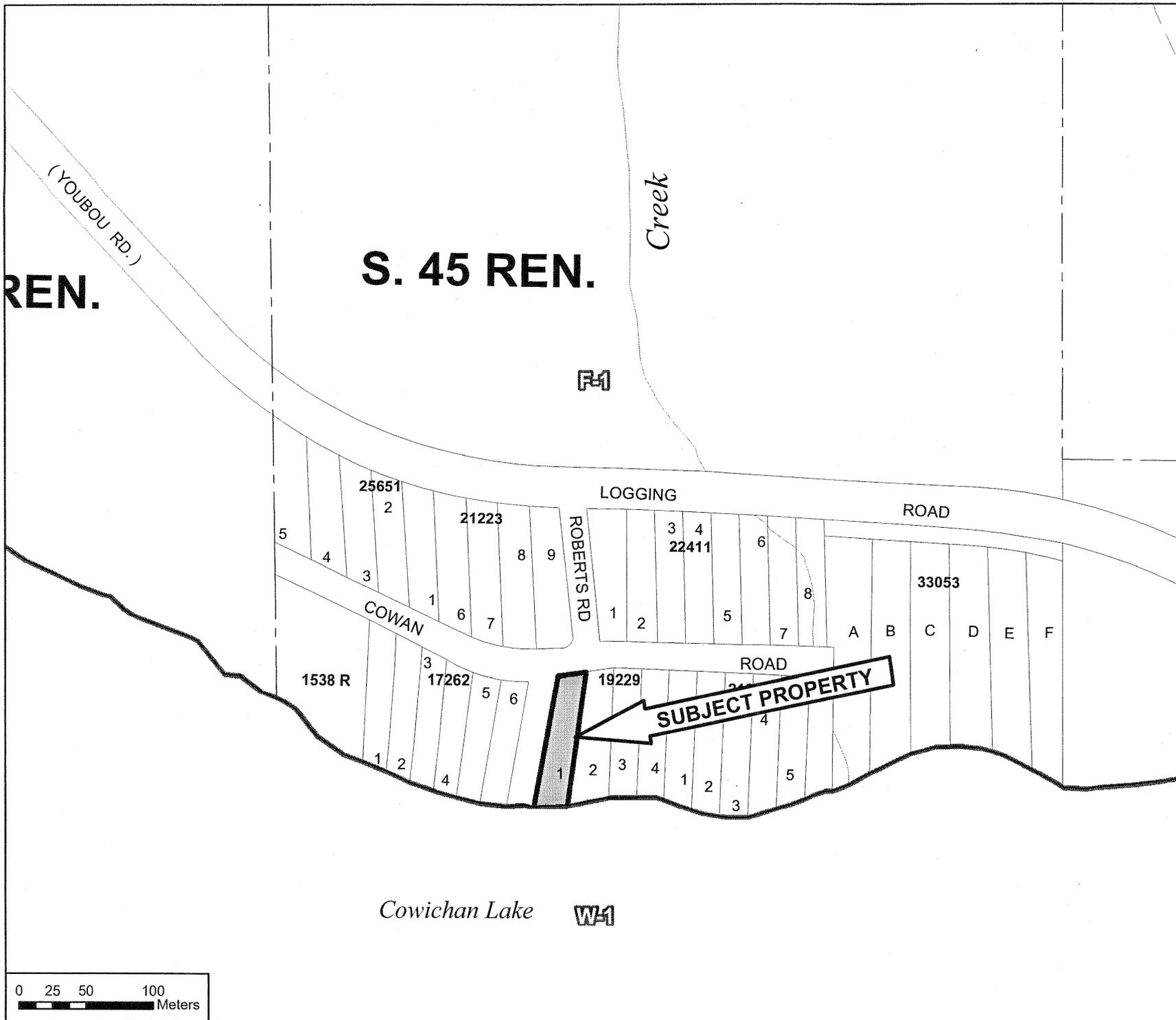
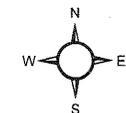
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 8-I-08-DP

ZONING

Legend

-  Subject Property
-  Zoning Electoral Area I



Cowichan Valley Regional District



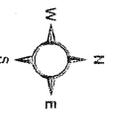
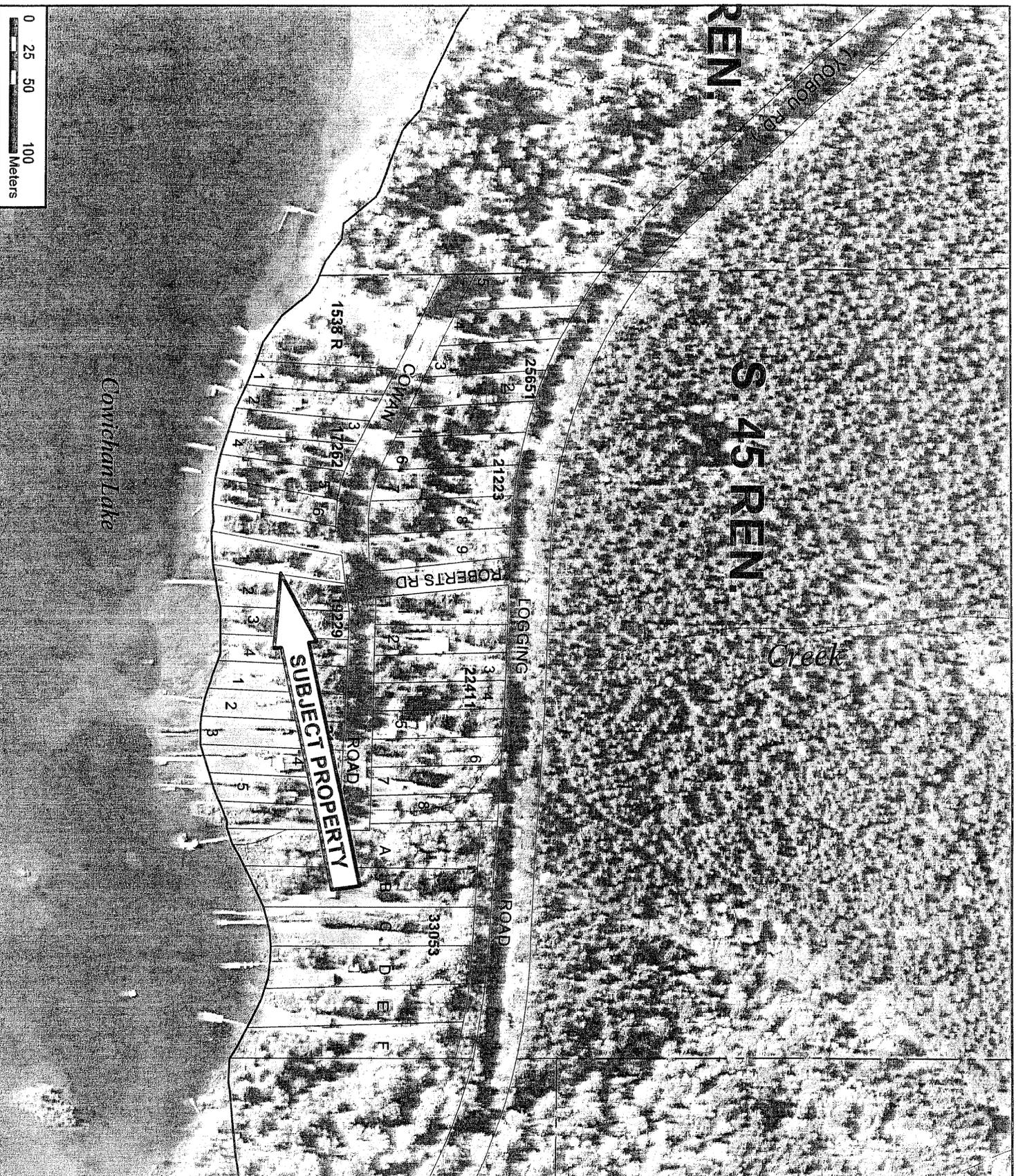
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The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 8-1-08-DP

Orthophoto (2004)



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

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

Date

I. Primary QEP Information

First Name	Harry		Middle Name	
Last Name	Williams			
Designation	RPBio; PAG; Certified Arborist; Danger Tree Assessor		Company Jacques Whitford-Axys	
Registration #	963; 1751; PNW6342A		Email harry.williams@jacqueswhitford.com	
Address	715 Canada Ave.			
City	Duncan	Postal/Zip	V9L 1V1	Phone # 250-655-2279
Prov/state	BC	Country	Canada	

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

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

III. Developer Information

First Name	Doug		Middle Name	
Last Name	Denham			
Company				
Phone #		Email: apexsteel@uniserve.com		
Address	11626 Cowan Road			
City	Youbou	Postal/Zip		
Prov/state	BC	Country	Canada	

IV. Development Information

Development Type	Recreational		
Area of Development (ha)	.19	Riparian Length (m)	26
Lot Area (ha)	.19	Nature of Development	New
Proposed Start Date	2008-11-15	Proposed End Date	2009-06-31

V. Location of Proposed Development

Street Address (or nearest town)	Youbou		
Local Government	Cowichan Valley Regional District	City	Duncan
Stream Name	Cowichan Lake		
Legal Description (PID)	PID 003 717 020; Lot 1, Section 45, Renfrew District, Plan 19229		Region 1 (South Island)
Stream/River Type	One lake, 1 ditch		DFO Area Pacific
Watershed Code	Cowichan 920-257700		
Latitude	48	53	35
Longitude	124	17	28

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

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Section 1. Description of Fisheries Resources Values; Description of the Development Proposal and Summary of Riparian Assessment**Regulatory context**

The subject property, owned by Doug Denham, is bounded by Cowichan Lake to the south, an adjacent private property to the east, and Cowan Road to the north and west (see Survey Plan).

The property is in the Cowichan Valley Regional District (CVRD), and within Electoral Area "I", Youbou / Meade Creek. Having frontage on Cowichan Lake, the subject property falls under the Watercourse Protection Development Permit Area (Section 13 of the Electoral Area "I" Official Community Plan, Bylaw 2650).

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

A component of the DPA is the Riparian Areas Regulation. The objective of the Riparian Areas regulation is to preserve the environmental quality of Cowichan Lake for the critical habitat that it provides for fish and aquatic animals, fish stocks and water quality. (Section 13.4 of the Youbou / Meade Creek Official Community Plan).

A development permit must be applied for, and issued by the CVRD, prior to any subdivision within this Development Permit Area. The development in question is a rebuild of an existing cottage.

In order for the CVRD to issue a permit for a development within this DPA, they must be notified of the development proposal and be provided with a copy of a riparian area assessment report prepared by a qualified environmental professional (QEP).

This detailed riparian assessment for the subject property was therefore completed to meet the requirements of the Riparian Areas Regulation pursuant to the Fish Protection Act. The specific objectives of this assessment are to clearly identify the Streamside Protection and Enhancement Area (SPEA) as measured from the high water mark (HWM) of Cowichan Lake, and to outline measures to protect this area into the future.

Fisheries Values

Cowichan Lake forms the headwaters of the Cowichan River, and has an area of 6213 hectares, a perimeter of 107 kilometres, and an elevation of 164 metres. The lake has a variety of both anadromous and resident fish species including chum, coho, chinook and kokanee salmon; steelhead, rainbow trout, and sea run and resident cutthroat trout. Dolly Varden char and the introduced brown trout are also found in the lake. The shoreline habitat (littoral zone) of Cowichan Lake is important for many of these species at some point in their life cycle.

It is assumed that the shoreline habitat adjacent to the subject property is used by salmonids and other fish species. For this reason, no fish sampling was done as part of this riparian assessment.

The littoral zone of a lake is the zone where full light penetrates the water. Growth of benthic algae in this zone provides food for invertebrates that in turn serve as prey items for fish. Large, overhanging lakeshore trees and vegetation provide a source of organic detritus (leaf and needle fall) and insect drop, both of which add to the productivity of lakeshore fish habitat. Large submerged woody debris and rocks are also important features which contribute to fish habitat by providing cover and protections from predators, and by retaining tree litter fall which is then decomposed by lake organisms. It is for these reasons that juvenile and adult trout and juvenile

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salmon frequently forage along the shores of Cowichan Lake.

Currently, there are serious fisheries issues in the Cowichan River watershed, including critically low escapement of Chinook Salmon. These concerns warrant strong habitat protection measures throughout the watershed. The objective of all lakeshore management plans should be to restore and conserve the riparian vegetation including herbs, shrubs and trees.

Description of the property

There are two small summer cottages on the property (see photo section), which are both approximately the same distance from the edge of the lake. At the time of the field visit, in March 2008, that distance was 39 metres from waters edge.

The property has about 26 metres of lake frontage, and has a very small ditch leading down to the lake from a seepage area just below the above mentioned cottages. There is another ditch which runs more or less north - south, and forms the eastern boundary to the property. The soil in the general area is gravelly, and seepage comes out of the soil in winter and spring, originating from the steep hills to the north of this residential area. There are no creeks on the property.

The vegetation between the lake and the cottages is mostly lawn, with a strip of alders, cedar and willows along the western property boundary. There is a small patch of lakeshore riparian vegetation at the SW corner of the property which includes Douglas spirea, red-osier dogwood, red alder and willows (see photo section). The vegetation behind the house is composed of scattered trees including grand fir, bigleaf maple, Douglas-fir and western red cedar, and scattered shrubs such as sword fern and salmonberry. Daphne laurel, a noxious invasive plant, is also found adjacent to the cottages and should be removed by the client.

Development proposal

The proposal is to rebuild the cottage that is located on the eastern side of the property, using the existing cement foundation, or portion thereof. The cottage in question lies at the edge of the Streamside Protection and Enhancement Area (SPEA), with the front deck and adjacent portion of the house protruding into the SPEA, and within the 200 year flood level mark (167 metres in elevation). See the Survey Plan for the precise location of the house with regard to the SPEA and the 200 year flood limit.

The construction plan calls for having the ground floor of the cottage built above 167 metres in elevation, so that in the event of a 200 year flood, the waters will extend into the crawl space only. No activity or development is planned within the 15 metre SPEA or below the High Water Mark.

Summary of Riparian Assessment

Field work identifies a 15 metre Streamside Protection and Enhancement zone (SPEA) starting at the High Water Mark (HWM) of the lake, which is determined to be 164 metres above sea level. (See Survey Plan). The 15 metre buffer corresponds to the identified Zones of Sensitivity (ZOS) for potential large woody debris, leaf and needle litter, and insect fall.

The SPEA (above 164 metres) plus the lawn area (mostly below 164 metres), encompass the two ditches, thus riparian buffers do not need to be established on the ditches.

For all intents and purposes, the entire lawn area that lies between lakeshore and the two cottages is part of the lakeshore protection zone and is to be left undisturbed and undeveloped.

Both ditches on the property should also remain undisturbed in order to maintain the quality of the water going into the lake.

The owner is encouraged to enhance lakeshore fish habitat by preserving the riparian vegetation that exists in the SW corner of the property and letting it expand, covering more area.

The definition of development also includes removal or alteration of vegetation and disturbance of soils. If any of these occur without an amendment to this report, the developer would be considered non-compliant with the RAR.

Section 2. Results of Detailed Riparian Assessment - Lakeshore Zone

Refer to Chapter 3 of Assessment Methodology		Date:	2008-03-31
Description of Water bodies involved (number, type):		One length of lakeshore	
Stream			
Wetland			
Lake	Lake		
Ditch			
Number of reaches	1		
Reach #	1		

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

Channel Width(m)	n/a	Gradient (%)
starting point	n/a	n/a
upstream		
downstream		
Total: minus high /low mean		
	R/P	C/P
Channel Type		S/P

I, Harry Williams, hereby certify that:

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

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Doug Denham;

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

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

Notes: The section of lakeshore within the property is about 26 m long.

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons		no

Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Harry Williams, hereby certify that:

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

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Doug Denham;

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

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

Polygon No:	1			Method employed if other than TR:
	LC	SH	TR	The lakeshore riparian zone is currently a maintained lawn - however forest would have historically covered the property.
SPVT Type			yes	
Polygon No:	N/A			Method employed if other than TR
	LC	SH	TR	
SPVT Type				
Polygon No:	N/A			Method employed if other than TR
SPVT Type				

Zone of Sensitivity (ZOS) and resultant SPEA

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

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

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

I, Harry Williams, hereby certify that:

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

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Doug Denham ;

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

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

Comments

In order to protect the integrity of the lakeshore riparian area, a 15 metre Stream (Lake in this case) Protection and Enhancement Area (SPEA) is identified, as measured from the High Water Mark (HWM), which is at 164 metres above sea level (see Survey Plan)

Section 2. Results of Detailed Riparian Assessment - Ditch

Refer to Chapter 3 of Assessment Methodology		Date: 2008-03-31
Description of Water bodies involved (number, type)		One ditch
Stream		
Wetland		
Lake		
Ditch	Ditch	
Number of reaches	1	
Reach #	1	

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

Channel Width(m)		Gradient (%)
starting point	n/a	n/a
upstream	0.5 m	
downstream	0.5 m	
Total: minus high /low		
mean	0.5 m	2
	R/P	
Channel Type	RP	

I, Harry Williams, hereby certify that:

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

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Doug Denham;

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

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

Notes: The ditch is 12.5 metres long.

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons		no

Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Harry Williams, hereby certify that:

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

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Doug Denham;

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

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

Polygon No:	1			Method employed if other than TR:
	LC	SH	TR	Area on both sides of the ditch is maintained as a lawn.
SPVT Type	LC			
Polygon No:	N/A			Method employed if other than TR
	LC	SH	TR	
SPVT Type				
Polygon No:	N/A			Method employed if other than TR
SPVT Type				

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	n/a						
Litter fall and insect drop ZOS (m)	2 m						
Shade ZOS (m) max	2 m	South bank		n/a			
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				Manmade ditch (see photo)		
Ditch Fish Bearing		No	No	If non-fish bearing insert no fish bearing status report			
SPEA maximum	2 m	(For ditch use table3-7)					

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

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

I, Harry Williams, hereby certify that:

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

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Doug Denham ;

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

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

Comments

In order to maintain the quality of the water going into the lake, a 2 metre SPEA is identified on both sides of the ditch. However as this ditch lies entirely within the Lakeshore SPEA (see Survey Plan), establishing a buffer on the ditch would be redundant. Nevertheless, as mentioned in the text, the area should be flagged and avoided during the construction period.

Section 3. Site Plan**Site Plan****Notes to accompany Site Plan Map:**

The cottage slated for renovation is the one on the right-hand side of the Site Plan Map (eastern side of the property).

The lakeshore High Water Mark (HWM) is the blue line at the 164 m contour.

Riparian Assessment Area is essentially the whole lawn area between the cottages and the lake. The Streamside Protection and Enhancement Area (SPEA) is the area 15 metres inland from the High Water Mark.

The 15 metre SPEA corresponds to the identified Zones of Sensitivity (ZOS) for coarse woody debris, and insect and litter fall.

The ditches on the property fall within the SPEA and the area below the HWM.

**SKETCH PLAN OF LOT 1, SECTION 45,
RENFREW DISTRICT, (SITUATE IN
COWICHAN LAKE DISTRICT), PLAN 19229.**

Civic address: 11626 Cowan Road

Scale = 1:300



LEGEND:

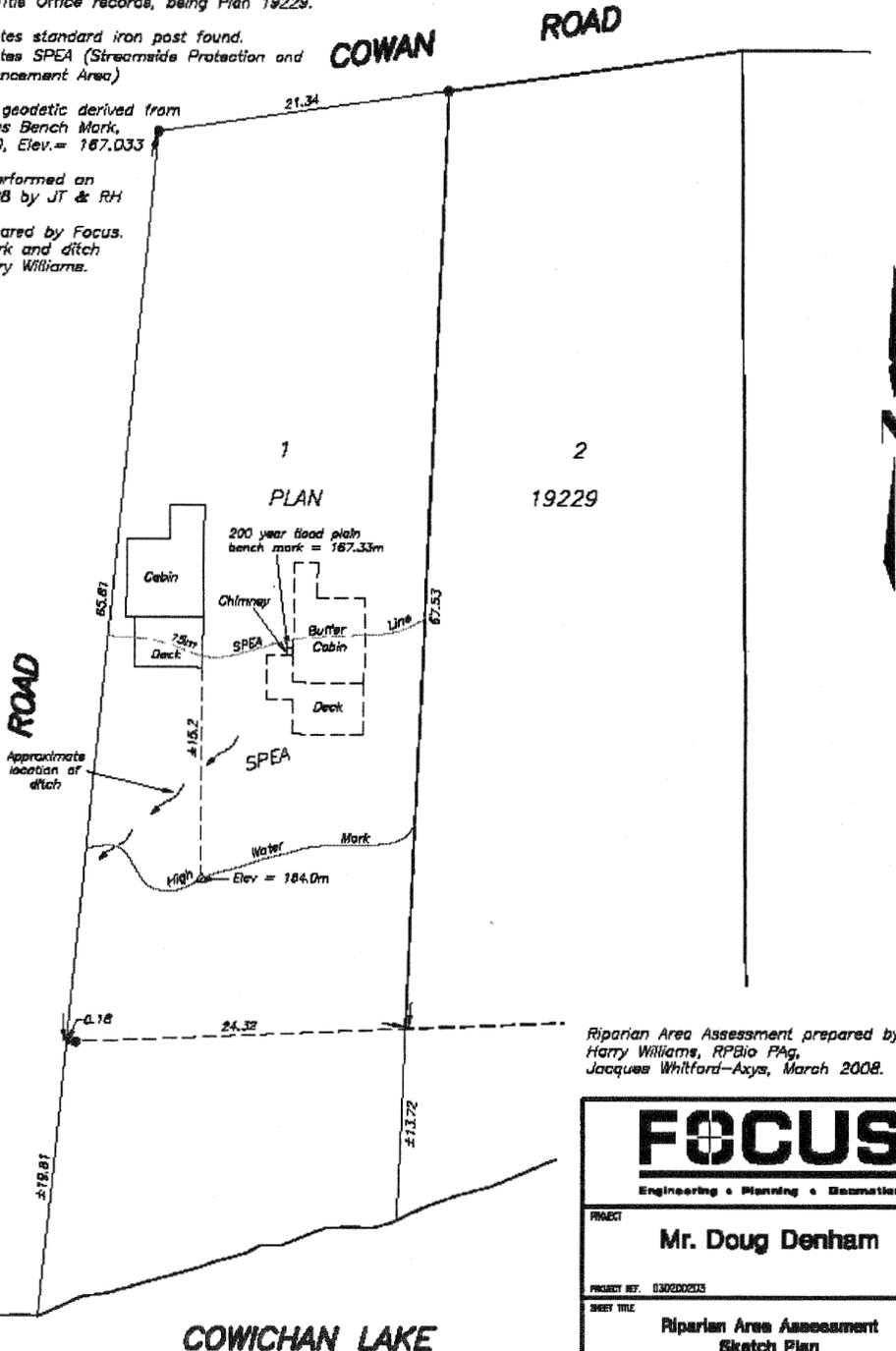
All distances are in metres and are derived from existing Land Title Office records, being Plan 19229.

- denotes standard iron post found.
- denotes SPEA (Streamside Protection and Enhancement Area)

Elevations are geodetic derived from Water Resources Bench Mark, being B.M. 730, Elev. = 167.033

Field survey performed on March 18, 2008 by JT & RH

Elevations prepared by Focus. High Water Mark and ditch plotted by Harry Williams.



Riparian Area Assessment prepared by Harry Williams, RPBio PAg, Jacques Whitford-Asys, March 2008.

FOCUS
Engineering • Planning • Geomatics

PROJECT			
Mr. Doug Denham			
PROJECT REF: 030200203			
SHEET TITLE			
Riparian Area Assessment Sketch Plan			
DRAWN	DATE	GEOD	SCALE
VS	March 20/08		1:300
SHEET NO: 030200203SK2			

1	April 8/08	Revise SPEA buffer line
Rev No.	Date	Comment

000027

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Section 4. Measures to Protect and Maintain the SPEA

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

1. Danger Trees	
I, <u>Harry Williams</u> , hereby certify that:	
i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Doug Denham</u> ;	
k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	
I, <u>Harry Williams</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Doug Denham</u> ;	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	
I, <u>Harry Williams</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the <u>Doug Denham</u> ;	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	
I, <u>Harry Williams</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Doug Denham</u> ;	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	
I, <u>Harry Williams</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Doug Denham</u> ;	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	
I, <u>Harry Williams</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Doug Denham</u> ;	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Stormwater Management	
I, <u>Harry Williams</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Doug Denham</u> ;	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

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8. Floodplain Concerns (highly mobile channel)

I, Harry Williams, hereby certify that:

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

Measures to Protect and Maintain the Streamside Protection and Enhancement Area (SPEA)

Assessment and Treatment of Danger Trees

An assessment for Danger Trees was conducted. The vegetation along the ditch and lakeshore is lawn and has no trees. However there are young trees adjacent to the ditch along the western property boundary, including red alder and small western redcedar trees. No danger trees are present. No construction or activity is planned in the lakeshore riparian area, no danger trees exist, and therefore no measures need to be taken to remove any trees. By definition, if there is no potential target, a tree does not pose a hazard. Therefore the level or risk associated with any danger trees is deemed acceptable.

Windthrow

A windthrow assessment of the SPEA was done, all trees appear windfirm, and there is no evidence of significant windthrow. No recent tree removal activities have taken place within 30 metres of the lakeshore, and none is proposed at this time. Therefore no measures against windthrow need to be taken.

Slope Stability

The objective of a slope stability assessment is to determine how the proposed development may affect the stability of slopes along Lake Cowichan and the potential effects of project-related soil instability within the SPEA.

The slopes between the lakeshore and the cottages are gentle with no steep slopes. No signs of slope instability were found.

For future construction, drainage management and the design of drainage structures should be done by qualified personnel to ensure that excess water is directed away from the small bank below the cottage and into the ditched area.

The implementation of the above measures along with proper stormwater management (see below) will ensure that future construction will have a low potential to result in slope instability within the SPEA.

Tree Protection during Construction

The cottage proposed for rebuilding is at the edge of lakeshore protection areas (SPEA). The only trees within the riparian areas are those along the western property boundary. These trees, while unlikely to be affected by the rebuilding, should nevertheless be protected for the long term to maintain the quality of the water going into the lake. It is recommended that "tree protection zones" be established around these trees and the following activities shall be excluded within the tree protection zones:

- Trenching
- Ground re-grading
- Vehicle parking
- Soil contamination via concrete washout or other pollutants.
- Dumping of debris

- **Removal of vegetation**

Additionally, no removal of any vegetation shall occur within 5 m of the High Water Mark (HWM) of the lake (the SPEA), or in the area below the HWM.

These guidelines shall be communicated to any individual involved in construction activities onsite.

Encroachment

The only activity permitted within the SPEA is the removal of danger trees; however, since danger tree removal is not required, no activities are permitted within the SPEA unless approved by a qualified environmental professional.

Construction

The edge of the SPEA (15 m from HWM) will need to be clearly identified should any construction related activity occur, as the risk of encroachment is higher during such activities. Essentially, all vehicles, lumber, and concrete storage, debris piles etc. should be located to the rear (north side) of the existing cottages and not on the grassy area south of the cottages.

Sediment and Erosion Control

When construction occurs on the property, a sediment and erosion control plan will be required. Proper drainage management is required to insure that no sediment deposition occurs within the SPEA or in the area below the HWM.

Confining excavation work to the dry summer period will also greatly reduce the potential for erosion and sediment laden water to flow off the property. If there is excessive water on the work site at any point, such as during a storm event, construction should halt.

If the above steps are taken, the proposed construction will have a low potential to cause erosion and sedimentation within the SPEA.

Floodplain

As photos 3 and 7 show, the annual flood levels of the lake can almost inundate the entire grassy area south of the cottage, and the SE corner of the cottage is within the 200 year flood mark (167 metres above sea level). The construction plan calls for increasing the height of the existing cement foundation so that the ground floor and main structure will be above 167 metres. In the event of a 200 year flood, waters will enter the crawl space below the ground floor. As long as no additional construction or construction related activities occur below 167 metres, there are no major issues with regard to excessive flooding.

Stormwater management

The Cowichan Valley Regional District has stormwater guidelines with regard to house construction. They aim to insure that there is no increase in stormwater run-off from buildings. The building footprint of the proposed construction is small and the run-off from the roof should be readily absorbed by the gravelly soil surrounding the house. However, it is recommended that all surfaces surrounding the cottage remain permeable (i.e. not paved). Roof run-off can be captured by gutters and directed into the ditches if desired.

Section 5. Environmental Monitoring

Environmental Monitoring for construction

- Mark out the edge of the 15 metre lakeshore SPEA boundary, as measured from the High Water Mark (HWM), which is at 164 metres elevation (as indicated on the Site Plan).

When construction occurs:

- Hold a pre-work, on-site tailgate meeting with the contractor to ensure understanding of all the measures outlined in this Assessment Report.
- Have a qualified environmental monitor (QEM), or planner from the CVRD, to prepare a post-development report indicating compliance with all measures and setbacks (Section 5 of the Regulation).

Section 7. Professional Opinion**Assessment Report Professional Opinion on the Development Proposal's riparian area.**Date 1. I, Harry Williams, hereby certify that:

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

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

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
- b) if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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

Section 6. Photo section

Photo 1: The two cottages on the Denham property. At the right is the cottage that is slated for rebuilding (eastern side of property).



Photo 2: View from the rear of the cottage planned for rebuild. The top of the cement foundation is within the 200 year flood elevation (167 metres).



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Photo 3: Looking out over the lakeshore area, including one small ditch and seepage area directly below the cottages (bottom of the photo), and a second ditch to the left which goes down the eastern property line.



Photo 4: Small section of natural riparian vegetation at SW corner of property. Species include Douglas spirea, cat-tail, red-osier dogwood and willows. In order to enhance lakeshore fish habitat, the client is encouraged to protect this area and let it expand to the east.



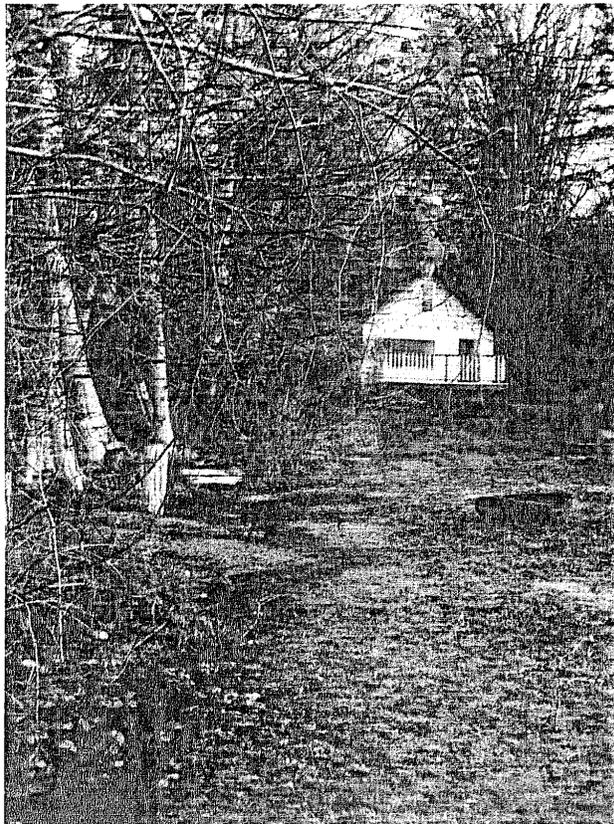
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Photo 5: Close-up of small ditch in front of the cottages. This area is within the SPEA.



