



C·V·R·D

ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
January 15, 2013
Regional District Board Room
175 Ingram Street, Duncan, BC

3:00 p.m.

AGENDA

Table with 2 columns: Agenda Item and Pages. Items include APPROVAL OF AGENDA, ADOPTION OF MINUTES, BUSINESS ARISING FROM MINUTES, DELEGATIONS, and STAFF REPORTS.

6. CORRESPONDENCE

C1	Letter dated January 4, 2013, from Paul Brigel regarding temporary Use permits for vacation rental purposes	377
C2	Grant in Aid request – Area C	378-379
C3	Grant in Aid request – Area C	380-381
C4	Grant in Aid request – Area G	382
C5	Grant in Aid request – Area G	383
C6	Grant in Aid request – Area D	384-385
C7	Grant in Aid request – Area D	386-388

7. INFORMATION

IN1	November 2012 Building Report	389-391
IN2	Decemember 2012 Building Report	392-394
IN3	Area E APC minutes of December 4, 2012	395-396
IN4	Area D Parks minutes of December 5, 2012	397
IN5	Area C Parks minutes of December 8, 2012	398-399
IN6	Area H Parks AGM minutes of February 23, 2012	400
IN7	Area H Parks minutes of February 23, 2012	401-402
IN8	Area H Parks minutes of April 5, 2012	403-404
IN9	Area H Parks minutes of May 26, 2012	405-407
IN10	Area H Parks minutes of August 23, 2012	408-410
IN11	Area H Parks minutes of October 24, 2012	411-413

8. NEW BUSINESS**9. PUBLIC/PRESS QUESTIONS****10. CLOSED SESSION**

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.

CSM1	Minutes of Closed Session EASC Meeting of December 4, 2012	414
CSR1	Legal Opinion [Section (1)(i)]	415-434

11. ADJOURNMENT

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

Director L. Iannidinardo
 Director M. Walker
 Director B. Fraser
 Director I. Morrison

Director M. Marcotte
 Director G. Giles
 Director M. Dorey

Director P. Weaver
 Director L. Duncan

M

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, December 4, 2012 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

PRESENT

Director M. Walker, Chair
Director L. Iannidinardo
Director I. Morrison
Director M. Marcotte
Director M. Dorey
Director P. Weaver
Director B. Fraser
Director L. Duncan
Director G. Giles
Director R. Hutchins, Board Chair

ALSO PRESENT

Tom Anderson, General Manager
Warren Jones, Administrator
Rob Conway, Manager
Mike Tippett, Manager
Brian Duncan, Manager
Rachelle Rondeau, Planner I
Maddy Koch, Planning Technician
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding four items of listed New Business, three additional items of new business, and one item of listed Closed Session New Business.

It was Moved and Seconded
That the Agenda as amended be approved.

MOTION CARRIED

Introduction of New Staff Member

Ryan Dias, Parks Operation Superintendent, introduced new Parks & Trails staff member Brent Wilson, Parks Trails Operation Supervisor.

M1 - Minutes

It was Moved and Seconded that the Minutes of the November 20, 2012, EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Schuerholz

Goetz Schuerholz, was present on behalf of CERCA Cowichan Estuary Restoration and Conservation Alliance, regarding rehabilitation of the Cowichan Estuary, and introduced CERCA Board Directors who were also present.

Mr. Schuerholz provided a power point presentation outlining the vision and mission of CERCA and their priority action plan.

The Committee directed questions to the delegate.

The Chair thanked the delegate for appearing.

STAFF REPORTS

R1 - Taylor

Rachelle Rondeau, Planner I, reviewed staff report dated November 29, 2012, regarding Application No. 6-E-10ALR (Ronald Taylor) to subdivide property located at 4350 Creighton Road into two lots.

Ed Wilson, BCLS, was present on behalf of his client who has an interest in purchasing one of the proposed lots, and provided further information to the application.

The Committee directed questions to staff and Mr. Wilson.

It was Moved and Seconded

That Application No. 6-E-10ALR, submitted by Kenyon Wilson Professional Land Surveyors on behalf of Ronald Taylor, made pursuant to Section 21(2) of the *Agricultural Land Commission Act* to subdivide, be forwarded to the Agricultural Land Commission with a recommendation to approve the application subject to:

- a) Registration of a covenant prohibiting building, driveway, and septic field construction within 20 metres of the wetland; and
- b) Dedication of the 0.14 ha piece of land north of Cowichan Lake Road to the CVRD as proposed by the applicant.

MOTION CARRIED

R2 – Van Basten

Maddy Koch, Planning Technician, reviewed staff report dated November 29, 2012, regarding Application No. 1-F-12DVP (Stan VanBasten) to increase the maximum height of a restored dwelling by .3 metres located at 10143 South Shore Road,

It was Moved and Seconded

That Application No. 1-F-12DVP by Stan Van Basten for a variance to Section 5.12(5) of Zoning Bylaw No. 2600 by increasing the permitted maximum height of a dwelling from 7.5 metres to 7.8 metres for Lot 34, Section 35, Renfrew District, (Situate in Cowichan Lake District), Plan 40628 (PID: 000-204-854), be approved.

MOTION CARRIED

R3 - Bennefield

Maddy Koch, Planning Technician, reviewed staff report dated November 28, 2012, regarding Application No. 6-C-12DP (Bennefield) to subdivide property located at 1000 Braithwaite Drive into two lots.

Blue Bennefield, applicant, was present.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 6-C-12DP submitted by Blue Bennefield for Lot 4, Section 14, Range 8, Shawnigan District, Plan 23783 (PID 003-143-180) for subdivision of two new lots be approved subject to:

- a) Confirmation from a Qualified Professional Engineer, at the time of building permit application, that post-development rainwater runoff will not exceed pre-development rainwater runoff;
- b) Removal of all invasive plants on the property and;
- c) Connection to community water.

MOTION CARRIED

R4 - Teunissen

Maddy Koch, Planning Technician, reviewed staff report dated November 29, 2012, regarding Application No. 12-B-12DP (Helmut Teunissen) to permit subdivision of one new lot at 1578 Shawnigan Lake Mill Bay Road.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 12-B-12DP submitted by Helmut and Vickie Teunissen on Lot 6, Section 2, Range 5, Shawnigan District, Plan 47154 (PID: 011-850-736), for subdivision of one new lot be approved subject to:

- a) Substantial compliance with the rainwater management plan prepared by Dennis Lowen, dated October 4, 2012;
- b) Removal of invasive species, and their replacement with native vegetation, in accordance with the report prepared by Jennifer Morgen on September 21, 2012.

MOTION CARRIED

R5 – Clifcoe Road

Brian Farquhar, Manager, reviewed staff report dated November 29, 2012, from Dan Brown, Trails Planning Technician, regarding Permit to Construct at Clifcoe Road, Area G.

It was Moved and Seconded

That a Permit to Construct be approved with BC MoT for construction of a trail within the undeveloped portion of the Clifcoe Road right-of-way to be managed under the Electoral Area G Community Parks budget.

MOTION CARRIED

R6 – Chaster Road

Brian Farquhar, Manager, reviewed staff report dated November 28, 2012, from Tanya Soroka, Parks Trails Planner, regarding Permit to Construct at Chaster Road, Area D.

It was Moved and Seconded

That a Permit to Construct agreement be approved with BC MoT for a roadside trail and landscape trees in the section of Chaster Road right-of-way fronting Lot A, Section 13, Range 7, Quamichan District, Plan VIP84748 (Parhar Development) to be managed under the Electoral Area D Community Parks function.

MOTION CARRIED

R7 – Covenant Release (Cooper)

Brian Farquhar, Manager, reviewed staff report dated November 29, 2012, from Tanya Soroka, Parks and Trails Planner, regarding Release of Covenant (Cooper), Area F.

It was Moved and Seconded

That the appropriate documents be executed to release Covenant CA2509073 in favour of the Cowichan Valley Regional District registered April 26, 2012, as the subject conditions within the covenant referring to the dedication of 2.6 hectares of land for park purposes to the CVRD, will be appropriately executed at the time of subdivision approval and will no longer be relevant within the covenant terms and conditions.

MOTION CARRIED

R8 – Park Caretaker Contract

Brian Farquhar, Manager, reviewed staff report dated November 28, 2012, from Ryan Dias, Parks Operations Superintendent, regarding Bright Angel Park caretaker contract extension request.

It was Moved and Seconded

That the existing Bright Angel Park Caretaker Contract be extended with the incumbent caretakers, Daniel and Ruth Vandewildenberg, for a further two years commencing June 1, 2013, and completing on May 31, 2015, as per conditions of the existing Bright Angel Park Caretaker Contract dated June 1, 2010.

MOTION CARRIED

R9 – SC Zoning Bylaw

Mike Tippett, Manager, reviewed staff report dated November 28, 2012, regarding implementing the new South Cowichan zoning bylaw. Mr. Tippett provided a power point presentation outlining the new zoning bylaw's implementation.

The committee directed questions to staff.

It was Moved and Seconded
That draft South Cowichan Zoning Bylaw No. 3520 for Electoral Areas A, B and C be forwarded to the Board for consideration of first and second reading, and that public meetings be held in lieu of a public hearing.

MOTION CARRIED

R10 - Mike Tippett, Manager, reviewed staff report dated November 28, 2012, regarding amending the South Cowichan OCP and the South Cowichan zoning bylaw.

It was Moved and Seconded
That staff report dated November 28, 2012, from Mike Tippett, Manager, regarding the new South Cowichan zoning bylaw and amending the South Cowichan OCP, be received for information.

MOTION CARRIED

CORRESPONDENCE

C1 – Cycle Cowichan It was Moved and Seconded
That letter dated November 8, 2012, from Cycle Cowichan, requesting implementation of a policy respecting safe routes for bicycles and pedestrians, be received and filed.

MOTION CARRIED

C2 – Grant in Aid It was Moved and Seconded
That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$500 be given to Cowichan Foundation to assist with further educational opportunities for Cowichan students.

MOTION CARRIED

INFORMATION

IN1 - Minutes It was Moved and Seconded
That the minutes of the Area C Parks meeting of November 23, 2012, be received and filed.

MOTION CARRIED

It was Moved and Seconded
That the CVRD Board forward a letter to Ms. Jenny Ferris and the students of Shawnigan Lake School thanking the students for their help in planting 800 Kinnikinnick plants along the berm at the new kiosk at Cobble Hill Common.

MOTION CARRIED

NEW BUSINESS

NB1 – Add-on material Add-on material regarding application No. 6-E-10ALR (agenda item R-1) was received for information.

NB2 – Cobblestone Inn It was Moved and Seconded
That the CVRD has no objection to the application by Cobblestone Inn to allow the sale of liquor to be extended to 2:00 am on December 23 and 26 only.

MOTION CARRIED

NB3 - Minutes It was Moved and Seconded
That the minutes of the South Cowichan APC meeting minutes of November 22, 2012, be received and filed.

MOTION CARRIED

NB4 – Bylaws 3666, 3667 Rob Conway, Manager, reviewed draft South Cowichan OCP Amendment Bylaw No. 3666 and Zoning Amendment Bylaw No. 3667 (Living Forest Communities).

The bylaws were received for information only.

NB5 – Curbside Collection Director Giles asked staff to provide an update regarding the recent curbside collection AAP process. Bob McDonald, Manager, Recycling and Waste Management Division, provided an update. Mr. McDonald stated that he could provide a report to the next Board if desired.

General discussion ensued.

Mr. Jones advised an update report will be emailed to Directors.

NB6 – Siting Permits Director Marcotte stated that accessory buildings in the ALR was discussed at the recent ALC meeting and suggested that staff look into amending the building bylaw to require a building permit rather than just a siting permit.

It was Moved and Seconded
That staff be directed to investigate the process to have the CVRD Building Bylaw amended to require a building permit, rather than a siting permit, to construct buildings located within the Agricultural Land Reserve, and report back to a future EASC meeting.

MOTION CARRIED

NB7 – Malahat Lions Director Giles requested that the permit fee be waived for the Malahat Lions Club project.

It was Moved and Seconded
That the building permit fee be waived for the Malahat Lions Club to expand their storage shed at the Shawnigan Cemetary, provided that the required fee does not exceed \$100.

MOTION CARRIED

RECESS The Committee adjourned for a 5 minute recess.

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 6:05 pm.

RISE The Committee rose without report.

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

MOTION CARRIED

The meeting adjourned at 6:20 pm.

Chair

Recording Secretary

D1

Request to Appear as a Delegation

Meeting Information

Request to Address:

CVRD Board

Committee

If Committee, specify the Committee here:

EASC

Meeting Date: 01/15/13

Meeting Time: 3 PM

Applicant Information

Applicant Name: Keith Shields

Representing: Shawnigan Fire Department

(Name of organization if applicable)

As: Fire Chief

(Capacity / Office)

Number Attending: 1

Applicant Contact Information

Applicant Mailing Address: PO Box 231

Applicant City: Shawnigan Lake

Applicant Telephone: 250-588-0610

Applicant Fax:

Applicant Email: shieldsk@telus.net

Presentation Topic and Nature of Request:

I would like to speak on the rezoning application for the proposed Shawnigan Lake Firehall #3.

Thank-You

D2



REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Corporate Secretariat Division – Fax 250.746.2513)

REQUEST TO ADDRESS: CVRD BOARD
 Elections Area Services Meeting COMMITTEE
at the meeting of January 15, 2013, 20013 at 3:00 pm
APPLICANT NAME Paul Budding
REPRESENTING: Satlem Residents
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: 1 or More

Applicant mailing address: 4409 Akira Rd Duncan BC

Applicant Telephone: 2502137796 Fax: _____

Applicant email: paulbudding@shaw.ca

PRESENTATION TOPIC and NATURE OF REQUEST:
Objection to the approval of the entry shoots
at the CMA CV Tran and Skeek Club over there court
(If more space is required, please attach an additional page to this form) order.

F
[Signature]
Signature

Jan 7/2013
Date

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Corporate Secretariat Division at 250.746.2508.

D3



CVRD

REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Corporate Secretariat Division – Fax 250.746.2513)

REQUEST TO ADDRESS: CVRD BOARD
 EASC COMMITTEE

at the meeting of January 15th, 2013 at 3 pm

APPLICANT NAME Andrew Pakulak

REPRESENTING: _____
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: 3

Applicant mailing address: 4555 Cowichan Lk. Rd.

Applicant Telephone: 250 748 4757 Fax: _____

Applicant email: justbelieve@shaw.ca

PRESENTATION TOPIC and NATURE OF REQUEST:

Cowichan Lake Road Golf Club

(If more space is required, please attach an additional page to this form)

F
[Signature]
Signature

Jan. 9, 2012
Date

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Corporate Secretariat Division at 250.746.2508.

D4



REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Legislative Services Division -- Fax 250.746.2513)

REQUEST TO ADDRESS: CVRD BOARD
 EASC COMMITTEE

at the meeting of JAN. 15, 2013 at 3 pm

APPLICANT NAME J. Fonck.

REPRESENTING: COWICHAN VALLEY TRAP & SHEET CLUBS.
(name of organization if applicable)

AS: PRESIDENT.
(capacity/office)

NUMBER ATTENDING: 3.

Applicant mailing address: _____

Applicant Telephone: 250-748-2886 Fax: -

Applicant email: z@lo8.com Gdailyart@shaw.ca

PRESENTATION TOPIC and NATURE OF REQUEST:
CVTSC - USAGE

(If more space is required, please attach an additional page to this form)

J. P. Omand
Signature P. ENG

Jan. 9/2013.
Date

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Legislative Services Division at 250.746.2508.



C.V.R.D.

R1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 9, 2013 FILE NO: 1-E-13BE
FROM: Nino Morano, Bylaw Enforcement Officer BYLAW No:
SUBJECT: Cowichan Valley Trap and Skeet Club
Special Event Shoot 2013

Recommendation/Action:

Direction of the Committee is required.

Relation to the Corporate Strategic Plan: N/A

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

Background:

We are in receipt of the attached letter from the Cowichan Valley Trap and Skeet Club (CVTSC) located on Cowichan Lake Road in Area "E" requesting to hold two (2) "Special Event" Competitive Shoots in 2013 (April 6 – 7 & April 20 – 21).

Directors may recall that in the fall of 1993 the Cowichan Valley Regional District went to court in an attempt to limit the extent of the use of the Gun Club property to what had taken place prior to the inception of zoning in 1974.

In January 1994, Justice H.D. Boyle ruled that:

1. The Plaintiff's (CVRD) claim of violation of its Building Bylaw be dismissed.
2. The Defendant (Gun Club) forthwith remove or cause to be removed the western most three of five concrete trap shooting bunkers, the two skeet shooting towers and the concrete walkways constructed after 1974.
3. The Defendant be restrained and enjoined from using or allowing the use of the property as a place to discharge firearms other than on one fixed, regular evening per week, to be determined by the Defendant, and on one full day, two weekends per month.
4. The Defendant be restrained and enjoined from using or allowing the use of that property as a place to discharge firearms on more than one consecutive day, unless authorized as a special event under the Plaintiff's relevant Noise Bylaw, or in competitions of a wider than local nature unless authorized as a special event under the Plaintiff's relevant Noise Bylaw.
5. The Defendant be restrained and enjoined from the cutting down or allowing the cutting down of timber on that property without prior authorization of the Plaintiff.

The Gun Club did not file a Notice of Appeal and the Court Order remains in force.

In accordance with the Court Order, the CVTSC have requested permission under the "Special Events" section of the CVRD Noise Bylaw No. 1060 to hold competitive shoots of a wider than local nature and of more than one consecutive day.

Section 5 states:

"Notwithstanding the provisions of this Bylaw, where it is impossible or impractical to comply with S. 3(g) of this Bylaw or in the case of a special event, a person may apply for and receive from the Regional District a permit waiving the requirements of this Bylaw for a specific time over a specific location, if in the opinion of the Regional District, such a waiver is in the public interest."

For your information, the CVTSC requested and was subsequently permitted to hold three (3) special event shoots in 2012. Upon review of this file, it was noticed that no more than four special event shoots has ever been permitted in one year. These special event shoot requests have been approved since 1995.

Recently, this office has received several complaints from nearby residents. Some of their concerns include:

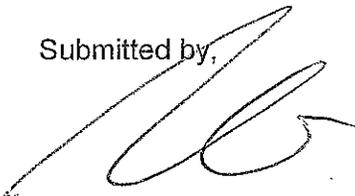
- Significant increase in shooting generally and particularly in the Spring season due to a combination of regularly scheduled Sunday shoots (approximately 10am to 5pm), commencement of the Tuesday evening shoots (6pm to 9pm) and the Special Event Shoots (approximately 9am to 6pm).
- Hours of the shoots (which is not detailed in the Court Order).
- Confusion surrounding the process in which additional shoots are requested or granted.
- Tree cutting.
- Building without permit.

This office has initiated an investigation into these concerns to ensure compliance with the Court Order and all other applicable Bylaws.

Recommended Options:

- 1) Permit the requested shoot schedule.
- 2) Deny any shooting over and above what is permitted according to the Court Order.

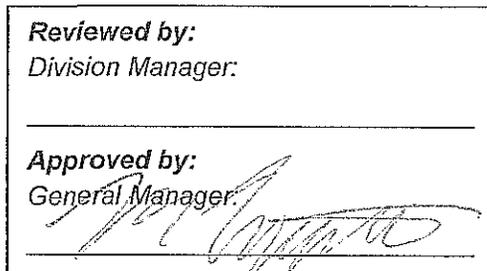
Submitted by,



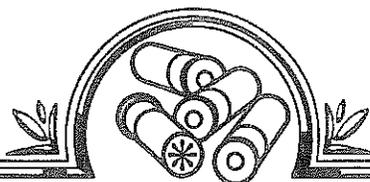
Nino Morano,
Bylaw Enforcement Official
Inspections and Enforcement Division
Planning and Development Department

Reviewed by:
Division Manager:

Approved by:
General Manager:



NM/ca



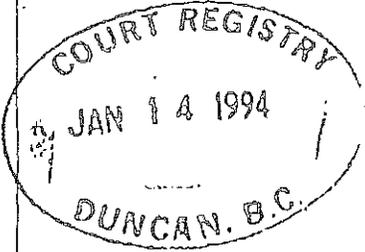
COWICHAN VALLEY TRAP & SKEET CLUB

SINCE 1953

Cowichan Valley Trap & Skeet Club

Shoot & Practice Schedule for 2013

January 6	
January 13	
February 3	
February 24	
March 10	
March 17	
April 2- September 24	Practice every Tuesday evening – 6:00pm- 9:00pm
April 6, 7	Special Event
April 20, 21	Special Event
April 28	
May 12	
June 2	
June 16	
July 7	
July 28	
August 4	
August 25	
September 8	
September 22	
October 6	
October 20	
November 3	
November 10	
December 1	
December 8	



No. S3178
Duncan Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:)	
)	
COWICHAN VALLEY)	
REGIONAL DISTRICT)	REASONS FOR JUDGMENT
)	
PLAINTIFF)	OF THE HONOURABLE
)	
AND:)	MR. JUSTICE H.D. BOYLE
)	
COWICHAN VALLEY GUN CLUB)	
)	
DEFENDANT)	

Counsel for the Plaintiff:	Gerald R. Molnar
Counsel for the Defendant:	Durward Tillie

DATES OF HEARING:	November 29, 30 and December 1, 1993.
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The issue here arises out of a clash between two competing interests each of which is entirely acceptable and reasonable on its own in terms of society and the local community generally.

One interest is the enjoyment of clay target shooting. The other is the quiet enjoyment of a rural residential area.

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5 The Defendant Gun Club, or its predecessors, has been using
6 its range near Duncan for about 40 years for trap and skeet
7 shooting. Its zoning status is that of lawful non-conforming use.
8

9 The noise generated has led to longstanding complaints by
10 neighbours of the Defendant to the Plaintiff. The Plaintiff's
11 claim is that, in addition to breaching the regional district's
12 noise bylaw, the Defendant is in breach of a 12 year old order to
13 demolish shooting facilities constructed without a building permit
14 and against the Plaintiff's refusal of a permit. The Plaintiff
15 seeks an injunction to stop the shooting as being contrary to the
16 regional noise bylaw and it seeks an order that the shooting
17 facilities referred to above be demolished.
18

19 There is no claim in nuisance. No charges have been laid
20 under the noise bylaw.
21

22 The Defendant argues its admitted non-conforming use status
23 exempts it from the Plaintiff's noise bylaw and building
24 restrictions because the Club site was regularly used for about 20
25 years prior to its present R-2 single family zoning which was
26 adopted in 1974. Before that bylaw came into existence the club
27 site was subject to no relevant zoning restrictions.
28
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5 Complaints about the noise have been consistent - although not
6 continually voiced - for about 20 years. They come from a range of
7 locations, from adjacent to one mile away. The intensity of the
8 complaints and of the Plaintiff's concern receded from time to time
9 when the Club indicated its members were considering some action to
10 abate the disturbance. They increased again when nothing was
11 done.

12
13 The relevant legislation includes s. 722 of the Municipal Act:

14
15 "722(1) A building or structure lawfully under
16 construction at the time of the coming into
17 force of a zoning bylaw shall, for the purpose
of that bylaw, be deemed to be a building or
structure existing at that time.

18 (2) A lawful use of premises existing at the time
19 of the adoption of a zoning bylaw, although
20 the use does not conform to the bylaw, may be
21 continued; but if the nonconforming use is
discontinued for a period of 30 days, any
future use of the premises shall conform,
subject to this section, to the zoning bylaw.

22 (3) A lawful use of a building or structure
23 existing at the time of the adoption of the
24 zoning bylaw, although the use does not
25 conform to the zoning bylaw, may be extended
throughout the building or structure, but no
structural alterations except those required
by statute or bylaw or those allowed by the
board of variance shall be made in or to it.

26 (4) Where a building or structure the use of which
27 does not conform to an applicable zoning bylaw
28 is damaged or destroyed to the extent of 75%
29 or more of its value above its foundations, as
determined by the building inspector, whose
decision shall be subject to review by the

convenience of any person or persons in the neighbourhood or vicinity.

In 1976 the Defendant applied to the Plaintiff for a Land Use Contract to expand its facility from two trap houses to nine and from two skeet towers to four. Following a public hearing, the application was denied in July 1977. That meeting appears to have been the first all-out, formal expression of neighbourhood disturbance.

That did not deter the Defendant. Three new trap houses were built in 1978 or 1979, making a total of five of which only four are used. New concrete walkways for each trap house were installed. The walkways provide footing for shooters who take different positions during a five-shot competitive round.

The regional district in 1978 posted cease and desist notices in reference to that construction.

Prior to this, there had been two trap houses, two chukker pits (from which the clay targets were fired in a manner designed to simulate bird flight) and two bunkers for portable trap use.

In 1979 the Defendant again applied to expand. The Plaintiff formally refused that application. The Plaintiff's board found: "... it is not compatible with the residential area ..." The

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5 a.m. to 4.00 p.m. on one particular Sunday. Mr. Lyall's evidence
6 is representative of the Plaintiff's witnesses which I accepted.
7

8 The Defendant's response to resulting complaints was apparent
9 indifference.
10

11 The Plaintiff indicated a reasonable attitude in advising that
12 rezoning might be approved if "adequate steps to buffer the noise"
13 were undertaken.
14

15 So far as the evidence shows, the Defendant never made any
16 proposal regarding noise abatement. In March 1981, the Defendant
17 ignored a direction from the Plaintiff to demolish the new trap
18 facilities except that the then president expressed the never-to-
19 be-realized willingness to move.
20

21 In May 1987, at least four formal complaints were filed by
22 neighbours with the Plaintiff. Those complaints called for, at a
23 minimum, closing down three of the trap houses to reduce the noise.
24

25 The Defendant prior to these proceedings made a May 1992
26 request for a building permit to allow construction of a new
27 clubhouse. That was refused on the ground the use extended beyond
28 that permitted under the area zoning.
29
30

Counsel agree that neither a change in title which took place some years ago, nor the fact the Club was struck from the Registry of Societies in 1981 and was not restored until 1991, is relevant to the issue here. Neither is issue made of the fact the land was escheated to the Crown when the Defendant was struck off the Register because it was returned when the Defendant was reinstated.

From the Court's standpoint, the fact the Club was struck from the Register is relevant to the general attitude of the members which was to enjoy the recreational and competitive aspects of their sport without any long term concern for the formalities of group responsibility beyond safety, administration of meets and orderly conduct on the range as well, I presume, as occasional social activities.

DECISION: BUILDING PERMIT

The Regional District building bylaw requires no permit "where the total value of materials and labour does not exceed \$500.00". I recall no evidence in proof of the cost of adding the three concrete bunkers in 1978 or 1979, the onus being on the plaintiff. In a commercial enterprise common sense and general knowledge might allow judicial notice to be taken of value but where the defendant

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5 beginning in the 1980's has been on a scale greater than at the
6 time zoning was first established. There is physical evidence of
7 added facilities. There is evidence of membership increase from 35
8 to 108 and of amalgamation with a Victoria club which moved its
9 activities to this site. There is evidence of increased use,
10 particularly in the rate of firing. There is evidence a new game,
11 "Sporting Clays", has been introduced.

12
13 It is not crucial to this decision but the evidence is
14 convincing that logging carried out by the Defendant on its
15 property from time to time after the zoning was established has
16 increased the volume of sound escaping from the shooting site to
17 the neighbours' homes. The "use of land" cannot be separated from
18 the product of that use which, in this case is noise. Noise has
19 been increased by more firing more often and by a material change
20 in the land through logging.

21
22 The Defendant offered evidence that a national shooting
23 association officer had advised cutting the trees would reduce the
24 escaping noise by permitting the sound to be filtered instead of
25 echoing off the standing timber. That hearsay advice is not
26 supported. It is contradicted by the Plaintiff's evidence of
27 neighbours that the sound was louder after than it was before the
28 trees were cut.

1
2
3
4
5 can be rolled back without interfering with the protection given to
6 the status quo by section 970(1) (of the Municipal Act)".

7
8 Here the Defendant has gone well beyond the status quo in the
9 extent and in the intensification of use.

10
11 A lawful non-conforming use does not establish a property
12 right. It does no more than permit continuation of an activity
13 subject to restrictions of the kind dealt with herein. The use is
14 not immune from regulation so long as it is regulation and not
15 prohibition MacNutt et al v. The Queen (1972) 5 W.W.R. 402.

16
17 The Defendant must cut back its use of the site to that
18 carried on when the first zoning bylaw was passed. The court
19 cannot calculate on the evidence what that means in terms of shots-
20 per-minute but it can and does direct that the physical facilities
21 constructed after 1974 (bunkers, walkways and skeet houses) be
22 removed forthwith. The evidence is that doubling the number of
23 traps doubles the capacity for rounds per minute. The balance of
24 evidence is that there were no skeet houses prior to 1974.

25
26 The evidence was far from exact on the question of the number
27 of days the site was used at the time the zoning bylaw was passed.
28 On the probabilities there was shooting on one evening a week (or
29 less) and on one full day weekends two or three times each month.
30

1
2
3
4
5 use, let alone enjoyment, of the outdoor amenity of neighbouring
6 homesites.

7
8 It would be wrong also to find there was malice on the
9 Defendant's part. There have been heated exchanges but members of
10 the Defendant are equally with the neighbours interested in
11 enjoyment of their property. However, they have not come to grips
12 with the inevitable issue, have sought no compromise - although
13 that seemed to me to be more the consequence of a hope the
14 complaints would go away than the consequence of defiant
15 unneighbourliness.

16
17 All the witnesses struck me as honest and straightforward to
18 the best of their recollection and perception.

19
20 It was my impression throughout that the Defendant should have
21 followed actively the course it once embraced - relocation.
22 Instead it reverted to stonewalling which brought it to court. My
23 unsolicited and gratuitous advice would be a special general
24 meeting that established policy and gave a delegation specific
25 authority to pursue that policy with the province and the regional
26 district to establish a new location, alternatively, to pursue
27 noise reduction. The latter probably would be costly, although
28 there may be cash in the club kitty from logging because not much
29 appears to have been spent on the site itself.
30

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

COWICHAN VALLEY REGIONAL DISTRICT

PLAINTIFF



COWICHAN VALLEY GUN CLUB

DEFENDANT

O R D E R

BEFORE THE HONOURABLE
MR. JUSTICE H.D. BOYLE

)
)
)

MONDAY, THE 10TH DAY OF
JANUARY, 1994

THIS ACTION coming on for trial at Duncan, on November 29, 30 and December 1, 1993 and upon hearing Gerald P. Molnar, Esq., counsel for the Plaintiff, and upon hearing Durward Tillie, Esq., counsel for the Defendant:

AND JUDGMENT being reserved to this date:

THIS COURT ORDERS that the Plaintiff's claim of violation of its building bylaw be dismissed.

THIS COURT FURTHER ORDERS that the Defendant forthwith remove or cause to be removed from its property legally described as:

The South 1/2 of Section 9, Range 8, Sahtlam District
the western most three of five concrete trap shooting bunkers, the two skeet shooting towers and the concrete walkways constructed after 1974, all presently located on that property;

AND THIS COURT FURTHER ORDERS that the Defendant be restrained and enjoined from using or allowing the use of the property as a place to discharge firearms other than on one fixed, regular evening per week, to be determined by the Defendant, and on one full day, two weekends per month;

AND THIS COURT FURTHER ORDERS and directs that the Defendant be restrained and enjoined from using or allowing the use of that property as a place to discharge firearms on more than one consecutive day, unless authorized as a special event under the Plaintiff's relevant noise bylaw, or in competitions of a wider than local nature, unless authorized as a special event under the Plaintiff's relevant noise bylaw.

THIS COURT FURTHER ORDERS that the Defendant be restrained and enjoined from the cutting down or allowing the cutting down of timber on that property without the prior authorization of the Plaintiff;

AND THIS COURT FURTHER ORDERS that each party bear their own costs.



Handwritten initials

BY THE COURT

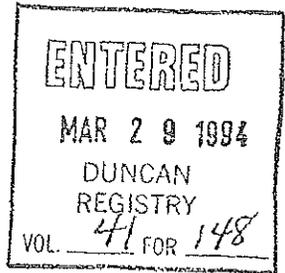
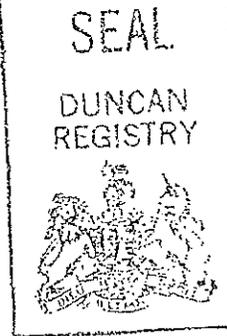
APPROVED AS TO FORM:

[Signature]
GERALD P. MOLNAR, Esq.
SOLICITOR FOR THE PLAINTIFF

[Signature]
DURWARD TILLIE, Esq.
SOLICITOR FOR THE DEFENDANT

[Signature]

REGISTRAR SUPREME COURT OF BRITISH COLUMBIA





C·V·R·D

STAFF REPORT

22

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 10, 2013 FILE NO: 5160-20
FROM: Ann Kjerulf, Senior Planner BYLAW NO: N/A
Community and Regional Planning Division
SUBJECT: Cobble Hill Commons Age-Friendly Project

Recommendation/Action:

It is recommended,

1. That the CVRD Board accept the Cobble Hill Age-Friendly Project Report as information;
2. That the CVRD Board endorse the Cobble Hill Age-Friendly Report recommendations;
3. That the Cobble Hill Age-Friendly Report be referred to the Cobble Hill Parks and Recreation Commission and to the Cobble Hill Advisory Planning Commission for feedback respecting the Cobble Hill Common site; and
4. That CVRD Planning & Development staff submit an application to the Canadian Mortgage and Housing Corporation requesting seed funding in the amount of \$10,000 to undertake a housing needs assessment.

Financial Impact: N/A

Relation to the Corporate Strategic Plan:

The Corporate Strategic Plan Vision is that "The Cowichan Region, celebrates diversity and will be the most livable and healthy community in Canada." "Establish well-coordinated land use plans and policies" and "Establish sustainable communities" are two key objectives of the Plan. The proposed Cobble Hill Commons Age-Friendly Project supports the Plan vision and objectives.

Discussion:

On June 13, 2012, the CVRD Board directed staff to undertake the Cobble Hill Age Friendly Project with the assistance of a professional planning consultant and in cooperation with a project advisory committee consisting of local residents. Bev Suderman, a professional planner with Island Planning Services and Jessica Gemella, a landscape architect with Gemella Design Inc., were selected through a competitive process to lead the community consultation process and develop a report assessing the age-friendliness of Cobble Hill Village. As an adjunct to the project, the consultants were asked to explore the potential for a mixed use seniors' housing development on the Cobble Hill Common site, a CVRD-owned property located in the heart of Cobble Hill Village on Fisher Road across from the Cobble Hill Hall.

The consultants have completed their research and have prepared the Cobble Hill Age-Friendly Report. The attached report contains a number of key recommendations to enhance the age-friendliness of Cobble Hill Village. Many of the recommendations are already being addressed. For instance, community members who participated in the consultation process expressed considerable interest in developing a seniors' drop-in centre in Cobble Hill Village. The Farmers' Institute recently passed a motion to accommodate a weekly drop-in for seniors' free of charge for a period of one year and community members have begun to organize this activity. Also, there are several recommendations concerning wayfinding and pedestrian safety. Some of these require collaboration and/or approval from the Ministry of Transportation and Infrastructure but others may be implemented through the guidance of the Electoral Area C – Cobble Hill Parks and Recreation Commission.

Perhaps the most prominent of the recommendations is to pursue the development of a mixed-used seniors' housing facility on the Cobble Hill Common site. The proposed South Cowichan zoning bylaw identifies this site as a Village Institutional zone that may accommodate a mixture of parks, community facilities and seniors' housing. The proposed zoning is consistent with the site's Official Community Plan Parks and Institutional designation. Notably, there has been some concern about the size of the potential housing development on the Cobble Hill Common site. Park advocates want to ensure that parks take precedent on the site and, as such, believe that the housing footprint should be minimized. Housing advocates want to ensure that the housing development is large enough to be financially viable while addressing local seniors' affordable housing needs. Further consultation with community members is needed to confirm the appropriate mix of uses for the Cobble Hill Common site. In addition, the Cobble Hill Age-Friendly Project did not involve a thorough assessment of housing need and demand in the Cobble Hill area. In order to validate a housing project on the Cobble Hill Common site, it will be necessary to first undertake this work. Seed funding with no repayment required is available from CMHC in the amount of \$10,000 which should be sufficient to complete the necessary housing need and demand study.

Options

The CVRD Board may

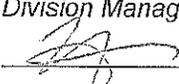
1. Accept the Cobble Hill Age-Friendly Report as information.
2. Accept the Cobble Hill Age-Friendly Report as information and commit to further work on developing the Cobble Hill Common site for a mixed use seniors' housing project (*recommended*).
3. Not accept the Cobble Hill Age-Friendly Report.

Submitted by,



Ann Kjerulf, MCIP, RPP
Senior Planner, Community and Regional Services Division
Planning and Development Department

AK/ca

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



Cobble Hill Age-Friendly Project:

Final Report

January 2013



Note the Age-friendly Cobble Hill logo (cover graphic) is adapted from the World Health Organizations' *Global Age-friendly Cities: A Guide*.



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Contents

Message from the Area Director..... v

Acknowledgements vi

Executive Summary 1

1.0 Cobble Hill Age-Friendly Community: Project Introduction..... 5

 1.1 Consultation process..... 8

2.0 About Cobble Hill..... 10

 2.1 Rural Character and Atmosphere 12

 2.2 Active and Healthy Living 14

 2.3 Community Involvement..... 15

3.0 Community age-friendliness analysis/challenges..... 17

 3.1 Guiding Principles 18

 3.2 Improving Supports for Seniors..... 19

 3.2.1 Taking a regional approach 19

 3.2.2 Reducing isolation..... 23

 3.2.3 Assisting with in-home care..... 25

 3.3 Providing for multi-generational housing 26

 3.4 Providing alternative transportation options..... 28

 3.4.1 Transit..... 29

 3.4.2 Volunteer Driver Programs..... 30

 3.5 Connectivity within the Village..... 30

4.0 Addressing issues that make Cobble Hill unsafe 31

 4.1 Traffic and road safety 31

 4.2 Transit 34

 4.3 Places to rest 37

 4.4 Signage..... 38

5.0 Meeting Cobble Hill Seniors’ Housing Needs..... 38

 5.1 Affordability..... 40

 5.2 Cobble Hill Common Site Development..... 41

6.0 Proposed Cobble Hill Common Site Program..... 43

 6.1 Residential development 44

Cobble Hill Age-Friendly Community Project: Final Report

6.2 Residential amenities.....	45
6.3 Non-residential services in the built environment.....	46
6.4 Park Development: Ideas/Options.....	46
6.5 Access/Parking.....	47
6.6 Site lighting.....	48
6.7 Energy considerations.....	48
6.8 Connectivity between park and seniors housing.....	48
6.9 Possible design elements	49
7.0 Cobble Hill Common Site Plan: Option U.....	50
8.0 Summary of Recommendations	53
Appendix 1: Existing Cowichan Valley Seniors Subsidized Housing Options:.....	57
Appendix 2: CVRD Policy Framework.....	59
South Cowichan OCP Provisions related to seniors issues and the Cobble Hill Common site.....	59
Cobble Hill Village Plan Provisions related to seniors issues and the Cobble Hill Common site.....	60
Area C Zoning Bylaw Provisions re Second Dwellings	61
Development Approval Information Bylaw	61
Appendix 3: Seniors Housing Options	63
Staying in own home	63
Moving into seniors housing.....	64
Purchased Housing	65
Housing with Supports.....	68
Appendix 4: Cobble Hill Common Site Development Next Steps	69
Concept Development.....	69
Feasibility	70
Pre-Development.....	71
Construction.....	71
Endnotes	73

Message from the Area Director

Cobble Hill's age-friendly study is an important first step toward providing seniors housing in our community. Too often long-time residents have no alternative but to move away from the area to find appropriate housing and needed support. Sadly, they must leave behind family, friends and a community where they have deep connections.



As the Cobble Hill Common is owned by the community and managed through the CVRD Parks and Trails Division, it may well be a suitable venue for both a park and seniors housing. If a workable proposal is developed, some of our older community members could continue to reside here and enjoy our rural lifestyle in familiar surroundings. One of the advantages to this dual use would be the addition of residents to the village core helping to replicate the bustling community of Cobble Hill's yester years.

Is it possible to combine park and seniors housing usage on the Cobble Hill Common? This is the question being posed through the present study and it is one that both residents and local government will need to consider carefully as we plan for our future.

I would like to thank community members who gave freely of their time to participate in this study.

Gerry Giles, Regional Director
Area 'C' Cobble Hill

Acknowledgements

The consultants wish to acknowledge the contributions of the members of the Cobble Hill Age-Friendly Advisory Committee members, and thank them for their efforts:

Gerry Giles, Area Director

Linden Collette, Committee Chair

Committee members:

John Krug

Rosemary Allen

Judith Blakeston

Lois Turner

Al Garside

Ann Kjerulf, CVRD staff

The consultants also wish to acknowledge the contributions of the following organizations:

Cobble Hill Farmers Institute, for their generous support with facilities and access to the fair

Cobble Hill Parks Commission, for their dedication to improving quality of life in Cobble Hill Village

Union of BC Municipalities, for their funding contribution

Additional support has been received from:

Pamela Alcorn, Age-Friendly Duncan

Carol Hunt, Cowichan Seniors Community Foundation

Maddy Koch, CVRD, for her graphic recording and project support

Executive Summary

The goal of the Cobble Hill age-friendly community project is to assist the people of Cobble Hill to ensure that Cobble Hill Village is a friendly and happy community where seniors can live their full lives. Over the course of the project, many stories about the changing needs of Cobble Hill seniors emerged. Of particular poignancy were those stories about people having to leave behind their friends and social networks and start over again in Victoria or Duncan when they no longer have energy to care for large homes/lots, or when a partner becomes ill and needs care.

This project was very personal for many of the participants. All who came to the meetings are wrestling with issues related to their own futures, or are assisting elderly parents with making life changes, or are directly providing full-time care to their aging parents. The passion and commitment on the part of project participants was moving and compelling.

As a result of the input from community consultations, and thoughtful analysis by the Steering Committee members, an action plan for making Cobble Hill a more age-friendly community emerged. Many of these actions will make Cobble Hill a safer and more welcoming community for all ages. The recommendations are summarized in the following table:

Recommended Actions	Responsible Party
1. Regional response to seniors needs	
<ul style="list-style-type: none"> South Cowichan Area Directors examine the need for age-friendly improvements throughout Areas A, B, and C 	CVRD Area A, B, and C Directors
<ul style="list-style-type: none"> Facilitate the establishment of a continuous care facility in the South Cowichan 	CVRD Board
<ul style="list-style-type: none"> Seek ways to ensure flexible housing, so it is more adaptable for people to age in place 	CVRD Board
<ul style="list-style-type: none"> Address parking standards for independent seniors housing in the OCP and Zoning Bylaws 	CVRD Board
<ul style="list-style-type: none"> Engage seniors in planning processes to meet seniors needs, by using clear language in communications 	CVRD Board CVRD Planning Dept.
2. Reduce isolation for Cobble Hill seniors	
<ul style="list-style-type: none"> Establish a seniors drop-in centre in Cobble Hill 	CVRD Area C Director Cobble Hill Age-Friendly Steering Committee
<ul style="list-style-type: none"> Improve bus service to and from Cobble Hill Village 	BC Transit CVRD Transit Committee CVRD Area C Director Cobble Hill Age-Friendly Steering Committee
3. Improve safety for Cobble Hill seniors (to benefit all age groups)	
3.a) Traffic safety	
<ul style="list-style-type: none"> Improve the Hutchinson, Empress, Cobble Hill, and Watson Roads intersection area 	Ministry of Transportation and Infrastructure (MOTI)
<ul style="list-style-type: none"> Establish a left-hand turn lane from southbound Cobble Hill Road onto Fisher Road 	CVRD Area C Director
3.b) Pedestrian safety	
<ul style="list-style-type: none"> Reduce speeds within Cobble Hill Village Core areas along: <ul style="list-style-type: none"> Fisher Road Cobble Hill Road Hutchinson Road 	Ministry of Transportation and Infrastructure (MOTI)
<ul style="list-style-type: none"> Calm traffic and improve safety for pedestrians at high priority intersections: 	CVRD Area C Director

Recommended Actions	Responsible Party
<ul style="list-style-type: none"> ○ Hutchinson/Cobble Hill Road ○ Fisher/Watson Road ○ Fisher/Holland Road ○ Fisher/Cobble Hill Road 	<p>Cobble Hill Age-Friendly Steering Committee</p>
<ul style="list-style-type: none"> ● Put crosswalks within Cobble Hill Village: Fisher Road at Holland and Watson Avenues, Cobble Hill Road at Fisher (both directions), Watson at the intersection with the trail 	<p>Cobble Hill Parks and Recreation Commission</p>
<ul style="list-style-type: none"> ● Increase use of signage for traffic calming, including: <ul style="list-style-type: none"> ○ “Welcome to Cobble Hill” signage: <ul style="list-style-type: none"> ▪ both directions along Cobble Hill Road ▪ Westbound along Fisher Road ▪ Westbound along Hutchinson Road ○ “Children at play” signage (same locations) 	
<ul style="list-style-type: none"> ● Put more benches in the Village and along the trails 	<p>CVRD Area C Director Cobble Hill Age-Friendly Steering Committee Cobble Hill Parks & Recreation Commission</p>
<ul style="list-style-type: none"> ● Pedestrian way-finding signage at start of trails, and at trail intersections 	<p>CVRD Area C Director Cobble Hill Parks and Recreation Commission</p>
<ul style="list-style-type: none"> ● Establish a walking path along Fisher Rd from Cobble Hill Village to the highway 	<p>CVRD Area C Director Cobble Hill Parks and Recreation Commission</p>
<p>4. Build affordable seniors housing in Cobble Hill Village</p>	
<p>4.a) Develop seniors housing on the Cobble Hill Common site</p>	
<ul style="list-style-type: none"> ● Appoint a CVRD staff member to “champion” and coordinate the Cobble Hill affordable seniors housing project 	<p>CVRD Electoral Area Directors</p>
<ul style="list-style-type: none"> ● Develop an action plan for full realization of the Cobble Hill Common site potential <ul style="list-style-type: none"> ○ Approach BC Housing, CMHC, and potentially VIHA to contribute funding and expertise to the project ○ Further refine housing and land use concepts 	<p>CVRD Planning CVRD Parks</p>

Cobble Hill Age-Friendly Community Project: Final Report

Recommended Actions	Responsible Party
<ul style="list-style-type: none"> • Acquire Fairfield Road right-of-way from the Province 	CVRD Area C Director CVRD Parks
<ul style="list-style-type: none"> • Undertake ongoing communications about the project, engaging different parts of the community 	CVRD Area C Director CVRD Planning
4.b) Encourage development of seniors housing elsewhere in Cobble Hill Village	
<ul style="list-style-type: none"> • Use the Zoning Bylaw to provide incentives for the development of affordable seniors housing (amenity contributions) 	CVRD Electoral Area Directors CVRD Planning
<ul style="list-style-type: none"> • Develop OCP and Cobble Hill Village Plan policies related to accessible design so that new housing in the Cobble Hill Village area is easily adapted to the needs of residents aging in place. 	CVRD Planning Dept.
5. Continuously work to improve quality of life for all ages in Cobble Hill Village	
<ul style="list-style-type: none"> • Establish a Cobble Hill Committee on Seniors Issues, which will: <ul style="list-style-type: none"> ○ Advise the Area Director on ways to improve seniors' quality of life in Area C ○ Link to the Cowichan Seniors Network and others addressing seniors needs in the region 	CVRD Area Director
<ul style="list-style-type: none"> • Continue the good work of the Parks Commission 	Cobble Hill Parks and Recreation Commission

1.0 Cobble Hill Age-Friendly Community: Project Introduction

The goal of the Cobble Hill age-friendly community project is to assist the people of Cobble Hill to ensure that Cobble Hill Village is a friendly and happy community for seniors. The project has two components:

1. Evaluate various dimensions of the Village, using the World Health Organization (WHO) guidance, to see how it could be made more “age-friendly;” and
2. Design a number of alternatives for the use of the Cobble Hill Common site at the heart of the village, so that the needs of the whole community (seniors, children, and those in between) can be met through a specialized facility, including housing, combined with a park that encourages inter-generational mixing.

The Cobble Hill Common site was acquired by the CVRD for a nominal fee, with the intention of addressing community service needs, affordable seniors housing, and programming some parkland that would encourage multi-generational interactions. The South Cowichan OCP’s policy for the site reads as follows:

The Cobble Hill Common, located at the junction of Holland Avenue and Fisher Road, will be zoned as Village Institutional, to allow for a range of institutional uses, including a village green type park, a community service or recreation centre, and an affordable housing project. Development at this site will be determined through a public process, and may be rezoned to allow for a variety of shops, residences and parkland infrastructure.¹

Older persons play a crucial role in their communities - they engage in paid or volunteering work, transmit experience and knowledge, and help their families with caring responsibilities. These contributions can only be ensured if they enjoy good health and if societies address their needs.

The WHO Age-friendly Environments Programme is an international effort to address the environmental and social factors that contribute to active and healthy ageing.

The Programme helps cities and communities become more supportive of older people by addressing their needs across eight dimensions: the built environment, transportation, housing, social participation, respect and social inclusion, civic participation and employment, communication, and community support and health services.

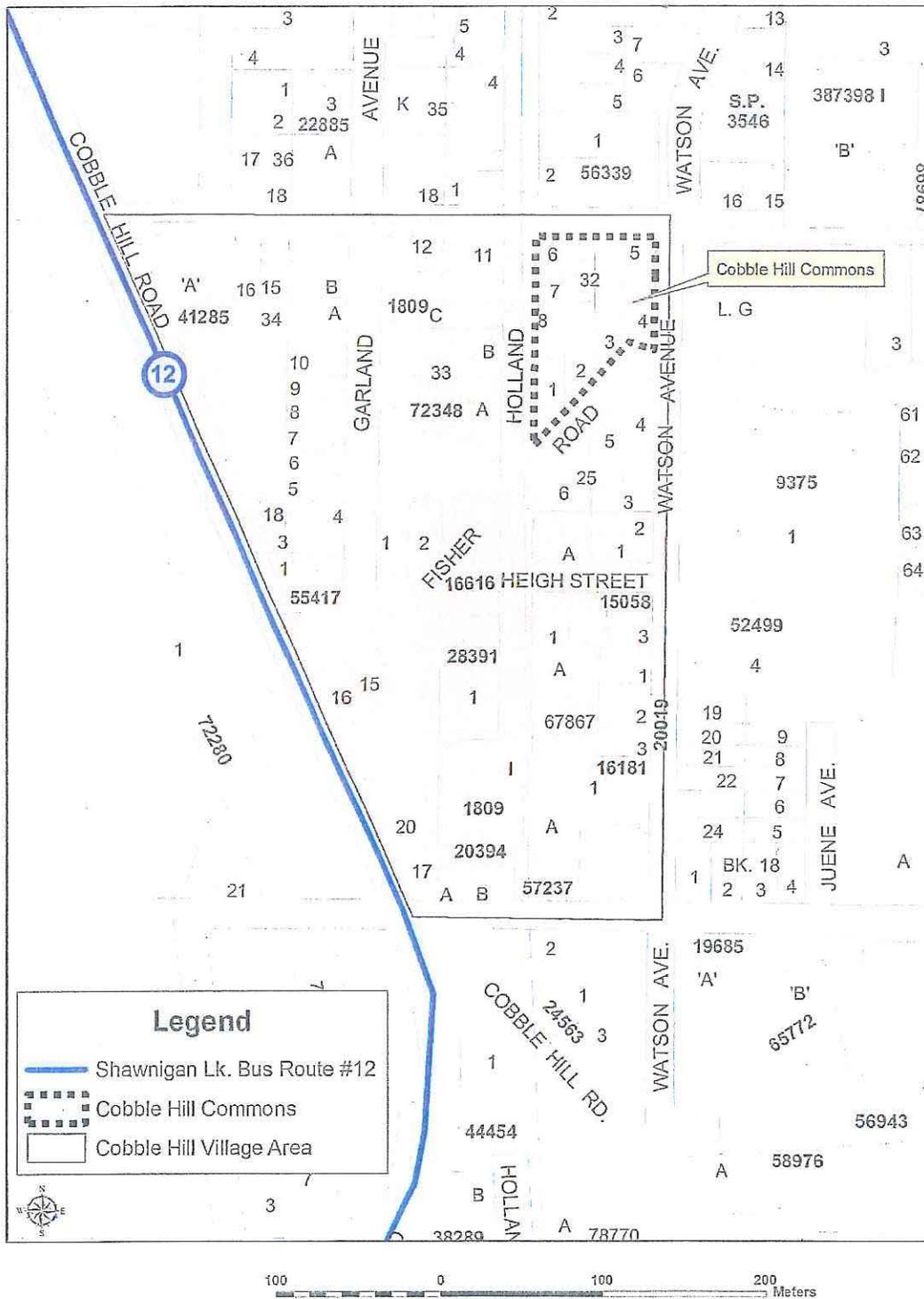
A key issue that emerged in the dialogue is to assist families, so that people can age in place. The choices currently open to people who live in the Cobble Hill area are:

- to remain in their homes beyond the time they can fully manage on their own, or
- to move away from Cobble Hill to Duncan or outside of the region.

Community members want to ensure that a third option is available: to remain in the community with more manageable housing.

The Cobble Hill age-friendly project was structured, in part, in response to a community survey and design process undertaken by the Cobble Hill Parks Commission in 2011. This survey, with 36 responses, resulted in a draft design program for the Cobble Hill Common site that included seniors housing, commercial development, and community park space.

While much of the focus of this project has been on meeting the needs of aging individuals, and their desire to remain in their community, it is also important to note that when the elders of a community are compelled to move elsewhere to meet their basic needs, it is a loss to the community. These are the people who have contributed their time and energy into making Cobble Hill what it is today. Their departure from the community represents a loss of spirit, of knowledge, and of history.



Cobble Hill Common Location

1.1 Consultation process

The major portion of public consultation undertaken for this project took place over four days in August and September 2012:

- A booth at the Cobble Hill Fair, on August 25, to gather ideas about the community's assets and areas needing improvement
- A community walk-about with Steering Committee members, on September 5, to discuss and observe assets and areas needing improvement within the Village Core
- A community meeting, on September 17, to introduce the project and gather the community's thoughts and concerns about Cobble Hill as an age-friendly community
- A seniors discussion group, on September 19, to talk with seniors about what they thought was needed so they could age in place in Cobble Hill, and
- A design charette, on September 20, where community members worked through their ideas about how the site might be laid out.

A design charette is a workshop that focuses on identifying options as to how a site should be designed. It includes community members and design professionals. It captures the vision, values, and ideas of the community.



Seniors Discussion Group, September 19



Additionally, the Steering Committee and the Parks Commission held a joint meeting on October 23, to discuss the findings to date.

The ideas gleaned through the public consultation, as refined through a review of how other communities are addressing the challenges, were then formulated into recommendations which were taken back to the community at a combined open house/meeting held on November 29. A few more ideas were contributed at this time.



Community Meeting September 17



Community Walk-about, September 5



Design Charette, September 20

2.0 About Cobble Hill

Cobble Hill is a farming village in the Cowichan Valley surrounded by vineyards and wineries as well as varied animal husbandry operations and truck gardening farms producing vegetables for market. It is most famous for the annual Cobble Hill Fair, which in August of 2012 celebrated its 103rd year.

Historically, Cobble Hill was a bustling community, with a train station, hotel, gas station, brothels, and stores. Today, the pace of life is much quieter, with a small business community in the Village core, and a nearby industrial area that is very busy. Village core businesses include: Cobble Hill Fine Furnishings (a destination store), an accounting firm, a veterinary clinic, a small market, a coffee shop, a pub/liquor store, and the oldest continuously operating post office in Canada.

Cobble Hill Village Core is bounded to the west by the rail line, although the dog park, skate park, and proposed tot park are all located to the west of that, as is Cobble Hill Mountain with all of its hiking trails. The Village core boundary to the east runs along Watson Avenue, while to the north, the boundary lies along the Fairfield Road right-of-way, and to the south, along Hutchinson Road.



Cobble Hill Historic Photos: St. Mary's Church and Wilton Place Hotel

Cobble Hill Village is located in Area C of the Cowichan Valley Regional District. Area C is 22.4 km sq (8.6 sq mi) in size, with the designated village core area making up 10.6 ha (26 acres) or approximately 0.5% of the total of Area C. As an unincorporated area, there are multiple jurisdictions involved in its development. The citizenry is very active in planning for the future of Cobble Hill, especially through the Cobble Hill Parks Commission, and through the Farmer's Institute.

The total population of Area C is under 5,000 people, with over 1000 of those being aged 70+, and just over 800 of those being aged 19 or under. At the time of the 2011 Census, the median age of the Cobble Hill area population was 54.5 years of age, as compared with the provincial median age of 47.2. Approximately half of the seniors in Area C are currently living in Arbutus Ridge, a gated, retirement (55+) community of 600 homes, situated on 148 acres of waterfront.

With new residential developments around the Village Core, there are two schools to meet children's educational needs: Cobble Hill Elementary School (225 students from kindergarten to Grade 5), and the Evergreen Independent School (74 students from kindergarten to Grade 8), which draws students from a wider catchment area than Cobble Hill. Many of the families that live in the Cobble Hill Village area have a family member who commutes to work in the Victoria area, meaning that in some ways Cobble Hill is a bedroom community.

The Cobble Hill area is blessed with a wide variety of parks. In addition to those already mentioned to the west of the Village boundary, there are walking trails throughout the Village, a memorial park at the Cenotaph, and a wetland area that has been designated as a natural area park with a trail through

the south end of it that connects the Village with the Twin Cedars development.

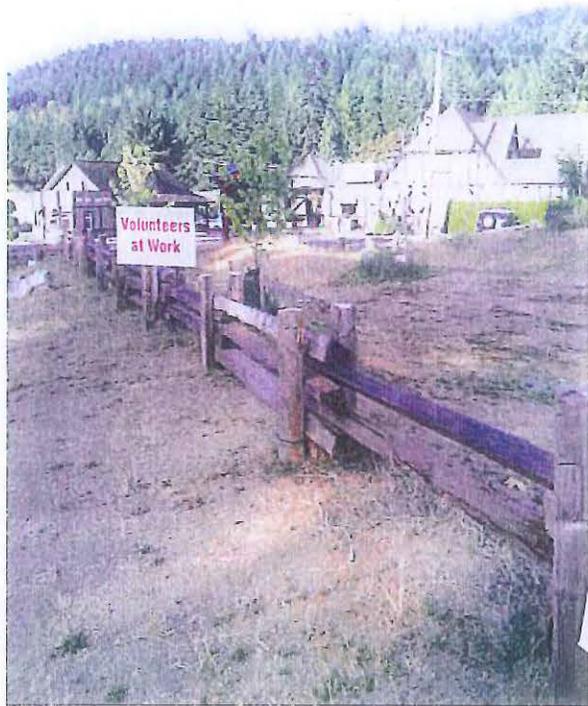
The community of Cobble Hill has very strong community values: protection and enhancement of its rural character, providing opportunities for active and healthy living, and maintaining a high degree of community involvement.

2.1 Rural Character and Atmosphere

The commercial core area of Cobble Hill is one of the most significant concentrations of commercial historic resources on Vancouver Island. It corresponds with the earliest pioneer settlement and reflects Cobble Hill's early merchant activity, giving Cobble Hill its unique heritage flavour – the distinctive small scale lots and buildings symbolizing the architecture of the 1800s.

The Cobble Hill building design guidelines include provisions to ensure that proposed developments are to scale within the community, and that buildings are respectful of Cobble Hill's heritage, while paying attention to energy consumption and other factors related to long-term sustainability.

While Cobble Hill in the present day is a peaceful and quiet little community, it was not always this way. The heritage of the place is as a vibrant and bustling community, with lots of people and animals, trains, forestry, and other dimensions of a working rural economy. Today, many people associate rural living with peace and quiet, as distinct from the constant "white" noise of city life, traffic, and sirens. The one exception to Cobble Hill's peacefulness, mentioned several times, is pub closing time, especially on Friday and Saturday nights. This has implications for the proposed housing on the Cobble Hill Common site.



View of the pub from the Commons site.



Cobble Hill Market

2.2 Active and Healthy Living

The vision for the Cobble Hill Village is that it will continue to be “an agricultural community with a rural, heritage character - slow, steady population growth is anticipated, helping to build an active, welcoming commercial core and an abundance of public open space, making it one of the most desirable places to live on Vancouver Island.” Part of this mandate is to create an excellent parks and trails system that facilitates active living for all ages in the Cobble Hill area.

Staying physically active is a key part of a healthy lifestyle, as is nutritious food, and creating a supportive circle of people who care. The question of providing meals as a strategy for ensuring proper nutrition and reducing isolation for Cobble Hill’s seniors came up in a number of different ways:

- As part of the discussions around the proposed seniors drop-in centre;
- As a consideration as to the type of kitchens that the units in the proposed seniors housing should have;
- A reflection on how the demand for “Meals on Wheels” has waned over time, questioning whether the need has really gone away;
- Concerns regarding affordability, wishing to avoid creating a situation where people begin to live on “tea and toast” because they cannot afford more, and because in their isolation, they do not make an effort.

There is a strong relationship between healthy eating and a supportive social environment. An article in the *Journal of Gerontology* concludes that “persons living alone ate more meals alone and consumed a higher proportion of total

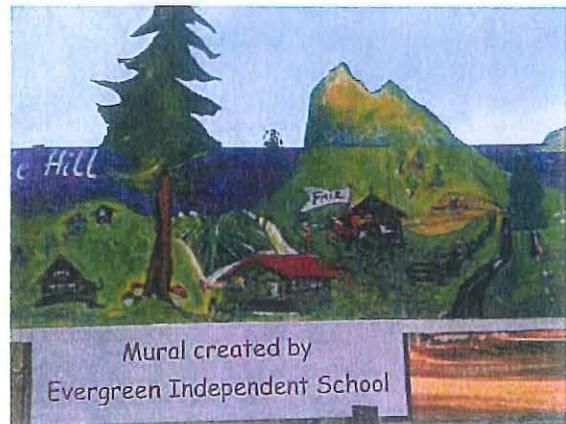
“The Cowichan Region celebrates diversity and will be the most livable and healthy community in Canada” – CVRD Corporate Strategic Plan

calories away from home; a higher proportion of those living alone skipped meals, including breakfast.”ⁱⁱ

As the community of Cobble Hill contemplates the issues associated with providing seniors with supportive housing and services, it may be that the values of active and healthy living suggest that certain programming and services be provided, that are not being proposed at this time.

2.3 Community Involvement

Cobble Hill is a “can do” community, driven by volunteers. There is a strong community spirit that encourages community involvement. This expresses itself in various clubs and organizations, as well as membership in community advisory committees and political engagement. The evolution of the Cobble Hill Age Friendly project is a case study, with the initiative starting with the CVRD acquiring the land, and the Parks Commission conducting a community survey to get a sense of the community’s desires. The South Cowichan OCP, and Cobble Hill Village Plan, adopted in 2011, adopted policy for the Cobble Hill Common site, so the logical next step was to engage seniors more fully (this project), and to come up with a few immediately implementable ideas, as well as to continue to “mull over” variations on the original ideas for the site. Over time, seniors’ organizations will be established in the community, and programming will be established on an as-needed basis, making extensive use of volunteers to carry out the work.



Volunteerism and community involvement is a way to keep people connected to the community and to each other. It is also a way to engage and orient new residents to the area.



The Cobble Hill Fair operates by volunteers to promote the agricultural industry.

3.0 Community age-friendliness analysis/challenges

The World Health Organization (WHO) has articulated a strategy for addressing the challenges presented by a global aging of the population. This strategy, which has been tailored for use in Canada, identifies eight dimensions of life that need to be addressed to create an age-friendly community: Transportation, Housing, Social participation, Respect and social inclusion, Civic participation and employment, Communication and information, Community support and health services, Outdoor spaces and buildings.

The people of Cobble Hill who participated in this project identified that the high median age of the Cobble Hill population has already raised awareness about the needs of seniors, and that there had been a considerable amount of adaptation in the areas of respect and inclusion, civic participation, and communications. Therefore, no further discussion was needed on these aspects.

Project participants also made it very clear that an age-friendly rural community is very different from an age-friendly city. As examples, they cited the need for trails and pathways, rather than sidewalks. They are also reluctant to recommend street lighting, because it interferes with aspects of rural quality of life, such as the ability to see the sky at night.

This project focused on improving supports for seniors who live independently, addressing issues that make Cobble Hill an unsafe place for seniors, and providing an independent living alternative for seniors who are prepared to downsize and move into the Village centre. Key guiding principles were identified.

3.1 Guiding Principles

- Inter-generational interactions are highly desirable, and that the project should find ways to maximize such opportunities.
- Site programming should incorporate a variety of activities and community services, to ensure that something is available for all ages and abilities and interests.
- On the Cobble Hill Common site, land uses must be balanced between housing, community services, and park.
- Any housing developed must be affordable, safe and accessible.
- A seniors organization or committee should be established to advocate on behalf of seniors in the area, and help meet the challenges for community improvements.



3.2 Improving Supports for Seniors

The Cowichan Valley is at the leading edge of the grey wave; the first baby boomers turned 65 in 2011. This demographic transition requires that governments, businesses, and organizations be prepared to meet the needs. Fortunately, many of the recommendations for creating an age-friendly community result in a more friendly community for all ages.

3.2.1 Taking a regional approach

The issue of meeting seniors' needs to age in place requires a regional solution. This issue is too big for Cobble Hill to face alone, both because of its multi-dimensionality and because of the diversity within the population of seniors in the Cobble Hill area. Small communities can only go so far, independently, to meeting seniors' needs. There is enough community spirit and cohesion throughout the South Cowichan that working together, the needs of South Cowichan can be met, without requiring that seniors leave their community, friends, and family.

The community recommends that the CVRD seek a solution that addresses the needs of South Cowichan for a continuous care facility.

The South Cowichan can be made more age-friendly if attention is paid to the following needs:

1. A continuous care facility;
2. Services which bridge needs, so that seniors can live independently longer;
3. Diversity within the population requiring a diversity of responses; and
4. Design solutions to assist seniors to live in their own homes longer.

3.2.1.1 Continuous care facility

Seniors are generally able to live independently as long as their health is good, their income remains adequate, and they

remain connected to other people. Spouses are very important social supports, but the larger community, through churches, organizations, is also very important. Many seniors need assistance only when they become ill, and can no longer live independently. There are painful stories of couples being separated because of illness, with one requiring a nursing home, and the other with limited abilities to cope on their own. One response to this challenge is a continuous care facility, which combines independent living, assisted living, and nursing home into one complex, so that spouses with different needs can live in close proximity to each other.

The community recommends that the CVRD seek a solution that addresses the South Cowichan's need for a continuous care facility. Such a facility would assist seniors to age in place and not have to move so often, because their social and health-related needs can be met in one facility, or one community.ⁱⁱⁱ

3.2.1.2 Bridging services

There is also a need for bridging services, to address the gap between independent living and assisted living. There are many dimensions to this particular challenge. A creatively designed continuous care campus may provide opportunities to provide a more seamless transition to receiving needed supports. More community supports to seniors living independently can also assist with keeping them in their homes longer. The United Way is exploring ways to meet these needs, with the Cowichan Valley as a pilot site (beginning January 2013).

Families that are caring for aging members at home also need respite and adult day programs to maintain and support the senior family member. Adult day programs are different from

seniors centres in that they can address a variety of health-related issues as well as providing recreational and social interaction opportunities over the course of the day. In the Cowichan Valley, VIHA offers a number of programs, but the majority are offered in Duncan. According to Carol Hunt, who is responsible for the operations of the Volunteer Driver program, seniors from all over the South Cowichan are being driven to Duncan, which is very labour and gas intensive. The demand exists within the South Cowichan, so the program should be offered there as well.

3.2.1.3 Meeting diverse needs

There is significant diversity within the population of seniors within the Cowichan Valley. Not everybody shares a cultural or linguistic heritage. Cowichan Tribes have recently addressed the culturally specific needs of their elders in an assisted living project in Duncan. However, there are many other cultural groups represented in the Valley. It will be important for any regional approach to investigate the need for multi-cultural and multi-lingual housing support.

3.2.1.4 Design solutions

Sometimes seniors need to leave their homes because they can no longer cope with stairs, or the homes cannot accommodate walkers or wheelchairs. There are two possible design solutions to this challenge, which can be addressed by the CVRD through OCP policy and/or zoning: greater use of universal house design in new construction; and/or a requirement for visitable home design in new construction.