Photo 6: Lower portion of ditch near the lake, below High Water Mark, showing red-osier dogwood and alder trees to the left.



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Photo 7: Stake in the ground showing 164 metre elevation average annual High Water Mark (HWM). Note the rows of leaves showing the extents of several recent flood events (photo taken in March 2008).





D2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 9, 2009 **FILE NO:** 4-E-08 ALR
FROM: Leslie Clarke, Planning Technician
SUBJECT: Application No. 4-E-08ALR
(Weninger/Siciliano)

Recommendation:

That Application No. 4-E-08ALR (Brant Raymond Weninger & Gwen Anne Siciliano) for a subdivision within the Agricultural Land Reserve, be forwarded to the Agricultural Land Commission with a recommendation to deny.

Purpose:

For a subdivision in accordance with Section 21(2) of the Agricultural Land Commission Act and Section 946 of the Local Government Act.

Financial Implications:

N/A

Interdepartmental/Agency Implications:

Subdivision of this land will require a Riparian Area Development Permit. This Permit requires that a Qualified Environmental Professional complete a report that is satisfactory to, and accepted by the Ministry of Environment and the Department of Fisheries and Oceans.

Background:

This is a 6.76 ha property located on Koksilah Road at the intersection of Howie Road. There are 2 dwellings on the property as well as various Agricultural structures. The applicant proposes to subdivide one 2.27 ha. parcel from the parent property for the purpose of providing a separate residence for the owner or for the owner's children.

Location of Subject Property: 4475 Koksilah Road

Legal Description: Lot 7, Section 4, Range 8, Quamichan district, Plan 1852, Lying to the West of a boundary parallel to and perpendicularly distant 350 feet from the easterly boundary of said Lot, PID 000-622-451

Date Application and Complete Documentation Received: July 9, 2008

Owner: Brant Raymond Weninger, Gwen Anne Siciliano

000037

Applicant: R. Brian McDaniel

Size of Parcel: 6.76 ha

Existing Zoning: A-1 Primary Agricultural

Minimum Lot Size Under Existing Zoning: 12 ha

Existing Plan Designation: Agriculture

Existing Use of Property: Residential/Agriculture

Existing Use of Surrounding Properties:

North: Small rural residential
 South: Dairy farm and pasture
 East: Rural residential
 West: Rural residential

Services:

Road Access: Koksilah Road and Riverfield Road
Water: well
Sewage Disposal: Septic field

Agricultural Land Reserve Status: In the ALR

Soil Classification (if ALR applicable):

Revised CLI Maps:

70% ±5A4-4A4 – 2A2 (5A4-3A4- 12), 20% ±3T6-2T4 (3T6-2T4), 10% ± 7T
 D D D D

(Improved ratings are in parentheses)

Soil Classification	% of subject property (Unimproved)	% of subject property (Improved)
1	-	14
2	22	8
3	12	40
4	28	-
5	28	28
7	10	10
<u>TOTAL</u>	100	100

Explanation of Land Capability Classifications:

- Class 1 lands have no limitations for Agricultural Production;
- Class 2 lands have minor limitations for Agricultural Production;
- Class 3 lands have moderate limitations for Agricultural Production;
- Class 4 lands have limitations that require special management practices;
- Class 5 lands have limitations that restrict capability to produce perennial forage crops;
- Class 6 lands is non-arable but is capable of producing native and/or uncultivated perennial forage crops;
- Class 7 lands have no capability for arable culture.
- Subclass "A" indicates soil moisture deficiency;
- Subclass "D" indicates undesirable soil structure and/or low perviousness;
- Subclass "P" indicates stoniness;
- Subclass "T" indicates topography limitations;
- Subclass "W" indicates excess water.

The Canada Land Inventory soil classifications identify the agricultural capacity of the subject property to be improvable to 14% Class 1, 8% Class 2 and 40% Class 3. Recognizing some topographic restraints, improvements would include irrigation and tilling.

Environmentally Sensitive Areas: A TRIM stream with fish presence is located on the east side of the subject property. This is a tributary of the Koksilah River. The Department of Fisheries annually access's this stream through the subject property. The applicant has suggested that upon completion of the proposed subdivision he would like to covenant the creek area to supply further buffers.

If an application for subdivision were to proceed, a covenant may form part of the requirements of a Riparian Area Regulation Development Permit of Electoral Area E of the Cowichan Valley Regional District. Prior to approval of a preliminary layout for subdivision the Regional District would require that this Development Permit be obtained.

Archaeological Site: None have been identified.

The Proposal:

An application has been made to the Agricultural Land Commission (ALC) pursuant to section 21(2) of the *Agricultural Land Commission Act*, for subdivision under Section 946 of the Local Government Act for land within the Agricultural Land Reserve.

Advisory Planning Commission Comments:

The Electoral Area "E" APC, as their meeting of November 13, 2008, passed the following motion: "It was moved and seconded that the application be accepted."

Planning Division Comments:

Currently the property contains a house, a mobile home and agricultural buildings. The owner resides in the house and stated that a relative was living in the mobile home. There are vegetable plots that appeared to be for personal use, and livestock consisting of a couple of horses on the property. It should also be noted that there is a fish bearing stream that runs through the property. This stream would require a Riparian Area Development Permit prior to subdivision of the land.

The zoning for this property is A-1 (Primary Agricultural), which permits a single-family dwelling and with ALC approval, a second single-family dwelling or mobile home on parcels 6 ha or larger. This parcel is 6.8 hectares. Therefore, this existing use complies with CVRD Electoral Area E Zoning Bylaw No. 1840 provided that it was ALC approved or that the Mobile Home is used for occupancy by family members only.

The subject 6.8 hectare property is located between Koksilah Road to the south and Riverfield Road to the north. The proposal is to subdivide the northern 2.3 hectares from the existing parcel, creating one new lot for the purposes of family ownership. As this lot size does not comply with the minimum 12-hectare minimum lot size required by Zoning Bylaw 1840 the application has been made under Section 946 of the *Local Government Act*. It should be noted that as this property is located within the ALR, it is not subject to the minimum parcel size requirements of the CVRD Subdivision for a Relative, Bylaw No. 1741.

For your information, Bylaw No. 1741, as it applies to parcels located within Electoral Area E and *outside* of the ALR, does not favour one type of subdivision over another. All parcels must meet or exceed the minimum parcel size requirements of the zone. Thus, this parcel would not be eligible for subdivision if it were not located within the ALR.

The agricultural policies described in section 4.1 of Official Community Plan Bylaw No. 1490 only permit uses and subdivisions that do not preclude the future agricultural use of the property; subdividing this parcel into two parcels, one of which will be less than half the minimum parcel size and the other less than one quarter the minimum parcel size appears contrary to these policies. The CVRD's role in this process is to advise the Agricultural Land Commission whether in this case, the subdivision of land in the ALR is within the public interest. Any changes claiming current or short-term advantage for an individual should not be outweighed by the long-term importance of maintaining the ALR in a way in which it will benefit the entire agricultural community.

In summary, this application for subdivision does not meet the minimum lot size requirement of the zoning, but may be permitted due to its inclusion into the Agricultural Land Reserve and Section 946 of the Local Government Act. The Official Community Plan also has strong support for maintaining agricultural lands.

For your information, we have attached a copy of the relevant supporting material that is associated with this application.

Options:

1. That application No. 4-E-08 ALR (Brant Raymond Weninger, Gwen Anne Siciliano) for a Section 946 subdivision within the Agricultural Land Reserve be forwarded to the Agricultural Land Commission with a recommendation to approve.

2. That application No. 4-E-08 ALR (Brant Raymond Weninger, Gwen Anne Siciliano) for a Section 946 subdivision within the Agricultural Land Reserve be forwarded to the Agricultural Land Commission with no recommendation.
3. That application No. 4-E-08 ALR (Brant Raymond Weninger, Gwen Anne Siciliano) for a Section 946 subdivision within the Agricultural Land Reserve be forwarded to the Agricultural Land Commission with a recommendation to deny.

Submitted by,



Leslie Clarke,
Planning Technician
Development Services Division
Planning and Development Department
LC/ca

Department Head's Approval:


Signature



This map is compiled from various sources for internal use and is designed for reference purposes only.

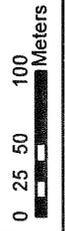
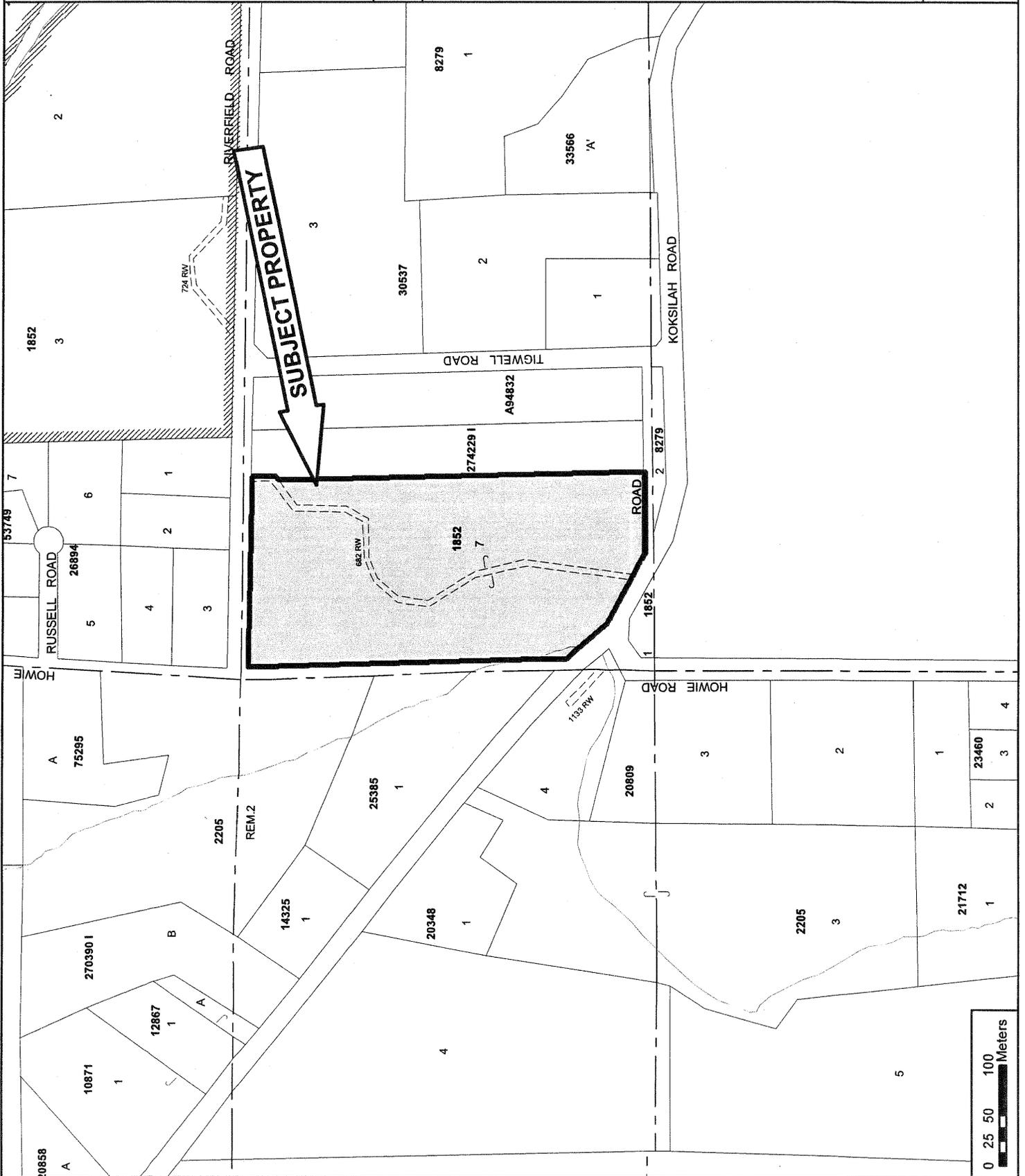
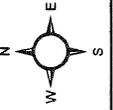
The Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

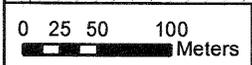
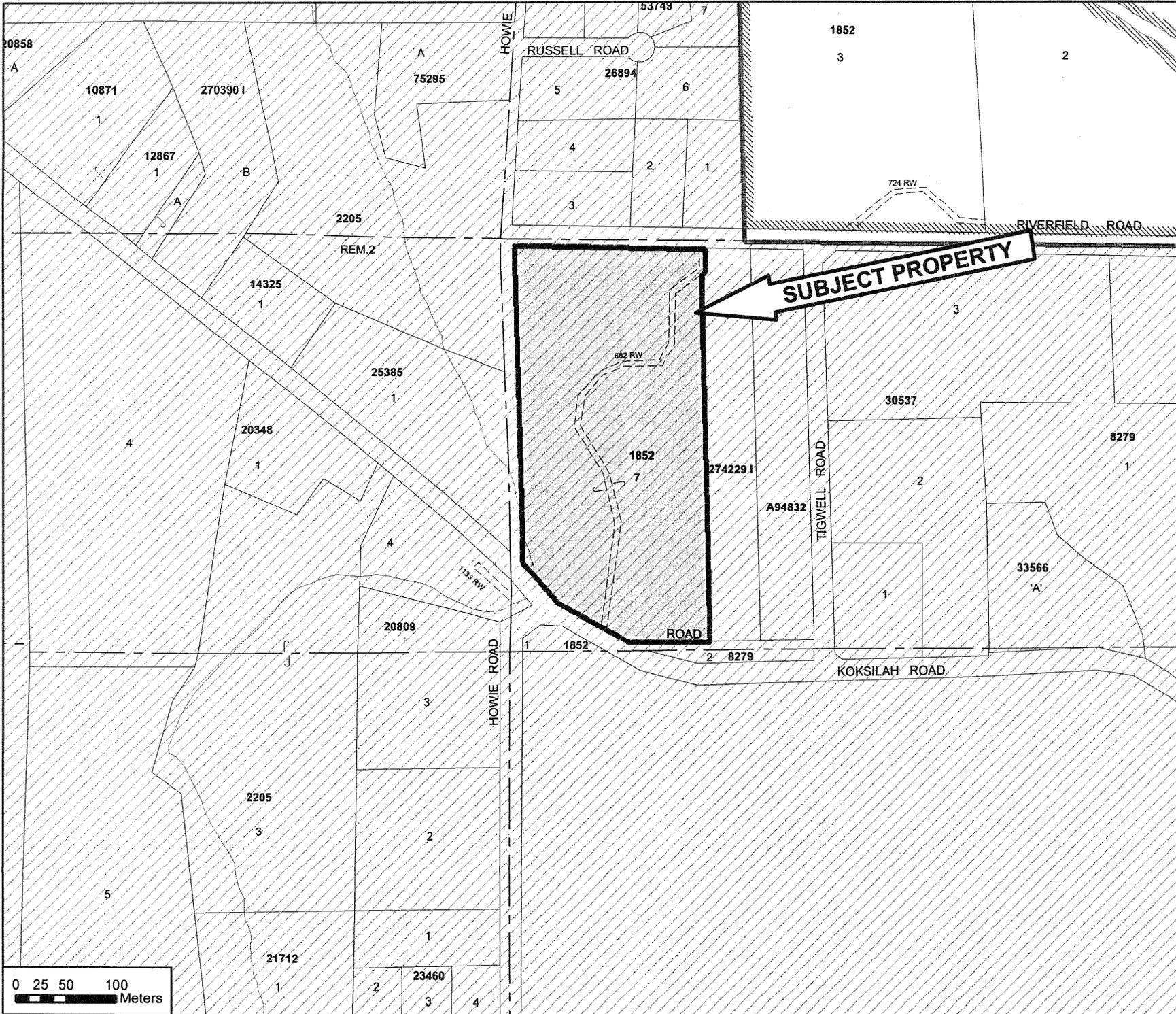
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 4-E-08-ALR

Legend
 Subject Property



000043



**Cowichan
Valley
Regional
District**

000044

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

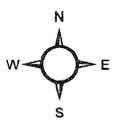
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

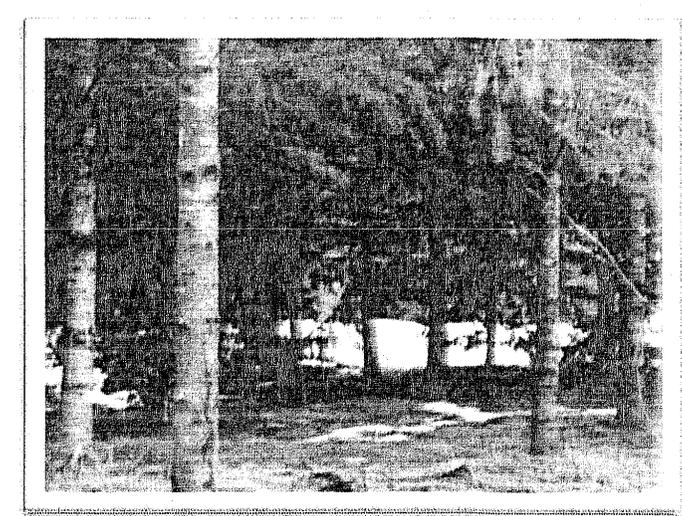
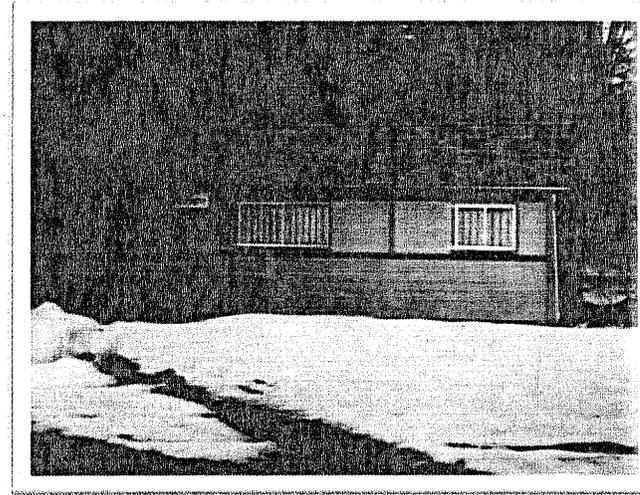
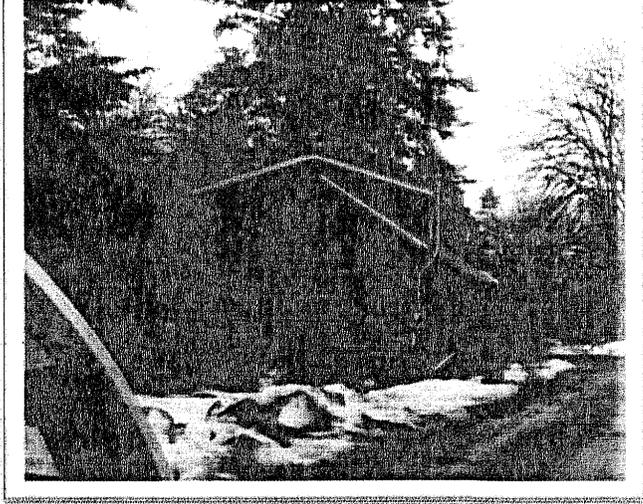
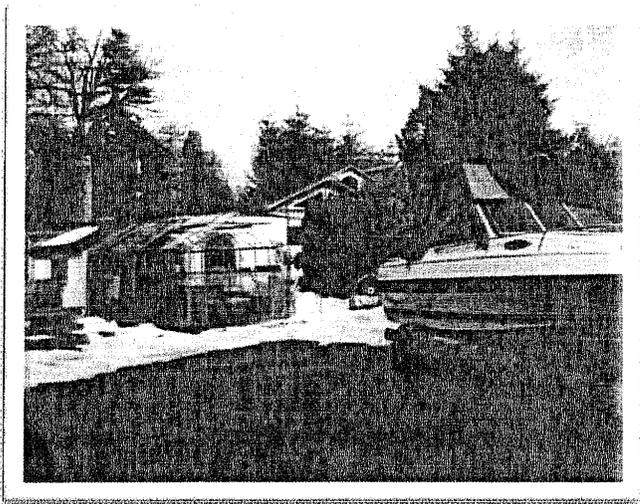
FILE: 4-E-08-ALR

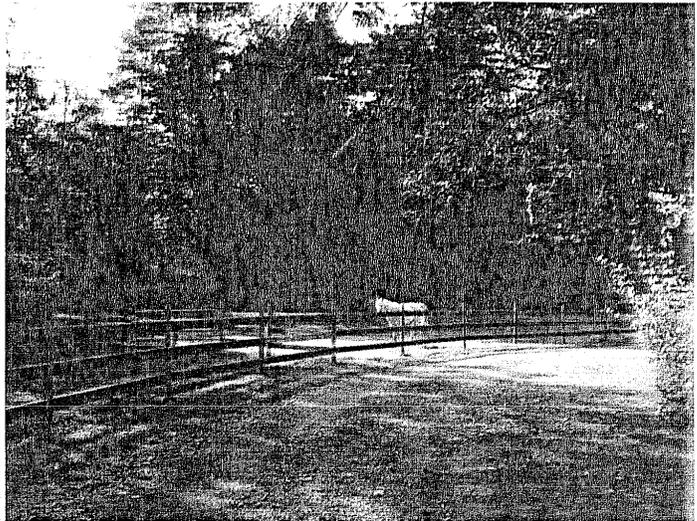
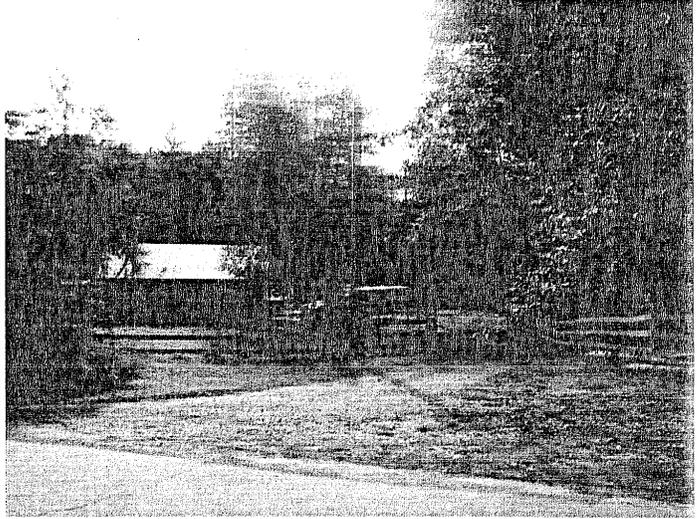
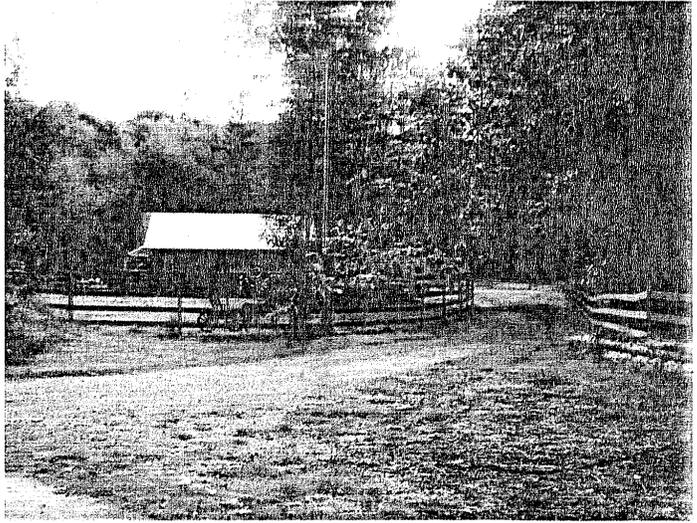
ALR

Legend

- Subject Property
- E_ALR









SRI

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 9, 2009

FILE NO:

FROM: Brian Duncan, Chief Building Inspector

BYLAW NO:

SUBJECT Relocated Modular and Mobile Homes

Recommendation:

That relocated modular and mobile homes must be manufactured under the CSA Z-240, Standard for Mobile Homes, or A-277, Standard for Manufactured homes. Further, that homes manufactured under the A-277 Standard, when relocated within the CVRD, must be placed on a permanent foundation. Z-240 Mobile Homes, single and doublewide, are permitted to be placed on strip footings and blocking.

Purpose:

For many years it has been an unrecorded, unwritten policy of the CVRD Building Department not to permit mobile and manufactured homes built before these Standards came into existence (pre 1973). With this recommendation, once approved, it will be added to our new Building By-law, which is currently being drafted.

Financial Implications: N/A

Interdepartmental/Agency Implications: N/A

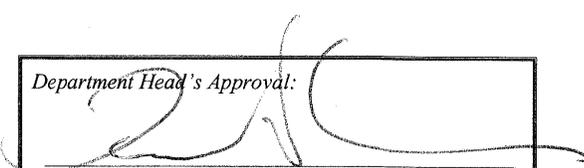
Background:

Due to the closure of several mobile home parks on Vancouver Island, we are seeing the relocation of several within the CVRD as primary and second dwellings. These homes may or may not have the above listed certification for manufactured and mobile homes. Therefore we have no idea of their construction relating to water and drainage piping, wiring or insulation. Permitting these could open us up to possible liability. The BC Building Code does not apply to Z-240 and A-277 homes, therefore we are responsible only for set-up and connection to services. Structural add-ons and features not covered by either Standard require additional permit fees and a structural engineer's report.

Submitted by,


Brian Duncan,
Chief Building Inspector
Development Services Department
BD/ca

Department Head's Approval:


Signature

000049



SR2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 10, 2009

FILE NO:

FROM: Tom Anderson, General Manager

BYLAW NO:

SUBJECT: 2009 Planning and Development Department Budget

Action:

That Directors discuss electoral area budget items if desired.

Purpose:

To provide Directors with a further opportunity to discuss electoral area budget items if they so choose.

Financial Implications:

Unknown

Interdepartmental/Agency Implications:

N/A

Background:

The Draft 2009 Regional District Budget will be presented at the Regional Services Committee meeting on Thursday, February 12, 2009. It was felt that electoral area Directors may wish to discuss specific items relating to electoral areas so an opportunity has been provided at this Committee meeting if Directors so wish. Warren Jones and Mark Kueber will be in attendance to provide information and participate in discussion. Directors are requested to bring their previously distributed budget packages.

Submitted by,

Tom Anderson,
General Manager
Planning and Development Department

TA/ca

000050



SR3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 10, 2009

FILE NO:

FROM: Tom Anderson, General Manager

BYLAW NO:

SUBJECT: Director/ Public Communication Options

Action:

If the Committee wishes to pursue some form of compensation, that it consider Option A in order to specifically identify the reason for the stipend.

Purpose:

To receive direction from the Committee on this issue.

Financial Implications:

Dependant on the direction provided.

Interdepartmental/Agency Implications:

N/A

Background:

At the January 20, 2009 Electoral Area Services Committee meeting the following motion was passed:

“That staff explore Director/public communication options (i.e. Blackberry, Director’s interactive webpages, other electronics) with each Electoral Area Director and prepare a staff report, outlining the various options, to the Electoral Area Services Committee for review.”

Further to this direction, an e-mail was forwarded to all Directors requesting what they felt their communication needs entailed in order to adequately and effectively communicate with the public and staff. The following responses were received:

- Director Harrison: BlackBerry and CVRD e-mail address.
- Director Cossey: Provision for a Director’s Newsletter on their respective Electoral Area page on the CVRD website.
- Director Giles: BlackBerry.
- Director Iannidinardo: BlackBerry. Already has a website.

000051

- Director Duncan: Satellite hook-up for high speed internet and a BlackBerry.
- Director Morrison: Laptop or notebook computer and a BlackBerry.
- Director Dorey: BlackBerry and a webpage.
- Director Marcotte: Interactive webpage
- Director Kuhn: Not specific on communication needs, however, felt that compensation in the form of a monthly stipend was a good idea.

While there are a couple of trends identified above, the problems that we have is that many of the forms of communication which have been noted are already in place. For example, Director Harrison already has a BlackBerry and Director Iannidinardo already has a website. As such, the idea floated to Director Kuhn which would see the Regional District provide each Director with a monthly stipend to compensate them for their communication needs may be the best way to go. Therefore, if a Director would like to purchase a BlackBerry or if the Director already has a BlackBerry, a monthly stipend could be used to pay for either expense and would be seen as being fair to all.

Due to the fact that the initial expense for acquiring the communication devices can be all over the map depending on the device acquired, it was felt to be more beneficial to focus on the monthly rates for the various forms of communication and work from there. Chris Ewing, our IT Manager has forwarded the following rates:

- Shaw high speed internet connection - \$30.00 + per month
- Telus high speed internet connection - \$15.00 + per month
- Telus Mobility voice plan (cellular) - \$32.00 + per month
- Telus Mobility voice/data plan (BlackBerry) - \$70.00 + per month
- Website hosting charge - \$20.00 + per month (dependent upon activity level)

In discussions with Mark Kueber, GM Corporate Services, it was noted that a monthly stipend could easily be added to the director's monthly pay. However, it should be noted that if the stipend is identified as compensation for a specific purpose (i.e. Director's communication costs) then the amount would be considered a taxable benefit. He did however note that the amount of tax deducted would be a relatively insignificant amount. If Directors would simply like to add the amount to their yearly pay, this could be done as well. In this way, the increase would be blended into the monthly pay and only one-third would be considered a taxable benefit. The downside is that by not identifying what the stipend is for would probably result in the significance of the contribution being lost over time.

If agreement can be reached on the fact that Directors agree that a monthly stipend or simply an increase be added to their yearly pay, then the last issue to resolve would be the amount. We are aware that all Directors have internet connections and communicate extensively with staff and constituents via e-mail. We also note that a majority of Directors have indicated that they believe a BlackBerry would help them in their communication efforts. If Directors wish to use the stipend for other communication devices such as a cell phone or website, then that is their prerogative. As such, the following options are proposed:

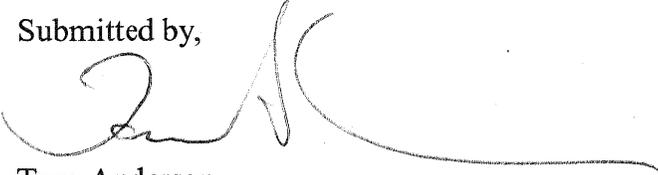
Option A

That a monthly stipend of \$100 be provided to each Director to help compensate them for the cost of communicating with staff and the public.

Option B

That the Director's annual salary be increased by \$1,200 in order to help compensate them for the cost of communicating with staff and the public.

Submitted by,



Tom Anderson,
General Manager
Planning and Development Department

TA/ca



SR4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 10, 2009

FILE NO:

FROM: Tom Anderson, General Manager

BYLAW NO:

SUBJECT: Request for Support – Cowichan Green Mapping Project

Recommendation:

That the Regional District provide in-kind mapping support to the Cowichan Land Trust for their Green Mapping Project.