Universal house design recognizes that everyone who uses a house is different and comes with different abilities that change over time. Features include lever door handles that everyone can use, enhanced lighting levels to make it as easy

as possible to see, stairways that feature handrails that are easy to grasp, and easy-to-use appliances. If designed and built with these principles in mind, new housing will save money over the long term in that these homes will require less retrofitting. Universal design principles can also be used in the development of community buildings and parks, to make them more welcoming to all.

Another option is to require visitable home design in new developments. By focusing on ensuring a basic level of accessibility, visitable homes reduce isolation because homes can be easily visited. They provide independent access for everyone, including people with limited mobility or those with disabilities. Visitable home design focuses on three elements:

- Level, no-step entrance (92 cm or 36 inches wide, low slope, accessible route)
- Wider doors and hallways (81 cm or 32 inch min)
- Wheelchair accessible bathroom on the main floor.

3.2.2 Reducing isolation

One of the difficulties with aging is the transition from sturdy independence to a greater recognition of our interdependence with others. Often this process is accompanied by a greater sense of our own mortality, due to the loss of spouse, family members, or friends to illness.^{iv} Research shows that it is easier for aging individuals in rural communities to become isolated than for urban dwellers.^v The potential for isolation, and the need for remedies to combat it, are consistent themes throughout the research.

Existing gathering places within the Village Core include: the pub, the coffee shop, the dog park, and other green spaces. The Post Office also provides the opportunity to have chance encounters with neighbours and friends. However, there is a gap in terms of an indoor place, such as a seniors' centre, where people can gather without having to spend money.

Loneliness as we age is not based on whether you are married, in a relationship or single, but on whether or not you have created a support group around yourself. – Dr. Vivian Diller

Existing Services to reduce isolation	Suggestions for improvement
Friendly phones , operated by Community Policing, where volunteers make regularly scheduled calls to isolated seniors who are registered with them.	Create a buddy system for seniors
Friendly visitors program operated by Volunteer Cowichan, which links younger seniors with older seniors for social purposes.	Provide a place where seniors could use the internet, and have support from others to do so, to facilitate connectivity with friends and family through social media
Home care services, offered by VIHA or private agencies	Establish a seniors drop-in centre in Cobble Hill

The idea of a seniors drop-in centre in Cobble Hill generated a significant amount of interest and discussion. Community members identified that:

1. This is an idea that can be implemented right away;
2. Could be useful as a time for exploring what the community wants and needs;
3. Could be a venue for gathering information about housing needs for Cobble Hill area seniors;
4. Provide the community with a clearer centre (or heart);
5. There are people in the community who are connected to many of the seniors, who could coordinate the initiative;
6. A possible first location could be the Farmers Institute Hall or its Youth Hall;
7. Some funding would be required to cover costs of supplies, and possibly an honorarium for the coordinator. One option is to make an application for funds from the Area C Grant-in-Aid budget;
8. If the idea were launched with a seniors' luncheon, then a suitable day of the week and time could be selected, together with a suggested list of activities to be organized: cribbage, other card games, etc. Alternatively a Friday morning drop-in coffee time is another way to start. Transportation to the hall might need to be organized.

NOTE: The Farmers Institute has moved forward with the seniors drop in centre idea. At its regular meeting on Monday, September 24, 2012, the membership voted to "provide the Youth Hall for three hours, once per week for a year to serve as a Seniors Drop In Centre at no charge."

3.2.3 Assisting with in-home care

Elderly people who need support generally want to stay in their own home, a view that is gaining greater acceptance for both economic and social reasons. Seniors are no longer seen as passive recipients of care; rather, they want control over services and their living environments for as long as possible.

There are challenges, however, for people who choose to stay in their own homes. They may no longer have the energy or ability to keep their homes as clean as they would like, to manage their yards or take care of outdoor house maintenance, or to cook for themselves. They may need assistance with day-to-day tasks such as bathing or laundry. Where these individuals have enough income, it is possible for them to hire private assistance for these tasks. Many times, adult children, if they are located nearby, spend a considerable amount of time with their aging parents, assisting around the house, driving to appointments, shopping, and so on.

Both governmental agencies and community-based organizations are moving to provide more support for those seniors for in-home assistance. VIHA's Home Health Services division offers in-home support to help with things like medications, bathing, and dressing for clients who are ill, recovering from illness or surgery, have physical disabilities, or are otherwise assessed as requiring personal assistance. There are costs associated with Home Support services, based on ability to pay.

The United Way of the Lower Mainland recently announced a new initiative called the "Better at Home" program. This initiative has been undertaken to address the need for simple,

non-medical home-support services that would allow seniors to live in their own homes longer. The intent is to provide seniors with services such as housekeeping, grocery shopping, home visits, yard work, home repair, snow removal, and transportation to appointments. Cowichan is being considered as a pilot site for this initiative. More information should be available in early 2013.

It may be that through the proposed seniors drop-in centre, the community may be able to identify specific needs in Cobble Hill that can be addressed through voluntary effort, or through connection to the Cobble Hill Common development project.

3.3 Providing for multi-generational housing

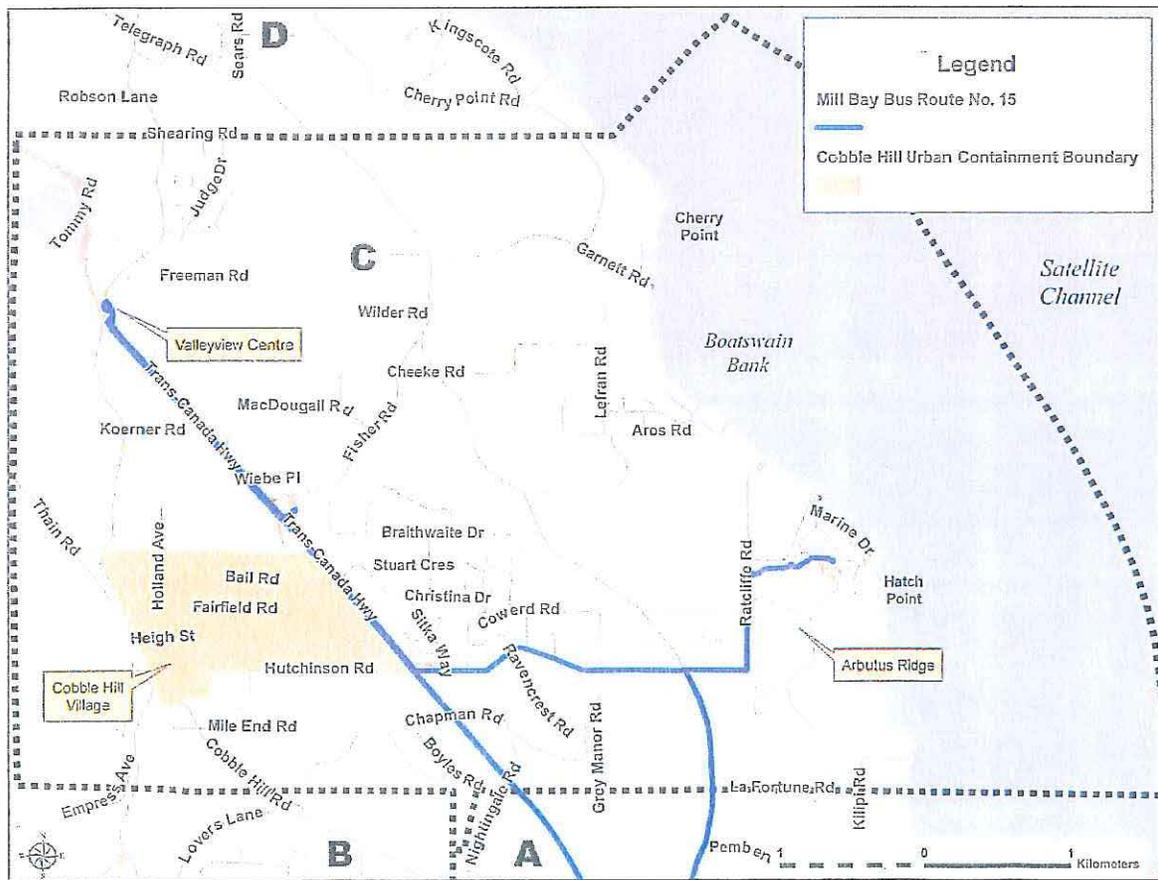
One of the concerns that emerged in the community meeting is that there may be barriers to supporting seniors due to zoning regulations related to second dwellings or suites. An analysis of the Area C zoning bylaw (See Appendix 2) indicates that there are no barriers based on zoning. In most zones, parcels of 0.4 hectares (ha) or more are permitted to have a suite, while parcels of 2 ha or more are permitted to have a second dwelling as well as a suite.

Zoning provisions are only a part of the overall story in determining the outcomes of any application to construct a second residence or suite on a property in Area C. When there are barriers to constructing a second dwelling unit, it may be due to other factors. For example, if the parcel in question is located in the Agricultural Land Reserve (ALR), then those rules would apply, and permission for construction of a second dwelling is required from the Agricultural Land Commission (ALC).

Another potential barrier to construction of a second dwelling unit can occur if a new septic system or well is required by the environmental health regulations, which are administered by the Vancouver Island Health Authority (VIHA).

Within the Cobble Hill Village area, it is anticipated that the Village Core will soon be served by a sewer system, which will permit more density (smaller lot sizes, multiple family developments), should the community so desire. The sewer system must be in place before the proposed seniors housing on the Cobble Hill Common site can be constructed.

Other factors which may present barriers include: the need for road connections (MOTI), and Building Code provisions.



Cobble Hill Village Core Location Map

3.4 Providing alternative transportation options

One of the clearest concerns that emerged is the difficulties encountered by seniors once they are no longer able or willing to drive to meet their needs. Seniors need to be able to shop, attend appointments, go to the library, and engage in other activities beyond their door on a regular basis. Such a range of services is not viable for a small rural community, and tend to be aggregated into regional centres.

Participants identified their preferred destination as the Mill Bay Shopping centre, because it has a library, doctors' offices, grocery shopping, drug store, coffee shop, and other attractions, although Valleyview is much closer. As a destination, Valleyview is still developing, and cannot yet meet the same range of needs as Mill Bay. Duncan was perceived as being too far, too busy, too crowded, and had parking issues.

Many people have their medical appointments in Victoria, which is difficult. Transit service is available, but on a commuter schedule. Participants would like to have alternative ways of travelling between Cobble Hill and Victoria, but the bus service is not seen as viable. Should the passenger rail service resume, depending on the schedule, this may provide another option for the seniors of Cobble Hill.



3.4.1 Transit

At this time, there are two public transit options available:

1. Regular bus service (Route 12 travels between Mill Bay Shopping Centre and Valleyview Centre, with connections into Duncan); and
2. HandyDART, a customized transportation service for people with disabilities that are sufficiently severe that they cannot use conventional transit.

The community finds that the regular bus service is not frequent enough, and that it is difficult or cumbersome to use the service for undertaking errands. One participant said that “It would take all day if you wanted to take the bus to do your grocery shopping.” Another concern is that the bus does not come into the village itself, but stops on Cobble Hill Road, which is quite a distance from where the people of Cobble Hill actually live. If somebody actually takes the bus, the southbound Cobble Hill stop is on the west side of Cobble Hill Road, and there is no safe pedestrian crossing there. This is a concern for all ages. Participants suggested that:

- The frequency of regular buses serving Cobble Hill should be increased
- The transit route should be adjusted to make a loop through the Village
- Connectivity to Victoria should be improved

HandyDART service is available in Cobble Hill two days per week. At this time, the service is almost fully subscribed by clients with regular appointments. No complaints about handyDART were expressed during the consultation process, although there were concerns about the potential for service conditions to be modified so that handyDART service might only be available in areas within 1 km of regular transit

routes. Demand for handyDART service is likely to increase over time.

3.4.2 Volunteer Driver Programs

In 2011, the Cowichan Seniors Community Foundation started a Volunteer Driver program that links seniors with drivers who can assist them to reach their appointments or engagements. The catchment area is a 20 km radius from downtown Duncan, and includes Cobble Hill and Arbutus Ridge. There is a rigorous intake program for the volunteer drivers, so that users of the system can feel confident. There is also a thorough registration process for users of the system, so they know how to use the system to book rides, and are clear on the terms of the service.

3.5 Connectivity within the Village

The Cobble Hill Parks Commission has, in addition to developing parks in and around the Village, been active in designing and developing pathways that encourage off-road pedestrian movement through the Village. These pathways are designed to be user-friendly for people in wheelchairs, and those using scooters or walkers. They are also useful for able-bodied pedestrians and cyclists of all ages.

As part of an overall approach to enhancing the navigability of Cobble Hill's trail system for future trail development or trail upgrades, it is suggested that consideration be given to ensuring that the trails are wide enough to permit social usage, and that the materials be consistent so that it is immediately clear to

Other transportation options

BC Transit offers a Taxi Saver Program, for registered handyDART clients, to provide them with travel cost supports when handyDART cannot accommodate their travel needs. The program provides a 50% subsidy towards the cost of taxi rides. Given the distances and costs associated with taxi travel on Vancouver Island, it may be that this program is of limited usefulness in a rural community such as Cobble Hill, although very helpful in the City of Duncan (for example).

the user that they are welcome to use that trail. (Signage is addressed elsewhere.)

The need for secure bike parking in the Village area was identified. The lack of such facility may be a barrier to bicycle use in the Village. This needs further study, as it may be more of an issue for children and youth than for seniors.

There are a few areas where the pedestrian walkways within the village area are uneven, which could cause a tripping hazard for seniors, or difficulties for those seniors using scooters or wheelchairs. These are identified on the community improvements map.

There are a number of challenges, to be addressed in the next section, that interfere with these efforts at connectivity, particularly due to unsafe intersections.

4.0 Addressing issues that make Cobble Hill unsafe

4.1 Traffic and road safety

During the community discussions, a number of traffic-related concerns in Cobble Hill Village emerged:

1. The speed of vehicular traffic entering Cobble Hill Village along Fisher Road, combined with limited sight lines, makes pedestrian crossings a challenge. Of particular concern: the intersections of Fisher Road with both Watson and Holland Avenues.
2. The speed of vehicular traffic along Cobble Hill Road, through the Village area, makes pedestrian crossings a challenge. This is of special concern due to the number of parks on the west side of Cobble Hill Road, and the presence of the southbound bus stop on the west side.

3. Awkward intersection design where Hutchinson, Empress, Cobble Hill, and Watson Roads come together, combined with high speeds along Cobble Hill Road, resulting in frequent accidents.

All roads in the Cobble Hill area are the responsibility of the provincial Ministry of Transportation and Infrastructure (MOTI). Thus, any changes to speed limits or road design must be approved and implemented by MOTI. The identified problems areas are all on roads which have been identified as “major network roads” in the OCP.^{vi}

The South Cowichan OCP includes a policy to request that MOTI “accommodate pedestrian and cycling requirements into road design and maintenance programs, for new development and as road improvements and upgrades take place.”^{vii} A separate policy encourages non-motorized forms of transportation within communities.^{viii} Yet another policy supports modified road standards and introducing traffic calming measures in Village areas.^{ix}

Based on the complaints received, together with observations of traffic flow, this report recommends that the CVRD lobby hard for a number of traffic calming measures in the Cobble Hill Village area based on a “complete streets” approach. These measures might include:

- A roundabout at the Fisher/Watson intersection. The key benefit of this initiative is that it would force westbound traffic to slow as it came over the hill, improving visibility and opportunity for pedestrian crossings.
- A roundabout at the Cobble Hill/Hutchinson

A complete street is one that takes into account each mode of transport and uses a variety of policies, bylaws and infrastructure to make a street fully multi-modal. A complete streets approach to road design means accounting for the needs of all users, including pedestrians, bicyclists, motorists, and public transit users of all ages and abilities, with the goals of safe, attractive, and comfortable access and travel for all. According to Rebecca O'Brien, of the Sustainable Alberta Association, "If you design a street for a 10-year old child, a person in a wheelchair or a senior with a walker, you will create streets that work for everyone."

intersection. The key benefit of this initiative is that it would force all traffic to slow down at this complicated intersection, at the south end of the Village Core area.

- A crosswalk with pedestrian bump-outs on both sides of the Fisher/Holland intersection, which will have the effect of narrowing the road, thereby reducing the exposure of pedestrians to traffic. In cities these are often designed as raised, curbed areas. However, this approach could be adapted in the Cobble Hill Village through the use of concrete planter pots to create highly visible pedestrian waiting areas at the crosswalk.
- A crosswalk at the Fisher/Cobble Hill intersection, to provide notice to drivers of the potential for pedestrians to cross there. This crosswalk could have a solar powered, pedestrian-operated flashing light. It would need to be accompanied by appropriate signage, indicating the possibility of pedestrians on the road.
- Speed reductions along Fisher Road and Cobble Hill Road, through the Village Core area (as designated by the OCP) to 30 km/hr.
- Together with the local RCMP detachment, and community policing, undertake a “share the road” campaign in the Cobble Hill Village area.

These traffic calming efforts could be supported by community signage, so that drivers along the major network roads are aware that they are entering into a residential area with the possibility of other forms of road usage. “Welcome to Cobble Hill” signage is necessary in both northbound and southbound directions along Cobble Hill Road, to alert drivers to the fact that they are entering a residential area. Comparable signage might also be appropriate along Fisher Road and Hutchinson Road.

It is also suggested that further study of the intersection of Hutchinson, Empress, Cobble Hill, and Watson Roads be undertaken by traffic professionals, to determine the specific hazards to be addressed there, and how that intersection might be improved. This could take place in the context of a rezoning or other development application that proposes to add more traffic to this intersection.

In the interim, as measures are being negotiated and put into place, a community-based sign campaign in the problem areas might be undertaken, to suggest to drivers that they “slow down for Cobble Hill.” A supportive message might be that “we love our children, seniors, and dogs.”

4.2 Transit

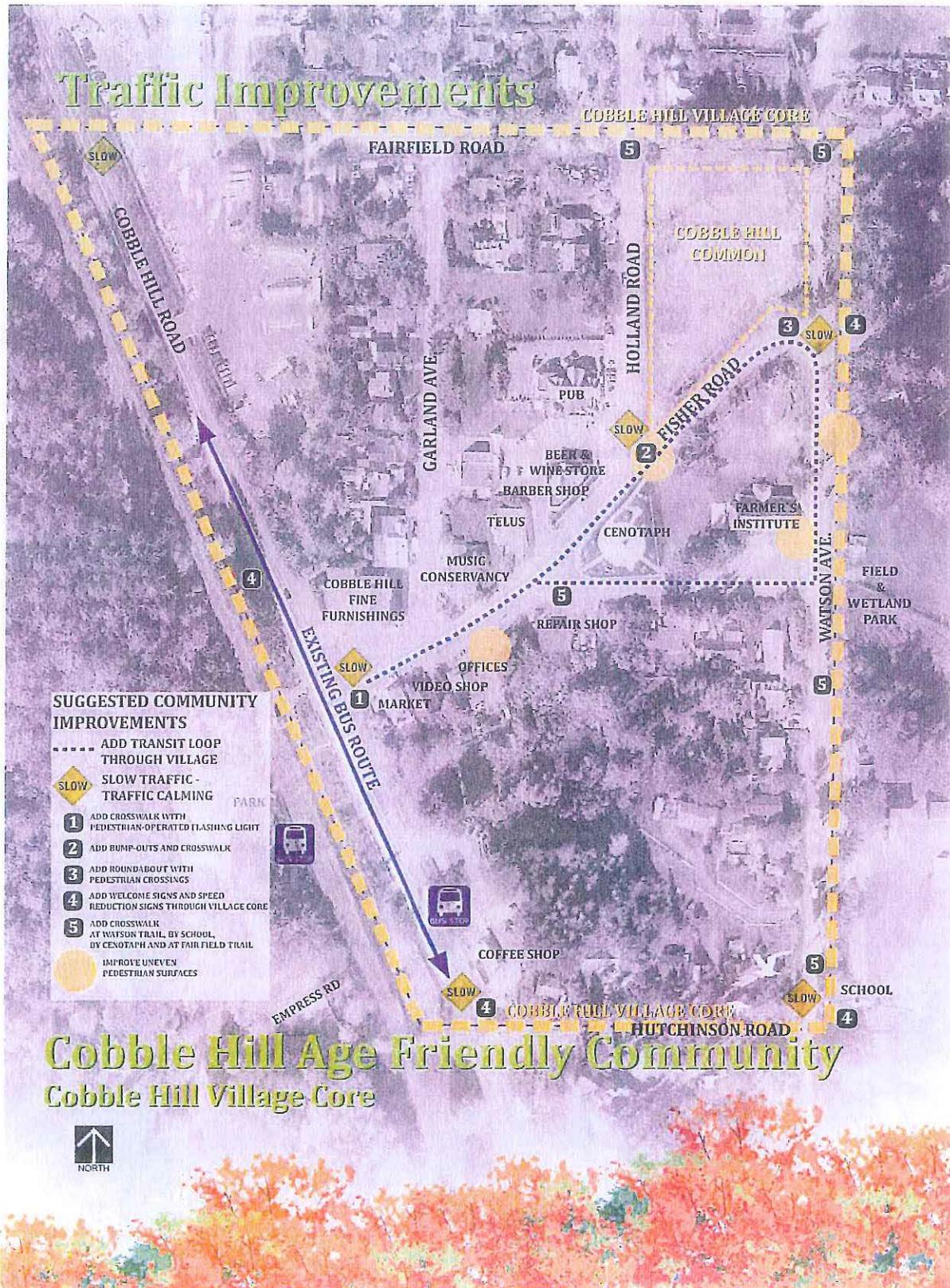
During the community discussions, a number of concerns related to transit services in Cobble Hill Village emerged:

1. Transit service is not frequent enough;
2. It is too far to walk to the transit stops on Cobble Hill Road;
3. It is too dangerous to cross Cobble Hill Road to catch the bus, or to return home after a bus trip (if coming from Valleyview).

Transit services are funded jointly by the CVRD and BC Transit. BC Transit is responsible for operational aspects of service provision. Improvements to Cobble Hill transit services, therefore, can be requested and lobbied for by the CVRD; BC Transit needs to be convinced about the need to make the changes.

Specific changes requested by the community include:

- Increasing the frequency of the available bus service.
- Modifying the route slightly, so that the buses make a loop through the Village Centre. This proposed change would route buses into the Village along Fisher Road, then right along Heigh Street, left on Watson Ave., left on Fisher Road, back to Cobble Hill Road. This change would:
 - Bring school children closer to their school,
 - Improve proximity between the bus route and where people live in Cobble Hill;
 - Provide regular transit service very close to the Cobble Hill Common site, which would improve transportation options for residents in the proposed seniors housing.
- Over time, expand the loop through the Village Centre to reduce the distance to the bus route for more people in Cobble Hill. There are a couple of options:
 - Building on the bus loop proposed above, extend the route so that from the intersection of Holland Ave. & Fisher Road, the bus would turn right to travel north on Holland Ave., left on Fairfield Rd, and left again on Garland Ave. (by the post office) to connect with Fisher Road to Cobble Hill Road. This approach would require that Fairfield Road be upgraded between Holland Ave. and Garland Ave.
 - Developing a slightly different routing for the bus through Cobble Hill Village, by having the bus enter (from the north) or exit (from the south) on Gallier Road, and travelling along Holland through the Village, connecting with Fisher Road in the Village Centre, and then connecting to Cobble Hill Road.



Cobble Hill Village Services and Improvement Areas

4.3 Places to rest

There are many dimensions to creating and maintaining an active community for seniors. In addition to the need for providing opportunities for social interactions and physical activity, it is also very important to provide places for people to rest, or sit and visit when they meet people by chance.

The community walk-about indicated that there are approximately 12 benches and one picnic table^x in the community to provide these desirable places to rest. In light of the needs of an aging population, it is highly recommended that more benches be placed along pedestrian corridors, whether along trails or sidewalks. One participant highlighted the use of benches in Cowichan Bay as an example to emulate in Cobble Hill, with benches in front of the local businesses, so that people could sit and people-watch or visit or rest. Along natural areas trails, it would be possible to leave tree trunks in place as natural materials to provide places to sit down. Rocks of the right size, with a flat top, are also appropriate to provide resting places in natural areas.

At the time of writing, it is our understanding that the Cobble Hill Parks Commission is already addressing these considerations.



4.4 Signage

To assist with navigation within the Cobble Hill area, the community is urged to consider better community signage. Several participants noted that the community was hard to navigate, in terms of finding one's way. Many of the trails are unmarked. One recommendation is to improve the ability of relative newcomers to the community to navigate the trail system through signage. This would also benefit seniors with occasional cognitive difficulties, who may become disoriented in a familiar place. These signs should be clear and consistent, styled to reflect the Cobble Hill personality, and give visual cues to aid in identification of where the pedestrian is at the moment of looking at the sign, and where they would like to go.

5.0 Meeting Cobble Hill Seniors' Housing Needs

There were many anecdotes about the need to provide housing alternatives for Cobble Hill seniors. The quantitative data is equally sobering.

The good news is that the majority of seniors live independently, and are financially better off than was the case 25 years ago. Transitions of seniors from private homes to institutions tend to be few in number, and these are strongly linked to certain health conditions, although advanced age, lack of a spouse, and few sources of income are also contributing factors.^{xi}

With "old age" now spanning a period of 20 years or more, the characteristics and experiences of seniors are varied and are becoming even more so with the baby boom generation having begun turning 65 in 2011.

Seniors as a population exhibit great diversity, so it is hard to predict what they may need in terms of housing. The most recent study of seniors' housing transitions^{xiii} concluded that seniors are less likely to move than other groups in Canadian society, although seniors who rent their homes are more likely to move than those who own their homes. Seniors are most likely to move because their health declines or they:

- desire to live in a smaller home,
- want to be close to family,
- want to move to a better neighbourhood, or
- need more access to recreation and leisure activities.

Of those seniors who move, 43% are downsizing, while 20% are upsizing to a larger home. Seniors who are downsizing tend to move from a house into an apartment or a smaller house, likely motivated to reduce their workload and/or reduce their financial burden. Seniors who are upsizing may be doing so to accommodate a live-in caregiver, or moving in with extended family. Older seniors (85+) are more likely than younger seniors to prefer apartments over houses. Many seniors who downsize sell their homes in favour of renting.

5.1 Affordability

The financial dimensions of continuing to live independently can be worrisome for seniors on a fixed income. To address these concerns, a number of financial options are available to assist seniors with staying in their homes longer. These options, applicable to both homeowners and renters, are addressed in Appendix 3.

While housing is the biggest concern, the increasing costs of food, utilities, and transportation are also of concern, as are the costs of participation in recreation or other programs. These issues emerged during the community consultation. Most are outside of the CVRD's ability to influence, with the exception of recreation fees.

In the context of the Cobble Hill Common site development, one of the principles is that the housing provided be affordable to be of most use to those seniors with fewer choices due to limited economic means. When pressed, affordability was defined as a target rent amount of \$600 per month. In the context of a senior who had not worked outside the home, and had no CPP income, that is about 50% of the combined Old Age Security and Guaranteed Income Supplement amounts. In a rental situation, the individual can also apply for assistance from the provincial SAFER program, which would allow for a rental subsidy of approximately \$200 per month, bringing the total monthly income to just under \$1,500, reducing to 40% the amount paid for rent. This is still high in comparison with the generally accepted definition of affordable housing as being only 30% of gross income. It may be that to accommodate this need, any CVRD-initiated

housing development might have to have a mix of market and non-market units.

The CVRD has a number of avenues to support the ultimate affordability of the proposed seniors housing units on the Cobble Hill Common site. These include:

- Providing land to the project;
- Partnering with a non-profit organization that specializes in the development and management of affordable housing. It would be hoped that the partnering organization would also have experience with seniors housing;
- Pursuing innovative financing and tenure mechanisms;
- Developing a combination of market and non-market rental housing on-site;
- Standardizing unit widths, to achieve construction cost savings; and
- Building green to reduce long-term operating costs.

5.2 Cobble Hill Common Site Development

Over the course of the public consultation, the related questions of “Why develop seniors housing on the Cobble Hill Common site? Why not somewhere else?” were raised multiple times. In recent history, the site served as a highways public works yard. It was acquired by the CVRD for back taxes (total acquisition cost of approximately \$200) a few years ago. Significant effort has been expended to rehabilitate the site through the application of organic matter and plantings.

There are a number of reasons why this site is, in many ways, ideal for the proposed mixed uses of affordable independent

living units for seniors, community services, and park. These include, in no particular order:

1. The CVRD owns the land, and therefore is able to contribute it to an affordable seniors housing project
2. The site allows Cobble Hill seniors to stay in their community
3. It is reasonably close to some amenities, and to transportation facilities of various kinds
4. By building a multi-unit seniors housing facility on the site, the community can achieve some of its other goals:
 - a. A community meeting space
 - b. Parkland that is designed to enhance inter-generational interactions
 - c. Creating more vibrancy in the Cobble Hill core village
 - d. Providing a variety of support services to community residents
5. Cobble Hill is already generously endowed with parks of various types, but has no facilities or dedicated housing for seniors.

The original design for the Cobble Hill Common site envisioned some residential, commercial, and programmed park areas for the site. The project used this design as a starting point for discussion about how the site could be developed. A number of concerns emerged through the process:

1. That commercial (retail) space on the site may not be appropriate or desirable, although professional offices, particularly if used to provide services to Cobble Hill

- seniors, and community spaces were definitely of interest;
2. That conflict between the uses of the site be avoided. Seniors housing can be seen as competing with park space. One risk that was perceived is that the seniors living in the housing might see the park as theirs, making the community feel unwelcome. The other risk is that the privacy of the seniors housing might not be respected by park users. The need to balance those considerations, and provide for multi-generational interactions was a high priority;
 3. That potential demand for seniors housing may be higher than has been anticipated, so more units may be required than originally envisioned.

6.0 Proposed Cobble Hill Common Site Program

Over the course of the community consultation, a level of consensus started to emerge as to how the site should be developed. The site was identified as the “diamond in the tiara of Cobble Hill.” It is central, in the very heart of the village, and needs care in its development. The various elements of how that care would be demonstrated include that it needs to:

- Become a new “home” for the people who live there, no matter the form of the housing
- Provide affordable, accessible, and safe housing
- Help create or restore a vibrant centre to the Village
- Balance housing requirements and park – Create linkages so that the community feels welcome in the building, and so that seniors feel welcome in the park
- Conform to the CVRD Safety Lens in a design review process, as well as to the principles of Crime Prevention

through Environmental Design (CPTED), as indicated in the Cobble Hill Village Plan

It was also very important to the community that the existing mature vegetation in the road right-of-way behind the site and at various places around the site be protected, together with the new plantings.

One of the concerns that emerged is how to protect this project for the people of Cobble Hill, and not permit it to be fully occupied by people with no history or connection to the community. As the project moves forward, a number of creative solutions are likely possible, including having the people of Cobble Hill who are interested in living in the facility sign up to do so in advance of construction.

Developing a project such as this requires detailed attention to a number of different aspects. Each of these is treated in turn. What follows is a listing of the community's concerns and input regarding how the project should be developed.

6.1 Residential development

- 25-35 residential units
- Mix of unit sizes
 - Flexible housing, i.e. two studio units could be combined to create a larger unit
 - Mix of unit types, including the potential for studio, 1 BR, 1 BR + den, and 2 BR units
- Put in place certain design parameters, such as standardized widths, for economies in the construction process
- Use of smaller appliances (24" stoves)

- Balconies overlooking the park (south orientation) or looking into the trees (north orientation)
- Up to 3 storeys in height – use basement to expand if needed (storage, laundry, etc.)
- Triple-glazed windows and other forms of noise insulation (pub, children’s playground, etc.), which also assists with energy efficiency
- Induction stoves (to reduce fire risk)
- Accessible showers with bench seats

6.2 Residential amenities

- 24-hour call bell service
- Shared alternative bathing facility (ex: walk-in hot tub)
- Common party room/indoor activity room with full kitchen, that has windows and greenery, possible access to a balcony, potentially high ceilings, to provide a refuge in the dull weather – this room could also serve as the seniors centre, if desired
- Common guest suite
- Common laundry room(s) – one per floor
- External secure storage space, located indoors
- Elevator is essential if multi-storey – must have stretcher capability
- Indoor hallways to connect residents to services, depending on design elements
- Scooter parking and electric charging stations, preferably in the suite
- Emergency exit concerns need to be addressed, in case of fire
- Space needs to be provided to ensure that if needed, the facility could be transformed into an assisted living facility, i.e. space for common dining room, nursing stations, large laundry facility, and so on.

6.3 Non-residential services in the built environment

Non-residential services to be included in the built up portions of the project include:

- 1-2 units of community services space
- Public washroom(s) for use by park users and other members of the public
- Office administration
- Museum display space, through display cases in the hallways or in the public rooms
- Storage for outdoor equipment, with outdoor access (bocce, horseshoes, outdoor chess, croquet, etc.)

Concerns were expressed at later stages in the project that 1-2 units of community services space (about 1,100 square feet), which included residential amenities, might not be adequate. Assuming that the final design uses a modular approach, similar to the concept presented in this report, it would be possible to convert the entire ground level to community services and residential amenity spaces, while maintaining a significant amount of housing on the upper floors.

6.4 Park Development: Ideas/Options

- Keep the space flexible, for use by Cobble Hill Fair or other community events
- Water splash park – can be turned off seasonally or at certain hours of the day
- Trail connections –
 - signage, showing linkages to trails off-site
 - meandering path across the site to a main building entrance in the Northeastern part of the site could reduce the need for stairs or steeply sloped pathways

- needs to connect to trails in other parts of the village – use crosswalks to support safer road crossings, to maintain community connectivity
- Food forest – fruit trees
- Heritage wall
- Raised garden beds for both flowers and vegetables
- Outside exercise equipment
- Horseshoe pitch
- Landscaping and screening
 - Screen off the pub (fruit trees, once full grown, will accomplish this to an extent – evergreen vegetation may also be required)
 - Ensure that there are private outdoor spaces (for residents, in proximity to the units), as well as public/shared outdoor spaces (Creekside example)
- Trail development behind site

6.5 Access/Parking

- Underground parking, if possible
- Car share option, as an alternative to individual car ownership
- Public transit – reroute through Cobble Hill Village, to bring it closer to Evergreen School and to the seniors housing project, along Fisher Rd
- Parking calculated at 0.5 spaces/unit or less, with at-grade parking in a lot on the eastern side of the property. (This prevents homeowners from looking at a parking lot across the street.) Up to 50% of parking would need to be handicapped parking width – may need parking variance
- Loading area near the building's parking lot entrance

- One-way laneway to be used for pedestrian purposes only (but wide enough for emergency response) through lot, and through parking lot on the eastern side
- Off-site visitor parking and parking for park users: angle parking along Fisher Rd (part of traffic calming) or Watson Rd

6.6 Site lighting

- Will be done in accordance with Building Code requirements and best practices for seniors housing. However, to be in keeping with the rural atmosphere and character of Cobble Hill, the intention is to use very low levels of lighting (solar powered) along laneway and in parking lots, and at external doorways – could use motion detection
- Ground-oriented, full cut-off lighting, to avoid light pollution

6.7 Energy considerations

- Move hydro line underground through the site
- Desire to work to environmental standards, because it contributes to lower long-term operating costs, without incurring the cost of certification:
- Individually controlled heating within residential units
- Solar orientation
- Passive air circulation options (windows, doors)
- Need quality air flow systems

6.8 Connectivity between park and seniors housing

- Landscape treatment along the pedestrian laneway to separate private and public areas of the site
- Use roof runoff to irrigate the site
 - Need non-toxic roof materials (i.e. permanent metal roof)

6.9 Possible design elements

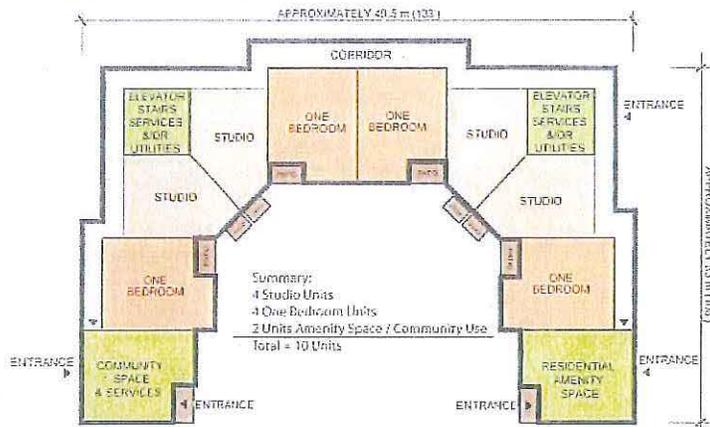
- Surround verandahs – outdoor living “rooms”
- Overhanging roofs – or green roof – or some combination
- Could have some residential amenity space on the roof, including garden plots
- Fit into surrounding residential neighbourhood – don’t be so large as to overshadow the trees or homes
- If a “stepped” design is selected, some units could have at-grade patios, while upstairs units could have patios on the roofs of lower units
- Wood construction – balanced with fire safety

For next steps in implementing the Cobble Hill Common site plan, please see Appendix 4.

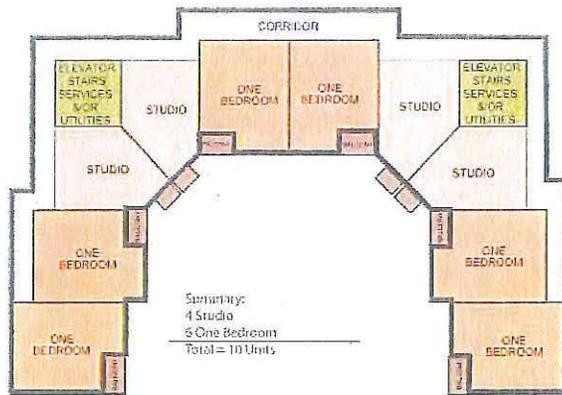
Schematic Floor Plans

This is a preliminary plan intended to suggest how program elements could be accommodated on the site and is subject to more detailed studies.

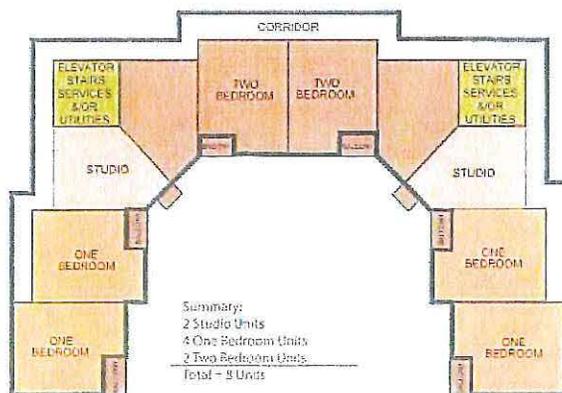
First Floor



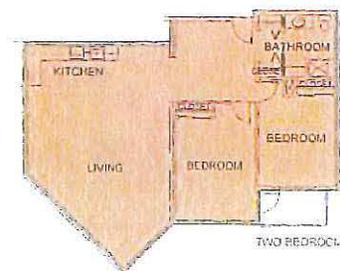
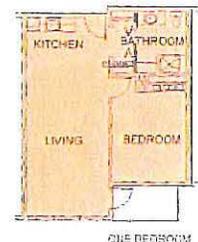
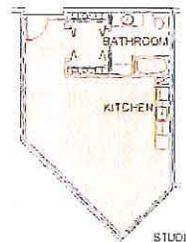
Second Floor



Third Floor



Example Units

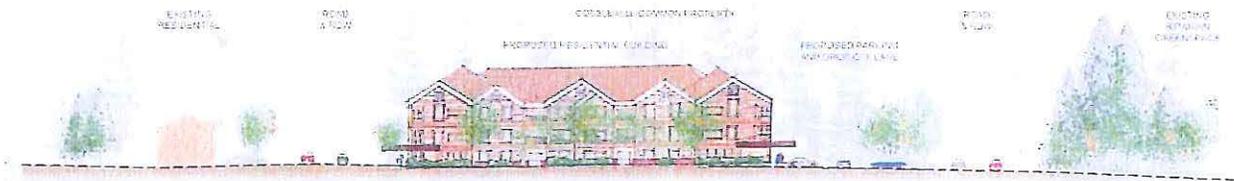




Bird's Eye View



Elevation B



Elevation A

Cobble Hill Age Friendly Community

Cobble Hill Common Site



8.0 Summary of Recommendations

The Cobble Hill Age-Friendly Community Project recommendations are discussed throughout the report, and summarized here. These recommendations are accompanied by suggested timeframes:

- Immediate actions are those which should happen within three months of acceptance of the report by the CVRD Board;
- Short-term actions are those which should happen within one year;
- Medium-term actions are those which should happen within three years; and
- Long-term actions are those which could happen in the next five-ten years, depending on how quickly the preliminary stages begin.

These timeframes are recommended based in part on a logical sequencing of activities, so that those that depend on some immediate or short-term actions would follow in the medium-long term time frame.

As the various recommendations are implemented, it may be that the ideas evolve or are refined, and other ways of addressing the issues are found.

Recommended Actions	Responsible Party
Immediate actions	
Establish a seniors drop-in centre in Cobble Hill	CVRD Area C Director Cobble Hill Age-Friendly Steering Committee
Appoint a CVRD staff member to “champion” and coordinate the Cobble Hill affordable seniors housing project	CVRD Electoral Area Directors CVRD Planning
Establish a Cobble Hill Committee on Seniors Issues, which will: <ul style="list-style-type: none"> • Advise the Area Director on ways to improve seniors’ quality of life in Area C • Link to the Cowichan Seniors Network and others addressing seniors needs in the region • Advocate for seniors housing 	CVRD Area C Director
Begin lobbying MOTI for studies related to the proposed traffic and pedestrian safety improvements: <ul style="list-style-type: none"> • Share the report, with its recommendations • Ask for follow-up work by MOTI 	CVRD Area C Director CVRD Electoral Area Directors
Short to medium-term actions	
South Cowichan Area Directors examine the need for age-friendly improvements throughout Areas A, B, and C. These needs can include: <ul style="list-style-type: none"> • Flexible housing • Parking standards for new seniors oriented projects • Facilitating the establishment of a continuous care facility in the South Cowichan • Engaging seniors in more planning processes to determine their needs 	CVRD Area A, B, and C Directors CVRD Board

Cobble Hill Age-Friendly Community Project: Final Report

Recommended Actions	Responsible Party
Pedestrian way-finding signage at start of trails, and at trail intersections	CVRD Area C Director Cobble Hill Parks and Recreation Commission
Start the planning to establish a walking path along Fisher Rd from Cobble Hill Village to the highway	CVRD Area C Director Cobble Hill Parks and Recreation Commission
Develop an action plan for full realization of the Cobble Hill Common site potential <ul style="list-style-type: none"> o Complete a seniors housing needs assessment for Cobble Hill o Approach BC Housing, CMHC, and potentially VIHA to contribute funding and expertise to the project o Further refine housing and land use concepts 	CVRD Staff Champion CVRD Planning CVRD Parks CVRD Area C Director Cobble Hill Age-Friendly Steering Committee Cobble Hill Parks and Recreation Commission
Acquire Fairfield Road right-of-way from the Province	CVRD Area C Director CVRD Parks
Use the Zoning Bylaw to provide incentives for the development of affordable seniors housing (amenity contributions)	CVRD Electoral Area Directors CVRD Planning
Develop OCP and Cobble Hill Village Plan policies related to accessible design so that new housing in the Cobble Hill Village area is easily adapted to the needs of residents aging in place.	CVRD Planning Dept.
Medium – Long Term actions	
Establish a walking path along Fisher Rd from Cobble Hill Village to the highway	CVRD Area C Director Cobble Hill Parks and Recreation Commission
Improve bus service to and from Cobble Hill Village	BC Transit CVRD Transit Committee CVRD Area C Director Cobble Hill Age-Friendly Steering

Cobble Hill Age-Friendly Community Project: Final Report

Recommended Actions	Responsible Party
	Committee
<p>Increase use of signage for traffic calming, including:</p> <ul style="list-style-type: none"> • “Welcome to Cobble Hill” signage: <ul style="list-style-type: none"> ○ both directions along Cobble Hill Road ○ Westbound along Fisher Road ○ Westbound along Hutchinson Road ○ “Children at play” signage (same locations) 	<p>CVRD Area C Director Cobble Hill Age-Friendly Steering Committee Cobble Hill Parks and Recreation Commission</p>
Ongoing	
Engage seniors in planning processes to meet seniors needs, by using clear language in communications	CVRD Board CVRD Planning Dept.
Put more benches in the Village and along the trails	CVRD Area C Director Cobble Hill Age-Friendly Steering Committee Cobble Hill Parks & Recreation Commission
Undertake ongoing communications about the project, engaging different parts of the community	CVRD Area C Director CVRD Planning
Continue the good work of the Parks Commission	Cobble Hill Parks and Recreation Commission

Appendix 1: Existing Cowichan Valley Seniors Subsidized Housing Options:

Source: BC Housing, Housing Listings for Zone 8 (South Vancouver Island) --
http://www.bchousing.org/resources/Housing_Listings/zone8_senior.pdf

Apply through Housing Registry:

Crofton:

Osborne Bay Terrace (6-1BR units, wheelchair accessible, residency requirement, operated by a non-profit society)

Duncan:

Duncan Manor (39 Bachelor suites, 33 1BR suites, 1 2BR suite, additional charges apply, residency requirement, smoke-free property, operated by a non-profit society)

Duncan Manor (Hostel) (50 1BR suites – same as Duncan Manor)

Apply Directly to Facility:

Chemainus:

Harbour View House (12 Bachelor suites, 18 1BR suites, 1 2BR suite, additional charges apply, residency requirement, operated by a non-profit society, housing provider has other developments)

Harbour View Manor (17 1BR suites – same as Harbour View House)

Normandie Apartments (5 Bachelor suites, 9 1BR units, people with disabilities accepted, residency requirement, wheelchair accessible units)

Duncan:

Duncan Kiwanis Village, 4 buildings/phases

- #1 – 8 1BR suites, people with disabilities accepted, market units available, other developments, residency requirement
- #2 – 15 Bachelor suites, 15 1BR units, other developments, residency requirement
- #3 – 28 1BR units, other developments, residency requirement, wheelchair accessible units

Lake Cowichan:

Evergreen Place, operated by King Gorge Seniors Affordable Housing (4 Bachelor, 21 1BR, 6 2BR, additional charges apply, people with disabilities accepted, market units available, residency requirement)

Olson Manor, operated by Cowichan Lake Seniors Citizens Housing Society (16 1BR, additional charges, people with disabilities accepted, residency requirements, wheelchair accessible units)

Appendix 2: CVRD Policy Framework

South Cowichan OCP Provisions related to seniors issues and the Cobble Hill Common site

- Policies in Section 6 of the OCP relate to energy efficiency , GHG emissions reduction, growth management , provision of sewers, and other types of land use and transportation policies
- Policy 8.1 outlines the community amenity contribution policy. Community amenities include seniors centres
- Policy 8.3(g) commits the Regional Board to assist in the provision of affordable housing by “designating land for affordable and seniors housing within specified areas”
- Policy 8.4 indicates that all proposed multi-family residential development will be subject to the Cobble Hill Village Development Permit Area provisions
- Policy 8.5 promotes safety and security in public places by integrating design principles that maximize safety and accessibility for children, youth, seniors and disabled people
- Policy 8.8 indicates the need to provide safe routes to and from schools and commercial areas for a diverse population including seniors and disabled persons
- Policy 9.2 recognizes the many heritage assets of Cobble Hill Village
- Policies 10.3 and 10.4 encourage development within the Cobble Hill Village Containment Boundaries, while stressing that land outside of these boundaries will remain predominantly rural in character
- Policy 15.1.6 encouraged additional future General Commercial development within the Cobble Hill Village

Containment Boundaries to encourage complete, healthy village areas where residential areas are located close to commercial uses

- Policy 21.3 addresses the need for CVRD-owned and operated community liquid waste treatment and disposal systems

Cobble Hill Village Plan Provisions related to seniors issues and the Cobble Hill Common site

- Section 2 “Community Priorities and Guiding Principles” part (c) related to residential development indicates an emphasis on providing housing opportunities for seniors through assisted care developments and multiple family housing. Part (e) of this same section indicates that “The Highway works yard at the junction of Fisher and Holland Roads has been purchased by the CVRD and will be developed into a community facility such as a seniors’ centre or affordable housing, or village parkland, in accordance with the wishes of the community.”
- Policy 8.4 (as quoted in full in this report) indicates that the Cobble Hill Common site is designated as Village Institutional to allow for a range of institutional uses including a village green type park, a community service or recreation centre, and an affordable housing project.

Area C Zoning Bylaw Provisions re Second Dwellings

(As at October 28, 2012)

61

Zone Code	Zone Name	Number of Dwellings	Number of Dwellings if parcel is 2 ha (5 acres) or more in size	Secondary or small suite permitted (Parcel = 0.4 ha+)
A-1	Primary Agricultural (usually also under the jurisdiction of the ALC)	1	2	Secondary only
A-2	Secondary Agricultural	1	2	Yes
A-4	Agricultural Recreation	1	2	Secondary only
F-1	Primary Forestry	1	1	Yes
R-1	Rural Residential	1	2	Yes
R-2	Suburban Residential	1	2	Yes
R-3	Urban Residential	1	1	Yes
R-5	Comprehensive Urban Residential	1	1	No
R-6	Urban Residential – Mobile Home	1	1	Yes

Note that a new Zoning Bylaw for the South Cowichan (Areas A, B, and C) was in development at the time of this study. The new bylaw may have different provisions.

Development Approval Information Bylaw

Provides the opportunity for the CVRD to require certain types of information necessary for development approval:

- Transportation
- Sewer, water, and drainage infrastructure
- Environmental impact assessment, including:
 - Watercourses
 - Fish habitat
 - Forest
 - Erosion
 - Revegetation
- Community services, public facilities, and parks
- Heritage resources or archaeology

- Agriculture and forestry impacts
- Local employment opportunities
- Energy conservation and reduction of greenhouse gases.

Not every type of information would be required for every project.

Appendix 3: Seniors Housing Options

The question of staying or moving from one's home due to age or illness is a complex and multi-dimensional one. The decision is based, in part, on the economic situation of the individual or couple. This section outlines some options that may help people to seek the right kind of information for their needs.

Staying in own home

For homeowners, the BC government offers the Property Tax Deferment Program, a low interest loan program that allows seniors to defer all, or part of, their current annual property taxes on their principal residence.^{xiii} In cases where the senior homeowners are not carrying a mortgage, this reduces a significant element in housing costs, leaving only utility costs to be covered.

Reverse mortgages^{xiv}, also known as home equity conversion mortgages, enable seniors who own their homes to tap into their home equity. These homeowners can generally access between 20 and 30% of the equity in their homes while continuing to live there. The money can be used for day-to-day expenses, home repairs, in-house care, or any other needs. In most programs, the loan and accumulated interest is not repaid until the house is sold or the homeowners die. This type of financial arrangement can be important for providing seniors the opportunity to continue to live in their own homes by accessing the equity of their homes, when they otherwise might have to sell and move.

For renters, the Shelter Aid for Elderly Renters (SAFER) program provides housing subsidies to people with the least income.^{xv} The program reimburses part of the difference between 30% of the individual's total income and his or her

rent, up to the maximum rent levels identified by the program. Regardless of actual amount of rent paid, SAFER subsidies are calculated only on rental amounts up to the specified maximum rent levels, which on Vancouver Island, is \$610/month.

Moving into seniors housing

In 2011, CMHC released a *Seniors' Housing Market Survey: British Columbia*, which looks at independent living and complex care facilities in the province. In 2011, the average vacancy rate for independent living suites stood at 11.5%, attributed to an increase in the supply of seniors housing options. In general on Vancouver Island, vacancy rates for independent living units are higher than the provincial average; in contrast, Duncan/Cowichan reported an average vacancy rate of 6.1%. This may be because more new units have been built in other parts of Vancouver Island, and were not yet filled at the time of the survey.

From an affordability perspective, only 9.7% of independent living spaces are available in the rental range of less than \$1,900/month, an amount that can be seen as unattainable for those seniors trying to live on government income supplements. The majority of units cost \$2,400+ per month.¹ In most cases, the rental charges include up to 3 meals per day (it varies by facility), and may include other services such as on-site medical services (33%) or onsite registered nurse (22%). In 89% of cases on Vancouver Island, a 24-hour call bell service is provided. The most common amenities available in these facilities include internet access, exercise facilities, and

¹ For Central Vancouver Island, the percentage of units in the range of \$2400-2899/month was 36.3%, while those costing \$2,900+ made up 35.1% of the total. (Source: CMHC Seniors Housing Report, 2011, Table 2.3)

transportation services, although some also offer hot tubs, movie theatres, or on-site pharmacies.

In 2008, the Duncan/Cowichan area had 175 independent living suites, with average rents of \$2,871/month.² These suites housed approximately 3.8% of the local population aged 75+. CMHC anticipated that by 2012 there would be demand for an additional 194 independent living suites for this area, but it unclear from their 2011 report how many, if any, have been built.

According to the same report, the region also had 24 non-profit and 16 for-profit assisted living units, as well as 269 non-profit and 91 for-profit beds in complex care centres. CMHC forecast demand for 399 more complex care beds by 2012, but it is unclear whether these have been built.

*Purchased Housing*³

There are various tenure options for independent living available, including: strata title ownership, life lease arrangements, equity co-operatives, and co-housing.

The most prominent example of *strata living* in the Cobble Hill area is the Arbutus Ridge 50 Plus Lifestyle Community, comprised of more than 600 homes on 148 acres. This development was established in the early 1990's.

The *life-lease model* is a way of developing housing without government financing. It can be particularly appealing to

² CMHC Seniors Housing Report 2008

³ Source: Seniors Services Society website, at <http://seniorsservicessociety.ca/htofh.htm>

organizations wishing to sponsor seniors' housing but without resources of their own. It mainly requires a dedicated sponsor and a group of seniors who can contribute sufficient equity. Having a private development company build on a turnkey basis also helps when they are able to raise the necessary construction financing.

The approach takes time and effort to implement. It depends upon the pre-sale of a significant percentage of the units in order to raise upfront capital and minimize ongoing operating cost, but without the benefits (and costs) of model suites and promotional campaigns. This is normally done by the volunteers working long hours. The credibility of the sponsor within the community is also an important part of this process.

It is possible to place conditions in the life-lease agreements to protect the long-term affordability of units.

Equity co-operatives combine various aspects of co-operative and individual ownership. The term covers a variety of options, but generally they include these main characteristics:

- The members provide development capital.
- They share ownership of the project.
- They usually manage the project themselves.
- They control who can join the co-operative.
- They operate on non-profit principles.⁴

In a West Vancouver example (Amberview Place), the local government, which had acquired the site for seniors housing, leased it to a private developer for 60 years at 60% of the

⁴ Source: http://www.cmhc-schl.gc.ca/en/inpr/afhoce/tore/afhoid/fite/eqco/eqco_001.cfm

market value. This favourable land lease, along with the equity from co-op members, enabled the developer to provide one- and two-bedroom units at 73% to 83% of market value for comparable units in the area. According to the terms of the site lease, this affordability must be maintained and passed on to any new members. The municipality will also acquire the building at the end of the lease, using a sinking fund that has been established by the co-op for this purpose.⁵

Seniors *non-profit or subsidized housing* is affordable rental housing for individuals over 55 with low incomes. Rent is subsidized by the government or another source, and is normally set at 30% of income. Generally (though not always) there are no services provided and the apartment units are small bachelor suites. Generally, there are long waitlists for subsidized housing. These can be owned by BC Housing, or by non-profit societies.

Co-op housing is open to all, not only older adults, and varies in cost. As part of joining a housing co-op, a prospective member must buy a share in the co-op. There may be some subsidies available in Co-ops, however they are jointly owned and thus you must pay a refundable share purchase when entering co-op housing. You must also contribute a certain amount of time to the running of the co-op.

⁵ Source: http://www.cmhc-schl.gc.ca/en/inpr/afhoce/tore/afhoid/fite/eqco/eqco_006.cfm

Housing with Supports

Supportive housing is housing for older adults only. Generally this type of housing includes at least one meal a day, emergency response system, housekeeping and social and recreational opportunities. This housing option is usually private (not subsidized), though there are a very few subsidized supportive housing units available through BC Housing's Seniors Supported Housing (SSH) program.

Assisted living is housing for older adults only. It includes the services listed above for Supportive Housing with additional assistance with personal activities such as bathing or taking medications. Assisted Living is available with or without subsidies. Public assisted living facilities are operated by the local health authority (for example Vancouver Island Health Authority), require a health assessment for admittance, and generally cost 70% of income. There are generally waitlists for public Assisted Living facilities. For more information on Assisted Living contact the [Assisted Living Registrar](#).

Residential Care provides care and supervision for individuals who can no longer manage in their own homes. Residential Care is available with or without subsidies. **Hospices** provide palliative care for people nearing the end of their life. For more information visit the [Ministry of Health website](#).

Appendix 4: Cobble Hill Common Site Development Next Steps

In any housing development project, there are a series of steps that must be completed before the project can actually be constructed:

1. Concept development
2. Feasibility studies, and
3. Pre-development.

Once the project has been conceived, proven feasible, and has been designed to the level of being ready for construction, then construction documents can be put out to tender, and the project can be built. Each of these stages of a project's development will be addressed in turn.

Concept Development

The Cobble Hill Age-Friendly Community Project was tasked with building upon the original community concept, as created by the Parks Commission, to take the concept to a new level of detail, with broader community input. The concepts that were developed as part of this project do not enjoy full community support at this point. There remains tension around the relationship between park uses and seniors housing uses, and some concern that the concept does not incorporate enough community services space. There were also concerns as to whether or not 30 units was the correct design standard. For these reasons, the consultants recommend that the CVRD undertake additional study to resolve these questions, in support of finding a concept that addresses the community's concerns and that enjoys a high degree of community support.

Specific next steps might include:

- Applying for planning funding, perhaps from the CMHC, to assist with some of the questions specifically related to the housing portion of the project;
- Preparing a seniors housing needs assessment, based on the BC Housing template, proving both need and demand for such a facility;
- Seeking further discussion and additional input on the current concept plan through ongoing engagement by the Area Director;
- Seeking project partners with the following areas of expertise: housing development⁶, housing management, service delivery for seniors, and project development funding.

Potential partners for project funding might include BC Housing's Community Partnership Initiatives, and CMHC with a variety of potential programs to support the financing of the affordable seniors housing component of the Cobble Hill Common site development.

Potential partners in the area of service delivery might include VIHA (Home and Community Care), Cowichan Seniors Community Foundation, Cowichan Seniors Network, and others.

Feasibility

Once a concept for the site enjoys a high level of community support, to the extent that the CVRD decides to move forward with it, the feasibility study process can begin. There are a number of aspects of the feasibility phase:

- Creating a project development plan;

⁶ The CVRD may wish to partner with a developer with expertise in construction of affordable housing, as well as certification for environmentally sensitive development (LEED, Green Up, Smart Growth, Living Building Challenge, or Built Green).

- Testing the financial feasibility of the project (construction and operations) – the purpose of this study is to provide a foundation for raising the appropriate level of funding. It can include the preparation of:
 - A preliminary capital budget;
 - A preliminary operating budget;
 - A viable cash flow plan for the development phase;
- Planning for community engagement; and
- Writing a business plan for the project.

Pre-Development

The pre-development phase of the project is when details of the proposed development are reviewed and subject to different types of approvals from funders, financial institutions, planners, neighbours, elected representatives, building officials, and so on.

Success in this phase will depend on the viability of the project, both physically and financially, as well as the ability and willingness to modify the project in response to identified requirements. The stronger the development team that prepares the project for this phase, the more complete the proposal and more likely to successfully weather the various challenges.

Construction

Once the project receives all of the necessary approvals, construction documents can be put out to tender, and construction contracts awarded. Once built, a completed project cannot be lived in until it received an occupancy certificate, which guarantees that all systems are “go” and that tenants can move in.

It is possible to market the housing units during the construction phase, so that tenants are ready to move in as soon as the occupancy certificate is issued. All management systems must also be in place at that time.

Endnotes

ⁱ South Cowichan OCP, Appendix C, Cobble Hill Village Plan, Policy 8.4.

ⁱⁱ Maradee A. Davis, Suzanne P. Murphy and John M. Neuhaus, "Living Arrangements and Eating Behaviors of Older Adults in the United States" *J Gerontol* (1988) 43 (3): S96- S98

(<http://geronj.oxfordjournals.org/content/43/3/S96.short>)

ⁱⁱⁱ Some communities have developed continuous care facilities in such a way that the independent living components are in proximity to the assisted living facility, but not on the same property.

^{iv} Dr. Vivian Diller, "Aging: A Universal but Personal Experience."

(<http://www.psychologytoday.com/blog/face-it/201202/aging-universal-personal-experience>)

^v Ibid

^{vi} South Cowichan OCP, Section 19

^{vii} South Cowichan OCP, Policy 6.10 (f). This policy is specifically in the context of reducing GHG emissions. The incorporation of pedestrian and cycling requirements into road design, however, is also beneficial for safety reasons.

^{viii} South Cowichan OCP, policy 19.14

^{ix} South Cowichan OCP, policy 19.17

^x Currently benches are found at: Bus stops (2), Cenotaph (4), Quarry Park (2), Farmers Institute grounds (4), Dog park (picnic table)

^{xi} Lin (2005) "The Housing Transitions of Seniors," in *Canadian Social Trends*, published by Statistics Canada.

^{xii} Ibid.

^{xiii} Source:

http://www.sbr.gov.bc.ca/individuals/property_taxes/property_tax_deferment/about.htm

^{xiv} Source: <http://www.cmhc-schl.gc.ca/en/inpr/afhoce/tore/afhoid/fite/remo/index.cfm>

^{xv} Source: <http://www.bchousing.org/Initiatives/Providing/SAFER>



R3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF NOVEMBER 6, 2012

DATE: January 8, 2013 **FILE NO:** 4-E-12 DVP
FROM: Alison Garnett, Planner 1 **BYLAW NO:** 1840
SUBJECT: Development Variance Permit Application No. 4-E-12 DVP
(Stephen and Cara Hunt)

Recommendation/Action:

That Application No. 4-E-12DVP by Stephen and Cara Hunt to vary Section 5.23 of Zoning Bylaw No. 1840, by increasing the maximum permitted length of a small suite mobile home, from 13 metres to 20.1 metres on Parcel G (DD441511) of Section 6, Range 1, Cowichan District, be approved.

Relation to the Corporate Strategic Plan: N/A

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

Background:

Location of Subject Property: 4661 Bench Road

Legal Description: Parcel G (DD441511) of Section 6, Range 1, Cowichan District (PID 009-534-687)

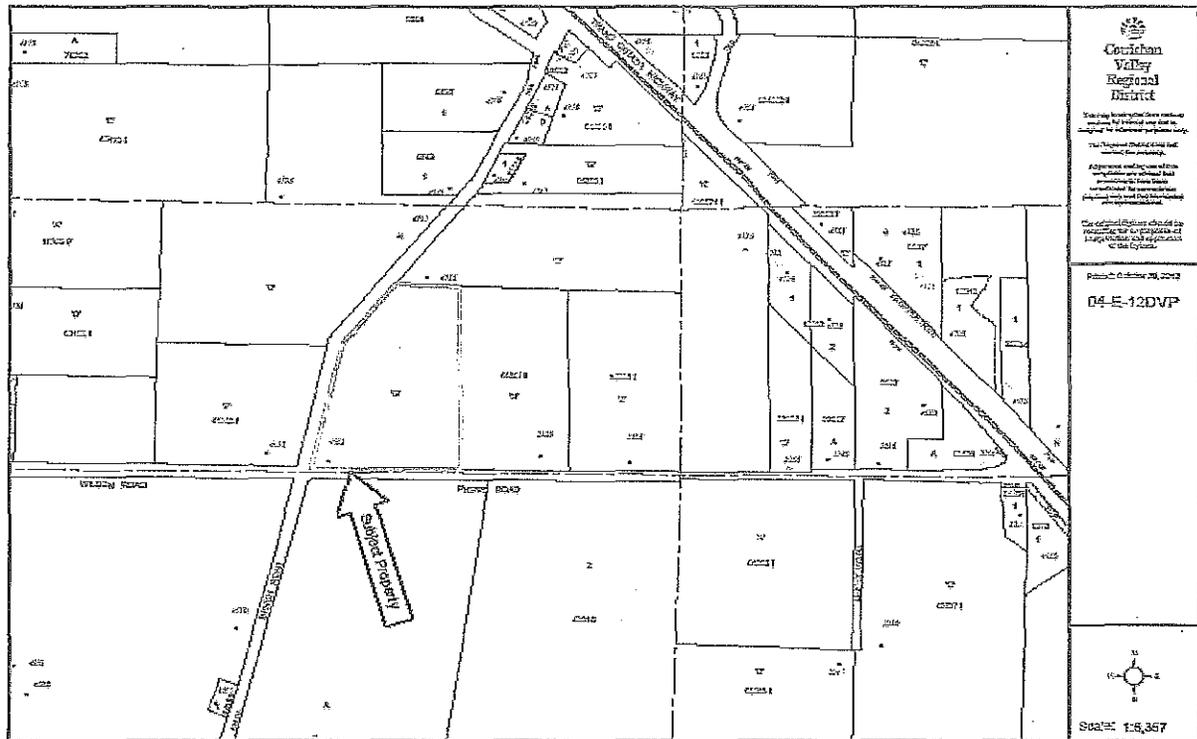
Date Application Received: October 30th, 2012

Owner and Applicant: Stephen and Cara Hunt

Size of Lot: 4.7 hectares (11.6 acres)

Existing Zoning: A-1 (Primary Agriculture)
Minimum Lot Size A-1 Zone: 12 ha

Existing Plan Designation: Agriculture
Existing Use of Property: Residential and Agricultural



Use of Surrounding Properties: Residential/Agricultural

Road Access: Bench and Phipps Road

Water: On site

Sewage Disposal: On site

Agricultural Land Reserve Status: In

Environmentally Sensitive Areas: None have been identified

Archaeological Site: None have been identified

The Proposal:

The subject property is a 4.7 hectare, A-1 zoned parcel of land in the Agricultural Land Reserve. There is one single family dwelling on the property. The applicants are applying to place a mobile home under the small suite provisions of Electoral Area E Zoning Bylaw No. 1840.

The subject parcel can be described as level, cleared of trees, and consisting primarily of fenced agricultural fields. There are numerous small agricultural buildings clustered near the existing single family home at the southwest corner of the lot. Surrounding parcels include active farms, including a farm that operates a Community Supported Agriculture (CSA) program, dairy farms, and residential/hobby farms. The applicants are increasing the farming activity on the parcel, with a focus primarily on berry production. A farm plan has not been submitted, but a site visit by staff showed recent and expanding farming activity on the property.

A small suite is permitted in the A-1 zone, although it is subject to certain criteria including size limits, parking requirements, servicing requirements, etc. The proposed mobile home meets all the criteria outlined in the bylaw, except Section 5.23 of Bylaw 1840, which establishes a maximum permitted length of 13 metres (43 ft.) for a mobile, manufactured or modular home. The applicant is requesting that this maximum length be increased to 20.1 metres (66 ft.). Staff note that the proposed mobile home will be 85 m² (924 ft²), which complies with the maximum floor limit of 90 square metres (969 ft²). The proposed home will be built to Z240 manufactured home standard, which requires no fixed foundation.

As the subject property is located in the Agricultural Land Reserve (ALR), compliance with the *ALR Act* must also be confirmed. The ALR Use, Subdivision and Procedure regulation permits two types of secondary residential uses in addition to a single family home. Per parcel, the ALC allows the following residential types to be approved directly by a local government, without requiring a Non-Farm Use application:

- 1) One secondary suite within a single family dwelling, and
- 2) One manufactured home, up to 9 metres in width, for use by a member of the owner's immediate family.

The proposed residence in this application complies with the criteria of a manufactured home up to nine metres in width. It is intended to be the residence of the co-owner of the property, Anita Lorraine, who is also the applicant's mother/mother-in-law. The attached email from ALC Planner Liz Sutton confirms that this proposal does not require an application for Non-Farm Use to the ALC.

Relevant Agricultural policies from Electoral Area E Official Community Plan (OCP) include the following:

4.1.18 Home occupation, small suite, group home and public park uses may be permitted in any agricultural land use category, however, if the land is in the Agricultural Land Reserve, all uses must comply with the Land Commission Act

4.1.7:

One additional dwelling other than the main farm residence may be permitted on an agricultural parcel provided it may be proven to the satisfaction of the Regional District to be necessary to the farm operation. Such uses must also receive the approval of the BC Agricultural Land Commission.

These OCP policies differentiate between a small suite and an additional dwelling of unlimited size, and suggest that a small suite is a permitted use under zoning while an additional dwelling is permitted only subject to an evaluation by the CVRD of the farm use of the property. If this application proposed a traditionally built small suite, a Non-Farm Use Application would be required. However, as the ALC exempts this type of unit from such an application, it can be processed directly as a building permit. The proposal is appearing before the EASC to consider the request to increase the length of the mobile.

The subject property is located in the Agricultural Protection Development Permit Area, in accordance with OCP Bylaw No. 1490. Approval of this development permit is delegated to the General Manager of Planning and Development. From staff's perspective, this application complies with Agricultural Protection development permit guidelines, as the location of the proposed home requires minimal driveway intrusion, is in proximity to property lines as opposed to being sited in the centre of an agricultural field, and is clustered near the existing buildings. The attached draft permit reflects the recommendation to the General Manager to approve this application in terms of compliance with relevant development permit guidelines.

Surrounding Property Owner Notification and Response:

A total of 9 letters were mailed out or hand delivered to adjacent property owners, pursuant to CVRD Development Application Procedures and Fee Bylaw No. 3275, which described the purpose of this application and requested comments on this variance within a specified time frame. One response in support of the application has been received. The second letter expresses concern with the location of the proposed modular home in relation to the eastern property line (which is shared with the letter writer), The objection letter does not address the variance aspect of the application. However, the siting may be adjusted further away from the eastern property line, to accommodate the neighbours concern while continuing to comply with the Agricultural Protection guidelines.

Recommendation:

The proposed residence complies with the Area E Zoning Bylaw permitted uses in the A-1 zone, and is exempt from a referral to the ALC. The Development Variance Permit request is quite minor, particularly as the subject mobile home complies with the floor size limit of the small suite regulations. We recommend Option 1 presented below, to approve the development variance permit application.

Options:

1. To approve the application by Stephen and Cara Hunt, to vary Section 5.23 of Zoning Bylaw No. 1840, by increasing the maximum permitted length of a small suite mobile home, from 13 metres to 20.1 metres on Parcel G (DD44I511) of Section 6, Range 1, Cowichan District (PID 009-534-687).

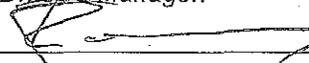
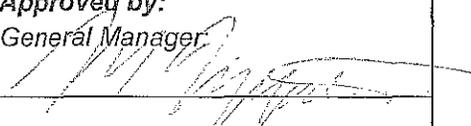
2. To deny the application by Stephen and Cara Hunt, to vary Section 5.23 of Zoning Bylaw No. 1840, which requests to increase the maximum permitted length of a small suite mobile home, from 13 metres to 20.1 metres on Parcel G (DD44I511) of Section 6, Range 1, Cowichan District (PID 009-534-687).

Submitted by,



Alison Garnett,
Planner 1
Development Services Division
Planning & Development Department

AG/ca

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



C.V.R.D

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT WITH VARIANCE

FILE NO: 4-E-12 DVP

DATE: January 7, 2013

REGISTERED PROPERTY OWNER(S):

Stephen Hunt & Cara Hunt

4661 Bench Road Duncan BC V9L 6L7

Lorraine Hunt

4326 York Road Campbell River BC V9H 1B4

1. This Development Permit with Variance is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below:
 - Parcel G (DD44151I) of Section 6, Range 1, Cowichan District (PID 009-534-687)
3. Zoning Bylaw No. 1840, applicable to Section 5.23(g), is varied as follows: Increase the maximum permitted length of a small suite mobile home, from 13 metres to 20.1 metres.
4. And further, authorization is hereby given for the placement of a mobile home residence in the location as shown on the site plan attached to this permit, in accordance with the Agricultural Protection Development Permit Guidelines of Official Community Plan Bylaw No. 1490.
5. The following plans and specifications are attached to and form a part of this permit.
 - o Schedule A – Site Plan of subject property
6. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit with Variance have been complied with to the satisfaction of the Development Services Department.

AUTHORIZING RESOLUTION NO. [from Board Minutes] PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE [day] DAY OF [month] 2009.

Tom Anderson, MCIP, General Manager
Planning and Development Department

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any construction within 2 years of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Cowichan Valley Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with [name on title] other than those contained in this Permit.

Owner/Agent (signature)

Witness (signature)

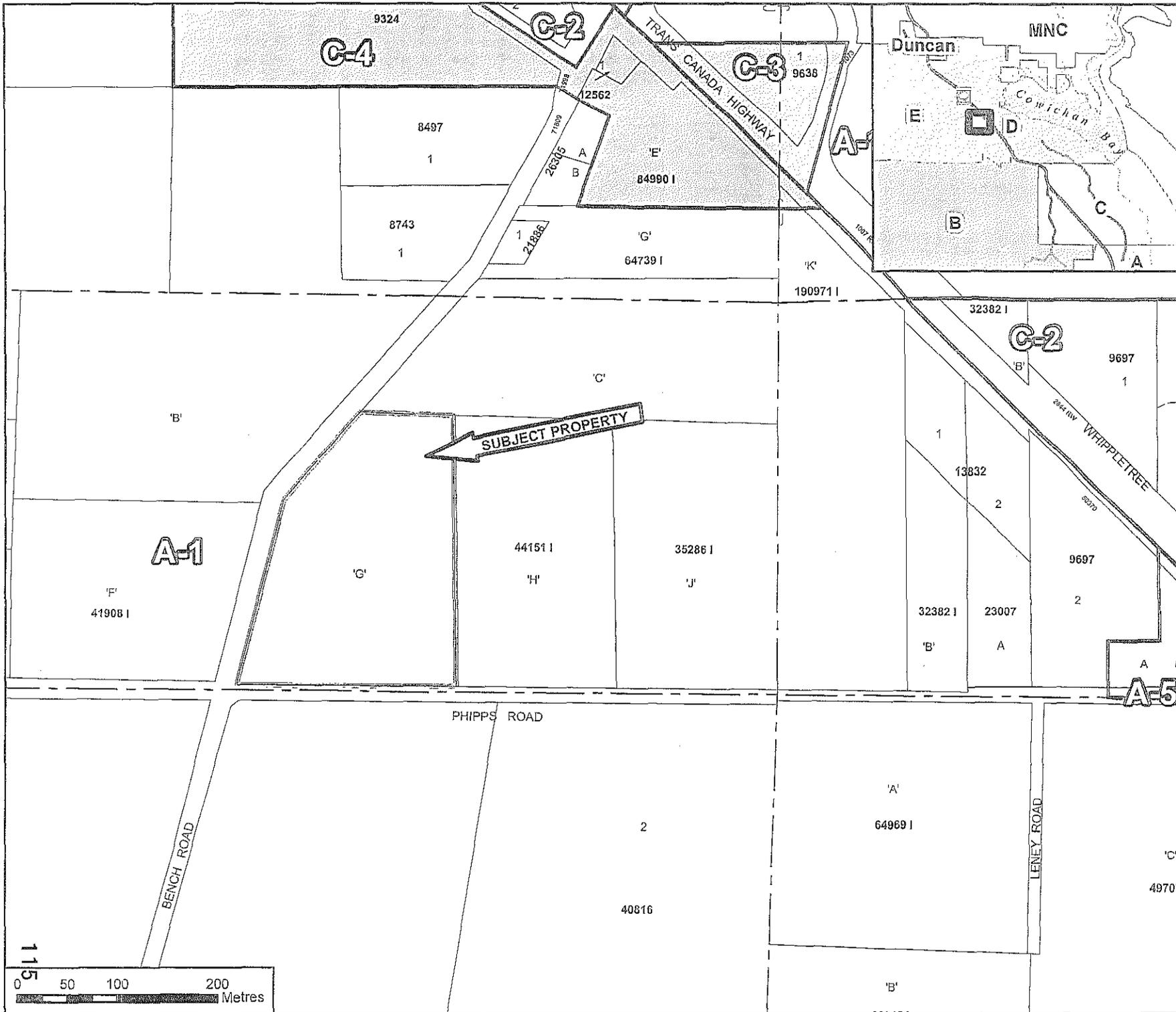
Print Name

Print Name

Date

Date

DRAFT



C.V.R.D.

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

The Cowichan Valley 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.

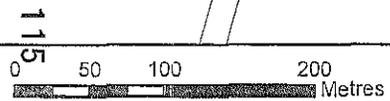
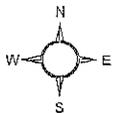
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

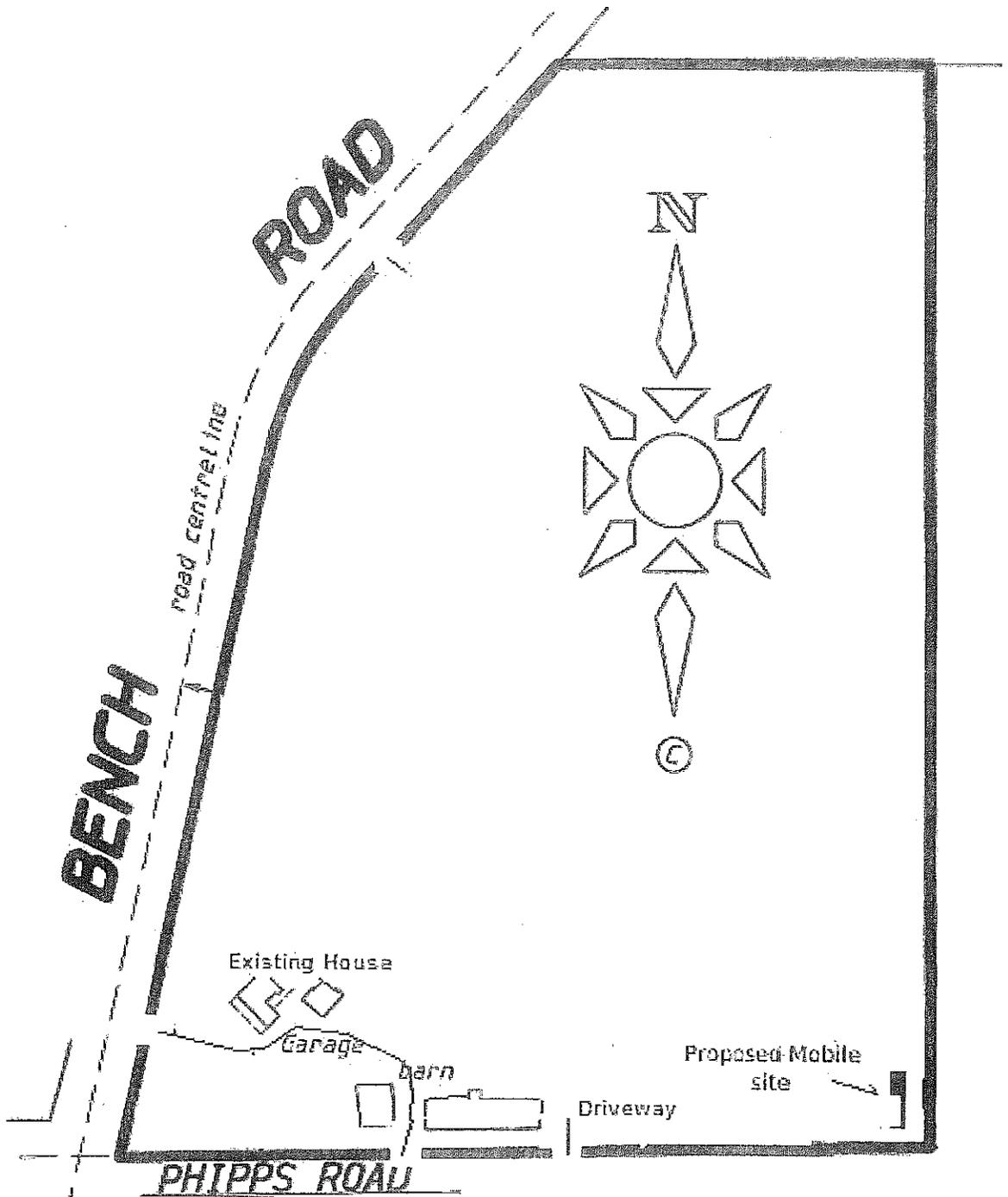
File: 04-E-12-DVP

ZONING

Legend

-  Subject Property
-  Zoning E





4661 Bench Rd., Variance Justification:

We're seeking permission for an increase relative to the requirements for the length of a mobile home to be added to the property. The mobile home would be 66 feet (22m) in length and situated at southeast corner of the property. The rationale for this location is as follows:

- (1) Minimize impact to the overall agricultural use of the property as a result of citing the mobile away from the main growing areas. Particularly, the southeast corner as specified is the most shaded spot on the property.
- (2) Relative ease of access to the occupant without necessitating an additional driveway due to the close proximity to an existing gate.
- (3) Reasonably close proximately to existing water lines (in neighboring barn).
- (4) Adjacent to Phipps roadway and power lines allowing for easy hookup to power grid (thus no additional lines/poles within the property)

Alison Garnett

From: Sutton, Elizabeth ALC:EX <Elizabeth.Sutton@gov.bc.ca>
Sent: Thursday, December 06, 2012 11:05 AM
To: Alison Garnett
Subject: RE: CVRD interpretation of ALC regs

Hi Alison,

We all really enjoyed meeting with the CVRD, especially being greeted by such a warm welcome.

You are correct that a non-farm use application is not required as the ALC only specifies the maximum width of a manufactured home in the regulations and not the length. The only time where there may be some question is when applicants start trying to add additions or propose strange configurations that impact a larger footprint than what is intended by the 9 m width maximum. In those cases, it's probably wise to check in with Commission staff.

If you have any other questions in future, just let me know.

Thanks again to everybody at the CVRD for hosting us.

Regards,

Liz Sutton
Land Use Planner
Agricultural Land Commission
133-4940 Canada Way, Burnaby, BC, V5G 4K6
phone: (604) 660-7005 fax: (604) 660 -7033
www.alc.gov.bc.ca

From: Alison Garnett [<mailto:agarnett@cvrld.bc.ca>]
Sent: Thursday, December 6, 2012 10:11 AM
To: Sutton, Elizabeth ALC:EX
Subject: CVRD interpretation of ALC regs

Hi Liz,

It was great to meet you in person at the CVRD office last week. Thanks so much for taking the time to meet with us.

I'd like to follow up on one of the issues brought up at the meeting, which relates specifically to a Development Variance Permit application I'm working on.

The application proposes to place a manufactured home, for use by immediate family, on a parcel of land in the ALR. The subject parcel currently has one single family home, and the relatively new owners are increasing food production of the land although they are not full time farmers. The manufactured home would be placed on a temporary foundation, in accordance with the Z-240 standard.

Our local zoning bylaws permit a "small suite" on the parcel, in addition to the single family home. The small suite regulations have a floor size limit of 95 m², and an outdated regulation that says if the small suite is in the form of a mobile/manufactured/modular home, it must not exceed a length of 13 metres. (I understand that the 13 m limit was

based on a previous, small floor size limit. We often have requests to vary the length as long as the floor size limit is respected).

So the application essentially consists of:

- 1) A variance permit to increase the length of a mobile home from 13 metres to 20 metres, while still respecting the floor size limit,
- 2) Agricultural Protection DP, to review the location of the home in relation to farming activity and existing infrastructure,
- 3) A building permit to place the mobile home.

I am contacting you to confirm that a Non-Farm Use Application to the ALC is not required, as the manufactured home for immediate family (for a unit that does not exceed 9 metres in width), is a permitted use under the ALC Use, Subdivision and Procedure Regulation, Section 3(b)(ii).

I understand that the ALC, and possibly the CVRD, may be reviewing policy and regulation in regards to secondary dwellings in the ALR. However, my perspective is that we have to continue operating under current zoning regulations, and in accordance with the ALC's, until such time as those changes have been made. There has been some animated discussion at the CVRD about interpretation of these regulation, and I'm hoping you can re-confirm the ALC's stance in writing which I can then share with the CVRD's Electoral Areas Services Committee.

Thanks very much for your time.

Alison

Alison Garnett
Planner, Development Services Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram St, Duncan BC, V9L 1N8
e-mail: agarnett@cvrld.bc.ca
Tel: 250.746.2607 Toll Free: 1.800.665.3955 Fax: 250.746.2621

Please note that the CVRD offices located at 175 Ingram Street will be closed over the Christmas Season from 2:00 pm, December 24, 2012 to Tuesday, January 1, 2013. Regular office hours of 8:00 am – 4:30 pm will resume on Wednesday, January 2, 2013.

Alison Garnett

From: Planning and Development
Sent: Monday, November 26, 2012 8:27 AM
To: Alison Garnett
Subject: FW: File Number 4-E-12 DVP (Hunt)

Jessica Lendrum
Secretary, Planning & Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC, V9L 1N8
E-mail: jlendrum@cvrd.bc.ca
Tel: 250-746-2620 Toll Free: 1.800.665.3955 Fax: 250-746-2621

From: Barbara Dittus [<mailto:barbarasunnyhaven@gmail.com>]
Sent: Sunday, November 25, 2012 4:17 PM
To: Planning and Development
Subject: File Number 4-E-12 DVP (Hunt)

Dear Alison Garnett,

thank you for your letter regarding the Development Variance Permit for 4661 Bench Road. Because of the proposed location of the modular home, we have no concerns about the Variance.

We support their request.

Barbara Dittus
4651 Wilson Road

To: Alison Garnett, Planner 1

Development Services Division

Planning & Development Department

C V R D

Re: File No. 4-E-12DVP (Hunt)

4661 Bench Road, Parcel G (DD441511) of Section 6,

Range 1, Cowichan District (PID009-534-687)

Dear Alison Garnett,

This letter is to express a couple of concerns regarding the location of the proposed modular home. We feel the location is not a suitable one. It abuts our property line near some tall trees that are regularly subject to high winds and therefore, falling branches. It is also an area that slopes downward towards our property and is wet much of the time. We wonder about its suitability as a septic field. We would not want septic effluent flowing onto our land.

We believe another site should be considered that would be safer, healthier, and more appropriate for the use of an elderly woman

Thank you for your consideration and attention to this matter.

Bergen C. Nixon

2335 Phipps Road,

Duncan, B.C.

7.3 A-1 ZONE - PRIMARY AGRICULTURAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an A-1 zone:

- (1) *agriculture, horticulture, silviculture, turf farm*, fish farm;*
- (2) *one single family dwelling;*
- (3) *a second single family dwelling on parcels six hectares or larger*;*
- (4) *one additional single family dwelling as required for agricultural use*;*
- (5) *bed and breakfast accommodation*;*
- (6) *daycare, nursery school accessory to a residential use*;*
- (7) *home occupation*;*
- (8) *horse riding arena, boarding stable*;*
- (9) *kennel*;*
- (10) *sale of products grown or reared on the property;*
- (11) *secondary suite;*
- (12) *small suite on parcels two hectares or larger*.*

* subject to Land Reserve Commission approval: It is the mandate of the ALC to preserve agricultural land and encourage agriculture. Therefore, the ALC will base its decision on the benefit to or impact on agriculture.

(b) Conditions of Use

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

- (1) *the parcel coverage shall not exceed 30 percent for all buildings and structures;*
- (2) *notwithstanding Section 7.3(b)(1) parcel coverage may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;*
- (3) *the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;*
- (4) *the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II, for agricultural and accessory uses in Column III and for auction use in Column IV:*

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural and Accessory Uses	COLUMN IV Auction Use
Front	7.5 metres	30 metres	45 metres
Interior Side	3.0 metres	15 metres	45 metres
Exterior Side	4.5 metres	15 metres	45 metres
Rear	7.5 metres	15 metres	45 metres

- (5) *Notwithstanding Section 7.3(b)(4), a building or structure used for the keeping of livestock shall be located not less than 30 metres from all watercourses, sandpoints or wells.*
- (6) *Processing of any farm material not grown or raised on the parcel shall be specifically prohibited;*
- (7) *A slaughterhouse, abattoir or stockyard shall be specifically prohibited;*
- (8) *Maintenance and repair of any materials offered for sale shall be specifically prohibited.*

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size shall be 12 Ha.

5.20 Signage

Notwithstanding Cowichan Valley Regional District Sign Bylaw no person shall erect, construct, place, *use*, maintain, display or cause to be constructed, erected, *used*, maintained or displayed any sign which does not in all respects conform with the applicable requirements.

5.21 Siting - General

- (a) The siting regulations of this bylaw apply to *parcels* and, notwithstanding the generality of the foregoing, to bare land *strata lots*.
- (b) The *interior side parcel* line requirements of this bylaw shall not apply to *strata lots* under a registered plan pursuant to the Condominium Act where there is a common wall shared by two or more *parcels* within a *building*.

5.22 Siting of Kennel Buildings

Within a zone in which *kennels* are a permitted *use*, *buildings* and *structures* for the accommodation of dogs, including dog runs, shall not be located within 45 metres of a *parcel* line.

5.23 Small Suites

- (a) The maximum *floor area* of a *small suite* shall not exceed 90 square metres;
- (b) The *small suite* shall be freestanding;
- (c) Two additional on-site *parking spaces* shall be provided;
- (d) Prior approval of the authority having jurisdiction for sewage disposal must be secured before issuance of building permit;
- (e) Prior approval of the authority having jurisdiction for potable water must be secured before issuance of building permit;
- (f) The *small suite* shall not be in the form of a recreational vehicle nor park model unit;
- (g) The *small suite* may be in the form of a mobile, manufactured or modular home but may not exceed a length of 13 m.;
- (h) Only one *suite*, either *secondary* or *small* shall be permitted per *parcel*.
- (i) An owner of the parcel must occupy either the *small suite* or the principal dwelling;
- (j) The small suite is subject to Section 5.26 of this Bylaw;

- (k) A small suite may be incorporated into or attached to an accessory building.
- (l) The *small suite* may be subdivided from the *parcel* upon which it is located only if:
- i. it is in a zone which would allow for the proposed lot sizes following subdivision;
 - ii. the *principal dwelling* and *small suite* are so located as to allow for setback requirements to be met following subdivision;
 - iii. the approval of the Health Authority for sewage disposal has been obtained
 - iv. all other requirements of subdivision are met.

If the *parcel* upon which the *small suite* would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the *small suite*, register a restrictive covenant on the *parcel* which would prevent its subdivision or the registration of any form of strata plan under the *Strata Property Act* on the *parcel*.

For *parcels* that meet the requirements of (l) i., ii., iii., and iv., following the subdivision, the *dwelling* that was formerly considered to be the *small suite* will no longer be subject to the regulations of Section 5.23 of the Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw.

5.24 Storage of Junk or Wrecks

Unless specifically permitted by this bylaw, no *parcel* shall be used for a junk yard or for the storage, collection or accumulation of all or part of any automobile wreck or all or part of any *motor vehicle* which is not:

- (a) Validly registered and licensed in accordance with the Motor Vehicle Act; and/or
- (b) Capable of motivation under its own power.

5.25 The Use of Tents, Trailers or Recreation Vehicles as a Residence

A tent, trailer, recreation vehicle, park model unit, bus or other motor vehicle shall not be used as a *residence*.

5.26 Undersized Parcels

Parcels that exist as separate and titled *parcels* in the records of the Land Titles Office, at the time of the passage of this bylaw; or

Parcels that have been reduced to a size that is less than the allowable minimum parcel size, as a result of *highway* widening by the Ministry of Transportation and Highways or;

Parcels that have been created under the authority of a statute of the Province of B.C.;

may be occupied for the *uses* permitted in the zone in which they are located, subject to all other regulations of this or any other bylaw, regulation or statute.



R 4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF JANUARY 15, 2013

DATE: January 9, 2013 FILE NO: 7-B-11 DP/RAR
FROM: Rachelle Rondeau, MCIP, Planner I BYLAW NO:
SUBJECT: Application No. 7-B-11 DP/RAR Development Permit Compliance
(Don Mann Excavating Ltd.)

Recommendation/Action:

For information.

Relation to the Corporate Strategic Plan: N/A

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

Background:

This application is for a Development Permit within the Riparian Areas Regulation (RAR) Assessment area. The applicant deposited fill on their property in early fall of 2010, some of which extended into the 30 metre RAR assessment area. A Development Permit was required, and the necessary RAR report was prepared by a Qualified Environmental Professional (QEP), who identified the Streamside Protection and Enhancement Area (SPEA). A portion of the fill pile encroached into the SPEA, and the QEP recommended restoration measures and modification of the covenant on the property to reflect the new SPEA boundary. These measures have been completed by the applicant.

For complete background on the property and Development Permit application please refer to the attached report to the Electoral Area Services Committee dated February 7, 2012.

Planning Division Comments:

At the February 8, 2012 Regional Board meeting, the following resolution was made:

That Application No. 7-B-11 DP/RAR, submitted by Jordan Mann on behalf of Don Mann Excavating Ltd., for deposit of fill and restoration of land within the riparian area described in RAR Report No. 2147 on Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409 (PID: 027-514-382), be approved, subject to:

- a) *Compliance with RAR Assessment Report No. 2147 prepared by Wm. Patrick Lucey R.P. Bio and the restoration letter prepared by Aqua-Tex Scientific Consulting dated September 21, 2011.*
- b) *Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the restoration described by the Qualified Environmental Professional.*
- c) *That covenant FB174939 be amended to reflect the new Riparian Areas Regulation report and Streamside Protection and Enhancement Areas.*
- d) *That the property owner identify the source of the soil and have it assessed.*

Items a-c were completed by the applicant in a timely manner. However, item D has proved to be more difficult to confirm. The applicant engaged the services of an Environmental Engineer with South Island Environmental, who provided a report to CVRD dated March 26, 2012. This report described the methodology and results of soil sampling taken at the fill piles, and indicated that in their professional opinion the fill material deposited on the site posed a low environmental risk to the environment.

At the EASC's request, this report was forwarded to Ministry of Environment (MOE) who reviewed the report indicating there was information missing, and that the quality assurance and control program was incomplete. As a result, the MOE indicated in their opinion that the report's conclusions were inadequately supported.

South Island Environmental revised their report, providing some of the missing information (dated August 20, 2012) which was forwarded to the MOE for their review. MOE provided feedback in regards to where the report was improved, and where there were gaps in the documentation and interpretation.

The MOE concluded in an email (attached) that *"In general, I am in agreement with SIE's concluding opinion that the soils removed from the source site would be considered to be of low environmental risk in view of the supplementary documentation regarding source site location and land uses. However, due to the gaps and questions summarized above, I am unable to concur with SIE that the soil characterization program at the receiving site has provided any further assurance of this."*

For the Committee's reference, the report to EASC, the submitted South Island Environmental reports and associated feedback from the MOE is attached for review.

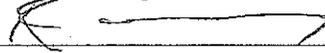
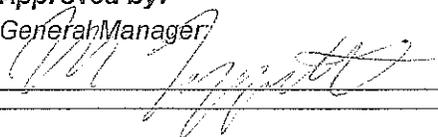
Issuance of the Development Permit was already approved by the Regional Board through resolution 12-047.8 noted above with conditions. The only outstanding condition has been *"that the property owner identify the source of the soil and have it assessed."* Although the MOE has indicated there are still deficiencies in the report provided, they conclude in agreement that the soil is of low environmental risk. Therefore, this Development Permit can now be issued, having met all the pre-conditions noted above.

Submitted by,



Rachelle Rondeau, MCIP
Planner I
Development Services Division
Planning & Development Department

RR/ca

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

From: McCammon, Alan W ENV:EX
Sent: Thursday, December 6, 2012 10:44 AM
To: 'rroudeau@cvrd.bc.ca'
Cc: 'Tom Anderson'; 'monty@donmann.com'; 'sienvironmental@shaw.ca'; Skelly, Kerri ENV:EX; Brooke, Julia A ENV:EX
Subject: Request to review soil characterization report for Donn Mann property at 700 Block Shawnigan Lake Road, Shawnigan Lake

Rachelle,

This is in response to your request to provide comment on the attached report prepared by Eric Gauvin, P.Eng. of SIE South Island Environmental and dated August 20, 2012. As you are aware, I provided comment on an earlier version of this report as summarized in my attached letter of July 13, 2012.

My comments on the more recent report are as follows:

- Report revisions focus primarily on the provision of additional documentation regarding the source location and potential for contamination of the soil that was relocated from View Royal and deposited in the form of two stockpiles at the above-referenced receiving site. Based on this additional documentation, I would concur with the report that the potential for contamination of the relocated soil is generally low.
- Report improvements include more complete information on the following:
 - Locational information for source and receiving sites;
 - The potential for contamination of relocated/stockpiled soil based upon review of first stage preliminary site investigation information for the source site; and
 - Stockpile dimensions/volumes.

However, there remain a number of gaps in the documentation and interpretation as follows:

- Specifics regarding stockpile locations, test pit locations/dimensions and soil sample locations/compositions remain absent or incomplete and would normally be shown on report figures;
- Given that stockpile dimensions are now fully documented (2 stockpiles: 1850 m³, avg thickness = 1.8m; 450 m³, avg thickness = 1.2m), it is unclear why the 3 test pits were excavated to depths up to 4.8m in the stockpiles; it would seem that test pit depths to approximately 1.5 to 2m would have been sufficient and appropriate to sample the deposited/stockpiled soil and the absence of more specific soil sample location information introduces uncertainty regarding exactly what soil was sampled and analyzed;
- A total of 6 soil samples is insufficient in comparison to the ministry's technical guidance for characterization of stockpiles of the documented volumes. In-situ characterization of soil at source site locations is always preferred; however, if this has not been carried out, then recommended ex-situ characterization approaches should be followed, or modified with supporting technical rationale. The 6 samples reported upon would therefore be considered to be spot checks on soil quality but would not be sufficient to support broader conclusions regarding overall stockpile soil quality;
- The QA/QC program remains inconsistent with the ministry's technical guidance for ex-situ characterization of stockpiles;

- Inconsistencies remain regarding the source site soil texture descriptions compared to the stockpile soil sample texture descriptions as originally pointed out in the ministry's July 13 technical opinion; this introduces additional uncertainty regarding the correspondence between source site soil and the receiving site soil that was sampled and analyzed;
- A point that was not raised in the ministry's previous opinion was the issue of applicable CSR standards for the receiving site. The most recent report states that applicable standards are Urban Park land use standards but does not provide sufficient rationale for this choice, nor sufficient rationale for non-inclusion of the drinking water site specific factor; and
- The report is unsigned.

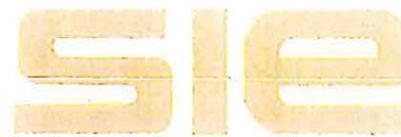
In general, I am in agreement with SIE's concluding opinion that the soils removed from the source site would be considered to be of low environmental risk in view of the supplementary documentation regarding source site location and land uses. However, due to the gaps and questions summarized above, I am unable to concur with SIE that the soil characterization program at the receiving site has provided any further assurance of this.

By copy of this email, I invite the author of the report, Mr. Gauvin, to please advise me of any concerns he may have with the above opinion so that I may consider them and make any warranted revisions.

Regards,

Alan

Alan W. McCammon, MSc PGeo | Manager, Remediation Assurance & Brownfields | Land Remediation | Ministry of Environment | 200 - 10470 152nd Street, Surrey BC Canada | Phone: (604) 582-5280 | Fax: (604) 584-9751 | www.env.gov.bc.ca/epd/remediation<<http://www.env.gov.bc.ca/epd/remediation>>



South Islands Environmental
2884 Courtney Way
Shawnigan Lake, BC V0R 2W2
250.812.6614 sienvironmental@shaw.ca

20 August 2012
File No.: VI12-05

Don Mann Excavating Ltd.
4098 Lockside Drive
Victoria, BC
V8X 2C8

Attention: Monty Fitz

RE: Environmental Services - Chemical Characterization of Soil
Horse Creek Property, 700 Block, Shawnigan Lake Road, Shawnigan Lake,
BC

PTD: 027-514-382

INTRODUCTION

Don Mann Excavating Ltd. (Don Mann) retained South Island Environmental (SIE) to conduct a Soil Quality Assessment (SQA) of soil located at the above-referenced site. SIE understands that the SQA is required by the CVRD as part of a Development Permit application.

The SQA was undertaken to determine chemical concentrations of soil samples collected from two fill stockpiles located near the on-site creek. The chemical characterization included the collection and analysis of six (6) soil samples from the two stockpiles located at the Horse Creek property. The field work was completed on 8 March 2012. Soil chemistry was compared to applicable Ministry of Environment (MOE) Contaminated Sites Regulation (CSR) standards.

SOURCE SITE

It is SIE's understanding that the fill material originated from the Island Highway Improvement Project, a road widening project in View Royal (referred to as source 'Site') and that the material is mostly comprised of native brown silty clay. Approximately 350 loads or 2300 cubic metres of native soil comprised of brown silty clay was removed during road upgrades. The material also included minor amounts of subbase material that had been segregated for re-use during upgrade works. SIE understands that the subbase was comprised of pit run gravel; a mix of

cobbles, small to large gravel and medium to coarse sand. The excavated material was removed for the placement of new underground services and was also removed from widening of the road into right of way into undeveloped property along the north side of the Island Highway (mainly residential developments). The road widening project included the removed of native soil between the train overpass and Plowright Road (see attached Figure 1 - Source Site Map).

HISTORICAL INFORMATION OF SOURCE SITE

The results of the historical search and records review for the source Site are summarized below:

City of Colwood

Zoning information, located on the Town of View Royal webpage, indicated that the source Site is currently zoned for the following the following:

- R-1 (one family residential - large lot);
- R-1A one family residential;
- R-2 attached residential (low density);
- RM-1 attached residential (medium density);
- C-1 village commercial;
- CD-17 254 Island Highway;
- P-1 community institutional;
- P-2 private institutional;
- P-3 park and recreation; and
- P-9 local institutional.

No industrial zoning is located near the source Site. A copy of the zoning map (Figure 3) is attached to this report.

Ministry of Environment

The CSR contains provisions for a legally-defined and uniform process to screen for potentially contaminated sites; as a result, the Site Profile system was developed and integrated with the *Local Government Act*. The Site Profile system is intended to provide basic land descriptions and information on the historical and current uses of a property and determine if any activities have occurred that represent significant environmental concerns to the MOE. These activities of concern identified by MOE are listed in Schedule 2 of the CSR and are referred to as '*Schedule 2 Activities*'. MOE maintains a database of registered sites called the Site Registry. The Site Registry is not a registry of contaminated sites; rather, it is a registry of properties which have been investigated for environmental concerns or properties registered as a result of completing a Site Profile form via the *Local Government Act*. There are some sites listed in the Site Registry which are contaminated, but according to the MOE, most sites are simply investigated and require little, if any, cleanup or have already been cleaned up to government standards.

The codes for describing Site Registry site status have the following definitions:

~~Active - Under Assessment – Site is undergoing or requires an environmental investigation.~~

Active - Under Remediation – Remediation plan has been accepted by the Ministry, developed and implemented at a site, or that remediation is known by Ministry personnel to be occurring at the site. No information has been submitted to the Ministry or provided by the Ministry to verify that remediation is complete.

Inactive - No Further Action – This status code means that:

- (1) A site may not have gone through the entire remediation process and that the Ministry presently requires no additional information or action. Sites assigned this status may require assessment or remediation in the future; or
- (2) A site may be considered not to require further action or be considered remediated by the site owner or operator through independent remediation, but confirmation of remediation has not been provided by the Ministry in:
 - (a) a Letter of Comfort issued before 1 July 1991;
 - (b) a Confirmation of Compliance issued before 1 April 1997;
 - (c) a Certificate of Compliance issued on or after 1 July 1995; or
 - (d) a Conditional Certificate of Compliance issued on or after 1 April 1997 with no ongoing requirements.

Inactive - Remediation Complete – This status code means that:

- (1) a Letter of Comfort issued before 1 July 1991; a Confirmation of Compliance issued before 1 April 1997; a Certificate of Compliance issued on or after 1 July 1995; or a Conditional Certificate of Compliance issued on or after 1 April 1997; and
- (2) there are no outstanding *Environmental Management Act* permits or other requirements such as monitoring, treatment or maintenance works.

A search of the Site Registry was conducted for the site and surrounding properties using a 0.5 km search radius with its focus on the site's coordinates (latitude and longitude obtained from the middle part of the source Site). The search indicated that no sites within an approximate 0.5 km distance from the source Site were registered in the database.

Based on the Site Registry search potential of environmental risk due to the source Site and surrounding properties is considered to be low.

A copy of the area-based search is presented in this report.

Federal Contaminated Sites Inventory

The Treasury Board of Canada Secretariat maintains a Federal Contaminated Sites Inventory (FCSI) which includes information on all known federal contaminated sites under the custodianship of departments, agencies and consolidated Crown corporations that are being, or have been, investigated. The inventory also includes non-federal contaminated sites for which the Government of Canada has accepted some or all financial responsibility. It does not include sites where contamination has been caused by, and which are under the control of, enterprise Crown corporations, private individuals, firms or other levels of government.

A search of the FCSI was conducted for the source Site and surrounding properties using an on-line map navigator with its focus on the site's municipal address and using a 1.0 km search radius. The FCSI search did not identify any properties located within 1.0 km of the source Site. A copy of the FCSI search is included in this report.

Aerial Photographs

A review of available aerial photographs from 1932, 1946, 1951, 1954, 1964, 1975, 1986, 1992, 1997 and 2005 was conducted for the source Site and is summarized in Table 1.

Table 1: Aerial Photographic Summary

Year	Review
1932 A4517 #72	Scattered residential dwellings in the area of the Site and surroundings.
1946 BC248 #51	More residential development noted with the additional of new side roads.
1954 BC1670 #31	Increased residential development and the addition of larger institutional-type building noted at southwest corner of Island Highway and View Royal Avenue. 4 Mile Pub is noted in this aerial photograph. No other commercial-type developments noted.
1964 BC5091 #155,156	Increased residential development noted in the immediate areas. Small commercial building noted at northwest corner Stormont Road and Island Highway.
1975 BC7764 #089,090	Large residential townhouse development noted on north side of Island Highway. No other significant changes noted.

Year	Review
1986 BC86003 #113,114	The Site appeared generally unchanged from the 1975 photographs. 4 Mile parking area new. Small commercial building noted at northeast corner Stormont Road and Island Highway.
1992 15BCB 92141 #304,305	The Site appeared generally unchanged from the 1986 photographs. Upgrades to 4 Mile Pub grounds noted. Large commercial-type building noted south of 4 Mile Pub property (Town of View Royal municipal offices).
1997 15BCB 97005 #131,132	The Site appeared generally unchanged from the 1992 photographs with the exception of more parking noted in 4 Mile Pub property.
2005 439C #0096,0097	The Site appeared generally unchanged from the 1997 photographs

Based on the review of historical aerial photographs of the source Site, the Site appeared to have been residential starting circa 1930's and continued until 2005. The 4 Mile Pub was noted from 1954 onward with a few small commercial buildings noted in 1964, 1986 and 1992. The majority of the source Site is comprised of residential developments in the form of small dwellings to small apartments and larger town home developments.

No Schedule 2 activities were identified from the historical aerial photographs review.

City Directories

Available city directories from 1939 to 1995 for the source Site and surrounding areas were reviewed at the Victoria Regional Library as part of this investigation. The majority of the listings were private individuals. A few commercial developments in the form of a motel (1939 to 1978), a pub (circa 1858 – according to sign out front of establishment, noted in directories from 1945) and small local community store and coffee shop (1954), beauty salon (1963), hardware store (1978), and Town of View Royal municipal offices (1995).

No Schedule 2 activities were identified from the City Directories search.

Fire Insurance Maps

Fire insurance maps for the source Site and area were not available to SIE for review. Records for this area are not kept at the City of Victoria Archives office or the Town of View Royal Fire Department.

RECEIVING SITE

The receiving site is located on Shawnigan Lake Road near Shawnigan Lake, BC (see attached Figure 2 Receiving Site). Details of the receiving site are outlined in Table 2.

Table 2: Summary of Receiving Site Information

Item	Information
Common Name	Horse Creek
Municipal Addresses	700 Block, Shawnigan Lake Road, Shawnigan Lake, BC
Legal Descriptions	Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409
P.I.D.	027-514-382
Latitude/Longitude ¹	N 48° 34' 28" / W -123° 36' 44"

Soil Stockpiles

Two stockpiles of soil originating from the source Site were assessed as part of the soil characterization. The purpose of the assessment was to show that the material was of low environmental risk and to appease the concerns of the CVRD for mobility into the nearby creek. Two test pits were completed within the larger of the two stockpiles along the leading edge which provided deeper sample collection. The stockpile was approximately 38m by 27m with an average depth of 1.8m or approximately 1850 cubic metres (m³) in volume of material. One test pit was completed in the second stockpile which was approximately 25m by 15m and 1.2m in depth or 450 m³ in volume.

Soil Sampling Scope of Work

The scope of work was as follows:

- Collection and analysis of six (6) soil samples from the stockpiled soil for screening of potential contaminants; these included extractable petroleum hydrocarbons (EPHs) and metals;
- Ensure quality control and quality assurance for sampling and analytical program;
- Submission of soil samples to an MOE-approved laboratory for chemical analysis; and
- Preparation of a letter report that summarizes the results and findings.

Quality Control/Quality Assurance: In order to provide confidence in the data obtained, a Quality Control/Quality Assurance (QA/QC) component was included in the sampling program. The field QA/QC component is summarized below. The laboratory had its own internal QA/QC program, which is briefly summarized below.

¹ Obtained from Google Earth

Field QA/QC: New nitrile gloves were used for each sample collected. All sample containers were provided by the laboratory (clean and sterile), and were appropriate for the parameters analysed. All sample containers were labelled with their respective sampling location, date and project number. Samples were kept cool by storing and transporting them in a cooler with ice.

Laboratory QA/QC: Routine QA/QC by the project laboratory was undertaken and includes the following for every 10 samples: analytical method blank, laboratory duplicate, spike blank and matrix blank.

Regulatory Framework

The Potential Contaminants of Concern (PCOCs) at the site were compared to current standards contained in the CSR, B.C. Reg. 375/96, including amendments up to B.C. Reg. 343/2008, January 1, 2009. Based on the CSR regulation, the following represent the standards that have been used in the evaluation of analytical data presented in this report:

CSR Urban Park Land Use (PL) soil standards;

- Site specific factors include: Intake of contaminated soil; Toxicity to soil invertebrates and plants; Groundwater flow to surface water used by freshwater and marine aquatic life.

Methodology

On 8 March 2012, SIE conducted soil sampling to characterize samples collected from the two stockpiles of fill on the property. A total of three (3) test pits (TP1, TP2, TP3) were completed along the leading edge of the stockpiles (i.e. creek side). The maximum depth of the test pits was 4.6m below top of ground. The soil samples collected (TP1Sa1, TP1Sa2, TP2Sa1, TP2Sa2, TP3Sa1, TP3Sa2) exhibited no hydrocarbon odours or staining and were generally comprised of a mix of brown sand, silt and clay with trace cobbles. The top 150mm was comprised of sand and gravel that served as a wearing surface and also to minimize sedimentation and surface run-off. It was also noted that the creek side slopes of the stockpiles were covered in vegetation to control slope erosion.

Samples were retained in laboratory prepared glass jars, which were labelled and stored in an insulated cooler, packed in ice. Chain-of-custody protocol was followed during transportation and handling of the samples. The chain-of-custody record included such information as: project name, shippers name, destination shipped to, sampling location point, field ID number, date and time collected, sample type and analysis requested. The samples were subsequently transported to CARO Analytical Services (CARO) of Richmond, BC for chemical analysis. Copies of the chain-of-custody record are attached.

Analytical Results

Soil samples TP1Sa1, TP1Sa2, TP2Sa1, TP2Sa2, TP3Sa1 and TP3Sa2 were forwarded to CARO for EPHs and metals analysis. The results of the chemical analyses are summarized in Table 3. A copy of the analytical chemistry report is attached for reference.

Table 3: Soil Chemistry - EPHs and Metals Results (ppm)

Parameter	Sample ID						CSR Schedule 7 Column II	CSR PL
	TP1Sa1	TP1Sa2	TP2Sa1	TP2Sa2	TP3Sa1	TP3Sa2		
EPHs(C ₁₀ -C ₁₉)	<250	<250	<250	<250	<250	<250	1000*	1000*
EPHs(C ₁₉ -C ₃₁)	<250	<250	<250	<250	<250	<250	1000*	1000*
pH	7.6	7.8	7.6	7.1	7.6	7.5	n.s.	n.s.
Antimony	0.3	0.3	0.3	0.3	0.3	0.2	20	20
Arsenic	4.7	5.7	6.8	5.2	5.7	3.9	15	15
Barium	81.2	110	89.8	95.7	84.7	95.2	400	400
Beryllium	0.2	0.2	0.2	0.2	0.2	0.2	4	4
Boron	3.6	4.3	4.8	4.0	5.2	3.5	n.s.	n.s.
Cadmium	0.11	0.05	0.10	0.11	0.09	0.11	1.5	2.5
Chromium	31.1	32.1	35.0	32.1	39.0	27.9	60	60
Cobalt	12.5	10.8	11.6	11.5	13.2	10.8	50	50
Copper	51.4	30.0	38.8	34.2	41.9	29.4	90	150
Lead	38.8	9.1	8.1	29.2	7.1	11.1	100	500
Manganese	550	1040	474	462	483	345	n.s.	1800
Mercury	0.12	0.06	0.07	0.06	0.05	<0.05	15	15
Molybdenum	0.5	0.6	0.3	0.5	0.4	0.4	10	10
Nickel	26.0	35.3	30.3	26.7	33.1	21.4	100	100
Selenium	0.9	1.1	1.2	1.1	1.0	1.1	3	3
Silver	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	20	20
Thallium	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	n.s.	n.s.
Tin	0.9	0.8	0.6	0.6	0.5	0.6	50	50
Uranium	0.3	0.3	0.4	0.4	0.4	0.4	n.s.	n.s.
Vanadium	63.5	57.2	62.3	57.3	62.9	53.2	200	200
Zinc	55.3	41.8	48.9	48.4	49.2	43.1	150	450

Notes:

- all concentrations in milligrams per dry kilogram (ppm - parts per million)
- < - indicates less than the laboratory detection limit
- EPHs - extractable petroleum hydrocarbons
- * - compared to CSR LEPH and HEPH standards
- CSR Schedule 7 Column II - Contaminated Sites Regulation Standards Triggering Contaminated Soil Relocation Agreements, Soil Relocation to Non-agricultural Land
- CSR PL - Contaminated Sites Regulation Urban Park Land use standards

The results of the analysis indicated that all constituents were below the laboratory detection limits or well below the applicable CSR standards for both the Schedule 7 Column II (standards triggering contaminated soil relocation agreements) and Park Land standards.

CONCLUSION

Based on the findings of this report, it is SIE's opinion that the soils removed from the source Site are considered of low environmental risk and the limited soil sampling program conducted on these soils confirms it. It is also SIE's opinion that the findings of this report demonstrate that soil relocation agreements under section 55 of the *Environmental Management Act* are not required (i.e. source Site is not considered a contaminated site).

CLOSURE

The findings of this investigation are based on the interpretation of data obtained at site-specific locations and analytical tests pertaining specifically to oil/petroleum derivatives and metals. Evaluation and conclusions do not preclude the existence of chemical substances other than those identified herein. Hence, this report should be used for information purposes only and should not be regarded as a certification of the actual chemical character of the site as a whole.

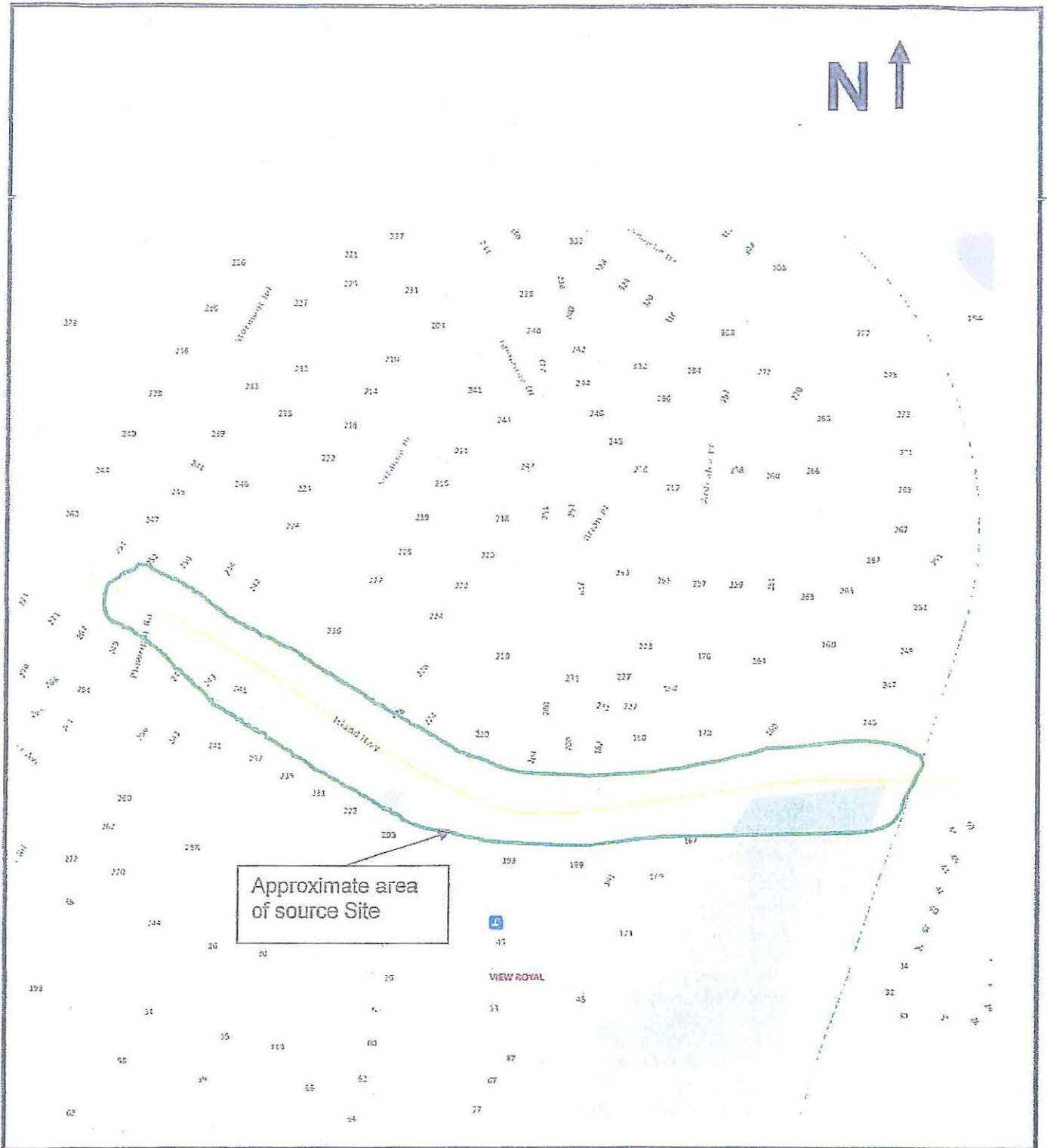
This report has been prepared by South Island Environmental (SIE) exclusively for Don Mann Excavating Ltd., and is intended to provide an assessment of the potential for the presence of contamination in the soil samples collected. The conclusions made in this report reflect SIE's best judgment in light of the information available at the time of preparation. No other warranty, expressed or implied, is made. Any use which a third party makes of this report, or any reliance on or decisions to be made or actions based on it, are the responsibility of such third parties. SIE accepts no responsibility for damages, if any, suffered by a third party as a result of decisions made or actions based on this report. The standard limitations of this report are attached.

Respectfully submitted,

SOUTH ISLAND ENVIRONMENTAL

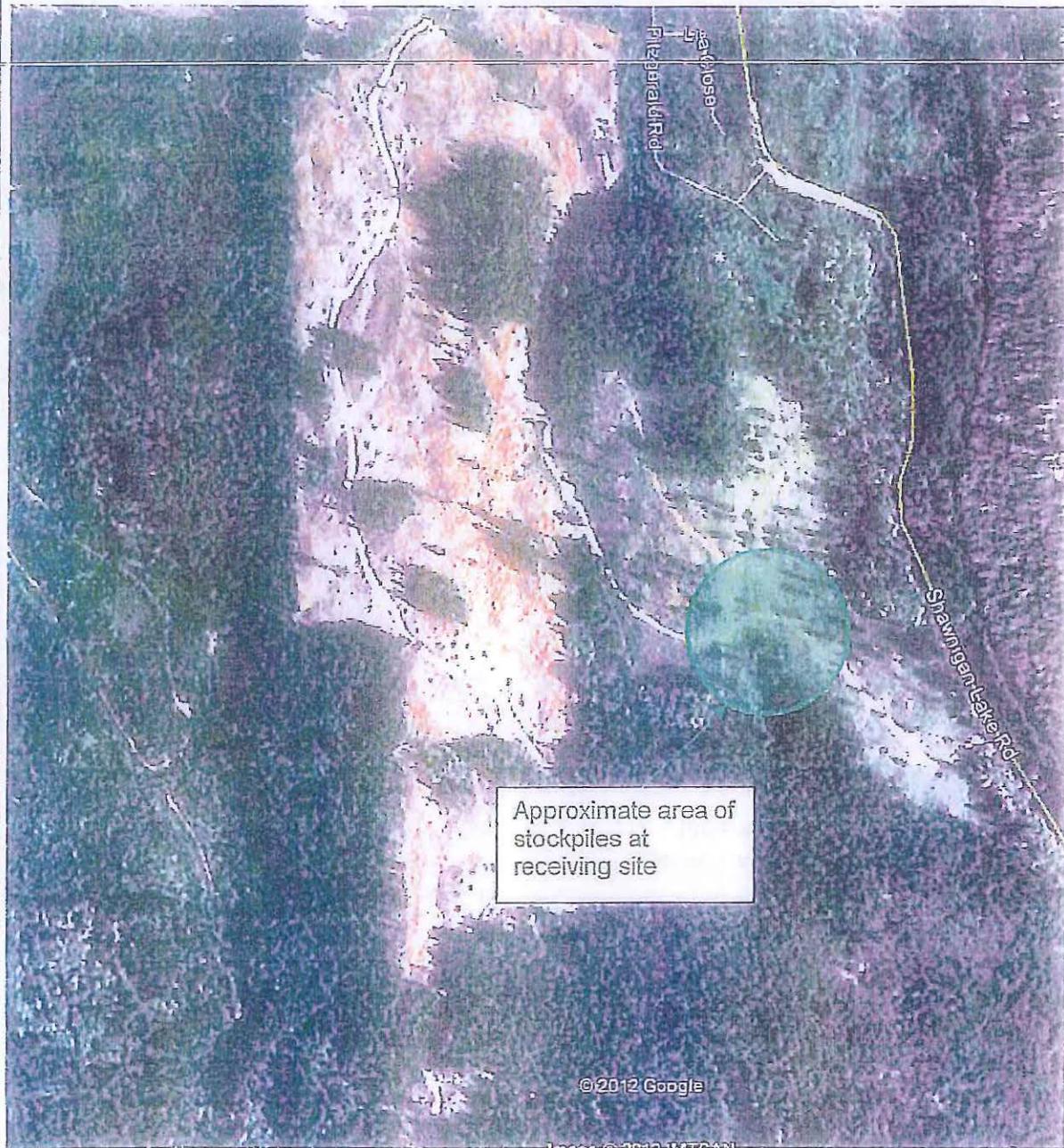
Per: _____
Eric Gauvin, P.Eng.
Senior Environmental Engineer

Attachments: Figures
 Report Photos
 Site Registry results
 Federated Contaminated Sites Inventory results
 Chain-of-custody record
 Analytical Chemistry Report
 Standard Limitations

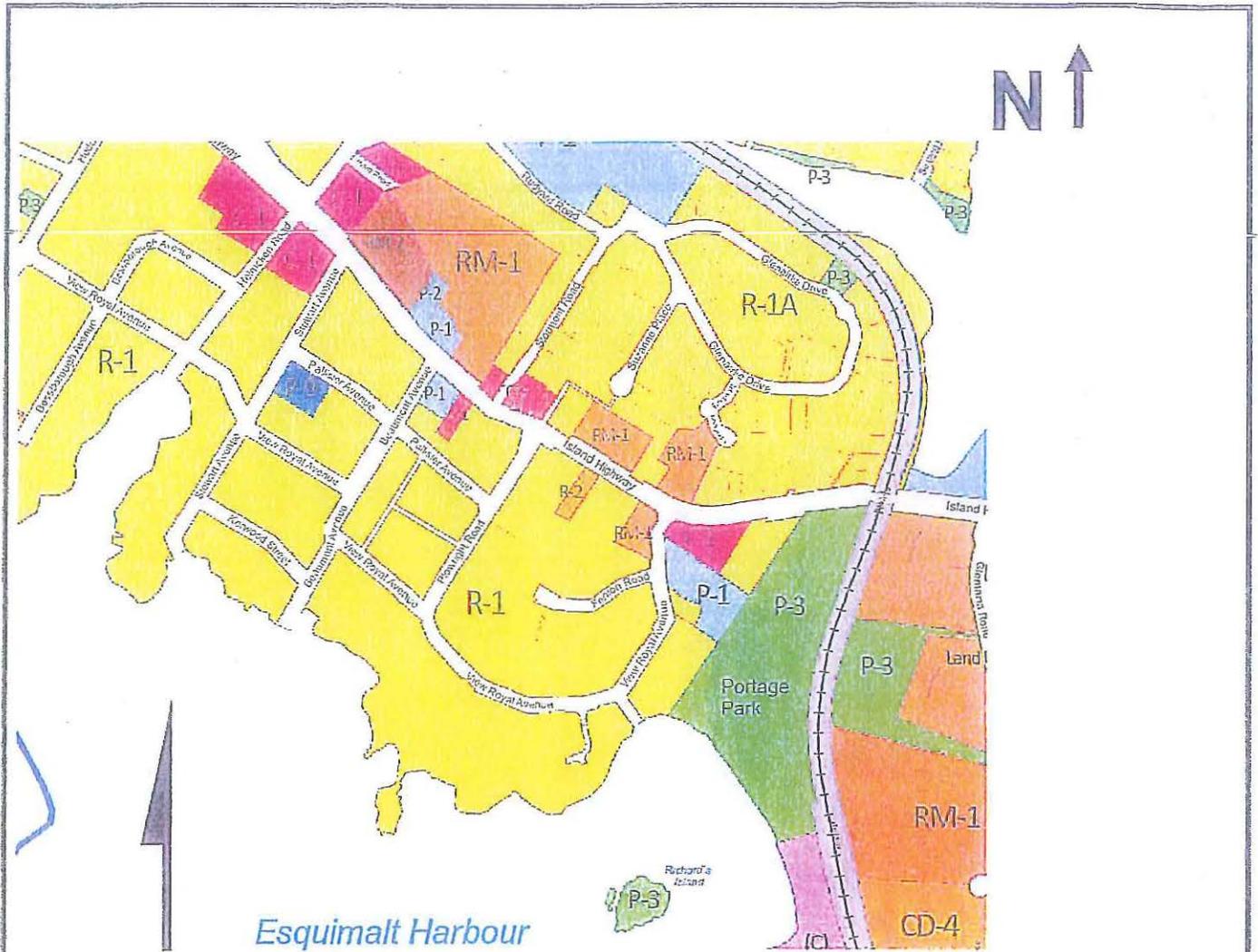


	PROJECT:			
	ENVIRONMENTAL SERVICES 700 BLOCK, SHAWNIGAN LAKE ROAD, SHAWNIGAN LAKE, BC			
	TITLE:			
SOURCE SITE MAP				
CLIENT:				
DON MANN EXCAVATING LTD.				
FIGURE NO.:	DATE:	FILE NO.:	SCALE:	DRAWN BY:
1	AUGUST 2012	V112-05	N/A	EG

N ↑



	PROJECT:			
	ENVIRONMENTAL SERVICES 700 BLOCK, SHAWNIGAN LAKE ROAD, SHAWNIGAN LAKE, BC			
	TITLE:			
RECEIVING SITE MAP				
CLIENT:				
DON MANN EXCAVATING LTD.				
FIGURE NO.:	DATE:	FILE NO.:	SCALE:	DRAWN BY:
2	AUGUST 2012	V112-05	N/A	EG



- R-1 one family residential (large lot)
- R-1A one family residential
- R-2 attached residential (low density)
- RM-1 attached residential (medium density)
- C-1 village commercial
- CD-17 254 Island Highway
- P-1 community institutional
- P-2 private institutional
- P-3 park and recreation
- P-9 local institutional

SIE	PROJECT:			
	ENVIRONMENTAL SERVICES 700 BLOCK, SHAWNIGAN LAKE ROAD, SHAWNIGAN LAKE, BC			
	TITLE:			
ZONING MAP				
CLIENT:				
DON MANN EXCAVATING LTD.				
FIGURE NO.:	DATE:	FILE NO.:	SCALE:	DRAWN BY:
3	AUGUST 2012	VI12-05	N/A	EG



Photograph 1: Photo showing the area of test pit TP1. Photo taken from the southeast looking toward the northwest.

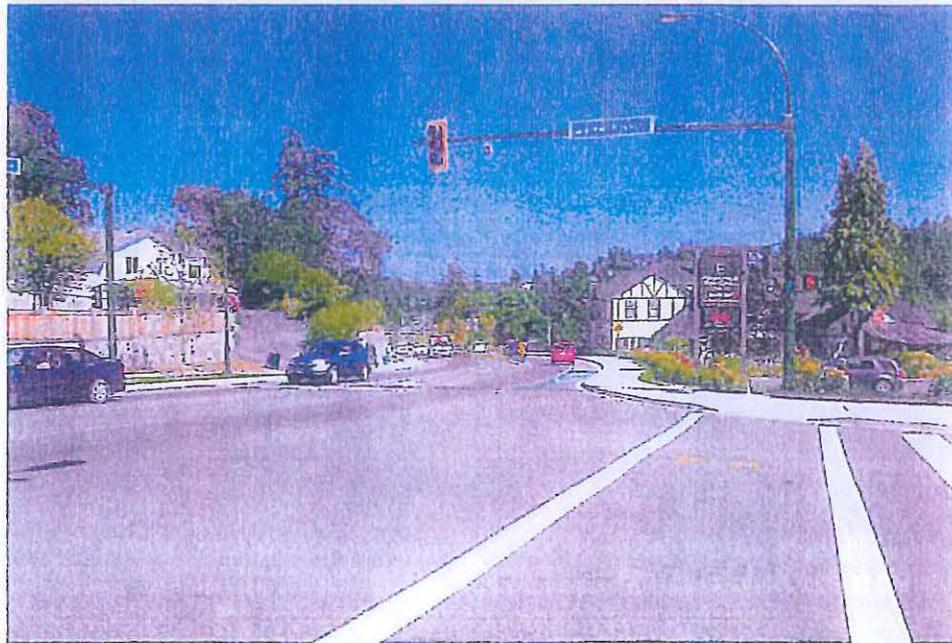


Photograph 2: Photo showing excavated fill from test pit TP1. Photo taken from the northeast looking toward the southwest.

	PROJECT:		
	ENVIRONMENTAL SERVICES 700 BLOCK, SHAWNIGAN LAKE ROAD, SHAWNIGAN LAKE, BC		
	TITLE:		
	SITE PHOTOGRAPHS		
	CLIENT:		
	DON MANN EXCAVATING LTD.		
FILE NO.: VI12-05	DATE: MARCH 2012	COMPLETED BY: EG	PAGE NO.: 1/2



Photograph 1: Photo showing the northwest area of the source Site. Photo taken from the southeast looking toward the northwest.



Photograph 2: Photo showing the southeast area of the source Site and the 4 Mile Pub (middle left in photo). Photo taken from the northwest looking toward the southeast.



PROJECT: ENVIRONMENTAL SERVICES
700 BLOCK, SHAWNIGAN LAKE ROAD, SHAWNIGAN LAKE, BC

TITLE: SITE PHOTOGRAPHS

CLIENT: DON MANN EXCAVATING LTD.

FILE NO.: VI12-05

DATE: AUGUST 2012

COMPLETED BY: EG

PAGE NO.: 2/2

Site_Reg_Search_Lat_48_Long_123.txt

As Of: AUG 19, 2012

BC Online: Site Registry

12/08/20

For: PA37387 SOUTH ISLAND ENVIRONMENTAL

12:43:24

Folio: VI12-05

Page 1

Area Nil Search

As of AUG 19, 2012, no records from site Registry
fall within 0.5 kilometers of coordinates
Latitude 48 degrees, 27 minutes, 12 seconds, and
Longitude 123 degrees, 26 minutes, 08 seconds.

You have been charged for this information.

Sites may be revealed by searching with alternate search methods. For example,
a site not revealed in an Area search may be revealed by searching with another
piece of information such as PID, PIN, address or Crown Lands File Number



CERTIFICATE OF ANALYSIS



CLIENT	South Island Environmental 2684 Courtney Way Shawnigan Lake BC V0R 2W2	TEL (250) 812-6614 FAX N/A
ATTENTION	Eric Gauvin	
RECEIVED / TEMP	Mar-09-12 14:30 / 10.0 °C	WORK ORDER CC20224
REPORTED	Mar-16-12	PROJECT VI12-05
COC #(s)	37016	PROJECT INFO Horse Creek

General Comments:

CARO Analytical Services employs methods which are based on those found in "Standard Methods for the Examination of Water and Wastewater", 21st Edition, 2005, published by the American Public Health Association (APHA); US EPA protocols found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW846", 3rd Edition; protocols published by the British Columbia Ministry of Environment (BCMOE); and/or CCME Canada-wide Standard Reference methods.

Methods not described in these publications are conducted according to procedures accepted by appropriate regulatory agencies, and/or are done in accordance with recognized professional standards using accepted testing methodologies and quality control efforts except where otherwise agreed to by the client.

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety. CARO is not responsible for any loss or damage resulting directly or indirectly from error or omission in the conduct of testing. Liability is limited to the cost of analysis. Samples will be disposed of 30 days after the test report has been issued unless otherwise agreed to in writing.

- All solids results are reported on a dry weight basis unless otherwise noted
- Units:
 - mg/kg = milligrams per kilogram, equivalent to parts per million (ppm)
 - mg/L = milligrams per litre, equivalent to parts per million (ppm)
 - ug/L = micrograms per litre, equivalent to parts per billion (ppb)
 - ug/g = micrograms per gram, equivalent to parts per million (ppm)
 - ug/m3 = micrograms per cubic meter of air
- "RDL" Reported detection limit
- "<" Less than reported detection limit
- "AO" Aesthetic objective
- "MAC" Maximum acceptable concentration (health-related guideline)
- "LAB" RMD = Richmond location, KEL = Kelowna location, EDM = Edmonton location, SUB = Subcontracted

Please contact CARO if more information is needed or to provide feedback on our services.