Purpose:

To receive Committee direction on the attached request by the Cowichan Land Trust to help with their mapping requirements for the Cowichan Green Mapping Project.

Financial Implications:

Preliminary indication is that they will require a digital copy of our base mapping along with hard copy mapping for seven (7) scheduled workshops which will result in the need for 68 maps in total valued at approximately \$700.00.

Interdepartmental/Agency Implications:

N/A

Background:

We have supported the Cowichan Land Trust in their various projects in the past. As per usual, any work that they do is forwarded to the appropriate CVRD department for our use. We have found these initiatives to be very beneficial to both the community and CVRD and expect this one to be as well.

Submitted by,

Tom Anderson,
General Manager
Planning and Development Department

TA/ca
attachment

000054

C.V.R.D.
RECEIVED

FEB 02 2009



Cowichan Land Trust
#6 – 55 Station Street, Duncan, B.C. V9L 1M2
Telephone: 250.746.0227 Fax: 250.746.9608
E-mail: maps@cowichanlandtrust.ca

Gerry Giles, Chair, CVRD

Delivered by Hand

February 2, 2009

Dear Ms. Giles:

Re: Support for Cowichan Valley Green Mapping Project

The Cowichan Land Trust is embarking on a project over the next six months called the Cowichan Valley Green Mapping Project. Cowichan Valley residents of all ages will have the opportunity to meet around mapping tables to talk with each other about assets of the land and visions for the future of the Valley. The general themes of focus for developing the Green Map are healthy and ethical connections between Land, People and Food.

The project will be launched with a Green Mapping Fair to be held in St. John's Church Hall at 486 Jubilee Street, Duncan on February 28. Since the initiative has been made possible through grants from the federal government, we have asked Jean Crowder, MP Nanaimo-Cowichan to open the event. Green mapping workshops will follow in communities across the Cowichan Valley, including Crofton, Chemainus, Shawnigan, Mill Bay, Lake Cowichan, Cowichan Station and Cobble Hill.

The process of mapping will be used as a tool to form local stewardship groups and strengthen participation within and among existing groups. It will also serve as a framework for inclusive experiential learning and to record valuable local knowledge. Several community groups have expressed interest in using the Green Mapping Project to express their goals. Groups that have committed resources and interest are Cowichan Green Community, Social Planning Cowichan, Safer Futures, Cowichan Food Security Coalition, Community Kitchens, and The Land Conservancy of B.C.

The Cowichan Valley Green Mapping Project can help support and promote CVRD priorities and initiatives such as:

- Encouraging communications between various interest groups around the common land base of the Cowichan Valley;
- Facilitating the dissemination of regional land base information and community services;
- Encouraging greater environmental stewardship of sensitive areas, green spaces and parks;
- Promoting greater awareness of local green initiatives, such as the Environmental Strategy and the "12 big ideas"; and,
- Facilitating community dialogue around shared interests toward the development of a regional growth strategy.

Original:	<i>file</i>	cont
Box:		<i>[Signature]</i>
Co:		Chair <i>JB</i>
		TA
<i>[Signature]</i>		<i>Feb 5 2009</i>
FP:		000055

We are seeking CVRD support for the Green Mapping Project through the contribution of resources and services. In the past the Cowichan Land Trust has received in-kind support from the CVRD for resources such as printing and maps. The development of the project base map will require spatial data from the GIS mapping department and, as well, we would appreciate assistance in the complimentary printing of maps for the public workshops.

Assistance from community groups and local government shows meaningful involvement with the community and support to help create the Cowichan Valley's first Green Map. In order to be able to announce this support at our February 28 event, we would request an early meeting with the appropriate staff at CVRD. We anticipate that myself, our Project Manager (Margaret Paridaen), and one or more of our Board (Cindy Carleton, Jim Moir, John Scull, and Alison Taylor) would attend.

Sincerely,

A handwritten signature in black ink that reads "Roger Hart". The signature is written in a cursive style with a long horizontal stroke at the end.

Roger Hart
President
Cowichan Land Trust



SR5

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 9, 2009 **FILE NO:** 17-F-08BE
FROM: Nino Morano, Bylaw Enforcement Officer **BYLAW NO:** 3032
SUBJECT: Livestock Kill Compensation
5371 West Riverbottom Road – Ian & Kelli Anderson

Recommendation:

Compensate Ian & Kelli Anderson \$450 for their loss of livestock due to an attack by unknown dog(s).

Purpose:

Consider Compensation for livestock killed at 5371 West Riverbottom Road by unknown dog(s).

Financial Implications:

Compensation for livestock kill to a maximum of \$750.

Interdepartmental/Agency Implications:

N/A

Background:

You may recall this matter being before the EASC at its September 30, 2008 meeting where it was resolved to compensate the livestock owners as provided by the CVRD Dog Regulation & Impounding Bylaw. As a result of this resolution, the Regional Board, at its October 8, 2008 meeting, made the following resolution:

“That the CVRD compensate Ian and Kelli Anderson \$468.75 for their loss of livestock due to an attack by unknown dog(s)”

Subsequent to this resolution, a cheque for \$468.75 along with a letter (which strongly recommended that preventative measures be taken) was sent to the Andersons. On November 25, 2008 it was discovered that eight (8) more sheep had been killed by an unknown dog. The Andersons advised that they did take preventative measures such as making a more secure enclosure and improving fencing. There remains only one sheep left with no plans to replace the lost livestock until more preventative measures are established and likely selecting a more manageable breed of sheep.

000057

The Andersons have since submitted an application for compensation for their loss (attached). Their estimation on the value of their loss was followed up with Fraser Valley Auctions and there seemed to be a discrepancy. Historically, there has been a reliance on local auction houses to determine value of livestock. Since this breed of sheep is somewhat unique, the value could only be tracked to Fraser Valley Auctions. The following is a comparison between the Anderson's estimation and the Fraser Valley Auctions's estimation (please note:

Anderson: ewe-\$125 each:
 total = \$1000:
 75% = \$750

Fraser Valley Auctions: ewe-\$40 to \$75 each:
 total for higher values = \$600:
 75% = \$450

Since both theirs and this office's estimation is over \$250, the Domestic Animal Protection Officer cannot process this claim without Regional Board approval with a maximum of \$750 per attack. The CVRD Dog Regulation & Impounding Bylaw provides the following:

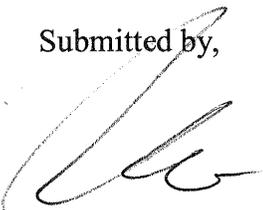
Sec. 32: "...The amount of compensation payable shall be an amount equal to three-quarters (3/4) of the decrease in the market value of the animal as a result of its death; and for the purpose of this subsection, the Domestic Animal Protection Officer may make the determination of the market value."

And,

Sec. 33: "The Domestic Animal Protection Officer shall investigate and verify all claims and is approved to authorize any claim up to the amount of Two Hundred and Fifty Dollars (\$250.00) per attack and any claims greater must be referred to the Regional Board for authorization of payment. The maximum compensation payable for any claim shall not exceed Seven Hundred and Fifty Dollars (\$750.00) per attack."

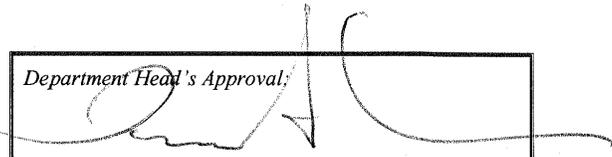
Other factors to consider are as follows: the property is about 4 hectares, zoned RC-3 (River Corridor) which permits agriculture.

Submitted by,



Nino Morano,
Bylaw Enforcement Officer
Planning and Development Department

NM/ca

Department Head's Approval:

Signature



C.V.R.D.

SCHEDULE "C" TO COWICHAN VALLEY REGIONAL DISTRICT DOG REGULATION AND IMPOUNDING BYLAW NO. 3032, 2007

APPLICATION FOR COMPENSATION UNDER THE COWICHAN VALLEY REGIONAL DISTRICT DOG REGULATION AND IMPOUNDING BYLAW NO. 3032, 2007.

1. NAME: Len Kelli Anderson
2. ADDRESS: 5371 W. Riverbottom Rd.
3. AT: day time A.M./P.M., ON Nov. 25 2008

The following were killed by dogs:

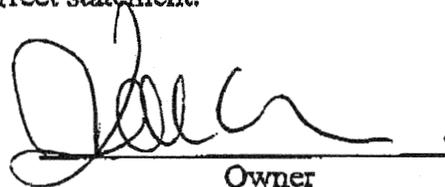
ANIMAL	NUMBER	TYPE	AGE	REGISTERED	VALUE
POULTRY					
GOATS					
SHEEP	8	black belly	1	Yes	\$125 a sheep
ANIMALS OF THE BOVINE SPECIES					
SWINE					
HORSES					
OTHER					

4. Within three (3) business days, I notified S.P.C.A
5. The dog(s) are owned by ?? OR the owner(s) are unknown and by diligent inquiry cannot be found.
6. I understand that, if approved, payment of this claim will be made pursuant to Section 30 to 34 (inclusive) of Bylaw No. 3032, 2007.

I solemnly declare that this is a true and correct statement.

DECLARED AT _____
Duncan BC, this 3
 day of Dec. 20 08

Treasurer


 Owner

000059

October 30, 2008

Bylaw Enforcement File# 17-F-08BE

5371 West Riverbottom Road
DUNCAN, BC V9L 6J4

Attention: Ian & Kelli Anderson

Re: Livestock Kill by Dogs

I am writing to you to confirm that the CVRD has accepted your claim for compensation resulting from an attack on your livestock by unknown dog(s) that occurred on or about July 19, 2008, and resulted in the death of 8 Blackbelly sheep. Attached you will find a cheque in the amount of \$468.75. This compensation is based on information provided by Fraser Valley Auctions and will differ somewhat from your submitted request. Please note that the CVRD Dog Regulation & Impounding Bylaw limits compensation to 75% of the value.

The Board of the Cowichan Valley Regional District resolved the following at its October 8, 2008 meeting:

“That the CVRD compensate Ian & Kelli Anderson \$468.75 for their loss of livestock due to an attack by unknown dog(s).”

I strongly recommend that you take preventative measures, such as dog-proofing the area in which your livestock reside, at your earliest convenience.

Sincerely,

Nino Morano
Bylaw Enforcement Officer
Development Services Department

NM/lz
Attachment

pc: Director J. Allan, Director Area F – Cowichan Lake South/Skutz Falls



SR6

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: January 30, 2009 **FILE NO:** 3-I-06DP
FROM: Mike Tippett, Manager **BYLAW NO:** 2650
Regional and Community Planning Division
SUBJECT: Request for the CVRD to enter into a Restrictive Covenant for a Cowichan Lake subdivision

Recommendation:

That the CVRD enter into a restrictive covenant with 613711 BC Ltd; T. A. Williams; P. A. Faganello, and D. J. Preston, which would protect the Streamside Protection and Enhancement Area of Strata Lots 1 through 11, Block 488, Cowichan Lake District, Plan VIS6095 in accordance with RAR Report No. 159 and establish a rent charge in the favour of the CVRD for the ongoing monitoring of the SPEA and related matters, and that the rent charge monies be directed to the *Protection of Waters and Riparian Areas on Cowichan Lake Fund*, established under CVRD Bylaw No. 2805.

Purpose:

To consider entering into a restrictive covenant on the lands on Palmer Way that front on Cowichan Lake.

Financial Implications:

Brings a Rent Charge of \$100 per annum, indexed to inflation, to the CVRD for the purpose of monitoring the sensitive environmental shore areas of Cowichan Lake.

Interdepartmental/Agency Implications:

N/A

Planning and Development Department Comments:

In 2006, 613711 BC Ltd applied for a development permit to allow for the subdivision of 11 lots and eventual construction of homes on the resulting newly subdivided waterfront properties in Electoral Area I. At the CVRD Board meeting of October 11, 2006, the following resolution was passed:

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(06-570) It was moved and seconded:

16. That Development Permit Application No. 3-I-06 DP be approved, and that the Planning Division be authorized to issue a Development Permit to 613711 BC Ltd./North Shore Estates with respect to Lot 1, Plan VIP46313, Block 488, Cowichan Lake District, that would allow the creation of 11 new lots and one park lot, and the construction of dwelling units on the 11 residential parcels in accordance with the guidelines of the Watercourse Protection Development Permit Area of the Youbou Meade Creek Official Community Plan, the development permits to include the SPEA and implement the measures and recommendations of the RAR Report of Ted Burns, R.P.Bio, and the attached plan of subdivision, and that the issuance of the permits be subject to:

1. **Submission of a draft covenant respecting SPEA protection, preferably in favour of a third-party environmental organization;**
2. **A commitment to monitoring of the development by a Qualified Environmental Professional, with follow-up reports to be submitted to the CVRD and Ministry of Environment.**

MOTION CARRIED

This matter went before the Committee in October 2008, and the matter was referred to staff “for further consideration”.

Note that the trigger for the issuance of the development permit was the submission of a draft covenant, and a commitment to monitoring. A draft was submitted shortly afterwards and the development permit was issued. The developer committed to establish a “Rent Charge” on the title of the parcels being created in order to satisfy the ongoing monitoring of the site. This is – at the moment at least – the only case in the CVRD where a rent charge has been proposed by a developer for this purpose.

Meanwhile, Kate Miller was meeting with The Land Conservancy (TLC) on the possibility of them taking on the administration of the draft covenant, and after several discussions, TLC advised that they would not be interested in assuming responsibility in this instance. The response from the Cowichan Community Land Trust Society was apparently similar. This is probably the best evidence we have that the likelihood of a third party environmental protection organization taking on covenants such as this on privately-held waterfront is low.

The proponent created the 11 lots and parkland and once some lots were sold, it became necessary to have those owners agree to the registration of a covenant. Wording was constructed, this time with the CVRD itself as the covenant holder, the other owners granted consent to proceed and now we have been presented with a covenant that the applicants are keen to register.

One question that this proposed covenant raises is: where would the financial proceeds from the annual rent charges be directed? Fortunately, the CVRD already has a suitable fund established for the entire Cowichan Lake area: the *Protection of Waters and Riparian Areas on Cowichan Lake Fund*, established under Bylaw No. 2805. Section 5(b) would appear to be the appropriate means to direct money to this fund. A copy of Bylaw 2805 is attached to the report.

Resolution No. 06-570 does not give the Corporate Secretary the authority he needs to sign the covenant on our behalf, because it is too vague and only required the submission of a draft covenant. So if this matter is to proceed, the CVRD Board will have to resolve to enter into this proposed covenant.

Options:

1. That the CVRD enter into a restrictive covenant with 613711 BC Ltd; T. A. Williams; P. A. Faganello, and D. J. Preston, which would protect the Streamside Protection and Enhancement Area of Strata Lots 1 through 11, Block 488, Cowichan Lake District, Plan VIS6095 in accordance with RAR Report No. 159 and establish a rent charge in the favour of the CVRD for the ongoing monitoring of the SPEA and related matters, and that the rent charge monies be directed to the *Protection of Waters and Riparian Areas on Cowichan Lake Fund*, established under CVRD Bylaw No. 2805.

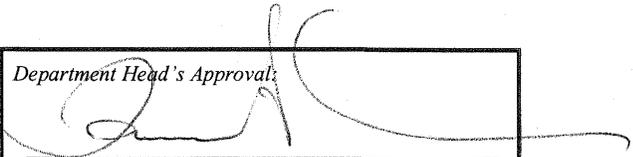
2. That the CVRD enter into a restrictive covenant with 613711 BC Ltd; T. A. Williams; P. A. Faganello, and D. J. Preston, which would protect the Streamside Protection and Enhancement Area of Strata Lots 1 through 11, Block 488, Cowichan Lake District, Plan VIS6095 in accordance with RAR Report No. 159, without a rent charge.

3. That the CVRD not enter into a restrictive covenant on Strata Lots 1 through 11, Block 488, Cowichan Lake District, Plan VIS6095.

Submitted by,



Mike Tippett, MCIP
Manager
Regional and Community Planning Division
Planning and Development Department

 <i>Department Head's Approval</i>
<hr/> <i>Signature</i>

MT/ca



SR7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 17, 2009

DATE: February 11, 2009 **FILE NO:**

FROM: Mike Tippett, Manager, Regional and
Community Planning Division **BYLAW NO:** Area A, D, E, F,
G, H and I OCPs

SUBJECT: Requirement to introduce greenhouse gas emission reduction targets into all CVRD
Official Community Plans

Recommendation:

That staff conduct an internal review of the Official Community Plans for Electoral Areas A, D, E, F, G, H and I respecting plan policies that would indirectly support Provincial GHG emission reduction targets and develop an electoral area-specific proposed policy response for GHG reduction targets, and that the findings of this review be reported back to this Committee for further direction.

Purpose:

To apprise the Committee of an upcoming OCP requirement that the Province has implemented, which is retroactive in its scope.

Financial Implications:

Individual hearing costs – could be offset by having a combined hearing in a central location for all amendment bylaws.

Interdepartmental/Agency Implications:

The Province has given local governments until May 31, 2010 to introduce into their existing and new OCPs a policy framework for greenhouse gas emission reduction targets.

Background:

As part of the Province's Climate Change plan, it has mandated that local governments make efforts to reduce greenhouse gas emissions. Within the scope of their official community plans, this effort is directed in the following manner, by Section 877(3) of the *Local Government Act* under the heading "Required Content" (of an OCP):

An official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.

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The implementation date required by the Ministry is the end of May next year, so the time to undertake these changes is minimal.

A “Frequently Asked Questions” document respecting the greenhouse gas (GHG) emissions is attached to the end of this report, and it should provide some background on the issue and possible ways of dealing with this Provincial directive.

While a truly comprehensive integration of GHG emission reduction targets into an OCP would arguably require a comprehensive rewrite, we have neither the time nor resources to take that approach. The fact that the Province does not provide explicit direction as to what constitutes an appropriate target, or the extent that it needs to be integrated into a plan, is encouraging. One of the challenges facing most local governments in BC is that the baseline data for GHG emissions is not known in their communities, so general measures are really the only appropriate response at this point. Measuring progress will be difficult.

What we can say is that the Province’s targets for GHG reduction are very aggressive, with an end point of an 80% reduction from present levels by the year 2050. Changes on that scale will only be possible with the cooperation of all levels of government, business and citizens, and land use patterns and the energy needs to sustain them will become more and more a topic of discussion. Arguably, having enabling legislation with soft targets being left up to local governments as opposed to mandatory targets imposed from above will mitigate against achieving these impressive reduction targets. Besides, local governments could not hope to achieve those targets on their own, as many of the greenhouse gas generators are outside of the sphere of local government regulatory authority, for example, automobiles, aircraft, building codes, restrictions upon the scope of development permit area legislation respecting building heating, ventilation and air conditioning (HVAC) systems.

CVRD Response

Given that the CVRD at present is engaged in a detailed review of the Electoral Areas B and C OCP, staff believe that the final draft of that South Cowichan Plan will address this requirement. However, the other 7 electoral areas do not have active OCP reviews under way, that would have a likely completion date of May 2010. Even Electoral Area D – Cowichan Bay – whose OCP is up for review beginning this year, would have no hope of completion by the end of May of 2010. Therefore we are faced with the prospect of having to update 7 OCPs in a little over a year with respect to GHG.

Given this limitation, staff believe that the appropriate action would be to develop some proposed policy for the implementation of GHG reduction at the staff level and to bring that package back to this Committee for further direction. The goal in the development of the policy would be to not only comply with the intent of the legislation (thereby ensuring a smooth reception at the Ministry of Community Development when approval is sought) but also to examine the present OCP framework in the seven affected areas for what we might call “good planning principles”. These would be highlighted in the proposed individual OCP amendments.

The approach of formulating a one size fits all GHG reduction addendum for each of the OCPs is probably not that meaningful, so we will likely have to examine the rest of the Plan first and possibly propose some complementary changes in order to address the issue meaningfully.

The pattern of development itself is a good indicator of energy efficiency, which in turn is a reasonable proxy for a measure of GHG emissions. Hence, where we find planning principles in an existing OCP that supports compact communities in a nodal pattern, consolidation of services and density, infill, walkability, transit-friendly development and so forth, we can highlight the fact that our OCPs do already contain measures to limit GHG emissions. Intuitively, all CVRD OCPs are somewhat responsive to this, even the very old ones, and so we expect that extensive change to OCPs in order to comply with the Provincial directive will likely not be required at this time.

Indeed, some of the proposed amendment language could suggest, where less than ideal planning policies are in place, that these be amended over time rather than immediately. Staff would be reluctant to make substantial and significant change to an OCP without a public process based in the community. Since we don't have time to do this level of consultation in 7 electoral areas at this time, phasing in any complementary amendments may be a solution.

A few new "management of development" tools that were inserted into the *Local Government Act* at the same time as Section 877(3), with some new development permit powers being principal among them. It is conceivable that these new powers, limited as they are, could be exercised in an effort to implement any GHG reduction policies. The implications of so doing will be examined in the report back to this Committee.

Planning and Development Department Comments:

To minimize the administrative burden of these amendments, we suggest that once this matter returns before the Committee for further direction, consideration be given to holding a single combined public hearing for all amendments.

A series of interim amendments to 7 OCPs would not be as meaningful an action as would a comprehensive review and possible land use pattern adjustments, including possible downzonings, upzonings and aggressive infill and servicing policies. Nevertheless, doing comprehensive reviews on this scale would be sufficiently time consuming as to miss the Province's implementation deadline by several years by the time it is all completed. Whether this would result in any sanctions from the Province is unknown. For this reason, we cannot recommend this approach.

We recommend that staff be authorised to conduct an internal review for planning principles that indirectly support low GHG emissions for the 7 OCPs that are not under review at this moment, and develop an electoral area-specific policy response to the Province's GHG reduction imperative. We would then report our findings back to this Committee for further direction respecting the necessary OCP amendments and the process to be used to implement them.

Options:

1. That staff conduct an internal review of the Official Community Plans for Electoral Areas A, D, E, F, G, H and I respecting plan policies that would indirectly support Provincial GHG emission reduction targets and develop an electoral area-specific proposed policy response for GHG reduction targets, and that the findings of this review be reported back to this Committee for further direction.

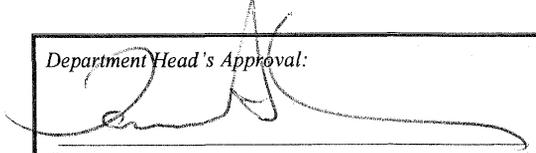
2. That staff be directed to only implement the requirements of Section 877(3) of the *Local Government Act* at the time of doing comprehensive reviews of Official Community Plans, with Cowichan Bay and Cowichan-Koksilah being the next scheduled reviews, acknowledging the fact that the Province's timetable would not be met.

Submitted by,



Mike Tippett, MCIP
Manager
Regional and Community Planning Division
Planning and Development Department

Department Head's Approval:



Signature

MT/ca

Frequently Asked Questions

**Local Government (Green Communities)
Statutes Amendment Act, (Bill 27) 2008**

June 2008
Intergovernmental Relations and Planning Division



**BRITISH
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Ministry of Community Development

000068

Greenhouse Gas (GHG) Emission Reduction Targets, Policies and Actions

Q. What is required of local governments regarding greenhouse gas emission reduction?

A: This amendment requires local governments to include greenhouse gas emission reduction targets, policies and actions in regional growth strategies and official community plans. These requirements were first announced in September, 2007 at the Union of BC Municipalities annual conference. Premier Campbell noted in his speech that targets and strategies would be required content for all official community plans and regional growth strategies.

Q. How is Greenhouse Gas defined?

A: The definition of “greenhouse gas” in the *Local Government Act* is the same as the definition of “greenhouse gas” included in the *Greenhouse Gas Reduction Targets Act*.

In the *Greenhouse Gas Reduction Targets Act* “**greenhouse gas**” means any or all of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and any other substance prescribed by regulation under the Act. Greenhouse gases absorb and re-emit infrared radiation, warming the earth's surface and contributing to climate change.

Q: What contributes to greenhouse gas emissions within our communities?

A: Within a community greenhouse gas emissions are generated by such things as:

- Electricity and fossil fuel energy use;
- Transportation (such as vehicle kilometres travelled, fleet composition and fuel(s) consumed); and
- The quantity and composition of waste and disposal methods.

Q: What does a GHG emission reduction target look like?

A: The legislation is not prescriptive so it does not, for example, specify what types of targets or what levels of targets should be adopted. However, Government is looking to local government to demonstrate bold leadership and to take aggressive action on tackling climate change. As context, local governments may choose to set GHG emission reduction targets that parallel the Provincial government targets of a 33% reduction of GHG gas emissions by 2020 and 80% by 2050. Local governments could then determine how these targets fit with local circumstances or how these targets could be adjusted. Local governments could also set targets in relation to secondary indicators that directly influence GHG emissions in order to track progress in key areas that

impact GHG emissions, for example, average residential unit size, average residential lot size, and average commuting distance.

Q. How are targets, policies and actions going to reduce greenhouse gases?

A: Real emission reductions will come about by having local governments set targets that are meaningful and achievable in their community. Each local government will determine the greenhouse gas emissions targets based on their community's unique characteristics. For example, one local government may set targets to increase the percentage of households recycling organic waste, while another may set a target to reduce total greenhouse gas emissions by 10% over a ten year period. By allowing local governments to set targets that are meaningful in their community, and most importantly challenging yet achievable, we will realize real emission reductions.

Q: How are local governments going to measure their greenhouse gas emission reductions to demonstrate they've reduced or met their targets?

A: Each local government will set greenhouse gas emission reduction targets that are appropriate for their community. It is important for local governments to have good information so they can make better decisions for their communities. Government is actively developing ways to provide information to communities regarding their energy use and GHG emissions, in order to better support local governments in setting targets, policies and objectives, and monitoring their progress. One example of this is the Community Energy Emissions Inventory (CEEI) which will provide all local governments in BC with baseline community-wide energy and emissions information by the end of 2008.

Q: How does this legislation change the way local governments approach Official Community Plans and Regional Growth Strategies?

A: An official community plan is a statement of objectives and policies which guide decisions on planning and land use management within the area. What is changing is the lens through which local governments will look when developing planning policy and managing land use. Local government will now be required to look at how their official community plans and supportive actions will contribute to a reduction in greenhouse gas emissions within their communities.

Q: The City of Vancouver uses official development plans. Are these required to have GHG emission reduction targets?

A: An official development plan is a plan for the future physical development of the City of Vancouver or a part of the city. The legislation requires the City of Vancouver to include greenhouse gas emission reduction targets, policies and actions in their official development plan or plans.

Q. When do these targets need to be included in official community plans or regional growth strategies?

A: May 31st, 2010 is the date by which greenhouse gas emission targets, policies and actions will be required content in official community plans and official development plans. May 31st, 2011 is the equivalent date for the inclusion of greenhouse gas emission reduction targets, policies and actions in regional growth strategies.



SR8

C.V.R.D.

STAFF REPORT

**ELECTORAL AREA SERVICES COMMITTEE MEETING
OF FEBRUARY 17, 2009**

DATE: February 10, 2009 **FILE NO:** 4-E-06RS

FROM: Mike Tippett, Manager, Regional and
Community Planning Division **BYLAW NO:** 1490 and 1840

SUBJECT: Application for OCP amendment and rezoning
- Cliff Kaelble, Allenby Road

Recommendation:

That Official Community Plan Amendment Bylaw No. 3139 (Kaelble) be amended by adding Lot 4, Section 14, Range 6, Quamichan District, Plan 1275, except parts in Plans 9717 and 28381 to the Koksilah Development Permit Area, AND FURTHER that both Bylaw 3139 and 3140 be referred back to a second public hearing, with Directors Duncan, Cossey and Giles as delegates.

Purpose:

To consider the Board's referral of this proposed OCP and zoning amendment, and propose a reasonable direction for the matter to follow from this point.

Financial Implications:

Hearing costs.

Interdepartmental/Agency Implications:

The non-conforming land use matter will remain unaddressed, if the amendment bylaws are defeated.

Background:

At the Board meeting of January 14, 2009, the following resolutions were passed:

B9 It was moved and seconded that "CVRD Bylaw No. 3139 - Area E -
09-029 Cowichan-Koksilah Official Community Plan Amendment Bylaw (Kaelble),
2008" be referred back to staff.
MOTION CARRIED

B10 It was moved and seconded that "CVRD Bylaw No. 3140 - Area E - Cowichan
09-030 Station/Sahtlam/Glenora Zoning Amendment Bylaw (Kaelble), 2008" be
referred back to staff.
MOTION CARRIED

These two bylaws have been to hearing.

Planning and Development Department Comments:

If the Board's intention is to proceed with these amendment bylaws, the Committee should recommend that the OCP Amendment Bylaw 3139 be amended by adding the subject property, located on Allenby Road, to the development permit area proposed in Bylaw 3210, namely the Koksilah DPA. This DPA is not officially in existence yet, but the amendment bylaws creating it are at third reading.

Since adding a property to a DPA is an amendment to an Official Community Plan, a public hearing would be required. Due to this and the fact that those present at a hearing would likely want to also discuss the proposed zoning amendment again, it would be prudent for the Committee to recommend to the Board that **both** Bylaws 3139 and 3140 go back to hearing, after amending Bylaw 3139 by adding the site to the Koksilah DPA.

Proceeding with third reading and adoption of Bylaws 3139/3140 would leave the property zoned as industrial but outside of the Koksilah Development Permit area.

The other matter for the Committee to consider is that a planned commencement year of 2010 has been selected by the Committee for an update of the Cowichan-Koksilah Official Community Plan, and the matter could conceivably be referred to that process. This would mean that the land use issue presently on the property would remain outstanding for about three years from today.

For the benefit of the Committee members, a copy of the hearing minutes is attached.

In considering the issues around this application, and public comments focused on the subject property itself, it is likely that most of the potential redevelopment scenarios that could arise if the proposed Industrial zoning is granted could be addressed in an adequate and objective way were the property subject to the proposed Koksilah development permit area.

Options:

1. That Official Community Plan Amendment Bylaw No. 3139 (Kaelble) be amended by adding Lot 4, Section 14, Range 6, Quamichan District, Plan 1275, except parts in Plans 9717 and 28381 to the Koksilah Development Permit Area, AND FURTHER that both Bylaw 3139 and 3140 be referred back to a second public hearing, with Directors Duncan, Cossey and Giles as delegates.
2. That Official Community Plan Amendment Bylaw No. 3139 (Kaelble) and Zoning Amendment Bylaw 3140 (Kaelble) be referred back to the Board for consideration of third reading in their present form, with a recommendation to defeat, AND FURTHER that the question of the land use designation and zoning on this property be examined at the time of the Cowichan-Koksilah Official Community Plan review, presently scheduled to commence in 2010.

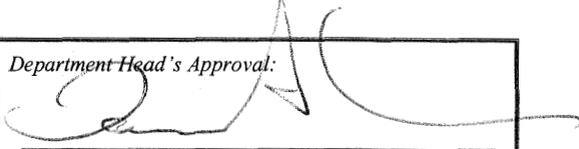
3. That Official Community Plan Amendment Bylaw No. 3139 (Kaelble) and Zoning Amendment Bylaw 3140 (Kaelble) be referred back to the Board for consideration of third reading in their present form, with a recommendation to grant third reading.

Submitted by,



Mike Tippett, MCIP
Manager
Regional and Community Planning
Planning and Development Department

MT/ca

<p><i>Department Head's Approval:</i></p>  <hr/> <p><i>Signature</i></p>
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PUBLIC HEARING REPORT
Bylaws No. 3139 and 3140

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3139 and Zoning Amendment Bylaw No. 3140 (Kaelble), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Monday, November 24, 2008, at the Eagles Hall, 2965 Jacob Road, Duncan, BC, at 7:05 p.m.:

**HEARING
DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora,
Chairperson
Director K. Cossey, Electoral Area B – Shawnigan Lake

Absent:

Director G. Giles, Electoral Area C – Cobble Hill

**CVRD STAFF
PRESENT**

Mr. M. Tippett, Deputy Manager, Development Services Department
Ms. J. Hughes, Recording Secretary, Development Services Department

Members of the Public:

There were approximately 15 members of the public present.

CALL TO ORDER

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

PROCEDURES

Mr. Tippett explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Friday, November 14, 2008 and Wednesday, November 19, 2008) and in the *Leader Pictorial* (Saturday, November 15, 2008 and Wednesday, November 19, 2008) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Mr. Tippett reviewed the proposed Bylaws:

Official Community Plan Amendment Bylaw No. 3139 proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490, applicable to Electoral Area E, by redesignating Lot 4, Section 14, Range 6, Quamichan District, Plan 1275, except parts in Plans 9717 and 28381, from Urban Residential to Industrial.

Zoning Amendment Bylaw No. 3140 proposes to amend CVRD Zoning Bylaw No. 1840, applicable to Area E – Cowichan Station/Sahtlam/Glenora, by rezoning Lot 4, Section 14, Range 6, Quamichan District, Plan 1275,

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except parts in Plans 9717 and 28381, from Urban Residential 3 to Light Industrial I-1.

The purpose of Amendment Bylaws 3139 and 3140 is to permit light industrial land uses on the subject lands, which are located in an area that is generally industrial. The subject lot was shown on a map on the wall.

Mr. Tippettt stated that no 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 on November 24, 2008 at 4:30 pm.

Correspondence

No correspondence was received.

Location of File

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

**APPLICANT,
Cliff Kaelble**

Mr. Kaelble was not present at the Public Hearing.

**QUESTION
PERIOD**

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

**Len Bakker,
5323 Miller Road**

➤ Was it a pure accident that the zoning was changed from light industrial to residential or had there been a rezoning application made?

Mike Tippettt

➤ The Official Community Plan (OCP) and the Zoning Bylaw review process began in 1994 and they were adopted in 1998;
➤ It could have been a mistake during the Zoning Bylaw review process and it was not the applicant who applied for the change in zoning.

Len Bakker

➤ Felt that the property owner must have known that the property had been rezoned.

Director Duncan

➤ Felt it probably happened within the CVRD's Mapping Department and that it did not have anything to do with the political side or the Planning Department;
➤ During an OCP review process if someone wanted their zoning to change they would have had to participate in that process and there would have been a record of it and stated that there is no official record of that ever happening.

Mike Tippettt

➤ Individual people are not notified when a new Zoning Bylaw is adopted as

- it covers an entire Electoral Area;
- Notification of the new Zoning Bylaw would have only been through newspaper advertisements;
 - The property owner brought forward the issue two years ago to the attention of the CVRD's Electoral Area Services Committee's and the Regional Board instructed Staff to proceed with the subject Amendment Bylaws.
- Tony Raistrick,
5288 Koksilah Road**
- Felt that the current property owner did not own the subject property at the time the new Zoning Bylaw was adopted as he understood that property was previously owned by Rob Armour.
- Mike Tippett**
- That information was also given to him when he was carrying out hand deliveries a few weeks ago.
- Director Duncan**
- Mr. Armour did not apply to rezone his property from the previous Industrial zoning.
- Peggy LaRoche,
5329 Miller Road**
- What is on the property at the present time?
- Mike Tippett**
- Subject property has an industrial row building on it, across from GT Collision and Cowichan Rentals is one of the tenants.
- Peggy LaRoche**
- Concerned about too much industrial land being located so close to the River bank.
- Wendy Raistrick,
5288 Koksilah Road**
- Concerned about more noise coming from the industrial area as it impacts the residential area;
 - Many uses that are carried out during the day time hours are now being carried out during the night time hours and asked what the permitted uses are in the Industrial Zone.
- Mike Tippett**
- Read verbatim the permitted uses from the I-1 Light Industrial Zone.
- Wendy Raistrick**
- Is there an hours of operation for business within that Zone and are they permitted to operate 24 hours per day.
- Director Duncan**
- No hours of operation to regulate Industrial zones and it is expected that a certain amount of noise is generated from Industrial zones;
 - Noise is a difficult subject in an Industrial zone.
- Mike Tippett**
- Presently there is an existing building on the subject property with tenants and noted that use might still carry on but noted that there is always the possibility in the future that the building could be demolished and some other permitted use could take place on that property.

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- Wendy Raistrick**
- Level of noise is her concern as noise rises up to the residential area;
 - How is the community protected from noise concerns?
- Peggy LaRoche**
- There should be a law about any of those trees being taken down from Allenby Road as she noted that the more trees that come down the more noise that rises up to the residential areas of Miller Road;
 - Asked if industrial land could be rezoned to residential land as she felt there should be no industry located on the top of the road?
- Mike Tippett**
- Rezoning of industrial lands to residential lands can be done and noted that the Regional Board is currently looking at rezoning industrial land to a mixed residential/commercial in Youbou on the old Youbou mill site.
- Director Duncan**
- There are regulations in place that protect the hillside from the cutting of trees;
 - If the subject building was to burn down or is too old he was not sure if the Regional District would permit a rebuild due to geotechnical issues;
 - New enforcement powers have been given to the CVRD Bylaw Enforcement Officer with the new Ticketing Bylaw and stated that would help if there was any tree cutting;
 - CVRD does not have a Tree Cutting Bylaw but noted that there are regulations in place with regard to tree cutting on that hillside.
- Mike Tippett**
- Why the Regional District cannot enforce development permits is there are no enforcement tools with regard to legislation given by the Province of BC.
- Director Duncan**
- Asked for further questions from the public present with regard to the proposed Amendment Bylaws.
- Eric Monk,
2997 Phillips Road**
- His property borders Mr. Kaelble's property at the top of the hill and stated that for the past three weeks Mr. Kaelble has been working his machinery on the property and has completely cleared it and stated that he felt nothing will now stop the water from washing that bank away.
 - He asked what will stabilize that property now that it has been cleared off?
 - Felt that the property owner should be made to replant that property with trees.
- Director Duncan**
- Mr. Kaelble owns the buildings down below the bank and stated if the bank fails and destroys the buildings below he would likely not be able to rebuild them.
- Eric Monk**
- As his property borders Mr. Kaelble's property that could affect his property and felt the problem has now been made worse with those clearing of the trees.
- Director Duncan**
- Suggested that he call the CVRD Bylaw Enforcement Officer and make a

- formal complaint as that will help establish a record of activities;
- Every winter something happens on that slope which concerns him greatly.
- Anita Kerber,
3296 Mt. Sicker
Road**
- Asked if the subject property owner is not following the bylaw rules at the present time why would the Regional Board even consider changing the zoning in his favour when he does not follow the rules that the rest of the public has to follow?
- Director Duncan**
- Support for or against the rezoning should be made during the formal portion of the Public Hearing.
- Director Cossey**
- The Regional Board cannot rezone an individual they can only rezone land.
- Anita Kerber**
- Felt that the Public Hearing was rezoning the land at the request of the person who owned it.
- Director Cossey**
- Court precedence states that the Regional Board cannot rezone an individual, they could only rezone land.
- Director Duncan**
- Perhaps a more rigorous development permit requirement should be attached to the rezoning.
- Anita Kerber**
- What is the recourse for all the other people who are being affected by his actions by not following the bylaws in place?
 - If rezoned to Light Industrial there is the possibility of more undermining of that bank and stated that she felt the two are intermeshed.
- Wendy Raistrick**
- Concerned that if the CVRD could not do anything with the individual by creating more industrial land could impede the bank further and there could be more noise generated;
 - Felt that a \$100 fine would not be enough to stop someone from cutting down trees.
- Director Cossey**
- The Directors need to know why the public supports or do not support the application.
- Len Bakker**
- Is a person who owns industrial land allowed to take all their rubbish (old cars, tires, etc.) and dump it into a residential area and then be able to rent it out to somebody else?
- Mike Tippett**
- The CVRD does have an Unsightly Premises Bylaw in place and if there are concerns a complaint should be made to the CVRD's Bylaw Enforcement Officer.
- Director Duncan**
- Section 5.15 of the Area E Zoning Bylaw states a landscape screen or fence shall be established as a buffer so that people do not have to view the industrial uses.

- Len Bakker** ➤ The property damage always takes place during the weekends, holidays or times when the CVRD is not open for business.
- Director Duncan** Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3139 and Zoning Amendment Bylaw No. 3140.
- 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 side table, along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Margaret Peggy LaRoche,
5329 Miller Road** ➤ It is not a good idea to rezone the subject property to Industrial for the reasons of noise, encroachment on the unstable bank and encroachment onto Cowichan River as the River is in very close proximity to the subject property.
- Len Bakker,
5323 Miller Road** ➤ In principle he has no problem with the rezoning but he would like to see some stricter regulations put in place;
➤ Concerned about the possibility, in the future, if the building was removed what else would be permitted on that site;
➤ He does not want to see more chips created from the grinder on the site;
➤ The Evans property on Koksilah Road is unsightly at the present time and he does not want to see that happen in the future on the subject property;
➤ If the subject property was an animal hospital or something else that did not make a lot of noise he would not oppose the application.
- Anita Kerber,
3296 Mt. Sicker
Road** ➤ The property should not be rezoned due to the instability of the bank as more work has been carried out on the top of the bank and it could now be more unstable and quite dangerous to the road below and the Cowichan River.
- Director Duncan** ➤ Asked for further comments from the public present with regard to Amendment Bylaws No. 3139 and 3140.
- Wendy Raistrick,
5288 Koksilah Road** ➤ Against the rezoning due to the fact the ineffectiveness of the Regional District Enforcement with regard to the trees that have been taken down and the bank instability along the road;
➤ There is no way to enforce regulations effectively in the area and the rezoning should not proceed for public safety.
- Speaker** ➤ Asked if the Public Hearing was for Bylaw No. 3212?
- Director Duncan** ➤ Advised that Public Hearing No. 1 was for Amendment Bylaws No. 3139

and 3140 and Public Hearing No. 3 was for Amendment Bylaw No. 3212.

ADJOURNMENT

Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3139 and Zoning Amendment Bylaw No. 3140.

Chairperson Duncan declared the Public Hearing closed at 7:48 pm.

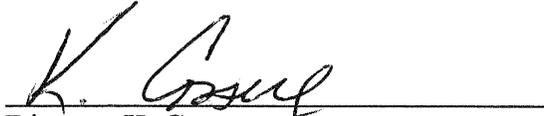
CERTIFICATION:

We attended the Public Hearing on Monday, November 24, 2008, and hereby certify that this is a fair and accurate report of the Public Hearing.



Director L. Duncan

Date Jan 9, 2009



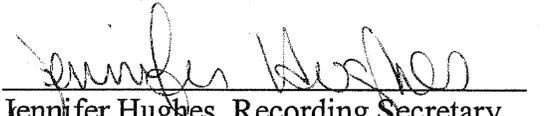
Director K. Cossey

Date DEC 19/08



Mike Tippett, Deputy Manager

Date 2008/12/16



Jennifer Hughes, Recording Secretary

Date DEC 12/08



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STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF JANUARY 20, 2009

DATE: February 11, 2009 **FILE NO:** 2-I-07RS
FROM: Rob Conway, Assistant Manager **BYLAW NO:** 3213, 3214 & 3242
SUBJECT: Youbou Lands Amendment Bylaws and Phased Development Agreement –
Staff Presentation

Action:

That the Committee receive a staff presentation regarding Bylaws 3213, 3214 and 3242 (Youbou Lands).

Background:

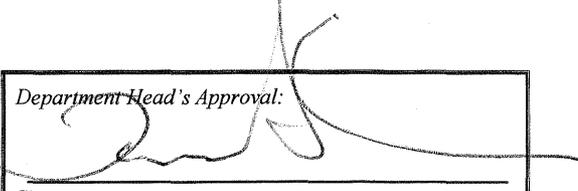
The Committee, at its January 20, 2009 meeting, passed the following motion:

That staff be directed to prepare a presentation summarizing Youbou Lands OCP Amendment Bylaw 3213, Zoning Amendment Bylaw, 3214, and Phased Development Agreement Authorization Bylaw 3242 for an Electoral Area Services Committee meeting in early February.

In accordance with the resolution, staff will be presenting the bylaws and answering any questions the Committee may have. The developer has also been invited to attend the presentation and to be available to answer questions regarding the project. The purpose of the staff presentation is to familiarize new directors with the application and bylaws.

Submitted by,

Rob Conway,
Assistant Manager
Development Services Department

Department Head's Approval:  Signature
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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3214

A Bylaw for the Purpose of Amending Zoning Bylaw No. 2465 Applicable to Electoral Area I – Youbou/Meade Creek

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area I – Youbou/Meade Creek, that being Zoning Bylaw No. 2465;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 2465;

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

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3214 - Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Youbou Lands), 2009**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 2465, as amended from time to time, is hereby amended in the following manner:

a) That the following is added to Section 1.3 – Definitions:

“environmental conservation” means activities directed towards the protection of natural areas and reduction of natural hazards, including the development of trails and associated facilities to allow the public to better understand the importance of protecting such areas;

“frontage” means the side of a parcel abutting on a highway, other than a lane or walkway;

“high water mark”, with respect to Cowichan Lake, means the 164 metre contour above mean geodetic sea level;

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“two family residence” means two dwelling units that are attached either side by side or one above the other, in a principal building on a single parcel;

- b) That the following is added to the table in Section 4.1 Creation of Zones, after LR-2:

Waterfront	LR-3	Lakefront Residential 3 Zone
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- c) That the following is added to the table in Section 4.1 Creation of Zones, after R-7:

Residential	R-8	Residential 8 Zone
	R-9	Residential 9 Zone

- d) That the following is added to the table in Section 4.1 Creation of Zones, after RM-5:

Multi-Family Residential	RM-6	Multiple Family Residential 6 Zone
	RM-7	Single & Multiple Family Residential 7 Zone

- e) That the following is added to the table in Section 4.1 Creation of Zones, after the Multi-Family Residential Category:

Village Core	VC-1	Village Core 1 Zone
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- f) That the following is added to the table in Section 4.1 Creation of Zones, after I-2:

Industrial	I-3	Business Park Light Industrial 3 Zone
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- g) That the following is added to the table in Section 4.1 Creation of Zones, after P-2:

Parks/Institutional	P-3	Environmental Conservation 3 Zone
	ICF-4	Institutional and Community Facilities 4 Zone

- h) That the following is added to the table in Section 4.1 Creation of Zones, after U-1:

Utility	U-2	Community Sewer Utility 2 Zone
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- i) That the following is added after Section 5.4.9, and all subsequent sections are renumbered consecutively:

5.5 LR-3 LAKEFRONT RESIDENTIAL 3 ZONE

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

1. Permitted Uses

The following principal uses and no others are permitted in the LR-3 Zone:

- a. Single family dwelling;

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

- b. Home occupation;
- c. Bed and Breakfast accommodation;
- d. Secondary dwelling unit or secondary suite;
- e. Buildings and structures accessory to a principal permitted use.

2. **Minimum Parcel Area**
The minimum parcel area in the LR-3 Zone is 1600 m².
3. **Parcel Area Averaging**
Parcel area averaging is permitted in the LR-3 Zone, provided that the smallest parcel in any subdivision plan is at least 1000 m² and the largest not more than 2200 m² in area. For certainty, highways and parks dedicated by subdivision plan shall be excluded from parcel area averaging calculations.
4. **Minimum Water Frontage**
The parcel line of all parcels in the LR-3 Zone that is contiguous with or parallel to the shore of Cowichan Lake shall be not less than 22 metres in length as measured by a straight line drawn between where the two parcel lines intersect the high water mark.
5. **Servicing**
All parcels in the LR-3 Zone shall be connected to both a community water system and a community sewer system.
6. **Number of Dwellings**
Not more than one principal single family dwelling plus one secondary dwelling unit or one secondary suite is permitted on a parcel that is zoned LR-3, subject to Sections 317 and 318.
7. **Setbacks**
The following minimum setbacks apply in the LR-3 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	10 m
Interior Side Parcel Line	3 m
Exterior Side Parcel Line	4.5 m
Basic lakefront setback (from High Water Mark)	15 m
Supplementary lakefront setback (additional to the Basic lakefront setback)	An additional 12.5% of the total parcel depth averaged between the minimum and maximum parcel depth along the side parcel lines

8. **Height**
The following maximum height regulations apply in the LR-3 Zone:
 - a. Principal Buildings and structures: 11 m;
 - b. Accessory buildings and structures: 6 m.

9. **Parcel Coverage**
The parcel coverage shall not exceed 30 percent of parcel area for all buildings and structures in the LR-3 Zone.
 10. **Parking**
Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.
- j) That the following is inserted following the end of the "R-7 Residential 7 Zone", and the RM-1 Zone is renumbered 5.20, with all subsequent sections to be renumbered consecutively:

5.18 R-8 RESIDENTIAL 8 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-8 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the R-8 Zone:

- a. Single family dwelling;

The following accessory uses are permitted in the R-8 Zone:

- b. Home occupation;
- c. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the R-8 Zone is 650 m².

3. Parcel Area Averaging

Parcel area averaging is permitted in the R-8 Zone, provided that the smallest parcel in any subdivision plan is at least 450 m² and the largest not more than 750 m² in area. For certainty, highways and parks dedicated by subdivision plan shall be excluded from parcel area averaging calculations.

4. Minimum Parcel Frontage

The minimum parcel frontage in the R-8 Zone is:

- a. 15 m where there is no lane behind the parcel;
- b. 12 m where motor vehicle access is from a lane behind the parcel.

5. Servicing

All parcels in the R-8 Zone shall be connected to both a community water system and a community sewer system.

6. Number of Dwellings

Not more than one dwelling is permitted on a parcel that is zoned R-8.

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7. Setbacks

The following minimum setbacks apply in the R-8 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	6 m
Interior Side Parcel Line	1.5 m
Exterior Side Parcel Line	4.5 m
Rear Parcel Line not touching a lane	7.5 m
Rear parcel Line touching a lane, accessory building only	1 m
Parcel line next to P-1 or P-3 Zone	5 m

8. Height

The following maximum height regulations apply in the R-8 Zone:

- a. Principal Buildings and structures: 11 m;
- b. Accessory buildings and structures: 6 m.

9. Parcel Coverage

The parcel coverage shall not exceed 35 percent of parcel area for all buildings and structures in the R-8 Zone.

10. Parking

Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.

5.19 R-9 RESIDENTIAL 9 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-9 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the R-9 Zone:

- a. Single family dwelling;

The following accessory uses are permitted in the R-9 Zone:

- b. Home office;
- c. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the R-9 Zone is 925 m².

3. **Parcel Area Averaging**

Parcel area averaging is permitted in the R-9 Zone, provided that the smallest parcel in any subdivision plan is at least 650 m² and the largest not more than 1100 m² in area. For certainty, highways and parks dedicated by subdivision plan shall be excluded from parcel area averaging calculations.

4. **Minimum Parcel Frontage**

The minimum parcel frontage in the R-9 Zone is:

- a. 18 m where there is no lane behind the parcel;
- b. 15 m where motor vehicle access is from a lane behind the parcel.

5. **Servicing**

All parcels in the R-9 Zone shall be connected to both a community water system and a community sewer system.

6. **Number of Dwellings**

Not more than one dwelling is permitted on a parcel that is zoned R-9.

7. **Setbacks**

The following minimum setbacks apply in the R-9 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	6 m
Interior Side Parcel Line	2.5 m
Exterior Side Parcel Line	4.5 m
Rear Parcel Line not touching a lane	7.5 m
Rear parcel line touching a lane, accessory building only	1 m
Parcel line next to P-1 or P-3 Zone	5 m

8. **Height**

The following maximum height regulations apply in the R-9 Zone:

- a. Principal Buildings and structures: 11 m;
- b. Accessory buildings and structures: 6 m.

9. **Parcel Coverage**

The parcel coverage shall not exceed 30 percent of parcel area for all buildings and structures in the R-9 Zone.

10. Parking

Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.

- k) That the following is inserted following the end of the RM-5 Zone regulations, and the C-2 Zone is renumbered as 5.29, with all subsequent sections renumbered accordingly:

5.25 RM-6 MULTIPLE FAMILY RESIDENTIAL 6 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RM-6 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the RM-6 Zone:

- a. Multiple family residence;
- b. Community Care facility and assisted living facility;

The following accessory uses are permitted in the RM-6 Zone:

- c. Home office;
- d. Community service facility;
- e. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the RM-6 zone is 5000 m².

3. Density

Not more than 30 dwelling units per hectare of parcel area are permitted on a parcel that is zoned RM-6.

4. Floor Area Ratio

The maximum floor area ratio (FAR) in the RM-6 Zone is 0.8 for all buildings and structures.

5. Servicing

All buildings with plumbing in the RM-6 Zone shall be connected to both a community water system and a community sewer system.

6. Setbacks

The following minimum setbacks apply in the RM-6 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	6 m
Interior Side Parcel Line	6 m
Exterior Side Parcel Line	6 m
Basic lakefront setback (from High Water Mark)	15 m
Supplementary lakefront setback (additional to the Basic lakefront setback)	An additional 12.5% of the total parcel depth averaged between the minimum and maximum parcel depth along the side parcel lines
Rear Parcel Line (non-waterfront only)	5 m

7. Height

The following maximum height regulations apply in the RM-6 Zone:

- a. Principal Buildings and structures: 12 m and not more than three storeys;
- b. Accessory buildings and structures: 6 m.

8. Parcel Coverage

The parcel coverage shall not exceed 40 percent of parcel area for all buildings and structures in the RM-6 Zone.

9. Parking

Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.

5.26 RM-7 SINGLE AND MULTIPLE FAMILY RESIDENTIAL 7 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RM-7 Zone:

I. Permitted Uses

The following principal uses and no others are permitted in the RM-7 Zone:

- a. Multiple family residence on a parcel at least 2000 m² in area;
- b. Single family dwelling on a parcel at least 450 m² in area;
- c. Two family residence on a parcel at least 600 m² in area;
- d. Community Care Facility and Assisted Living Residence on parcels at least 2000 m² in area;

The following accessory uses are permitted in the RM-7 Zone:

- e. Home office;
- f. Community service facility;
- g. Buildings and structures accessory to a principal permitted use.

2. Density

The following density regulations apply in the RM-7 Zone:

- a. For a multiple family residence, not more than 37 dwelling units per hectare of parcel area are permitted on a parcel;
- b. Not more than one single family dwelling is permitted on a parcel;
- c. Not more than one two family residence is permitted on a parcel.

3. Floor Area Ratio

The maximum floor area ratio (FAR) in the RM-7 Zone is 0.8 for all multiple family residential buildings and structures; single and two family residential buildings on are not subject to a FAR limit.

4. Minimum Water Frontage for

The parcel line of all parcels in the RM-7 Zone under 2000 m² in area, that is contiguous with or parallel to the shore of Cowichan Lake shall be not less than 22 metres in length as measured by a straight line drawn between where the two parcel lines intersect the high water mark.

5. Servicing

All buildings with plumbing in the RM-7 Zone will be connected to both a community water system and a community sewer system.

6. Setbacks

The following minimum setbacks apply in the RM-7 Zone:

Type of Parcel Line	Multiple Family Residential Buildings and Accessory Structures	Single and Two Family Residential Buildings and Accessory Structures
Front Parcel Line	6 m	6 m
Interior Side Parcel Line	6 m	1.5 m
Exterior Side Parcel Line	6 m	4.5 m
Basic lakefront setback (from High Water Mark)	15 m	15 m
Supplementary lakefront setback (additional to the Basic lakefront setback)	An additional 12.5% of the total parcel depth averaged between the minimum and maximum parcel depth along the side parcel lines	An additional 12.5% of the total parcel depth averaged between the minimum and maximum parcel depth along the side parcel lines
Rear Parcel Line (non-waterfront only)	5 m	5 m

6. Height

The following maximum height regulations apply in the RM-7 Zone:

- a. Multiple Family Residence and structures: 16 m and not more than four storeys;
- b. Single and Two Family Residential buildings and structures: 11 m;
- c. Accessory buildings and structures: 6 m.

7. Parcel Coverage

The parcel coverage of buildings and structures in the RM-7 Zone shall not exceed:

- a. 40 percent of parcel area for multiple family residences;
- b. 30 percent for single family dwellings and two family residences.

8. Parking

Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.

5.27 VC-1 VILLAGE CORE 1 ZONE

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

1. Permitted Uses

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

- a. Automobile service station;
- b. Bakery;
- c. Café, restaurant, catering;
- d. Clinic;
- e. Convenience store;
- f. Convention centre;
- g. Day care facility;
- h. Equipment sales, servicing and repairs;
- i. Financial establishment;
- j. Hotel, resort accommodation units including guest cottages;
- k. Laundromat or dry cleaning establishment;
- l. Liquor store;
- m. Marina operations;
- n. Multiple family residence;
- o. Neighbourhood public house;
- p. Office;
- q. Outdoor recreation equipment sales and service;
- r. Personal service use;
- s. Plant nursery;
- t. Recreational use;
- u. Retail store;
- v. School;
- w. Single family and two family dwellings;

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

- x. Community service facility;
- y. Facilities and uses that are customarily incidental to a hotel and resort;
Boat sales, rental, servicing and fuel sales accessory to a marina;
- z. Home office;
- aa. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the VC-1 zone is 0.5 hectares.

3. Density

Not more than 80 dwelling units per hectare are permitted on a parcel in the VC-1 Zone.

4. Floor Area Ratio

The maximum floor area ratio (FAR) in the VC-1 Zone is 2.0 for all buildings and structures.

5. Servicing

All buildings with plumbing in the VC-1 Zone shall be connected to both a community water system and a community sewer system.

6. Setbacks

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

Type of Parcel Line	Buildings and Structures other than Resort and Hotel	Hotel or Resort Buildings and Structures
Front Parcel Line	3 m	8 m
Interior Side Parcel Line	0 m	8 m
Exterior Side Parcel Line	4.5 m	8 m
Rear Parcel Line (non-waterfront only)	5 m	8 m
Basic lakefront setback (from High Water Mark)	15 m	15 m
Supplementary lakefront setback (additional to the Basic lakefront setback)	An additional 12.5% of the total parcel depth averaged between the minimum and maximum parcel depth along the side parcel lines	An additional 12.5% of the total parcel depth averaged between the minimum and maximum parcel depth along the side parcel lines

7. Height

The following maximum height regulations apply in the VC-1 Zone:

- a. Resort and hotel buildings: 24 m;
- b. Principal Buildings and structures other than a resort or hotel: 17 m;
- c. Accessory buildings and structures: 6 m.

8. Parcel Coverage

For the uses listed below, the parcel coverage in the VC-1 shall not exceed the following percentage of parcel area:

- a. 35% for hotel and resort buildings;
- b. 60% for all other buildings and structures in the VC-1 Zone.

9. Parking

Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.

- j) That the following is inserted following the end of the Heavy Industrial 2 Zone regulations, and the P-1 Parks 1 Zone is renumbered as 5.36, with all subsequent sections renumbered accordingly:

5.35 I-3 BUSINESS PARK LIGHT INDUSTRIAL 3 ZONE

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

1. Permitted Uses

The following principal uses and no others are permitted in the I-3 Zone:

- a. Boat building, repair, sales and storage;
- b. Building supply sales;
- c. Car and truck wash;
- d. Mini-warehousing and mini-storage;
- e. Service, sales, repair and rentals of watercraft and related equipment, including fuel sales;
- f. Plant nursery and related uses;
- g. Soil and aggregate sales;
- h. Wood product manufacturing, including cabinet and furniture manufacturing and sawmilling;
- i. Artisan's and artist's workshop;
- j. Light industrial uses;

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

- k. Single family dwelling accessory to a principal permitted use;
- l. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the I-3 zone is 2500 m².

3. Residential Density

Not more than one accessory dwelling unit is permitted per building on a parcel that is zoned I-3.

7. Floor Area Ratio

The maximum floor area ratio (FAR) in the I-3 Zone is 0.75 for all buildings and structures.

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- 8. **Servicing**
All buildings with plumbing in the I-3 Zone shall be connected to both a community water system and a community sewer system.

- 9. **Setbacks**
The following minimum setbacks apply in the I-3 Zone:

Type of Parcel Line	Industrial and Accessory Buildings and Structures
Front Parcel Line	10 m
Interior Side Parcel Line	3 m
Exterior Side Parcel Line	10 m
Rear Parcel Line	10 m

- 7. **Height**
The following maximum height regulations apply in the I-3 Zone:
 - a. Principal Buildings and structures: 11 m;
 - b. Accessory buildings and structures: 6 m.

- 8. **Parcel Coverage**
The parcel coverage shall not exceed 75 percent of parcel area for all buildings and structures in the I-3 Zone.

- 9. **Parking**
Off-street parking shall be provided in accordance with Section 3.14 of this Bylaw.

k) That the following is inserted following the end of the Institutional Retreat P-2A Zone regulations, and the Water Conservation W-1 Zone is renumbered as 5.41, with all subsequent sections renumbered accordingly:

5.39 P-3 ENVIRONMENTAL CONSERVATION 3 ZONE

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

- 1. **Permitted Uses**
The following principal uses and no others are permitted in the P-3 Zone:
 - a. Environmental conservation;
 The following accessory uses are permitted in the P-3 Zone:
 - b. Structures accessory to a principal permitted use.

- 2. **Minimum Parcel Area**
The minimum parcel area in the P-3 zone is 5 hectares.

5.40 ICF-4 INSTITUTIONAL AND COMMUNITY FACILITIES 4 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the ICF-4 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the ICF-4 Zone:

- a. Multiple family residence;
- b. Civic use;
- c. Institutional use;

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

- d. Home occupation;
- e. Community service facility;
- f. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the ICF-4 zone is 2000 m².

3. Density

Not more than 30 dwelling units per hectare of parcel area are permitted on a parcel that is zoned ICF-4.

10. Floor Area Ratio

The maximum floor area ratio (FAR) in the ICF-4 Zone is 0.8 for all buildings and structures.

11. Servicing

All buildings with plumbing in the ICF-4 Zone shall be connected to both a community water system and a community sewer system.

12. Setbacks

The minimum setback in the ICF-4 Zone is 6 metres from all parcel lines.

7. Height

The following maximum height regulations apply in the ICF-4 Zone:

- a. Principal Buildings and structures: 12 m;
- b. Accessory buildings and structures: 6 m.

8. Parcel Coverage

The parcel coverage shall not exceed 40 percent of parcel area for all buildings and structures in the ICF-4 Zone.