CARO Analytical Services

Final Review Per: **Paul Thandi, B.Sc., PChem For Patrick Novak, B.Sc., PChem**
Vice President, Corporate Services

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Edmonton, AB T5S 1H7
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WWW.CARO.CA

SAMPLE DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VII2-05 REPORTED Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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General Parameters

TP1Sa1 (CC20224-01) Matrix: Soil Sampled: Mar-08-12 10:00						
Moisture	14.0	0.1	%	Mar-12-12	Mar-14-12	
pH	7.6	0.1	pH units	Mar-12-12	Mar-12-12	
TP1Sa2 (CC20224-02) Matrix: Soil Sampled: Mar-08-12 10:00						
Moisture	18.1	0.1	%	Mar-12-12	Mar-14-12	
pH	7.8	0.1	pH units	Mar-12-12	Mar-12-12	
TP2Sa1 (CC20224-03) Matrix: Soil Sampled: Mar-08-12 10:00						
Moisture	21.4	0.1	%	Mar-12-12	Mar-14-12	
pH	7.6	0.1	pH units	Mar-12-12	Mar-12-12	
TP2Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00						
Moisture	18.1	0.1	%	Mar-12-12	Mar-14-12	
pH	7.1	0.1	pH units	Mar-12-12	Mar-12-12	
TP3Sa1 (CC20224-05) Matrix: Soil Sampled: Mar-08-12 10:00						
Moisture	15.5	0.1	%	Mar-12-12	Mar-14-12	
pH	7.6	0.1	pH units	Mar-12-12	Mar-12-12	
TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00						
Moisture	11.8	0.1	%	Mar-12-12	Mar-14-12	
pH	7.5	0.1	pH units	Mar-12-12	Mar-12-12	

Strong Acid Leachable Metals

TP1Sa1 (CC20224-01) Matrix: Soil Sampled: Mar-08-12 10:00						
Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	4.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	81.2	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	3.6	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.11	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	31.1	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	12.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	51.4	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	38.8	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	55.0	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.12	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	26.0	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	0.9	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.9	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	63.5	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	55.3	2.0	ug/g	Mar-12-12	Mar-13-12	

SAMPLE DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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Strong Acid Leachable Metals, Continued

TP15a2 (CC20224-02) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	5.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	110	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	4.3	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.05	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	32.1	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	10.8	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	30.0	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	9.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	1040	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.05	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.6	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	35.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.1	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.8	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	57.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	41.8	2.0	ug/g	Mar-12-12	Mar-13-12	

TP25a1 (CC20224-03) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	6.8	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	89.8	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	4.8	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.10	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	35.0	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	11.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	38.8	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	8.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	474	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.07	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	30.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.2	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.6	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	62.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	48.9	2.0	ug/g	Mar-12-12	Mar-13-12	

TP25a2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
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SAMPLE DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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Strong Acid Leachable Metals, Continued

TP3Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00, Continued

Arsenic	5.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	95.7	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	4.0	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.11	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	32.1	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	11.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	34.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	29.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	46.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.06	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	26.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.1	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.6	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	57.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	48.4	2.0	ug/g	Mar-12-12	Mar-13-12	

TP3Sa1 (CC20224-05) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	5.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	84.7	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	5.2	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.09	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	39.0	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	13.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	41.9	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	7.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	48.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.05	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	33.1	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.0	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.5	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	62.9	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	49.2	2.0	ug/g	Mar-12-12	Mar-13-12	

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	3.9	0.4	ug/g	Mar-12-12	Mar-13-12	

SAMPLE DATA



CLIENT	South Island Environmental	WORK ORDER #	CC20224
PROJECT	VI12-05	REPORTED	Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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Strong Acid Leachable Metals, Continued

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00, Continued

Barium	95.2	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	3.5	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.11	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	27.9	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	10.8	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	29.4	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	11.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	345	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	< 0.05	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	21.4	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.1	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.6	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	53.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	43.1	2.0	ug/g	Mar-12-12	Mar-13-12	

Aggregate Organic Parameters

TP1Sa1 (CC20224-01) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP1Sa2 (CC20224-02) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP2Sa1 (CC20224-03) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP2Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

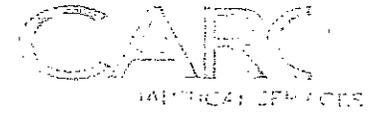
TP3Sa1 (CC20224-05) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

ANALYSIS / REPORT INFORMATION



CLIENT South Island Environmental
 PROJECT VI12-05

WORK ORDER # CC20224
 REPORTED Mar-16-12

Analysis Description	Method Reference(s) (* = modified from)		LAB
	Preparation	Analysis	
EPH in Soil	EPA 3570 *	BCMCE	RMD
Dry Weight (moisture)	N/A	ASTM D2216	RMD
pH in Soil (1:2 Soil/Water)	N/A	APHA 4500-H+	RMD
Strong Acid Leachable Metals	SALM V.2 (BCMCE)	EPA 6020A	RMD

QUALITY CONTROL DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

The following section reports quality control (QC) data that is associated with your sample data. Groups of samples are prepared in "batches" and analyzed in conjunction with quality control samples that ensure your data is of the highest quality. Common QC types include:

- Method Blank (Blk): Laboratory reagent water is carried through sample preparation and analysis steps. Method Blanks indicate that results are free from contamination, i.e. not biased high from sources such as the sample container or the laboratory environment
- Duplicate (Dup): Preparation and analysis of a replicate aliquot of a sample. Duplicates provide a measure of the analytical method's precision, i.e. how reproducible a result is. Duplicates are only reported if they are associated with your sample data.
- Blank Spike (BS): A known amount of standard is carried through sample preparation and analysis steps. Blank Spikes, also known as laboratory control samples (LCS), are prepared from a different source of standard than used for the calibration. They ensure that the calibration is acceptable (i.e. not biased high or low) and also provide a measure of the analytical method's accuracy (i.e. closeness of the result to a target value).

• Standard Reference Material (SRM): A material of similar matrix to the samples, externally certified for the parameter(s) listed. Standard Reference Materials ensure that the preparation steps in the method are adequate to achieve acceptable recoveries of the parameter(s) tested for. Reference

Each QC type is analyzed at a 5-10% frequency, i.e. one blank/duplicate/spike for every 10 samples. For all types of QC, the specified recovery (% Rec) and relative percent difference (RPD) limits are derived from long-term method performance averages and/or prescribed by the reference method.

Analyte	Result	Reporting Limit Units	Spike Level	Source Result	% REC	% REC Limits	% RPD	% RPD Limit	Notes
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Aggregate Organic Parameters, Batch B2C0126

Blank (B2C0126-BLK1)		Prepared: Mar-12-12, Analyzed: Mar-13-12							
EPHs (10-19)	< 250	250 mg/kg wet							
EPHs (19-32)	< 250	250 mg/kg wet							
Duplicate (B2C0126-DUP1)		Source: CC20224-06		Prepared: Mar-12-12, Analyzed: Mar-13-12					
EPHs (10-19)	< 250	250 mg/kg dry		< 250				40	
EPHs (19-32)	< 250	250 mg/kg dry		< 250				40	
Reference (B2C0126-SRM2)		Prepared: Mar-12-12, Analyzed: Mar-13-12							
EPHs (10-19)	3490	250 mg/kg wet	3020		115	62-132			
EPHs (19-32)	5170	250 mg/kg wet	4330		119	65-133			

General Parameters, Batch B2C0210

Duplicate (B2C0210-DUP2)		Source: CC20224-04		Prepared: Mar-12-12, Analyzed: Mar-12-12					
pH	6.9	0.1 pH units		7.1				2	5
Reference (B2C0210-SRM1)		Prepared: Mar-12-12, Analyzed: Mar-12-12							
pH	6.7	0.1 pH units		6.56		102		90-115	
Reference (B2C0210-SRM2)		Prepared: Mar-12-12, Analyzed: Mar-12-12							
pH	6.7	0.1 pH units		6.56		102		90-115	

Strong Acid Leachable Metals, Batch B2C0200

Blank (B2C0200-BLK1)		Prepared: Mar-12-12, Analyzed: Mar-13-12							
Antimony	< 0.1	0.1 ug/g							
Arsenic	< 0.1	0.1 ug/g							
Barium	< 1.0	1.0 ug/g							
Beryllium	< 0.1	0.1 ug/g							
Boron	< 2.0	2.0 ug/g							
Cadmium	< 0.04	0.04 ug/g							
Chromium	< 1.0	1.0 ug/g							
Cobalt	< 0.1	0.1 ug/g							
Copper	< 0.2	0.2 ug/g							
Lead	< 0.2	0.2 ug/g							
Manganese	< 0.4	0.4 ug/g							
Mercury	< 0.05	0.05 ug/g							
Molybdenum	< 0.1	0.1 ug/g							
Nickel	< 0.4	0.4 ug/g							
Selenium	< 0.5	0.5 ug/g							
Silver	< 0.2	0.2 ug/g							
Thallium	< 0.1	0.1 ug/g							

QUALITY CONTROL DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

Analyte	Result	Reporting Limit Units	Spike Level	Source Result	% REC	% REC Limits	% RPD	% RPD Limit	Notes
---------	--------	-----------------------	-------------	---------------	-------	--------------	-------	-------------	-------

Strong Acid Leachable Metals, Batch B2C0200, Continued

Blank (B2C0200-BLK1), Continued Prepared: Mar-12-12, Analyzed: Mar-13-12

Tin	< 0.2	0.2 ug/g							
Uranium	< 0.1	0.1 ug/g							
Vanadium	< 0.4	0.4 ug/g							
Zinc	< 2.0	2.0 ug/g							

Blank (B2C0200-BLK2) Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	< 0.1	0.1 ug/g							
Arsenic	< 0.4	0.4 ug/g							
Barium	< 1.0	1.0 ug/g							
Beryllium	< 0.1	0.1 ug/g							
Boron	< 2.0	2.0 ug/g							
Cadmium	< 0.04	0.04 ug/g							
Chromium	< 1.0	1.0 ug/g							
Cobalt	< 0.1	0.1 ug/g							
Copper	< 0.2	0.2 ug/g							
Lead	< 0.2	0.2 ug/g							
Manganese	< 0.4	0.4 ug/g							
Mercury	< 0.05	0.05 ug/g							
Molybdenum	< 0.1	0.1 ug/g							
Nickel	< 0.4	0.4 ug/g							
Selenium	< 0.5	0.5 ug/g							
Silver	< 0.2	0.2 ug/g							
Thallium	< 0.1	0.1 ug/g							
Tin	< 0.2	0.2 ug/g							
Uranium	< 0.1	0.1 ug/g							
Vanadium	< 0.4	0.4 ug/g							
Zinc	2.0	2.0 ug/g							

Duplicate (B2C0200-DUP2) Source: CC20224-02 Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	0.3	0.1 ug/g		0.3				40	
Arsenic	6.3	0.4 ug/g		5.7			9	30	
Barium	118	1.0 ug/g		110			7	30	
Beryllium	0.2	0.1 ug/g		0.2				40	
Boron	4.2	2.0 ug/g		4.3				30	
Cadmium	0.06	0.04 ug/g		0.05				30	
Chromium	30.6	1.0 ug/g		32.1			5	30	
Cobalt	13.1	0.1 ug/g		10.8			19	30	
Copper	31.3	0.2 ug/g		30.0			4	30	
Lead	8.7	0.2 ug/g		9.1			4	40	
Manganese	1210	0.4 ug/g		1040			15	30	
Mercury	0.06	0.05 ug/g		0.06				40	
Molybdenum	0.5	0.1 ug/g		0.6			27	40	
Nickel	36.9	0.4 ug/g		35.3			4	30	
Selenium	1.0	0.5 ug/g		1.1				30	
Silver	< 0.2	0.2 ug/g		< 0.2				40	
Thallium	< 0.1	0.1 ug/g		< 0.1				30	
Tin	0.7	0.2 ug/g		0.8				40	
Uranium	0.3	0.1 ug/g		0.3				30	
Vanadium	59.0	0.4 ug/g		57.2			3	30	
Zinc	42.9	2.0 ug/g		41.8			2	30	

Reference (B2C0200-SRM1) Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	9.7	0.1 ug/g	7.30	133	62-158
Arsenic	25.6	0.4 ug/g	23.2	110	83-112
Barium	302	1.0 ug/g	294	103	61-128
Beryllium	0.3	0.1 ug/g	0.410	64	57-141
Boron	45.4	2.0 ug/g	38.0	120	57-139
Cadmium	2.34	0.04 ug/g	1.98	118	76-128
Chromium	42.3	1.0 ug/g	48.0	88	88-113
Cobalt	7.6	0.1 ug/g	8.75	87	87-113
Copper	263	0.2 ug/g	296	89	39-115
Lead	177	0.2 ug/g	166	166	85-115
Manganese	224	0.4 ug/g	253	89	88-114
Mercury	3.16	0.05 ug/g	2.88	110	65-144
Molybdenum	5.3	0.1 ug/g	4.57	115	83-126

QUALITY CONTROL DATA



CLIENT
PROJECT

South Island Environmental
VI12-05

WORK ORDER #
REPORTED

CC20224
Mar-16-12

Analyte	Result	Reporting Limit Units	Spike Level	Source Result	% REC Limits	% RPD Limit	Notes
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Strong Acid Leachable Metals, Batch B2C0200, Continued

Reference (B2C0200-SRM1), Continued

Prepared: Mar-12-12, Analyzed: Mar-13-12

Nickel	28.4	0.4 ug/g	31.6	90	90-112		
Selenium	1.6	0.5 ug/g	1.02	156	64-157		
Silver	1.11	0.2 ug/g	1.17	95	60-111		
Thallium	0.4	0.1 ug/g	0.450	93	79-102		
Tin	21.3	0.2 ug/g	19.1	111	74-123		
Uranium	1.5	0.1 ug/g	1.64	89	75-106		
Vanadium	62.7	0.4 ug/g	74.4	84	83-124		
Zinc	288	2.0 ug/g	337	86	86-118		

Reference (B2C0200-SRM2)

Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	9.9	0.1 ug/g	7.30	136	62-158		
Arsenic	25.7	0.4 ug/g	23.2	111	83-112		
Barium	296	1.0 ug/g	294	101	61-128		
Beryllium	0.3	0.1 ug/g	0.410	64	57-141		
Boron	43.6	2.0 ug/g	38.0	115	57-139		
Cadmium	2.49	0.04 ug/g	1.98	126	76-128		
Chromium	42.7	1.0 ug/g	48.0	89	88-118		
Cobalt	7.7	0.1 ug/g	8.75	88	87-113		
Copper	271	0.2 ug/g	296	92	89-115		
Lead	178	0.2 ug/g	166	107	85-115		
Manganese	226	0.4 ug/g	253	89	88-114		
Mercury	3.28	0.05 ug/g	2.88	114	65-144		
Molybdenum	5.3	0.1 ug/g	4.57	116	83-126		
Nickel	28.4	0.4 ug/g	31.6	90	90-112		
Selenium	1.6	0.5 ug/g	1.02	153	64-157		
Silver	1.21	0.2 ug/g	1.17	103	60-111		
Thallium	0.4	0.1 ug/g	0.450	95	79-102		
Tin	20.9	0.2 ug/g	19.1	110	74-123		
Uranium	1.5	0.1 ug/g	1.64	91	75-106		
Vanadium	64.3	0.4 ug/g	74.4	86	83-124		
Zinc	292	2.0 ug/g	337	87	86-118		

INVOICE

CARO Analytical Services



South Island Environmental
2684 Courtney Way
Shawnigan Lake, BC V0R 2W2

Invoice #: ICI200733
Invoice Date: Mar-16-12

Attention: Eric Gauvin

Analysis / Description	Quantity	Unit Cost	% Sur / Disc	Extended Cost
Work Order: CC20224 Project: VI12-05; Project Info: Horse Creek; Received: Mar-09-12				
EPH in Soil	6	\$60.00		\$360.00
SALM Metals + pH (CSR Sched. 4/5/7/10)	6	\$65.00		\$390.00
Subtotal:				\$750.00
HST @ 12%:				\$90.00
TOTAL:				\$840.00
Payment Due Date:				Apr-16-12

PLEASE RETURN ONE COPY OF INVOICE WITH PAYMENT TO:

HST/GST# R100821255

CARO Analytical Services

120 - 12791 Clarke Place, Richmond, BC V6V 2H9 ~ TEL: (604) 279-1499 ~ FAX: (604) 279-1599 ~ Email richmond@caro.ca

Alternatively, Payment may be made electronically (EFT):

Bank Account #: 1092-162 Bank #: 001 Transit #: 07210 SWIFT #: BOFMCA22

Please email EFT remittance advice to payments@caro.ca

2% per month (26.82% per annum) charged on invoices over 30 Days

STANDARD LIMITATIONS

1. The findings and conclusions documented in this report have been prepared for specific application to this project and have been developed in a manner consistent with that level of care normally exercised by environmental professionals currently practicing under similar conditions in the area.
2. The findings of this report are based solely on data collected on site during this remediation program and on the conditions of the site during the completion of the work. SIE has relied on good faith on information provided by individuals and sources noted in the report. No other warranty, expressed or implied, is made.
3. If new information is developed in future work that affects the conclusions of this report, SIE should be contacted to re-evaluate the conclusions of this report and provide amendments as required.
4. The service provided by SIE in completing this report is intended to assist the client in a business decision. The liability of the site is not transferred to SIE as a result of such services, and SIE does not make recommendation regarding the purchase, sale, or investment in the property.



13 July 2012

File: 26000-01
/Compliance/Donn
Mann Excavating
Ltd.

VIA EMAIL ONLY

Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia V9L 1N8

Attention: Tom Anderson, MCIP
General Manager, Planning and Development Department

Dear Tom:

Re: Request for Review of Soil Quality Assessment Report
Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan
EPP13409 (PID: 027-514-382)
Shawnigan Lake Road, Shawnigan Lake, BC

I am writing in response to your letter dated 14 June 2012 addressed to my colleague Coleen Hackinen. In that letter, you requested the ministry review and provide comment on the following letter report:

Environmental Services – Chemical Characterization of Soil, Horse Creek Property, Shawnigan Lake Road, Shawnigan Lake, BC dated 26 March 2012 and prepared by Eric Gauvin PEng of South Island Environmental (SIE).

Our comments follow:

1. The Ministry letter dated 15 December 2010 which was attached to the CVRD referral letter, although highly relevant to general issues concerning soil relocation, waste disposal and associated liability provisions under British Columbia's *Environmental Management Act*, does not specifically address the above-referenced property. Therefore, I am attaching copies of the Ministry's 5 July 2011 and 01 December 2011 letters to Donn Mann Excavating Ltd. which do.

Ministry of Environment

Environmental Protection
Land Remediation

Mailing/Location Address:
2nd Fl., 10470 – 152 Street
Surrey BC V3R 0Y3

Tel: (604) 582-5200
Fax: (604) 930-7119
<http://www.env.gov.bc.ca/epd/remediation>

2. As a stand-alone document, the SIE report does not adequately specify fundamental information such as site location (address, legal/PID, lat/long), stockpile locations/dimensions, test pit locations/dimensions, or soil sample locations/compositions.
3. Insufficient information has been documented regarding the origin of the stockpiled soil such that supported opinions may be developed and presented as to appropriate target PCOCs (potential contaminants of concern). For example, information on original soil location(s) relative to the pre-existing (View Royal) road configuration and infrastructure, as well as to other nearby properties which may have had a potential for contamination and contaminant migration themselves.
4. No information is provided regarding soil stockpile volumes nor any expected variability in chemical composition so that an appropriate sampling program and methodology can be developed in accordance with the applicable Ministry technical guidance, *Site Characterization and Confirmation Testing* (TG1; see <http://www.env.gov.bc.ca/epd/remediation/guidance/technical/pdf/tg01.pdf>).
5. The quality assurance and quality control program, including interpretation, is incomplete (please see TG1, pp. 9-10).
6. There is inconsistency between the description of the source soil from View Royal ("mostly comprised of native brown silty clay") and the subject site soil samples ("mix of brown sand, silt and clay with trace cobbles"); there is a further lack of clarity regarding the stated cobble content of the samples, and the relevance to the samples, if any, of the documented "150mm" top layer of sand and gravel.

In view of the above circumstances, it is our opinion that the report's conclusions are inadequately supported.

Please don't hesitate to contact me if you have any questions about this letter.

Yours truly,



Alan W. McCammon, MSc, PGeo
Manager, Remediation Assurance & Brownfields
Land Remediation



South Islands Environmental
2684 Courtney Way
Shawnigan Lake, BC V0R 2W2
250.812.6614 sienvironmental@shaw.ca

26 March 2012
File No.: VI12-05

Don Mann Excavating Ltd.
4098 Lockside Drive
Victoria, BC
V8X 2C8

Attention: Monty Fitz

RE: Environmental Services - Chemical Characterization of Soil
Horse Creek Property, Shawnigan Lake Road, Shawnigan Lake, BC

INTRODUCTION

Don Mann Excavating Ltd. (Don Mann) retained South Island Environmental (SIE) to conduct a Soil Quality Assessment (SQA) of soil located at the above-referenced site. Levelton understands that the SQA is required by the CVRD as part of a Development Permit application.

The SQA was undertaken to determine chemical concentrations of soil samples collected from two fill stockpiles located near the on-site creek. The chemical characterization included the collection and analysis of six (6) soil samples from the two stockpiles located at the Horse Creek property. The field work was completed on 8 March 2012. It is SIE's understanding that the fill material originated from a road widening project in View Royal and that the material is mostly comprised of native brown silty clay. Soil chemistry was compared to applicable Ministry of Environment (MOE) Contaminated Sites Regulation (CSR) standards.

SCOPE OF WORK

The scope of work was as follows:

- Collection and analysis of six (6) soil samples from the stockpiled soil for screening of potential contaminants; these included extractable petroleum hydrocarbons (EPHs) and metals;
- Ensure quality control and quality assurance for sampling and analytical program;

- Submission of soil samples to an MOE-approved laboratory for chemical analysis; and
- Preparation of a letter report that summarizes the results and findings.

QUALITY CONTROL/QUALITY ASSURANCE

Quality Control/Quality Assurance: In order to provide confidence in the data obtained, a Quality Control/Quality Assurance (QA/QC) component was included in the sampling program. The field QA/QC component is summarized below. The laboratory had its own internal QA/QC program, which is briefly summarized below.

Field QA/QC: New nitrile gloves were used for each sample collected. All sample containers were provided by the laboratory (clean and sterile), and were appropriate for the parameters analysed. All sample containers were labelled with their respective sampling location, date and project number. Samples were kept cool by storing and transporting them in a cooler with ice.

Laboratory QA/QC: Routine QA/QC by the project laboratory was undertaken and includes the following for every 10 samples: analytical method blank, laboratory duplicate, spike blank and matrix blank.

REGULATORY FRAMEWORK

The Potential Contaminants of Concern (PCOCs) at the site were compared to current standards contained in the CSR, B.C. Reg. 375/96, including amendments up to B.C. Reg. 343/2008, January 1, 2009. Based on the CSR regulation, the following represent the standards that have been used in the evaluation of analytical data presented in this report:

CSR Urban Park Land Use (PL) soil standards;

- Site specific factors include: Intake of contaminated soil; Toxicity to soil invertebrates and plants; Groundwater flow to surface water used by freshwater and marine aquatic life.

METHODOLOGY

On 8 March 2012, SIE conducted soil sampling to characterize samples collected from two stockpiles of fill on the property. A total of three (3) test pits (TP1, TP2, TP3) were completed along the leading edge of the stockpiles (i.e. creek side). The maximum depth of the test pits was 4.6m below top of ground. The soil samples collected (TP1Sa1, TP1Sa2, TP2Sa1, TP2Sa2, TP3Sa1, TP3Sa2) exhibited no hydrocarbon odours or staining and were generally comprised of a mix of brown sand, silt and clay with trace cobbles. The top 150mm was comprised of sand and gravel that served as a wearing surface and also to minimize sedimentation and surface run-off. It was also noted that the creek side slopes of the stockpiles were covered in vegetation.

Samples were retained in laboratory prepared glass jars, which were labelled and stored in an

insulated cooler, packed in ice. Chain-of-custody protocol was followed during transportation and handling of the samples. The chain-of-custody record included such information as: project name, shippers name, destination shipped to, sampling location point, field ID number, date and time collected, sample type and analysis requested. The samples were subsequently transported to CARO Analytical Services (CARO) of Richmond, BC for chemical analysis. Copies of the chain-of-custody record are attached.

ANALYTICAL RESULTS

Soil samples TP1Sa1, TP1Sa2, TP2Sa1, TP2Sa2, TP3Sa1 and TP3Sa2 were forwarded to CARO for EPHs and metals analysis. The results of the chemical analyses are summarized in Table 1. A copy of the analytical chemistry report is attached for reference.

TABLE 1: SOIL CHEMISTRY - EPHs and Metals Results (ppm)							
Parameter	Sample ID						CSR PL
	TP1Sa1	TP1Sa2	TP2Sa1	TP2Sa2	TP3Sa1	TP3Sa2	
EPHs(C ₁₀ -C ₁₉)	<250	<250	<250	<250	<250	<250	1000*
EPHs(C ₁₉ -C ₃₁)	<250	<250	<250	<250	<250	<250	1000*
pH	7.6	7.8	7.6	7.1	7.6	7.5	n.s.
Antimony	0.3	0.3	0.3	0.3	0.3	0.2	20
Arsenic	4.7	5.7	6.8	5.2	5.7	3.9	15
Barium	81.2	110	89.8	95.7	84.7	95.2	400
Beryllium	0.2	0.2	0.2	0.2	0.2	0.2	4
Boron	3.6	4.3	4.8	4.0	5.2	3.5	n.s.
Cadmium	0.11	0.05	0.10	0.11	0.09	0.11	2.5
Chromium	31.1	32.1	35.0	32.1	39.0	27.9	60
Cobalt	12.5	10.8	11.6	11.5	13.2	10.8	50
Copper	51.4	30.0	38.8	34.2	41.9	29.4	150
Lead	38.8	9.1	8.1	29.2	7.1	11.1	500
Manganese	550	1040	474	462	483	345	1800
Mercury	0.12	0.06	0.07	0.06	0.05	<0.05	15
Molybdenum	0.5	0.6	0.3	0.5	0.4	0.4	10
Nickel	26.0	35.3	30.3	26.7	33.1	21.4	100
Selenium	0.9	1.1	1.2	1.1	1.0	1.1	3
Silver	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	20
Thallium	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	n.s.
Tin	0.9	0.8	0.6	0.6	0.5	0.6	50
Uranium	0.3	0.3	0.4	0.4	0.4	0.4	n.s.
Vanadium	63.5	57.2	62.3	57.3	62.9	53.2	200
Zinc	55.3	41.8	48.9	48.4	49.2	43.1	450

Notes:

- all concentrations in milligrams per dry kilogram (ppm - parts per million)
- < - indicates less than the laboratory detection limit
- EPHs - extractable petroleum hydrocarbons
- * - compared to CSR LEPH and HEPH standards
- CSR PL - Contaminated Sites Regulation Urban Park Land use standards

The results of the analysis indicated that all constituents were below the laboratory detection limits or well below the applicable CSR standards. Based on the findings of the chemical characterization of soil from the two stockpiles at the Horse Creek property, it is SIE's opinion that the fill material poses a low environmental risk to the environment.

CLOSURE

The findings of this investigation are based on the interpretation of data obtained at site-specific locations and analytical tests pertaining specifically to oil/petroleum derivatives and metals. Evaluation and conclusions do not preclude the existence of chemical substances other than those identified herein. Hence, this report should be used for information purposes only and should not be regarded as a certification of the actual chemical character of the site as a whole.

This report has been prepared by South Island Environmental (SIE) exclusively for Don Mann Excavating Ltd., and is intended to provide an assessment of the potential for the presence of contamination in the soil samples collected. The conclusions made in this report reflect SIE's best judgment in light of the information available at the time of preparation. No other warranty, expressed or implied, is made. Any use which a third party makes of this report, or any reliance on or decisions to be made or actions based on it, are the responsibility of such third parties. SIE accepts no responsibility for damages, if any, suffered by a third party as a result of decisions made or actions based on this report. The standard limitations of this report are attached.

Respectfully submitted,

SOUTH ISLAND ENVIRONMENTAL

Per: 

Eric Gauvin, P.Eng.
Senior Environmental Engineer

Attachments: Report Photos
Chain-of-custody record
Analytical Chemistry Report
Standard Limitations



Photograph 1: Photo showing the area of test pit TP1. Photo taken from the southeast looking toward the northwest.



Photograph 2: Photo showing excavated fill from test pit TP1. Photo taken from the northeast looking toward the southwest.

	PROJECT:		
	CHEMICAL CHARACTERIZATION OF SOIL HORSE CREEK, SHAWNIGAN LAKE ROAD, SHWNIGAN LAKE, BC		
	TITLE:		
			SITE PHOTOGRAPHS
CLIENT:			
			DON MANN EXCAVATING LTD.
FILE NO.: VI12-05	DATE: MARCH 2012	COMPLETED BY: EG	PAGE NO.: 1/1

CLIENT NAME: SIF
 ADDRESS: _____
 CITY: _____ PROV: _____ POSTAL CODE: _____
 CONTACT: Eric G. SAMPLER: EG
 TEL: 50-812-6614 FAX: _____

RELINQUISHED BY: <u>EG</u>	DATE: <u>3 Nov 12</u> TIME: <u>10:15am</u>	RECEIVED BY:	DATE:
RELINQUISHED BY:	DATE:	RECEIVED BY:	DATE:
	TIME:		TIME:
PROJECT NAME: <u>Horse Creek</u>		PROJECT NO.: <u>V112-05</u>	PO #:

REPORTING: SAME AS PREVIOUS (PROJECT) NEW/CHANGED
 MAIL COPY (REPORT INVOICE Other
 EMAIL PDF INVOICE EDD
 NAME/EMAIL: _____
 NAME/EMAIL: _____

Turn-Around Time
 1 Day* 2 Day*
 3 Day* Routine (4-7 Days)
 Other* _____
***Contact Lab To Confirm Surchage Will Apply**

ANALYSIS REQUEST

CLIENT SAMPLE ID	MATRIX			#CONTAINERS	SAMPLING		FILTERED PRESERVED	COMMENTS (ie, flow/volume media ID/notes)	BTEX <input type="checkbox"/> VPH <input type="checkbox"/> MTBE <input type="checkbox"/>	EPA (not PAH corrected) <input type="checkbox"/>	VOC <input type="checkbox"/> VPH <input type="checkbox"/>	L/HEPH (PAH corrected) <input type="checkbox"/>	PAH	PHENOLS Chlorinated <input type="checkbox"/> Nonchlorinated <input type="checkbox"/>	PCBS <input type="checkbox"/> GLYCOLS <input type="checkbox"/> HAAS <input type="checkbox"/>	METALS - WATER TOTAL	METALS - WATER DISSOLVED	METALS - SOLID (SALM) <input type="checkbox"/> inc. pH <input type="checkbox"/>	PH <input type="checkbox"/> EC <input type="checkbox"/> ALK <input type="checkbox"/>	TSS <input type="checkbox"/> TDS <input type="checkbox"/>	BOD <input type="checkbox"/> COD <input type="checkbox"/>	FECAL COL <input type="checkbox"/> HPC <input type="checkbox"/>	TOTAL COL <input type="checkbox"/> E-COLI <input type="checkbox"/>	PESTICIDES <input type="checkbox"/> HERBICIDES <input type="checkbox"/>	SOIL VAPOUR	HOLD	
	SOIL	WATER	OTHER		DATE	TIME																					
<u>TP1.S.1</u>																											
<u>TP1.S.2</u>																											
<u>TP2.S.1</u>																											
<u>TP2.S.2</u>																											
<u>TP3.S.1</u>																											
<u>TP3.S.2</u>																											

APPLICABLE REGULATORY LIMITS
 CANADIAN DRINKING WATER QUALITY GUIDELINES
 BC DRINKING WATER PROTECTION ACT/REG.
 BCMOE CSR (FIL CL IL)
 CCME ALBERTA TIER I ALBERTA TIER II
 OTHER: _____

SPECIAL INSTRUCTIONS:

PAYMENT
 CHEQUE
 CREDIT
 DEBIT
 CASH
 INVOICE

SAMPLE RECEIPT TEMP: _____ °C
 Work Order #: _____
 CUSTODY SEAL INTACT Y N NA

CERTIFICATE OF ANALYSIS



CLIENT	South Island Environmental 2684 Courtney Way Shawnigan Lake BC V0R 2W2	TEL	(250) 812-6614
		FAX	N/A
ATTENTION	Eric Gauvin		
RECEIVED / TEMP	Mar-09-12 14:30 / 10.0 °C	WORK ORDER	CC20224
REPORTED	Mar-16-12	PROJECT	VI12-05
COC #(s)	37016	PROJECT INFO	Horse Creek

General Comments:

CARO Analytical Services employs methods which are based on those found in "Standard Methods for the Examination of Water and Wastewater", 21st Edition, 2005, published by the American Public Health Association (APHA); US EPA protocols found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW846", 3rd Edition; protocols published by the British Columbia Ministry of Environment (BCMDE); and/or CCME Canada-wide Standard Reference methods.

Methods not described in these publications are conducted according to procedures accepted by appropriate regulatory agencies, and/or are done in accordance with recognized professional standards using accepted testing methodologies and quality control efforts except where otherwise agreed to by the client.

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety. CARO is not responsible for any loss or damage resulting directly or indirectly from error or omission in the conduct of testing. Liability is limited to the cost of analysis. Samples will be disposed of 30 days after the test report has been issued unless otherwise agreed to in writing.

- All solids results are reported on a dry weight basis unless otherwise noted
- Units:
 - mg/kg = milligrams per kilogram, equivalent to parts per million (ppm)
 - mg/L = milligrams per litre, equivalent to parts per million (ppm)
 - ug/L = micrograms per litre, equivalent to parts per billion (ppb)
 - ug/g = micrograms per gram, equivalent to parts per million (ppm)
 - ug/m3 = micrograms per cubic meter of air
- "RDL" Reported detection limit
- "<" Less than reported detection limit
- "AO" Aesthetic objective
- "MAC" Maximum acceptable concentration (health-related guideline)
- "LAB" RMD = Richmond location, KEL = Kelowna location, EDM = Edmonton location, SUB = Subcontracted

Please contact CARO if more information is needed or to provide feedback on our services.

CARO Analytical Services

Final Review Per: **Paul Thandi, B.Sc., PChem** For Patrick Novak, B.Sc., PChem
Vice President, Corporate Services

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Edmonton, AB T5S 1H7
Tel: 780-489-9100 Fax: 780-489-9700

www.caro.ca

SAMPLE DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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General Parameters

TP1Sa1 (CC20224-01) Matrix: Soil Sampled: Mar-08-12 10:00

Moisture	14.0	0.1	%	Mar-12-12	Mar-14-12	
pH	7.6	0.1	pH units	Mar-12-12	Mar-12-12	

TP1Sa2 (CC20224-02) Matrix: Soil Sampled: Mar-08-12 10:00

Moisture	18.1	0.1	%	Mar-12-12	Mar-14-12	
pH	7.8	0.1	pH units	Mar-12-12	Mar-12-12	

TP2Sa1 (CC20224-03) Matrix: Soil Sampled: Mar-08-12 10:00

Moisture	21.4	0.1	%	Mar-12-12	Mar-14-12	
pH	7.6	0.1	pH units	Mar-12-12	Mar-12-12	

TP2Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00

Moisture	18.1	0.1	%	Mar-12-12	Mar-14-12	
pH	7.1	0.1	pH units	Mar-12-12	Mar-12-12	

TP3Sa1 (CC20224-05) Matrix: Soil Sampled: Mar-08-12 10:00

Moisture	15.5	0.1	%	Mar-12-12	Mar-14-12	
pH	7.6	0.1	pH units	Mar-12-12	Mar-12-12	

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00

Moisture	11.8	0.1	%	Mar-12-12	Mar-14-12	
pH	7.5	0.1	pH units	Mar-12-12	Mar-12-12	

Strong Acid Leachable Metals

TP1Sa1 (CC20224-01) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	4.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	81.2	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	3.6	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.11	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	31.1	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	12.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	51.4	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	38.8	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	55.0	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.12	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	26.0	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	0.9	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.9	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	63.5	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	55.3	2.0	ug/g	Mar-12-12	Mar-13-12	

SAMPLE DATA



CLIENT
PROJECT

South Island Environmental
VI12-05

WORK ORDER #
REPORTED

CC20224
Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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Strong Acid Leachable Metals, Continued

TP1Sa2 (CC20224-02) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	5.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	110	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	4.3	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.05	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	32.1	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	10.8	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	30.0	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	9.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	1040	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.06	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.6	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	35.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.1	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.8	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	57.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	41.8	2.0	ug/g	Mar-12-12	Mar-13-12	

TP2Sa1 (CC20224-03) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	6.8	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	89.8	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	4.8	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.10	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	35.0	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	11.6	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	38.8	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	8.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	474	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.07	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	30.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.2	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.6	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	62.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	48.9	2.0	ug/g	Mar-12-12	Mar-13-12	

TP2Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
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SAMPLE DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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Strong Acid Leachable Metals, Continued

TP2Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00, Continued

Arsenic	5.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	95.7	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	4.0	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.11	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	32.1	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	11.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	34.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	29.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	462	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.06	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.5	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	26.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.1	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.6	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	57.3	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	48.4	2.0	ug/g	Mar-12-12	Mar-13-12	

TP3Sa1 (CC20224-05) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.3	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	5.7	0.4	ug/g	Mar-12-12	Mar-13-12	
Barium	94.7	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	5.2	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.09	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	39.0	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	13.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	41.9	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	7.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	493	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	0.05	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	33.1	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.0	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.5	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	62.9	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	49.2	2.0	ug/g	Mar-12-12	Mar-13-12	

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00

Antimony	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Arsenic	3.9	0.4	ug/g	Mar-12-12	Mar-13-12	

SAMPLE DATA



CLIENT
PROJECT

South Island Environmental
VI12-05

WORK ORDER #
REPORTED

CC20224
Mar-16-12

Analyte	Result	RDL	Units	Prepared	Analyzed	Notes
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Strong Acid Leachable Metals, Continued

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00, Continued

Barium	95.2	1.0	ug/g	Mar-12-12	Mar-13-12	
Beryllium	0.2	0.1	ug/g	Mar-12-12	Mar-13-12	
Boron	3.5	2.0	ug/g	Mar-12-12	Mar-13-12	
Cadmium	0.11	0.04	ug/g	Mar-12-12	Mar-13-12	
Chromium	27.9	1.0	ug/g	Mar-12-12	Mar-13-12	
Cobalt	10.8	0.1	ug/g	Mar-12-12	Mar-13-12	
Copper	29.4	0.2	ug/g	Mar-12-12	Mar-13-12	
Lead	11.1	0.2	ug/g	Mar-12-12	Mar-13-12	
Manganese	345	0.4	ug/g	Mar-12-12	Mar-13-12	
Mercury	< 0.05	0.05	ug/g	Mar-12-12	Mar-13-12	
Molybdenum	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Nickel	21.4	0.4	ug/g	Mar-12-12	Mar-13-12	
Selenium	1.1	0.5	ug/g	Mar-12-12	Mar-13-12	
Silver	< 0.2	0.2	ug/g	Mar-12-12	Mar-13-12	
Thallium	< 0.1	0.1	ug/g	Mar-12-12	Mar-13-12	
Tin	0.6	0.2	ug/g	Mar-12-12	Mar-13-12	
Uranium	0.4	0.1	ug/g	Mar-12-12	Mar-13-12	
Vanadium	53.2	0.4	ug/g	Mar-12-12	Mar-13-12	
Zinc	43.1	2.0	ug/g	Mar-12-12	Mar-13-12	

Aggregate Organic Parameters

TP1Sa1 (CC20224-01) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP1Sa2 (CC20224-02) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP2Sa1 (CC20224-03) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP2Sa2 (CC20224-04) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP3Sa1 (CC20224-05) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

TP3Sa2 (CC20224-06) Matrix: Soil Sampled: Mar-08-12 10:00

EPHs (10-19)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	
EPHs (19-32)	< 250	250	mg/kg dry	Mar-12-12	Mar-13-12	

ANALYSIS / REPORT INFORMATION



CLIENT South Island Environmental
PROJECT VI12-05

WORK ORDER # CC20224
REPORTED Mar-16-12

Analysis Description	Method Reference(s) (* = modified from)		LAB
	Preparation	Analysis	
EPH in Soil	EPA 3570 *	BCMOE	RMD
Dry Weight (moisture)	N/A	ASTM D2216	RMD
pH in Soil (1:2 Soil/Water)	N/A	APHA 4500-H+	RMD
Strong Acid Leachable Metals	SALM V.2 (BCMOE)	EPA 6020A	RMD

QUALITY CONTROL DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

The following section reports quality control (QC) data that is associated with your sample data. Groups of samples are prepared in "batches" and analyzed in conjunction with quality control samples that ensure your data is of the highest quality. Common QC types include:

- Method Blank (BLK): Laboratory reagent water is carried through sample preparation and analysis steps. Method Blanks indicate that results are free from contamination, i.e. not biased high from sources such as the sample container or the laboratory environment
- Duplicate (Dup): Preparation and analysis of a replicate aliquot of a sample. Duplicates provide a measure of the analytical method's precision, i.e. how reproducible a result is. Duplicates are only reported if they are associated with your sample data.
- Blank Spike (BS): A known amount of standard is carried through sample preparation and analysis steps. Blank Spikes, also known as laboratory control samples (LCS), are prepared from a different source of standard than used for the calibration. They ensure that the calibration is acceptable (i.e. not biased high or low) and also provide a measure of the analytical method's accuracy (i.e. closeness of the result to a target value).
- Standard Reference Material (SRM): A material of similar matrix to the samples, externally certified for the parameter(s) listed. Standard Reference Materials ensure that the preparation steps in the method are adequate to achieve acceptable recoveries of the parameter(s) tested for.

Each QC type is analyzed at a 5-10% frequency, i.e. one blank/duplicate/spike for every 10 samples. For all types of QC, the specified recovery (% Rec) and relative percent difference (RPD) limits are derived from long-term method performance averages and/or prescribed by the reference method.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	% REC Limits	% RPD	Limit	Notes
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Aggregate Organic Parameters, Batch B2C0126

Blank (B2C0126-BLK1)		Prepared: Mar-12-12, Analyzed: Mar-13-12							
EPHs (10-19)	< 250	250	mg/kg wet						
EPHs (19-32)	< 250	250	mg/kg wet						
Duplicate (B2C0126-DUP1)		Source: CC20224-06		Prepared: Mar-12-12, Analyzed: Mar-13-12					
EPHs (10-19)	< 250	250	mg/kg dry		< 250			40	
EPHs (19-32)	< 250	250	mg/kg dry		< 250			40	
Reference (B2C0126-SRM2)		Prepared: Mar-12-12, Analyzed: Mar-13-12							
EPHs (10-19)	3490	250	mg/kg wet	3020		116	62-132		
EPHs (19-32)	5170	250	mg/kg wet	4330		119	65-133		

General Parameters, Batch B2C0210

Duplicate (B2C0210-DUP2)		Source: CC20224-04		Prepared: Mar-12-12, Analyzed: Mar-12-12					
pH	6.9	0.1	pH units		7.1			2	5
Reference (B2C0210-SRM1)		Prepared: Mar-12-12, Analyzed: Mar-12-12							
pH	6.7	0.1	pH units		6.55		102	90-115	
Reference (B2C0210-SRM2)		Prepared: Mar-12-12, Analyzed: Mar-12-12							
pH	6.7	0.1	pH units		6.55		102	90-115	

Strong Acid Leachable Metals, Batch B2C0200

Blank (B2C0200-BLK1)		Prepared: Mar-12-12, Analyzed: Mar-13-12							
Antimony	< 0.1	0.1	ug/g						
Arsenic	< 0.4	0.4	ug/g						
Barium	< 1.0	1.0	ug/g						
Beryllium	< 0.1	0.1	ug/g						
Boron	< 2.0	2.0	ug/g						
Cadmium	< 0.04	0.04	ug/g						
Chromium	< 1.0	1.0	ug/g						
Cobalt	< 0.1	0.1	ug/g						
Copper	< 0.2	0.2	ug/g						
Lead	< 0.2	0.2	ug/g						
Manganese	< 0.4	0.4	ug/g						
Mercury	< 0.05	0.05	ug/g						
Molybdenum	< 0.1	0.1	ug/g						
Nickel	< 0.4	0.4	ug/g						
Selenium	< 0.5	0.5	ug/g						
Silver	< 0.2	0.2	ug/g						
Thallium	< 0.1	0.1	ug/g						

QUALITY CONTROL DATA



CLIENT South Island Environmental WORK ORDER # CC20224
 PROJECT VI12-05 REPORTED Mar-16-12

Analyte	Result	Reporting Limit Units	Spike Level	Source Result	% REC	% REC Limits	% RPD	% RPD Limit	Notes
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Strong Acid Leachable Metals, Batch B2C0200, Continued

Blank (B2C0200-BLK1), Continued

Prepared: Mar-12-12, Analyzed: Mar-13-12

Tin	< 0.2	0.2 ug/g							
Uranium	< 0.1	0.1 ug/g							
Vanadium	< 0.4	0.4 ug/g							
Zinc	< 2.0	2.0 ug/g							

Blank (B2C0200-BLK2)

Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	< 0.1	0.1 ug/g							
Arsenic	< 0.4	0.4 ug/g							
Barium	< 1.0	1.0 ug/g							
Beryllium	< 0.1	0.1 ug/g							
Boron	< 2.0	2.0 ug/g							
Cadmium	< 0.04	0.04 ug/g							
Chromium	< 1.0	1.0 ug/g							
Cobalt	< 0.1	0.1 ug/g							
Copper	< 0.2	0.2 ug/g							
Lead	< 0.2	0.2 ug/g							
Manganese	< 0.4	0.4 ug/g							
Mercury	< 0.05	0.05 ug/g							
Molybdenum	< 0.1	0.1 ug/g							
Nickel	< 0.4	0.4 ug/g							
Selenium	< 0.5	0.5 ug/g							
Silver	< 0.2	0.2 ug/g							
Thallium	< 0.1	0.1 ug/g							
Tin	< 0.2	0.2 ug/g							
Uranium	< 0.1	0.1 ug/g							
Vanadium	< 0.4	0.4 ug/g							
Zinc	2.0	2.0 ug/g							

Duplicate (B2C0200-DUP2)

Source: CC20224-02

Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	0.3	0.1 ug/g		0.3				40	
Arsenic	6.3	0.4 ug/g		5.7			9	30	
Barium	119	1.0 ug/g		110			7	30	
Beryllium	0.2	0.1 ug/g		0.2				40	
Boron	4.2	2.0 ug/g		4.3				30	
Cadmium	0.06	0.04 ug/g		0.05				30	
Chromium	30.6	1.0 ug/g		32.1			5	30	
Cobalt	13.1	0.1 ug/g		10.8			19	30	
Copper	31.3	0.2 ug/g		30.0			4	30	
Lead	8.7	0.2 ug/g		9.1			4	40	
Manganese	1210	0.4 ug/g		1040			15	30	
Mercury	0.05	0.05 ug/g		0.06				40	
Molybdenum	0.5	0.1 ug/g		0.6			27	40	
Nickel	35.9	0.4 ug/g		35.3			4	30	
Selenium	1.0	0.5 ug/g		1.1				30	
Silver	< 0.2	0.2 ug/g		< 0.2				40	
Thallium	< 0.1	0.1 ug/g		< 0.1				30	
Tin	0.7	0.2 ug/g		0.8				40	
Uranium	0.3	0.1 ug/g		0.3				30	
Vanadium	39.0	0.4 ug/g		57.2			3	30	
Zinc	42.9	2.0 ug/g		41.8			2	30	

Reference (B2C0200-SRM1)

Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	9.7	0.1 ug/g	7.30	133	62-158
Arsenic	25.6	0.4 ug/g	23.2	110	83-112
Barium	302	1.0 ug/g	294	103	61-128
Beryllium	0.3	0.1 ug/g	0.410	64	57-141
Boron	45.4	2.0 ug/g	38.0	120	57-139
Cadmium	2.34	0.04 ug/g	1.98	118	76-138
Chromium	42.3	1.0 ug/g	48.0	88	88-118
Cobalt	7.6	0.1 ug/g	8.75	87	87-113
Copper	263	0.2 ug/g	296	89	89-115
Lead	177	0.2 ug/g	166	106	85-115
Manganese	224	0.4 ug/g	253	89	88-114
Mercury	3.16	0.05 ug/g	2.88	110	55-144
Molybdenum	5.3	0.1 ug/g	4.57	115	83-126

QUALITY CONTROL DATA



CLIENT
PROJECT

South Island Environmental
VI12-05

WORK ORDER #
REPORTED

CC20224
Mar-16-12

Analyte	Result	Reporting Limit Units	Spike Level	Source Result	% REC	% REC Limits	% RPD	% RPD Limit	Notes
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Strong Acid Leachable Metals, Batch B2C0200, Continued

Reference (B2C0200-SRM1), Continued

Prepared: Mar-12-12, Analyzed: Mar-13-12

Nickel	28.4	0.4 ug/g	31.6		90	50-112			
Selenium	1.6	0.5 ug/g	1.02		153	64-157			
Silver	1.11	0.2 ug/g	1.17		95	60-111			
Thallium	0.4	0.1 ug/g	0.450		93	79-102			
Tin	21.3	0.2 ug/g	19.1		111	74-123			
Uranium	1.5	0.1 ug/g	1.64		89	75-105			
Vanadium	62.7	0.4 ug/g	74.4		84	83-124			
Zinc	288	2.0 ug/g	337		86	86-118			

Reference (B2C0200-SRM2)

Prepared: Mar-12-12, Analyzed: Mar-13-12

Antimony	9.9	0.1 ug/g	7.30		135	62-158			
Arsenic	25.7	0.4 ug/g	23.2		111	83-112			
Barium	295	1.0 ug/g	294		101	51-128			
Beryllium	0.3	0.1 ug/g	0.410		64	57-141			
Boron	43.6	2.0 ug/g	38.0		115	57-139			
Cadmium	2.49	0.04 ug/g	1.98		126	76-128			
Chromium	42.7	1.0 ug/g	48.0		89	88-118			
Cobalt	7.7	0.1 ug/g	8.75		88	87-113			
Copper	271	0.2 ug/g	295		92	89-115			
Lead	173	0.2 ug/g	165		107	85-115			
Manganese	225	0.4 ug/g	253		89	83-114			
Mercury	3.28	0.05 ug/g	2.83		114	65-144			
Molybdenum	5.3	0.1 ug/g	4.57		116	83-126			
Nickel	28.4	0.4 ug/g	31.6		90	90-112			
Selenium	1.6	0.5 ug/g	1.02		153	64-157			
Silver	1.21	0.2 ug/g	1.17		103	60-111			
Thallium	0.4	0.1 ug/g	0.450		95	79-102			
Tin	20.9	0.2 ug/g	19.1		110	74-123			
Uranium	1.5	0.1 ug/g	1.64		91	75-105			
Vanadium	64.3	0.4 ug/g	74.4		86	83-124			
Zinc	292	2.0 ug/g	337		87	86-118			

INVOICE

CARO Analytical Services



South Island Environmental
2684 Courtney Way
Shawnigan Lake, BC V0R 2W2

Invoice #: IC1200733
Invoice Date: Mar-16-12

Attention: Eric Gauvin

Analysis / Description	Quantity	Unit Cost	% Sur / Disc	Extended Cost
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Work Order: CC20224 Project: VI12-05; Project Info: Horse Creek; Received: Mar-09-12

EPH in Soil	6	\$60.00		\$360.00
SALM Metals ÷ pH (CSR Sched. 4/5/7/10)	6	\$65.00		\$390.00

Subtotal:	\$750.00
HST @ 12%:	\$90.00
TOTAL:	\$840.00

Payment Due Date: Apr-16-12

PLEASE RETURN ONE COPY OF INVOICE WITH PAYMENT TO:

HST/GST# R100821255

CARO Analytical Services

120 - 12791 Clarke Place, Richmond, BC V6V 2H9 ~ TEL: (604) 279-1499 ~ FAX: (604) 279-1599 ~ Email richmond@caro.ca

Alternatively, Payment may be made electronically (EFT):

Bank Account #: 1092-162 Bank #: 001 Transit #: 07210 SWIFT #: BOFMCAM2

Please email EFT remittance advice to payments@caro.ca

2% per month (26.82% per annum) charged on invoices over 30 Days

STANDARD LIMITATIONS

1. The findings and conclusions documented in this report have been prepared for specific application to this project and have been developed in a manner consistent with that level of care normally exercised by environmental professionals currently practicing under similar conditions in the area.
2. The findings of this report are based solely on data collected on site during this remediation program and on the conditions of the site during the completion of the work. SIE has relied on good faith on information provided by individuals and sources noted in the report. No other warranty, expressed or implied, is made.
3. If new information is developed in future work that affects the conclusions of this report, SIE should be contacted to re-evaluate the conclusions of this report and provide amendments as required.
4. The service provided by SIE in completing this report is intended to assist the client in a business decision. The liability of the site is not transferred to SIE as a result of such services, and SIE does not make recommendation regarding the purchase, sale, or investment in the property.



STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 7, 2012

DATE: February 1, 2012 FILE No: 7-B-11DP/RAR
FROM: Rachelle Rondeau, Planner I BYLAW NO: 3510
SUBJECT: Development Permit Application 7-B-11DP/RAR (Don Mann Excavating)

Recommendation/Action:

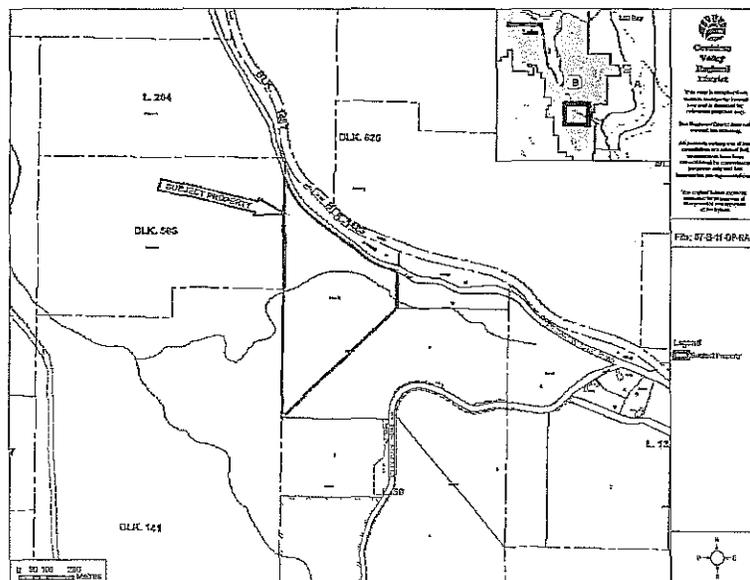
That Application No. 7-B-11DP/RAR, submitted by Jordan Mann on behalf of Don Mann Excavating Ltd. for deposit of fill and restoration of land within the riparian area described in RAR Report No. 2147 on Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409 (PID 027-514-382), be approved subject to:

- a) Compliance with RAR Assessment Report No. 2147 prepared by Wm. Patrick Lucey R.P.Bio and the restoration letter prepared by Aqua-Tex Scientific Consulting dated September 21, 2011;
b) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the restoration described by the Qualified Environmental Professional.
c) That covenant FB174939 be amended to reflect the new Riparian Areas Regulation report and Streamside Protection and Enhancement Areas.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Location Map:



Background:

To consider a Development Permit application to permit restoration of a recently filled area within the Riparian Areas Regulation (RAR) assessment area (30 metres from a stream).

Location of Subject Property: Shawnigan Lake Road, west of Stebbings Road

Legal Description: Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409

Date Application and Complete Documentation Received: October 5, 2011, Revised RAR report January 2012

Owner: Don Mann Excavating Ltd.

Applicant: Jordan Mann

Size of Parcels: 17.8 ha (44 acres)

Existing Zoning: F-1 (Primary Forestry)

Minimum Lot Size Under Existing Zoning: 80 ha

Existing Plan Designation: Rural Resource

Existing Use of Property: Vacant

Existing Use of Surrounding Properties:

North:	Shawnigan Lake Road
South:	Gravel Pit (Zoned F-1)
East:	Gravel Pit (Zoned F-1)
West:	Forestry

Services:

<u>Road Access:</u>	Shawnigan Lake Road
<u>Water:</u>	N/a (no structures)
<u>Sewage Disposal:</u>	N/a (no structures)

Agricultural Land Reserve Status: Property is not within the ALR

Environmentally Sensitive Areas: There is a stream (Van Horne Creek) and tributaries on the property, therefore a Riparian Areas Regulation Assessment was conducted. Van Horne Creek is a tributary to Shawnigan Creek, which is a fish bearing stream.

Archaeological Site: CVRD has no record of archaeological sites on the subject property.

The Proposal:

Two piles of fill approximately 226 and 1569 cubic yards respectively were deposited on the subject property in the early fall of 2010, which extended into the Riparian Area Regulation assessment area of Van Horne Creek. The Bylaw Enforcement Officer advised the owners that a Development Permit is required pursuant to the Riparian Area Regulation and the associated guidelines of the South Cowichan Rural Development Permit Area (DPA).

The application proposes to legalize the fill that was deposited and to allow restoration of portions of the Streamside Protection and Enhancement Area (SPEA) where fill has been deposited.

Property Context:

The subject property is a 17.8 ha (44 acre) parcel of land zoned F-1. Its parent parcel was subdivided in 2008 by Island Timberlands to create seven \pm 20 ha lots. At the time, an RAR Development Permit was required as part of the subdivision process. The RAR report that was conducted was based on the simple assessment methodology which identified 30 m SPEAs for all streams on the property, and a requirement of the Development Permit was registration of a covenant to protect these SPEAs. A condition of the covenant is that the SPEA is protected and preserved in its natural or existing state, and that no development (including deposit of fill, removal of vegetation, or introduction of deleterious substances) is permitted in the SPEA.

The RAR report submitted with the current Development Permit application indicates that the area where fill has been deposited was previously logged with a thin buffer of trees left along Van Horne Creek (Stream Reach 2), and the southern boundary of the stream having a moderate to well-treed slope.

The site has recently been used for storage of fill and woody debris which was being chipped for composting. A site visit indicated that the subject fill piles have settled, and that one has been covered with straw to reduce erosion of the pile, and a silt fence has been constructed at the base of the pile. The other file pile does not extend into the SPEA, and was meant as a temporary pile of material to be used in road construction on the property. No other restoration has occurred to date.

Policy Context:**Zoning**

The subject property is zoned F-1 (Primary Forestry), which permits "*management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations*" as well as other uses. Please see the attached excerpt from Zoning Bylaw No. 985 for a complete list of permitted uses.

Official Community Plan

The South Cowichan Official Community Plan, Bylaw No. 3510, supports protection of the natural environment. The following objectives are derived from the Natural Environment Objectives section of the OCP.

- A. *To conserve, manage and protect water supplies for human use and natural ecosystems;*
- C. *To protect environmentally significant and sensitive areas, including terrestrial, freshwater and marine ecosystems, wildlife habitat, and species and ecosystems at risk;*
- D. *To ensure long-term protection of clean air, water, and land.*

Further to these objectives, CVRD Bylaw No. 3510 establishes guidelines for the protection of the natural environment through the Riparian Area Regulation guidelines of the South Cowichan Rural Development Permit Area (DPA). Development permit applications are to be reviewed for compliance with the guidelines. In the case of the RAR DP, the principal requirement is creation of an RAR report by a Qualified Environmental Professional, who submits the report to the Ministry of Forests, Lands and Natural Resource Operations.

Development Permit Guidelines:

Approximately 226 and 1569 cubic yards of fill were deposited along the easternmost segment of Stream Reach 2 and one of which is approximately 80 metres long by 4 metres wide and intrudes 2-4 metres inside the SPEA. The RAR report indicates that the fill pile is stable and the face is sloped at 50%. The location of the fill is in area that had been logged by a previous owner. The other fill pile does not extend into the SPEA.

There are four riparian areas on the subject property:

- Tributary A (10 m SPEA), stream which extends from Shawnigan Lake Road south to Van Horne Creek;
- Stream Reach 1 (15 m SPEA), which is the portion of Van Horne Creek running north south;
- Stream Reach 2 (segment 1 has a 15 m SPEA and segment 2 has a 30 m SPEA), which is the portion of Van Horne Creek running east west, which due to its form was treated as a wetland for the purposes of the RAR; and
- Tributary B (10 m SPEA), which is located on the south-east edge of the property.

Stream reach 2 is the portion of Van Horne Creek that runs east/west and is treated as a wetland in the RAR report because it is braided over its floodplain. The QEP indicates that the wetland comprises a mix of dense shrub understorey with numerous mature alder, some moderate aged cedar, and maple trees. North of the wetland, between the wetland and Shawnigan Lake Road, is treed with a mix of deciduous trees and mature conifers. The QEP indicated that there is currently no erosion or sediment-laden runoff reaching Van Horne Creek, and that there is a good vegetative buffer between the fill pile and the stream channel. This was confirmed by a site visit.

Typically RAR assessment reports assess riparian areas and recommend measures to keep the riparian area intact during and after development. For this property, a simple assessment was conducted for the subdivision when no construction or land alterations were proposed, and a detailed assessment has now been conducted as a result of the works (soil deposit) within the riparian assessment area.

As a result of the detailed assessment, smaller SPEAs were established based on the RAR methodology. However, the existing covenant protects what at that time was the SPEA (30 metres). The QEP advises that the soil deposit from one of the piles extends 2-4 metres into the 15 m SPEA, and that it would be more damaging to remove this soil rather than leaving it and restoring the area. The other fill pile does not extend into the SPEA.

Specific measures recommended by the QEP in his report of September 21, 2011 for restoration are noted below:

- The entire fill area should be re-seeded within a 'Fall Rye', as well as an erosion control seed mix (e.g., Saanich #2). The slope should be covered with a mulch mix, such as hay or straw;
- The toe-of-slope should be planted with a native shrub or conifer species mix such as cedar, Douglas-Fir, salal, salmonberry, Oregon grape or alder to provide additional soil stability;
- The existing silt fence should be repaired where necessary;
- Fill material and slope stability should be monitored to ensure the slope remains stable, and that there is no erosion of soil material into the riparian areas.

For the purposes of Section 24.4.10A – Riparian Protection Guidelines of the OCP, no new development is proposed in terms of buildings, structures, roads or trails, therefore emphasis of this development permit application is on submission of the required Riparian Areas Regulation assessment and restoration of the disturbed areas (Guidelines 1 and 3 of Section 24.4.10A).

Advisory Planning Commission Comments:

Development Permit applications pursuant to only the guidelines of the Riparian Areas Regulation are delegated to staff to issue therefore this application was not referred to the Advisory Planning Commission (APC). However, because it affects a breach of covenant, the application has been referred to the Electoral Area Services Committee.

Development Services Division Comments:

The deposit of fill within the riparian assessment area is in contravention of the covenant registered to the property. However, a detailed assessment has been conducted which established smaller SPEAs. One of the filled areas extends into the now 15 metre SPEA, and the QEP has recommended measures to restore the area. Although new SPEAs have been established for the streams on the property, no further development is permitted within 30 metres of the streams as a condition of the covenant. Section 6.0 of the covenant – Enforcement – requires that a breach of the covenant be remedied within a certain time-frame. The applicants have engaged the services of the QEP to identify the SPEAs for all streams on the property, and have agreed to restore the filled area as recommended by the QEP.

Options:

1. That application 7-B-11DP/RAR, submitted by Jordan Mann on behalf of Don Mann Excavating Ltd. for deposit of fill and restoration of land within the riparian area described in RAR Report No. 2147 on Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409 (PID 027-514-382), be approved subject to:
 - a) Compliance with RAR Assessment Report No. 2147 prepared by Wm. Patrick Lucey R.P.Bio and the letter prepared by Aqua-Tex Scientific Consulting dated September 21, 2011;
 - b) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the restoration described by the Qualified Environmental Professional.
 - c) That covenant FB174939 be amended to reflect the new Riparian Areas Regulation report and Streamside Protection and Enhancement Areas.

2. That application No. 7-B-11DP/RAR submitted by Jordan Mann on behalf of Don Mann Excavating Ltd. for deposit of fill and restoration of land within the riparian area described in RAR Report No. 2147 on Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409 (PID: 027-514-382), be denied, and the applicant be required to remove the fill and restore the area.

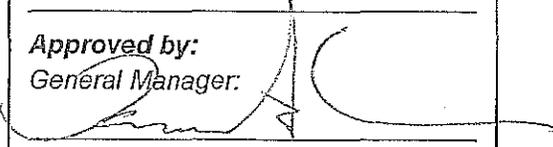
Option 1 is recommended.