9. Parking

Off-street parking will be provided in accordance with Section 3.14 of this Bylaw.

l) That the following is inserted following the end of the Private Utility U-1 Zone regulations:

5.47 U-2 COMMUNITY SEWER UTILITY 2 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the U-2 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the U-2 Zone:

- a. Community sewer treatment facility, sewage drainfields;

The following accessory uses are permitted in the U-2 Zone:

- b. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the U-2 Zone is 2 hectares.

3. Setbacks

All buildings and structures in the U-2 Zone shall be set back a minimum of 4 metres from all parcel lines.

m) Schedule A (Zoning Map) to Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 is amended by adding the following zones to the legend:

- R-8 Residential 8 Zone
- R-9 Residential 9 Zone
- LR-3 Lakefront Residential 3 Zone
- RM-6 Multiple Family Residential 6 Zone
- RM-7 Multiple Family Residential 7 Zone
- VC-1 Village Core 1 Zone
- I-3 Light Industrial 3 Zone
- P-3 Environmental Conservation 3 Zone
- ICF-4 Institutional and Community Facilities 4 Zone
- U-2 Community Sewer Utility 2 Zone

n) Schedule A (Zoning Map) to Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 is further amended by rezoning:

1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);

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6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
8. That part of the unnumbered portion of Cowichan Lake District shown coloured red on Plan 1215 OS lying between the production of the Westerly and Southerly Boundaries of District Lot 64 of said District, and contains 3.19 acres more or less;
9. Block A, District Lot 64, Cowichan Lake District;
10. Section 46, Renfrew District (situated in Cowichan Lake District), except that part shown coloured red on Plan 1210 OS;
11. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
12. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
14. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
15. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
16. That Part of District Lot 31, Cowichan Lake District, containing 6.24 acres more or less as shown coloured red on Plan Deposited under DD 31052I;
17. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
18. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
19. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District;
20. That Part of District Lot 35, Cowichan Lake District, lying to the north of the right-of-way of the Canadian Northern Pacific Railway as said right-of-way is shown on Plan 172RW;
21. Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on Plan Marked B (DD40883I); except part shown outlined in red on Plan 283R; and except parts in Plans 20033, 31184 and VIP63536;

all as outlined in solid black lines on Plan number Z-3214 attached hereto and forming Schedule A of this bylaw, from Forest Resource 1 (F-1), Heavy Industrial (I-2) and Water Conservation (W-1) to:

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1. Residential 8 (R-8);
2. Residential 9 (R-9);
3. Lakefront Residential 3 (LR-3);
4. Multiple Family Residential 6 (RM-6);
5. Multiple Family Residential 7 (RM-7);
6. Village Core 1 (VC-1)
7. Light Industrial 3 (I-3);
8. Environmental Conservation 3 (P-3);
9. Institutional and Community Facilities 4 (ICF-4);
10. Community Sewer Utility 2 (U-2);
11. Water Marina (W-3)

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this _____ day of _____, 2008

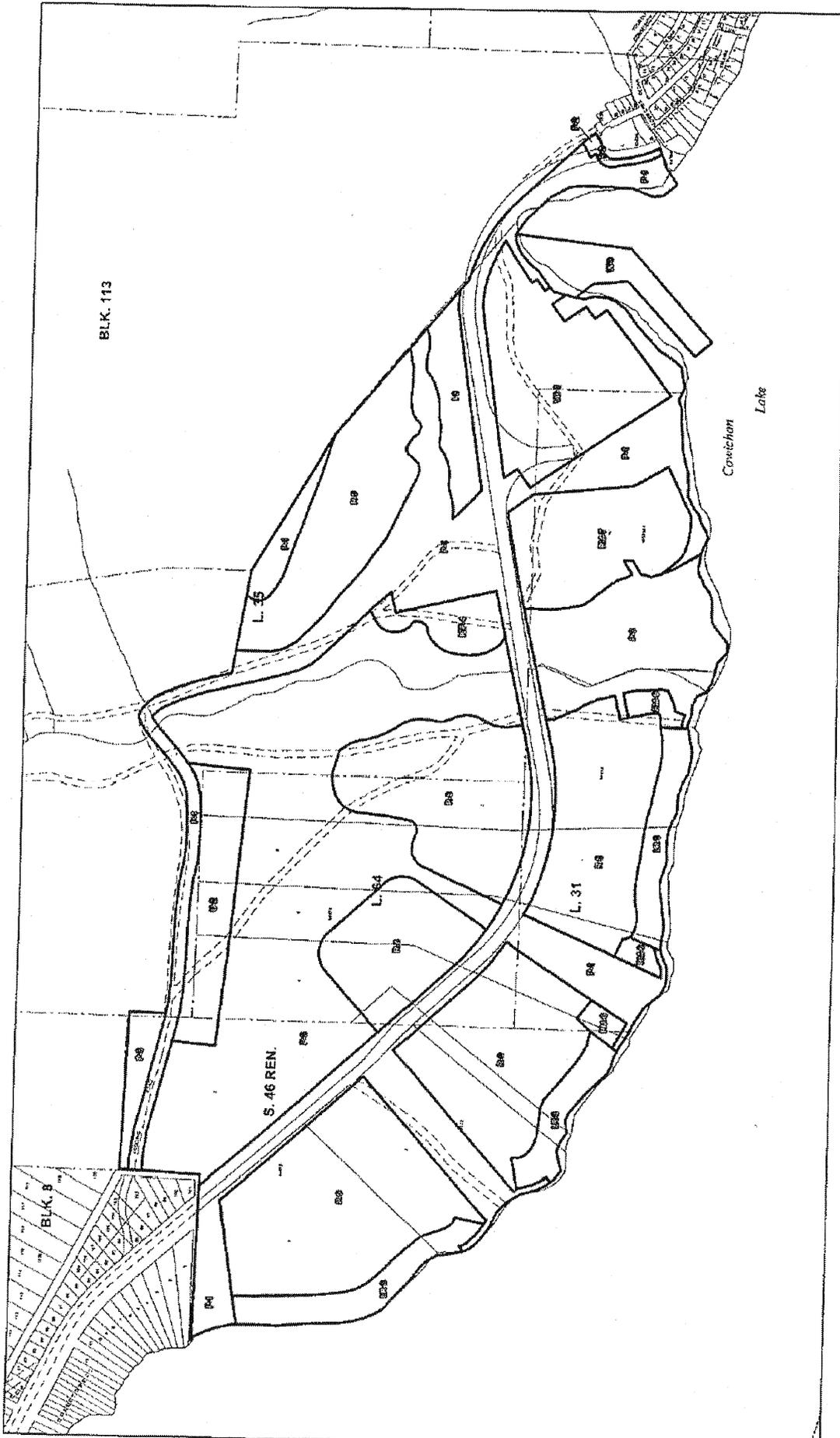
READ A SECOND TIME this _____ day of _____, 2008.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



Schedule A: Plan No. Z-3214



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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3213

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 2650,
Applicable to Electoral Area I – Youbou/Meade Creek**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area I – Youbou/Meade Creek, that being Official Community Plan Bylaw No. 2650;

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. 2650;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3213 – Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Youbou Lands), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 2650, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

READ A FIRST TIME this _____ day of _____, 2008

READ A SECOND TIME this _____ day of _____, 2008.

READ A THIRD TIME this _____ day of _____, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3213 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY DEVELOPMENT UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT* this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



C.V.R.D

SCHEDULE "A"

To CVRD Bylaw No. 3213

Schedule A to Official Community Plan Bylaw No. 2650, is hereby amended as follows:

1. Section 8 - Future Development Area - is deleted in its entirety and replaced by the following:

SECTION 8 - YOUBOU LANDS SECONDARY PLAN

Introduction

The purpose of this Secondary Plan is to implement development that was approved in principle in the former "Future Development Area" section of this Official Community Plan. The former Future Development Area was intended to promote a healthy, sustainable land use by encouraging development within clearly defined boundaries, and developing an integrated planning approach that allows for a community focus, as opposed to urban and suburban sprawl.

The intent of this Secondary Plan is to promote the creation of a complete, healthy, livable community, by providing opportunities for new residential, commercial and recreational development in close relation to one another, and in very close proximity to the existing Youbou residential area. The primary goal of this Secondary Plan is to not only re-invigorate the progression of the Youbou community, but also to stimulate economic activity by actively encouraging the development of new businesses, both commercial and light industrial in nature. The cleanup of the former site of the sawmill was also among the main reasons that this site was designated for development, and the creation of a suitable community core for Youbou is also a principal goal of this Secondary Plan.

Promotion of compact residential living areas and a walkable community will advance the standard of development in the CVRD, heralding a more harmonious relationship between community growth and the natural environment. With more recreational opportunities, affordable lake access, remediation of the former mill site, and concentrated mixed land uses, dependence on the automobile can be reduced, resulting in less pollution. Controlled, concentrated development means more efficient, effective, and affordable services such as public transit, police, educational and health care, and better infrastructure throughout Youbou. At the same time, the working forest land base outside of the Secondary Plan area and large amounts of the natural environment within the Secondary Plan area are preserved, and Cowichan Lake as a whole will be better protected from over-development.

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In approving the Youbou Lands application, the CVRD Board of Directors has committed the developer to the creation of a very significant amount of public infrastructure, mainly in the form of a community water system and community sewer system. It has also committed itself to the ownership and operation of this infrastructure. Aside from sewer and water, drainage, street lighting, parklands and trailways are also proposed, and each of these also represents significant public infrastructure.

Where such public infrastructure is created, there immediately develops a public imperative to maximize its efficient use. The CVRD Board of Directors intends to enter into a phased development agreement with the Youbou lands, to provide a degree of immunity from regulatory changes that could impact development of the site and thereby increase the likelihood that public infrastructure supporting the project will be efficiently used. In addition, other provisions of this Official Community Plan, including future land use designations, are intended to direct development pressures to the Youbou Lands and other appropriately serviced areas until those areas are substantially built out.

Secondary Plan Process

Development of this Secondary Plan was triggered by the application for an Official Community Plan and zoning amendment. Extensive public consultation was conducted at an early stage of the application review process, in the form of three open houses held by the applicant and two public meetings hosted by the CVRD, at which various concepts for the development of this site were presented to the community. Later, a public hearing was held to present the Secondary Plan and complementary zoning amendment to the community. Public feedback from those sessions assisted the CVRD in the development and refinement of this Secondary Plan.

Phased Development Agreement

A Phased Development Agreement (PDA) adopted pursuant to Section 905.1 of the *Local Government Act* complements this Secondary Plan. The PDA is briefly described in Policy 8.4 below. The PDA would not be assignable by the developer to a third party that is not listed in the PDA, without the written consent of the Cowichan Valley Regional District, pursuant to Section 902(5)(c) of the *Local Government Act*.

YOUNBOU LANDS SECONDARY PLAN - OBJECTIVES

The principal objective of this Secondary Plan is to encourage a complete, healthy, liveable community by encouraging growth mainly within the Secondary Plan area and, in doing so, to:

- (1) Provide for a mix of housing opportunities that would enable all ages and people of various means to reside in the community;

- (2) Encourage the provision of a firm economic base, to provide local employment opportunities and shopping opportunities, and thus ensure that Youbou/Meade Creek does not become merely an automobile dependent bedroom community of Lake Cowichan or Duncan;
- (3) Support the landowners in their commendable efforts to ensure the timely environmental remediation (clean-up) of the former Youbou sawmill site;
- (4) Encourage a community that is integrated with the natural environment, and includes measures to support the local populations of Roosevelt Elk;
- (5) Encourage the provision of adequate and efficient services commensurate with the degree of new residential development proposed, including road upgrades and servicing, utilities, policing, parks and recreation, Cowichan Lake access, schools, transit, fire services, and health care;
- (6) Require the provision of community sewer services, with a Class B (plus tertiary) level of treatment, that can be shared by the existing Youbou Community, should residents so desire;
- (7) Encourage urban design that will enable the provision of efficient public transit and non-motorized transportation modes;
- (8) Provide for the establishment of an affordable public access marina, boat launch and beach area;
- (9) Concentrate future urban development in Youbou/Meade Creek in the Future Development Area and, in doing so, to ensure a sustainable community, with the renewable forest resource and the natural environment values protected for future generations;
- (10) Establish development permit areas as required to ensure that the development proceeds in a fashion that is consistent with state-of-the-art environmental practices, and that the community's expectations of a high-quality development are met.

YOUNBOU LANDS SECONDARY PLAN – GENERAL POLICIES

POLICY 8.1: Lands subject to the Youbou Lands Secondary Plan are shown on Schedule "B", the Plan Map.

POLICY 8.2: The intent of this Secondary Plan is to permit the development of a mixed-use residential/commercial/light industrial addition to the community of Youbou, and to provide for a new focal centre for the community of Youbou. It is also intended to accommodate most of the anticipated population growth in this electoral area for a period of at least twenty years from the date of adoption of this Secondary Plan.

POLICY 8.3: Until the Youbou Lands site is approximately 75% built out (at least 1600 residential dwelling units), the CVRD Board will not give favourable consideration to proposals to amend this Official Community Plan (OCP) to permit the development of significant alternative large-scale residential sites. This policy complements other policies of this OCP that discourage speculative residential developments in areas that are not already designated or serviced for that purpose.

YOUBOU LANDS SECONDARY PLAN – COMPREHENSIVE POLICIES

POLICY 8.4: The CVRD Board, as a condition of permitting the Youbou Lands site to be developed, requires that the owners of these lands enter into a **Phased Development Agreement (PDA)** – pursuant to Sections 905.1 through 905.5 of the *Local Government Act* – with the CVRD. The PDA:

- i. Specifies the lands to which particular zoning provisions apply;
- ii. Requires the inclusion of certain features within the development;
- iii. Contains requirements concerning the provision of amenities related to the development;
- iv. Contains a phasing schedule with respect to matters contained in the PDA;
- v. Contains provisions for making minor adjustments to the PDA;
- vi. Protects the developer, for a period of up to 20 years from effective date of the PDA, from zoning changes that are not required by a Provincial or Federal Enactment.

The implementing zoning bylaw will not be adopted until the PDA is in place and has been adopted by the CVRD Board.

POLICY 8.5: The implementing zoning bylaw will identify the various portions of the Youbou Lands development area, and within some of those areas, comprehensive zones may be developed in the implementing bylaw. The comprehensive zones would identify the type and density of housing units to be permitted within the area and the other land uses such as commercial, industrial and institutional, and the densities that are permitted within each.

POLICY 8.6: Overall, the Youbou Lands development will be permitted to develop up to 1950 residential dwelling units, in a mixture of single-family, townhouse and multiple family buildings. Tourist accommodation, local commercial and light industrial uses are also incorporated. It is anticipated that the designation of these lands for development will address the majority of the Youbou/Meade Creek community's growth need for a period of at least twenty years. Community water and community sewer services, as defined by the Youbou/Meade Creek Zoning Bylaw, will be required for all development in this area.

POLICY 8.7: For the purposes of the Sections that follow, Schedule B indicates the approximate boundaries of the Secondary Plan Designations listed below. These boundaries shown on Schedule B are not intended to be interpreted as definitive; rather, they are intended to convey the relationship between uses in the various portions of the Youbou Lands development.

- **Village Core (mixed use commercial and residential)**
- **Residential A**
- **Residential B**
- **Residential C**
- **Residential D**
- **Residential E**
- **Public Utility**
- **Institutional and Community Facilities**
- **Light Industrial**
- **Park**
- **Environmental Conservation**

VILLAGE CORE DESIGNATION- POLICIES

POLICY 8.8: The Village Core – shown on Schedule B - is the heart of the Youbou Lands site and will become the focus – in due course – for Youbou itself. It is therefore necessary to permit a wide range of mixed commercial, institutional, park and residential land uses in this area.

POLICY 8.9: The Village Core will be a pedestrian-oriented area within which people will be encouraged to live, work, shop, assemble, socialize and recreate. While many of the residents of the Youbou Lands site will not live in or immediately next to the Village Core, measures will be put in place to ensure that the community remains well suited to walking, even for those who may live on the western fringes of the Youbou Lands site.

POLICY 8.10: The Youbou Lands Development Permit Area (DPA) respecting the form and character of the development in the Village Core focus on creating a very attractive, safe and functional heart of the community, built on a scale that is comfortable for residents. The intent is to provide the highest quality of urban fabric that excellent design can offer. The DPA also contains guidelines respecting natural hazards and environmental protection, intended to ensure the safety of the Village Core and appropriate consideration of environmental matters in design and execution. Finally, the DPA contains provisions respecting the order in which development will take place.

POLICY 8.11: Residential density permitted in the Village Core will naturally be the highest on the Youbou Lands site. The Phased Development Agreement, in conjunction with the implementing zoning bylaw, will permit a total of up to 750 residential units in this area. Residential densities on individual sites within the village core may be as high as 80 units per hectare of land. In order to approach such densities while still allowing for open space and views, taller buildings will be permitted, up to 17 metres or 4 storeys in height for multiple family residences and buildings other than resorts or hotels, and 24 metres for hotels and resorts. Floor area ratios in such areas may be as high as 2.0.

POLICY 8.12: The implementing zoning bylaw for the Village Core will permit multiple family residential use, a variety of commercial uses and some institutional uses. These uses may be apportioned to sub-units of the Village Core in a variety of combinations.

POLICY 8.13: Commercial uses in the Village Core will be limited to those that are related to the local commercial and service needs of the community of Youbou, and those required to support resort guests, visitors and marina users. Large-scale shopping centres will not be permitted.

POLICY 8.14: Prior to finalizing zoning provisions or issuing any development permit related to building construction for the Village Core area, the CVRD will require that the owner of the development undertake a detailed Village Core Neighbourhood Plan. The purpose of this plan will be to define the layout of the entire Village Core area, with roads, plazas, pedestrian walkways, building footprints and massing, view corridors and solar access for all proposed buildings and development prescribed. Site-specific zoning details such as setbacks and buildings heights will be established through the neighbourhood plan process. Gross densities and permitted uses have been established in zoning and are protected by the Phased Development Agreement. In recognition of the fact that the entire core area will not be built out at one time, the Neighbourhood Plan will be general in nature and not require development permit detail. Upon approval of the Neighbourhood Plan by the CVRD, it will be incorporated into this Official Community Plan by amendment, and the implementing zoning bylaw may be altered only with respect to matters other than permitted use and overall site density.

POLICY 8.15: The resort/hotel area will be within the Village Core designation on Schedule B, and it will be the focus for visitors seeking lodging in Youbou. It is intended to provide the opportunity for a major hotel to be established along with associated accessory uses such as – but not limited to – personal service establishment, convention centre, pub/bar, restaurants and retail use, as specified in the implementing zoning bylaw. The floor area ratio may be as high as 2.0.

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POLICY 8.16: Building height for resort purposes may be up to 24 metres and 6 storeys for the area designated as Village Core, as specified in the implementing zoning bylaw. However, the horizontal extent of a building in this designation will be limited in order to preserve views around the building. In achieving high density on this site, the CVRD will have regard for the preservation of views to the lake from properties to the north, and will strive to protect these through the Village Core Neighbourhood Plan process and development permit area guidelines.

POLICY 8.17: For parking in the Village Core, should the CVRD ever enact a parking function at Youbou, variances from parking requirements will not be considered, but instead, cash in lieu of parking under Section 906(1)(d) of the *Local Government Act* may be required if the number of parking spaces cannot be provided on site. This cash in lieu may be used in the provision of alternative transportation modes, including cycling paths and pedestrian pathways.

RESIDENTIAL A DESIGNATION - POLICIES

POLICY 8.17: The Residential A portion of Youbou Lands – shown on Schedule B – will permit single-family, multiple family and lakefront residential uses on defined portions of the Youbou Lands site. The primary focus of this area is single family residential development, with two small clusters of townhouses.

POLICY 8.18: For the non-waterfront single family areas within Residential A, the implementing zoning bylaw will permit parcel sizes that range from 450 to 750 m².

POLICY 8.19: For the lakefront single family areas within Residential A, the implementing zoning bylaw will permit parcel sizes that range from 1000 to 2200 m².

POLICY 8.20: For the multiple family areas within Residential A, the maximum permissible density will be 30 units per gross hectare, with a maximum Floor Area Ratio of 0.8.

POLICY 8.21: The maximum number of dwelling units permitted within the Residential A portion of Youbou Lands is 385.

RESIDENTIAL B DESIGNATION - POLICIES

POLICY 8.22: The Residential B portion of Youbou Lands – shown on Schedule B – will permit single-family, multiple family and lakefront residential uses on a defined portion of the Youbou Lands site. The primary focus of this area is single family residential development, with one small townhouse cluster.

POLICY 8.23: For the non-waterfront single family areas within Residential B, the implementing zoning bylaw will permit parcel sizes that range from 450 to 1100 m².

POLICY 8.24: For the lakefront single family areas within Residential B, the implementing zoning bylaw will permit parcel sizes that range from 1000 to 2200 m².

POLICY 8.25: For the multiple family areas within Residential B, the maximum permissible density will be 30 units per gross hectare, with a maximum Floor Area Ratio of 0.8.

POLICY 8.26: The maximum number of dwelling units permitted within the Residential B portion of Youbou Lands is 250.

RESIDENTIAL C DESIGNATION - POLICIES

POLICY 8.27: The Residential C portion of Youbou Lands – shown on Schedule B – will permit single-family and lakefront residential uses on a defined portion of the Youbou Lands site.

POLICY 8.28: For the non-waterfront single family areas within Residential C, the implementing zoning bylaw will permit parcel sizes that range from 650 to 1100 m².

POLICY 8.29: For the lakefront single family areas within Residential C, the implementing zoning bylaw will permit parcel sizes that range from 1000 to 2200 m².

POLICY 8.30: The maximum number of dwelling units permitted within the Residential C portion of Youbou Lands is 185.

RESIDENTIAL D DESIGNATION - POLICIES

POLICY 8.31: The Residential D portion of Youbou Lands – shown on Schedule B – will permit single-family uses on a defined portion of the Youbou Lands site. This area is single-family residential development.

POLICY 8.32: For Residential D, the implementing zoning bylaw will permit parcel sizes that range from 650 to 1100 m².

POLICY 8.33: The maximum number of dwelling units permitted within the Residential D portion of Youbou Lands is 50.

RESIDENTIAL E DESIGNATION - POLICIES

POLICY 8.34: The Residential E portion of Youbou Lands – shown on Schedule B – will permit single-family, multiple family residential uses and congregate care facilities on a defined portion of the Youbou Lands site. This area is intended for a combination of multiple family residential and single family residential development.

POLICY 8.35: For the single family areas within Residential E, the implementing zoning bylaw will permit parcel sizes that range from 450 to 2000 m².

POLICY 8.36: For the multiple family areas within Residential E, the maximum permissible density will be 37 units per hectare, with a maximum building height of 16 metres and a maximum floor area ratio of 0.8.

POLICY 8.37: The maximum number of dwelling units permitted within the Residential E portion of Youbou Lands is 330.

LIGHT INDUSTRIAL DESIGNATION – POLICIES

POLICY 8.38: The Light Industrial portion of Youbou Lands – shown on Schedule B – will permit uses that relate to watercraft, wood processing, value-added wood product manufacturing, artisan businesses and other low-impact light industrial uses, as set out in the implementing zoning bylaw.

POLICY 8.39: Density in the light industrial area will be limited to a floor area ratio of 0.75.

POLICY 8.40: Restrictions on the form and character of industrial development are contained within the development permit guidelines, with a view to minimising the risk of undesirable impacts upon other parts of the Youbou Lands development.

INSTITUTIONAL & COMMUNITY FACILITIES DESIGNATION - POLICIES

POLICY 8.41: The Institutional and Community Facilities portion of Youbou Lands – shown on Schedule B – will permit uses that are civic in nature, as well as permitting multiple family residential use with the intent of allowing some low income housing to be developed.

POLICY 8.42: Where residential uses are proposed, density will not exceed 30 units per hectare and for all other uses in the ICF designation, density will not exceed a floor area ratio of 0.8.

PUBLIC UTILITY DESIGNATION – POLICIES

POLICY 8.43: The Public Utility portion of Youbou Lands – shown on Schedule B – is considered to be suitable for sewage treatment and disposal purposes.

PARK DESIGNATION – POLICIES

POLICY 8.44: The Park portion of Youbou Lands – shown on Schedule B – is intended for the use, recreation and enjoyment of the public, and limited structures, landscaping, play fields, playgrounds, swimming beaches and other improvements to enhance this may be permitted in the implementing zoning bylaw. Aside from lands designated as park in this Plan, parks are a permitted use in all zones.

ENVIRONMENTAL CONSERVATION – POLICIES

POLICY 8.45: The Environmental Conservation portion of Youbou Lands – shown on Schedule B – is intended to leave a suitably large floodway and riparian zone for Cottonwood Creek and also to protect other areas that have high value as forest and habitat for native flora and fauna, notably including the Vancouver Island herd of Roosevelt Elk. These areas will have minimal improvements to them, which might include public trails on existing alignments, and a pedestrian bridge in the lower reaches of Cottonwood Creek. There will also be a public highway bridge that passes through this area.

POLICY 8.46: Flood protection works may be built within part of the area designated as Environmental Conservation, provided the necessary Provincial and Federal approvals can be achieved and the CVRD approves of them and a suitable administrative arrangement for their maintenance, in a development permit.

2. The following is added after Section 16.7:

17. YOUBOU LANDS COMPREHENSIVE DEVELOPMENT PERMIT AREA

17.1 CATEGORIES OF DEVELOPMENT PERMIT AREA

The Youbou Lands Comprehensive Development Permit Area is designated pursuant to Sections 919.1(a), (b), (e), (f), (h), (i) and (j) of the Local Government Act, for the purpose of providing guidelines for:

- protection of the natural environment, its ecosystems and biological diversity;
- protection of development from hazardous conditions;
- the form and character of intensive residential development;

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- the form and character of commercial, industrial or multi-family residential development;
- promotion of energy conservation;
- promotion of water conservation;
- promotion of the reduction of greenhouse gases.

17.2 SCOPE OF DEVELOPMENT PERMIT AREA

The Youbou Lands Comprehensive Development Permit Area applies only to lands shown on Schedule D: Youbou Lands Comprehensive Development Permit Area, within Electoral Area I.

17.3 JUSTIFICATION OF DEVELOPMENT PERMIT AREA

Environmental Justifications

The Youbou Lands development site is located in an area with a number of environmental constraints. First and foremost, most of the site is comprised of an alluvial fan, part of which remains active, and protecting development from the possibility of flooding and associated accumulation of debris is necessary.

Cowichan Lake is a very sensitive feature of the entire region that warrants special protective measures along the shoreline areas. Additionally, Cottonwood Creek is a major tributary of Cowichan Lake, and it too deserves protective measures to ensure adequate riparian function and habitat for plants and animals.

Form and Character Justifications

The designation of the Youbou Lands site for development was in part predicated on the form and character of this new central focus for Youbou being developed in a very attractive and sensitive way. Appropriate site layout, good landscaping, attractive public spaces and parkland locations, high quality building design that evokes the history of the site and the existing community are all important to the success of this Secondary Plan area. This development permit area will therefore strive for high quality design and site planning in all phases of this development.

Sustainability Guidelines

It is very important to the community of Youbou and the region as a whole that the area subject to this Secondary Plan be implemented with due regard to resource and energy conservation, through minimising the ecological "footprint" of the development.

17.4 DEVELOPMENT PERMIT AREA PROCEDURE & GUIDELINES

In the Village Core designation, no development permit for any construction will be issued until after a Neighbourhood Plan has been prepared under Policy 8.14, and has been approved by the Regional District Board of Directors. Following approval, any development permits issued subsequently in these areas will comply with the footprint, site layout and building mass provisions contained in the approved Neighbourhood Plan.

Prior to commencing any development, including land clearing, on lands within the Youbou Lands Comprehensive Development Permit Area (DPA), the owner shall submit information that demonstrates how the proposed development meets the following guidelines:

Natural Hazard Guidelines For All Development

Note: A development permit issued under the guidelines which follow may vary the use and density of land, insofar as doing so is necessary to protect development from hazardous conditions.

- (a) The first application for a development permit in the Youbou Lands Development Permit Area will be accompanied by:
- topographic mapping for the entire Youbou Lands site with a one metre contour interval;
 - cross-sections of Cottonwood Creek, prepared by a BCLS, taken at 100 to 150 metre intervals between the apex of the alluvial fan and Cowichan Lake shoreline;
 - the location of the 167.33 metre contour interval on the ground, representing the calculated 1 in 200 year flood construction level;
 - a report by a qualified engineer with experience in natural hazard assessment, management and mitigation, which will identify areas that ought to remain free of development, areas that may be used for development provided that specified engineering measures are employed, and areas that may be developed without constraint. These areas will be set out on a map in the report, with a different colour being used to indicate each of these three categories. The CVRD will follow the recommendations of the qualified engineer in all subsequent phases of development. Where protective structures are proposed, the proponent will recommend an administrative process to maintain the structures through time, and the CVRD will have to approve of this arrangement in the course of processing the application, for the development permit to be issued.
- (b) Habitable portions of buildings and structures will be elevated above the 167.33 metre 200-year Flood Construction Level on Cowichan Lake and where this would require that fill be placed on the land prior to development, a report certified by an engineer with experience in geotechnical engineering will be required, indicating that the fill is a suitable load-bearing substrate for the proposed buildings and structures.

Subdivision Layout Guidelines

- (c) The subdivision of all lands within Youbou Lands will require a development permit, and the applicant will be required to demonstrate how the proposed subdivision addresses the following matters:
- (i) The development will have a looping public road system that provides alternative access and egress points for each area to be subdivided, and in cases where this would be impractical, alternative emergency access will be provided;
 - (ii) Pedestrian walkways and connections to all park areas will be made at the subdivision stage ensuring, for example, that pedestrian walkways between parcels of land will be located to maximize access to all public lands;
 - (iii) The road network in the single-family subdivision areas will include laneways behind lots;
 - (iv) Portions of road rights-of-way not required for traffic or parking will have street trees and boulevard landscaping;
 - (v) The CVRD will require sidewalks where these are necessary for pedestrian traffic, and will take on maintenance responsibility for these where they are required;
 - (vi) Parcels to be subdivided will be of a shape that allows practical building sites, without the need to resort to setback variances;
 - (vii) Panhandle lots are strongly discouraged;
 - (viii) Subdivision of parcels within the Village Core will be in strict conformity with the Village Core Neighbourhood Plan;
 - (ix) Wildfire interface zones will be examined at the subdivision stage and measures to reduce the interface risk may be specified in a development permit.

Environmental and Water Protection Guidelines for all Development

- (d) Land clearing, tree cutting and alteration of vegetation and earthworks will not be permitted prior to the receipt of a Development Permit under this DPA.
- (e) If adequate, suitable areas of land for the use intended exist on a portion of the proposed parcel that lies outside of the 30 metre Riparian Assessment Area, the proposed development should be directed to those areas in order to minimize development in the potentially sensitive Riparian Assessment Area. In all other cases, the applicant will have to demonstrate with the support of a Qualified Professional, to the satisfaction of the CVRD Board that developing in the Riparian Assessment Area is necessary or advisable due to circumstances such as topography, hazards or lack of alternative developable land, and that every effort has been made to minimize adverse impacts.
- (f) Any proposed land development activities in this DPA must be set out in a manner that minimizes the need for vegetation clearing. This would support objectives for protecting ungulate habitat, in addition to aquatic habitat. Owing to the sensitive nature of this site, the development permit may specify the amount and location of tree and vegetative cover to be retained during development, or planted following development.

- (g) A drainage plan prepared by a qualified professional is required at the subdivision stage for single-family parcels, and at the building stage for multiple-family, commercial and industrial parcels. The purpose of the drainage plan is to strive to maintain post-development flows and water quality at pre-development levels, or better. Impervious surfaces and new sources of runoff must be kept to a bare minimum. Figures for total imperviousness on sites within the area being proposed for development should be calculated by the professional and submitted at the time of development permit application. The Board may specify maximum site imperviousness or effective imperviousness in a development permit, and require, where necessary, the establishment of service areas for drainage control.
- (h) Recommendations in the Ministry of Environment's various Best Management Practices guides, such as that for rainwater management and habitat protection should be addressed in detail in the application. On-site rainwater management techniques that do not impact surrounding lands, should be used, rather than traditional engineering methods.
- (i) Riparian Areas Regulation matters will be dealt with concurrently with this DPA, using the provisions of the Watercourse Protection DPA of this Bylaw.
- (j) Where a Streamside Protection and Enhancement Area (SPEA) is designated in a Riparian Assessment Report, the CVRD will require that development be set back from the SPEA boundary by at least 5 metres, and may require an additional setback in a development permit, where justified by the particular site development plan.

Resource Conservation and Energy Efficiency Guideline For All Development

- (k) Applicants will demonstrate how the proposed development is advancing the standard of resource conservation and energy efficiency in the CVRD, in such matters as:
- Reduced automobile dependency, including transit and car pooling programs;
 - Promotion of a compact urban form that encourages pedestrian and bicycle traffic;
 - High standards of building energy efficiency, through innovative heating and cooling systems, efficient appliances, high insulation standards and other means;
 - Landscape plantings that minimize the need for water use;
 - Low flow plumbing fixtures and similar water conservation measures;
 - Not restricting the use of outdoor clotheslines for the air-drying of garments;
 - Such other measures as may be feasible.

The CVRD may specify measures for resource conservation and energy efficiency in a development permit.

Form and Character of Intensive/Multi-Family and Commercial Sites and Buildings

- (l) Applicants will demonstrate through the submission of architectural renderings and such other materials as may be necessary that the proposed residential buildings achieve high aesthetic standards of design, preferably aided through the use of natural materials such as wood and rock on external finishes, earth tones and colours. Ground floors of buildings in the Village Core will have ceilings of at least 3.6 metres in height in order to facilitate conversion to commercial uses in the future. Parcel line setbacks may be reduced to between 3 metres and zero metres in order to provide a suitable streetscape for pedestrians.
- (m) For multiple family residences exceeding 7.5 metres in height, and commercial buildings exceeding 10 metres in height, view preservation and solar access of surrounding properties will be considered and analyzed through shading analysis and other suitable graphic methods. The applicant will provide such material as is necessary to demonstrate that these values have been appropriately protected. Generally, very tall buildings will be discouraged on the waterfront, with the preference being for lower buildings near the water, rising in height gradually as the distance from the water increases.
- (n) Owing to the history of the core of the Youbou Lands site as a major industrial sawmilling operation, the form and character of proposed commercial buildings may reflect this industrial heritage in their design. While the intent is not to replicate the form of previous buildings, appropriate design cues and materials from that era may be proposed.
- (o) The CVRD will place the highest priority on providing a built environment that welcomes human use and respects the perception of streetscapes by people on foot. To this end, every wall of a building at street level will be required to present either a welcoming façade (for example: picture windows, entrances, attractive architectural features). Where no reasonable alternative to a concrete firewall exists in certain areas, patterned, toned concrete with architectural treatment, embossed designs or similar finishes in other materials will be the minimum requirement.

Form and Character Guidelines of Industrial Sites and Buildings

- (p) Applicants will demonstrate through the submission of architectural drawings and renderings and such other materials as may be necessary that the proposed industrial buildings achieve high aesthetic standards of design, appropriate to the overall context of Youbou Lands and the proposed uses.
- (q) Where an industrial area abuts a residential area, buffering in the form of landscape or visual screening will be required, in order to minimize the possibility of land use conflicts.
- (r) Outdoor storage is strongly discouraged, and where it is unavoidable and permitted in the implementing zoning bylaw, it will be screened from the perspective of surrounding non-industrial parcels.

Landscaping Guidelines

- (s) In support of the high standards expected of the form and character of intensive residential, multi-family residential, light industrial and commercial development, applicants whose proposals involve the initial development or redevelopment of a site will submit a landscape plan, which will be reviewed in accordance with the Landscape Standard developed jointly by the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA). A Security in the form of an Irrevocable Letter of Credit in the amount of 110% of the estimated cost of all hard and soft landscaping will be required to ensure that the landscaping is done as planned, and survives for at least two years after planting.
- (t) Dumpsters and large recycling containers will be located in such a way as to not be visible, either by locating them inside a parking level under a building, or by highly effective screening measures.

Other Guidelines

- (u) Signs will be discreet and unobtrusive to the design of buildings and landscaping -- directly backlit signs will be strongly discouraged, particularly where this would illuminate not only a commercial logo, but all the area around it. Where feasible, signs will be made of natural or natural-looking materials and their scale will be appropriate for the village character that is intended for the Youbou Lands site. Remote signs advertising business will not be approved; however, as part of an integrated, comprehensive directional sign program for the entire Youbou Lands development area, business locations may be indicated on signposts, along with footpath, recreational facility, other public facility and related directional arrows. Consolidated monolith signs advertising multiple businesses and facilities may be permitted in limited circumstances.
- (v) Integrated planning of public pathways, sidewalks, bicycle paths, parking areas, roads, publicly accessible plazas and parkland will be done, with a view to making the community non-automobile dominated. Parking areas will preferably be underground or otherwise concealed; where surface parking is proposed, it will be well planted with landscaped areas, and where pedestrian pathways traverse a surface parking area, these will be raised and visually set apart from the parking and maneuvering area by different colours, materials or pavement textures, in order to give clear priority to pedestrians.

17.5 EXEMPTIONS FROM DEVELOPMENT PERMIT PROCESS

The terms of the Youbou Lands Comprehensive Development Permit Area does not apply to:

- (a) Construction or renovation of single family dwellings on parcels larger than 450 m²;
- (b) Interior renovations to existing buildings;
- (c) Changes to the text or message on an existing sign allowed by a previous development permit.

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17.6 REQUIREMENTS FOR DEVELOPMENT PERMIT APPLICATION

Before the CVRD Board authorizes the issuance of a development permit for a parcel of land in the Youbou Lands Development Permit Area, the applicant for a development permit shall submit a development permit application, which at a minimum, shall include:

- (a) A written description of the proposed development;
- (b) A scalable site plan showing the general arrangement of land uses including the following:
 - i. Parcel lines
 - ii. Existing buildings
 - iii. Proposed buildings
 - iv. Parking areas
 - v. Vehicular access points
 - vi. Pedestrian access points
 - vii. Outdoor illumination design
 - viii. Recreation areas
 - ix. Drainage details
- (c) Elevation drawings for all sides of the proposed buildings and structures;
- (d) A scalable site landscaping plan, identifying the plant species, quantities and sizes proposed for all landscaped areas, as well as all proposed hard landscaping works such as rock walls.

17.7 VARIANCES IN A DEVELOPMENT PERMIT

Where a proposed development plan adheres to the guidelines of this Development Permit Area, the Regional Board may give favorable consideration to variances of the terms of its zoning, sign and parking regulations, where such variances are deemed by the Regional Board to have no negative impact on adjacent parcels and would enhance the aesthetics of the site in question. Such variances may be incorporated into the development permit.

17.8 VIOLATION

- (a) Every person who:
 - 1. violates any provision of this Development Permit Area;
 - 2. causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
 - 3. neglects to do or refrains from doing any act or thing required under this Development Permit Area;
 - 4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
 - 5. fails to comply with an order, direction or notice given under this Development Permit Area; or

6. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;
Administrator;
commits an offence under this Bylaw.
- (b) Each day's continuance of an offence constitutes a new and distinct offence.
3. That the following new land-use designations be added to the legend of Schedule B – Plan Map: Village Core; Village Resort; Residential A; Residential B; Residential C; Residential D; Residential E; Public Utility; Institutional and Community Facilities; Light Industrial; and Environmental Conservation.
 - a) Schedule B (Plan Map) of Electoral Area I – Youbou/Meade Creek Official Community Plan Bylaw No. 2650 is amended by redesignating:
 1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
 2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
 3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
 5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 8. That part of the unnumbered portion of Cowichan Lake District shown coloured red on Plan 1215 OS lying between the production of the Westerly and Southerly Boundaries of District Lot 64 of said District, and contains 3.19 acres more or less;
 9. Block A, District Lot 64, Cowichan Lake District;
 10. Section 46, Renfrew District (situated in Cowichan Lake District), except that part shown coloured red on Plan 1210 OS;
 11. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
 12. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
 13. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
 14. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;

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15. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
 16. That Part of District Lot 31, Cowichan Lake District, containing 6.24 acres more or less as shown coloured red on Plan Deposited under DD 31052I;
 17. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
 18. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
 19. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District;
 20. That Part of District Lot 35, Cowichan Lake District, lying to the north of the right-of-way of the Canadian Northern Pacific Railway as said right-of-way is shown on Plan 172RW;
 21. Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on Plan Marked B (DD40883I); except part shown outlined in red on Plan 283R; and except parts in Plans 20033, 31184 and VIP63536;
- all as shown outlined in a solid black line on Plan number Z-3213 attached hereto and forming Schedule B of this bylaw, from Future Development Area to:
1. Village Core;
 2. Residential A;
 3. Residential B;
 4. Residential C;
 5. Residential D;
 6. Residential E;
 7. Public Utility;
 8. Institutional and Community Facilities;
 9. Light Industrial;
 10. Park; and
 11. Environmental Conservation;

4. That:

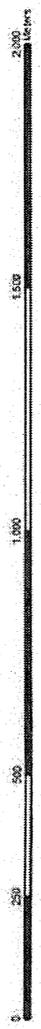
1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);

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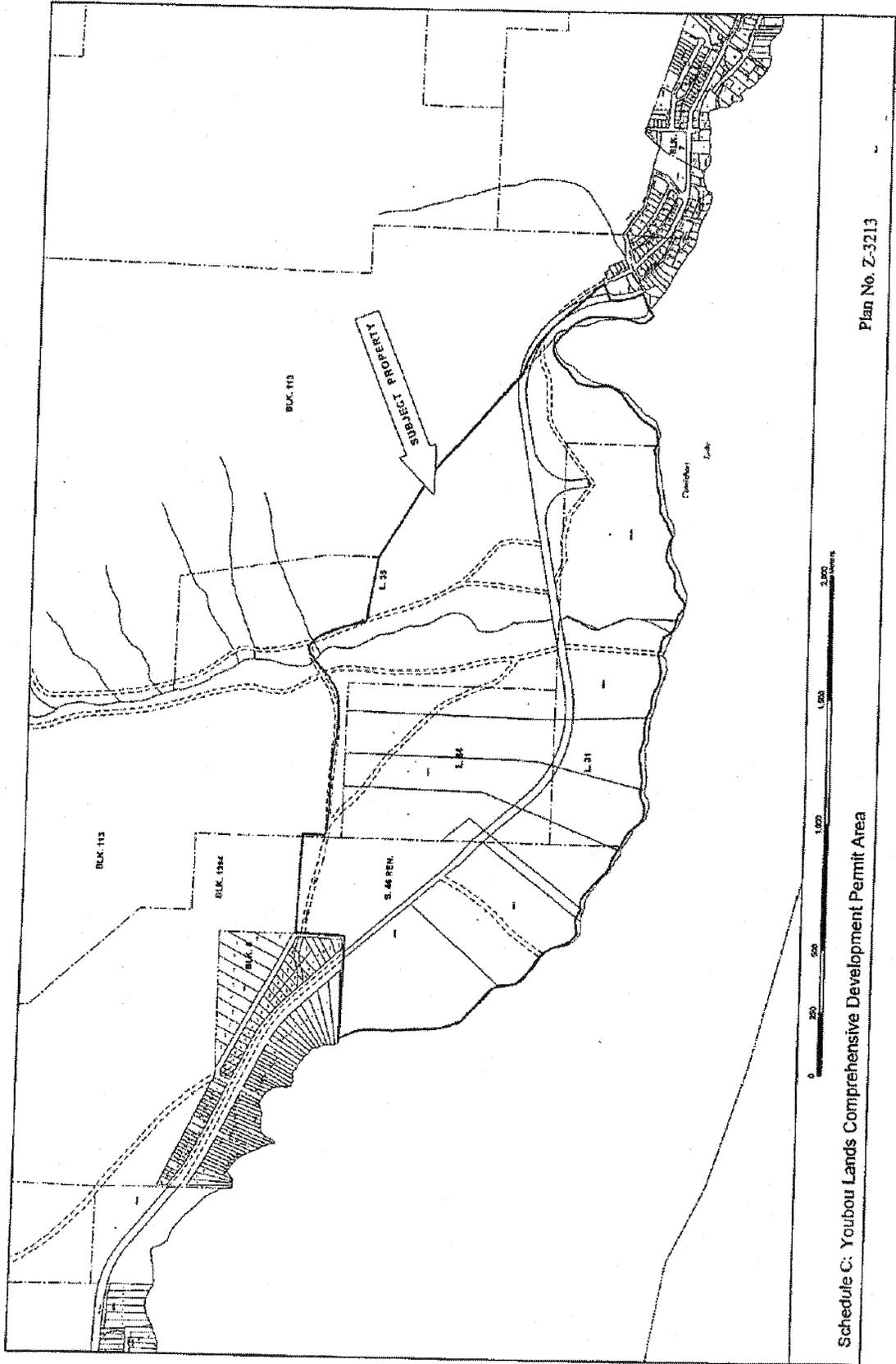
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
8. That part of the unnumbered portion of Cowichan Lake District shown coloured red on Plan 1215 OS lying between the production of the Westerly and Southerly Boundaries of District Lot 64 of said District, and contains 3.19 acres more or less;
9. Block A, District Lot 64, Cowichan Lake District;
10. Section 46, Renfrew District (situated in Cowichan Lake District), except that part shown coloured red on Plan 1210 OS;
11. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
12. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
14. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
15. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
16. That Part of District Lot 31, Cowichan Lake District, containing 6.24 acres more or less as shown coloured red on Plan Deposited under DD 31052I;
17. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
18. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
19. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District;

all as shown outlined in a solid black line on Plan number Z-3213 attached hereto and forming Schedule C of this bylaw, be designated as Youbou Lands Comprehensive Development Permit Area.



Schedule B: Plan No. Z-3213

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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3242

A Bylaw to Authorize a Phased Development Agreement

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to enter into Agreements;

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 enter into the Agreement;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "CVRD Bylaw No. 3242 Phased Development Agreement Authorization Bylaw (Youbou Lands), 2008".

2. **AUTHORIZATION**

The Cowichan Valley Regional District may enter into and the Chair and Corporate Secretary may execute and deliver an agreement with 0741817 BC Ltd. and Timberwest Forest II Limited in the form attached as Schedule A to this bylaw.

3. **FORCE AND EFFECT**

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

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C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3242

PHASED DEVELOPMENT AGREEMENT

This Agreement dated for reference the _ day of _____, 2009 is

AMONG:

COWICHAN VALLEY REGIONAL DISTRICT, a regional district incorporated under the *Local Government Act* having an office at 175 Ingram Street, Duncan, B.C. V9L 1N8

(the "District")

AND: **0741817 B.C. LTD.** (Incorporation No. 0741817), a corporation having an office at _____

(the "Developer")

AND: **TIMBERWEST FOREST II LIMITED** (Incorporation No. 459438), a corporation having an office at 7th Floor, 700 West Georgia Street, Vancouver, B.C. V7Y 1A1

("Timberwest")

(the Developer and Timberwest are referred to collectively as the "Owner")

WHEREAS:

- A. The Developer is the registered owner of land legally described in Schedule A (the "Developer's Land");
- B. Timberwest is the registered owner of Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on plan marked 'B' (DD 40883D); Except part shown outlined in red on plan 283R; and except parts in plan 20033, 31184 and VIP63536 and That part of District Lot 35, Cowichan Lake District, lying to the north of the right of way of the Canadian Northern Pacific Railway as said right of way is shown on Plan 172 RW, portions of which (the "Timberwest Development Lands") are shown in Schedule A1;
- C. Timberwest intends to subdivide and sell and the Developer intends to purchase the Timberwest Development Lands;
- D. The Developer has applied to the District for an amendment to CVRD Zoning Bylaw No. 2465 by way of CVRD Bylaw No. 3214 – Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Youbou Lands), 2009 (the "Zoning Amendment Bylaw") to permit the development on the Developer's Land and the Timberwest Development Lands (referred to collectively as the "Land") of a range of residential and non-residential uses;
- E. The Owner wishes to provide certain amenities and features in the development of the Land, and the parties wish to ensure that the provisions of the District's zoning bylaw as amended by the Zoning Amendment Bylaw continue to apply to the Land for the period more particularly set out in this Agreement; and

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F. The Board of the District has given notice and held a public hearing and has, by bylaw, authorized the execution of this Agreement;

NOW THEREFORE in consideration of the mutual promises set out in this Agreement, the parties agree pursuant to section 905.1 of the *Local Government Act* as follows:

APPLICATION OF AGREEMENT

1. This Agreement applies to the Land, including any parcels of land into which the Land may be subdivided. This Agreement applies to the Land and to no other land.

BYLAW AMENDMENTS NOT TO APPLY

2. For the term of this Agreement, any amendment or repeal of the following sections of Cowichan Valley Regional District Zoning Bylaw No. 2465 as amended by the Zoning Amendment Bylaw shall not apply to the Land, except:
 - (a) as provided in section 905.1(6) of the *Local Government Act*; or
 - (b) to the extent that the Owner of any parcel comprising the Land agrees in writing that the amendment or repeal shall apply to that Land:

Lakefront Residential 3 (LR-3) Zone

Residential 8 (R-8) Zone

Residential 9 (R-9) Zone

Multiple Family Residential 6 (RM-6) Zone

Single and Multiple Family Residential 7 (RM-7) Zone

Village Core 1 (VC-1) Zone

Business Park / Light Industrial 3 (I-3) Zone

Institutional and Community Facilities 4 (ICF-4) Zone

3. For certainty, and without limiting section 2, the District agrees that any development permit or building permit that would be issuable in respect of the Land on the date of adoption of the Zoning Amendment Bylaw will be issued throughout the term of this Agreement in accordance with CVRD Official Community Plan Bylaw No. 2650, 2005, Electoral Area 1 – Youbou/Meade Creek and Building Bylaw No. 143 respectively and the provisions and terms of this Agreement, despite any amendment or repeal of the bylaw provisions specified in section 2 that would otherwise prevent the issuance of the permit.

TERM OF AGREEMENT

4. The term of this Agreement is ten years from the date of adoption of the Zoning Amendment Bylaw.
5. The parties may terminate this Agreement at any time by written agreement.

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6. If the amenities and features of the development are not provided to the standards and at the times set out in Schedule B, on which question the opinion of the District shall be determinative provided that the District may not act unreasonably, the District may at its option terminate this Agreement by providing notice in writing to the Owner, provided that the District has at least two (2) months prior to giving such notice advised the Owner in writing of any alleged failure (the "Default Notice") to provide such amenities and features in accordance with this Agreement and the Owner has not corrected the deficiency to the reasonable satisfaction of the District, or if such default reasonably requires longer than two (2) months to remedy, the Owner has failed to substantially commence remedying such default within two (2) months after receipt of the Default Notice to the reasonable satisfaction of the District, or has failed to substantially complete remedying the default within six (6) months after receipt of the Default Notice to the reasonable satisfaction of the District. The Owner acknowledges that, in the event that this Agreement is terminated under this Section, the District may further amend its zoning bylaw to reverse or modify the effect of the Zoning Amendment Bylaw, without compensation to the Owner.

AMENITIES AND FEATURES OF THE DEVELOPMENT

7. The Owner shall provide the amenities listed in Schedule B at the times specified in Schedule B.
8. The Owner acknowledges that the amenities described in Schedule B are not "excess or extended services" as defined in section 939 of the *Local Government Act*, and are not works or services included in the calculations used to determine the amount of any development cost charge.

PUBLIC LAND USE DESIGNATIONS

9. The Owner acknowledges that the Zoning Amendment Bylaw designates certain portions of the Lands for public uses only, in contemplation of those portions being transferred to other parties pursuant to this Agreement, and agrees that such designations do not, considered together with the provisions of the Zoning Amendment Bylaw in respect of other portions of the Lands, effect any reduction in the value of the Owner's interest in the Lands. The Owner agrees that such designations accordingly do not entitle the Owner to compensation under s. 312 of the *Local Government Act* or otherwise, and irrevocably waives any entitlement to such compensation.

VILLAGE CORE NEIGHBOURHOOD PLAN

10. Prior to any development permit, building permit or subdivision approval being granted for development or subdivision of portions of the Land within the Village Core zone designated in the Zoning Amendment Bylaw, the Owner shall prepare a Village Core neighbourhood plan defining the layout of the Village Core area, including the location of roads, plazas, pedestrian walkways, building footprints and massing and view corridors. The neighbourhood plan must consider waterfront and mountain views and solar access and promote a human-scale, pedestrian oriented site layout and built form. The plan should be conceptual in nature and need not exhibit the level of detail necessary for subsequent site-specific development permit applications. Development standards such as building setbacks and height and design guidelines may be established through the neighbourhood planning process and land uses and densities may be assigned to particular locations within the area. The Village Core neighbourhood plan must be adopted as an amendment to the Official Community Plan and Zoning Bylaw prior to the issuance of development permits, building permits or subdivision approval within the Village Core area.

DENSITY OF DEVELOPMENT

11. Residential and hotel density on the Land shall not exceed that specified on Schedules C and C1.
12. The Land shall not be subdivided unless, concurrently with the subdivision,
 - (a) the Owner grants to the District a covenant under section 219 of the *Land Title Act* restricting the residential and hotel density of the parcels being created by the subdivision such that the restrictions in Schedule C and C1 are made applicable to the parcels in a manner satisfactory to the District, acting reasonably; or
 - (b) prior to the approval of the subdivision, the District has amended Zoning Bylaw No. 2465 to establish density limits in respect of the parcels being created,

unless the District determines, in its sole discretion, that such additional density regulation is not required in view of the nature and effect of the proposed subdivision.

PHASING OF DEVELOPMENT

13. The phases of development shown on Schedule B1 must be developed in numerical order, and the phases of development within each numbered phase must be developed in alphabetical order, except that at least 1000 square metres of gross commercial floor area must be developed in Phase 3b prior to the subdivision or development of any portion of Phase 2a, at least 1000 additional square metres of gross commercial floor area must be developed in Phase 3b prior to the subdivision or development of any portion of Phase 3a, and the balance of the permitted commercial floor area in Phase 3b may be developed at any time subject to the remainder of this Agreement.
14. No portion of the Land shall be subdivided or development permit application made for a residential use until the Ministry of Environment has issued a certificate of compliance in respect of the Land under the *Environmental Management Act*, unless the Ministry of Environment has expressly authorized the subdivision or development in advance of the issuance of the certificate of compliance.

ASSIGNMENT OF AGREEMENT

15. Any Owner may assign this Agreement in whole or in relation to any parcel into which the Land of that Owner may be subdivided, if the District, acting reasonably, consents in writing to the assignment and the assignee has executed and delivered to the District a notice of assumption and has entered into an assignment agreement with the Owner assigning the Agreement. In consenting to such assignment, the District may require the Owner and the assignee to enter into further agreements with the District concerning the performance of the obligations contained in this Agreement in relation to the parcel of which the assignee is or will become the owner.

AMENDMENT OF AGREEMENT

16. The parties may in writing agree to minor amendments to this Agreement, and for that purpose a "minor amendment" is an amendment to Schedule B or to Schedule B1 except that areas of land to be transferred or dedicated to the District for public use as park, trail, or walkway or for conservation or environmental protection purposes may not vary in area from the areas specified in Schedule B by more than 10% and such amendments may not reduce the total area of such areas to less than 121.4 ha (300 acres). For certainty, an amendment to Schedule B1 undertaken to reflect adjustment of the boundaries of the zones established by the Zoning Amendment Bylaw by further zoning bylaw amendment is a "minor amendment".

17. The District may, prior to agreeing to such an amendment, convene a public hearing or other proceeding for the purpose of determining the opinion of members of the public to such amendment, notwithstanding that such a hearing or other proceeding is not required by the *Local Government Act*, and the Owner agrees to participate in such proceeding for the purpose of providing information to the public on the proposed amendment.

SPECIFIC PERFORMANCE

18. The Owner agrees that the trails, walkways, riparian and elk habitat areas, Arbutus Park expansion, and other park areas described in Schedule B are uniquely located properties and if the Owner fails to dedicate such lands to the District, as described in Schedule B, the Owner agrees that the District shall be entitled to an order of specific performance for the dedication, but the District is not precluded from claiming an award of damages for the Owner's breach.

GENERAL TERMS AND CONDITIONS

19. The obligations of the parties comprising the Owner shall be joint and several. The parties acknowledge and agree that as between the District and the parties comprising the Owner, the Developer may carry out all responsibilities, obligations and covenants under this Agreement on behalf of the Owner and any decision, agreement, or act by the Developer with respect to the terms and conditions of this Agreement shall bind each of the parties comprising the Owner. The Developer and Timberwest may make agreements between themselves as to their obligations under this Agreement.
20. Any notice permitted or required by this Agreement to be given to either party must be given to that party at the address set out above, or to any other address of which the party has given the other party notice in writing expressly for the purposes of this Agreement.
21. Except as expressly set out in this Agreement, nothing in this Agreement shall prejudice or affect the rights and powers of the District in the exercise of its functions under the *Community Charter* or the *Local Government Act* or any of its bylaws, or those of the approving officer of the Ministry of Transportation and Infrastructure or the District, as the case may be, under the *Land Title Act*, *Strata Property Act* or Bare Land Strata Regulations.
22. Any opinion, decision, act or expression of satisfaction or acceptance provided for in this Agreement may be taken or made by the District's General Manager of Planning and Development, unless expressly provided to be taken or made by another official of the District.
23. No provision of this Agreement is to be considered to have been waived by the District unless the waiver is expressed in writing by the District. The waiver by the District of any breach by any of the other parties of any provision is not to be construed as or constitute a waiver of any further or other breach.
24. Whenever in this Agreement the District is required or entitled to exercise any discretion in the granting of consent or approval, or is entitled to make any determination, take any action or exercise any contractual right or remedy, the District may do so in accordance with the contractual provisions of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice or otherwise, shall have any application in the interpretation or implementation of this Agreement except to the extent that such duty arises as a matter of public law.

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25. The Owner shall indemnify and save harmless the District, its officers, employees, Council members, agents and others (the "District Representatives") from and against any and all actions, causes of action, liabilities, demands, losses (but not loss of profits), damages, costs, expenses (including actual fees of professional advisors), remediation of contamination costs, fines, penalties and other harm of any kind whatsoever, whether related to death, bodily injury, property loss, property damage, property contamination or consequential loss or damage, suffered or incurred by the District or any of the District Representatives, directly or indirectly, arising from, resulting from, connected with or related to:
- (a) death, bodily injury, damage to or loss of any property or other incident or occurrence during the construction or provision of the amenities and other development contemplated by this Agreement;
 - (b) any default or breach of this Agreement by the Owner; and
 - (c) any wrongful act, omission or negligence of the Owner or its directors, officers, employees, agents, contractors, subcontractors, licensees, or others for whom they are responsible in law with respect to the covenants and obligations of the Owner pursuant to this Agreement.
26. This indemnity shall survive any conclusion or other termination of this Agreement, in relation to any matter arising prior to it.
27. If any Owner is delayed or prevented from the performance of any covenant or agreement required hereunder by reason of any unavoidable cause, then performance of such covenant or agreement shall be excused for the period during which such performance is delayed or prevented and the time for the performance thereof shall be extended accordingly. For the purposes of this section, "unavoidable cause" means any event or contingency beyond the reasonable control of the Owner, including without limitation a delay caused by weather conditions, power failure, fire or other casualty, governmental laws, regulations or controls, civil commotion, insurrection, sabotage, invasion, rebellion, military or usurped power, war or war-like operations and acts of God, but excluding a delay caused by lack of funds.
28. Time is of the essence of this Agreement and will remain of the essence notwithstanding the extension of any dates.
29. The Owner acknowledges and agrees that the District, acting reasonably, may, despite any public law limitations on the withholding of development permits, building permits and occupancy permits, withhold such permits for the purpose of ensuring compliance with and administering the terms of this Agreement.
30. The District may, during the construction of any amenity required by this Agreement, appoint from time to time an employee or official to represent the interests of the District under this Agreement and advise the Owner in writing of such appointment, and the Owner shall for that purpose provide to the District's representative reasonable access to all documents related to the construction including but not limited to plans, permits, specifications, Building Code analyses, receipts, waybills, shipping documents and contracts, and reasonable access to the site of construction and all construction facilities. The Owner agrees that the viewing of this documentation by the District's representative does not create any legal obligation, in tort or otherwise, on the part of the District or its representative whether or not comments are given to the Owner and whether or not the Owner chooses to act on comments that are given.