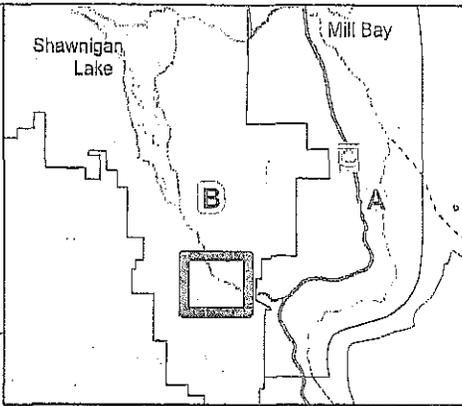
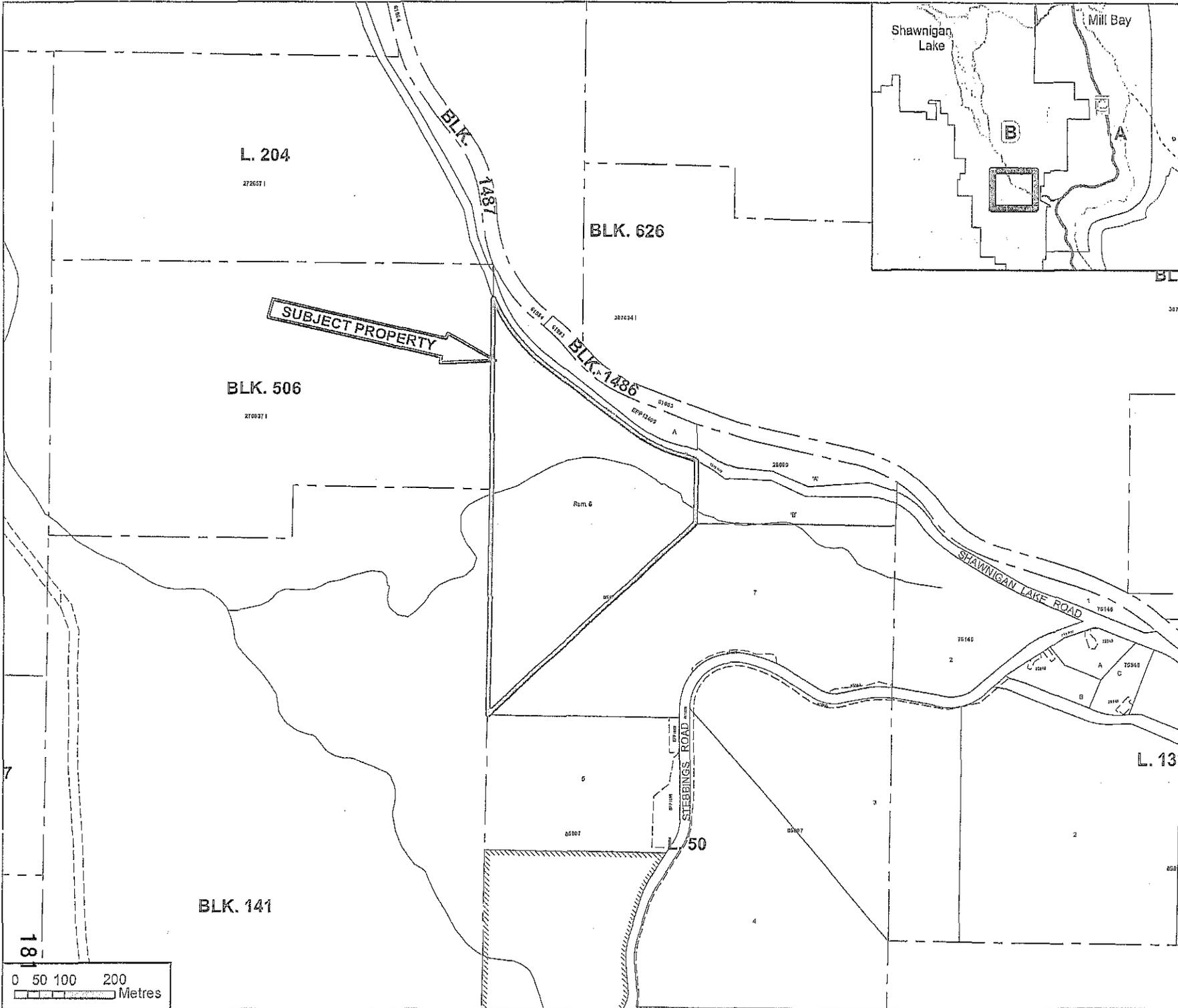
Submitted by,



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

RR/ca

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



**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.

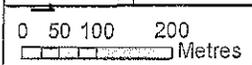
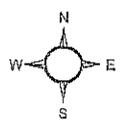
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

File: 07-B-11-DP-RAR

Legend

 Subject Property



181



**Cowichan
Valley
Regional
District**

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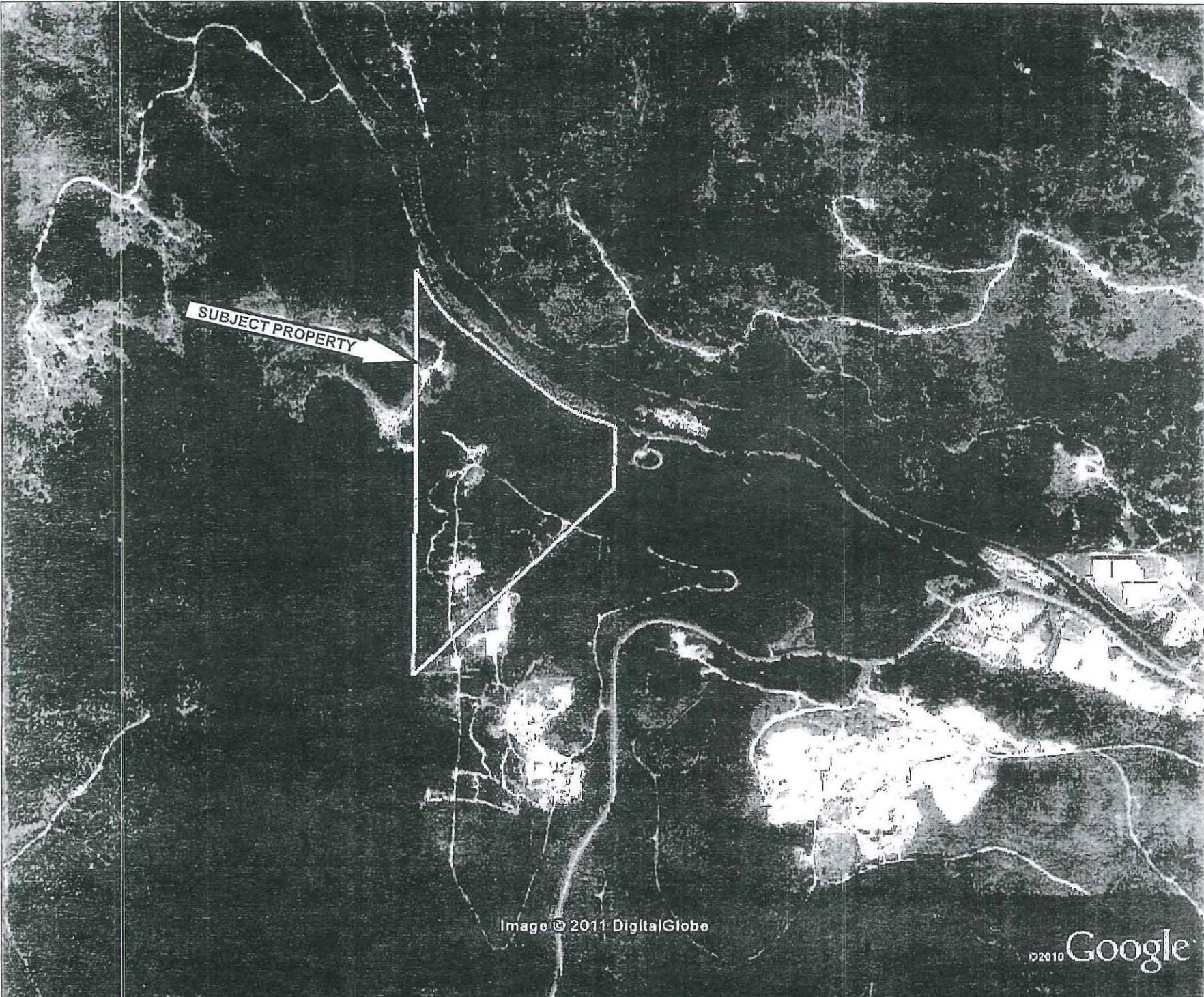
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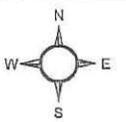
Google Earth
Photo (2010)



SUBJECT PROPERTY

Image © 2011 DigitalGlobe

©2010 Google



Imagery Date: 7/26/2010 2004

48°33'57 40" N 123°36'04 20" W elev 987 ft

Eye alt 7824 ft



**Covichan
Valley
Regional
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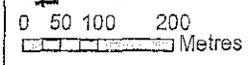
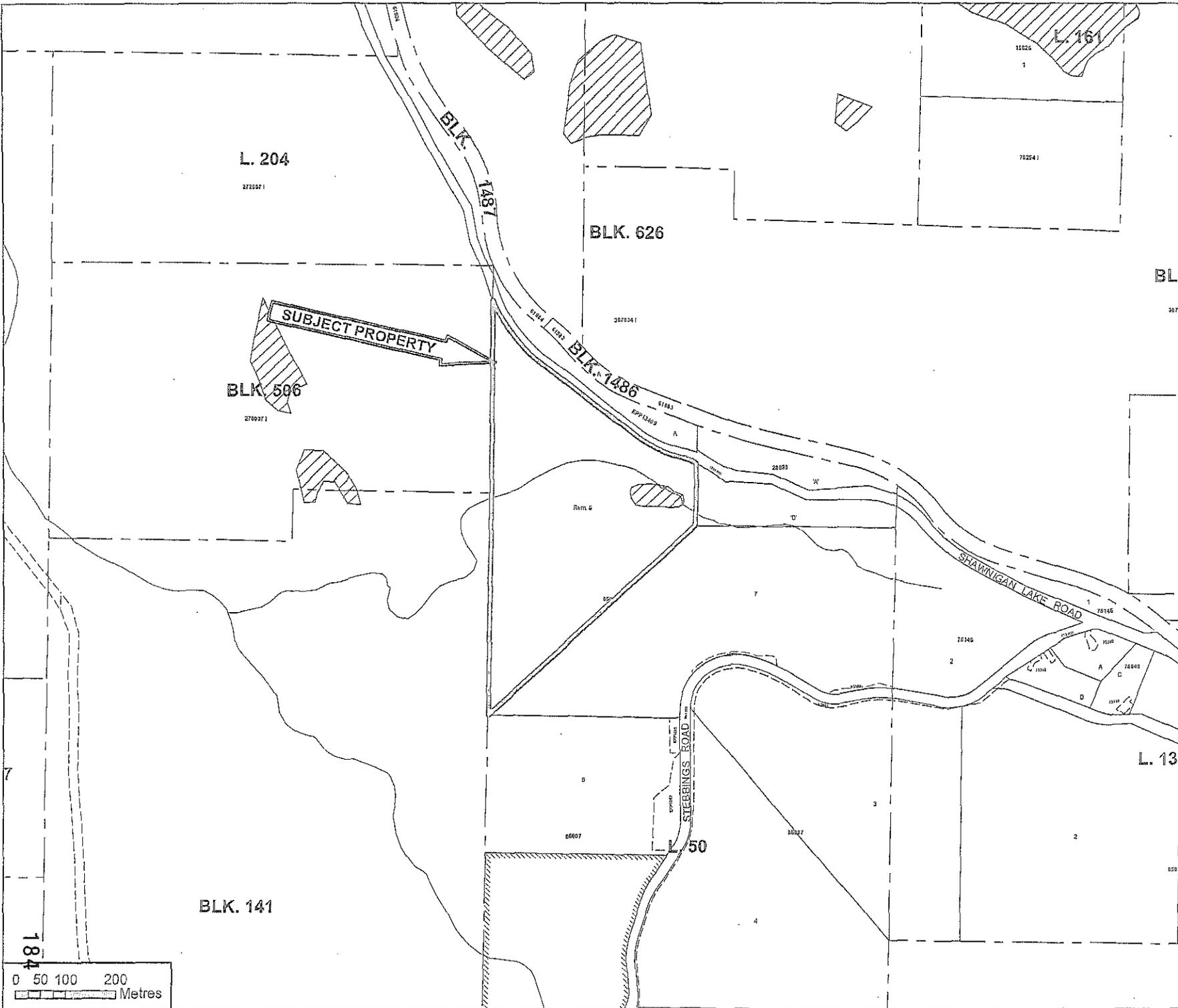
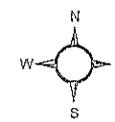
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File: 07-B-11-DP-RAR

Sensitive Ecosystem Inventory

Legend

-  Subject Property
-  SEI 2004



184



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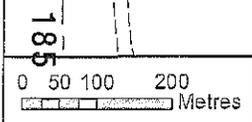
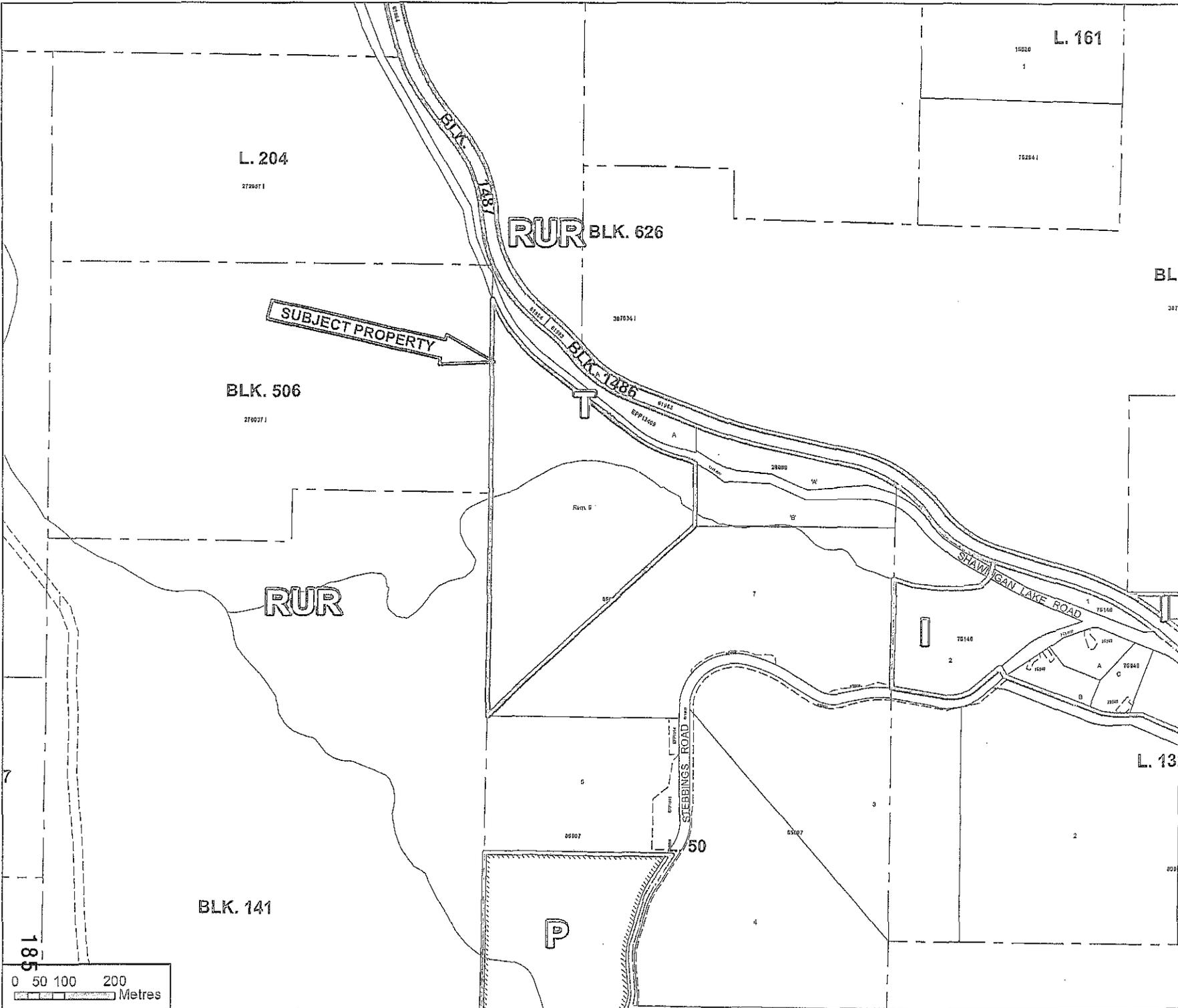
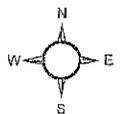
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 07-B-11-DP-RAR

OCP

Legend

- Subject Property
- OCP Electoral Areas ABC





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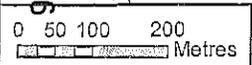
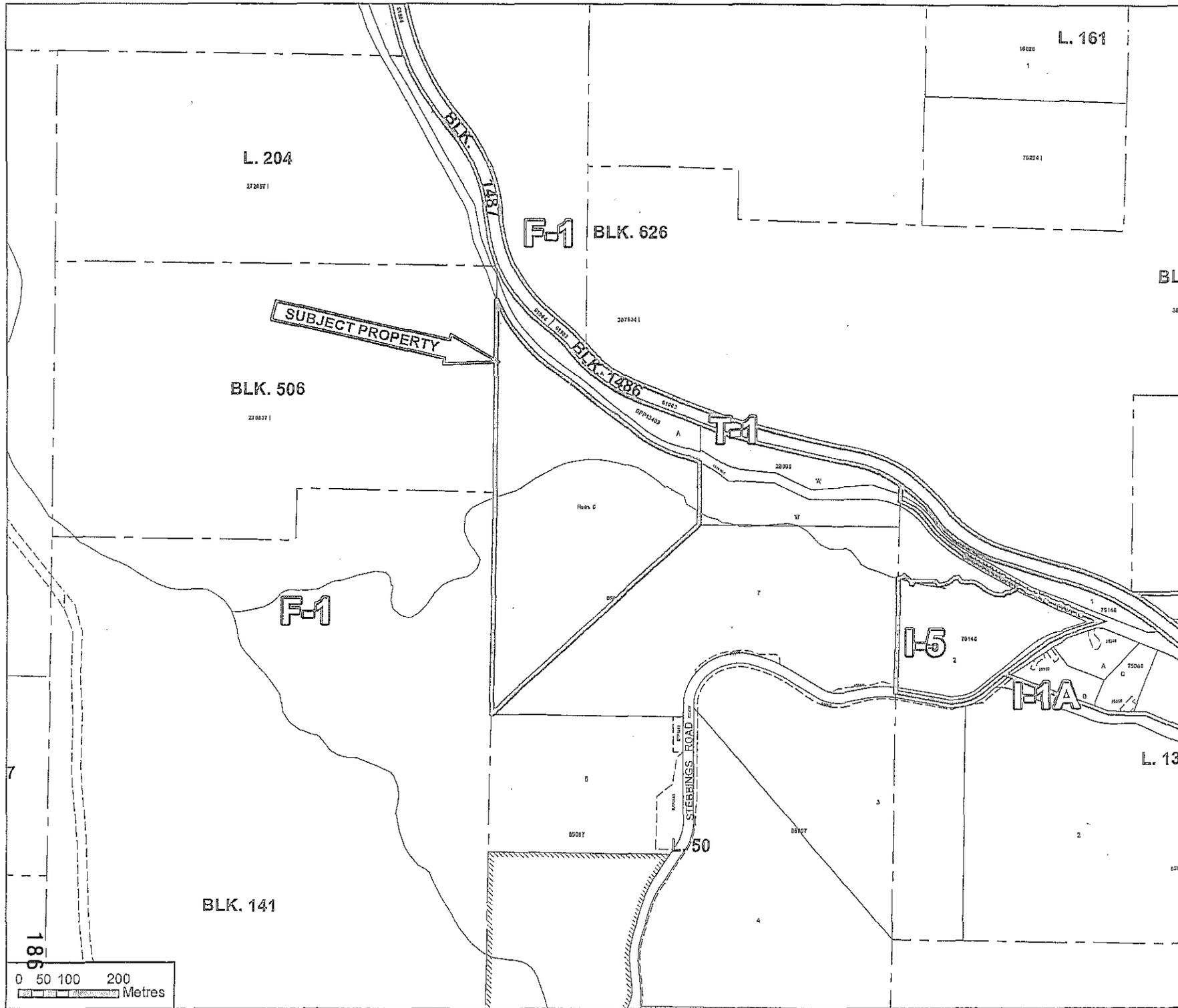
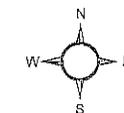
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 07-B-11-DP-RAR

ZONING

Legend

- Subject Property
- Zoning Electoral Area B



7.4 F-1 ZONE – PRIMARY FORESTRY

(a) Permitted Uses

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

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) extraction crushing milling concentration for shipment of mineral resources or aggregate materials excluding all manufacturing;
- (3) single family residential dwelling or mobile home;
- (4) agriculture silviculture horticulture;
- (5) home occupation – domestic industry;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite on parcels that are less than 10.0 hectares in area;
- (8) secondary suite or a second single family dwelling on parcels that are 10.0 hectares or more in area.

(b) Conditions of Use

For any parcel in an F-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

- Although there is a minor intrusion of the fill material into the riparian management zone, the original forest floor had been fully disturbed by recent logging (Figure 3). The stability of the fill slope, together with the absence of any sediment beyond the existing toe-of-slope suggests that there is minimal likelihood of sediment loading into the riparian management zone.
- Removing the fill material at this juncture would likely increase disturbance and increase the risk of sediment loading into the riparian management zone. It should be noted, however, that we have observed the fill material only during the spring through autumn period. Thus, although we did not observe the site during the winter of 2010/2011, there was no evidence of any sediment movement beyond the silt fence at the toe-of-slope, indicating slope surface stability.
- The only segment of the slope that intrudes into the riparian management zone (SPEA) is along the eastern edge (Figure 4). There is no fisheries regulatory concern along the northern edge of the fill material given the considerable distance between the toe-of-slope and stream channel (>30 metres). The area between the toe-of-slope and stream channel is densely vegetated and has a shallow slope.
- The entire fill area should be re-seeded with a 'Fall Rye', as well as an erosion control seed mix (e.g., Saanich #2). The slope should be covered with a mulch mix, such as hay or straw (Figure 6).
- The toe-of-slope should be planted with a native shrub or conifer species mix, such as cedar, Douglas-fir, salal, salmonberry, Oregon grape, or alder, to provide additional soil stability.
- The existing silt fence should be repaired, where necessary, as it has performed well to this juncture in retaining minor quantities of sediment at the toe-of-slope.
- The vegetation within the riparian management zone is stable and consists largely of shrubs, low ground cover, and an edge of larger conifers.
- The fill material should be checked over the winter period to confirm that there has been no loss of slope stability or erosion of soil material into the riparian management zone; this may only be done after major storm events, where there has been in excess of 20 mm of rain in a 24 hour period.
- The fill slope should be photographed at the toe-of-slope to confirm that there has been no erosion of soil into the riparian management zone.
- Should further slope stability be required a single row of angular rock should be installed at the toe-of-slope (Figure 3 and 4); this rock should be in the 0.5 to 1.0 metre size range. The rock should be placed in a shallow trench such that 25 to 50% of the rock is buried, to prevent it moving down-slope. This work should only be required if there is evidence, over the winter, that there has been some slope instability and there is the possibility of sediment movement into the riparian management zone.
- It is recommended that the existing bridge be re-located (Figure 1), together with the access road, to contain both on the property. A Section 9 Notification has been authorized by Brian Epps, Water Planner, Ministry of Forest, Lands & Natural



R5

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF JANUARY 15, 2013

DATE: January 9, 2013

FILE NO: 2-A-12RS

FROM: Rachele Rondeau, MCIP, Planner I

BYLAW NO: 2000, 985

SUBJECT: Application No. 2-A-12RS
(Parshel Holdings Ltd.)

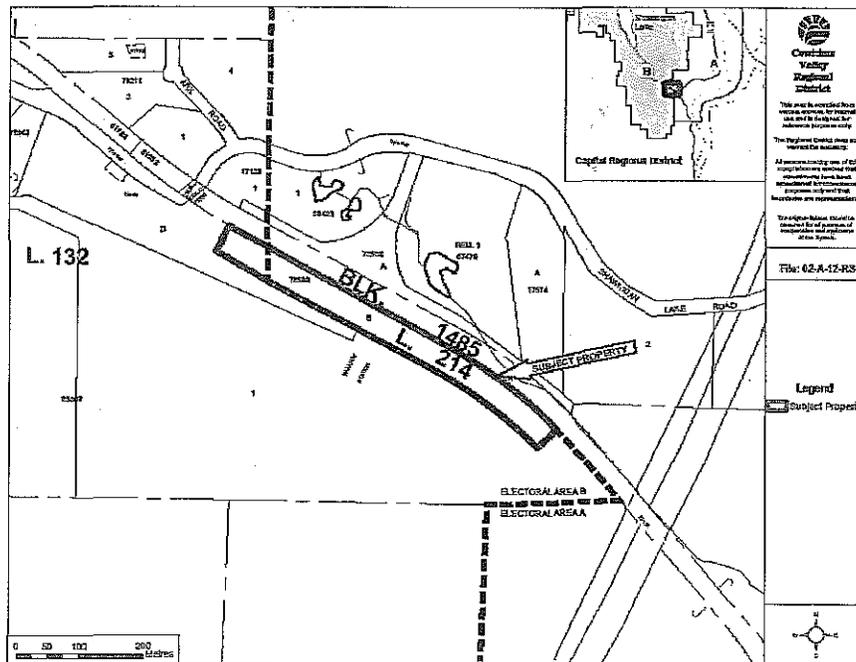
Recommendation/Action:

- a) That Official Community Plan and Zoning Amendment Bylaws for Application No. 2-A-12 RS (Parshel Holdings Ltd.) be drafted and forwarded to the Board for consideration of first and second reading;
- b) That the application referrals to the Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Malahat Volunteer Fire Department, and Malahat First Nation be accepted;
- c) That a public hearing be scheduled with Directors Fraser, Walker and Dorey appointed as delegates of the Board.

Relation to the Corporate Strategic Plan: N/A

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

Background:



Location: 692 Shawnigan Lake Road

Legal Description: Lot B, District Lot 214, Malahat District, Plan VIP78588 (PID: 026-253-216)

Date Application and Complete Documentation Received: Application submitted April 12, 2012

Owner: Parshel Holdings Ltd.

Applicant: Kevin Parker

Size of Parcel: 2.78 ha (6.9 acres)

Contaminated Site Profile Received: Declaration signed

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: Railway (T-1) and Residential (R-1)
 South: I-1A (Light Industrial) and F-1 (Primary Forestry)
 East: F-1 (Primary Forestry)
 West: I-1A (Light Industrial)

Agricultural Land Reserve Status: Outside

Environmentally Sensitive Areas: There is a TRIM stream with possible fish presence at the east side of the property

Archaeological Site: None have been identified

Existing Plan Designation: Electoral Area A: Rural Resource
 Electoral Area B: Industrial

Proposed Plan Designation: Industrial

Existing Zoning: Electoral Area A: F-1 (Primary Forestry)
 Electoral Area B: F-1 (Primary Forestry)

Proposed Zoning: Industrial

Minimum Lot Size: 80 ha

Proposed minimum lot size: 0.8 ha for parcels not served by community water or sewer

Services:

Road Access: Currently from Shawnigan Lake Road, by easement over an adjacent parcel

Water: Well

Sewage Disposal: Septic system

Proposal:

An application has been made to re-designate and rezone the subject property from F-1 (Primary Forestry) to an Industrial zone in order to allow expansion of the industrial uses on the property.

Property Context

The subject property is a 2.78 ha (6.9 acres) property located east of the South Shawnigan industrial area off Shawnigan Lake Road. The property is approximately 45 metres deep by 600 metres long, running parallel to the railway. The majority of the property is located within Electoral Area A – Mill Bay/Malahat, however, a portion is within Electoral Area B – Shawnigan Lake. The property is currently used as a residence and an office for the applicant's business, Draycor Construction. The F-1 zone permits a variety of uses, including home occupation. As the business has grown beyond what would now be considered a home occupation, the owner has applied to rezone the property to permit the construction office and other industrial uses.

Directly across the railway and also to the east are residential parcels approximately 2-3 hectares in size. Adjacent to the property on the west side is land zoned I-1A (Light Industrial) in Electoral Area B, which is the Malahat Center Business Park.

Land to the south of the property is zoned F-1 (Primary Forestry), and is used for aggregate extraction and forestry.

Parking and Access

Access is currently provided via an easement over an adjacent property from Shawnigan Lake Road, and it has been proposed that the access be relocated through the Malahat business centre located at 700 Shawnigan Lake Road. The traffic and access report prepared by Boulevard Transportation Group recommends the closure and relocation of the access as proposed by the applicants. The Ministry of Transportation and Infrastructure (BC MoT) is in favour of decommissioning the current access, and does not object to the proposed rezoning for industrial use of the property. Registration of an easement is required to ensure the access is provided as recommended.

Prior to any new commercial or industrial construction, an access permit is required, and parking will need to be provided in accordance with the Cowichan Valley Regional District Parking Standards Bylaw.

Servicing

The property is serviced by a well and septic system.

Policy Context

The subject property straddles the Electoral Area boundary between Electoral Area A and B, and is therefore subject to two zoning bylaws. The property is zoned Primary Forestry (F-1), and designated both Rural Resource (Electoral Area A) and Industrial (Electoral Area B) in the South Cowichan Official Community Plan Bylaw No. 3510 (OCP). The different OCP designations coincide with the boundaries between Electoral Areas.

Official Community Plan

Lands considered suitable for forest management and other natural resource uses are designated Rural Resource within the South Cowichan Official Community Plan. This designation focuses on preserving land for forestry and resource management activities while also permitting residential and accessory uses.

Lands designated Industrial within the OCP include properties to the west of the subject property along South Shawnigan Lake Road. The plan recognizes existing industrially designated areas as providing important economic opportunities and employment within the region.

Within the OCP, further expansion of industrial lands has focused on the development of the Bamberton Business Park and adjacent lands near the former Bamberton Haul Road, and the Trans-Canada Highway. However, there is limited policy direction regarding expansion of industrial areas within the rural areas of the region, including the South Shawnigan area.

Zoning

The zoning of the property within both Electoral Areas is F-1 (Primary Forestry). For reference, please see attached zoning excerpts.

The applicant had initially proposed to rezone the property to a modified I-2 (General Industrial) zone, which would include all the permitted uses of the Electoral Area 'A' I-2 zone, excluding clothing cleaning, dry land log sorting, kennels, and animal hospitals.

The draft South Cowichan Zoning Bylaw proposes to zone the portion of the parcel designated Industrial (within Electoral Area B) as I-1 (Light Industrial), which allows a range of industrial uses. This is consistent with the Official Community Plan designation for that portion of the property. The remainder of the parcel will be zoned Rural Resource 1 (RUR-1), which is consistent with the Rural Resource designation on the portion of the parcel within Electoral Area 'A'.

Development Permit Area

The property is within the South Cowichan Rural Development Permit Area (DPA). This DPA specifies guidelines regarding the appearance of buildings, landscaping, rainwater management, signage, and green building features as well as guidelines for environmental protection.

If the property is rezoned to allow industrial uses, any future construction would require a Development Permit.

Shawnigan Lake Watershed

The Shawnigan Lake Watershed boundary is located directly to the west of this property, and Policy 5.7 of the Shawnigan Lake Watershed Management policy section of the OCP states that the rezoning of additional lands within the watershed to industrial areas will not be supported within the Shawnigan Lake Watershed.

This portion of the Shawnigan Lake watershed boundary was determined through Provincial agencies using TRIM¹ data. The exact location of the Shawnigan Lake watershed boundary relative to this lot is approximate, however it is safe to assume that it is nearby.

The Joint Advisory Planning Commission (see comments below) noted in their recommendation that all drainage from this property should be directed away from the Shawnigan Watershed. This is supported by OCP policies and DPA guidelines which favour on site rainwater management methods and natural solutions to drainage such as rain gardens and bio-swales.

¹TRIM (Terrain Resource Information Management) refers to a data set and series of maps produced by the Province. The mapping includes 20 metre contour intervals and identification of streams.

The applicants have supplied a report prepared by Westbrook Consulting (Engineering firm) evaluating the drainage for the property. Their assessment concluded that approximately 4% of the land drains towards Shawnigan Lake, the remainder of which drains towards the Malahat. The report also indicates that if required, the water draining to Shawnigan Lake could be diverted to the Malahat.

There is a TRIM stream with possible fish presence at the east side of the property. If any new development is proposed within 30 metres of the stream, a Riparian Areas Regulation Assessment will be required.

Agency and Advisory Planning Commission (APC) Comments

Agency Referrals

This proposed amendment has been referred to the following external agencies for comment:

- Malahat Volunteer Fire Department – *Agreement with the fire-related concerns provided by the CVRD Public Safety Department.*
- Vancouver Island Health Authority – *Approval recommended subject to issuance of a permit from VIHA for the drinking water system, and installation of a sewerage system in accordance with B.C Reg. 326/2004.*
- Ministry of Transportation and Infrastructure – *BC MOT has no objection to the proposal provided access is provided in accordance with the report by Boulevard Transportation Group.*
- Malahat First Nation – *No response received.*
- CVRD Parks, Recreation and Culture Department – *Interests unaffected*
- CVRD Engineering and Environmental Services Department – *Interests unaffected, not in a CVRD water or sewer service area.*
- CVRD Public Safety Department – *The Community Wildfire Protection Plan has identified this area as a high risk for wildfire that requires the completion of a professional Wildland Urban Interface Assessment; Commercial buildings must have an approved sprinkler system to reduce risk of wildfire; and all private roadways and driveways must be designed to support and allow access to the largest emergency vehicle likely to be operated on the driveway including fire trucks and other emergency vehicles.*

Advisory Planning Commission

The Joint APC reviewed this application at their October 4, 2012 meeting, and made the following recommendation:

The Joint APC recommends approval of the rezoning application subject to a requirement to alter the topography of the subject property so that all water drains away from the Shawnigan Watershed. The commission also recommends that there be a requirement to screen/landscape the property facing the Shawnigan Lake Road portion.

The property does not have frontage along Shawnigan Lake road, therefore no screening is proposed. By decommissioning the current access easement, there is a possibility that the landowners could establish some landscaping within this portion of the property, or allow it to re-vegetate naturally.

Fire Safety

As noted above, the CVRD Public Safety Department has identified the property to be within an area with a high risk for wildfire. In order to address public safety and the fire department's concern regarding fire protection and fire suppression, the applicant has agreed to register a covenant on the property stipulating prior to issuance of a development permit or building

permit, they will hire a professional to review the proposed development and determine appropriate measures to mitigate the fire risk. The professional would look at the proposed use and size of the building, construction materials, site design and vegetation and provide recommendations regarding fire protection including sprinklers, storage of water for fire-fighting, and access for emergency vehicles. There are wildfire interface guidelines within the South Cowichan Rural Development Permit Area that address construction of dwellings, however considering the proposed industrial use(s) and that the land is within a high wildfire risk area, additional precautions and expertise is beneficial.

Planning Division Comments

The South Shawnigan Industrial area has expanded over time, with the first industrial lot dating back to 1981 when the Regional Board permitted the rezoning of land owned by Pacific Logging Company Ltd from A-2 (Resource) to I-1 (Light Industrial) (current Lot D, Plan 75948, which is adjacent to the subject property). Since approximately 2001, there has been increased industrial development and expansion of the industrially zoned areas through rezoning applications within this area.

The applicant has been operating an office from the property, which began as a home-based business, and sees potential in the long-term to expand the industrial uses on the property and take advantage of the extensive railway frontage.

The applicants own a construction firm, which utilizes heavy equipment and trucks at various job sites, and have requested through this rezoning application that petroleum and diesel storage be permitted. They see an opportunity to store their own fuel on site, which will enable them to fuel their vehicles and equipment on site reducing the transportation need.

Due to the width of the lot and extensive railway frontage, the parcel has limited potential for forestry uses and residential development. The location of the property adjacent to existing industrial areas with extensive railway frontage suggests it is suitable for light industrial uses. However, directly across the railway are 2-3 hectare residential properties, so any proposed industrial uses should be considerate of nearby residents.

Although the property is in close proximity to the Shawnigan Lake watershed boundary, industrial development on this land should not negatively impact the watershed as the majority of the water does not drain to this area. Rainwater management and drainage can be managed through the development permit guidelines of the OCP.

The draft South Cowichan Zoning Bylaw has created a standard light industrial zone that would replace the current I-1A (South Shawnigan and Stebbings) and I-1C (Ark Road) Zones. The draft I-1 uses are generally consistent with the applicant's originally requested I-2 (General Industrial) zone from the Electoral Area A Zoning Bylaw.

Given the location of the property across from residential properties, and on the fringe of the industrial/ rural areas, staff have suggested limiting the proposed light industrial uses to low impact uses. This zone would include low intensity industrial uses that would be least disruptive to the residential uses across the railway, and could include some additional regulations to mitigate the potential impact of the industrial use. For the Committee's reference, a preliminary list of proposed uses that have been approved by the applicant, as well as suggested regulations, is attached for review.

If the Committee is satisfied with the proposed uses, staff will draft an amendment bylaw for consideration that would permit these uses and special regulations.

Option 1 is recommended.

Options:

1:

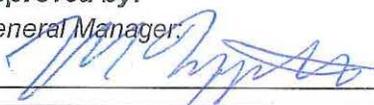
- a) That Official Community Plan and Zoning Amendment Bylaws for Application No. 2-A-12 RS (Parshel Holdings Ltd.) be drafted and forwarded to the Board for consideration of first and second reading;
- b) That the application referrals to the Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Malahat Volunteer Fire Department, and Malahat First Nation be accepted;
- c) That a public hearing be scheduled with Directors Fraser, Walker and Dorey appointed as delegates of the Board.

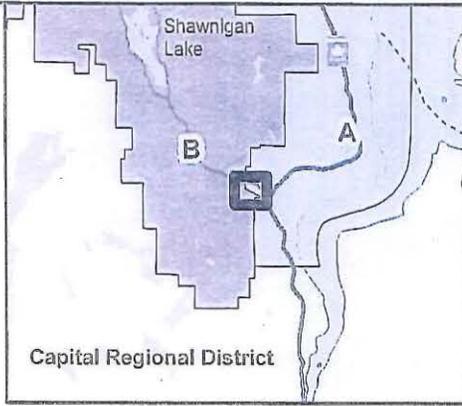
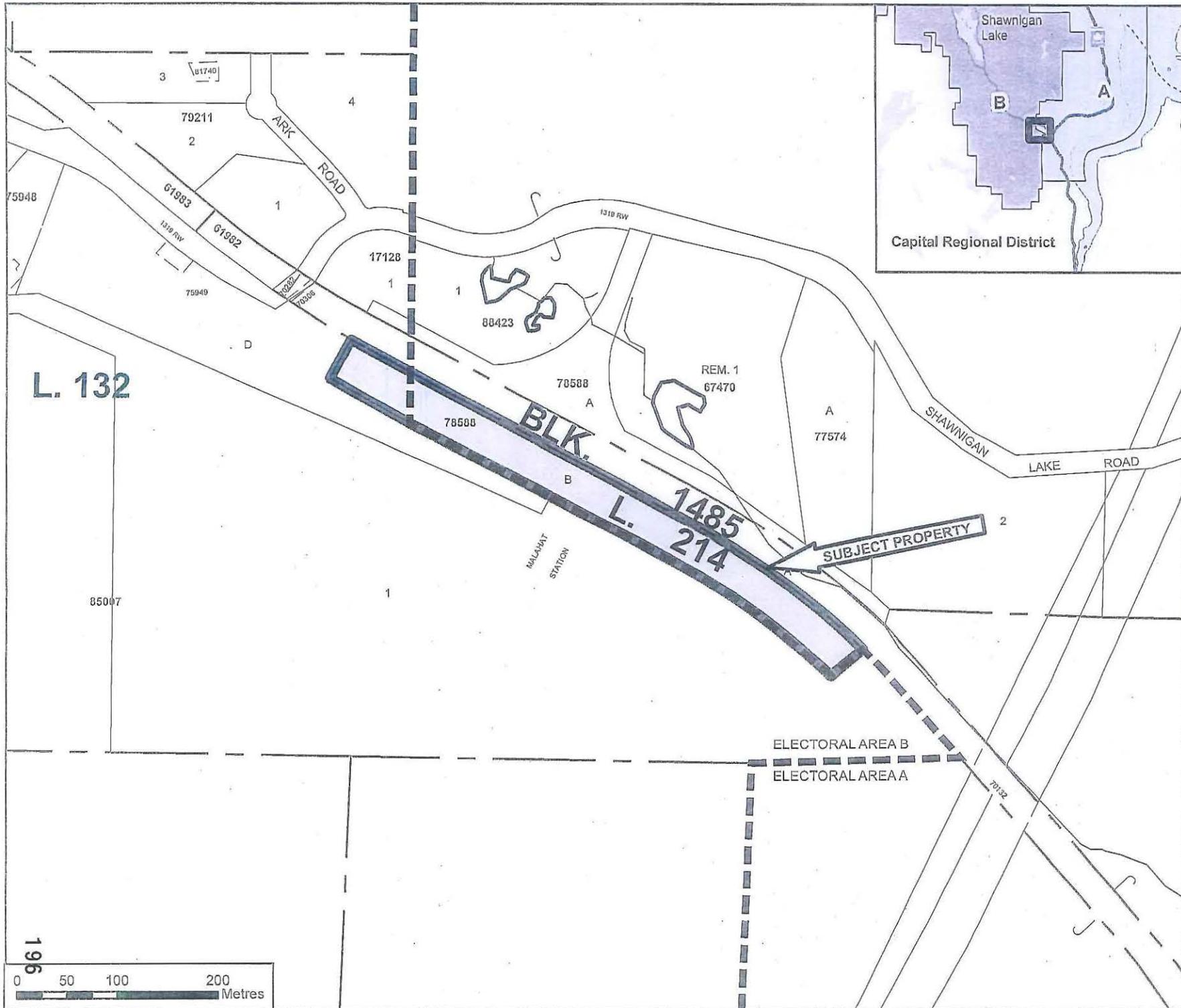
2: That Application No. 2-A-12RS (Parshel Holdings Ltd.) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Submitted by,

Rachelle Rondeau, MCIP
Planner I
Development Services Division
Planning & Development Department

RR/ca

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



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.

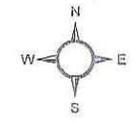
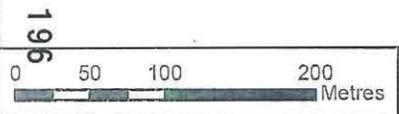
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

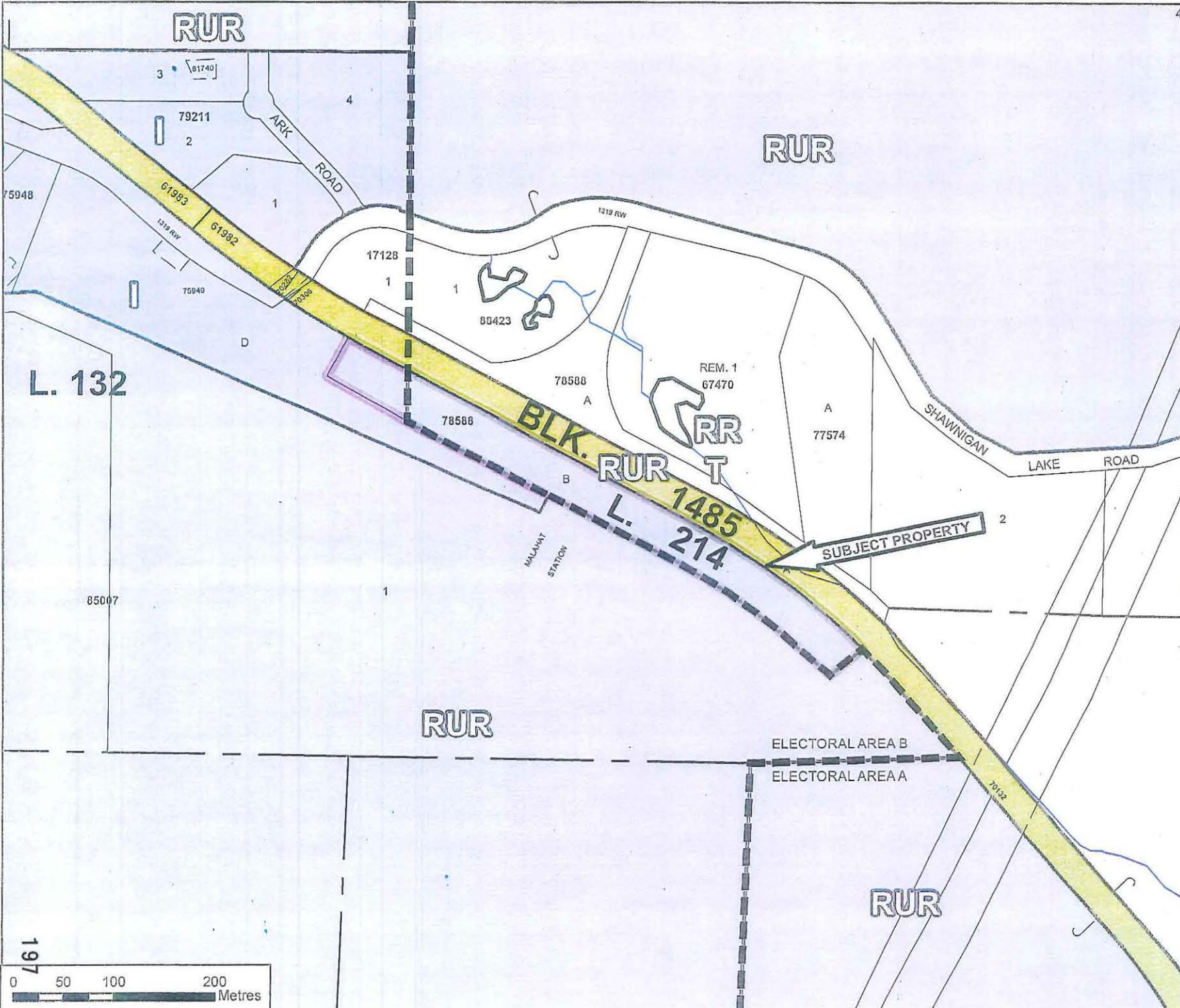
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 02-A-12-RS

Legend

 Subject Property





Cowichan Valley Regional District

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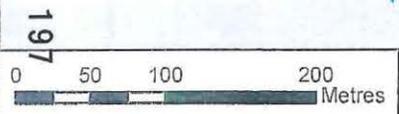
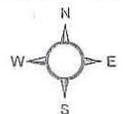
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File: 02-A-12-RS

OCP

Legend

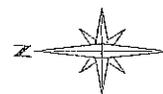
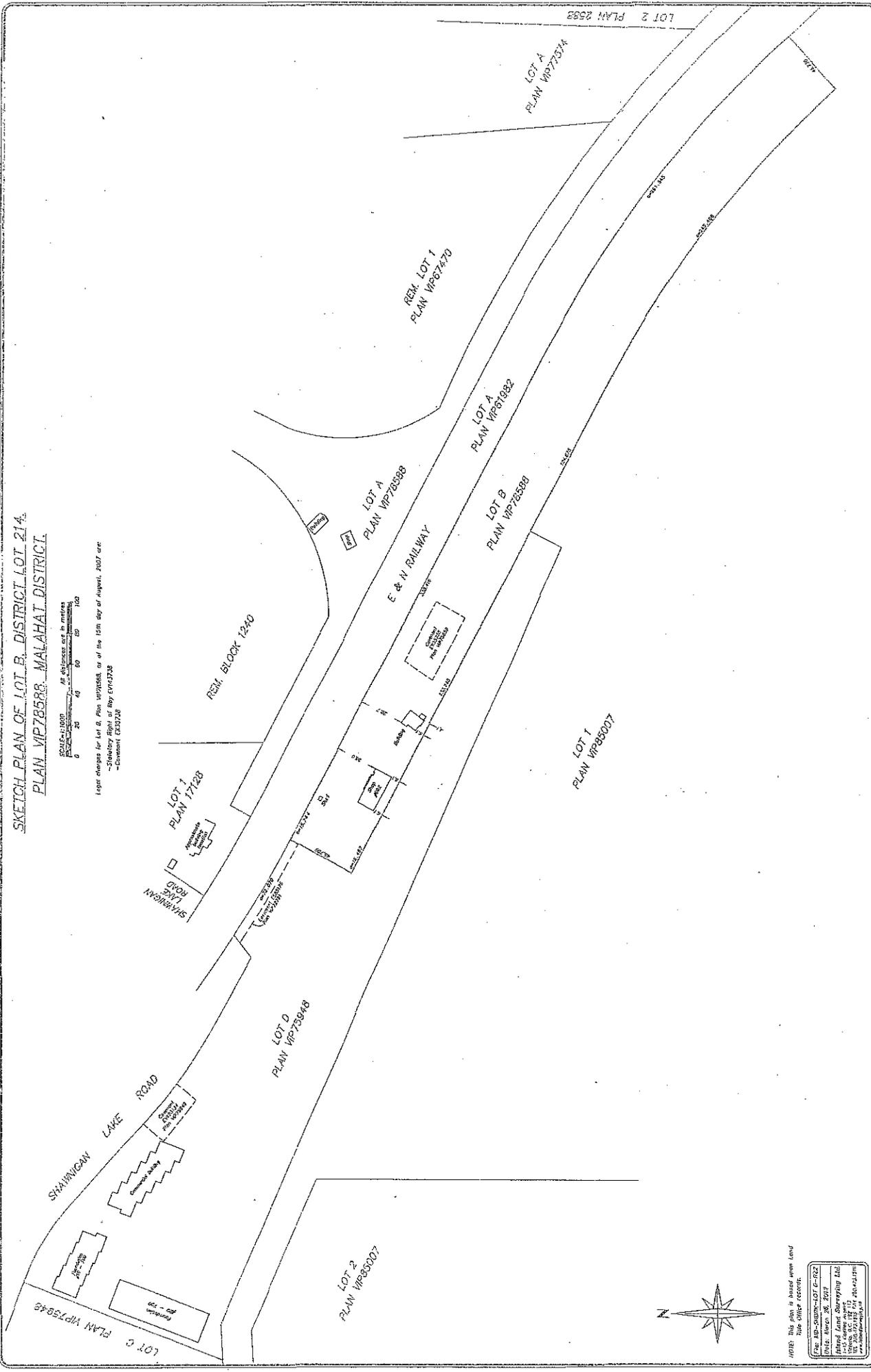
-  Subject Property
-  OCP Areas ABC



**SKETCH PLAN OF LOT B, DISTRICT LOT 214,
PLAN WP78588, MALAHAT DISTRICT.**

Scale: 1:1000
All distances are in meters

Legal charges for Lot B, Plan WP78588, as of the 15th day of August, 2007 are:
- Statutory Right of Way: EV14328
- Covenant: C33320



NOTE: This plan is based upon Land Title Office records.

Plan: WP-50000-LOT E-1122
DATE: March 26, 2011
PROJECT: Malahat District
FILE NUMBER: 1122
LOT: 214
SCALE: 1:1000
DATE: 2011
PROJECT: Malahat District
FILE NUMBER: 1122
LOT: 214
SCALE: 1:1000
DATE: 2011

Subject to compliance with the general regulations set out in Part 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1 F Zone:

1. Permitted Uses

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

- a. Auto workshop, auto service shop excluding auto wrecking;
- b. Contractor's workshop, yard and storage;
- c. Equipment rental, repair and storage;
- d. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
- e. Gardening and landscaping supplies and sales;
- f. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair treatment, distribution and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building;
- g. Laboratory;
- h. Offices;
- i. Research and development, high technology centre, education centre;
- j. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood, particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
- k. Warehouse, including mini-warehouse, freight handling and storage;
- l. Welding shop;

The following accessory uses and no others are permitted in the I-1F Zone:

- m. Retail sales;
- n. Fuel storage ;
- o. One single family dwelling per parcel of land.

2. Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the I-1F Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

3. Height

The height of all buildings and structures in the I-1F Zone shall not exceed 10 metres.

4. Setbacks

The following minimum setbacks for buildings and structures apply in the I-1F Zone:

Type of parcel line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

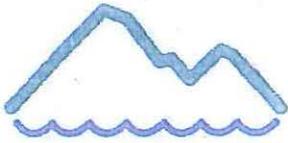
5. Minimum Parcel Size

The minimum parcel size in the I-1F Zone is:

- a. 0.2 hectares for parcels connected to a community water and sewer system;
- b. 0.4 hectares for parcels connected to a community water system only;
- c. 0.8 hectares for parcels connected to neither a community water system nor a community sewer system.

6. Special Regulation

- a. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.
- b. Machinery and equipment shall be screened from view from any street or adjoining property with landscaping and/or fencing.
- c. Outdoor storage shall be screened from view of any street or adjoining property utilizing opaque fencing and landscaping materials which are consistent with the overall site development.
- d. Outdoor storage ancillary to a permitted use shall not exceed in area the building are used by the business on the property to perform its operations.
- e. There shall be no outdoor storage of toxic, noxious, explosive, odorous or radioactive materials.
- f. Materials in outdoor storage shall be associated with the principal use located on the site, and there shall be no outdoor storage of unrelated materials.



WESTBROOK Consulting Ltd.

October 4, 2012

2678-02

Draycor Construction Ltd.
PO Box 28055
Victoria, BC
V9B 6K8

Attn: Kent Sheldrake / Kevin Parker

Re: 692 Shawnigan Lake Road – Storm Drain Catchment Areas

Dear Sir:

We write to discuss the overall drainage for the above noted property.

It is our understanding that the subject property which has a legal usage but is non conforming, and that the property will have to be rezoned in order for it to conform for the intended use.

It is also our understanding that the current use of the land has raised the question of whether the property drains to the Shawnigan Lake watershed, or towards the Malahat.

The current drainage network consists of the ditch adjacent to the E & N Railway, which drains all neighboring parcels of land. There is a breakpoint in the ditch line where the runoff is directed towards Shawnigan Lake and towards the Malahat. This breakpoint fronts the subject property.

We have conducted a topographic survey to determine where said breakpoint is located along the ditch line and on the property. We have determined that the high point along the ditch line is approximately 89m to the east, along the railway, from the inlet to the culvert which crosses Shawnigan Lake Road.

Based on the location of the property, and the above mentioned information, we are able to determine that only approximately 4% of land drains towards Shawnigan Lake; the remainder of which drains towards the Malahat (See attached Figure). Also if necessary, the 4% of the land which drains towards Shawnigan Lake could be diverted towards the Malahat.

If you require any further information please contact the undersigned.

Yours truly,

WESTBROOK CONSULTING LTD.

Kyle Stubbs, EIT, LEED AP
Project Engineer

Reviewed By



Mike Wignall, P.Eng, LEED AP
Senior Engineer

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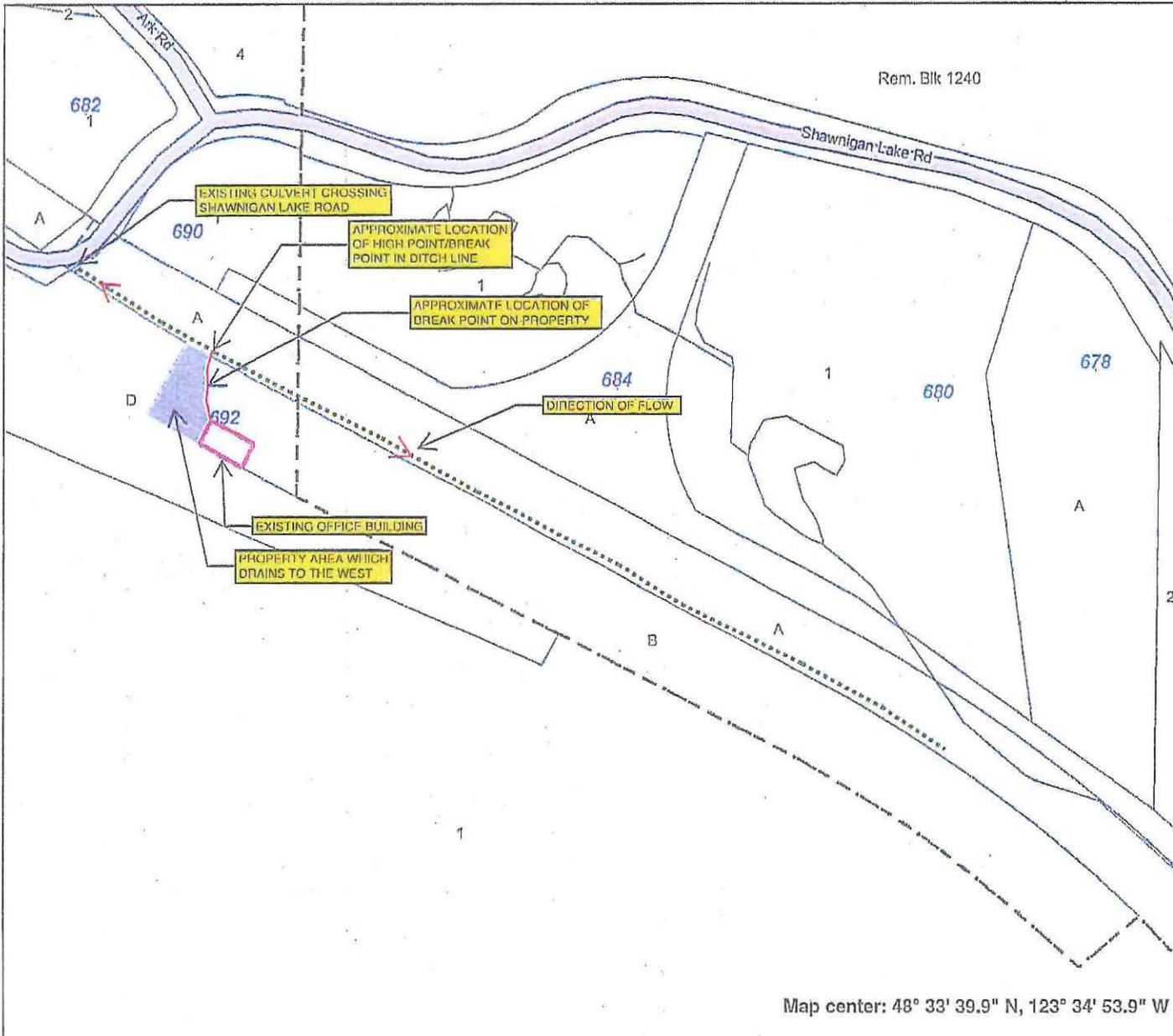


Cowichan Valley Regional District

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

Legend

- Addresses
- Points of Interest
- Roads
- Highway
- Road
- Foreshore
- PARCEL_ARC
- BDEALNS
- BDRDLNS
- RDOTHNGZ
- Parcel Arcs
- First Nations
- Parks by Community
- PARKS
- Park Boundaries



Map center: 48° 33' 39.9" N, 123° 34' 53.9" W

Date Printed: 4/10/2012 09:31:12



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



DRAFT

December 07, 2012

File No. 1446

RE: REVIEW OF SITE ACCESS FOR AN INDUSTRIAL/FORESTRY SITE ON SHAWNIGAN LAKE ROAD, SHAWNIGAN LAKE, BC

Boulevard Transportation Group Ltd. was retained by Draycor Construction Ltd. to undertake a site access review on Shawnigan Lake Road near Shawnigan Lake, BC.

The existing access to the lot at 692 Shawnigan Lake Road is located approximately 10m south of the E&N Railway line tracks on a sharp corner. This location represents a safety concern as trucks waiting to turn left into the access driveway will be sitting across the railway track while preparing to make the manoeuvre. In addition, sight distances at the access are limited due to the sharp corner which further increases safety concerns for westbound truck drivers turning left into the access and for eastbound vehicles on Shawnigan Lake Road. The existing access at 700 Shawnigan Lake Road (approximately 200m west of the access at 692 Shawnigan Lake Road) is proposed to also serve as the access for the neighbouring lot at 692 Shawnigan Lake Road due to the challenges with the existing access to the site. 692 Shawnigan Lake Road is currently zoned for forestry and is proposed to be rezoned to industrial.

The existing access driveway at 700 Shawnigan Lake Road is 10m in width. Shawnigan Lake Road is a two lane road connecting Highway 1 (to the east of the proposed development site) to Shawnigan Lake Village and Cobble Hill (to the north of the proposed development site). The speed limit on Shawnigan Lake Road in the study is 60km/h.

The combined access driveway was reviewed to ensure that sight distances to the east and west are adequate for vehicles to safely manoeuvre out of the driveway and onto Shawnigan Lake Road and for vehicles on Shawnigan Lake Road to react to vehicles entering or crossing their driving lane from the access driveway. In addition, turning movements at the intersection of Shawnigan Lake Road and the access driveway was analyzed using Synchro



software to determine if any mitigation would be required at the intersection due to the increase in traffic volumes using the access.

SIGHT DISTANCES

The British Columbia Ministry of Transportation requires a sight distance of 168m along a major road for an industrial access on a 60 km/h road. Sight distance requirements from the Transportation Association of Canada's (TAC) manual were also reviewed. TAC outlines a range of acceptable sight distances. The lower boundary sight distance is met when a vehicle travelling along the major roadway (in this case Shawnigan Lake Road) does not have to slow down beyond 70 percent of their initial speed when a vehicle enters the roadway in their lane from the minor roadway (in this case the access driveway). The lower boundary TAC sight distance requirement was calculated for a heavy truck to provide the worst case vehicle pulling out of the industrial driveway. This distance to the west was calculated to be 142m to make the right turn out of the access onto Shawnigan Lake Road eastbound. To make the left turn out of the access onto Shawnigan Lake westbound, the sight distance requirement to the east is 158m. The sight distance requirement for a passenger vehicle is 125m to the east (to turn left westbound) and 108m to the west (to turn right eastbound).

Sight Distances - Analysis

Sight distances were measured at the access on Shawnigan Lake Road on Wednesday November 28th, 2012. Measurements were taken from the edge-of-pavement on Shawnigan Lake Road and from 3.1m back from the edge-of-pavement at a height of 0.9m (as per Ministry of Transportation, sight distance measurement requirements). Measurements were taken to the west and east along Shawnigan Lake Road to the centre of the eastbound lane (west) and westbound lane (east). See **Image 1** for a photo of the existing line of sight to the west and **Image 2** for a photo of the existing line of sight to the east.



Image 1: Line of Sight to the West (From the Access Driveway Looking West on Shawnigan Lake Road)



Image 2: Line of Sight to the East (From the Access Driveway Looking East on Shawnigan Lake Road)

To the west, sight distances are currently approximately 110m (as measured from the edge-of-pavement) and 90m (as measured from 3.1m back from the edge-of-pavement). A patch of raised landscaping/rock is the major obstacle to sight distances in that direction. This patch should be removed and consideration should be made to re-grade the landscaping from the access driveway to the western edge of the lot at 700 Shawnigan Lake Road. Reducing the height of the landscaping would provide a sight distance of approximately 210m to the west (just past Stebbing Road) for the driver of a passenger vehicle. However, according to TAC, the eye height for a driver of a large truck or truck trailer (the type of trucks used to calculate TAC's sight distance requirement) is generally assumed to be 2.1m above ground level. This would further increase sight distances to the west along Shawnigan Lake Road. Sight distance requirements to the west for passenger vehicles will be met (with landscaping

removal and re-grading). See Image 3 for a photo of the recommended landscape/rock removal.



Image 3: Recommended Landscape/Rock Removal

Sight distances to the east are 180m (as measured from 3.1m back from the edge of pavement). This distance is above the Ministry of Transportation's sight requirements for an industrial site and within TAC's acceptable sight distance boundaries for heavy vehicles.

Drivers along Shawnigan Lake Road will be afforded enough time/distance to perceive and react (i.e. brake) to vehicles turning out of the proposed access. This distance (TAC's stopping sight distance requirement) is 85m on a 60km/h roadway. Stopping sight distance requirements will be met in both directions.



INTERSECTION OPERATIONS

Manual counts were carried out by Boulevard Transportation Group between the hours of 4 pm and 5 pm on Wednesday November 28th, 2012 at the intersection of Shawnigan Lake Road and the access driveway to the lot at 700 Shawnigan Lake Road.

Turning movement operations were analyzed using Synchro software to ascertain whether or not adding more traffic to the driveway access will be detrimental to intersection operations. Synchro assigns a letter grade to each lane based on vehicle delays in that lane. Letter grades (or levels of service) range from A to F with an LOS of D being acceptable to most communities.

TRIP GENERATION

The lot at 692 Shawnigan Lake Road is 2.78 hectares in size. The proposed zoning bylaw for the site restricts building development to 30 percent of the site and building sizes to 30m in height (2 stories for an industrial or commercial building). To provide a worst case scenario for traffic conditions, trips were generated assuming that the site will be developed to maximum allowed capacity. In addition, trips were generated for 700 Shawnigan Lake Road as a section of the lot is currently for lease and therefore not generating traffic during the count. Based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual (9th Edition), the following is the PM peak hour trip generation for the land use.



PM Peak Hour Trip Generation

Land Use	Units*	Trip Rate	Total Trips	Trips IN	Trips OUT
Light Industrial (692 Shawnigan Lake Road)	179.4	0.97	174	21	153
Light Industrial (700 Shawnigan Lake Road)	17	0.97	16	2	14
		Total	190	23	167

*Note: Units are 1000 square feet of floor space.

Trips were assigned to the network based on existing traffic conditions and observed driver behaviour in the area.

ANALYSIS

The additional trips were added to the surrounding road network and analyzed using Synchro software. Analysis was undertaken for both existing and post development conditions.

Existing PM Peak Hour Conditions

Currently, all movements operate at level of service (LOS) A at the intersection of Shawnigan Lake Road and the driveway access.

Post Development PM Peak Hour Conditions

The additional industrial traffic generated by the lot at 692 Shawnigan Lake Road will cause the northbound left/right movement out of the driveway access to drop to LOS B. Movements on Shawnigan Lake will continue to operate at LOS A.

CONCLUSION

Sight distances to the west at the existing driveway access on Shawnigan Lake Road (into the lot at 700 Shawnigan Lake Road) do not currently meet the Ministry of Transportation's sight distance requirements (168m) or TAC's lower boundary sight distance requirement for large trucks (142m) These sight distance requirements will be met if landscaping and rocks are



removed at the north-west edge of the lot at 700 Shawnigan Lake Road and the landscaping is re-graded from the access driveway to the western edge of the lot at 700 Shawnigan Lake Road. These mitigation measures will provide sight distances of 210m to the west; enough to satisfy the Ministry of Transportation requirement and TAC's upper boundary sight distance requirement (208m). Sight distances will be further improved due to the raised eye level of truck drivers. Sight distances to the east (180m) satisfy the Ministry of Transportation's sight distance requirements and fall within the acceptable range of TAC's sight distance requirements. TAC's stopping sight distance requirement (85m) for vehicles on Shawnigan Lake Road is met in both directions.

The intersection of Shawnigan Lake Road and the driveway access will operate at LOS B or better with the increased traffic generated by the potential development at 692 Shawnigan Lake Road and the full build out of the lot at 700 Shawnigan Lake Road.

RECOMMENDATIONS

- That the driveway to 692 Shawnigan Lake Road be closed and a driveway between 692 Shawnigan Lake Road and 700 Shawnigan Lake Road be constructed to allow 692 Shawnigan Lake Road to access Shawnigan Lake Road through the existing driveway at 700 Shawnigan Lake Road
- Clear landscaping and rocks to the west of the existing driveway access and re-grade landscaping from the access driveway to the western edge of the lot at 700 Shawnigan Lake Road

If there are any questions please feel free to contact me at 250-388-9877

Yours truly,

BOULEVARD TRANSPORTATION GROUP

per,

Nadine King, P.Eng., PTOE

Transportation Engineer



C.V.R.D.

THE SUSTAINABILITY CHECKLIST For Rezoning and Development Permit Applications

REZONING

DEVELOPMENT PERMIT

Uses Proposed:

Single Family Residential

Industrial

Multi Family

Institutional

Commercial

Agricultural

Other _____

Environmental Protection and Enhancement

Please explain how the development protects and/or enhances the natural environment. For example does your development:

		YES	NO	N/A	EXPLANATION
1.	Conserve, restore, or improve natural habitat?			✓	
2.	Remove invasive species?			✓	
3.	Impact an ecologically sensitive site?			✓	
4.	Provide conservation measures for sensitive lands beyond those mandated by legislation?			✓	
5.	Cluster the housing to save remaining land from development and disturbance?			✓	
6.	Protect groundwater from contamination?			✓	

Please explain how the development contributes to the more efficient use of land. For example does your development:

		YES	NO	N/A	EXPLANATION
7.	Fill in pre-existing vacant parcels of land?			✓	
8.	Utilize pre-existing roads and services?	✓			
9.	Revitalize a previously contaminated area?		NA	✓	
10.	Use climate sensitive design features (passive solar, minimize the impact of wind and rain, etc.)?			✓	
11.	Provide onsite renewable energy generation such as solar energy or geothermal heating?			✓	

Please explain how the development facilitates good environmentally friendly practices. For example does your development:

		YES	NO	N/A	EXPLANATION
12.	Provide onsite composting facilities?			✓	
13.	Provide an area for a community garden?			✓	
14.	Involve innovative ways to reduce waste, and protect air quality?			✓	
15.	Include a car free zone?			✓	
16.	Include a car share program?			✓	

Please explain how the development contributes to the more efficient use of water. For example does your development:

		YES	NO	N/A	EXPLANATION
17.	Use plants or materials in the landscaping design that are not water dependant?			✓	
18.	Recycle water and wastewater?			✓	

		YES	NO	N/A	EXPLANATION
19.	Provide for no net increase to rainwater run-off?			✓	
20.	Utilize natural systems for sewage disposal and rain water?	✓			Soak away Berrells Co Drainage
21.	Use energy saving appliances?			✓	

Please explain how the development protects a 'dark sky' aesthetic by limiting light pollution and light trespass from outdoor lighting. For example does your development:

		YES	NO	N/A	EXPLANATION
22.	Include <u>only</u> "Shielded" Light Fixtures, where 100% of the lumens emitted from the Light Fixture are retained on the site?	✓			

Please explain how the project will be constructed sustainably.

		YES	NO	N/A	EXPLANATION
23.	Built to a recognized green building standard i.e., Built Green BC, LEED Standard, etc.?			✓	
24.	Reduce construction waste?			✓	
25.	Utilize recycled materials?			✓	
26.	Utilize on-site materials/ reduce trucking?			✓	
27.	Avoid contamination?			✓	
28.	Please outline any other environmental protection and enhancement features.				

Community Character and Design

Does the development proposal provide for a more "complete community" within a designated Village Centre? For example does your development:

		YES	NO	N/A	EXPLANATION
1.	Improve the mix of compatible uses within an area?			✓	
2.	Provide services, or an amenity in close proximity to a residential area?			✓	

		YES	NO	N/A	EXPLANATION
3.	Provide a variety of housing in close proximity to a public amenity, transit, or commercial area?			✓	

Please explain how the development increases the mix of housing types and options in the community. For example does your development:

		YES	NO	N/A	EXPLANATION
4.	Provide a housing type other than single family dwellings?			✓	
5.	Include rental housing?			✓	
6.	Include seniors housing?			✓	
7.	Include cooperative housing?			✓	

Please explain how the development addresses the need for affordable housing in the community. For example does your development:

		YES	NO	N/A	EXPLANATION
8.	Include the provision of Affordable Housing units or contribution to?			✓	

Please explain how the development makes for a safe place to live. For example does your development:

		YES	NO	N/A	EXPLANATION
9.	Have fire protection, sprinkling and fire smart principles?			✓	
10.	Help prevent crime through appropriate site design?			✓	
11.	Slow traffic through the design of the road?			✓	

Please explain how the development facilitates and promotes pedestrian movement. For example does your development:

		YES	NO	N/A	EXPLANATION
12.	Create green spaces or strong connections to adjacent natural features, parks and open spaces?			✓	
13.	Promote, or improve trails and pedestrian amenities?			✓	

		YES	NO	N/A	EXPLANATION
14.	Link to amenities such as school, beach & trails, grocery store, public transit, etc.? (provide distance & type)			✓	
Please explain how the development facilitates community social interaction and promotes community values. For example does your development:					
		YES	NO	N/A	EXPLANATION
15.	Incorporate community social gathering places? (village square, halls, youth and senior facilities, bulletin board, wharf, or pier)			✓	
16.	Use colour and public art to add vibrancy and promote community values?			✓	
17.	Preserve heritage features?			✓	
18.	Please outline any other community character and design features.				

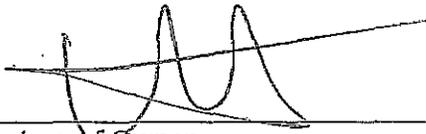
Economic Development

Please explain how the development strengthens the local economy. For example does your development:

		YES	NO	N/A	EXPLANATION
1.	Create permanent employment opportunities?	✓			
2.	Promote diversification of the local economy via business type and size appropriate for the area?	✓			
3.	Increase community opportunities for training, education, entertainment, or recreation?	✓			Many Jobs created will be skilled.
4.	Positively impact the local economy? How?	✓			Creating Permanent local Jobs that are above Minimum Wage
5.	Improve opportunities for new and existing businesses?	✓			
6.	Please outline any other economic development features.	Because of the adjacent Railway, business can now reduce shipping costs therefore increasing business possibilities			

Other sustainable features?

Disclaimer: Please note that staff are relying on the information provided by the applicant to complete the sustainability checklist analysis. The CVRD does not guarantee that development will occur in this manner.