31. This Agreement may be executed in counterparts.

COWICHAN VALLEY REGIONAL DISTRICT

By its authorized signatories:

TIMBERWEST FOREST II LIMITED

By its authorized signatories:

0741817 B.C. LTD.

By its authorized signatories:

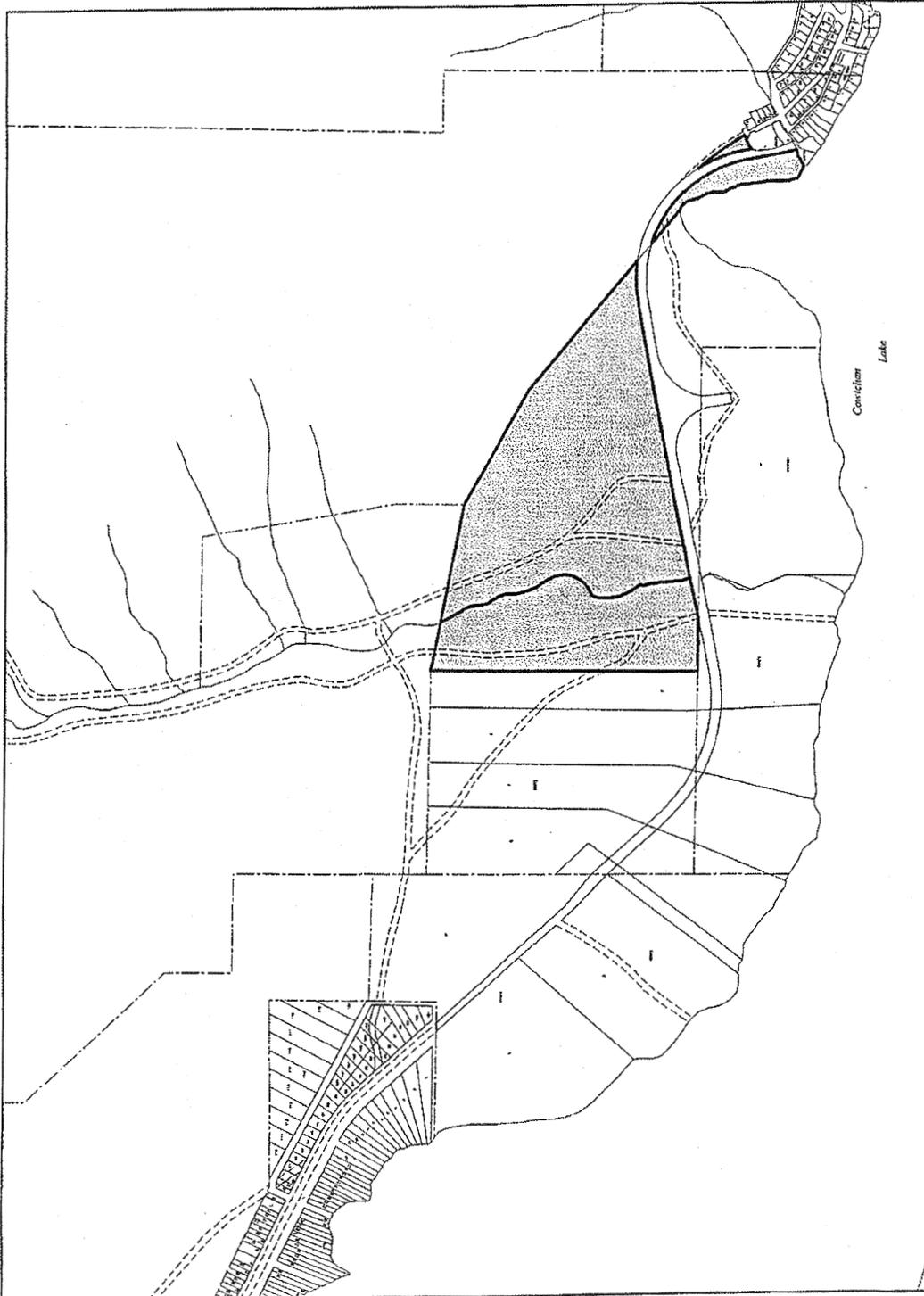
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SCHEDULE A

1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672;
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672;
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672;
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672;
6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672;
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672;
8. Block A, District Lot 64, Cowichan Lake District;
9. Section 46, Renfrew District (situated in Cowichan Lake District), except that part shown coloured red on Plan 1210 OS;
10. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
11. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
12. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
14. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
15. That Part of District Lot 31, Cowichan Lake District, containing 6.24 acres more or less as shown coloured red on Plan Deposited under DD 31052I;
16. That Part of Block 113, Cowichan Lake District, containing 0.54 acres, more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
17. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;

SCHEDULE A1

[MAP OF PORTIONS OF TIMBERWEST LANDS]



SCHEDULE B

AMENITIES AND FEATURES OF THE DEVELOPMENT

(References to Phases are references to phases described on Schedule B1.)

PARKS AND TRAILS

Youbou Beach Parkway and trail

1. In developing the major east-west extension of Youbou Road through the Lands, the Owner must provide a parallel multi-use trail of between 3 and 4 metres in width for pedestrians, cyclists and other non-motorized traffic, to the south of vehicle traffic lanes and physically separated from such lanes by a landscaped buffer, constructed to District standards. The multi-use trail must be linked at its westerly limit to the waterfront trail described in Section 3 and at its easterly limit to the Village core area. The Owner must also provide, to the north of vehicle traffic lanes and physically separated by another landscaped buffer, a stormwater bio-swale and elk corridor adjacent to the elk habitat described in Section 19. The aggregate width of the highway right of way, multi-use trail right of way and habitat corridor must be at least 60 metres. The trail must be constructed from the Village core area to the westerly edge of Phase 1a prior to the deposit of a subdivision plan of that phase; to the westerly edge of Phase 2a prior to the deposit of a subdivision plan of that phase; and to the westerly edge of Phase 3a prior to the deposit of a subdivision plan of that phase. In addition, the portions of the multi-use trail right of way on which the trail is constructed, and the portions of the stormwater bio-swale and elk corridor immediately adjacent to such constructed portions of the trail, must be transferred to the District in fee simple prior to or concurrently with the deposit of such subdivision plans. Landscaping must comprise native, drought-tolerant species and the Owner must maintain the landscaping for at least one year following completion of the works, replacing any plant specimens that do not survive transplant during that period. Prior to dedication or transfer to the District of the trail areas, buffer areas and elk corridor, the Owner must restore the land to the standard reasonably required by the District, including any reforestation and removal of invasive species specified by the District.

Lakefront walkway east of Cottonwood

2. The Owner must construct in the area described in Section 17 a hard-surfaced multi-use trail 3 to 4 metres in width, between the westerly boundary of Arbutus Park and Cottonwood Creek, complete with low level lighting, seating, landscaping, interpretive signage, and three viewing platforms, all as approved in writing by the General Manager of Parks, Recreation and Culture of the District. The portion of the walkway from Arbutus Park west to the boat launch facility must be constructed not later than the date of transfer to a purchaser by the Owner of the 101st building lot in Phase 1a, and the remaining portion prior to the date of registration of the last subdivision in Phase 1a. For the purpose of this Section, the Owner must notify the District of the transfer to purchasers of the 26th, 51st, 76th, and 101st building lots in Phase 1a within five business days of the deposit of the transfer in the Land Title Office, and upon any failure of the Owner to do so, the Owner shall be obliged upon receiving notice from the District to such effect, to forthwith construct such portions of the trail required by this Section as the District may specify in the notice. The Owner acknowledges that the District may, in giving such notice, require the construction of all portions of the trail remaining to be constructed at the time the notice is given.

Lakefront walkway west of Cottonwood

3. The Owner must provide in the area west of Cottonwood Creek to the western boundary of Phase 3a and extending along the western boundary of Phase 3a to connect with the Youbou Beach Parkway trail described in Section 1, a hard-surfaced mixed-use trail 3 metres in width, complete with low level lighting, landscaping including street trees, and irrigation works, all as approved in writing by the District. The portion of the walkway adjacent to each phase or sub-phase of the development must be constructed no later than the date of deposit of the subdivision plan creating the lots in that phase or sub-phase, and all walkway areas must be dedicated as highways where the Ministry of Transportation approves the walkway within the road allowance, and otherwise transferred to the District in fee simple. Driveway crossings over the walkway shall not be permitted and the District may require restrictive covenants at the time of subdivision prohibiting driveway crossings.
4. The alignment of the walkway may be landward of any single-family dwelling lots abutting Cowichan Lake, but must be between the Lake and any multi-family dwellings in Phase 1a or Phase 2a. Where the walkway does not abut Cowichan Lake, it must be located on the north side of the most southerly road in the subdivision approximately paralleling the natural boundary of the Lake.

Public parks west of Cottonwood Creek

5. The Owner must transfer to the District in fee simple, park areas south of Youbou Beach Parkway between Phases 1a and 2a and Phases 2a and 3a having an aggregate area of at least 10.1 ha, and prior to transfer must improve the park areas by reforestation and similar restoration of natural areas; the development of washroom facilities in each park area; the development of picnic areas, grassed areas, picnic tables and benches, barbecue pits, District Parks signage, information kiosks, parks access controls and irrigation works, integrating into the design the lakefront walkway described in Section 3, all as approved by the District in writing prior to construction.
6. The first such park area must be transferred prior to the registration of any subdivision plan of Phase 2b and must be developed with at least twelve motor vehicle parking spaces, and the second park area must be transferred prior to the registration of any subdivision plan of Phase 3a and must be developed with at least six motor vehicle parking spaces to a design and standard approved by the District in writing prior to construction.

Local neighbourhood parks

7. The Owner must transfer to the District five local neighbourhood parks having an aggregate area of at least 1.6 ha, at the time of subdividing the portion of the Lands in which the park is located, and must not subdivide any parcel comprising the Lands until the District has approved in writing the approximate location of each of the five parks. Prior to transferring each park, the Owner must undertake basic site preparation work including grading, irrigation and basic landscaping, and must construct on the park such improvements as may be approved in writing by the District.
8. The Owner is not obliged to expend more than \$425,000 on park improvements under Section 7, apart from basic site preparation work and subject to Section 28.

Youbou Road multi-use trail

9. The Owner must, subject to Section 28, provide to the District the sum of \$1,000,000.00 to be used for the development of a multi-use trail for non-vehicular traffic on Youbou Road to the east of the Lands, including design and acquisition of additional highway right-of-way as deemed necessary by the District. The Owner must provide to the District a completed design of the works prior to the deposit of a subdivision plan of Phase 2a; must pay to the District 1/3 of the funds not expended on the design prior to deposit of a subdivision plan of Phase 2a; must pay 1/2 of the remaining funds prior to deposit of a subdivision plan of Phase 3a; and must pay the balance prior to deposit of a subdivision plan so as to create more than 50% of the lots proposed in Phase 3a.
10. The construction of the trail contemplated by this Section is subject to the approval of the Ministry of Transportation and Infrastructure and timing of construction shall be at the discretion of that agency and the District.

Cottonwood Creek pedestrian crossing

11. The Owner must, prior to the deposit of a subdivision plan of Phase 2a, construct a pedestrian crossing over Cottonwood Creek to the south of the Youbou Beach Parkway highway crossing, to connect the trails described in Sections 2 and 3. Design of the crossing including specification of materials shall be subject to the approval of the District, which in granting approval may take into consideration the recommendations of the Ministry of Environment and Department of Fisheries and Oceans. In the event that the District determines that the Owner cannot comply with this requirement because either the Ministry of Environment, the Department of Fisheries and Oceans or any other authority having jurisdiction will not issue required approvals for construction of the crossing, the Owner must provide alternative pedestrian network improvements approved by the District prior to the deposit of a subdivision plan of Phase 2a.

Expansion of Arbutus Park

12. The Owner must, prior to the deposit of the subdivision plan creating the 101st parcel from the Lands, transfer to the District an area of land having a minimum area of 2.8 hectares to the northwest of and abutting Arbutus Park, shown as Phase 1c on Schedule B1, for park expansion and fire department facilities. Prior to the transfer, the Owner must construct on the land the multi-use trail described in Section 2.

Youbou Village beach and green

13. The Owner must transfer to the District in fee simple prior to the deposit of any subdivision plan for Phase 3a, a park area south of Youbou Beach Parkway between Phases 2b and 3b, and having an area of at least 4.45 hectares and a waterfront frontage of at least 200 metres. Prior to transfer the Owner must improve the park area by the development of a water park feature and children's playground; the development of picnic areas, grassed areas, picnic tables and benches, barbecue pits, basic washrooms and irrigation works, integrating into the design the lakefront walkway described in Section 2, all as approved by the District in writing prior to site preparation and construction. The improvements shall, subject to Section 28, have a value of \$400,000.00 inclusive of the cost of site preparation work.

COMMUNITY USES AND AFFORDABLE HOUSING

Community use/affordable housing site

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14. Prior to or concurrently with the deposit of any subdivision plan of Phase 2, the Owner must transfer to the District in fee simple, free and clear of all encumbrances other than those approved by the District, for community park, affordable housing, seniors' housing, school or other public use, a portion of the Lands adjacent to Youbou Beach Parkway shown as Phase 1c on Schedule B1, having a minimum area of 6.5 hectares.
15. The transfer may be made subject to a right of first refusal in favour of the Owner exercisable in the event of any proposed sale of the site to any party for purposes other than a purpose mentioned in the foregoing paragraph, such right of first refusal to expire within 25 years of the transfer.

ENVIRONMENTAL PROTECTION

Lakeshore riparian area

16. Concurrently with the deposit of any subdivision plan of any portion of the Lands abutting Cowichan Lake west of Cottonwood Creek, the Owner must grant to the District and any third party conservation organization nominated by the District a covenant under s. 219 of the *Land Title Act* providing for the conservation of the riparian area whose width at each point is the greater of 15 m measured from the 164 metre contour around Cowichan Lake, measured from mean geodetic sea level, and the width of the Streamside Protection and Enhancement Area as determined in accordance with the Riparian Areas Regulation. The terms of the covenant shall provide a high level of protection to the area and may differ in accordance with whether the lands charged by the covenant are private building lots or lands dedicated to the public.

Riparian area Arbutus Park to Cottonwood Creek

17. Concurrently with the deposit of any subdivision plan of any portion of the Lands abutting Cowichan Lake east of Cottonwood Creek, the Owner must transfer to the District in fee simple, subject to a covenant under s. 219 of the *Land Title Act* in favour of any third party conservation organization nominated by the District providing for the conservation of the area, an area upland of Cowichan Lake whose width is the width of the Streamside and Protection Enhancement Area as determined in accordance with the Riparian Areas Regulation. In addition, an uninterrupted 7.0 metre corridor on the upland side of such area, for the walkway corridor described in Section 2, shall be transferred in fee simple to the District.
18. Notwithstanding Section 17, the Owner may maintain ownership of the lakefront at two locations to accommodate access to a boat launch and marina. Each access may have a width of up to 20 metres and shall be in a location approved by the District. The Owner shall grant the District a statutory right of way with a minimum width of 7 metres over the access to accommodate the lakefront walkway described in Section 2, and the location of the right of way shall be suitable, in the opinion of the District, to provide safe public access across any ramp or other boat launch facility by all users of the walkway, including those with reduced mobility.

Environmental Conservation Area

19. Prior to or concurrently with the deposit of a subdivision plan creating Phase 2a north of Youbou Beach Parkway, the Owner must transfer to the District in fee simple, an area of the Lands comprising at least 48.6 hectares, generally to the north of Phases 3a, 2a and 1a,

connecting Cowichan Lake at the northwest boundary of the Lands and the Cottonwood Creek riparian corridor. Prior to dedication of the area the Owner must restore the area to the standard reasonably required by the District, including any reforestation and removal of invasive species that may be consistent with the management of the area as an environmental conservation area. The area must be free and clear of all utility easements, corridors, statutory rights of way and other encumbrances other than those approved in writing by the District and those in existence on the date of this Agreement. The parties acknowledge that up to 6.5 ha of the area may, concurrently with or prior to the transfer of the area to the District as an environmental conservation area, be transferred to the District in fee simple as a site for a wastewater treatment plant and disposal area.

20. The Owner must provide to the District, concurrently with the transfer or dedication of the environmental conservation area and subject to Section 28, the sum of \$10,000 to be used for elk habitat stewardship programs which may include access control, community education, interpretive signage, and wildlife viewing platforms.

Cottonwood Creek riparian corridor

21. Prior to or concurrently with the deposit of a subdivision plan creating Phase 1a, the Owner must transfer to the District in fee simple or otherwise dedicate to the public a riparian corridor comprising an area on each side of Cottonwood Creek at least 30 metres wide measured from top of bank of Cottonwood Creek within the Lands, and comprising at least 34.4 hectares in total area. Prior to dedication of the area the Owner must restore the area to the standard required by the District, including any reforestation that may be consistent with the function of the area as fish habitat and any removal of invasive species and industrial debris required by the District.

Cowichan Lake environmental protection

22. The Owner must provide to the District the sum of \$200 per single-family dwelling lot and \$100 per multi-family dwelling unit permitted by the Zoning Amendment Bylaw on a lot, subject to Section 28, for deposit to the reserve fund established by the District's Bylaw No. 2805 for the protection of waters and riparian areas on Cowichan Lake. Prior to or concurrently with the deposit of a subdivision plan creating any lot in Phase 2a, the Owner must provide contributions in respect of Phase 1 development, and prior to or concurrently with the deposit of a subdivision plan creating any lot in Phase 3a, the Owner must provide contributions in respect of all Phase 2 development and Phase 3 development.

SERVICING AND INFRASTRUCTURE

Sewage treatment for existing development

23. The Owner must make available to the District, in providing sewage treatment facilities for the Lands to be owned and operated by the District, sufficient sewage disposal capacity to accommodate up to 300 single-family dwellings not located on the Lands. The determination as to the capacity of the works shall be in the discretion of the District, acting reasonably in accordance with generally accepted civil engineering standards.

Youbou Road safety improvements

24. The Owner must carry out the Youbou Road safety improvements that are recommended in the Boulevard Transportation Group's May 25, 2008 Traffic Impact Study and required by

the Ministry of Transportation and Infrastructure. Such improvements must be carried out prior to the deposit of a subdivision plan creating Phase 1, except that improvements recommended in the study or required by the Ministry may be deferred to future phases where agreed to in writing by the Ministry.

EMERGENCY SERVICES

Fire protection review

25. The Owner must, prior to the deposit of a subdivision plan creating any part of Phase 1, prepare and provide to the District at the Owner's cost a fire protection review of the Land and the Youbou Fire Protection Area, prepared by a qualified person approved by the District, to identify the level of increased fire protection services and fire protection infrastructure required as a result of the Owner's development of the Land. Before undertaking the review, the Owner must submit proposed terms of reference for the District's approval.
26. The Owner must not subdivide any portion of the Land or construct any building or structure on the Land unless the Owner has provided, at the Owner's cost, all fire protection infrastructure and improvements recommended in the fire protection review and approved by the District's General Manager of Public Safety in respect of the particular phase of development of which that subdivision or portion of the Land forms a part. The Owner acknowledges that required fire protection infrastructure and improvements may include the dedication of land referred to in Section 11 of this Schedule; construction of an addition to the Youbou fire hall to the District's specifications; and the procurement of one or more fire trucks or other fire fighting apparatus and equipment and communications equipment complying with the specifications of the General Manager of Public Safety.

Secondary access

27. The Owner must provide, prior to the subdivision of land to the west of Phase 1a, a secondary access to the Land for emergency purposes only, connecting the east-west extension of Youbou Beach Parkway to a publicly accessible forestry road northwest of the westerly boundary of the Land. The secondary access must be constructed to a standard appropriate for the year-round travel of emergency vehicles, as determined by the General Manager of Public Safety of the District.

GENERAL PROVISIONS

28. Where in this Schedule the Owner is obliged to provide a sum of money to the District, the sum shall be the sum specified plus, commencing in December 2010, an additional amount in respect of construction cost increase calculated on the basis of the Non-Residential Building Construction Price Index compiled by Statistics Canada for Metropolitan Vancouver for the quarter immediately preceding the date on which the sum is to be provided to the District.
29. Where this Agreement provides for the transfer of land to the District for park, environmental conservation, riparian area protection, or trail corridor purposes, the following procedure shall apply:
 - (a) the Owner must, prior to the transfer and the undertaking of any work required by this Agreement, submit to the District for review and approval plans and drawings of the

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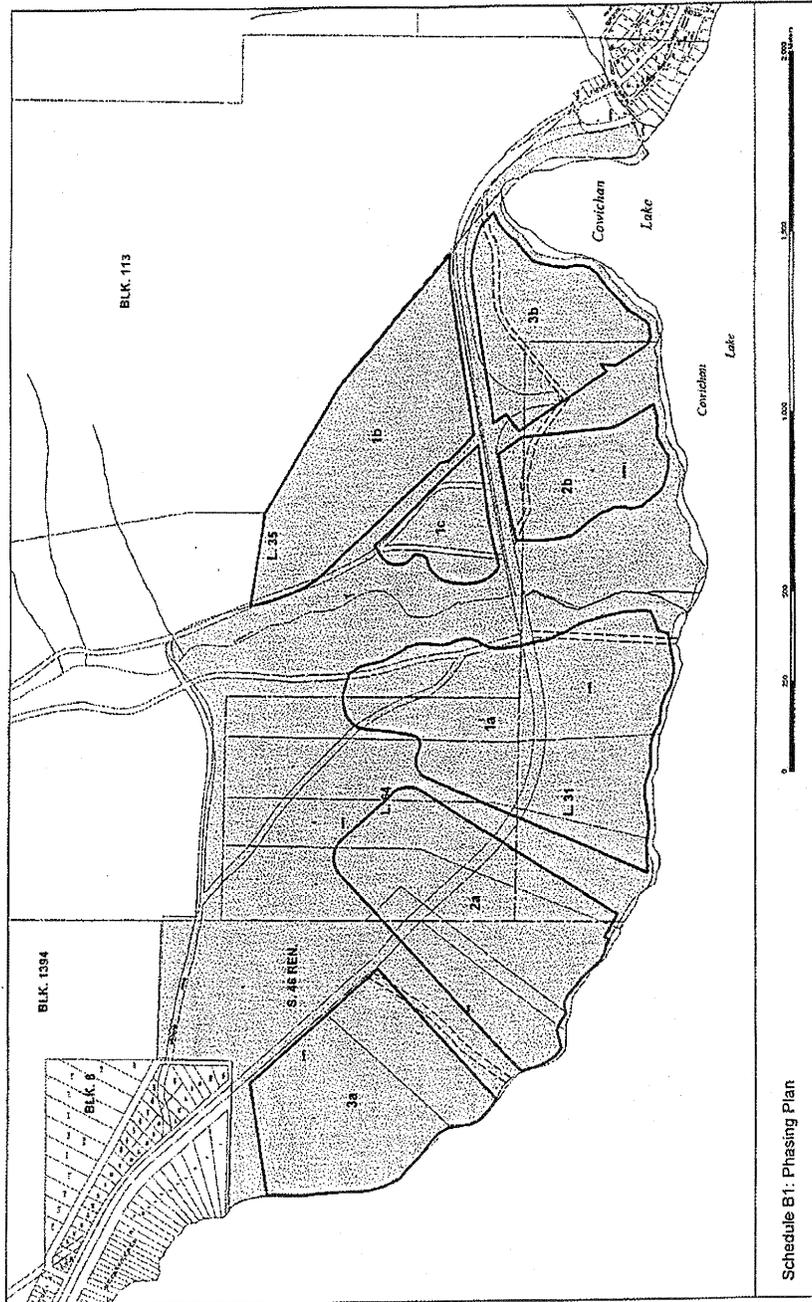
proposed areas and improvements prepared by a member of the B.C. Society of Landscape Architects;

- (b) the plans and drawings shall be in sufficient detail to demonstrate compliance of the areas and any proposed alterations and improvements with this Agreement, the standards and guidelines of the BCSLA and the District, and where the planning or design of proposed alterations or improvements require, in the District's opinion, the services of an engineer or other professional, the Owner must engage such person at the Owner's cost to provide such services;
 - (c) all park improvements must be constructed at the Owner's cost in accordance with the approved plans and any alterations that are approved in writing by the District during the construction process, as well as any applicable federal, provincial or local government regulations; and
 - (d) the Owner must notify the District on completion of construction, and must not transfer the land to the District until the District has inspected the works and accepted them in writing.
30. Where this Agreement requires the Owner to undertake works for the benefit of or to be transferred to the District, the parties may enter into further agreements obliging the Owner to provide the works by a specified date, which agreement the District may require to be registered in the form of a covenant under s. 219 of the *Land Title Act*, if the Owner provides security in a form and amount acceptable to the District to secure the Owner's performance of such obligations in accordance with the agreement. Such further agreements must enable the District to draw on the security to undertake the works if the Owner fails to do so by the date specified in the agreement.
31. In lieu of paying to the District the amounts specified in Section 9, the Owner may propose to undertake the works described in that Section by submitting to the District a plan of the works in sufficient detail that the District may have the plan reviewed by a quantity surveyor or similar consultant in order to advise the District on the fair market value of the work. The District may approve the plan if the works are satisfactory to the District and have a fair market value of at least \$1,000,000, and upon such approval being given in writing the Owner shall construct the works to the satisfaction of the District. Any costs incurred by the District in reviewing and approving the Owner's proposal for the works or inspecting the construction of the works shall be paid by the Owner, and may form part of the cost of the works.
32. Prior to the deposit of any subdivision plan of the Lands, the Owner shall prepare and provide for review and approval by the District an overall plan identifying the location and areas of all land to be transferred or dedicated to the District under this Agreement for public use as park, trail or walkway corridors, or conservation or environmental protection purposes, the total area of such areas to be not less than 121.4 hectares (300 acres), and the District shall approve the plan provided that it complies in all respects with this Agreement. Thereafter, upon the deposit in the Land Title Office of any subdivision plan or other instrument transferring or dedicating land to the District under this Agreement, the Owner shall provide a further copy of the approved plan indicating the amount of land that has been, is being, and remains under this Agreement to be, transferred or dedicated to the District.

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SCHEDULE B1

PHASING PLAN



SCHEDULE C

DENSITY RESTRICTIONS

(References to zones and sub areas described on Schedule C1)

1. The total number of residential lots that may be created within the LR-3 Zone and LR-3 sub areas are as follows:
 - a. LR-3A: 26 lots
 - b. LR-3B: 16 lots
 - c. LR-3 C: 21 lots

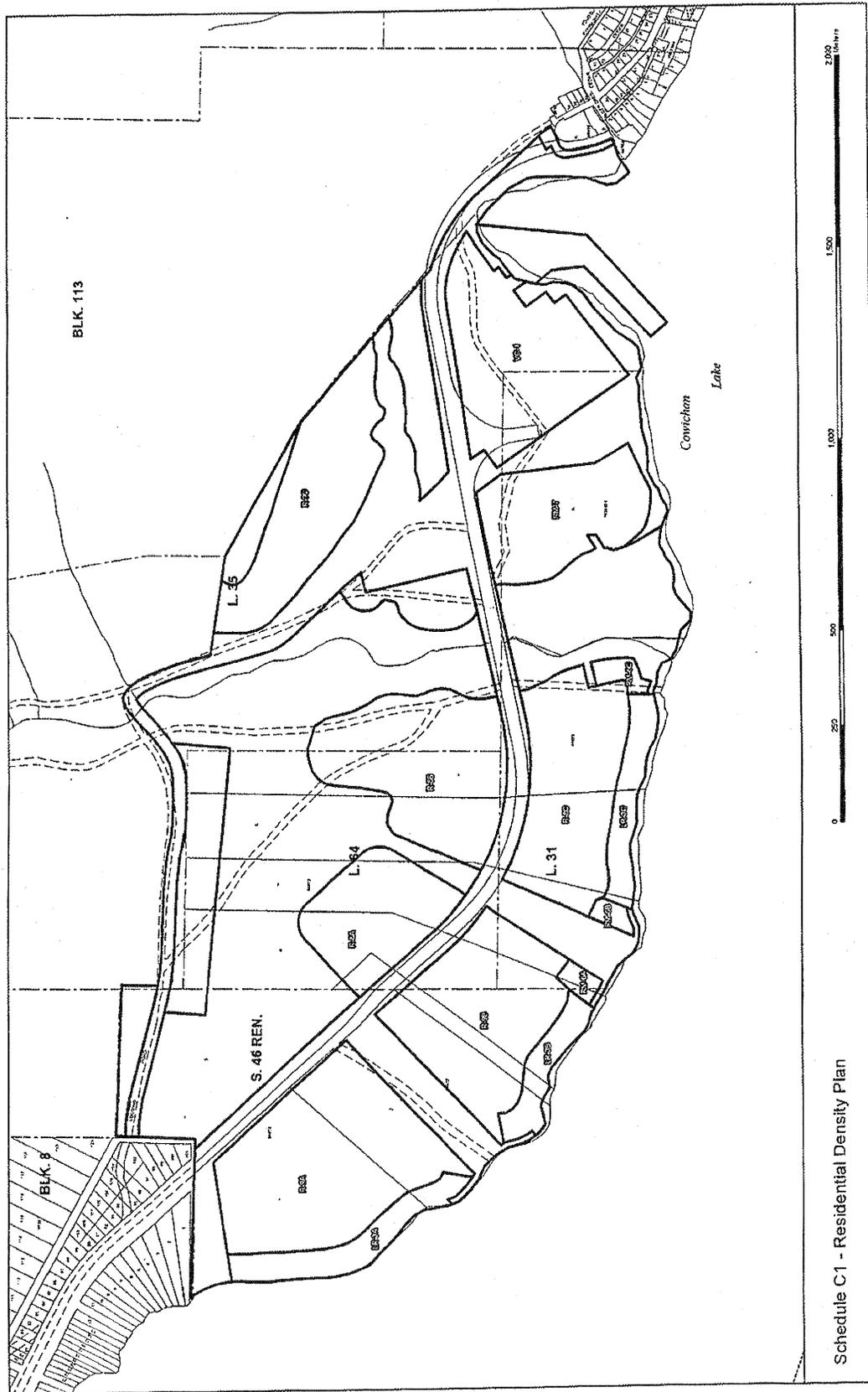
Total Lots: 63
2. The total number of residential lots that that may be created in the R-8 Zone and R-8 sub areas are as follows:
 - a. R-8 A: 95 lots
 - b. R-8 B: 163 lots
 - c. R-8 C: 158 lots

Total Lots: 416
3. The total number of residential lots that may be created in the R-9 Zone and R-9 sub areas are as follows:
 - a. R-9 A : 159 lots
 - b. R-9 B: 118 lots
 - c. R-9 C: 50 lots
4. **Total Lots: 327**The total number of residential dwelling units that may be created in the RM-6 Zone and sub areas are as follows:
 - a. RM-6 A: 21 units
 - b. RM-6B: 21 units
 - c. RM-6 C: 22 units
5. **Total Units: 64**The total number of residential dwelling units that may be created in the RM-7 Zone is 330.
6. The total number of residential dwelling units that may be created in the VC-1 Zone is 750.
7. The total number of hotel rooms that may be created in the VC-1 zone is 225.