Signature of Owner

Date

April 16/2012

Signature of Agent

Date

7.0 FORESTRY AND AGRICULTURAL ZONES

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations shall apply in the F-1 Zone:

7.1 F-1 ZONE - PRIMARY FORESTRY

(a) Permitted Uses

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

- (1) Management and harvesting of primary forest products, excluding: sawmilling, manufacturing, and works yards*;
- (2) *Agriculture, silviculture, horticulture;*
- (3) *Bed and breakfast accommodation*;*
- (4) Daycare, nursery school accessory to a residential use*;
- (5) *Home occupation*;*
- (6) *One secondary suite, or one small suite per parcel*;*
- (7) *One single family dwelling;*

* use may require approval of Forest Land Commission

(b) Conditions of Use

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

- (1) The *parcel coverage* shall not exceed 20 percent for all *buildings and structures*;
- (2) The *height* of all *buildings and structures* shall not exceed 10 m;
- (3) The following minimum *setbacks* shall apply:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Buildings & Structures	COLUMN III Forestry, Agricultural and Other Permitted Buildings & Structures
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

(c) Minimum Parcel Size

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

7.4 F-1 ZONE – PRIMARY FORESTRY

(a) Permitted Uses

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

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) extraction crushing milling concentration for shipment of mineral resources or aggregate materials excluding all manufacturing;
- (3) single family residential dwelling or mobile home;
- (4) agriculture silviculture horticulture;
- (5) home occupation – domestic industry;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite on parcels that are less than 10.0 hectares in area;
- (8) secondary suite or a second single family dwelling on parcels that are 10.0 hectares or more in area.

(b) Conditions of Use

For any parcel in an F-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

11.2 I-2 ZONE - GENERAL INDUSTRIAL

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations shall apply in the I-2 Zone:

(a) Permitted Uses

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

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

I-2 ZONE -GENERAL INDUSTRIAL, Cont.

(b) Conditions of Use

For any *parcel* in an I-2 zone:

- (1) The *parcel coverage* shall not exceed 50 percent for all *buildings* and *structures*;
- (2) The *height* of all *buildings* and *structures* shall not exceed 10 m;
- (3) The following minimum *setbacks* shall apply:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	4.5 metres
Interior Side	0 metres where the abutting parcel is zoned Industrial 9.0 metres where the abutting parcel is zoned Residential, Agricultural, Forestry or Institutional
Exterior Side	4.5 metres
Rear	0 metres where the abutting parcel is zoned Industrial 9.0 metres where the abutting parcel is zoned Residential, Agricultural, Forestry or Industrial

(c) Minimum Parcel Size

Subject to Part 13, the minimum *parcel* size in the I-2 zone shall be:

- (1) 0.1 ha for *parcels* served by a *community water and sewer system*;
- (2) 0.4 ha for *parcels* served by a *community water system* only;
- (3) 1.0 ha for *parcels* served neither by a *community water* or *sewer system*.

Relation to the Corporate Strategic Plan: N/A

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

Background Information:

Purpose:

To rezone three properties to permit a subdivision of 26 fee simple lots. Twenty-four of the lots are proposed to be 1.0 ha (2.5 ac) in size and lots 9 and 10 are proposed to be slightly larger at 1.4 ha (3.4 ac.) and 1.5 ha (3.7 ac.).

Location: 2920, 2922, 2930, 2932, 2868, & 2872 Renfrew Road, Shawnigan Lake.

Legal Description(s):

Lots 10, 11, and 12 Helmcken District, District Lot 15, Plan 2210 Except Parts in Plan 47997 and VIP76565 (PID: 006-410-022), (PID: 006-410-031) and (PID: 006-410-049).

Date Application and Complete Documentation Received: May 27, 2011. This application has been amended on three separate occasions since the application was initially made in 2011.

Owners: Lot 10: Craig Partridge and Ron Sharpe
 Lot 11: 705537 B.C. Ltd., Inc. No. BC0705537
 Lot 12: 0705537 B.C. Ltd., Inc. No. BC0705537

Applicants: Craig Partridge and Ron Sharpe

Size of Parcels:

Lot 10 is ± 34.2 hectares (84.5 ac)
 Lot 11 is ± 15.8 hectares (39 ac)
 Lot 12 is ± 11.7 hectares (29 ac)
 The total land area is ±61.7 hectares (152.5 ac)

Contaminated Site Profile Received: Declaration pursuant to the *Waste Management Act* signed by the property owner. No "Schedule 2" uses noted.

Existing Use of Properties: Residential; a total of 6 residential dwellings and an accessory building exist on the subject lands.

Existing Use of Surrounding Properties:

North: Suburban Residential Subdivision (zoned R-2) & Rural Residential (zoned R-1)
 South: Forestry (zoned F-1)
 East: Forestry (zoned F-1)
 West: Forestry (zoned F-1)

Agricultural Land Reserve Status: The property is not located in the ALR

Environmentally Sensitive Areas: The CVRD Environmental Planning Atlas (2000) identifies a stream planning area with possible fish presence on lots 10 and 11 as well as wetlands on the southern portions of lots 11 and 12.

Archaeological Site: None identified in CVRD mapping

Fire Protection: The property is located within the Shawnigan Lake Fire Protection Service Area

Existing Plan Designation: Rural Resource

Proposed Plan Designation: Residential

Existing Zoning: F-1 (Primary Forestry)

Proposed Zoning: A site specific zone is being proposed for the subject properties

Min lot size under existing zoning: 80 hectares

Minimum Lot Size Under Proposed Zoning:

1.0 hectare

Services:

Road Access: Renfrew Road

Water: Wells

Sewage Disposal: On-site sewage disposal

Background

Previous Rezoning Application:

Lot 10 was the subject of a previous application in 2009. The 2009 application was for an amendment that would have permitted the creation of four forestry parcels, each parcel being about 8.0 hectares in area. A public hearing was held in November 2010, and the application was denied by the CVRD Board on February 9, 2011.

Amendments

This application has been amended on three separate occasions since it was initially made in 2011. In the summer of 2012 the applicants put forth a proposal to permit a residential subdivision of 11 fee simple lots and 4 strata lots as well as park land dedication. In October 2012, the applicants proposed a residential subdivision of 31 fee simple lots, 40% park land and an amenity contribution of approximately 5 parcels. In November 2012, the applicants amended their application for a third time and are now proposing a residential subdivision of 26 fee simple lots, 50% park land dedication and an amenity contribution of 5 parcels.

Property Context

The subject properties are located on Renfrew Road, between West Shawnigan Lake Road and Koksilah River Park. The three properties total approximately ± 61.7 ha (152.5 ac) and there are 6 residential dwellings and an accessory building on the parcels. The topography of the property is moderately rolling to steeply sloping with some irregular surfaces, and the property has been logged in the recent past. The properties are located outside of the Shawnigan Lake Village Containment Boundary.

Lands to the west, east and south of the subject property are predominantly zoned F-1, with typical lot sizes of between 14 and 40 hectares. A majority of lands to the north, on the opposite side of Renfrew Road are suburban residential parcels mixed among a few rural residential and forestry zoned parcels with lot sizes ranging between 1.0 and 4.0 ha.

Although the immediate area is still characterized by forestry uses, some smaller lot residential subdivisions have developed in this area. For example, a majority of the lots to the north on Glen Eagles Road (which are zoned R-2) were rezoned in 2008 and subdivided in 2009. The rural residential parcels to the northeast along Renfrew Road were subdivided in 2004 and the lots directly northwest of Glen Eagles Road were subdivided in 1999.

The Proposal

The applicants are requesting the subject properties be rezoned in order to subdivide the property into 26 fee simple lots. The proposed parcels range in size from 1.0 ha to 1.5 ha. The property has no subdivision potential under the current zoning. Five of the 26 lots will be dedicated to the Shawnigan Lake Community as part of this proposal.

Site Access

The conceptual subdivision plan submitted by the applicants indicates that the proposed lots will be accessed off of Renfrew Road in two locations. The two existing internal roads are gravel logging roads and they will need to be paved and constructed to the Ministry of Transportation and Infrastructure (BC MoT) standards.

Fire Protection

The subject properties are located within the Shawnigan Lake Fire Protection Improvement District and the Shawnigan Lake Volunteer Fire Department provides fire protection for the properties.

Water and Sewer Servicing

The existing 6 residential dwellings are serviced by 2 wells and 4 septic systems. The accessory building on the site also has its own well and septic system. The applicant has indicated that the 3 wells on the property produce 70 gpm, 25 gpm, and 5 gpm. At maximum build out, an additional 26 wells and 22 septic systems will be required to service the remaining subdivision. Requirements for on-site sewage disposal will be established by VIHA at the time of subdivision.

Wildland Urban Interface Assessment

Because the subject property is rated as a high risk for wildfire, if this application moves forward to the bylaw amendment stage, Planning staff will be recommending that the applicant complete a Wildland Urban Interface Fire Hazard Assessment for all three properties because recommendations of the assessment report may need to be incorporated into the development approval should the Board decide to approve the bylaws.

Sensitive Areas

The property contains some wetlands and small seasonal streams that drain water away from the property and feed the north-western arm of Shawnigan Lake.

Parkland Dedication

If the proposed Zoning and OCP amendment is granted and the land is subdivided, park land dedication or cash-in-lieu under Section 941 of the *Local Government Act* is required. Seventy-one acres of park land is being proposed to be dedicated to the CVRD. This will be a combination of a large park on the western portion, additional parkland on the eastern portion of the site as well as a trail corridor that will run in an west/east direction along the southern boundary of the properties. The 76 acres (30.8 ha) of park land represents 50% of the total land area.

The CVRD Parks and Trails Division and the Shawnigan Lake Parks Commission has not been formally referred a copy of the amended application. Because there have been two amendments to this application within the past two months staff are recommending that this referral take place if the EASC decides to move the application forward.

Policy Context

Zoning

This proposal involves rezoning the subject property from F-1 (Primary Forestry) to a site specific zone that would permit a 26 lot subdivision.

In order for the property to be subdivided, a zoning amendment is required. The applicant is proposing that the property be rezoned to a new zone which would permits the following uses:

one single family dwelling; agriculture, horticulture; silviculture, home occupation; bed and breakfast accommodation; daycare nursery school accessory to a residential use and a secondary suite.

The size of the proposed lots in this application (approx. 1.0 ha) are similar to the minimum lot size requirements for rural residential parcels in the South Cowichan area. We note that the lot sizes being proposed permit a secondary suite (with a floor size limit of 60 m²); no detached small suites will be permitted in the new zone proposed for the properties.

Please find attached a copy of the F-1 zone and the proposed draft zone for your reference.

Official Community Plan

The South Cowichan Official Community Plan Bylaw No. 3510 contains a number of policies relevant to this application. They include:

Policy 6.2 The CVRD will encourage greater energy efficiency in the planning, design and construction of neighborhoods and buildings through the development permit areas within this OCP.

Policy 7.5: The OCP supports the protection of the renewable forest resource for natural resource management (forestry, mining) over the long term. Forest lands will be designated as "Rural Resource" and they should not be considered a 'land-bank-in-waiting' for future residential development.

Policy 8.1: A fundamental theme of this plan is that new residential development should help to contribute toward necessary community amenities to ensure that chronic amenity deficits are not perpetuated, and that new residential development does not negatively impact amenities which existing residents use. When an application is received to rezone land for residential uses within the Plan area, the Regional Board will apply amenity zoning, whereby the land density may be increased through rezoning on the condition that community amenity contributions are provided to enhance the character of the Plan area.

By applying amenity zoning:

- a. *The CVRD may accept the provision of an amenity or a contribution toward an amenity on the subject property or within the VCB; or*
- b. *The CVRD may accept cash-in-lieu of amenities, and subsequently provide amenities within the VCB through a capital program.*

The CVRD may require the amenity or amenities by the developer prior to granting a subdivision or occupancy permit the registration of a covenant on title to ensure the amenity is provided, include the amenity as a requirement in a housing agreement or require an irrevocable letter of credit equal to the value of the amenity contribution to be held as security to cover the costs of providing the amenity in the event of default. Community amenities to be considered during a rezoning process should include but not be limited to:

- a. *Subsidized, cooperative, or non-market affordable housing units;*
- b. *Parkland dedication in excess of the 5% required under the Local Government Act;*
- c. *Provision of open spaces and improvements for the benefit of the public;*
- d. *Dedication of environmentally sensitive areas;*
- e. *New recreational facilities or improvements to existing recreational facilities;*
- f. *Dedication of land or improvements for a community benefit (daycare, arts, culture, heritage, seniors centres, youth centres, transition homes, schools, fire halls, community police stations, transit shelters, train stations, community services, education, library);*
- g. *Sidewalk and trail improvements;*
- h. *Other amenity contributions approved by the Regional Board; and*
- i. *Cash-in-lieu.*

Policy 8.2: Site specific conditions, as well as the scope and scale of the project, will determine the specific community amenity contributions that will be required for a rezoning application. Criteria for determining priority among possible amenities will include:

- a. *Affordable housing potential and need;*
- b. *Site characteristics, including natural features that are environmentally sensitive, or have heritage or recreational value;*
- c. *Needs of the surrounding community for schools or other amenities; and*
- d. *The size, location and character of the proposed development, projected population increases, and the potential impacts of the development on existing community infrastructure.*

Policy 8.3:

The Regional Board will assist in the provision of affordable housing, by:

- e) *Allowing secondary suites and secondary dwelling units, including micro-suites, in specified areas, subject to the community water and community sewer services necessary to protect the natural environment.*

Policy 12.9: Applications for residential or mixed use developments in the Rural Resource Designation, including developments that would require an expansion of a VCB or the creation of a new VCB, may be considered provided that, in the Board's opinion, they meet the following conditions:

- a. *The proposed development must have a diverse mix of land uses (e.g. residential, employment, recreational, institutional, commercial and parkland);*
- b. *For residential development, there must be a demonstrated need for housing, based upon public statistical information related to total population increases and housing in the South Cowichan Plan area, and it must be determined that the housing need cannot be met within the village containment boundaries;*
- c. *There must be a demonstrated need for the proposed use in the South Cowichan, to justify development of the proposed use outside of a VCB;*
- d. *The proposed development must contribute to rebuilding and maintaining balanced community demographics through providing a full range of housing types aimed at different income levels.*
- e. *The proposed development must be phased, to ensure a continual balance of residential, commercial, employment, institutional and recreational land uses;*
- f. *The proposed development must demonstrate significant environmental, economic and social benefits to the immediate area and to the South Cowichan region. Community amenity contributions, in accordance with Section 8 – Social Sustainability – must be substantially higher than those for development within a VCB. The amenity contribution should include a combination of amenities, including:*
 - i. *The dedication to the CVRD of sensitive ecosystems, designated by the Province, riparian corridors, areas identified in the Species and Ecosystems at Risk Act (SARA), and waterfront areas;*
 - ii. *An affordable non-market or subsidized housing component of 10% of residential units will be provided;*
 - iii. *A significant parkland dedication of at least 40 to 70 percent of the area of the subject property will be required;*
 - iv. *A dedication of land and provision of infrastructure to ensure that the institutional needs of the community can be met.*
- g. *The proposed development must protect ground and surface water and potable water must be proved to be available in suitable quantities to support the development.*
- h. *The proposed development must provide regional transportation improvements including major road network improvements and linkages that relieve pressure on existing residential neighbourhoods;*

- i. *The proposed development must integrate public transit and transit-supportive land uses together with provision of pedestrian and cycling networks to reduce vehicle miles travelled and corresponding greenhouse gas emissions.*
- j. *The subject property must be located outside of the Shawnigan Lake Watershed, delineated in Section 5 – Shawnigan Lake Watershed Management;*
- k. *Watershed planning must be an integral part of the development – rainwater management plans will be required to ensure that runoff is not increased as a result of land development;*
- l. *The CVRD Development Approvals Information Bylaw will apply;*
- m. *A Phased Development Agreement and design guidelines may be required to ensure phasing, that the development proceeds in a timely manner, that amenities are forthcoming and that there is a high standard of architectural and landscape design. Development permit guidelines would also apply.*

Policy 12.21: Forest lands within the South Cowichan are rated high to extreme for wildfire interface potential. Lands within the Rural Resource Designation (RUR) are subject to the *South Cowichan Rural Development Permit Area*, in Section 24, to reduce the potential for loss of life or property during a wildfire interface event.

Policy 13.1.2: The Rural Residential Designation (RR) is intended to accommodate a range of rural lifestyle options outside of village containment boundaries, and to provide a buffer between resource lands (agriculture and forestry) and residential parcels, to reduce the potential for land use conflicts and provide a rural residential housing option.

Policy 13.1.3: Lands within the Rural Residential Designation (RR) may be zoned as:

- a. LR-1 “Large Holding Rural Residential Zone”, to provide a rural residential lifestyle option with a minimum parcel size of 4 ha;
- b. R-1 “Rural Residential Zone”, to provide a rural residential lifestyle option with a minimum parcel size of 2 ha; or
- c. CR-1 “Country Residential Zone” to provide a rural residential lifestyle option with a minimum parcel size of 1ha and, where a community water system is provided, a minimum parcel size of 0.4 ha.

Policy 13.1.4: Lands designated as Rural Residential (RR) are located outside of the village containment boundaries and are intended to remain rural.

Policy 13.1.5: To encourage tourism opportunities, bed and breakfast operations will be permitted within the Rural Residential Designation (RR), provided that the bed and breakfast accommodation is contained within a principal single family dwelling and limited to not more than three rooms for guest accommodation.

Policy 13.1.7: To provide an additional affordable housing option, one single family dwelling and one secondary suite or a secondary dwelling unit will be permitted in the Rural Residential Designation (RR), provided that:

- a. the subject parcel is at least 1.0 ha in size

Policy 13.1.9: In recognition of the need for greater food self-sufficiency and food security, the implementing Zoning Bylaw may permit agriculture within specified zones, with adequate setbacks provided to ensure that the rural residential lifestyle of neighboring residents is protected.

Policy 13.1.8: The implementing Zoning Bylaw will allow for a home occupation on a parcel within the Rural Residential Designation (RR), where a principal single family dwelling is located, provided that the home occupation use is in keeping with the residential character of adjacent residential areas. Uses that may be unsightly or create a nuisance by noise, dust, and odour will be prohibited.

Policy 13.1.11: Large Holding Rural Residential parcels are intended to accommodate a rural residential lifestyle, while providing a buffer between resource lands and residential lands. These large holding residential parcels will not be considered for rezoning to R-1 Rural Residential Zone (2.0 ha lot), or CR-1 Country Residential Zone (0.4 ha lot with water or a 1 ha lot), due to their location in peripheral locations that are automobile dependent and inefficient to service.

Referral Agency Comments

This rezoning application has recently been amended. The applicants were previously proposing a new residential zone to permit a residential subdivision of 11 fee simple lots and 4 strata lots. If the Committee sees merit in this proposal and the application moves forward staff are recommending that the amended rezoning application be referred again to the following agencies:

- Malahat Volunteer Fire Department
- Ministry of Forests
- Shawnigan Lake Volunteer Fire Department
- Vancouver Island Health Authority (VIHA)
- Ministry of Transportation and Infrastructure
- BC Transit
- School District No. 79
- CVRD Parks and Trails Division, Parks, Recreation & Culture Department
- CVRD Public Safety Department
- CVRD Engineering and Environmental Services
- Malahat First Nation
- Cowichan Tribes
- Ministry of Forests, Lands and Natural Resource Operations

Advisory Planning Commission Comments

The Joint Advisory Planning Commission was presented with an overview of the rezoning application in September 2011. The Joint APC recommended that it not meet with developers unless there was an application to review. The Joint APC noted that the CVRD Planning and Development Department had not formally referred the application to the Joint Advisory Planning Commission.

The Electoral Area B Advisory Planning Commission and the Joint Advisory Planning Commission was referred a copy of the applicant's original application prior to it being amended and it was discussed at their meeting on August 9, 2012. The Joint APC made the following recommendation:

The APC recommends that application 2-B-11RS not be approved.

Since this application has been amended again recently staff are also recommending that the amended rezoning application be referred back to the Electoral Area B Advisory Planning Commission and the Joint Advisory Planning Commission for comment.

Neighbourhood Response:

Fifty-three letters were submitted along with the rezoning application in support of the development concept. They are available in the rezoning file, should Directors wish to review them.

Development Services Division Comments

The South Cowichan Official Community Plan establishes well defined boundaries (i.e. Village Containment Boundaries) for lands intended for infill, future community water and sewer servicing, growth and development. OCP Policy 10.4 further reiterates that development is encouraged to take place within village containment boundaries and that lands outside these boundaries should remain rural in character. This particular property lies outside of the Village Containment Boundary, is zoned F-1 (Primary Forestry) and was designated Rural Resource during the South Cowichan Official Community Plan review.

OCP Policy 7.5 supports the protection of renewable forest resources over the long term and states that Forest lands should not be considered a "land-bank-in-waiting" for future residential development.

Notwithstanding these policies, the South Cowichan Official Community Plan contains a specific policy and related criteria, Policy 12.9 that applies to applications made for residential development on lands designated as Rural Resource. In evaluating this proposal against the criteria listed in the policy it is the opinion of Planning staff that the proposal in its current form meets some but not all of the criteria listed.

For instance, the proposed development contains a mix of land uses including residential use and recreational use in the form of parkland (OCP Policy 12.9(a)). The applicant is creating housing aimed at different income levels through the provision of secondary suites and by varying lot sizes within the subdivision (a mix of 1.0 ha parcels, a 1.4 ha parcel and 1.5 ha parcel) (OCP Policy 12.9 (b)).

Regarding OCP Policy 12.9(f) (i) and (iii), the applicants are dedicating watercourses, riparian areas, and wetlands to the CVRD. These sensitive areas are located within the 30.8 ha (76 ac.) proposed park area located on the western portion of the site and on proposed lots 21, 22, and 23. The applicants are dedicating 50% of the total land area as park.

Regarding OCP Policy 12.9(e), the applicants retained Lowen Hydrogeology to conduct an assessment of the water supply and environmental impacts of the development. Within this report the Engineer examines water quantity and states that the property has a surficial layer of gravelly-sandy soil and all of the soil materials on the site are gravelly to very gravelly, sand and loam all of which are well draining soil types. CVRD staff have had several recent discussions with the Engineer who wrote this report and the Engineer has indicated that there are 32 wells in the vicinity of the properties that give a minimum yield of 600 US gallons per day which would be enough water supply to sustain the proposed development of 26 lots (Lowen Hydrogeology Consulting, 2012).

The Engineering report also discusses the protection of ground and surface water and suggests that historically Shawnigan Lake has suffered negative impacts from septic disposal systems employing in-ground dispersal of effluent. The major negative impacts are caused by bacteria and nutrients (nitrate and phosphorous). These contaminants were introduced into the lake because of three contributing factors:

- (1) Septic system failure due to a lack of maintenance;
- (2) Close proximity of septic systems to the lake;
- (3) Marginal or poor soil conditions in which dispersal fields were built.

With respect to the subject properties, none of the three factors above apply and sewage disposal on the property is not expected to have a negative impact on Shawnigan Lake. This is because it is now mandatory to inspect septic tanks, and system failures will be rectified. The site is also remote from the Shawnigan Lake, situated 1.1 km to the east. The site soils are excellent for renovation of sewage effluent. All the potential contaminants will meet or exceed MOE standards (30 metres) downstream from the dispersal fields (Lowen Hydrogeology Consulting, 2012).

With regards to OCP Policy 12.9 (i) the applicants are offering to pay for the construction and installation of a transit shelter along Glen Eagles Road or Renfrew Road. The applicants are also integrating a pedestrian trail corridor along the southern perimeter of the property.

Rainwater management planning has been integrated into the development (OCP Policy 12.9(k)) This plan consists of a rainwater infiltration network within the developed area which will maintain the wetlands in their natural conditions; allow rainwater to infiltrate at different locations within the built-up area; control runoff and preserve the soil structure and maintain a natural groundwater table beneath the development site.

The key objective for the design of the rainwater infiltration system will be to infiltrate almost all runoff from the developed area, but also from non built-up areas. The rainwater management plan consists of every single family home having gutters draining rainwater down to a rock pit down slope of the house. The rock pit overflow will be drained along private driveways by bio-swales. Each private bio-swale will be connected to a main bio-swale. On each side of the driveways and access roads a pre-infiltration gravel trench will be designed. If overflow occurs, the water would flow into the bio-swale (Lowen Hydrogeology Consulting, 2012).

A popular and effective practice for stormwater runoff management is construction of rain-gardens which facilitates runoff retention, treatment and infiltration. This site includes a natural wetland which has all the attributes of a rain-garden (Lowen Hydrogeology Consulting, 2012).

Other Criteria --OCP Policy 12.9

In evaluating this proposal against the other criteria listed in OCP Policy 12.9 it is the opinion of the Planning staff that the applicants have not demonstrated to CVRD staff there is a need for housing in the Renfrew Road area of Shawnigan Lake; that an affordable non-market or subsidized housing component of 10% is provided and the property is located outside of the Shawnigan Lake Watershed boundaries (OCP Policies 12.9 (b)(c)(f)(h)(j)).

OCP Policy 8.1 and 8.2 Amenity Zoning

A fundamental theme of the South Cowichan OCP is that new residential development help contribute to community amenities. In order to meet this objective the applicants are proposing the following amenities with this application:

- One parcel gifted to the CVRD for Kerry Park Recreation Centre;
- One parcel gifted to the CVRD for the Shawnigan Lake Community Centre;
- One parcel gifted to an Affordable Housing Initiative in the Cowichan Valley (to be determined);
- One parcel gifted to the Shawnigan Lake Fire Department;
- Once parcel gifted to the Shawnigan Lake Community for development and improvements to the waterfront area located on Renfrew Road between the Government Wharf and Masons Beach Park;
- Offering free firewood from the properties to residents in the immediate area;
- Offering to pay for the construction and installation of a public transit shelter along Glen Eagles Road or Renfrew Road (if deemed necessary by BC Transit);
- Donating of 80-100 loads of gravel (valued at approximately \$16,000-\$20,000) to the CVRD Parks and Trails Division to be used towards either the Historic Kinsol Trestle or other park and trail improvements within Electoral Area B;
- Providing affordable housing by offering 5 of the 6 residents already on the properties the opportunity to purchase their homes and land for between \$299,000 and \$350,000. A one acre parcel with the home on it on the property was appraised for \$385,000 (see attached appraisal); and
- The gifting of 76 acres (50 %) of parkland to the CVRD.

- The installation of page wire fencing to delineate the boundary between the park land dedication and the single family home sites on the subject lands.

OCP Policies 6.2 & 6.4

OCP Policies 6.2 & 6.4 discusses Bill 27 and the importance of energy efficient planning and design. The applicants have indicated that energy efficiently will be incorporated into both the design of the site and the single family dwellings that will be built on the lots.

The applicants have indicated that:

- All single family residential dwellings placed or constructed on the subject lands will have an air-to-air heat pump or an equivalent energy efficient heating system;
- All single family dwellings placed or constructed on the subject lands will have the minimum Built Green certification for single family home construction;
- All single family dwellings placed or constructed on the subject lands shall utilize water efficient plumbing fixtures and appliances;
- All single family homes placed or constructed on the subject lands will follow the EnerGuide Rating System but the exact rating score has not yet been determined; and
- All dwellings placed or constructed on the subject lands shall be situated and designed to maximize solar gain in the winter and minimize solar gain in the summer.

Staff's experience in the past has been that developer's commitments often change when they are made binding and enforceable. The CVRD's lawyer generally advises that any legal documents used to secure amenities and commitments and amenities be available prior to a public hearing so that they are fully disclosed to the public and the developer is fully aware of his/her obligations.

If this rezoning application moves forward and the EASC decides to recommend that a public hearing be scheduled, staff recommends the CVRD engage a lawyer to prepare legal documents and covenants and that the cost be borne by the applicant. Staff is also recommending that any legal documents utilized to secure amenities be drafted prior to the scheduling of a public hearing.

South Cowichan Development Permit Area

It should be noted that if the rezoning application is approved and the land is subdivided and developed, the applicant will need to obtain a Development Permit from the Cowichan Valley Regional District prior to the subdivision of the land. The development permit will address site specific issues such as: the management of invasive weeds, rainwater management, environmental protection, the protection of riparian areas and sensitive ecosystems, and the mitigation and prevention of wildfires.

Conclusion

This development is contrary to the OCP Policies regarding redesignating Rural Resource lands to a Rural Residential land use. However, the applicants are proposing a number of amenities for the Shawnigan Lake Community that partially comply with OCP Policy 8.1. The proposal also includes measures to address Bill 27. Because of the amenities and because the application complies with OCP Policy in some respects, staff believe it has enough merit for it to be presented to the public at a public meeting.

In order for the application to proceed there are some procedural and administrative tasks that need to be completed with this application. For example, the recently amended application should be referred back to the Electoral Area B Advisory Planning Commission and the Joint Advisory Planning Commission as well as various CVRD Departments and External government agencies. Staff are recommending that these administrative tasks be completed and that this application move forward to a public process and that a public meeting be held for this application to help gauge if there is public support for this application.

Option 1 is recommended.

Options:

Option 1:

That Amended Application No. 2-B-11RS (Shawnigan Lake Investments) be referred to a future EASC meeting after the following conditions have been met:

- e) Referral of the amended application to the Electoral Area B Planning Commission and the Joint Advisory Planning Commission;
- f) Referral of the amended application to the Electoral Area B Parks and Recreation Commission for comment;
- g) Referral of the amended application to CVRD Departments and External Government Agencies for comment; and
- h) That draft Zoning and OCP amendment bylaws be prepared by Planning staff and presented at a public meeting.

Option 2:

1. That the Zoning and OCP amendment bylaws for Application No. 2-B-11RS (Shawnigan Lake Investments) be drafted and forwarded to the Board for consideration of 1st and 2nd reading after the following conditions have been met:
 - a) The submission of draft legal documents in a form acceptable to the CVRD securing the park land dedication and amenities;
 - b) The submission of a Wildland Urban Interface Fire Hazard Assessment completed for all three properties in a form acceptable to the CVRD; and
 - c) That the draft amendment bylaws be referred to key government agencies.
2. That a public hearing be scheduled with Directors Fraser, Walker, and Weaver as delegates.

Option 3:

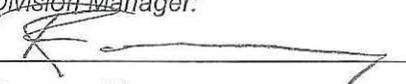
That Application No. 2-B-11RS (Shawnigan Lake Investments) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Option 1 is recommended.

Submitted by,

Dana Leitch
Planner II
Development Services Division
Planning & Development Department

DL/ca

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

CD-5 RURAL COMPREHENSIVE DEVELOPMENT 5 RENFREW ROAD

Subject to compliance with the general requirements detailed in Part 4, 5, 6, and 7 of this Bylaw, the following regulations apply in the CD-5 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the CD-5 Zone:

- a) One single family dwelling;
- b) Agriculture, horticulture;
- c) Forestry;

The following accessory uses are permitted in the CD-5 Zone:

- d) Bed and breakfast accommodation;
- e) Farm-gate sales;
- f) Home-based business;
- g) Secondary suite

2. Parcel Coverage

The parcel coverage in the CD-5 Zone shall not exceed 20 percent of parcel area, or 500 m², whichever is less, for all buildings and structures.

3. Building Height

The height of buildings and structures in the CD-5 Zone shall not exceed:

- a. 10 metres for a principal building and structure;
- b. 7.5 metres for an accessory building and structure

4. Setbacks

The following minimum setbacks for buildings and structures apply in the CD-5 Zone:

Type of Parcel Line	Residential and Accessory Uses	Agricultural & Forestry Uses
Front parcel line	7.5 metres	15 metres
Interior side parcel line	3.0 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	4.5 metres	15 metres

5. Minimum Parcel Size

The minimum parcel size in the CD-5 Zone is 1 hectare.

6. Special Regulations

In the CD-5 Zone, the following special regulations apply

1. The number of parcels that may be created by subdivision on the subject lands must not exceed 26.
2. The minimum parcel area for the purpose of S 946(4) of the *Local Government Act* is 25 hectares.
3. Prior to any subdivision of the subject lands, the owner must register a covenant that includes the following provisions:
 - a) All dwellings placed or constructed on the subject lands must have an air-to-air heat pump, geo-source heat pump or an equivalent energy efficient heating system acceptable to the General Manager of the Planning and Development Department.
 - b) All single family dwellings placed or constructed on the subject lands will have the minimum standard Built Green certification for single family home construction;
 - c) All single family dwellings placed or constructed on the subject lands shall utilize water efficient plumbing fixtures and appliances;
 - d) All single family homes placed or constructed on the subject lands will follow the EnerGuide Rating System and will achieve a score of at least 70 on the Energuide Rating system for new home construction;
 - e) All dwellings placed or constructed on the subject lands shall be situated and designed to maximize solar gain in the winter and minimize solar gain in the summer.
4. Prior to any subdivision of the subject lands, the owner must register a covenant that includes the following provisions:
 - a. All parcels transferred to the Regional District require approval from the Regional District prior to the parcels being transferred to the Regional District.
 - b. Any parcels transferred to the Regional District must be fee simple, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal and all other encumbrances, at no cost to the Regional District.
 - c. Any land provided to the Regional District may be phased, if the area of public land dedication is at least proportional to the area of land to be subdivided.
5. A covenant may be required before subdivision of the subject lands to ensure the requirements above are met.



Cowichan Valley Regional District

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The Regional District does not warrant the accuracy.

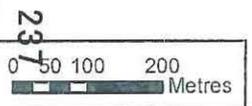
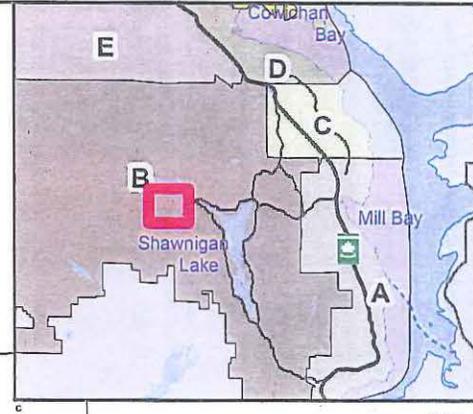
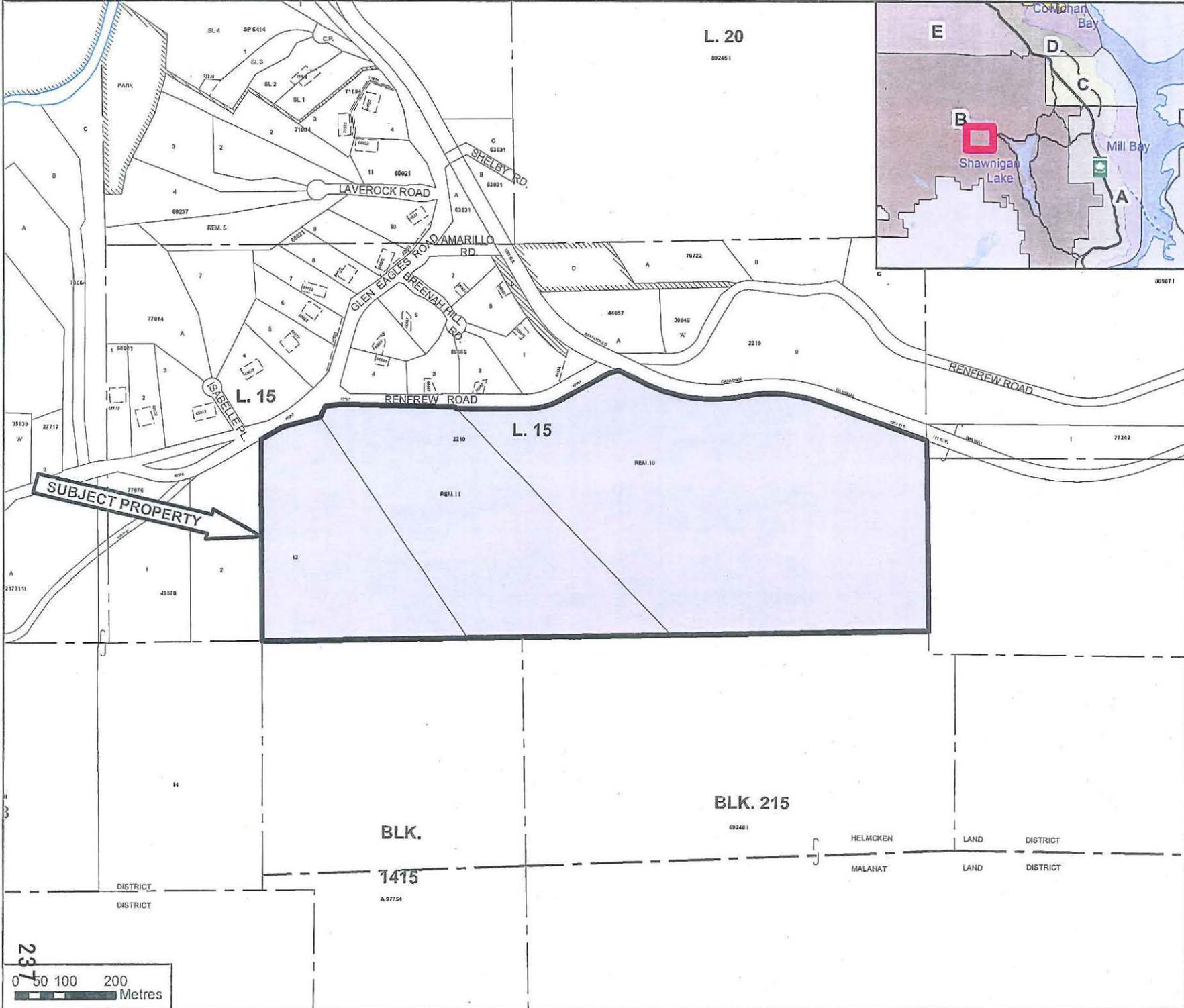
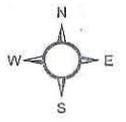
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The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 02-B-11-RS

Legend

 Subject Property



237



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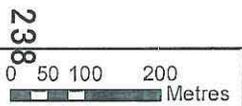
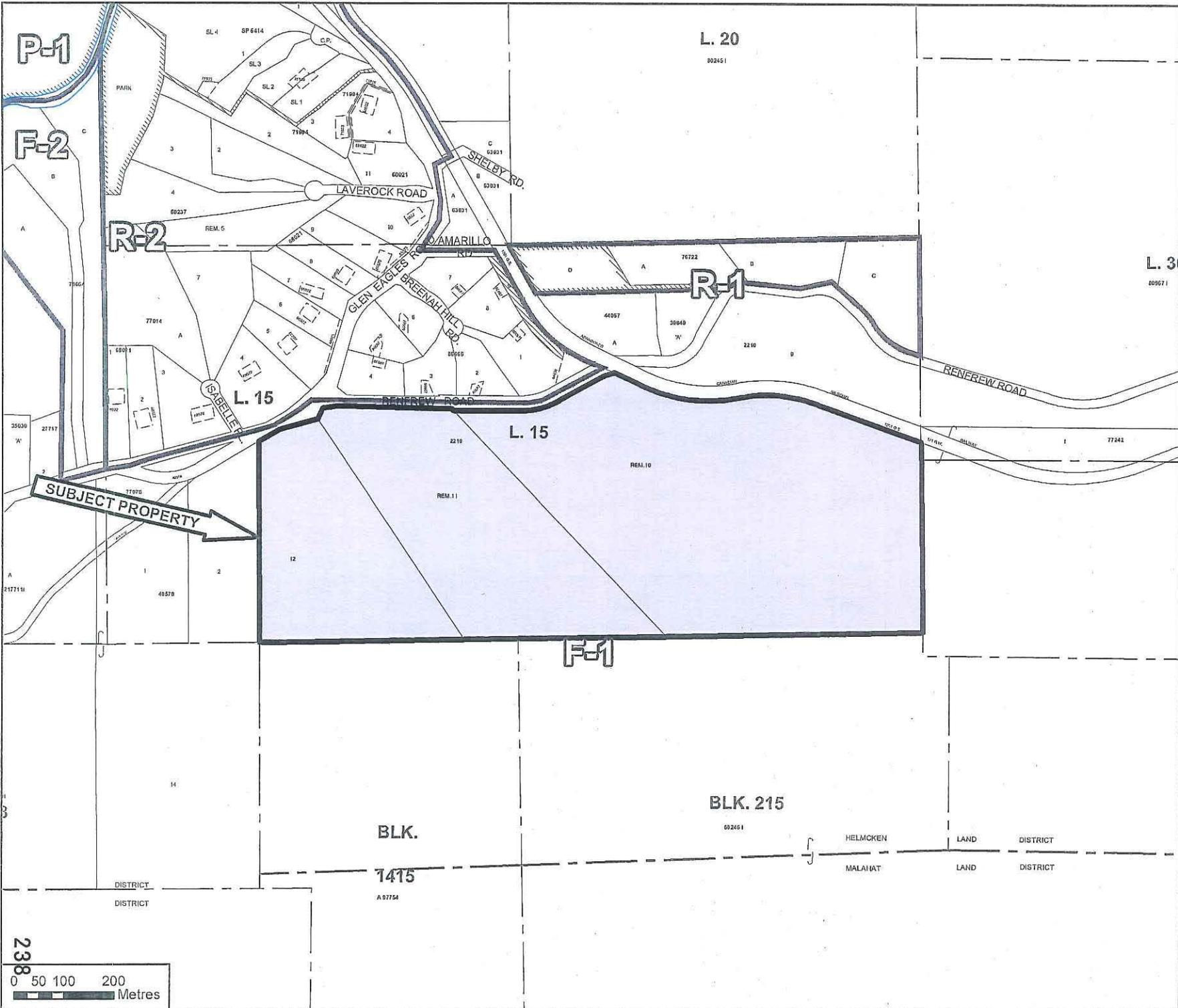
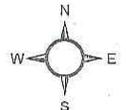
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File: 02-B-11-RS

ZONING

Legend

- Subject Property
- Zoning Electoral Area B





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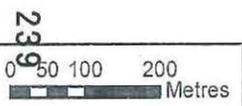
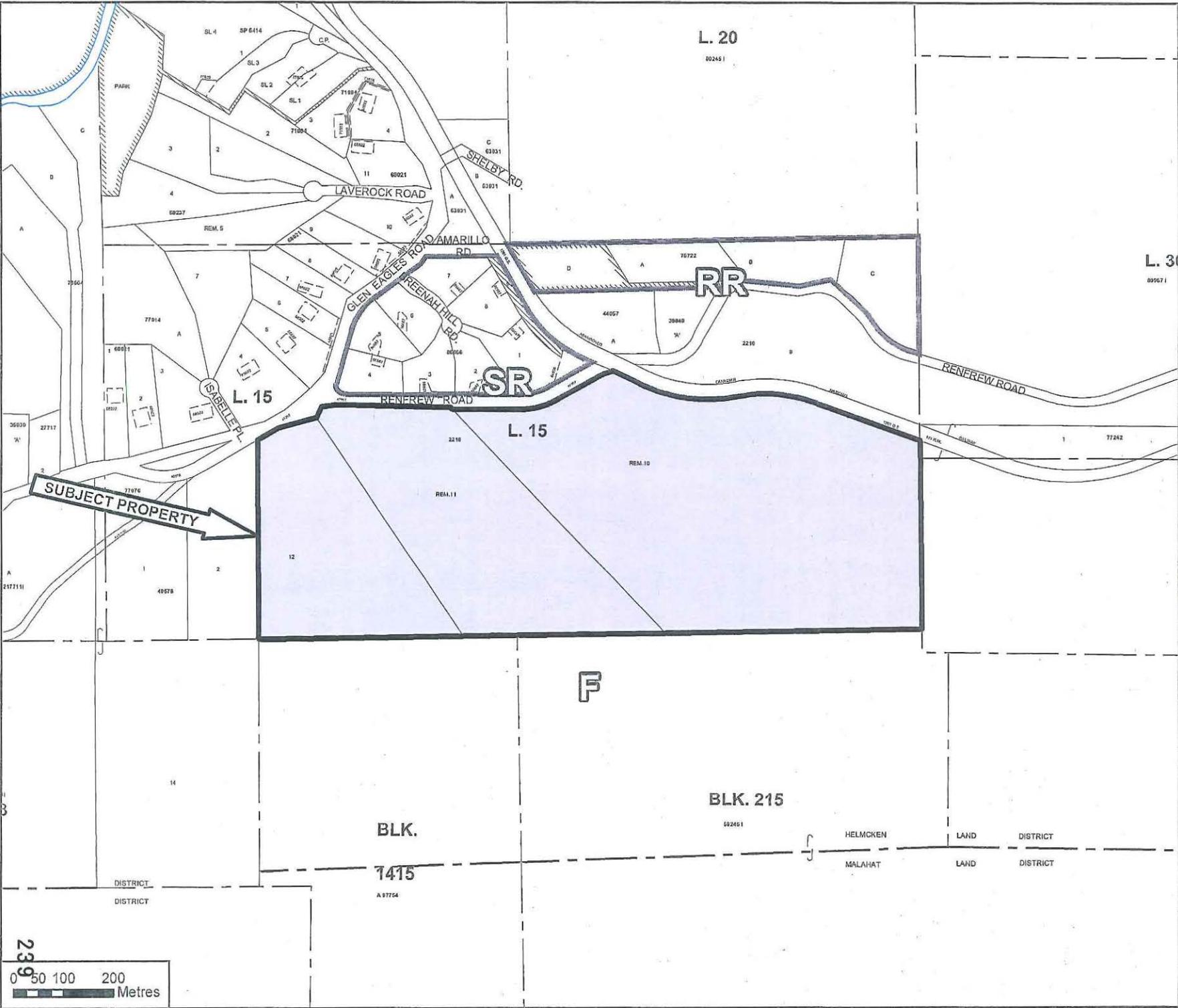
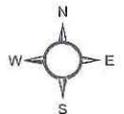
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File: 02-B-11-RS

OCP

Legend

-  Subject Property
-  OCP Electoral Area B





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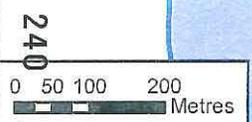
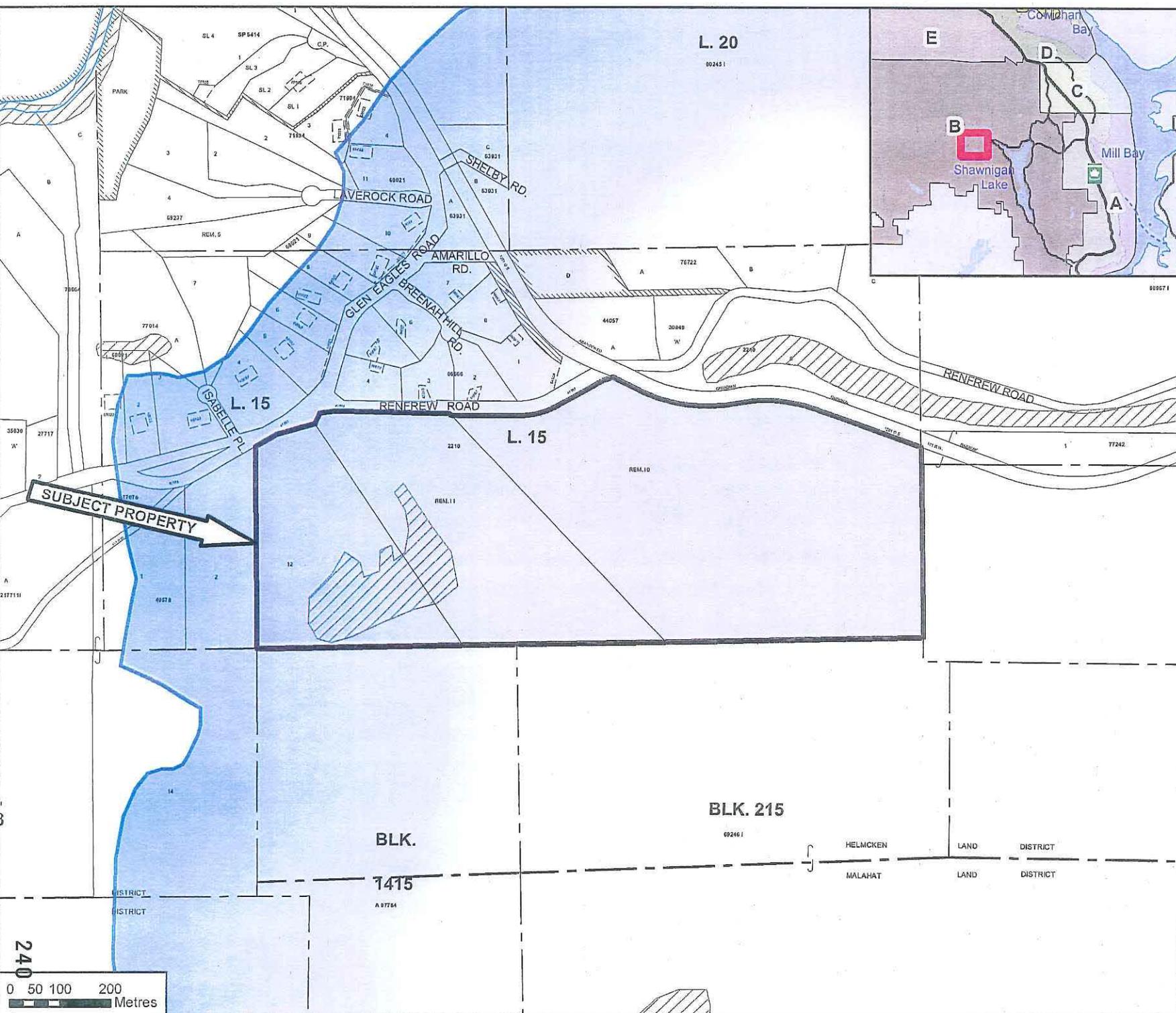
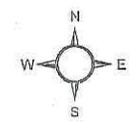
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File: 02-B-11-RS

Shawnigan Watershed

- Legend**
-  Subject Property
 -  SEI 2004
 -  Shawnigan Watershed





**Cowichan
Valley
Regional
District**

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File: 02-B-11-RS

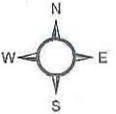
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Imagery Dates: Sep 24, 2004 - Sep 12, 2006 48°39'10.59" N 123°41'37.93" W elev 490 ft

Eye alt: 6765 ft



7.4 F-1 ZONE – PRIMARY FORESTRY

(a) Permitted Uses

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

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) extraction crushing milling concentration for shipment of mineral resources or aggregate materials excluding all manufacturing;
- (3) single family residential dwelling or mobile home;
- (4) agriculture silviculture horticulture;
- (5) home occupation – domestic industry;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite on parcels that are less than 10.0 hectares in area;
- (8) secondary suite or a second single family dwelling on parcels that are 10.0 hectares or more in area.

(b) Conditions of Use

For any parcel in an F-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

14.1 With respect to the zones identified in Column I of Section 6.1 and briefly described in Column II the minimum parcel size shall except to the extent as varied by the provisions of Sections 14.2, 14.11, and 14.12 be in accordance with the following table based on the method of sewage disposal and water supply:

Zoning Classification Under Zoning Bylaw	Parcels Served by Community Water and Sewer Systems	Parcels Served by Community Water System Only	Parcels Neither Served By Community Water or Sewer
A-1 Primary Agricultural	12 ha	12 ha	12 ha
A-1A Modified Primary Agricultural	12 ha	12ha	12 ha
A-2 Secondary Agricultural	2 ha	2 ha	2 ha
F-1 Primary Forestry	80 ha	80 ha	80 ha
F-1A Primary Forestry – Kennel	20 ha	20 ha	20 ha
F-2 Secondary Forestry	4.0 ha	4.0 ha	4.0 ha
R-1 Rural Residential	2 ha	2 ha	2 ha
R-1A Limited Rural Residential	2 ha.	2 ha.	2 ha.
R-2 Suburban Residential	0.4 ha	0.4 ha	1.0 ha
R-2A Limited Suburban Residential	1.0 ha	1.0 ha	1.0 ha
R-3 Urban Residential	0.2 ha	0.2 ha	1.0 ha
R-4 Rural Community Residential	8 ha.	8 ha.	8 ha.
R-6 Urban Residential (Mobile Home)	0.8 ha	0.8 ha	1.0 ha
MP-1 Mobile Home Park	2 ha ¹	2 ha ¹	2 ha ¹
C-1 Village Commercial	1100 sq.m.	1675 sq.m.	1.0 ha.
C-2A Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-2B Local Commercial	1100 sq. m.	1675 sq. m.	0.8 ha.
C-2 Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-3 Service Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-4 Tourist Recreation Commercial	0.8 ha	0.8 ha	0.8 ha
C-5 Neighbourhood Pub	1100 sq. m.	1675 sq. m	0.8 ha
P-1 Parks and Institutional	0.2 ha	0.4 ha	1.0 ha
P-2 Parks and Recreation	20 ha	20 ha	20 ha
I-1 Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1A Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1B (Sawmilling)	1.0 ha	1.0 ha	1.0 ha
I-1C (Light Industrial)	0.2 ha	0.4 ha	0.8 ha
I-3 Medium Industrial	0.2 ha	0.4 ha	1.0 ha
I-5 Eco-Industrial	1 ha	1 ha	1 ha

Benson Appraisals
P.O. Box 936, Station A,
Nanaimo, BC V9R 5H0

Date: April 17, 2012

Lender: Lakeshaw Holdings Ltd.

Property Address: 2932 Renfrew Road
Shawnigan Lake, Bc

The purpose of this appraisal report is to determine the market value, as defined in this appraisal report, of the subject land and improvements thereon, in fee simple, for the function of mortgage financing.

Fee simple is an absolute fee, a fee without limitations to any particular class of heirs or restrictions, but subject to the limitations of eminent domain, escheat, police power, and taxation. It is an inheritable estate.

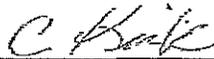
I have personally viewed the subject property on 04/17/2012 and have gathered and analyzed all the data obtained from the local real estate board, the Multiple Listing Service, the public record, and the appraiser's own files. I have further completed a sales comparison approach analysis and a cost approach analysis. Further, the appraiser has omitted the content of Standard Rule #1-4(c), with respect to an income analysis, in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and with prior knowledge of the client.

It is my opinion the market value of the subject property as of 04/17/2012 is:

Three Hundred Eighty-Five Thousand Dollars

\$385,000

THIS REPORT CONTAINS AND IS SUBJECT TO specific terminology descriptions, conditions, and special limitations which affect the stated opinion of market value, the use, and the intended user of the report. Please carefully read, and pay particular attention to all of these descriptions, conditions, and special limitations.



Connie Kirk
DAR, Certified Appraisal Reviewer (CNAREA)

Draft Report

Renfrew Road Subdivision Shawnigan Lake, BC

Well Water Supply and Environmental Impacts

File No. 1206
Date: May 2012



Lowen Hydrogeology Consulting Ltd.

PO Box 45024 Victoria, B.C. Canada V9A-0C3 Phone: 250-595-0624, Fax: 1-855-286-8001

SUMMARY

The development of a new residential area at Shawnigan Lake requires a hydrogeologic assessment to evaluate the well water supply feasibility and the potential water related impacts associated with the development. The new development encompasses 15 Lots and a Park area where natural wetlands occur. The built-up area will represent less than 10% of the property area.

The subject property lies over a surficial layer of gravelly-sandy soil which is particularly well-drained. This unconsolidated layer is underlain by fractured and water bearing bedrock. The local topography is bedrock controlled. The topography slopes down to the North and is characterized by a series of steep slopes and a flat area, where wetlands occur at topographic breaks.

The development of a built-up area will slightly lower the natural infiltration process of rainwater, causing runoff on roofs, driveways, roads and other impervious features. An infiltration network has been proposed by LHC to prevent excess rainwater runoff that could lead to soil erosion, wetland expansion and contamination of local creeks. A rock pit infiltration system is proposed downstream from each house, draining the water from the roofs down to the underlying sand and gravel. The excess of water as well as runoff from the driveways is proposed to be discharged into a gravel infiltration trench along each driveway and access road. The excess of water from the gravel trench will flow towards bio-swaales designed to accept all excess runoff and to infiltrate it evenly across the site.

The bedrock aquifer present under the property is able to sustain the development of 15 Lots and could provide at least 500 Imperial gallons per day per well (0.42 USgpm), as required by the CVRD. Statistics on 32 wells in the vicinity of the subject property give a minimum yield of 600 lgpd (0.5 USgpm). A supply vs. demand analysis has been undertaken by LHC considering a development of the whole area in the future and therefore an increase of the water demand. This scenario is sustainable.

The conceptual stormwater runoff plan and sewage disposal on-site will produce a negligible impact on surface water and ground water quality. The plan will constitute a net positive impact for surface water flow and groundwater flow volumes as rainwater infiltration will increase with the proposed plan. Interflow and deep groundwater flow will be increased.

TABLE OF CONTENTS

SUMMARY i

1.0 INTRODUCTION 1

2.0 PHYSICAL SETTING 1

 2.1 Climate 1

 2.2 Topography and Surface Water Drainage 1

 2.3 Vegetation and Soil Type 5

3.0 SURFICIAL GEOLOGY 5

4.0 BEDROCK GEOLOGY 5

5.0 HYDROLOGY 5

6.0 HYDROGEOLOGY 6

7.0 WATER WELL DEVELOPMENT 6

 7.1 Potential Supply vs. Demand 6

 7.2 Well Water Abstraction Rate vs. Recharge Rate 7

 7.3 Well Drawdown Interference 7

8.0 WETLANDS AND LAND DEVELOPMENT STRATEGIES 11

 8.1 Potential Issues Caused by Development 11

 8.2 Water Infiltration Volumes 11

 8.3 Water Budget 13

 8.4 Rainwater Control Design 14

9.0 ON-SITE SEWAGE DISPOSAL 17

10.0 CONCLUSIONS AND RECOMMENDATIONS 18

 CLOSURE / DISCLAIMER 19

 REFERENCES

Appendix A - Water Well Statistics
Appendix B - Well Log Record

FIGURES

Figure 1 - Location Plan..... 3
Figure 2 - Development Plan 4
Figure 3 - Wetland Occurrence linked to the Topography 6
Figure 4 - Bedrock Elevation / Ground Surface Elevation 8
Figure 5 - Neighboring Well Yields..... 9
Figure 6 - Depth to Water 10
Figure 7 - Amount of Water to Infiltrate Artificially 11
Figure 8 - Infiltration Swales System and Possible Locations 15
Figure 9 - Infiltration Swale Longitudinal Section..... 16

TABLES

Table 1 - Monthly Volumes to Inject Artificially 12
Table 2 - Effect of Sewage Disposal on Local Surface Waters..... 18

PHOTOS

Photo 1 - Culvert [...] on the subject property 2
Photo 2 - Stream on proposed Lot 1 [...] 2
Photo 3 - Wetland on western side of the property [...] 2

Well Water Supply and Environmental Impacts Renfrew Road Subdivision, Shawnigan Lake, BC

1.0 INTRODUCTION

In April 2012, Lowen Hydrogeology Consulting Ltd. (LHC) was hired by Shawnigan Lake Investments Ltd. to carry out a groundwater supply assessment as well as an environmental (hydrology) impact report on the development of 15 Lots with individual water wells and sewage disposal fields. This assessment indicates that the subject area is underlain by a productive bedrock aquifer. The subject wells are shown in Figure 1 and a plan of the development in Figure 2. A large wetland area occupies the west side of the property and this area will not be developed. Some very small seasonal streams also are evident. A plan of rainwater management is proposed to mitigate any potential impacts on these natural features.

2.0 PHYSICAL SETTING

2.1 Climate

The Shawnigan Lake region is within the West Coast Temperature Zone, with an average annual precipitation of 1,247.6 mm, of which 75.5 cm falls as snow. The rainy season is generally between October to March, where precipitation averages greater than 100 mm per month. The coldest months are typically from December to February where daytime highs are lower than 5 degrees C. From June to September daytime temperatures are typically in the 15 degrees C range.

2.2 Topography and Surface Water Drainage

The subject property is located in a moderately rolling to steeply sloping topography, with irregular surfaces (multiple slopes). The North boundary of the property is at lower elevation than the Southern side as well as the neighbouring Lots to the North.

On the North-western side of the property a series of culverts are found to drain water from the North to the South (Photo 1). The Lots located North of Renfrew Road drain their wetlands onto the subject property, feeding the subject wetlands (Photo 3). At least 3 culverts were observed along Renfrew Road, all draining from North to South (see Figure 2 for location). The wetlands do not appear to be drained by any stream and drain primarily by infiltration on-site. Of the 3 culverts observed, most westerly one was draining a small amount of water from neighboring property. The two others were dry. It is likely that these culverts drain water during storm events, and this drainage has to be considered for the development.

On the North-Eastern side of the property, the topography is even more irregular, forming a series of sinks or micro valleys and high points or ridges. At least two small streams were located on proposed Lot 1, draining water from South to North and discharging through a culvert on the North boundary of the property (Photo 2). The Trans-Canada trail bounding the North-east side of the property is at lower elevation so natural drainage of the eastern Lots occurs via these streams.



Photo 1: Culvert draining water on the subject property



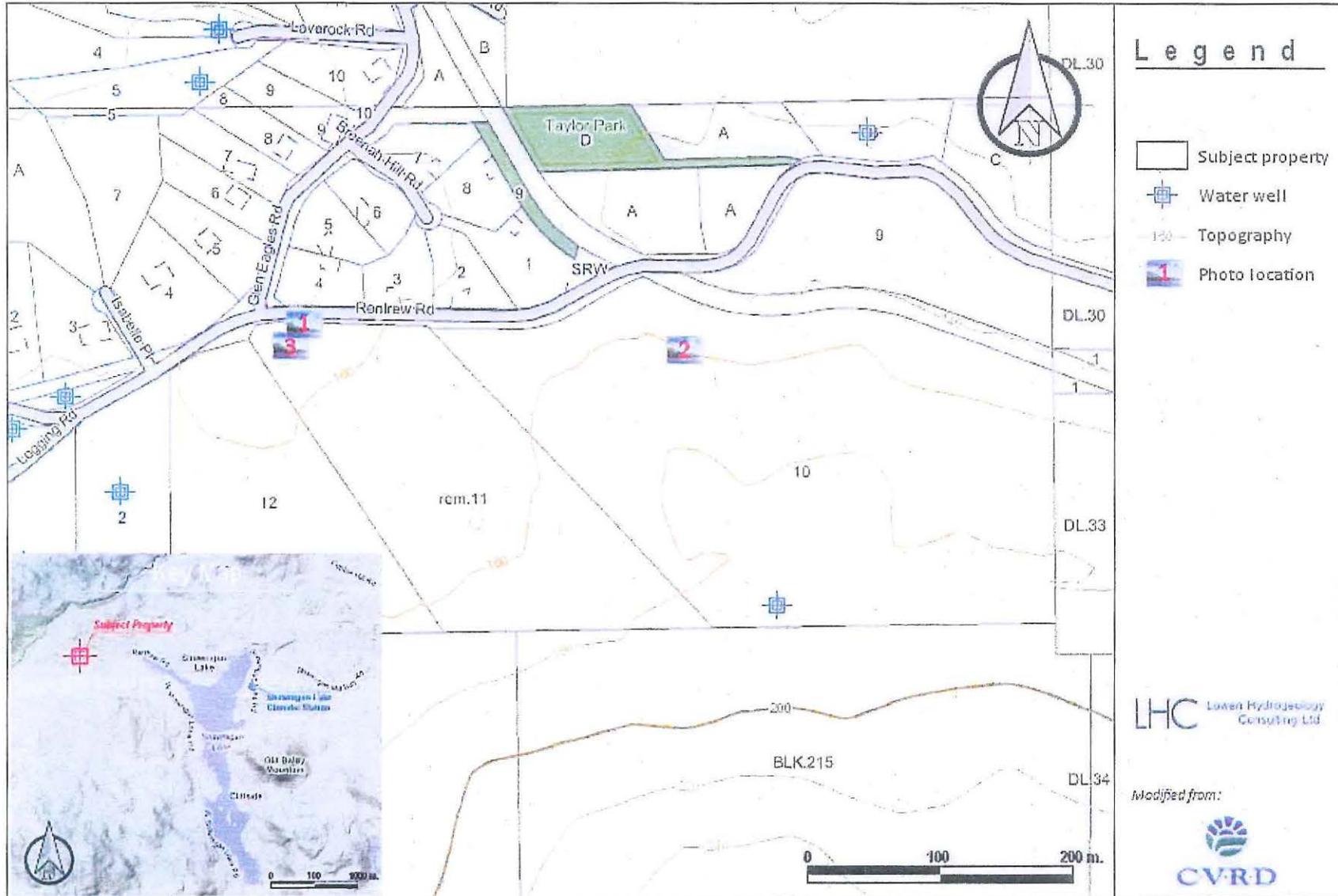
Photo 2: Stream on proposed Lot 1, draining from South to North



Photo 3: Wetland on Western side of the property fed by the culvert of Photo 1

Photo locations are shown in Figure 1

Figure 1 - Location Plan



2.3 Vegetation and Soil Type

The area of study is located within the coastal western hemlock zone and the coast Douglas-fir subzone, typically found at elevations from 0 to 500 m ASL.

The soils on which the property lies are a mix of colluviums, moraine and marine deposits. Colluvium deposits are dominant. All of the soil materials are described as gravelly to very gravelly, sand and loam and are well drained soil types.

3.0 SURFICIAL GEOLOGY

The Shawnigan Lake area is located within the Georgia Depression Physiographic subdivision. Surficial geology maps show that the property is located within a long arm of gravelly material that appears to fill a narrow and thin channel. This channel connects to the western side of Shawnigan Lake. The bedrock is found at shallow depth on each side of the channel. The analysis of the type of fill material within the channel suggests that it would have been carved by glaciers (moraine deposits) and mixed with colluvium from the high slopes bounding the channel to the north and the south. Finally, after glacier retreat, some coarse marine material would have been deposited.

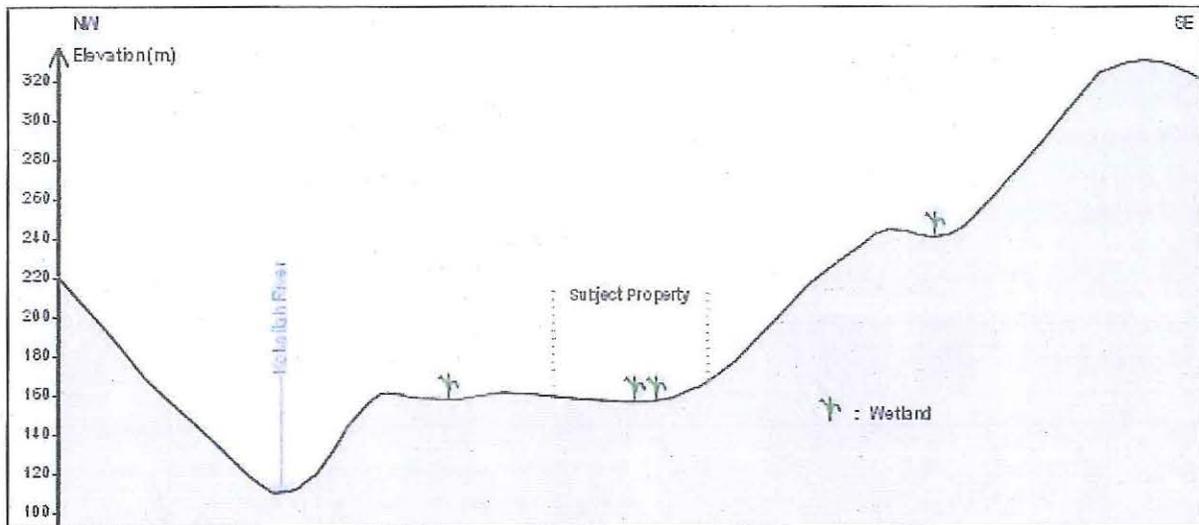
4.0 BEDROCK GEOLOGY

The quaternary deposits in which the area of study stands, lie over limestone of the Sicker Group. This bedrock unit contains the oldest rocks on Vancouver Island, from the Paleozoic Era, Devonian Period and dated at 370 m.y. Bedrock maps show a large scale contact zone between two bedrock formations, materialized by a fault. Locally, the sediments would have been carved by glaciers and then streams, still seasonally flowing within a topographical depression reaching Shawnigan Lake. Figure 4 shows the relation between bedrock elevation and ground surface topography. The topographic high points are directly linked to bedrock topography. At lower elevations, the surficial sediments become slightly thicker, however with an average thickness of only 6 m.

5.0 HYDROLOGY

The major closest river is the Koksilah River, flowing North-Eastward. The topographic maps show that this feature is not connected at surface to the streams and wetland at the subject property. The property contains some wetlands and very small seasonal streams that naturally drain the water away and feed the north-western arm of Shawnigan Lake. The wet zones were mapped in detail on the subject property by Island Land Surveying Ltd. and can be reviewed in Figure 2. The particular topography in the area of study shows alternating steep slopes and flat plateaus. Wetlands occur at the topographic breaks, as shown in Figure 3. Wetland issues and land development strategies will be discussed in further section.

Figure 3 - Wetland occurrence linked to the topography



6.0 HYDROGEOLOGY

No aquifer has been mapped in the area of study, however a good amount of wells exist within the surrounding area. Of the 34 wells reviewed, 32 tap a bedrock aquifer and 2 tap a sand and gravel aquifer. Aquifer mapping has been done in the area of study and the closest bedrock aquifer is Aquifer #202 (Bonanza and Sicker Groups). The aquifer boundary has been limited to an unnamed creek due to a lack of data beyond this natural feature. The bedrock wells in the vicinity of the subject property are likely to belong to Aquifer #202. Yields of the local bedrock are good, with average of 9 USgpm, a minimum yield reported of 0.5 USgpm and a maximum of 40 USgpm. Statistics are reported in appendix A. Well yield data are mapped in Figure 5. The sand and gravel aquifer is located along the Koksilah River, where deeper bedrock is reported (see Figures 4 and 5). The average yield of this sand and gravel aquifer is 17.5 USgpm. The water table is shallow and becomes locally artesian at the slopes breaks (evidenced by the wetlands). Figure 6 presents a piezometric map of the area of interest.

The hydraulic conductivity of the Aquifer #202 has been assessed by Newton and Gilchrist (2010) and gives value of 1.35×10^{-5} m/s or 1.17 m/d. The aquifer transmissivity is 3.58×10^{-5} m²/s. A recharge rate to the main bedrock aquifer of 25 percent of precipitation, or $0.25 \times 1,247.6$ mm/yr = 312 mm/yr, has been estimated by LHC based in these rock conductivities and the well drained sand and gravel soils. The aquifer underlies the entire development site.

7.0 WATER WELL DEVELOPMENT

7.1 Potential Supply vs. Demand

The development of 15 Lots would require the drilling of one water well per lot, i.e. 15 wells. Wells for each newly subdivided land parcel in the CVRD must be capable of producing 2,273 litres per day (500 Imperial gallons per day or 0.42 US gallons per minute). Please refer to the "Cowichan Valley Regional District Subdivision Bylaw No.1215, 1989" Section 8 - Services - water Supply, 8.3 (b) ii. The local geology has shown the presence of productive bedrock underlying the subject property with average yield of 9 USgpm. The well No. 103259 is located within the property boundary and has a yield of 25 USgpm for a depth of

152.5 m. (500 ft.). It is likely that the yield will increase with the drilled depth as it is the case for well No. 103259. These data show that the bedrock aquifer is more than adequate to supply the proposed lots. CVRD bylaws permit individual well supplies to be approved with a confirmation letter provided by a qualified drilling contractor.

7.2 Well Water Abstraction Rate vs. Recharge Rate

The renewable groundwater resource has been determined by LHC in this assessment to be sustainable for the proposed development. Based in the estimated annual groundwater recharge rate of 312 mm/yr in the region, the groundwater system is replenished at a rate of approximately 3,120 m³/ha/yr.

The current configuration of the land in the region is approximately 0.2 Lot/ha. Considering a development of twice this density in the future, the following estimation will take in consideration 0.5 Lot/ha for project sustainability. The requirement for one Lot is 829 m³/ha/yr. Therefore the water demand in the region will be 415 m³/ha/yr or $415 / 3,120 = 13\%$ of the natural discharge. The well water supply scenario is sustainable.

7.3 Well Drawdown Interference

As is always the case, the water levels of the aquifer in the subdivisions will be drawn down by the production wells and consequently this drawdown effect on adjacent or nearby wells must be considered in the assessment. Given the hydraulic conductivity of the aquifer at the site and the anticipated pumping rates, the significant drawdown effect from a production well will not extend beyond 150 m., radial distance. This would be a recommended separation distance between neighboring wells.

Figure 4 - Bedrock Elevation / Ground surface Elevation

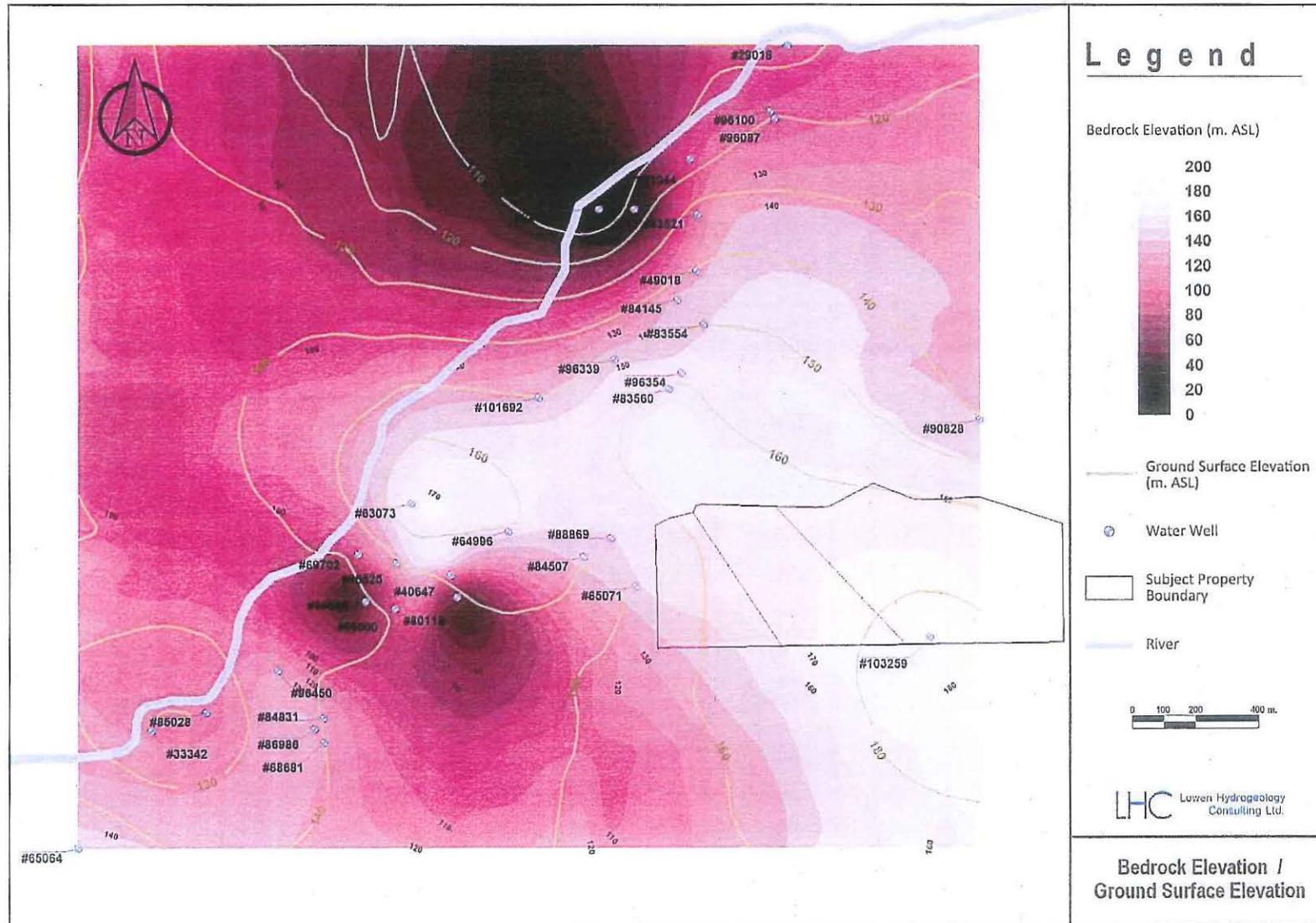


Figure 5 - Neighboring well yields

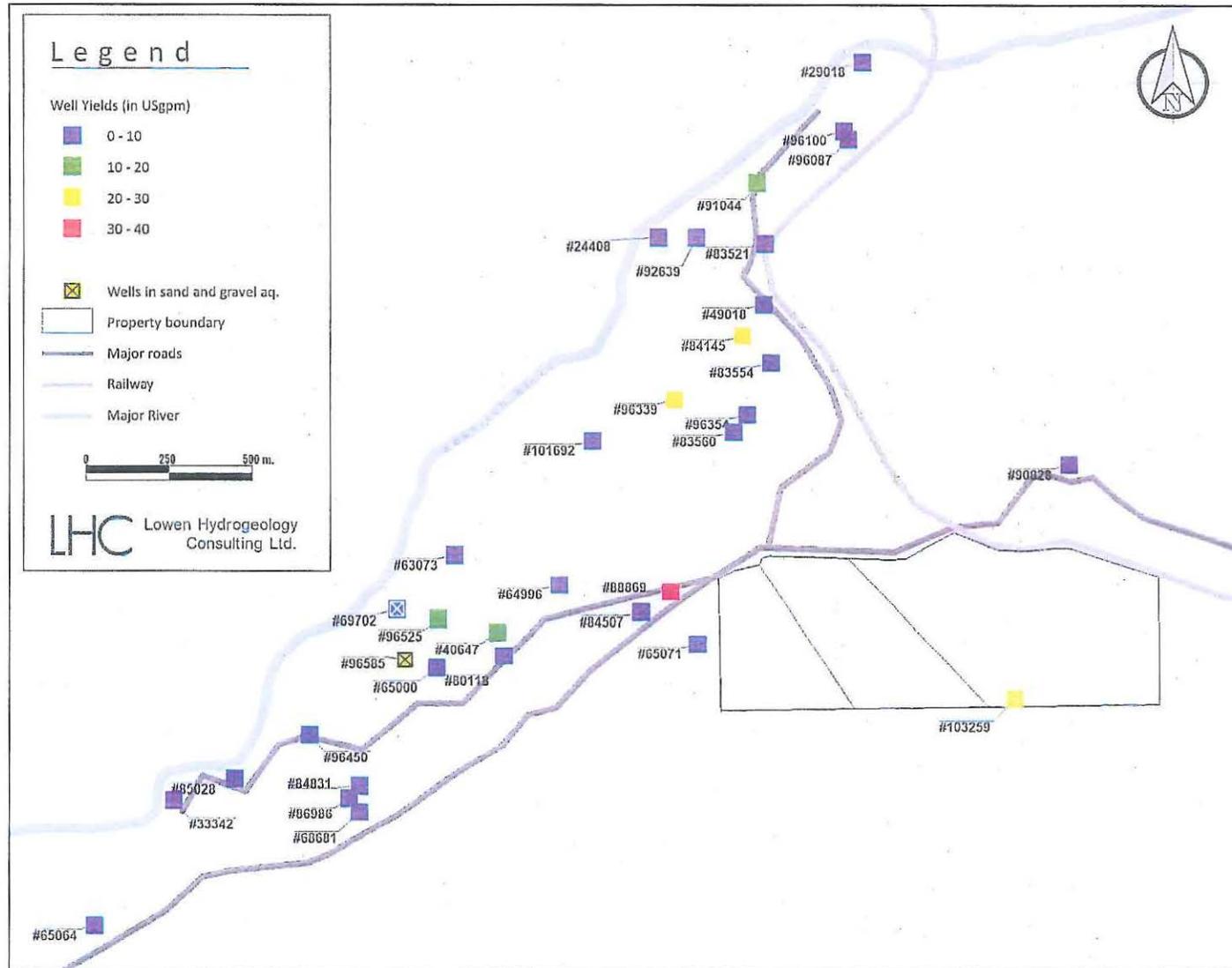
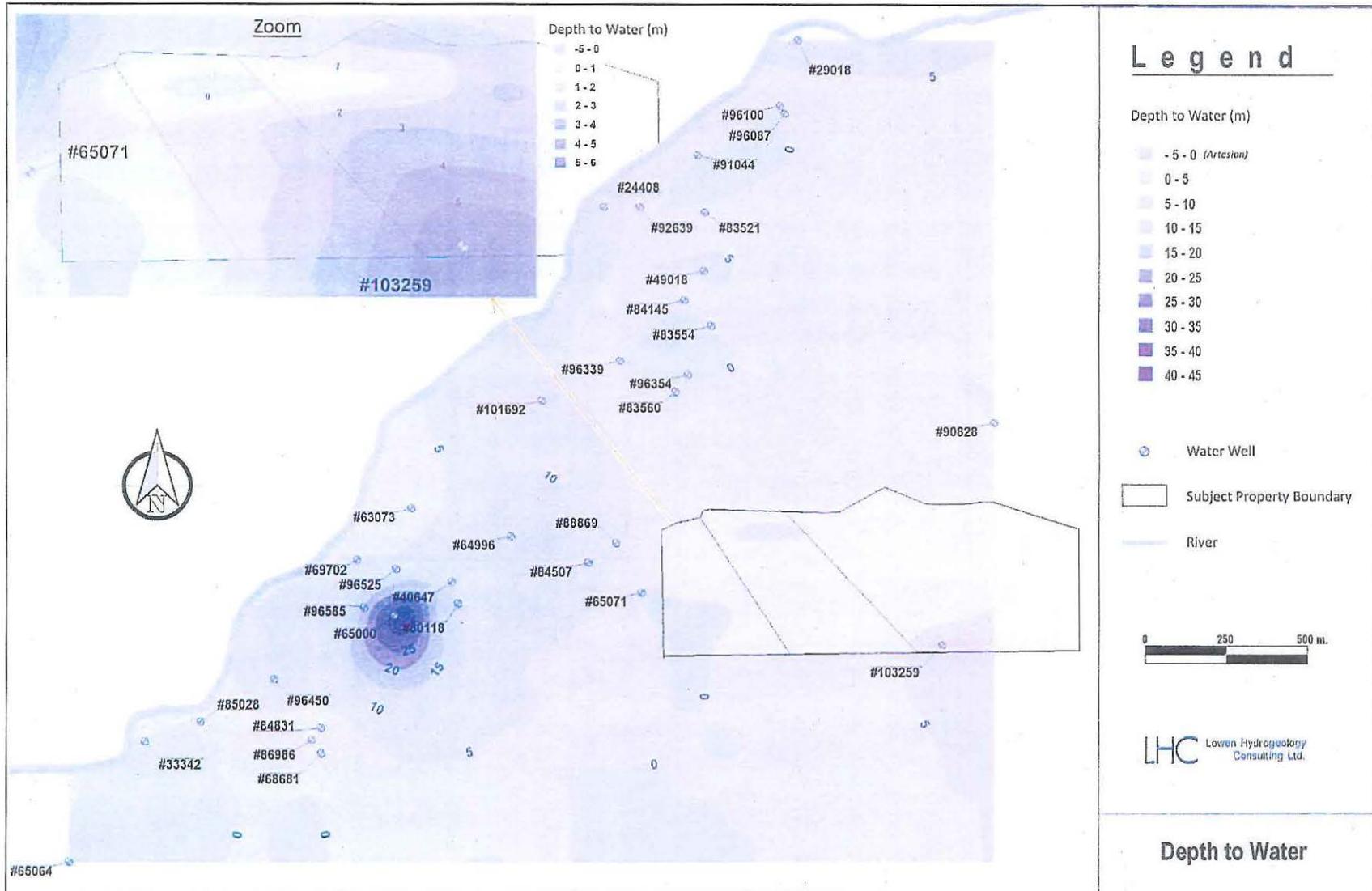


Figure 6 - Depth to Water



8.0 WETLANDS AND LAND DEVELOPMENT STRATEGIES

8.1 Potential Issues Caused by Development

The natural water table in the subject property causes local groundwater emergence, especially in the western part of the property. The creation of a park at this location will facilitate preservation of these wetlands. The developed area will lower the infiltration capacity from precipitation, due to a reduction of soil exposure (houses, road concrete, etc.). As a result of this development, the amount of runoff water will increase and concentrate towards infiltration areas (likely the park). The water table will locally mound and expand these wet areas.

Developing a rainwater infiltration network within the developed area is recommended to:

- Maintain the wetlands in their natural conditions;
- Allow rainwater to infiltrate at different locations within the built-up area;
- Control runoff and preserve the soil structure;
- Maintain a natural groundwater table beneath the development site.

8.2 Water Infiltration Volumes

Due to the development of the area, the area of infiltration will be reduced, and therefore more water will runoff to reach infiltration zones. This runoff must be managed to mitigate negative impacts. The amount of water required to be injected can be approximated considering the following parameters:

- Total area of subject property = ± 60 ha = 600,000 m²
- Projected built-up area* = ± 4 ha = 40,000 m²

* The projected built area encompasses Lots SL A, SL B, SL C, SL D @ 0.5 ha each; Lot SL E @ 0.6 ha, 1 house per Lot (20 m x 20 m) = 0.04 ha on 10 Lots and 1 ha of driveways, paved areas, etc. (See Figure 2 for location).

Precipitation data are used in the model to assess the amount of water infiltrating every month within the property boundary. By reducing the infiltration area but keeping the same water inflow, the amount of water that has to be artificially infiltrated can be assessed. Table 1 gives the detail of all data and calculations. Results are presented in Figure 7 as follow:

Figure 7 - Amount of Water to Infiltrate Artificially

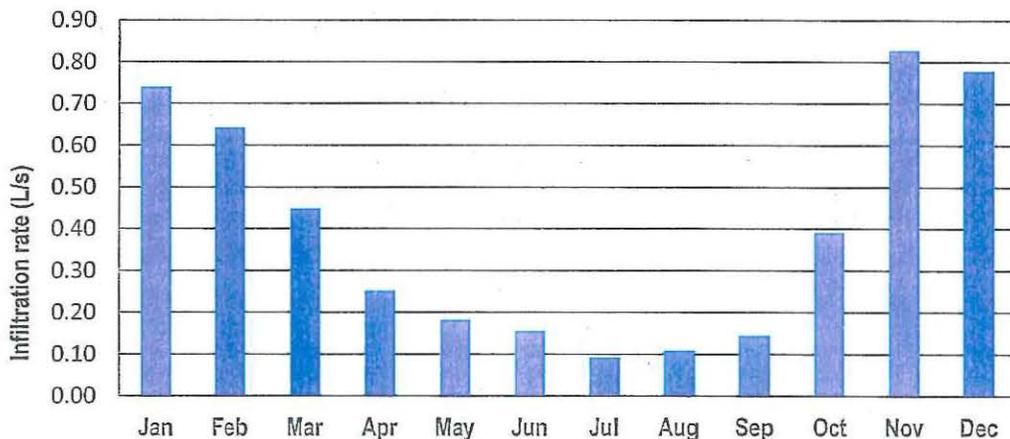


Table 1 - Monthly Volumes to Inject Artificially

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Precipitation (mm)	198.3	155.3	120.2	65.2	48.7	40.2	24.7	29.3	37.6	104.8	214.6	208.7	1,247.6
Precipitation (m)	0.198	0.155	0.120	0.065	0.049	0.040	0.025	0.029	0.038	0.105	0.215	0.209	1.248

*Shawnigan Lake Climate Station

Infiltration : 25% of Precipitation

Volume of natural infiltration before development (m ³)	29,745	23,295	18,030	9,780	7,305	6,030	3,705	4,395	5,640	15,720	32,190	31,305	187,140
Volume of natural infiltration after development (m ³)	21,762	21,742	16,828	9,128	6,818	5,628	3,458	4,102	5,264	14,672	30,044	29,218	174,664

After Development : Volume to inject artificially

Flow (m ³ /month)	1,983	1,553	1,202	652	487	402	247	293	376	1,048	2,146	2,087	1,040
Flow (m ³ /day)	64.0	55.5	38.8	21.7	15.7	13.4	8.0	9.5	12.5	33.8	71.5	67.3	35
Flow (L/s)	0.74	0.64	0.45	0.25	0.18	0.16	0.09	0.11	0.15	0.39	0.83	0.78	0.40

Where:

- (1) Volume of natural infiltration before development:

$$\text{Precipitation (m)} \times \text{Area of property (m}^2\text{)}$$

Ex: January: $(0.198 \text{ m} \times 600,000 \text{ m}^2) \times 0.25 = 29,745 \text{ m}^3$

- (2) Volume of natural infiltration after development:

$$\text{Precipitation (m)} \times (\text{Area of property} - \text{Built Area}) \text{ (m}^2\text{)}$$

Ex: January: $(0.198 \text{ m} \times (600,000 - 40,000) \text{ m}^2) \times 0.25 = 21,762 \text{ m}^3$

⇒ Volume to inject artificially = (1) - (2)

The rainwater infiltration works will have to be designed for infiltration rates ranging from 0.09 L/s (July) to 0.83 L/s (November), with an average flow of 0.40 L/s on an annual basis. This amount is considering no other inflow than the runoff due to the development. However, if bio-swales are constructed across the property some runoff from the non-built area will be intercepted by the swales. The best rainwater infiltration design would therefore consider that the bio-swales would infiltrate almost all the runoff within the property boundary. This would lead to a higher replenishment of the aquifer and therefore a positive impact on the local water features; that is increased interflow and deep groundwater recharge.

8.3 Water Budget

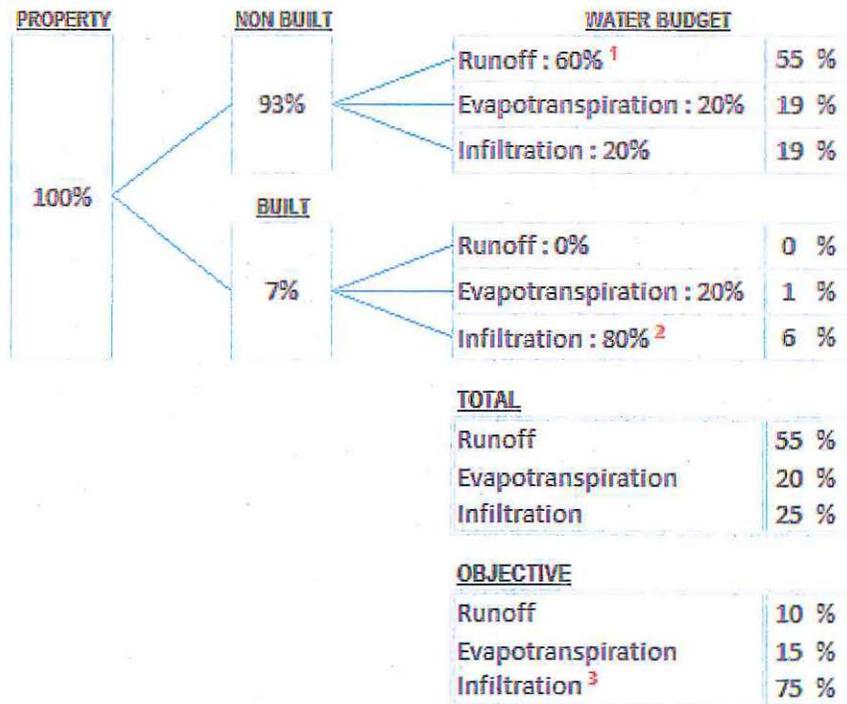
Before development, the water budget within the property is as follows:

$Precipitation \approx Runoff + Evapotranspiration + Infiltration$
--

Where

- Precipitation = $1.25 \text{ m/yr} \times 600,000 \text{ m}^2 = 750,000 \text{ m}^3/\text{yr}$
- Runoff (50%) = $0.50 \times 750,000 \text{ m}^3/\text{yr} = 375,000 \text{ m}^3/\text{yr}$
- Evapotranspiration (25%) = $0.25 \times 750,000 \text{ m}^3/\text{yr} = 187,500 \text{ m}^3/\text{yr}$
- Infiltration (25%) = $0.25 \times 750,000 \text{ m}^3/\text{yr} = 187,500 \text{ m}^3/\text{yr}$

After the development, the built and non-built area will be divided as follows:



¹ Cutting trees leads to less evapotranspiration and facilitates soil compacting i.e. more runoff

² Roof drainage to rock pits and roadways to infiltration trenches

³ Bio-Swales facilitate infiltration of any excess flow

The objective for the design of the rainwater infiltration system will be to infiltrate almost all runoff from the developed area, but also from non built-up areas. The natural overland drainage would therefore be intercepted by the bio-swales and infiltrated on site. This will result in a better replenishment of the aquifer under the property, increasing interflow and leading to a positive water budget impact. The wetlands located on the proposed Park area will still be fed by the Northern properties and therefore will not be affected; however, they would not tend to be flooded during exceptional storm events. The eastern side of the property does not contain wetlands. The streams will still exist but water will be discharged into the bio-swales at several points of the property. A more detailed description of the design of the rainwater infiltration system is described in the following section.

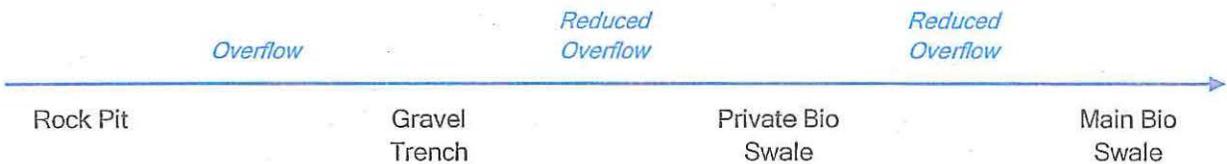
8.4 Rainwater Control Design

Considering the lot density for the region (0.2 Lot/ha), and therefore the expected percentage of built-up area (6.7%), only small-scale infiltration systems will be needed. Every house should have gutters draining rainwater down to a rock pit downslope of the house. The rock pit overflow should be drained along the private driveways by a bio-swale. Each private bio-swale should be connected to a main one. On each side of the driveways and access roads a pre-infiltration gravel trench should be designed. If overflow occurs, the water would flow to the bio-swale. Figure 8 shows the design and possible locations of these rainwater control works.

Considering the topography, most of the rainwater will flow either to the North, North-East or North-West. A large-scale topographic map gives an idea of the flow direction on each lot:

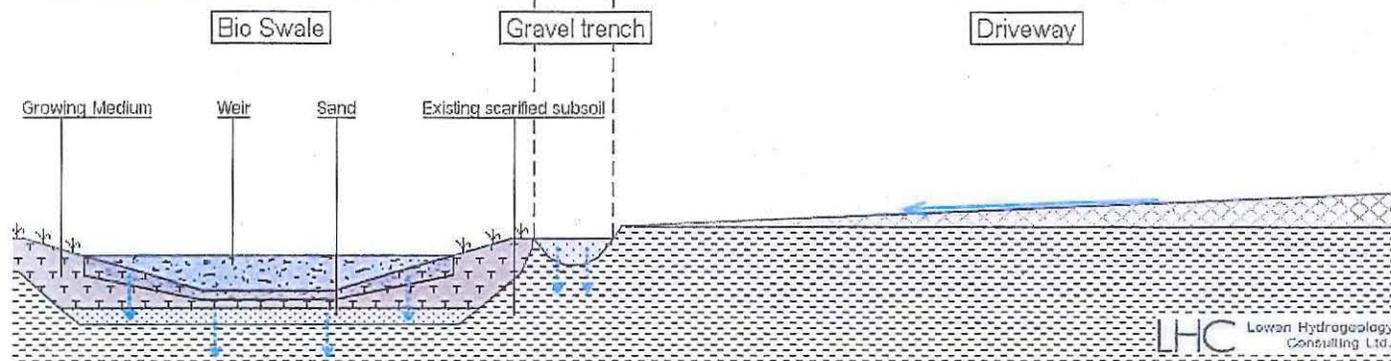
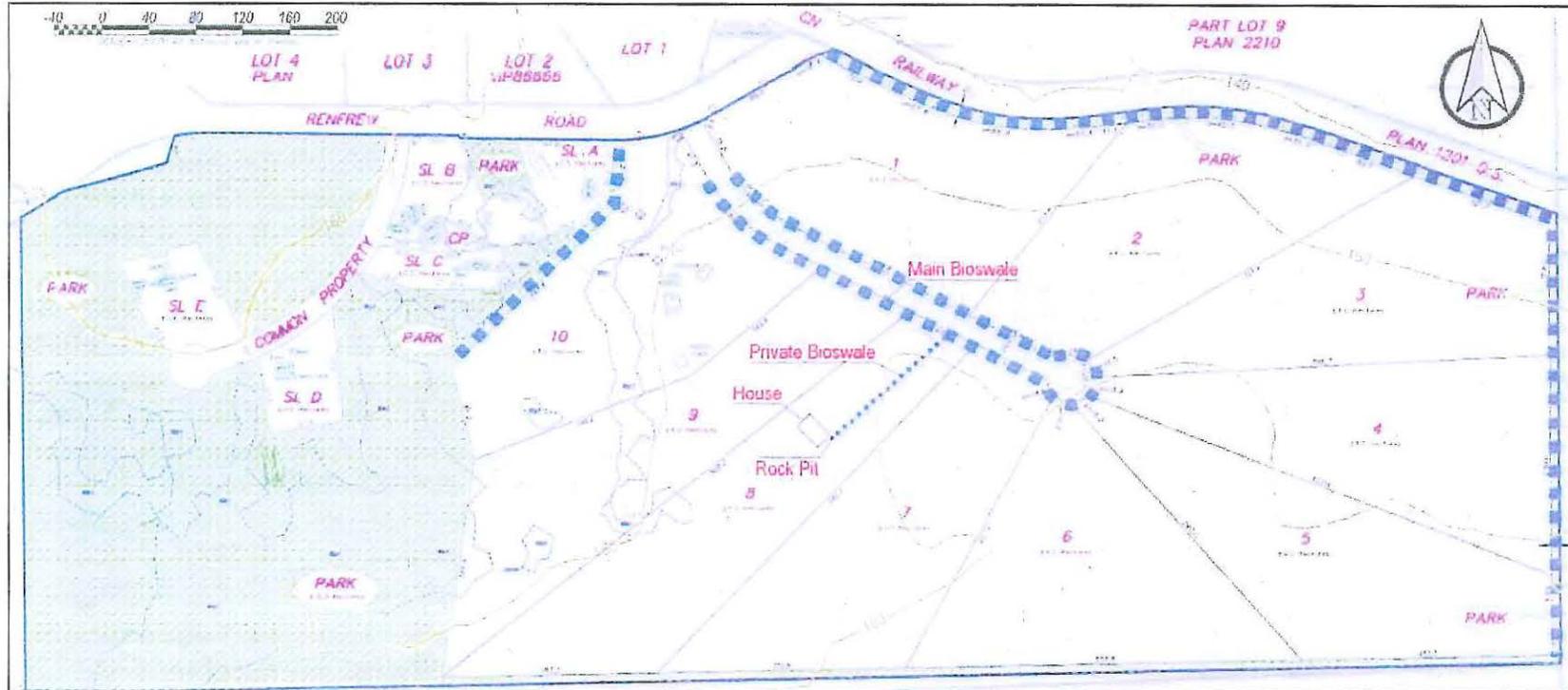
- Northward flow: Lots 1, 2 and 6
- North-Eastward flow: Lots 3, 4 and 5
- North-Westward flow: Lots 7, 8, 9 and 10

Figure 8 shows an example of the proposed swales connection from a private swale to a main swale (Lot 8). The system will operate as follows:



The infiltration swale is a system utilizing sand / gravel infiltration trench combined with grass swales. It consists of a series of small reservoirs inter-connected on a slope (Figure 9). The rainwater is received by a reservoir and is contained behind a weir. Rainwater infiltrates slowly to the underlying soils. The excess of water discharges into the next reservoir downstream. The swale system is particularly well adapted for residential areas and can be designed on profiles up to 10 % slope (*Lanarc Consultants Ltd. et al., 2005*).

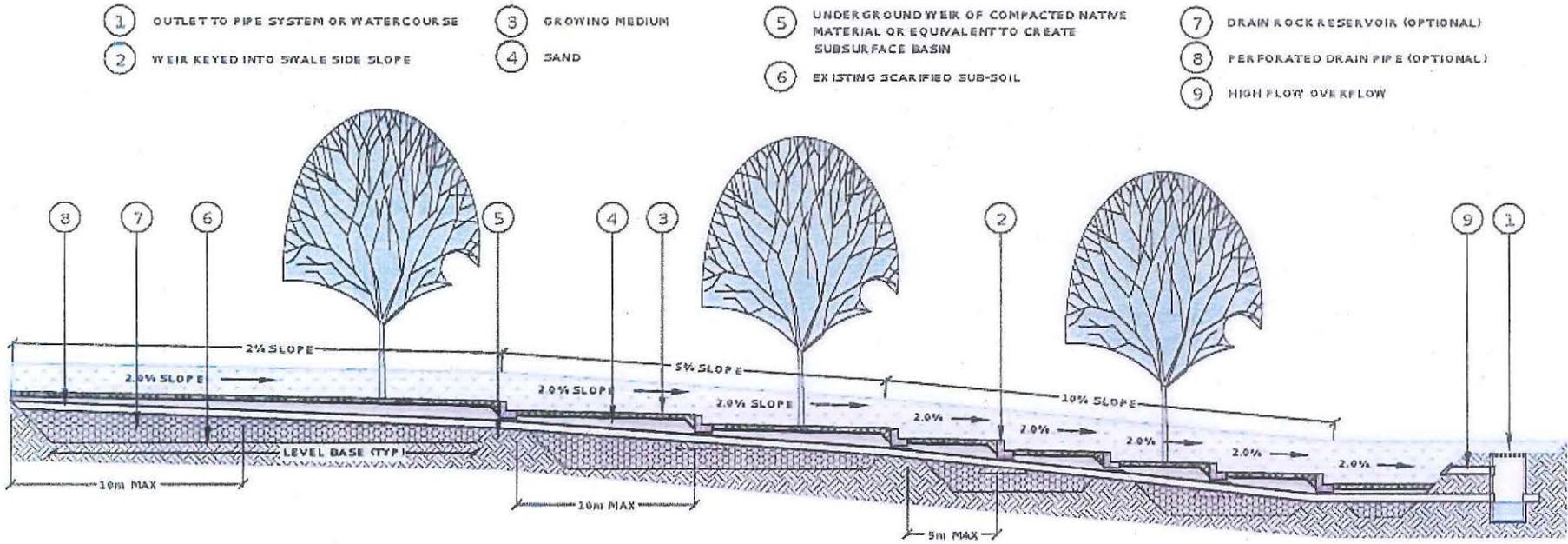
Figure 8 - Infiltration Swales System and Possible Locations



NOT AT SCALE

*Bio swale design from:
Lanarc Consultants Ltd.
Kerr Wood Leidal Associates
Ltd.
Goya Ngan - (2005)
Stormwater Source Control
Design Guidelines 2005
Greater Vancouver Regional
District*

Figure 9 - Infiltration Swale on a Longitudinal Section



2 INFILTRATION SWALE
 A Not To Scale

Longitudinal Profile

Source:
 Lanarc Consultants Ltd.
 Kerr Wood Leidal Associates Ltd.
 Goya Ngan - (2005)
 Stormwater Source Control Design Guidelines 2005
 Greater Vancouver Regional District

A rough estimation of the total swale length needed can be assessed as follows:

$$A = Q / (K_v \times CF)$$

Where:

- A = Area of swales in m² (standard average width = 1.5 m)
- Q = Flow discharging to the swales = 1,540 m³/day*
- K_v = Vertical hydraulic conductivity = [5 - 10] m/day
- CF = Clogging Factor = 0.8

* 75 % of the total precipitation

Therefore:

$$\begin{aligned} A_{\min} &= 1,540 / (10 \times 0.8) = 193 \text{ m}^2 & \Rightarrow & L_{\min} = 193 / 1.5 = 129 \text{ m} \approx \underline{130 \text{ m}} \\ A_{\max} &= 1,540 / (5 \times 0.8) = 385 \text{ m}^2 & \Rightarrow & L_{\min} = 385 / 1.5 = 257 \text{ m} \approx \underline{260 \text{ m}} \end{aligned}$$

The length that would be required is between 130 to 260 m according to the hydraulic conductivity of the soil at depth. This length is calculated without taking in consideration the rock pits and gravel trenches pre-filtration work. This is therefore an over estimation of the actual length necessary.

9.0 ON-SITE SEWAGE DISPOSAL IMPACT AND MITIGATION

It is understood that the proposed development property lies within the watershed of Shawnigan Lake. We have been working on sewage disposal and groundwater supply issues in this important watershed since 1978. Historically the lake has suffered negative impacts from septic disposal systems employing in-ground dispersal of effluent. The major negative impacts are caused by bacteria and nutrients (nitrate and phosphorous). These contaminants were introduced into the lake because of three contributing factors:

- (1) Septic system failure due to a lack of maintenance
- (2) Close proximity of septic systems to the lake
- (3) Marginal or poor soil conditions in which dispersal fields were built

With respect to the subject property none of the three factors above apply and sewage disposal here will not have a negative impact on Shawnigan Lake. It is now mandatory to inspect septic tanks, and system failures will be rectified. The site is remote from the lake, situated 1.1 km to the east. The site soils are excellent for renovation of sewage effluent. All the potential contaminants will meet or exceed MOE standards 30 m downstream from the dispersal fields. See Table 2 below for a summary of wastewater effects on surface water. On-site sewage dispersal systems will be located at a minimum of 30 m from any streams.

Table 2 - Effect of Sewage Disposal on Local Surface Waters

	Effluent Type 1	Estimated Concentrations of Treated Effluent		MOE Standards	
		At Water Table	30 m. D/S	Drinking Water*	Aquatic Life
BOD (mg/L)	150	<10	0	N/A	N/A
TSS (mg/L)	60	<10	0	N/A	10
FC (MPN/10 mL)	10 ⁴	<10 ²	0	0	14
pH	7.1 - 8.3	7.0 - 8.0	7.0 - 8.0	6.5 - 8.5	6.5 - 9.0
Total Nitrogen (mg/L)	70	<70	<10**	N/A	20
Nitrate (mg/L)	35	<35	<5**	10	40
Turbidity (NTU)	20	<5	0	1	8
Phosphorous (mg/L)	20	<20	Background***	N/A	0.005 - 0.015

* Guidelines for Canadian Drinking Water Quality (2008)

** Dilution with natural flow and removal in soils

*** Phosphorus Removal Reference

Percolation through natural soil materials is a very effective method of removing Phosphorus (P) from wastewater. P removal processes in the subsurface include vegetation uptake, other biological processes, absorption and precipitation. Of these adsorption is the most important. Scientific studies (Natural Treatment Systems for Waste Management and Treatment; Reed, Crites, Middlebrooks; 1995) have shown P removal of 99% with application rates from 2.0 to 9.0 mg/L P, and travel distances greater than 30 m.

Abbrev:

- D/S - Downstream
- MOE - Ministry of Environment
- BOD - Biological Oxygen Demand
- TSS - Total Suspended Solids
- FC - Fecal Coliform
- N/A - Not Applicable or No Standard Set

Ref:

Crites and Tchobanoglous, *MOH Sewage System Standard Practice Manual, Vers. 2, 2007. Type 1 System - Septic Tank with Bio-Filter*

10.0 CONCLUSIONS AND RECOMMENDATIONS

- 10.1** The underlying bedrock aquifer is able to sustain the development project, with water wells yielding not less than 500 l/gpm (0.42 USgpm).
- 10.2** The potential supply vs. Regional demand scenario has been realized taking in consideration development of the region in the future and therefore higher water demand. The water supply scenario is readily sustainable when increasing the development from current 0.2 Lot/ha to 0.5 Lot/ha.
- 10.3** Natural wetlands occur on the western side of the site. The development will lower the infiltration area and may increase runoff towards these wetlands. To prevent such a situation a rainwater infiltration system has been designed and includes the design of rock pits, gravel trenches and bio-swales to allow even infiltration across the area and preserve the wetlands.
- 10.4** The technical drawings for the infiltration system are a conceptual design only. It would be recommended to consult a specialist to design the infiltration network.
- 10.5** With the design of a rainwater management system and sewage disposal fields, and due to the particularly good hydraulic conductivities of the native soils and bedrock, all the water runoff from the development will be collected and treated on site. By re-injecting rainwater to the aquifer beneath the property, this will create a closed system sustainable on its own, that will not interfere with the natural surrounding features such as Shawnigan Lake.

- 10.6 A popular and effective practice for stormwater runoff management is construction of rain-gardens which facilitates runoff retention, treatment and infiltration. This site includes a natural wetland which has all the attributes of a rain-garden. The wetland on-site will be maintained.
- 10.7 The proposed rainwater infiltration on-site will benefit shallow groundwater flow (interflow) which sustains creek flow as well as treating the stormwater by infiltration and adsorption process in the soil.

CLOSURE / DISCLAIMER

This report has been prepared in accordance with generally accepted engineering practices. The opinions expressed herein are considered valid at the time of writing. Changes in site conditions can occur, however, whether due to natural events or to human activities on these, or adjacent properties. In addition, changes in regulations and standards may occur, whether they result from legislation or the broadening of knowledge. This report is therefore subject to review and revision as changed conditions are identified.

Well yields and water quality can vary over time due to climate change, recharge area modification, or earth movements (earthquakes and blasting). Therefore water level and regular water quality monitoring for drinking water wells is essential.

In formulating our analyses, conclusions and recommendations we have relied on information supplied by others; previous reports, studies and mapping, well drilling contractors, pumping test contractors and a certified water testing laboratory. The information provided by others is believed to be accurate but cannot be guaranteed. If the recommendations in this report are not implemented, we assume no responsibility for any adverse consequences that may result.

If you have any questions or require any further information, please contact the undersigned.

Respectfully Submitted,

DRAFT

LOWEN HYDROGEOLOGY CONSULTING LTD.

Dennis A. Lowen, P. Eng., P. Geo.
DAL/MLD/hmr

Web: www.lowehc.ca

REFERENCES

Maps

Cotic, J. Jungen (1978)
Soils of South Vancouver Island, BC; Soil Survey Report No.44, Sheet 1 - *Sc. 1:100,000*

J.E. Muller (1980)
Map 1553A - Geology of Victoria, BC; *Sc. 1:100,000 - Geological Survey of Canada*

Reports and Publications

Environment Canada
Canadian Climate Normals British Columbia 1961 - 1990

Lanarc Consultants Ltd., Kerr Wood Leidal Associates Ltd., Goya Ngan (2005)
Stormwater Source Control Design Guidelines 2005 - *Greater Vancouver Regional District*

Web

BC Water Resource Atlas (WRBC)
http://www.env.gov.bc.ca/wsd/data_searches/wrbc/

CVRD Atlas
<http://maps.geocortex.net/imf-5.2.0/imf.jsp?site=cvrdbasic>

Environment Canada National Climate Data and Information Archive
www.climate.weatheroffice.gc.ca

The Partnership for Water Sustainability in BC
<http://www.waterbucket.ca>

Appendix A

Water Well Statistics

Well Tag No.	Depth to Bedrock (m.)	Depth to Water (m.)	Yield (USgpm)
65064	6.1	Unknown	0.75
33342	2.4	Unknown	9
85028	7	Unknown	0.5
68681	7.6	Unknown	4
86986	0	3	6
84831	4.6	Unknown	7
96450	4.9	9.1	8
65000	0.6	42.7	1
80118	Unknown	Unknown	1.5
40647	7	14.3	20
96525	5.5	6.1	20
63073	1.2	6.1	7
64996	4.3	15.2	4
84507	4.3	9.1	2
65071	0	Unknown	6
88869	7.6	6	40
103259	6.1	6.1	25
101692	10	91	2
83560	7	Unknown	10
96354	2.7	Unknown	6
96339	2.4	Unknown	30
83554	1.8	Unknown	8
84145	1.2	Unknown	30
49018	4.3	8.2	2
90828	0	Unknown	5
83521	8.5	Unknown	1.5
92639	Unknown	Unknown	1.5
24408	Unknown	10.7	0.9
91044	6.3	Unknown	14
96087	8.8	Unknown	5
96100	5.5	Unknown	4
29018	5.6	8.5	4

STATISTICS

Minimum	0.1	3.0	0.5
Maximum	10.0	91.0	40.0
Average	4.6	16.9	8.9
Geometric Mean	2.9	10.6	5.0

Appendix B

Well Log Record



R7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 9, 2013

FILE NO: 3-B-11RS

FROM: Dana Leitch, Planner II

BYLAW NO: 985 and
3510

SUBJECT: Rezoning Application 3-B-11RS
(Steve and Alexandra McLeod)

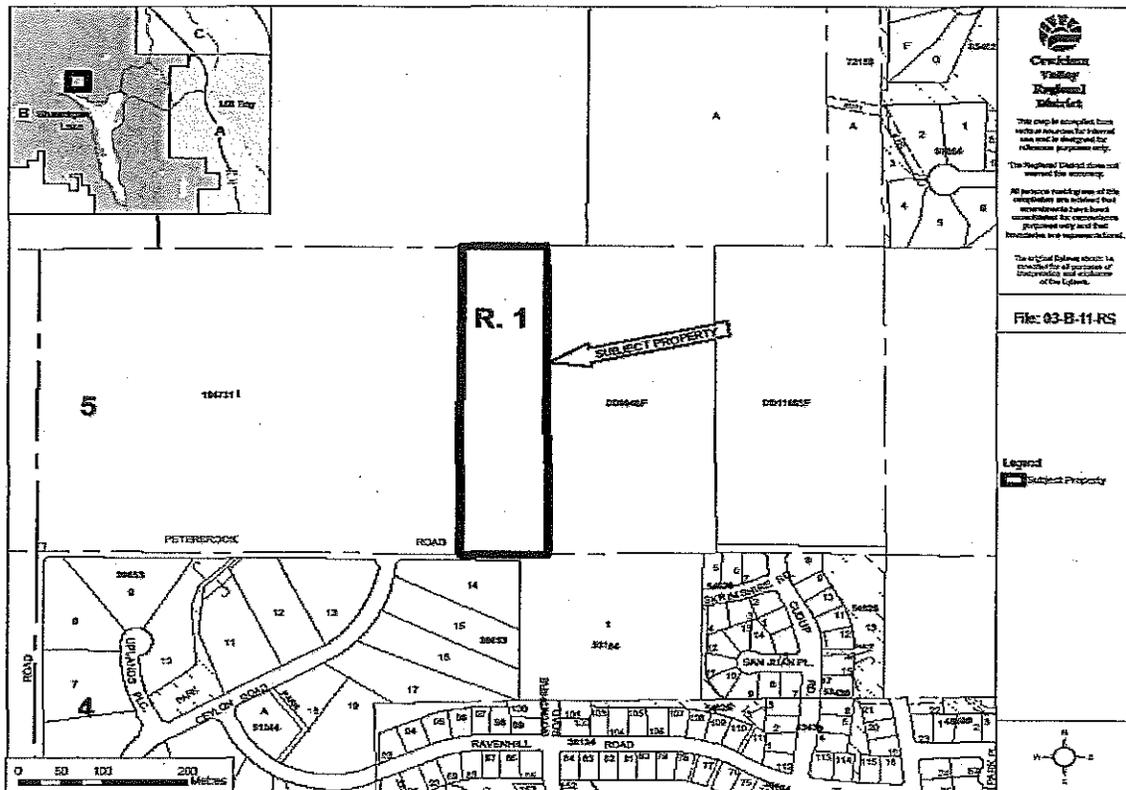
Recommendation/Action:

Direction of the Committee is requested.

Relation to the Corporate Strategic Plan: N/A

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

Location Map:



Background:

An application to amend the Zoning and Official Community Plan designation for a 3.94 ha (9.74 ac.) property located at 2373 Peterbrook Road in Electoral Area B Area B was received in July, 2011. The application proposed to amend the zoning of the property from Primary Forestry (F-1) to Suburban Residential (R-2) to permit a 7 lot residential subdivision and .74 acres of park dedication.

This application was presented to the Electoral Area Services Committee (EASC) on September 18, 2012. At that time, the EASC recommended that the rezoning application and the draft amendment bylaws be presented at a public meeting and that further the application and public meeting minutes be reviewed at a future EASC meeting.

A public meeting for application 3-B-11RS was held on November 22, 2012. Planning staff has attached the public meeting notes to this report for your consideration along with the September 18, 2012 staff report.

Options:

Option 1:

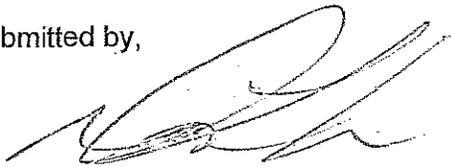
That Application No. 3-B-11RS (Steve and Alexandra McLeod) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Option 2:

That Application No. 3-B-11RS be referred back to the Committee when the following conditions have been met:

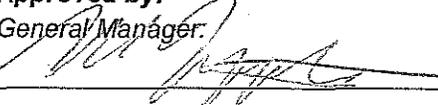
- a) That Application No. 3-B-11RS (Steve and Alexandra McLeod) be formally referred to the Electoral Area B Parks Commission for comment and review.
- b) That a Wildland Urban Interface Fire Hazard Assessment for the property be drafted and submitted by the applicant.
- c) That draft Zoning and OCP Amendment Bylaws for the property be drafted by Planning Staff.

Submitted by,



Dana Leitch
Planner II
Development Services Division
Planning & Development Department

DL/ca

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



C·V·R·D

PUBLIC MEETING MINUTES **Rezoning Application No 3-B-11RS (Steve and Alexandra McLeod)** **Electoral Area B – Shawnigan Lake**

Following is a summary of the proceedings of the Public Meeting for Rezoning Application No. 3-B-11RS (Steve and Alexandra McLeod), applicable to Electoral Area B – Shawnigan Lake, held on Thursday, November 22, 2012, in the Lounge at the Shawnigan Lake Community Centre, 2804 Shawnigan Lake Road, Shawnigan Lake, BC at 7:00 p.m.

CHAIRPERSON Director B. Fraser, Electoral Area B – Shawnigan Lake, Chairperson

CVRD STAFF PRESENT Ms. D. Leitch, Planner II, Planning & Development Department
Mr. R. Conway, Manager, Planning & Development Department
Ms. J. Lendrum, Recording Secretary, Planning & Development Department

Members of the Public:
There were 21 members of the public present.

CALL TO ORDER Director B. Fraser chaired the Public Meeting and called the meeting to order.

- Welcomed the people to the informal public meeting to discuss the Zoning Bylaw and Official Community Plan amendment application.
- The information from tonight's meeting will be presented to the Board Members at the Electoral Area Services Committee of the CVRD.
- The public meeting is being held because the request for development falls just outside the current OCP's Village Containment Boundary.
- The APC initially recommended that the application be denied as it was not consistent with the APC.
- As the APC had not seen the property prior to the initial review of the application, it was reviewed again at a subsequent meeting following a site visit.
- At the second meeting, the APC again recommend that the application be denied.
- Disagreed with the APC members, colleagues, and staff of the CVRD and believe that a wrong judgment was being made. It was then decided to take it out to a public meeting and have a wider discussion to determine what the community thinks.
- Questions and comments can be made tonight.
- Introduced CVRD staff present.
- Asked the public to give their name and address prior to speaking.

CORRESPONDENCE

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

- 1) Presentation dated November 22, 2012, from Steve McLeod (EXHIBIT 1)
- 2) Letter dated November 22, 2012, from Sheila Paul (EXHIBIT 2)
- 3) Letter dated November 22, 2012, from Angela Hudson (EXHIBIT 3)
- 4) Comment Sheet dated November 22, 2012, from Dan Wolfe (EXHIBIT 4)
- 5) Comment Sheet dated November 22, 2012, (EXHIBIT 5)
- 6) Email dated November 26, 2012, from Barry Jenkins (EXHIBIT 6)
- 7) Fax dated November 28, 2012, from Pieter deVries (EXHIBIT 7)
- 8) Email dated November 28, 2012, from Dan & Trinity Wolfe (EXHIBIT 8)
- 9) Email dated November 27, 2012, from Kim Banfield (EXHIBIT 9)
- 10) Email dated November 29, 2012, from Sheila Paul (EXHIBIT 10)
- 11) Letter dated December 4, 2012, from Dean Addison (EXHIBIT 11)
- 12) Email dated December 5, 2012, from Maureen Lau (EXHIBIT 12)
- 13) Letter dated December 10, 2012, from Mary Desmond (EXHIBIT 13)
- 14) Email dated December 29, 2012, from Shari & Russ Cronk (EXHIBIT 14)

Dana Leitch

- This application was made in July 2011, and involved the property at 2373 Peterbrook Road in Shawnigan Lake. The property is 10 acres in size and is currently being used for residential use with a mobile home and a green house on the property.
- The property is outside of the Village Containment Boundary and is currently zoned F1 – Primary Forestry. Surrounding land uses around the property are forest uses, and smaller residential subdivisions that have been developed since the 1980s.
- The R2 parcels that are on Ceylon Road were subdivided in 1983. The lots on Shawnigan Beach Estates are zoned R3 and were subdivided in 1980. The Ingot Drive subdivision just to the north and end of the Baron Road subdivision was subdivided in the 1980s and are zoned R2.
- The OCP designation is Rural Resource.
- The applicant is requesting that the property be rezoned from F-1 – Primary Forestry to R2, which is suburban residential, in order to subdivide the lot into 7 parcels.
- The parcels range in size from 1 acre to 1.37 acres.
- There is also a park land dedication component to the application.
- Road access is being proposed for an internal road either paved public, or strata road on the property that would be accessed off Peterbrook Road which is an unopened public road.
- The property isn't within a fire protection area right now. The applicant is working with the Shawnigan Lake Improvement District to be incorporated into that fire protection area.
- The proposed water source for the development is from the Shawnigan Lake North Community Water System. The Community water system is owned and operated by the CVRD.
- There isn't any capacity in the Shawnigan Beach Estates sewer system right now for additional sewer capacity therefore, septic onsite sewage disposal is being proposed for the parcels.
- There is one sensitive area onsite and the applicant has hired a registered professional biologist to assess it. On proposed lot 2 there is a wetland, but it is not subject to the Riparian Areas regulation. The biologist recommended to put a 10 meter buffer around the wetland.

- The property is zoned F1, which has a minimal parcel size of 80 hectares and permits the following uses:
 - Management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry-land log sorting operations;
 - Extraction crushing milling concentration for shipment of mineral resources or aggregate minerals, excluding all manufacturing;
 - Single-family residential dwelling or mobile home;
 - Agriculture, silviculture, horticulture;
 - Home occupation – domestic industry;
 - Bed and breakfast accommodation;
 - Secondary suite or small suite on parcels that are less than 10.0 hectares in area; and
 - Secondary suite or a second single-family dwelling on parcels that are 10.0 hectares or more in area.
 - If this property is successfully rezoned to the R2 zone the following uses would be permitted:
 - Single family dwelling or mobile home;
 - Agriculture, horticulture;
 - Home occupation – domestic industry;
 - Bed and Breakfast accommodation;
 - Daycare or nursery school accessory to a residential use; and
 - Small suite or secondary suite.
 - In order for the property to be rezoned from F-1 to R-2, the OCP designation would also have to be amended from the Rural Resource Designation to the Rural Residential Designation.
- Director Fraser**
- The public was asked if there were any questions about the technical material.
 - The applicant was asked to give details of what was proposed for the site.
- Applicant, Steve McLeod**
- Gave an overview of his proposal.
 - See Exhibit 1.
- Director Fraser**
- The Applicant was thanked for his presentation.
 - Attendees were asked for questions or comments.
- Speaker**
- How many hook ups are left on the Shawnigan Lake Municipal Water system?
- Dana Leitch**
- Shawnigan Lake North System draws water from the lake.
- Speaker**
- How many hook ups are there?
- Applicant**
- Spoke to the Engineering Department at the CVRD and was told that there was still capacity left and believes there has been a letter of approval.
- Speaker**
- Lived on Ceylon Road for 20 years. Twenty years ago there were only 36 hook ups on the system.

- Director Fraser**
- There were obvious limitations to the Shawnigan North System in the past and one of the things that has been done in the last few years by the CVRD Engineering Department is to increase the level of efficiency in the system.
 - There has been a program of subsidising water conservations efforts in each household and that has reduced the entire draw on the lake and increased the number of potential hook-ups.
 - The CVRD put in development charges against each new lot, whether in the Containment Boundary or not. When the developer was allowed to hook up they were required to pay ten thousand dollars per lot and the money has been used by the Engineering Department to do upgrades.
 - When the Engineering Department inherited the systems they had a lot of leaky pipes, old faulty pumps, and equipment that was from the original 1970s development. The department has been working to make those systems much more efficient and this has made more water available.
- Speaker**
- The Shawnigan School has a well and doesn't draw any of their water from that system.
- Director Fraser**
- They exited the system which made other water available, but they went to a well rather than lake water.
- Speaker**
- They don't add to the capacity?
- Director Fraser**
- That would have been a limitation, but the increased efficiencies have made more water available.
 - The Engineering Department has been dealing with the issue of money and the upgrades. There are many systems around the Regional District which were built in the seventies with minimal infrastructure and they are now outdated. The question is how do you find the money to upgrade the systems without taxing people to death?
- Speaker**
- First time to this type of meeting and questioned the possible outcomes of this meeting.
 - The APC has turned the application down twice. Why is the application still in question now?
- Director Fraser**
- Colleagues on the board suggested taking this out to the public for a wider discussion, as there were different views on the subject.
 - There are many reasons why this proposal is supported. The subject property is just outside the Containment Boundary, it has many merits for an ecologically appropriate subdivision, and it should be given much more consideration than just whether or not it fits inside the Village Containment Boundary.
 - There are a few other concerns with respect to the OCP that the applicant mentioned, but most would be more relevant for a large scale subdivision, not for a ten acre piece of property that is immediately adjacent to all the facilities. There are more benefits than negatives for this application.

- Another example of concern is that the current OCP's Containment Boundary states that inside that boundary is where one would get increased densification, but the majority of this area is in the watershed.
 - The Worthington Point Development, which is a disaster, was allowed and this application is something that is just outside the boundary that is actually a very well developed proposal, but it is not allowed. This does not make much sense.
 - The idea of the public meeting is to find out what other people think so that the Board has more information to base their decision on.
- Speaker**
- Can this process change things?
- Director Fraser**
- Yes, this is being recorded and the concerns and comments will be considered by the Board in its decision.
 - There are nine Electoral Area Directors that will be making the decision.
- Speaker**
- What is the normal process of an application?
 - This application has been before the APC twice, why is it now in public consultation?
- Director Fraser**
- The APC is an Advisory Commission. The CVRD Board makes the decision and they make their decision based on considerations of all arguments.
 - If this application goes to the next stage, it will eventually end up at a formal public hearing. This public meeting is a relatively informal consultation to find out what people are thinking.
- Speaker**
- The OCP for Shawnigan in 2011 projected that there would be enough land for development in the Village Containment Boundary for the next 15 or 20 years.
 - If the public relies on the OCP, the Planners, and the Directors to advise us so we don't have to get into the details, and three of those advising agents are against something, why are we still meeting to question whether it should go ahead or not?
- Director Fraser**
- That is a fair question, but it was felt that other factors should be considered before a decision was made.
 - For example, the current Village Containment Boundary suggests where the infilling should take place, and where the densification should take place, but in fact it is suggesting driving the densification towards the lake shore.
 - Right now the CVRD does not have sewage treatment in Shawnigan Village or on the lakeshore, and what this means is there are more septic fields in close proximity to the lake and many more properties divided up into small parcels along the lake. This is the same thing that was done with the Worthington subdivision which ended up with 16 lots right along the lakeshore, 16 docks, and a large septic system one hundred feet from the lake with all of the trees removed.
 - The APC, CVRD Staff, and the CVRD Board recommended against the Worthington Road Subdivision, but the zoning allowed for it. The Provincial Approving Officer had the authority to approve it and it was

- approved. This is an anomaly as the OCP was created in good faith and most of it makes perfect sense, but this was an example of an unintended consequence.
- Another example, the Fraser Valley avoided building on the low land where there was agricultural capability, and instead built on the hillside. They did that because it had less impact than taking up farm land. This is not exactly the same, but it is comparable with respect to protecting the foreshore and building where the impact will be less.
- Speaker**
- The subject property is quite close to the Beach Estates and all of those lots are two acre lots.
 - Why wouldn't you make your lots two acres as well?
- Applicant**
- The road and the waterline infrastructure is too costly to only put in three lots. The road work as well as everything else will cost between \$400,000-\$500,000.
- Speaker**
- Is this all about the business?
- Applicant**
- It is about being able to cover the cost for developing the property.
 - As soon a subdivision is developed a road must be put in that meets the Ministry of Transportation and Infrastructure standards. The road must be paved and meet several other requirements.
 - Two lots require the same road as seven lots.
 - The cost breakdown is \$150,000-\$200,000 for the road, plus the cost of the two lots, plus the cost of property that will never be recovered by the sale of the property. These are the reasons why the water line is necessary to be brought down, the lots will then be able to be smaller and cover the cost of the infrastructure.
- Director Fraser**
- If the waterline comes down and goes through the Peterbook property it will actually end up being capable of servicing the Ceylon Road people as well.
 - The Ceylon Road people are within the Shawnigan Improvement Fire District, but there is no fire hydrant on the road and the development of this property would allow a fire hydrant at the head of Ceylon Road which would presumably increase fire safety for the whole community.
- Speaker**
- Referring to the map, spoke to the designation at the end of the road where there is no recognition of the road coming off. There is a block positioned on the map where the road is supposed to carry through. Can this be explained?
- Applicant**
- Ross Deveau from the Ministry of Transportation can confirm that the easement is not on the map, but there is one. The easement is located three quarters of the way along the bottom of the property, is 65 feet wide and goes down 30 feet towards the east of the property.
- Speaker**
- How does the easement fit on these properties?
- Applicant**
- The first three quarters of the easement are completely on the applicant's property. Once it goes past the applicant's property and the existing neighbour below, it splits. Thirty feet onto the applicants

property, thirty feet on the property below and then it connects and continues to the bottom.

Speaker

- Will that be a road?

Applicant

- The Ministry of Transportation deals with all the road issues, such as the location and the easements.

Director Fraser

- Originally the Ministry of Transportation said that they would not support a trail through, but then they changed their mind.
- There was an opportunity to refer a potential park designation to the Shawnigan Parks and Recreation Commission.
- Ministry of Transportation walked the property and determined where the trail should go, which will be to the right of the property and connected through to Gregory Road, coming off of Baron Road and ending up with a network of trails that will eventually lead to the Kinsol. That planning is being done by the Parks and Recreation Commission.

Dana Leitch

- Met with the Ministry of Transportation today and discussed the proposal. They find Peterbrook Road is an open public road and the width and the standard of the roads will be determined at the time of subdivision as they are the subdivision approving authority in our Region. However, was informed that no further dedication along Peterbrook Road would be required.

Speaker

- The first part of that road is only 33 feet.

Applicant

- That has been approved at the width it is at now. There is no extra easement, no land being taken from anyone else. It has been approved as is with no expansion.
- The road is 35 feet wide coming onto the subject property and then suddenly it goes 65 feet wide through the subject property.

Speaker

- Does that impede traffic going into the property?

Applicant

- No, any road whether strata or Municipal is seven metres of pavement. The only thing that would be different is the shoulder would be wider because there is an easement there in case they want to make it wider later.
- The access road off Peterbook is going to be the same as it would be on a Municipal road. It is the same width as Renfrew Road or West Shawnigan Lake Road, it is just the shoulder width is smaller.

Speaker

- The ten acre piece owned by Ministry of Forest was proposed and turned down. Why was that application turned down and yet this one may progress?

Director Fraser

- Is not familiar with the history. The public may be more familiar with this.

Speaker

- It was close to proceeding, but then it was turned down.

- Director Fraser**
- Not sure why that would be.
 - The configuration on the map demonstrates Silvermine coming in at the top, Shawnigan Beach Estates coming in from the left, and Ceylon coming in from the bottom. This shows infill where you already have infrastructure and that is what makes sense with this one.
 - One of the main considerations of the APC was whether or not residential use was going to be added inside the most sensitive part of the Shawnigan Watershed.
 - The Regional District has done aerial surveys using a Lidar system that shows the heights of land. As it turns out, the Peterbrook area is outside the Shawnigan Lake Direct watershed. There is a good chance if the OCP was done over again it would draw that boundary slightly differently. It seems that is the kind of adjustment that would be made after the fact, based on practical realities.
- Speaker**
- This is a huge adjustment because this is a tremendous piece of property.
 - This will set a precedent and then there will be hundreds of one acre lots.
- Director Fraser**
- Only if the merits were similar. One thing to be concerned about is the extensive construction that would affect either the water supply or have the potential of polluting aquifers or the lake.
 - Right now there are half a dozen very large scale developments in the upper water shed that could be proposed for subdivision. Those are the ones that need to be looked at really carefully.
 - This application being proposed is so close to the existing infrastructure that it doesn't feel the same.
- Speaker**
- Was it not considered because of the Village Containment Boundary?
- Director Fraser**
- The property is bounded on three sides by existing developments with the same level of infrastructure, two sides to the north and the south. The big properties to the immediate east, one is a patch of crown land and two are owned by the Shawnigan School which is a holding property now, there is no particular plan for it.
 - It just seemed that this is a logical extension of where one would want density rather than forcing it down to the lakeshore.
 - An important note if the OCP was to be rewritten, there needs to be a zone around the lakeshore that prohibits further densification on the lakeshore.
- Speaker**
- Approach it from an OCP direction. The Village Containment Boundary defines where development occurs. The OCP needs to consider changing this and have a proper consultation rather than just a few people in a room influencing the decision that could potentially have an effect on a lot of people.
- Director Fraser**
- This is just an informal discussion tonight. It will need to go to a formal public hearing.
 - If the Board approves it going forward a formal public hearing will be required.

- Speaker**
- It seems that development is something that we can't stop.
 - If under two acre parcels are allowed, we are opening the door for increasing density on smaller pieces and then the next person comes along and requests an even smaller lot size.
 - There needs to be a minimum size that we are willing to allow outside the Village Containment Boundary. Does not believe it should be under two acres.
- Director Fraser**
- The current standard in the OCP is one acre if you are attached to a Community Water System.
 - One of the concerns about small properties which are outside developed areas is that you then have wells in close proximity to sewage systems if the lots are too small. That is why the municipal water system allows you to have a smaller lot.
- Speaker**
- The sewage system must still be septic.
 - Water is going to be coming from the lake, going into the tower, more water will be brought out of that tower, and will be put into the ground and it will flow through the aquifer, through a number of wells that are within range. The fact that it is not in the Shawnigan Lake Watershed means that it is in a different watershed. What Watershed is it in?
 - Watersheds are defined by a ridge or height of land.
- Director Fraser**
- As far as what is understand, from the drainage pattern the water in the Peterbook area flows east not south to the lake.
 - The way that the water flowed was one of the defining concerns of whether this was in the watershed boundary or not. From the surface water it flows east rather than south towards Shawnigan Creek, but that is several miles away.
- Speaker**
- Doesn't it make its way to the lake?
- Director Fraser**
- No, it doesn't make its way to the lake. The APC looked at this as well.
- Speaker**
- The concern is not about the application, but the process. It looks like rules are being changed as a natural consequence of things and it is important to be aware of this. Rules are set as a society and then as a group we can change them, but I think it is important to do it carefully.
- Director Fraser**
- A person made a suggestion that the last OCP was 1986. It is stale dated by 2012. Taking that long to relook at an OCP means there are hundreds of anomalies in the meantime. There was a suggestion that it needs to be relooked at annually.
 - The APC should suggest changes that need to be made to the OCP and that would recognize things to firm up in some places and loosen up in others or make new judgements. That should be a regular revision process rather than one that occurs every 25 years.
- Speaker**
- Can you actually remove the areas where we do not want the increased density?

- Director Fraser** ➤ That would be a significant OCP renovation and it would need a larger debate in the Community.
- Speaker** ➤ That makes sense for the land that is available.
- Director Fraser** ➤ Almost the entire Containment Boundary is on septic fields. The thinking behind the Containment Boundary is to keep the density where the infrastructure can be afforded and where it can be serviced without dealing with miles and miles of pipe and expensive systems.
- One of the things the CVRD will be discussing over the next few years is how to improve the old ailing septic systems around the lake and decide if there are different systems that would be better.
- Speaker** ➤ Isn't that the purpose of increasing the density within the Village Containment Boundary?
- The idea is that you have more people and therefore it makes it more worthwhile to do things such as put in sewer systems.
- Director Fraser** ➤ Yes, and that as a general philosophy is right.
- The problem in the Shawnigan Village right now is there is no place for it. This is one of the things being discussed. Right now there is no geographical place to put a sewage treatment facility.
- Speaker** ➤ Is it a density question?
- Director Fraser** ➤ It is a land availability question.
- A lot of things have been inherited in Shawnigan that are now really quite difficult to solve.
- Speaker** ➤ If there was increased density within the boundary, does that allow us to put money towards developing?
- Director Fraser** ➤ Yes, theoretically that is right, but you have to find the landscape that will absorb it.
- Speaker** ➤ What does the waterline through the small road do for densification?
- Dana Leitch** ➤ The minimal parcel size to connect to community water in the R2 Zone is one acre, without it, it is 2.5 acres. This also depends on what needs to be dedicated for infrastructure.
- Speaker** ➤ Can the density be higher for family member subdivisions?
- Dana Leitch** ➤ Technically yes. Section 946 of the *Local Government Act* states that you are able to subdivide for the purpose of providing a residence for a family member and your parcel needs to meet or exceed the minimal parcel size for the zone. There are certain stipulations around that and the Ministry of Transportation is the approving authority for that.
- Director Fraser** ➤ And now they are grandfathered?
- Dana Leitch** ➤ Do you have any idea of when that was?