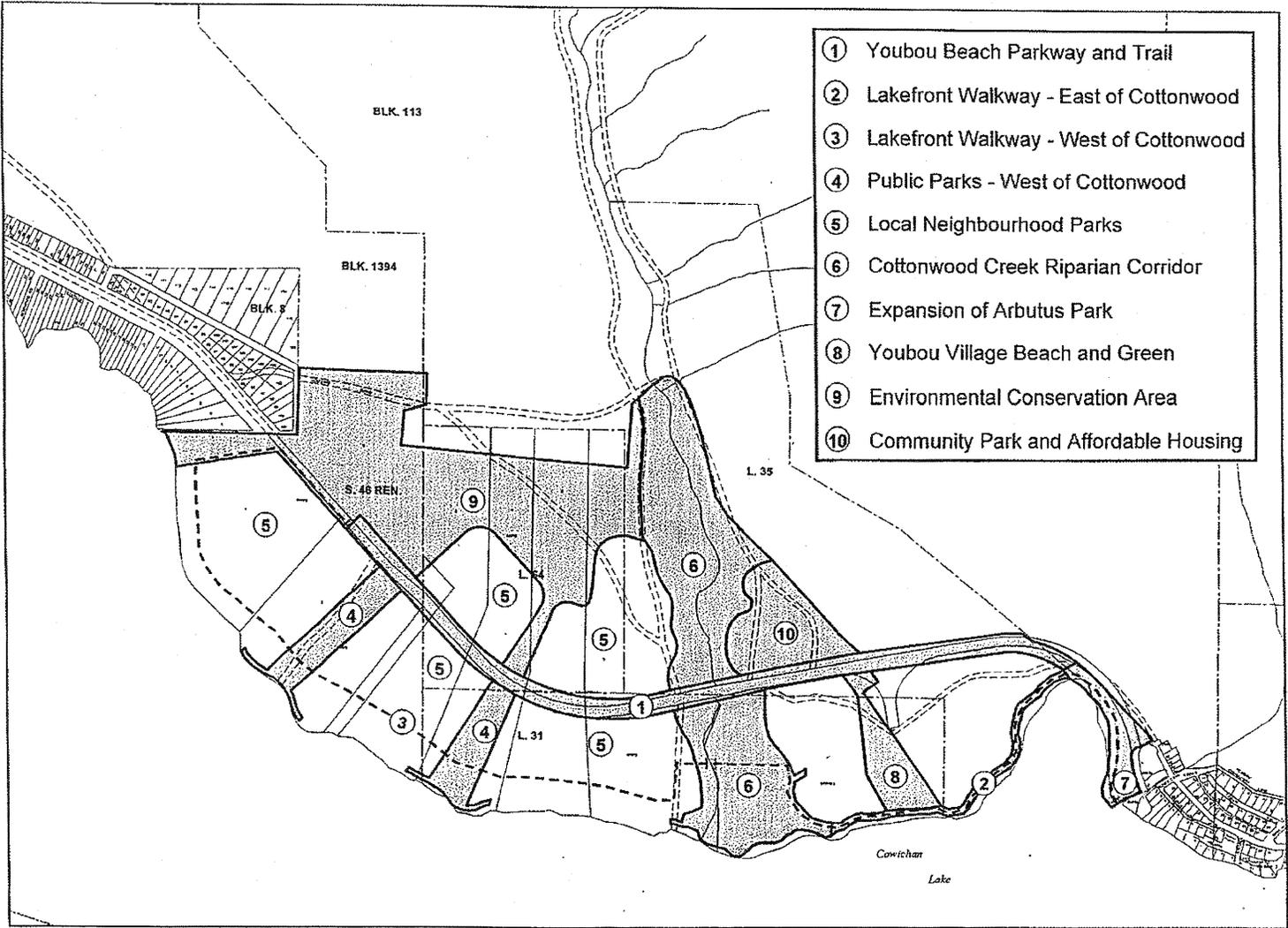
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SCHEDULE C1

DENSITY PLAN



Schedule C1 - Residential Density Plan



- ① Youbou Beach Parkway and Trail
- ② Lakefront Walkway - East of Cottonwood
- ③ Lakefront Walkway - West of Cottonwood
- ④ Public Parks - West of Cottonwood
- ⑤ Local Neighbourhood Parks
- ⑥ Cottonwood Creek Riparian Corridor
- ⑦ Expansion of Arbutus Park
- ⑧ Youbou Village Beach and Green
- ⑨ Environmental Conservation Area
- ⑩ Community Park and Affordable Housing

SCHEDULE D

READ A FIRST TIME this _____ day of _____, 2008

READ A SECOND TIME this _____ day of _____, 2008.

READ A THIRD TIME this _____ day of _____, 2008.

ADOPTED this _____ day of _____, 2008.

Chairperson

Secretary



REC C1

FEE

COWICHAN VALLEY REGIONAL DISTRICT

Financial Services Department

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director

Loren DUNCAN Area *Cowichan, Strathmoor, Glenora*

Grantee: _____ Grant Amount \$ 250

NAME: The Cowichan Spirit of Women

ADDRESS: one Kenneth Street
Duncan B.C V9L5G3

Contact Phone No: Helga Lambrecht 7488722 or cell 744-8922

PURPOSE OF GRANT: Program Support

REQUESTED BY: Loren Duncan
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
01-2-1950-D105-115	250.00	10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL *[Signature]*

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____

The Cowichan Spirit of Women

Womens Resource Centre, One Kenneth Street, Duncan, B.C. V9L 5G3

Phone (250)715 3893 Facsimile (250) 748 3509

e-mail spiritofwomen@shaw.ca or e-mail helgal@shaw.com

2008 01 29

Director Loren Duncan, Area E

Cowichan Valley Regional District

Re Grant in Aid

Dear Director Loren Duncan,

We have received \$100 to \$500 grants in aid from many electoral areas of the *Cowichan Valley Regional District* over the years and are requesting grants from all the directors. The *Cowichan Spirit of Women*, organized in 1992, seek funds to operate the *Women Resource Centre* and run other programs and projects.

The *Women Resource Centre* opened fourteen years ago and is run by volunteers and a coordinator as funds permit. Computer, internet and office skills are taught to women; information and help is given and bimonthly newsletters are distributed. Movies are shown the first Monday night of the month while *Community Kitchens* meets semi-monthly. We organize annual events: International Women's Day, Equinox and Solstice days, Canada's Day of Remembrance of Violence Against Women. In addition, *CSW* sponsors a variety of workshops, classes and seminars, Cafe nights, Art Show, Book Club. Community involvement include Volunteer Cowichan, Women Against Violence Against Women and the Cowichan Intercultural Society. We aim to serve the women and children in the Cowichan Valley which helps men too. Our mandate is "women helping women" which builds a cohesive community for all.

All that we do together increases our profile in the community and ensures our continued success. Your contribution to a project such as sponsoring underemployed students in a course at approximately \$75 to \$150 each, co-sponsoring International Women's Day or assisting with the operation of the *Women Resource Centre* would be greatly appreciated. The rent is about \$50 per month. Thank you for your careful consideration of this important request for a grant in aid. On behalf of the *Cowichan Spirit of Women*, I thank you.

Respectfully yours

Helga Lambrecht, Organizer, *CSW*

748-8722 or (250)744-8922 cell

000150



CVRD

REC C2

FE

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Financial Services Department

Submitted by Director Kon Cossey Area B

Grantee: _____ Grant Amount \$ 1500.00

NAME: COWICHAN SECONDARY SCHOOL

ADDRESS: 2652 James St. Duncan BC V9L2X2
% Joan Chatterton

Contact Phone No: (250) 746 4435

PURPOSE OF GRANT: BURSARY AWARDS - 2 @ \$750.00

REQUESTED BY: K. Cossey
 Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0205-112</u>	<u>1500.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____



NOV 17 2008

November 13, 2008

Mr. Ken Cossey
Area B Director
CVRD
Duncan , BC

Dear Sir/Madam:

RE: Cowichan Valley Regional District – Area B Bursary

We are beginning to collect the information for our Scholarships and Bursaries Booklet. Your generosity to our students has always been greatly appreciated. By recognizing their achievements and investing in their future, you are giving them not only the financial assistance they need to pursue their goals, but also the realization that their community believes in their potential.

Please confirm your continued support by completing the attached questionnaire(s) and return to us at your earliest convenience, if possible before December 19, 2008.

Thank you for your support.

Yours truly,

COWICHAN SECONDARY SCHOOL

Joan Chatterton
Scholarship/Bursary Chairperson

JC/gj

Enc.

Original: <i>Frances</i>	Copies to:
Board:	<i>Dr. R. Cossey</i>
Committee(s):	
Checked by: <i>AK</i>	Date: <i>Nov. 18/08</i>
File #	

Important Date: Scholarship and Bursary Award Night – 7 p.m., Wednesday, June 10th, 2009

34. **COWICHAN VALLEY PARENTS FOR FRENCH BURSARY – FRENCH IMMERSION PROGRAM**

Conditions

- ◆ Preference will be given to a student whose parent(s) or guardian is a member in good standing for 2 years previous with Canadian Parents for French.
- ◆ Must be a grade 12 student completing the requirements for the French Immersion Program.
- ◆ Preference may, but not necessarily will, be given to a student proceeding with the study of the French Language.
- ◆ Must show they have used their knowledge and application of French within the community.
- ◆ The award is to be paid to any post secondary institution of training upon proof of acceptance.
- ◆ To be claimed within 18 months of being awarded.

BURSARY - \$ 250.00

Contact Person

Danielle Lymburner
4310 Sunrise Drive
Duncan, B.C. V9L 6G6

710-0725

35. **COWICHAN VALLEY REGIONAL DISTRICT – AREA B BURSARY**

Conditions

- ◆ Available only to a student living in **AREA B – CVRD – Shawnigan Lake.**
- ◆ Must be in regular attendance at Cowichan Secondary School.
- ◆ Must be involved in the school and community.
- ◆ Awarded to student(s) graduating on ANY program and who will be proceeding to post-secondary education at a recognized institution (university, college, technical or vocational school).
- ◆ The award will be paid upon receipt of proof of registration at the chosen post secondary institution.
- ◆ The bursary must be used within one year upon receipt.

~~**BURSARY - \$ 500.00**~~

2 @ \$750.00

Contact Person

Mr. Ken Cossey
Area B Director

746-1336

36. **COWICHAN VALLEY REGIONAL DISTRICT – AREA C BURSARY**

Conditions

- ◆ Available only to a student living in **ELECTORAL AREA C – COBBLE HILL.**
- ◆ Must be in regular attendance at Cowichan Secondary School.
- ◆ Must be involved in the school and community.
- ◆ Awarded to student(s) graduating on ANY program and who will be proceeding to post-secondary education at a recognized institution (university, college, technical or vocational school).
- ◆ The award will be paid upon receipt of proof of registration at the chosen post secondary institution.
- ◆ The bursary must be used within one year upon receipt.

TWO BURSARIES - \$500.00 EACH

Contact Person

Mrs. Gerry Giles
Area C Director

743-5466

000153



REC C3

FEI

COWICHAN VALLEY REGIONAL DISTRICT

Financial Services Department

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director KEN CESSEY Area B

Grantee: _____ Grant Amount \$ 1800.00

NAME: COWICHAN FAMILY CAREGIVERS SUPPORT SOCIETY

ADDRESS: c/o GARY HARVEY

PO BOX 13 SHAWNIGAN LAKE BC

VOR 2W0

Contact Phone No: (250) 743 7621

PURPOSE OF GRANT: TO ASSIST WITH THE OPERATION

OF THE VARIOUS SOCIETY CAREGIVER

PROGRAMS

REQUESTED BY: K. Cessey

Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-6224-112</u>	<u>1800.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

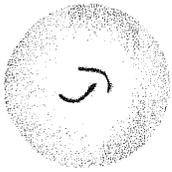
Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization



**Cowichan Family
Caregivers
Support Society**

Communities Supporting Caregiving Families

nourishing strengths and opening hearts ~ nourishing strengths and opening hearts ~ nourishing strengths and opening hearts ~ nourishing strengths and opening hearts

RECEIVED
OCT 14 2008

PO Box 13, Shawnigan Lake
British Columbia VOR 2W0
Phone (250) 743-7621
Fax (250) 929-7621
info@familycaregiverssupport.org
www.familycaregiverssupport.org

Ken Cossey, Director, Regional District B
Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C.
Postal code
V9L 1N8

From: <i>France McCossey</i>	Copies to:
Date: <i>Oct 15 2008</i>	
October 9, 2008	

Re: Request For Assistance, \$2,500.00 for 2009

Dear Ken,

Your past support has made good things happen in Shawnigan Lake and the Regional District and your continued support can only make things better.

Our mission is to relieve the stress of caregiving that families experience over time and, by so doing, we prevent or delay more costly medical intervention. In the Times Colonist (8 November 2007) the cost to the Health Care system for caring for an elderly couple would be \$6,000.00 per month, if the family caregiver was removed. It is estimated the caregivers provide over 80% of eldercare, which saves the healthcare system billions of dollars. It makes good economic sense to support caregivers.

We augment existing community healthcare providers by offering: support circles; support groups; one-on-one emotional support; advocacy; information and referral; education; and community development. In a recent meeting, when how we work was described, a manager for the Vancouver Island Health Authority (VIHA) said, " That is music to my ears."

Last year demand for our service, both new and internal, increased by 80%. To even attempt to meet this increase in demand, we are looking at a budget for 2009 of \$133,000, give or take. VIHA gives us \$46,000. We raise about \$28,000 from our annual Shawnigan Lake Walk and raffle, and receive \$10,000 plus from an individual. For the remainder we rely on community support and other grants (asking for about \$30,000 from BC Gaming).

Your continued support will be appreciated, and will improve the quality of life for many caregiving families in the Region.

Respectfully requested by Garth Harvey, President.

Garth Harvey

P.S. Your last grant allowed us to add 7 more hours to work on S.L. Goucher's care. Thanks again



RE C4

COWICHAN VALLEY REGIONAL DISTRICT

Financial Services Department

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director Kew Cossey Area B

Grantee: _____ Grant Amount \$ 1000.00

NAME: FRANCES KERSEY SECONDARY SCHOOL

ADDRESS: PO BOX 279 MILL BAY BC V0R 2P0
c/o ms. NORMA WHEELER

Contact Phone No: (250) 743 6916

PURPOSE OF GRANT: BURSARY AWARD - 1 @ \$1000.00

REQUESTED BY: K. Cossey
 Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0103-112</u>	<u>1000.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization



FRANCES

KELSEY

SECONDARY SCHOOL

C.V.R.D.
RECEIVED

NOV 03 2008

P.O. BOX 279 MILL BAY, BRITISH COLUMBIA, V0R 2P0 TEL (250) 743-6916 • FAX (250) 743-6915
SCHOOL DISTRICT 79 (COWICHAN VALLEY)

November 2, 2008

Cowichan Valley Regional District Electoral Area B Shawnigan Lake
Mr. Ken Cossey
175 Ingram Street
Duncan, BC, V9L 1N8

Dear Mr. Ken Cossey :

At this time, our attention is once again focused on scholarships and bursaries, which are awarded annually to our graduating students.

We take this opportunity to thank you for the steadfast support shown our students in the past. The importance of these awards increases as the cost of further education escalates. There is no doubt that this help often makes a significant difference to many individual students.

Please let us know if your organization will be able to donate to the program again this year. If so, please initial that all information is correct or revise the attached information sheet and return it by mail or fax (250-743-6980) to Ms. Norma Wheeler by Friday, January 23, 2009.

Thank you for your support.

Sincerely,

Mr. Mike Martin
Scholarship and Bursary Chairperson

MM/njw
Encl.

Original:	<i>Frances</i>	Copies to:	<i>Dr. Cossey</i>
Board:			
Committee(s):			
Date:	<i>Nov 4/08</i>		
File #			

000157

28 COWICHAN VALLEY REGIONAL DISTRICT ELECTORAL AREA "B" - SHAWNIGAN LAKE AWARD

1 award(s) valued at \$ 1000

1. The applicant must be residing in the Shawnigan Lake area.
2. Student must have worked very hard and shown dedication to their academic pursuits.
3. Student must have demonstrated helpfulness to other students through positive contributions to School Community life.

Applications to: Mr. M. Martin (via Ms. Wheeler - Counselling Office)

Primary Contact

Mr. Ken Cossey,
C.V.R.D. Director
c/o Ms. Heather Sarchuk
175 Ingram Street
Duncan, BC, V9L 1N8

Alternate Contact

Phone: 746-2570

Fax: 746-5612

Special Application Form Required?

No



C.V.R.D

REC C5

FEI

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Financial Services Department

Submitted by Director KEN COSSEY Area B

Grantee: _____ Grant Amount \$ 250.00

NAME: THE COWICHAN SPIRIT OF WOMEN

ADDRESS: 40 WOMEN'S RESOURCE CENTRE
ONE KENNETH STREET DUNCAN BC
V9L 5G3

Contact Phone No: (250) 715 3893 - HELGA LAMBRENT

PURPOSE OF GRANT: TO ASSIST WITH THE
OPERATION OF THE CENTRE AND
THEIR PROGRAMS

REQUESTED BY: K. Cossey
 Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950 - -112</u>	<u>250.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL _____

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____ **000159**

Ken Cossey

From: "Helga Lambrecht" <helgal@shaw.ca>
To: <kcossey@seaside.net>
Sent: Friday, January 30, 2009 9:50 PM
Attach: Document.rtf
Subject: Request for Grant in Aid

The Cowichan Spirit of Women

Womens Resource Centre, One Kenneth Street, Duncan, B.C. V9L 5G3

Phone (250)715 3893 Faxsimile (250) 748 3509

e-mail spiritofwomen@shaw.ca or e-mail helgal@shaw.com

2008 01 29

Director Ken Cossey, Area B

Cowichan Valley Regional District

Re Grant in Aid

Dear Director Ken Cossey,

We have received \$100 to \$500 grants in aid from many electoral areas of the *Cowichan Valley Regional District* over the years and are requesting grants from all the directors. The *Cowichan Spirit of Women*, organized in 1992, seek funds to operate the *Women Resource Centre* and run other programs and projects.

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Respectfully yours

Helga Lambrecht, Organizer, *CSW*

748-8722 or (250)744-8922 cell

No virus found in this incoming message.

Checked by AVG - <http://www.avg.com>

Version: 8.0.176 / Virus Database: 270.10.16/1928 - Release Date: 1/31/2009 8:03 PM

000160
2/5/2009

API

November 6, 2008

7:30 pm

Minutes of the Electoral Area B Advisory Planning Commission held on the above noted date and time at Shawnigan Community Centre

Present

APC members: Chair Sara Middleton, Vice Chair Graham Ross-Smith, recording secretary Cynara de Goutiere, Bruce Stevens,

Also present: Area C APC Rod de Paiva - Chair, David Hart, Dave Thomson, Al Cavanagh, Rosemary Allen and Brenda Krug

Absent: Robin Brett - Vice Chair, Leslie Watt and Michael Janssen

Guests : Shirley Thomson and John Bertagnolli

Absent: Shawn Taylor, Rod Macintosh, Roger Painter

Delegates: Chuck Farrar, Roy Davis

ORDER OF BUSINESS

1) Application no: 1-B-08ALR.

Chuck Farrar explained the proposed boundary adjustment to the ALR lands.

Currently there are 2 A-1 lots and the proposal would end up with 2 lots:

Lot A (3.48 ha) in Area B, which is largely agricultural, with a residence on it. Lot 12(0.28 ha), in Area C, a long narrow lot which abuts Lot A, is landlocked (though adjacent to the railway line). This lot has agricultural potential.

The proposal is to consolidate Lot 12 with Lot A, and create a new second Lot B, 0.75 ha on the portion of Lot A which is less agriculturally suitable, and which has road and hydro access. The residence would be moved to this lot. The proposed adjustment would mean less loss for driveway access through Lot A to Lot 12 and would net more productive agricultural use of the land.

This application largely meets ALR requirements for boundary adjustment. However, the reduction of the site area required for sewage disposal system would have to be addressed by the ministries responsible. The proposed site would also be smaller than ALR 1 ha minimum requirements, but the applicants make the case that this proposal would provide more agricultural land.

Discussion focused on the potential for creation of a third lot, since Lot A is bifurcated by Area B and C's boundary. It was questioned whether indeed two land titles could be amalgamated if they lie in two different Regional District Areas.

Motion APC Area B and APC Area C recommend approval of the boundary lot adjustment File No: 1-B-08ALR subject to registration of a covenant on title(s) which would prohibit further subdivision of the new Lot A. **Motion seconded. Motion carried unanimously.**

2) **Application 2-B-07RS.** Applicant Roy Davis came with his daughter Janet Brown. The application did not have maps included, so in light of this, the application was tabled until the December meeting.

Memo to the CVRD, that this application package was incomplete, and that the applicant should have been guided in the process more thoughtfully and thoroughly so as not to have inconvenienced him.

3) **OCP.** Meeting with Katy Tompkins to go over the maps will be Wednesday November 19th, 7:00. It is important for us to be at this meeting, as the OCP review process is in its final stages and this will be our last chance for input.

4) Meeting adjourned. Next meeting December 4th.

AP2

January 26th, 2009
7:00 pm

Minutes of the Electoral Area B Advisory Planning Commission held on the above noted date and time at Shawnigan Community Centre, Elsie Miles extension.

Present

APC members: Chair Sara Middleton, Vice Chair Graham Ross-Smith, recording secretary Cynara de Goutiere, John Clark, Roger Painter, Rod MacIntosh

Also present: Director Ken Cossey, Alternate Director Gerry Gutensohn

Absent: Carol Lane

Delegates: Roy Davis, Janet Brown, Jacqueline Logan, Bill Hayes

ORDER OF BUSINESS

1) **Introductions.** Ken announced that there will be a Community Hall Meeting February 12th. Details to appear in local papers.

2) **Elections** will be deferred until next meeting, when all members are present. Graham Ross Smith was elected to be standing Chair. Cynara takes up the quill as usual.

3) Rezoning Application 2-B-07/RS

Roy Davis and daughter Janet Brown spoke to their application to rezone their 10 acre Coleman Road property from F1 to R2. They explained their intended subdivision of the property into three parcels if rezoned. They addressed the issue of wetlands which comprise ~41% of the property, and the park dedication which will need to be discussed with Parks Commission.

4) Rezoning Application 3-B-08RS

Bill Hayes and Ms. Logan spoke to their application to rezone their 27 acre Thain Road property from F1 to F2. They feel that the steep land has little commercial forestry potential left, and they want to subdivide into two parcels. The Covenant, which currently exists on the property had originally been placed to allow access to the neighbour's lot. The applicants report that the access issue has been resolved, and that the Covenant may be removed by MoTH. They were asked if they would be amenable to dedicating parkland, and said that although they would, there could be no access up to the back.

5) Rezoning Application 2-B-07/RS

Discussion. Although this application is in keeping with surrounding areas, APC members were concerned about wetlands accumulating from neighbouring subdivision. Madrone's study however has shown feasibility for this small subdivision.

Motion: Area BAPC recommends that **Rezoning Application 2-B-07/RS** be approved with due attention to wetland areas and recommend a Surface Water Discharge Review. **Motion seconded and Carried.**

000163

6) Rezoning Application 3-B-08RS

Discussion. APC members had not received memo from Dana Beaton with corrections to the Application. With the minimum lot requirement of 4 ha, it was apparent that the property was only of sufficient size to be subdivided into two parcels. Park dedication, or money in lieu of, although not required, would be a fitting offering. The APC is concerned that rezoning might encourage a trend in small F1 parcels. However, this property in particular, is steep, and being very close to Cobble Hill Village appears inappropriate for commercial forestry.

Motion. Area B APC recommends approval of Rezoning Application 3-B-08RS, corrected to the intention of two lots only and one a minimum of 4 ha.

Motion seconded and Carried.

7) Meeting adjourned. Next meeting February 5th, to review OCP. Graham will send agenda with time and place. APC members hope that for subsequent meetings, seating and board table accommodations will be resized from kindergarten to adult.

AP3

From: David Lowther [without_a_net@shaw.ca]
Sent: Tuesday, February 03, 2009 8:39 PM
To: joe allan
Cc: ian morrison
Subject: please circulate as rquired
Attachments: "AVG certification"

APC MInutes for February 3, 2009.

Called to Order at 19:06. Ian Morrison in the chair. David Lowther acting secretary.

In attendance: David Lowther, Ian Morrison, Joe Allan, Dave Anderson, Phil Archibold, Joan McKenzie and Brian Peters.

Elections: Chair Joe Allan (acclaimed)
 Vice Chair Joan McKenzie (acclaimed)
 Secretary Shirley Burden (acclaimed)

MSC: to adjourn at 20:20

Next meeting to be announced later.

PKI
FEB 23 2009

**Minutes of the Cowichan Station/Sahtlam/Glenora Parks and Recreation Commission
Annual General meeting, held on January 29th, 2009 at 7:00 p.m. at the Glenora Community
Hall.**

Call to Order

The meeting was called to order at 7:10 p.m. and Ron Smith, Commission Chair, welcomed everyone attending (approximately 30) to the Annual General Meeting, introduced Area E Director Loren Duncan and all the other Commission members present. The Chair also briefly mentioned the purpose and read out the key parts of the 2008 AGM minutes.

Highlights from 2008

At this point the Chair reviewed the major work undertaken at the Community Parks on behalf of the residence of the Electoral Area. This included the construction of the kiosk/washroom facility and the September open house at the Glenora Staging Area Community Park, as well as the construction of the car port and storage shed at the caretaker's residence in the same park.

Mention was also made that the Sahtlam Fire Hall will spearhead the development of the new information kiosk and sign that will be erected near the hall. Also, the assembly was told that there had been two preliminary on site assessments of the Cowichan Station School and grounds last November and December.

At this point the Chair briefly mentioned some of the other initiatives he hoped the Commission could undertake during 2009. Most are not large capital projects but rather things like the completion of the kiosk sign at the Staging Area Community Park, the general layout of the trail system in the Sahtlam area and the boulevard beautification and possibly a sign in the Boys Road area.

Directors Review of Commission Work and other Initiatives

Director Duncan distributed copies of the Statement of Revenue and Expenditures as well as the Budget List by Function for the Commission.

This was followed with a more in-depth review of some of the projects, especially the improvements to the Glenora Staging Area Community Park, such as the location of a cookhouse, walk-in camping area and signage. He also expanded on the ideas being suggested for the Cowichan Station School becoming a key focal point for that community and some of the possible uses for the grounds and buildings.

At this point Director Duncan asked for questions and input from those attending the Annual General Meeting. Some issues raised are as following:

1. Plowing of the park road through the Glenora Staging Area Community Park. It was felt that the caretaker and family were 'trapped' in the park due to the heavy snow fall in December and January and that arrangements should be made well in advance to have the road plowed so they could at least get from Robertson Road into their home. Director Duncan indicated that this matter is being addressed by the Regional District and a firm contract to have the road plowed will be in place shortly.
2. Accommodating horse riders (and clubs) at the Glenora Staging Area Community Park. A number of people representing various riding associations within the Cowichan Valley attended the meeting and wanted to know if there were still plans to accommodate their needs. Director Duncan indicated that indeed they had not been forgotten. He explained that the park plan was

**Minutes of the Cowichan Station/Glenora/Sahtlam Parks and Recreation Commission
Annual General Meeting of January 29th, 2009 continued**

designed to ensure there would be room to provide various improvements needed for the horse riding public—a feature few if any other park in the Cowichan Valley have or will have. The problem the Commission had was that they didn't know who to contact or how many different associations there were within the region. It was suggested that a special meeting be held in the spring with all groups to discuss this proposal. The Chair will contact Jennifer Brownlow of the Cowichan District Riding Club to set a suitable date for a meeting (likely in late April or early May when the weather is better) that will also include an on site tour of the park.

3. New Community Park land and trails. This was briefly mentioned by Director Duncan who indicated that the Commission is still looking at constructing a non-vehicular bridge across the Cowichan River between Glenora and Sahtlam so that the various trail networks on both sides of the river could be accessed.

4. Cowichan Station School. Background information on the change of direction by the Ministry of Education with respect to community schools was outline by Director Duncan. Basically the directive from the Ministry was that the local School Boards were required to make them available for community use, thus remaining in the public domain rather than selling the buildings and properties of to the highest bidder. With this in mind he felt there was a great opportunity for the Cowichan Station School to become a much needed asset and focal point for the Cowichan Station community and is aware of a number of proposals. He also mentioned the *Towns of Tomorrow* grant program which could possibly be accessed to assist with needed improvements.

Those attending mentioned that there was a need to do a full assessment of all buildings since the original part of the school was constructed in 1914, the gym added later and the separate concrete block classrooms erected in 1976. Director Duncan assured those attending the AGM that this certainly would be his approach. Also, others mentioned a wide range of uses and users for the buildings and grounds including having a day care and an after school drop in centre established. The latter proposal seemed to be especially interesting since at least six school busses pass the school from different directions each afternoon—all within about half an hour. There was also mention that one of the greatest assets of the site, for the community, would be the sports field on the south side of Koksilah Road but there would be a need to have washrooms and a change room. Director Duncan mentioned that there were likely other opportunities like establishing a new playground and other outside amenities at the school and would indicated that the Parks and Recreation Commission wants to work closely with the community as things progress over the next few months.

5. North Cowichan/Duncan swimming pool. While outside the mandate of the Parks and Recreation Commission the matter of the two tier user fee was raised by two area residents. Director Duncan explained his position regarding the matter of funding the municipally operated facility. It was pointed out by one resident that he couldn't get his son into swimming lessons since only the children of residents in North Cowichan and Duncan could sign up first, Should there then be room available only then would others be allowed to be accommodated. Another individual pointed out that indeed the pool was constructed with only municipal taxpayers footing the bill even though there was an effort to get senior governments to assist and now the pool was a much greater financial burden for the municipal taxpayers than first anticipated at the time of the municipal referendum three years ago. Finally it was mentioned that only residents from Electoral Areas A,B,C,D,E,F and are being charged the higher fee since they live outside the municipality, however, if you are a tourist to the Cowichan Valley and want to use the pool you are only charged the lower municipal rate.

**Minutes of the Cowichan station/Glenora/Sahtlam Parks and Recreation Commission
Annual General meeting of January 29th, 2009 continued**

Election of Commission Members

At this point Director Duncan asked for nominations from the floor. One member Elaine Androsoff would not be able to serve on the Commission this year.

The following were elected to the Commission for 2009.

Larry Whetstone, Howard Heyd, Paul Slade, Frank McCorkell and Irene Evans.

In addition the following were appointed by Director Loren Duncan; Ron Smith, Phil Gates and John Ramsey.

Adjournment

The meeting adjourned at 9:35 p.m.

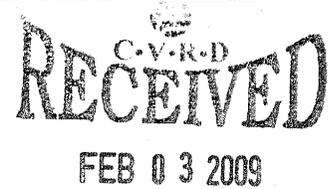
File: Minutes of the 2009 Parks AGM Meeting

PK 2

Minutes of the Cowichan Station/Sahtlam/Glenora Parks and Recreation Commission Meeting of January 29th, 2009, held at 10:00pm at the Glenora Community Hall.

Present

Director Loren Duncan, Ron Smith, Frank McCorkell, Paul Slade, Phil Gates



Call to Order

The meeting was called to order at 10 pm following the Annual General Meeting to deal with one issue.

New Business

Cherry Blossom Estate Re-zoning Application

This proposal to establish a mobile home strata development on Culverton Rd. was reviewed by the Commission members present. On the sketch plan reviewed it showed an area of 2 acres designated for public park purposed in the north west corner.

The Commission believed that location for this park is correct.

Next Meeting

The next meeting will be in mid February at the call of the Chair.

Adjournment

The meeting adjourned at 10:30 pm.

MEMORANDUM



DATE: February 6, 2009
TO: Tom R. Anderson, General Manager, Planning and Development Department
FROM: Brian Duncan, Chief Building Inspector
SUBJECT: BUILDING REPORT FOR THE MONTH OF JANUARY, 2009

There were 23 building Permits and 0 Demolition Permit(s) issued during the month of January, 2009 with a total value of \$ 5,460,510.

Electoral Area	Commercial	Institutional	Industrial	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"	3,000,000			896,330		6	6	3,896,330	3,896,330
"B"				456,235		8	8	456,235	456,235
"C"				0		0	0	0	0
"D"	31,000			12,375		3	3	43,375	43,375
"E"				1,000		1	1	1,000	1,000
"F"				0		0	0	0	0
"G"				0		0	0	0	0
"H"	3,600			302,970		3	3	306,570	306,570
"I"			750,000	7,000		2	2	757,000	757,000
Total	3,034,600	0	750,000	1,675,910	0	23	23	5,460,510	5,460,510
NEW RESIDENTIAL					TOTALS TO DATE				
January	2009	(8)		\$ 1,203,015	January	2009	(23)		\$ 5,460,510
January	2008	(26)		\$ 3,507,740	January	2008	(50)		\$ 4,652,774

B. Duncan, RBO
 Chief Building Inspector
 BD/db

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