- Our current bylaw states that it needs to meet or exceed the minimum parcel size.
- Speaker**
 - If your project is a go and you get your seven lots, what happens if you do not comply?
 - Does it strictly come down to cost?
- Applicant**
 - Yes, the Ministry will not allow Gregory Road to be used as an access road. The road is a gravel surface road.
 - Applicant's responsibility includes paving all of Peterbrook, not just the subject property.
 - There would be no point in bringing the waterline down for fewer lots.
- Speaker**
 - Will you make use of the current sewer system?
- Applicant**
 - They don't want us connecting to it.
- Speaker**
 - Does the sewage treatment plant have capacity?
- Applicant**
 - No.
- Speaker**
 - Technically people in the subdivision could subdivide if water was available, but the location of the houses and the fact that they are not right next to the water line suggests that many would not.
- Dana Leitch**
 - It could be costly. In terms of minimum parcel size, it is one acre, but there is the cost of bringing the water to the lot, development of an internal road, and making sure not to cause any non-conforming structures, as well as other considerations.
- Speaker**
 - One or two lots would help to pay for this.
- Dana Leitch**
 - Yes, there is the cost of bringing the infrastructure in.
- Director Fraser**
 - If rezoning is required there would have to be a Public Hearing. It is not as though that could suddenly sweep through. Every single one of them would have to be considered on its own merit.
- Speaker**
 - Where would the fire hydrant end up being?
- Applicant**
 - According to the Ministry of Transportation it would be at the end of Peterbrook and Ceylon.
- Speaker**
 - What if a fire truck needed access?
- Applicant**
 - Right at the cul-de-sac there would be access.
- Speaker**
 - That would give people in that subdivision better fire protection, lower their insurance rates, and it would also increase their property value and the long term benefits, but they might have to pay more taxes based on the fact that they have more access.
- Dana Leitch**
 - A subdivision proposal under the current zoning is made through the

Ministry of Transportation and Infrastructure. It is referred to the CVRD and to a number of other agencies and the CVRD responds to ensure that it is consistent with CVRD bylaws.

- Speaker** ➤ Clarified a location on the map and asked if the 25 acre lots are public or crown land?
- Dana Leitch** ➤ There are two owned by the school, there are a couple of crown parcels and there is one private parcel in that vicinity. It can be confirmed at the CVRD office.
- Speaker** ➤ What about the existing septic field?
- Dana Leitch** ➤ That is for sewage disposal. Sewage Lagoons are on that parcel.
- Speaker** ➤ Is it ever going to be for houses?
- Director Fraser** ➤ It is a major septic field, but you wouldn't want to build there.
- Speaker** ➤ Is it attached to that piece of property?
- Director Fraser** ➤ The difficulty is the land available for sewage treatment. It also depends on what kind of plant you have. Right now, Shawnigan North is an open pond with an aerator in it and a land field below it. If the quality of sewage treatment there is pretty marginal, it means that a lot of the treatment is happening in the soil and not just in the sewage ponds. With a more modern Class A system, the output quality of the water is probably as good as the lake and that requires a smaller area of land because water is dispersing and not just using the land to do the treatment. Beach Estates is probably at the primitive end of the scale with respect to the sewage treatment system and it would be very expensive to redevelop it.
- Dana Leitch** ➤ Have been informed by the CVRD Engineering Department that there is no capacity in the Beach Estates sewer system currently.
- Director Fraser** ➤ It is a relatively low level quality of treatment.
- Speaker** ➤ Has lived on Peterbrook Road for a long time. When John Edema first subdivided that property he had to give up 33 feet. There is another road down the left hand side called Bloomquist Road and it is also 33 feet. Believed the intention at that time was to further subdivide. Located at the property beside the subject property and would also have to give up 33 feet to create a road.
- With the one acre lot size and zoning, a secondary suite is allowed. If there were six houses that would permit two houses, two cars each, and an extra suite with another two cars. Essentially you are doubling the amount of houses.
- Could the CVRD put a covenant on that allowed a house, but not the secondary suite?
- Applicant** ➤ Does every house on Ceylon Road have a secondary suite?

- Speaker** ➤ A lot of them.
- Speaker** ➤ All of them.
- Dana Leitch** ➤ The R2 Zone that the applicant is proposing allows a small suite or secondary suite. The suite can either be in an accessory building or a secondary suite within the principle residence. There are opportunities to restrict the small suite through various agreements by either a covenant or a new draft zone for the property.
- Speaker** ➤ Why are some of the lots in the subdivision two acres?
- Applicant** ➤ The reason they are two acres is because they are on a well.
- Speaker** ➤ A lot of people at this public meeting would like to see a two acre lot subdivision continue.
➤ Family has owned a fair amount of property since 1948. There is a tremendous amount of trespassing, vandalism, tree cutting, and shooting around the property. The property is forestry land. There is no transition to go from small lots, to bigger lots, to a bit bigger lots etc. If there was, by the time you get to these F1 properties there would not be masses of people living close to each other. Now one can just hop out to the back yard and onto the quad.
➤ If the lot size drops down, one goal would be to see the transition. Lives beside the applicant, and would be interested in putting in one acre lots, but would like to see the transition incorporated into the planning.
- Applicant** ➤ If less than six lots were developed, the water line would not even be an option, as it would be too expensive.
- Speaker** ➤ Would you need a water line if you went to two acres?
- Applicant** ➤ No, at 2.5 acres three lots would require well and septic, and then there is still the cost of the road, paving, and everything else.
- Speaker** ➤ Can the CVRD assist with creating a road bed?
- Applicant** ➤ That would be the Ministry of Transportation.
- Director Fraser** ➤ One of the frustrating things about being in Shawnigan, an Electoral Area rather than a Municipality, is that there is not the ability to make decisions about roads. Right now the CVRD is dependent upon the Ministry of Transportation requirements which are generic for the Province and there is not a chance to vary them.
➤ There is also a need to question transportation, traffic, affordable housing levels, all of those things are in part of the planning mix when reviewing subdivisions and increased density. So many things need to be considered at one time.
- Speaker** ➤ What size of house do you plan to build?
- Applicant** ➤ 3500 square feet.

- Speaker** ➤ What sort of price range are you looking at?
- Applicant** ➤ Probably around \$750,000.
- Speaker** ➤ That is not really affordable housing.
- Applicant** ➤ It is not being built now and the intention isn't to build affordable housing, it is to develop a subdivision and keep up to the standards of the other houses in the area.
- Craig Partridge** ➤ Interested in the amenities.
➤ What is your definition of local?
➤ Will you build the houses yourself?
- Applicant** ➤ That is the plan.
- Craig Partridge** ➤ What is your definition of local?
- Applicant** ➤ Local plumbers and local electricians.
- Craig Partridge** ➤ Should be able to use local for about 95% of each house including areas in Shawnigan Lake, Cobble Hill and Mill Bay. Is that your intention?
- Applicant** ➤ That is my intention.
- Craig Partridge** ➤ A lot of people over the years have said they are going to use local trades and they never get used.
➤ People are driving over the Malahat to work. Local is from here, in the Shawnigan area.
- Applicant** ➤ Built a house five years ago using all local people, George Brown Plumbing, Mark Dodd Electrical, local concrete. Sleggs was used for some of the lumber. House is built out of ICF. Works in Victoria, is sick of commuting and is trying to get local work. Goal is to make connections with the local trades.
- Craig Partridge** ➤ People in Shawnigan Lake, Cobble Hill, and Mill Bay are using people outside of the area.
➤ The work needs to stay in Shawnigan Lake, using the local trades.
- Applicant** ➤ It makes perfect sense to employ people here. It would save driving to Victoria.
- Speaker** ➤ How wide is the right-of-way of the road?
- Applicant** ➤ The original strata road is 35 feet wide. The Municipal Road is 65 feet wide with the easement. The pavement width is 7 metres and doesn't change. The Municipal Road will go down to the 6 lots and get rid of the lots at the top to make all of the lots a bit bigger. It would be a proper Municipal Road.

- The park trail will become more public friendly and more accessible.
- Speaker** ➤ This map doesn't really depict where the applicant exits the property and onto my property.
- Applicant** ➤ Bumped into the bottom of my property.
- Speaker** ➤ Doesn't the right-of-way of Peterbrook continue along the bottom of your property?
- Applicant** ➤ Maybe the map should have a bit of an angle on it.
- Speaker** ➤ If it came out where the trail is, that is more of the exit to where Peterbrook Road is. Right now it is going into the corner of my property.
- Dana Leitch** ➤ It is just conceptual right now.
- Applicant** ➤ Reviewed his property location using the map.
- Speaker** ➤ Peterbrook doesn't go along the bottom of the applicant's piece of property. Is there an easement along there?
- Applicant** ➤ The bottom of the Applicants property is Peterbrook Road.
- Speaker** ➤ How many years of construction will there be?
- Applicant** ➤ It will be expanded out over a 2 – 3 year period, a few houses a year.
- Speaker** ➤ Recognition needs to be given to the park that goes half way through there, and the part that sits right at the corner of Ravenhill and Ceylon. There are a lot of kids that play at that park. Is there anything that can be done to slow traffic down at the top and bottom of Ceylon?
- Applicant** ➤ Approached the Ministry of Transportation regarding speed, but they don't want to put in a speed bump.
- Speaker** ➤ What about signage?
- Applicant** ➤ The Ministry of Transportation will decide about signage. This application is still at the preliminary stages and the Ministry of Transportation does not get into the fine details. The idea of signage is a great idea.
 - Is living on 0.17 acre lot right now, but would love to be on a larger lot.
 - Has friends' in mind with kids that love the area and want to move onto larger lots.
 - Encouraging a family oriented development.
 - Three lots are tentatively taken by friends.
- Speaker** ➤ Is it an all or nothing thing when you say you have six lots?
 - Are you going to continue to try and work your way down?

- Applicant**
- The problem with the six lots or less is the cost of the water line. It will cost \$175,000 to bring it down. As soon as the water line is taken away there will be 2.5 acre lots which means there will only be three lots and the road is still going to be roughly the same cost.
 - If a 2.5 acre lot was placed at the top, the Ministry of Transportation demands the same standard road that you have, so there is that cost, plus the Peterbrook Road.
 - If three lots were \$400,000 plus the infrastructure, and the road cost will be \$200,000; at the end of it the cost would be \$650,000 for three lots. The cost would never be recouped if all lots were sold.
 - The lots will not sell for \$350,000, maybe \$250,000. This is why the water line is necessary.
 - Due to paving costs etc., it is not feasible to put three lots.
- Speaker**
- On the top side of Peterbrook Road there is access onto Gregory.
 - Can you use that road?
- Applicant**
- That would be a perfect option if both ends of that road could be used, but the Ministry won't allow it.
- Speaker**
- Did the Government approve private driveway access?
- Applicant**
- Not up to Gregory Road. That is just a driveway.
- Speaker**
- If the applicant did have three lots and the water system was put in, people could access two of those lots coming off of Peterbrook. The Applicant could arrange the subdivision so that the lots turn onto Peterbrook Road, and then have 2 lots down and then one lot serviced.
- Applicant**
- Gregory Road cannot be used as an access road.
- Speaker**
- Even as a private driveway?
- Applicant**
- No.
- Speaker**
- There are people who park there.
- Applicant**
- There is one house up there. Needs to discuss this possibility with Ross Deveau, but the feeling was that the Ministry of Transportation did not want any connection to Gregory and they did not want it to be used as an access road.
- Speaker**
- Was that in writing or in a conversation?
- Applicant**
- That was in conversation.
- Speaker**
- Assumes that would be based on this application. What about having six or seven lots and one driveway coming off?
- Applicant**
- Will discuss this possibility with Ross Deveau.

- Director Fraser** ➤ There is concern about keeping the access that leads to the reservoir as closed off as possible because there has been vandalism with the reservoir and people are concerned about that.
- Dana Leitch** ➤ Also, it is Crown Land.
- Applicant** ➤ The other issue is that Gregory Road is never going to be snow cleared. The person living on the top of it will never get out if there is three feet of snow.
- Speaker** ➤ With something such as a strata, the subdivision standard can be determined, but with this subdivision each lot stands on its own and even though there may be a focus, it doesn't necessarily mean it is what has to be.
- Applicant** ➤ Plans on building the houses and wants to be in control of what is being built. Does not want somebody building a stucco box or putting on vinyl siding.
- Speaker** ➤ That is not guaranteed.
- Dana Leitch** ➤ There can be legal agreements, covenants, building schemes, or sometimes development permits to state how houses should be oriented and built on the land. There are legal agreements that can be entered in with the applicant, if he is willing to do that to secure those features and amenities.
- Speaker** ➤ What about design?
- Dana Leitch** ➤ Yes, that can be included.
- Director Fraser** ➤ One of the reasons for this kind of meeting is to determine design consideration people would like to see. This can be done by legal covenants or as the design requirements of a development permit.
- Speaker** ➤ Will the proposal change the Village Containment Boundary?
- Applicant** ➤ No, Mike Tippett is working on new classifications or a new zoning outside the boundary. There is a new zoning classification called the Rural Residential zone which gives the same lot size with Municipal water, but it wouldn't require changing the Village Containment Boundary at all.
- Graham Ross-Smith
2410 Barton Place** ➤ Are you looking for comments of support tonight?
- Director Fraser** ➤ Any comments. If this goes to the next stage it will end up a formal Public Hearing.
- Dana Leitch** ➤ Staff would like to hear the public's opinions on this application.
- Graham Ross-Smith** ➤ OCP created an argument that the Village Containment Boundary should include space on the map away from the watershed. This

property is not in the water shed and it makes sense that the population grows in that direction.

Director Fraser

- The way the Village Containment Boundary is written, there are theoretical reasons for it being where it is and trying to keep density in a certain area, which is already heavily built. The anomaly is that it forces development onto the lakeshore. An example is the Worthington subdivision and what happened there, it is a mess, and there is worry now that it will be seen as setting a precedent for other larger properties to divide into micro lots around the lake.
- The most worrisome thing about the Containment Boundary is that it is forcing the density onto the lakeshore rather than away from the lakeshore.
- After working on the OCP you realize that maybe there are some things that should have been done differently, but that is normal with plans.
- What you really want is to have the flexibility to rethink things when you start running up against problems.

Speaker

- Do you remember why they decided not to do that, was there a reason?

Speaker

- Do you know if there are a lot of one acre lots available to build on in the community?

Director Fraser

- There are a number of proposals this year where people have gone from one hectare minimum which can go down to one acre with community water, you can therefore get two lots without rezoning, if you can get yourself attached to the water system. Virtually any larger lot in the Containment Boundary that can get on a water system can go down to one acre in the R2 Zone.

Speaker

- There are not lots that are one acre in size for sale right now.

Director Fraser

- No, there are very few of those.

Dana Leitch

- Have heard from residents that there are not many.

Speaker

- Are there any one hectare properties available?

Speaker

- What is available right now?
- Did the CVRD do an analysis when they did the OCP?

Dana Leitch

- Not specifically involved in the analysis. When the applications come forward, the applicants provide information. A question might be for example, what is your justification for developing outside the Village Containment Boundary? I didn't receive any information for this. Maybe the community knows better than me about this application?

Rob Conway

- When the OCP analysis was done, it looked at pre-zoned land that could potentially be developed. The Worthington property is an example that was pre-zoned, but not developed. In Mill Bay, there are

many pre-zoned lands. There are also some in Shawnigan, but not as many.

- There are not a lot of larger lots on the market right now.

Director Fraser

- The Worthington subdivision is a good example of getting caught in the various rules. They were able to do the subdivision as a strata, and therefore were able to use the lot averaging provision that the strata regulations allow. This means as long as your average lot size meets the guidelines, you are okay. What they did was they put one really large lot at the back and then they put all the little slivers along the lake, so the average works out, but the impact is dead wrong, but it is legal. It is those kinds of rules that demonstrate there was a loop hole that is not wanted.

Speaker

- The OCP needs to be looked at.

Director Fraser

- It should be looked at annually because there becomes an accumulation of these types of things and then it is open to mistakes.

Speaker

- Are we able to do that?

Rob Conway

- The *Local Government Act* says that the OCP should be renewed every five years. Almost no community in BC does that because it takes about three years to do an OCP review. More commonly, it is 10-15 years for renewal. Minor reviews could be done more easily, but there are limited resources for this. A Neighbourhood plan is a good tool for looking at specific areas where development is being considered. However, property owners are in different stages in their lives and it becomes challenging. Theoretically that is the best way to do it.

Director Fraser

- There are a lot of long term considerations that need to be made, such as the demographic change that we are experiencing in the Province, and the aging population. An awful lot of people come into the rural areas on a retirement basis and the first thing they want to do with that property is subdivide it so they can afford to live there. There are other cases where people are coming in and creating buildings that are the ultimate 4000 square foot home that is too expensive for any young family to ever afford.
- How do you get the right mix in, given the development pressures that are on the whole south island and are going to occupy us for a long time to come?
- Are there any further questions? This isn't the last chance. If it does go forward, the board colleagues could say no, and it will not go forward. In that case, some other issue will be in front of us soon. If they do allow it to go forward it goes through a very extensive process which includes a full Public Hearing. All of these questions could be raised again formally and it will all be recorded and considered as part of the boards' decision making.

Speaker

- Have you developed a subdivision in the past?

Rezoning Proposal Presentation

2373 Peterbrook Road

Introduction:

SLIDE 1 TITLE

- Good Evening, and thank you for coming this evening. My Name is Steve McLeod I am an environmental technologist and licensed homebuilder and have lived with my wife and 2 children in West Shawnigan for the last 10 years. 5 years ago I designed and built the environmentally friendly home my family lives in now, and I would like to carry this concept on to a slightly larger scale by Rezoning and eventually subdividing the 9 acre parcel on Peterbrook road.

SLIDE 2 SAT VIEW

- Peterbrook road is off a small cul de sac that sits at the very end of Ceylon road. This proposal outlines a project that would extend the Peterbrook cul de sac further into this property to a small stretch of acre lots designed to preserve the natural beauty of the property and keep the look and feel of the Ceylon neighbourhood.

The property it was purchased in February of 2011 from an owner who had been in possession since 2003 and partially developed the lot as an estate.

- The lot is 9.74 acres in a long rectangle 330ft (100m)wide by 1286ft (391m) long and is currently zoned F-1 Forestry. The size of this lot is far below the minimum 25 acres required for F-1 zoning. The property does not lie within the ALR, or the Watershed. It does not contain a sensitive ecological site and sits directly on the newly established village boundary outlined in the Official Community Plan.
- There is a road that extends the full length of the property and connects to Gregory road, which is a gravel service road originating from the Beach estates.
- The lot is well serviced with seven power poles that line the road reaching approx 2/3rds into the lot and it also has a septic system and well. The Municipal water supply tower lies nearby to the west and the main water line runs east along the northern edge of the property making it easily accessible.

- The property was logged many years ago and the majority of existing trees are widely spaced with no dense forest area. There is also an existing manmade pond and an environmental assessment confirmed it was created by berming a channel for seasonal runoff. Drainage from the property doesn't connect to any fish bearing waterbodies or to the lake through any surface flow confirming it is not in the watershed. There was an environmental survey with these findings attached to the submitted proposal.

SLIDE 3 ZONING

- As you can see on map the property sits in a very central location. There are 3 nearby subdivisions, the largest being the beach estates about 600 feet to the east zoned R-3, Ceylon to the south zoned R-2 and Ingot to the north east zoned R-2. Some, but not all of residences have access to municipal water and sewer.
- As the property sits so close to these existing residential areas and infrastructure it has access to all of the amenities and services enjoyed by these residents, including Discovery school , a restaurant, and public transit.
- The project proposed would involve rezoning the 9.74 acre property from F-1 Forestry to Rural Residential 3. This zoning classification is currently under construction but would allow the same lot sizes as the R-2 Suburban Residential originally proposed in the application. The Rural Residential 3 classification would not require a change in the OCP village boundary. After zoning approval the property would be divided it into eight parcels: Seven 1 to 1 1/3 acre lots and one - 3/4 acre park with a newly approved trail access running the length of the property. Municipal water access has been secured for the property, and would be supplied to each lot allowing a 1 acre minimum size.

SLIDE 4 LOT DESIGN and AERIAL

Lot Design

The goal of the lot design was to retain the natural beauty of the property while utilizing the topography to create small inviting estates.

Natural clearings on the property were chosen for building sites to minimize the clearing necessary for construction. Proposed lots 2 through 7 all sit on a plateau overlooking the road and proposed park area. Lot 1 due to the road layout and its proximity to an existing residence was designed especially large. Lot 2 was also created larger to accommodate a building site without disturbing the existing pond.

To minimize the disturbance to the area caused by road building; rather than rerouting the road to maximize lot potential, the existing drive way will be followed for the large majority of the

road and cul-de-sac layout. Waterline infrastructure will also be placed along the road to keep the excavation required to as few areas as possible.

Road Access

Road access was originally designated as a private lane but due to the very recent approval of a trail connection to the north this would possibly be changed to a municipal road which is more in tune with public access for the park and trail. Due to the larger easement required on a municipal road, the subdivision may be reduced to 6 lots rather than the 7 currently proposed to properly accommodate the park and newly approved trail.

The road would end in a cul de sac approx 300M into the property thus keeping Ceylon a no thru road and at the request from The Ministry of Transportation and Infrastructure an easement would be provided from the cul-de-sac north to Gregory road. An additional easement exists on the southern border of the property to allow Peterbrook road to connect to the property directly east.

Park and Trail

The site for the park was chosen as a focal point for the building sites and to allow the drainage from the plateau to continue it's natural flow to the adjacent crown land. A hiking trail would connect from the entrance to the proposed park and run along the eastern border directly north to Gregory road. This trail will allow access to the crown lands to the north and would eventually connect to a future trail network that will lead to the Kinsol Trestle.

Pond

The pond although manmade, does hold some value to the local wildlife and it also adds to the natural beauty of the area. In accordance with the environmental assessment recommendations it will be left in its current state. Drainage from the pond flows into a culvert that runs under the road and into the proposed park. This culvert would be upgraded as also recommended in the assessment.

Water

Connection to the Municipal water supply that runs along the northern border of the property allows for 1 acre size parcels in an R-2 or RR3 zoned area, making the water line expansion and connection costs as well as road work, financially feasible. This extension of the water supply through the property would be continued down Peterbrook to the end of Ceylon road and will therefore allow immediate access for the residence of Ceylon road.

2 fire hydrants are also required by code on the property and a third would be placed along with the waterline at the end of Ceylon road to provide fire protection for existing neighbours.

Power

Electrical servicing is already well provided for by 7 power poles and 2 transformers along the current driveway and only 1 or 2 additional poles would be needed to supply all of the proposed lots.

SLIDE

Storm Water Runoff

Natural seasonal drainage systems already exist on the property and will be left intact wherever possible including the pond in the proposed lot 2. These systems not only add beauty to the area but serve to slowly integrate rainwater runoff into the local ecosystem. The majority of runoff from the property flows into the park and eventually to the crown lands to the east. During the Subdivision stage a Stormwater survey is completed through the Ministry of Transportation and Infrastructure to ensure runoff is managed properly.

A Roof rainwater collection system will be provided for each building lot, consisting of a cistern with a pump system for landscape and garden watering. Driveways and patio areas will be constructed with low impervious surfaces such as gravel, pavers, or reinforced grass to reduce any additional runoff. Typical roofing leaches chemicals into roofwater runoff, therefore roofing materials such as metal and other non leaching materials will be used to reduce or eliminate any chemical contamination.

SLIDE Green Construction

Design Features and Green Construction

The houses constructed will utilize passive solar design, which by utilizing south facing windows and calculated overhangs will heat the house in the winter and keep it cool in the summer.

Super insulated construction techniques will be used for reduced heating and cooling requirements. Housing design and construction will be focused on energy and water conservation rather than generation which is a more effective approach. Also, it is by far easier and cheaper to increase the performance of a structure during initial construction than through renovation later. Wind and solar technologies as they become more cost effective are easily retro fitted to existing homes.

Houses constructed in this project will be Built Green Certified to a silver level standard or above and will utilize high efficiency LED lighting, Energystar appliances, windows and doors and Heat Recovery and Ventilation systems.

Household water usage will be reduced through dual flush toilets, low flow fixtures and appliances; this also reduces the amount of sewage needing treatment.

Sewer

As sewer connection is not available at this time the proposed lots will be serviced by Vegetative Tertiary Filter systems. VTF systems utilize a septic tank, treatment plant and a peat moss bed planted with specific species that aid in treatment. VTFs provide much more efficient treatment from a smaller area and add an attractive garden feature. I have a VTF system serving my current house.

Landscaping

Native plants species will be used for any restoration work needed during and after development to keep the area as natural as possible and reduce water usage.

Beyond utilizing natural clearings for building sites, areas surrounding the specific build sites will be left as undisturbed as possible to provide a natural look and reduce the need for restorative landscaping later. To reduce trucking, any blasted or excavated material will be used to its maximum potential on site for lot preparations, road or driveway building, or landscaping. Where possible waste materials would be recycled, and slash from clearing will be used for firewood or compost rather than burn piles. Precautions such as fabric or straw bale filtering will also be utilized to prevent siltation of any runoff near construction.

During development and construction all efforts will be made to reduce and reuse waste on site. A sorting / recycling area will be set up and maintained until completion of the project.

Due to the properties' location at the end of the Peterbrook cul de sac, and the fact it is bordered by 3 larger properties, disruption to local residence would be minimal during the development and construction processes. As well, not all of the homes would be constructed at once but spanned out over 2 to 3 years. The first house constructed will be my own, which will be used as a show home to display the green concepts presented above.

SLIDE POLICY

The proposal meets many of the requirements that are imposed upon it by the fact it borders the village boundary and is not contained within it. The few requirements it does not meet, are not particularly relevant due to the size and location of the property.

In OCP Policy 7.5 it states that " Forest lands will designated as Rural Resource and should not be a land bank in waiting for future residential development"

My response to this is that a 9 acre parcel of land adjacent to a residential subdivision is unusable as forestry land or gravel extraction and should not be classified as Rural Resource. The actual resource of the property is it's location to existing infrastructure and amenities.

The Planning comments state that "the application does not address the dedication of sensitive eco-systems, a parkland dedication of 40 to 70 percent, a subsidized housing component and integration of public transit. I would argue that all of these policies are designed to deal with larger scale developments and would be unreasonable to expect in a project of this size.

SLIDE CONCLUSION

Shawnigan Lake is one of the fastest growing communities in the CVRD and according to OCP figures 366 housing units will be needed in Shawnigan Lake by 2016 and 1098 units by 2026. If the Village boundary and watershed maps are overlayed it is quite apparent that the large majority of the village boundary sits with in the watershed. By restricting development to within the Village boundary we will be putting extreme stress on the Watershed as municipal sewer

capacity is unavailable and there are no plans for developing this infrastructure in the near future.

In conclusion: This proposal was carefully crafted to provide a benefit to the community, retain the character of the local area, create minimal impact during development and set an environmentally higher standard in development in Shawnigan Lake.

2373 Peterbrook has many positive factors that make it well suited for a project of this nature, including; available municipal water servicing, existing road ways, substantial power infrastructure and nearby amenities. The current F-1 zoning does not reflect the potential for this small parcel to expand on a beautiful Suburban subdivision and the nearby infrastructure.

Thank you

November 22, 2012 Area B Public Meeting - Observations & Comments
Re: McLeod F-1 Rezoning Application

After observing - **only** - the 1.5 hour Meeting, I state my disapproval of this project based (in part) on the following:

- concur with CVRD Staff (Planners) Report denying this application (fully read)
- concur with both Area B APC (2 times) & Joint APC's disapproval
- to affirm support for land use of (new) OCP directions of protecting (renewable) forestland & prohibiting development outside the Village Containment Boundary
- future repercussions of allowing **this** F-1 rezoning will set significant precedence, given its strategic location & adjacent land owners (who await this decision)
- concur with Joint APC Minutes: rezoning could create pressure for similar proposals contrary to objectives of OCP Policy 7.5 re: forestry lands
- disrespect for fundamental OCP Policies & **huge** Community input of its update
- applicant's personal gain of employment not compelling reason to rezone, despite green building scheme/plan, etc.
- Amenity of up to \$5,000 and relative 'sliver' of parkland offer is seemingly generous. Not so much the case in comparison to other proposals
- property rating of high on Wildfire Interface (map)/ outside Fire Protection Area
- relatively small attendance hardly compares to (proper) community representation & substantial work that went into OCP revision and desires of greater good

Probably more concerning was the overall impression and observations, I noted, of my Area Director's (repeated) comments, comparing this application to Worthington, his disagreement with the APC and CVRD Staff disapproval. Also, the seemingly, blatant disregard for the massive efforts, contributions, countless hours, thoughtful insights, and much more, in creating a brand new OCP, along with its many cornerstone Policies. Namely, the Community desire to retain rural ambiance. This is equally alarming given the above list of concerns.

If we are going to entertain each application on its own merit and ignore the Policies therein, making long lasting amendments so soon, why did the Community bother to revise the Plan? Something clearly shows a disturbing disconnect, especially concerning forest lands. Given this proposal does not directly affect the Watershed, and is not on the shores of the Lake (like the Worthington development is), it should be approved? Basically, this is the AD's opinion, in a nutshell. I' m worried.

After attending this and a few Public Hearings, feeling somewhat alienated and intimidated, it is not a good thing for one who takes the time to be involved in my Community. How many sensed similar intimidation when making comments or asking questions in this public discussion that repeatedly flogged Worthington as one to be compared to. This is like comparing apples to oranges. There is no comparison to rezoning F-1 lands. While Worthington used 'loopholes' in the OCP. Let's hope a major lesson was learned and they are now closed, for the future. Now, that loophole is something worthy of amendment.

Let us hope that we can work together for the greater good of the community, versus individual applications contrary to the OCP. My hope is that by providing this somewhat personal account of my observations, the information, herein, will not be used against me in my future community involvement. While I may be calling my AD on his comments, it is to move forward, for the greater good.

Respectfully, Sheila Paul

November 22nd, 2012

Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan, BC V9L 1N8

I am unable to attend the public hearing scheduled for November 22nd, 2012 as I have a previous work commitment this evening.

I am writing to express my concerns regarding this proposal to rezone 2373 Peterbrook Road, Shawnigan Lake. I have lived at 2895 Ceylon Road for over 15 years and I own the house on the forth lot down Ceylon Road from the proposed subdivision.

I have the following points to make concerning the application for rezoning:

1. The current OCP Bylaw 3510 for South Cowichan (Page 7) accommodates for future growth to 2026 within the current containment boundaries as outlined in inset B - OCP. 2373 Peterbrook Road is outside this boundary. If this proposal is approved a precedent is set for future rezoning of other neighboring properties bordering the outside of the OCP boundary.
2. OCP Bylaw 3510 Policy 10.6 and 10.7 express that the expansion of the boundaries will "only be driven by a CVRD-deemed community need for wastewater treatment and disposal sites, and not by the specific desires of any individual landowner". (page 66).
3. Even with the provision that development outside the containment boundary may be considered given certain criteria (OCP Policy 12.9), this proposal does not meet the majority of the criteria listed in the policy.
4. Peterbrook Road is a designated future road on the OCP by the Ministry of Transportation that will alleviate increased traffic should the area be further developed. This proposal has removed the road from the applicant's future map of the property leaving only Ceylon Road as an entry and exit point for the residents and their visitors.
5. Increased traffic and traffic safety is my biggest concern. Ceylon Road currently does not have appropriate shoulders or sidewalks; children ride their bikes and walk back and forth to the bus stop (on Ravenhill) during the day. Adding 7 additional lots will potentially add 21 to 28 vehicles to the street with only one way in and one way out. There should be a permanent connection to Gregory Road from the proposed rezoning property to allow for another exit and entrance and the road through the property should be a fully designated road of 66 – 100 ft.

I do not support this application as it has been submitted for consideration.

However, it is important to say that I am not against future development in the area and I recognize that it will happen over time.

I would consider supporting rezoning the property to allow for two lots one off Ceylon and one of Gregory or even two acre lots with consideration to addressing road access and exit issues, maintaining Peterbrook Road for the future and addressing the road safety concerns.

Thank you

A handwritten signature in black ink, appearing to read "Angela Hudson". The signature is written in a cursive, flowing style.

Angela Hudson

2895 Ceylon Road, Shawnigan Lake
250-818-6250
ahudson1@svdpvictoria.com



CVRD

PUBLIC MEETING
COMMENT SHEET

Thursday, November 22, 2012

Rezoning Application No. 3-B-11RS (Steve and Alexandra McLeod)

Please hand in Comment Sheet prior to the end of the Public Meeting, or forward to:

CVRD, 175 Ingram Street, Duncan, BC, V9L 1N8

Fax: 250-746-2621 Email: ds@cprd.bc.ca

NAME (optional): Dan Wolfe

COMMENTS/RECOMMENDATIONS:

I support this development. I like the idea of higher density away from the lake but still close to existing & future infrastructure.

I also like the proposal ideas and his focus on green development.

Thank you

Dan Wolfe



CVRD

PUBLIC MEETING
COMMENT SHEET

Thursday, November 22, 2012

Rezoning Application No. 3-B-11RS (Steve and Alexandra McLeod)

Please hand in Comment Sheet prior to the end of the Public Meeting, or forward to:

CVRD, 175 Ingram Street, Duncan, BC, V9L 1N8

Fax: 250-746-2621 Email: ds@cvrd.bc.ca

NAME (optional): _____

COMMENTS/RECOMMENDATIONS:

This development proposal provides housing that has access to all existing infrastructure, schools, bus, etc. If housing is going to be increased in Shawnigan, this is the area that would be hugely beneficial. Most developments around are on the very outskirts and ~~do~~ do not provide homeowners access to ^{schools,} stores, bus + transit. Such thought has been put into this proposal and very forward thinking with all the green aspects. I am strongly in favour of this development since it is part of the existing sub-divisions and will add to area and not subtract from the natural beauty of Shawnigan.

Subject: FW: 2373 Peterbrook Road Rezoning

-----Original Message-----

From: Barry Jenkins [<mailto:bjenki70@hotmail.com>]

Sent: Monday, November 26, 2012 8:15 PM

To: CVRD

Subject: 2373 Peterbrook Road Rezoning

To whom it may concern,

My name is Barry Jenkins and I live in Shawnigan Lake . I was in attendance at the most recent public hearing for the rezoning proposal for 2373 Peterbrook Road and would like to state from the beginning that I am in favour of this development for the numerous solid positive points made by the owner Steve McLeod. The main reason for my approval is the focus on Eco/Green built homes with minimal impact on the environment especially with the use of state of the art septic treatment and the fact that the watershed drains away from the lake . Other positive points are the fact that Ceylon road would be serviced by a fire hydrant and that existing aquifers would not be taxed (I.e drilled wells). Also local trades would be used during construction, not to mention the local tax revenue produced from seven new homeowners . I can understand locals being concerned about traffic but construction of 1 to 2 homes per year is negligible and the the proper placement of signage would negate dangers during and after construction. The location of the property between two subdivisions seems to help solidify my opinion that this well planned development would fit with the immediate landscape and add to the family oriented community that already exists.

Thank you

Yours sincerely

Barry Jenkins



CVRD

EXHIBIT 7

PUBLIC MEETING
COMMENT SHEET

Thursday, November 22, 2012

Rezoning Application No. 3-B-11RS (Steve and Alexandra McLeod)

Please hand in Comment Sheet prior to the end of the Public Meeting, or forward to:

CVRD, 175 Ingram Street, Duncan, BC, V9L 1N8

Fax: 250-746-2621 Email: ds@cvr.bc.ca

NAME (optional): Pieter deVries

COMMENTS/RECOMMENDATIONS:

A well thought out proposal. The surrounding neighborhood will benefit from the trail and park outlined in the proposal. As well as providing fire hydrants and fire protection to the neighborhood it will also result in a reduction in their home insurance. The proposal outlines a very high standard in home construction. The seven new homes will provide many years of economic growth for the region. It will also increase tax revenue. Another benefit the homes will have, is the low impact individual septic systems and water reduction measures. The subject property should never have been excluded from the Shownigan Village Containment Boundary in the first place. This ten acre parcel of land is not suited for forestry. Unlike the Ingot drive subdivision that at one time was in the forestry land reserve. In conclusion, I support this application

Cathy Allen

From: Allison Nelson
Sent: Thursday, November 29, 2012 8:06 AM
To: Cathy Allen
Subject: FW: 2373 Peterbrook Road Proposal - SUPPORT

To you?

From: CVRD
Sent: Wednesday, November 28, 2012 4:00 PM
To: Allison Nelson
Subject: FW: 2373 Peterbrook Road Proposal - SUPPORT

Allison:

Feedback below.

Chris Ewing
Manager, Information Technology Division, Corporate Services Department
Cowichan Valley Regional District
175 Ingram Street, Duncan, BC V9L 1N8
E-mail: cewing@cvrd.bc.ca
Tel: 250.746.2591 Toll Free: 800.665.3955 Fax: 250.746.2581

From: Dan Wolfe [<mailto:dan@wolfeit.com>]
Sent: Wednesday, November 28, 2012 1:47 PM
To: CVRD
Subject: 2373 Peterbrook Road Proposal - SUPPORT

Attention: Bruce Fraser (Area B) and CVRD Board of Directors

Hello,

My wife and I are writing this letter in support of the rezoning proposal for 2373 Peterbrook Road.

We would like to start out by saying there are many positive points to make on this proposal which I'm sure you're aware of and that you would agree with (including additional park land, trails, CVRD tax revenue, CVRD water access revenue, etc.). However, there are two main points that really stand out in this proposal which we believe earn it the support of the community and of the CVRD.

The first point is that of the developer. With his environmental background and the ideas put forward in his proposal we believe this is the type of developer we would like to see more of. Taking an environmentally aware approach with little additional cost up front brings decades of savings, both financial and environmental, into the future. It also lessens the strain on current and future infrastructure (less household water use, less pollution from more advanced septic systems, less strain on energy from advanced house energy/heating designs, etc.) It is our opinion that we need to promote developers like this in the years to come so that they can set a standard for what future development should look like. It is development ideas like these that should set a precedent for future development and should easily earn the support of

the community and CVRD. We would not only encourage the CVRD to approve this proposal, but also encourage it to look at the items in the proposal to incorporate these ideas into development guidelines and practices going forward.

The second point we would like to raise in support of this proposal is the location. Although we are aware of the OCP, we agree that the location for this proposal makes sense. It is right next door to a similar sized developments (Ceylon and Beach Lake Estates) and so would not be an oddity like some of the other developments in the area. It is close to essential community resources such as Discovery Elementary school, bus routes and the sports fields. It has the potential to help bring services such as water and fire protection services (fire hydrants) closer to Ceylon/Beach Lake Estates and would be close to those same areas when the community upgrades to a community sewer system. And just as important is the fact that this location is outside of the watershed. In our opinion the housing density of the area needs to move away from the area around the lake and up on the edge of, or outside of the Shawnigan Lake water shed.

We have lived in Shawnigan Lake for the past 7 years and truly appreciate all it has to offer. I hope you agree with the points we've raised and we hope you will support the 2373 Peterbrook Road proposal as we do.

Thank-you,

Dan & Trinity Wolfe

2008 Mable Road
Shawnigan Lake, BC
V0R 2W3

Cathy Allen

From: Allison Nelson
Sent: Thursday, November 29, 2012 8:22 AM
To: Cathy Allen
Subject: FW: 2373 Peterbrook Road-SUPPORT

One more

From: CVRD
Sent: Wednesday, November 28, 2012 4:00 PM
To: Allison Nelson
Subject: FW: 2373 Peterbrook Road-SUPPORT

Allison:

Feedback below.

Chris Ewing
Manager, Information Technology Division, Corporate Services Department
Cowichan Valley Regional District
175 Ingram Street, **Duncan, BC** V9L 1N8
E-mail: cewing@cvrd.bc.ca
Tel: 250.746.2591 Toll Free: 800.665.3955 Fax: 250.746.2581

From: Kim Banfield [<mailto:kim.banfield9@gmail.com>]
Sent: Tuesday, November 27, 2012 11:45 PM
To: CVRD
Subject: 2373 Peterbrook Road-SUPPORT

Attention: Bruce Fraser (Area B) and CVRD Board of Directors

I am writing this letter in support of the Rezoning Proposal for 2373 Peterbrook Road.

I've lived in Shawnigan Lake for the past eight years and I feel blessed that I've been able to raise my two sons in this area. We've developed lifelong friendships and the sense of community provides a feeling of connection that is difficult to achieve in Victoria or other, more densely populated cities. Aside from the close knit community, the privacy, the quiet and the luxury of hiking trails, mountains, Provincial Parks and Koksilah River is what motivates me to stay in Shawnigan, despite having to commute to downtown Victoria each day to get to work. I do this because I love living here.

Unfortunately, in the last eight years I have been disheartened by new developments that have little or no regard for the environmental impact or the detrimental aesthetic effects of this beautiful place. The two new subdivisions on Shawnigan Lake Road ('The Estates at Shawnigan Station') are an obscene example of environmental clear cut and natural devastation for only one purpose...profit. My children and I watched in horror each day, as these sites were cleared and

more and more houses were crammed into what was once a beautiful, tree-filled mountain side. I was hopeful that the CVRD had reevaluated their decision to approve such developments. Then I learned of the upcoming Worthington Development. More clear cut, except this time the clear cut will be lakefront. To force development within our watershed is ludicrous; I can only imagine that the environmental impact of this will be severe.

As a resident of McIntosh Road in the Shawnigan Beach Estates, I fully endorse the '2373 Peterbrook Road' proposal, led by Mr. Steve McLeod. We need ecological, ethical developments that consider environmental impact (i.e. minimal impact on the watershed), aesthetic appeal and that preserve and sustain natural resources. This development project has the potential to be precedent-setting, by providing a new environmental standard within the framework of development and growth.

Support this proposal, it's the right thing to do. For all of us.

Sincerely,

Kim Banfield *and children*

2236 McIntosh Road
Shawnigan Lake, BC V0R 2W1

Planning and Development

From: Sheila Paul <psp3@shaw.ca>
Sent: Thursday, November 29, 2012 2:13 PM
To: Planning and Development
Subject: Area B Public Meeting Re: F1 Rezoning

Importance: High

Dear CVRD Staff and Planners, Dana Leitch & Rob Conway,

Please know that my tardiness in getting a note to you is due to illness. It seems I caught the "bug" that is going around and have had trouble with daily tasks.

I have all intentions of submitting comments regarding the Public Meeting we all attended last week in Shawnigan Lake regarding Mr.

McLeod's rezoning proposal.

It is my hope to have a letter to you by tomorrow and trust it can still be accepted under the circumstances. Please advise if this is not the case. My sincere apologies.

Thank you kindly.

Sheila Paul
psp3@shaw.ca
250-743-7460

4 December 2012

Dana Leitch
Planner II, Development Services Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street,
Duncan, BC V9L 1N8
E-mail: danaleitch@cvrld.bc.ca
Tel: 250.746-2620
Fax: 250.746.2621

RE: Comments for Public Meeting, 22 Nov 2012: re-zoning and development application for 2373 Peterbrook Road.

Dear Ms. Leitch:

I would like to thank you, your colleagues, and Director Fraser for holding the Public Meeting at the Shawnigan Lake Community Centre on 22 Nov 2012 to discuss the application for re-zoning and development of the property at 2373 Peterbrook Road. I attended this meeting and I am writing to provide comments for inclusion with the meeting minutes.

Notwithstanding that the Development Proposal for 2373 Peterbrook Road has merits, the Re-zoning and Development Application **SHOULD NOT** be approved as is.

Furthermore, deviations from the Official Community Plan and breaches of the Village Containment Boundary should happen only in exceptional circumstances when considering future applications for development in the area.

I have three primary concerns:

1. the Official Community Plan is being ignored or dismissed without due process,
2. approval of the 2373 Peterbrook Road re-zoning application poses a grave and significant risk to the community, and
3. there are explicit problems with the 2373 Peterbrook Road application

Deviation from the Official Community Plan (OCP):

- The OCP has been recently approved (Jul 2011) and amended as recently as Apr 2012 so it is current and relevant.
- The OCP represents the wishes of the community (see section 1.6, p. 14).
- A considerable amount of public consultation, thinking, and effort went into making the Official Community Plan (section 1.2, p. 3)
- The Village Containment Boundary (VCB) was well-debated and well-considered and accounts for population growth for the next 15 years (section 1.2 and 1.5 on pp. 3 and 9,

respectively)

- The policy framework of the OCP allows for a surplus supply of 1,737 dwellings in the South Cowichan area (p. 12).
- Increasing the density within the VCB allows for more efficient and more cost-effective delivery of services such as water, sewage, utilities, and fire protection (see section 10, pp. 63 – 67)
- Re-zoning is equivalent to changing the rules by which the community operates. This should not be done on an ad hoc or case-by-case basis except in the case of exceptional circumstances.

Risks of approving the re-zoning and development proposal:

- The benefits, as described, to the community from re-zoning do not warrant the breach of the Village Containment Boundary.
- The development proposal and re-zoning will create higher density housing (1-acre) *outside* the Village Containment Boundary than what already exists adjacent to the property *within* the VCB (2-acre on Ceylon)
- The proposal sets a precedent for high-density housing outside of the Village Containment Boundary.
- Two of the attendees of the meeting, one of whom owns the 350-acre adjacent property, indicated that if the current—or future—owners of the property were to follow the same approach that is being proposed, they would be able to create hundreds of 1-acre lots outside of the Village Containment Boundary (see minutes).
- Approval of this proposal does not solve or even address the problem of high-density housing on the Lake-front as put forth by Director Fraser (see minutes for the description of the Worthington Road strata problem). Lake-front developers will continue to develop on the Lake-front regardless of the status of this proposal. However, approval of this proposal will create an *additional* problem outside of the VCB. If the Lake-front development issue is a significant problem, then it should be addressed/fixed separately from this proposal in any case.

Problems specific to this re-zoning and development proposal:

- The 2373 Peterbrook Road re-zoning deviates significantly from the intent and the policies of the OCP
- CVRD staff and the Advisory Planning Commission have each twice considered the merits of an original and revised proposal and *recommended against approval* of both proposals, including the most recent one.
- Mr. McLeod (the applicant) stated in the meeting (see minutes) that seven 1-acre lots are the minimum needed to make a profit due to the cost of bringing in community water (\$170,000).
- However, as pointed out by other attendees and confirmed by Ms. Leitch (see minutes), community water is only needed if the lots are smaller than 2-acres (1 ha).
- Some attendees of the meeting indicated that they would consider a proposal for 2-acre

lots.

- Community water will be used, but there are no sewage services available. Septic fields will therefore be used for waste water. This means that in addition to the groundwater and rainwater already present in the watershed, a significant volume of water from Shawnigan Lake would be injected into the property. This increased flow would enter the watershed as septic outflow.
- There is a significant risk that this non-indigenous burden of septic outflow will change the character and water quality of the aquifer for the downstream wells on the Ceylon Road and Uplands Place properties and the watershed itself.

Thank you again for your time and efforts in organizing the public meeting. I am happy to discuss or clarify any of these points upon request.

Best Regards,

A handwritten signature in black ink, appearing to read 'Dean Addison', written in a cursive style.

Dean Addison
2917 Ceylon Road
Shawnigan Lake, BC V0R 2W1
Tel.: 250-743-3470

Cathy Allen

From: Rob Conway
Sent: Thursday, December 06, 2012 8:53 AM
To: Cathy Allen
Cc: Dana Leitch
Subject: FW: Application to Rezone & Develop 2373 Peterbrook Road, Shawnigan Lake

Cathy, Can you please have these comments added to the public meeting report Jessica is preparing. Thanks

Rob

From: Maureen and Will Lau [<mailto:wandmlau@gmail.com>]
Sent: Wednesday, December 05, 2012 9:04 PM
To: Rob Conway
Subject: Fwd: Application to Rezone & Develop 2373 Peterbrook Road, Shawnigan Lake

----- Forwarded message -----

From: **Maureen and Will Lau** <wandmlau@gmail.com>
Date: Wed, Dec 5, 2012 at 9:02 PM
Subject: Application to Rezone & Develop 2373 Peterbrook Road, Shawnigan Lake
To: danaleitch@cverd.bc.ca

Dear Ms. Leitch,

I recently heard about the November 22, 2012 Public Meeting on the application to rezone & develop 2373 Peterbrook Road, Shawnigan Lake. I would like to add my comments to the record for the meeting.:

After reading all of the e-mails from my neighbours on Ceylon Road since October of 2011 till the present I have concluded that my husband and I wish to see the maximum of four - 2 acre lots developed on the 10 acre parcel at 2373 Peterbrook Road.

In additon to the concerns already stated by our neighbours, we are additionally concerned with our 20 gal. per min. well is fairly close to our fence line bordering Peterbrook Road at the front side of our house.

Also, the major multiple surface ponds of water appear to drain mainly in a south-westerly direction. In fact, while clearing our property before building our home in 1989 we put a drain in from the first major pocket of water which is now classed as part of Peterbrook Road (which still has water run-off) out to the main ditch above our driveway on Ceylon Road.

In addition, because we are situated next to Peterbrook Road we are opposed to a larger traffic volume alongside our home if it were to be more than four - 2 acre lots.

Thank you.

Maureen Lau
 2925 Ceylon Road
 Shawnigan Lake

cc: Rob Conway

1878 Flicker Road
Shawnigan Lake, B.C.
VOR 2W5
December 10th, 2012

Regarding Area B Public Meeting, Ceylon Road, November 22nd, 2012, file no. 3-B-11RS:

To Staff and Director Fraser,

SLWW [Shawnigan Lake Watershed Watch] strongly objects to the development under consideration.

To approve the project would transgress fundamental policies of our OCP, namely those applying to the designation of urban growth, "Village Containment Boundary", and the definition of forestry lands, "Rural Resource Designation". According to the direction of these policies, development is to be contained within the borders of the "VCR", and likewise, vigorously discouraged on all lands deemed "RR" [or, as in this case pending the verification of bylaws], "F1" [Primary Forestry]. Since the land in question is F1 as well as outside the VCR, both principles – cornerstones of our OCP - would be violated.

Moreover, the parcel located at the north end of Ceylon Road is surrounded on three sides by large forestry cutblocks, with lots of over 2 acres in size to the south. These facts make a subdivision of smaller lots [approximately 1 acre in size] inappropriate in this context, and argues for the retention of the 10 acre property in its entirety. That neighbours dwelling on Ceylon Road were disconcerted by the prospect of this plan was no surprise.

The amenities promised are of no special value; a sliver of land [approximately 7% of the land value] and a meagre \$5,000 cash.

As the developer would apparently be handling the construction of the 6 units [as he has built his own home on site, and did allude to this intention at the meeting], employment benefits would be limited. Further, as we are all aware, construction jobs of this kind are of short duration, and do not contribute long term economic stability to the community.

And, as we are all equally well aware, there is absolutely NO NEED for more housing of this nature in the south Cowichan area. This fact is borne out by the plethora of homes of all styles, ages, prices, and sizes which remain unsold, often for years, sometime passing from realtor to realtor. These "reruns" can be observed, month after month, and even year after year, advertised in the local real estate flyers.

Director Fraser's openly stated support for the development, despite recommendations to the contrary from the APC and the staff report, is a matter of grave concern. The impression was created that years of hard work and thoughtful effort by the hundreds of community members who contributed to the OCP revision process were being ignored, and indeed, disrespected. For many long and largely unhappy years, Area B citizens have fought to retain the rural ambiance of their community from subdivisions, both large and small. Therefore, to contravene basic tenets of the OCP supporting this

aim would be adding insult to injury.

What was equally distressing was the apparent disregard for forest lands not directly affecting the "basin" of the Shawnigan watershed. A good many Area B "rural resource" lands fall into this category: Does this mean that they are less worthy of environmental protection than those that do? Moreover, a good number of Area B residents do not draw their water from Shawnigan Lake: Does this mean that their water sources merit less consideration?

Simply because the Ceylon Road subdivision property is not Shawnigan waterfront [as the Worthington place], does not mean it should be dismissed with such scant regard.

Surely all lands within Area B should be subject to the scrutiny required by the OCP.

Lastly, it is known that at least three other "private" [not associated with any forest company] developers possessing lands in the immediate vicinity of Renfrew Road are waiting with baited breath to see if this project proceeds further.

A dangerous precedent should not be set, and this direction should be swiftly discouraged. We urge the rejection of this proposal so that others will be less likely to follow suit.

Sincerely,

Mary Desmond

Shawnigan Lake Watershed Watch

Jessica Lendrum

From: Dana Leitch
Sent: Wednesday, January 02, 2013 8:15 AM
To: Jessica Lendrum
Subject: FW: 2373 Peterbrook Rd re-zoning

For your records for the peterbrook road envelope on public comments :)

Sincerely,

Dana Leitch, MCIP, RPP
Planner II, Development Services Division Planning and Development Department Cowichan Valley Regional District
Phone: (250) 746-2619
Fax: (250) 746-2621
e-mail: danaleitch@cvrld.bc.ca
1-800-665-3955 toll-free in BC

"Please note that the CVRD offices located at 175 Ingram Street will be closed over the Christmas Season from 2:00 pm, December 24, 2012 to Tuesday, January 1, 2013. Regular office hours of 8:00 am – 4:30 pm will resume on Wednesday, January 2, 2013."

-----Original Message-----

From: Shari Cronk [mailto:russ_shari@yahoo.com]
Sent: Saturday, December 29, 2012 8:34 PM
To: Dana Leitch
Subject: 2373 Peterbrook Rd re-zoning

Dear Dana,

We are residents of 2903 Ceylon Rd and we do not support the proposed re-zoning for 2373 Peterbrook Rd, which will be continuing directly off of Ceylon Rd.
This proposed development will directly and negatively affect all residents on Ceylon and does not follow the guidelines that the OCP has set out.
If these guidelines made by the OCP are ignored, will that also not set a precedent in future zoning issues?
This re-zoning has already been rejected by CVRD before.
Why is this "revised" proposal (which does not support any significant changes from the first proposal), even being given another consideration by CVRD?
Perhaps the developer of this proposed re-zoning should consider maintaining 2 acre lots (as are all lots except 1 on Ceylon Rd), instead of trying to make more money by squeezing in 7 one acre lots and houses with suites.
Please forward this email on to any parties directly affected by this proposed development and advise us of any public meetings regarding this development.
Thank you,

Shari & Russ Cronk

2903 Ceylon Rd
Shawnigan Lake, BC
VOR 2W1
(250) 733-2216

Sent from my iPhone



C·V·R·D

**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

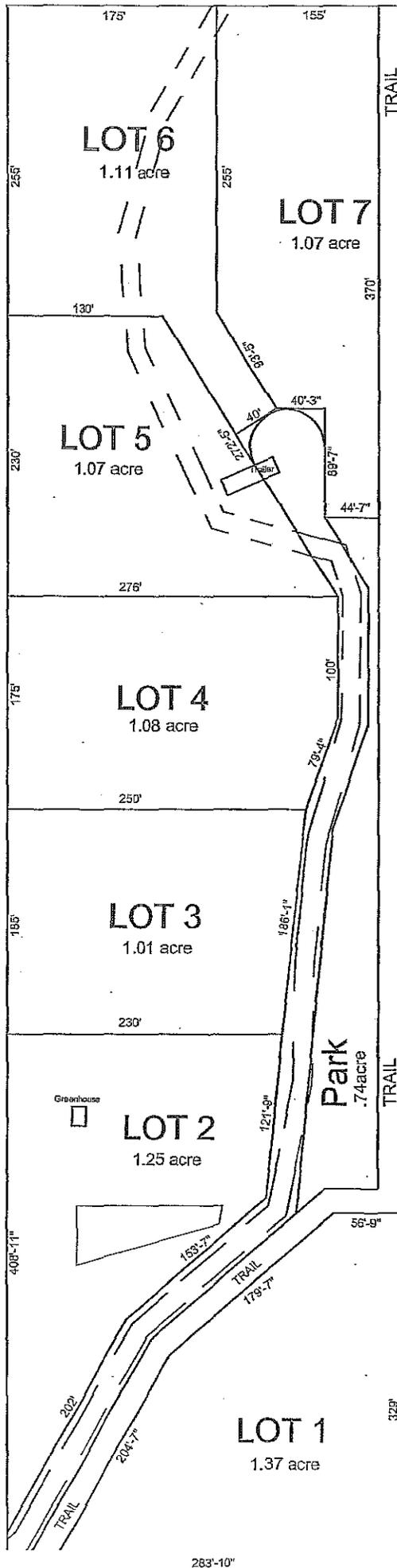
OF MEETING HELD SEPTEMBER 18, 2012

DATE: September 19, 2012

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That a letter be forwarded to the Ministry of Environment in response to Contaminated Soil Relocation Application referral (Scansa Construction Ltd.), advising of CVRD Board Resolution #12-379 dated August 1, 2012, and noting appreciation for their collaborative approach but reiterating the Board's stance that it is strongly opposed to the deliberate permitting of the use of contaminated soil for land or mine reclamation or other purposes within the public domestic water supply watersheds of the region; and further, that a similar letter be forwarded to the Minister of Environment including a statement that if the Ministry continues to permit movement of contaminated soils into community watersheds in the Regional District they are putting their collaborative arrangement with the CVRD in jeopardy and that the CVRD is willing to work with them on alternate sites but are adamantly opposed to the continued contamination of community watersheds.
2. That Application No. 3-B-11RS (Steve and Alexandra McLeod) and draft amendment bylaws be presented at a public meeting and that the application and public meeting minutes be reviewed at a future EASC meeting.
3. That the OCP and Zoning Amendment bylaws for Application No. 1-B-012RS (Living Forest Planning Consultants) be drafted and forwarded to the Board for consideration of 1st and 2nd reading, and that a public hearing be scheduled with Directors Fraser, Walker, and Marcotte appointed as delegates.
4. That a public hearing be scheduled respecting Application No. 2-B-10RS (Conner) and that Directors Fraser, Giles and Morrison be appointed as delegates of the Board.
5. That Application No. 4-C-12DP submitted by Arthur Ingham for George Robbins on Parcel B (DD36616I) of Sections 14 and 15, Range 5, Shawnigan District (PID 009-462-333) for subdivision of one new lot be approved subject to subdivision being in substantial compliance with the approved plans and RAR report No. 2506.





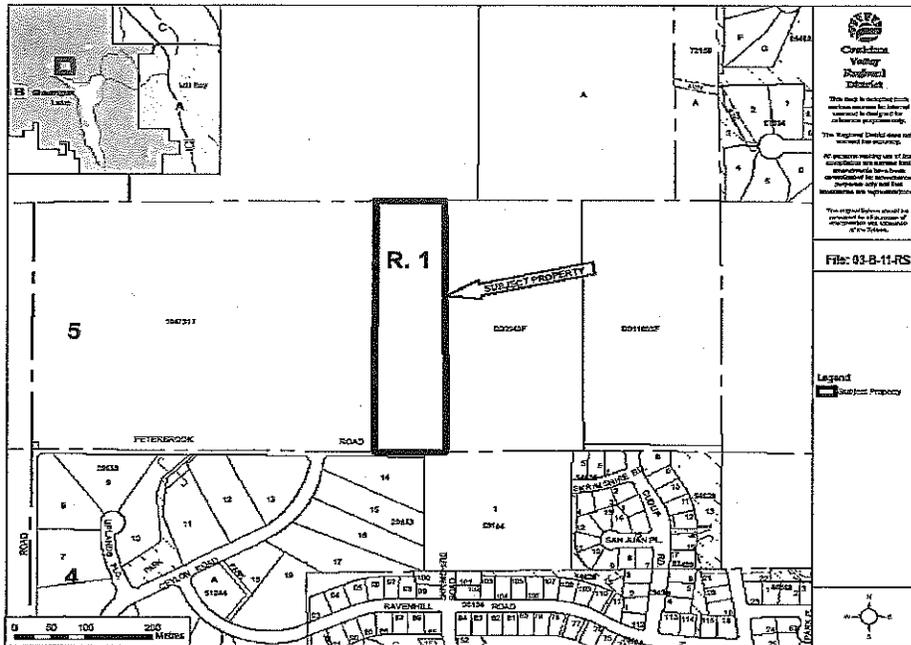
STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF SEPTEMBER 18, 2012

DATE: September 12, 2012 FILE NO: 3-B-11RS
FROM: Dana Leitch, Planner II BYLAW NO: 985 & 3510
SUBJECT: Rezoning Application No. 3-B-11RS (Steve and Alexandra McLeod)

Recommendation/Action:

That Application No. 3-B-11RS (Steve and Alexandra McLeod) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.



Relation to the Corporate Strategic Plan: N/a

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

Background Information:

Location: 2373 Peterbrook Road, Shawnigan Lake

Legal Description: The West 5 Chains of the East 25 Chains of Section 5, Range 1, Shawnigan District (PID: 001-429-876).

Date Application and Complete Documentation Received: July 8, 2011

Owners: Steven McLeod, Alexandra McLeod, Robert McLeod, Christian Gaujous, & Shaunak Sood

Applicant: Steve McLeod

Size of Parcel: ± 3.94 ha (9.74 acres)

Contaminated Site Profile Received: Declaration pursuant to the *Environmental Management Act* signed by owners. No Schedule 2 uses noted.

Existing Use of Property: Residential, a mobile home and a greenhouse is situated on the property.

Existing Use of Surrounding Properties:

North:	Forestry & Residential (Ingot Road Subdivision)
South:	Residential (Ceylon Road Subdivision) and Urban Residential (Shawnigan Beach Estates)
East:	Forestry
West:	Forestry

Agricultural Land Reserve Status: The property is not located in the ALR

Environmentally Sensitive Areas: None identified in the CVRD Environmental Planning Atlas. A site visit confirmed the presence of a wetland on the southwestern portion of the property.

Archaeological Site: None identified

Fire Protection: The property is not located within a Fire Protection Service Area.

Existing Plan Designation: Rural Resource

Proposed Plan Designation: Rural Residential

Existing Zoning: Primary Forestry (F-1)

Min lot size under existing zoning: 80 hectares

Proposed Zoning: Suburban Residential (R-2)

Minimum Lot Size Under Proposed Zoning:

0.4 ha for parcels serviced by a community water and community sewer system;
 0.4 ha for parcels serviced by a community water system only; and
 1.0 ha for parcels not serviced by either a community water or community sewer system

Services:

Road Access: Peterbrook Road (Unpaved Public Road) and private strata road

Water: Shawnigan Lake North Water System (Community Water)

Sewage Disposal: On site (septic)

Property Context

The subject property is a 3.94 ha forestry lot located northwest of the Shawnigan Beach Estates on Peterbrook Road in Electoral Area B – Shawnigan Lake. Currently on the property is a mobile home and a greenhouse, and the lot is serviced by its own well and septic field. **The subject property is located outside of the Shawnigan Lake Village Containment Boundary.**

The property is zoned F-1 (Primary Forestry) and designated Rural Resource in the South Cowichan Official Community Plan. The land use surrounding the subject property is a combination of forestry, suburban residential and urban residential. The forestry parcels surrounding the property range from 2.5 ha (6.2 ac) to 50 ha (123 ac). A majority of the nearby residential lots within the Ceylon Road subdivision are .80 ha (2.0 acres) and lots within the Shawnigan Beach Estates range from .05 ha (.12 acres) to 0.11 ha (0.27 acres). Suburban Residential lots are also located to the northeast of the property along Ingot Drive that range in size from .16 ha (.39 acres) to .40 ha (1.0 acres).

Although the immediate area is still characterized by forestry uses, smaller lot residential subdivisions have developed in the immediate area in the past 30 years. For example, a majority of the lots south along Ceylon Road (which are zoned R-2) were created by subdivision in 1983. The lots within the Shawnigan Beach Estates, which are zoned R-3, and Ingot Drive, which are zoned R-2, were created by subdivision in the 1980s.

Proposal

The applicant is requesting that the subject property be rezoned in order to subdivide it into seven residential lots ranging from 1.01 acres (.40 ha) to 1.57 acres (3.8 ha) and one 0.74 acre (0.30 ha) park. The subject property is 3.94 ha (9.74 acres) and has no subdivision potential under the current zoning.

Site Access

Road access is proposed from a strata road accessed off Peterbrook Road, which is an unpaved public road. The status and construction of roads will be determined at the time of subdivision by the Provincial Approving Officer.

Fire Protection

This property is not within a Fire Protection Service Area although the Shawnigan Lake Fire Protection Service Area boundary is located immediately south of this property.

Wildfire Interface

It should be noted that the subject property is rated as high on the CVRD Wildland Urban Interface Map.

Water

The water supply for the development is proposed to be from the Shawnigan Lake North Community Water System. The applicant is proposing to connect to this community water system and has applied to the CVRD Engineering and Environment Department for inclusion in the service area.

Sewer

Connection to the Shawnigan Beach Estates Sewer system is not possible at this time; therefore, the applicant is proposing to service the lots by approved septic fields as well as a Vegetated Tertiary Filter system (VTF). According to the applicant, the VTF system provides a more efficient treatment and involves the use of a specially planted garden for the final step in sewage treatment. The result is fewer disturbances to the land for installation, which means more land available to the homeowner for other uses, plus the addition of adding an attractive garden feature. Requirements for on-site sewage disposal would be established by VIHA at the time of subdivision.

Park Dedication

If the proposed zoning amendment is granted and the land is subdivided, parkland dedication or cash-in-lieu under Section 941 of the *Local Government Act* is required.

Based on the conceptual subdivision plan provided, there are three or more parcels of 2.0 ha or less in size being created. Five percent of the total land area represents approximately 0.49 acres. In order to keep seasonal run-off contained within undeveloped areas and to retain some significant trees, the applicant is proposing a slightly larger amount of parkland (0.74 acres), which represents approximately 7.6% of the total site area.

Power

Electricity is already provided for the property via seven power poles and two transformers which are located along the existing driveway. The applicant anticipates one or two more poles would have to be installed to supply the appropriate amount of power to the proposed subdivision.

Sensitive Areas

A wetland has been identified on the southwestern portion of the property. The applicant obtained a letter of opinion from a Registered Professional Biologist which indicates that the wetland is not subject to the Riparian Areas Regulation. However, the biologist recommends a buffer width of 10 metres in and around the wet area as this features provides an important stormwater retention and habitat function.

Sustainability Checklist

A review of the applicant's sustainability checklist indicates that the applicant has incorporated some sustainability features into this development. For example the applicant is proposing the homes onsite contain energy star appliances, doors and windows, LED lighting, spray foam insulation, increased attic insulation, and metal roofing. Other sustainability features the applicant is proposing includes: recycling waste materials from housing construction; planting native and drought resistant plant varieties for landscaping and post site restoration; rainwater re-use through cisterns; limiting the creation of impervious surfaces; using natural clearings for building sites in order to limit tree and vegetation removal; building homes to Built Green Standard silver level; and the use of fabric or straw bales to prevent siltation and runoff near construction and road building areas.

Policy Context

Zoning

This proposal involves rezoning the subject property from F-1 (Primary Forestry) to R-2 (Suburban Residential) to permit a seven-lot subdivision.

In order for the property to be subdivided, a zoning bylaw amendment is required. As mentioned previously, the applicant is proposing that the property be rezoned to R-2 that permits the following uses: single family dwelling or mobile home; agriculture, horticulture; home occupation; bed and breakfast accommodation; daycare nursery school accessory to a residential use; and small suite or secondary suite.

As this proposal involves subdivision, minimum lot size relative to zoning and level of servicing is a primary consideration. The table below provides a summary of relevant minimum parcel sizes from Zoning Bylaw No. 985.

ZONE	MINIMUM LOT SIZE
R-2 Suburban Residential	0.4 ha with community water & sewer 0.4 ha with community water only 1 ha without community water or sewer

The size of the proposed lots in this application (± 1.0 acre parcels) complies with the minimum lot size requirements for suburban residential zones only if the subject property is serviced by a community water system. We note that the lot sizes being proposed permit a small suite (with a floor size limit of 74 m^2) or secondary suite (with a floor size limit of 60 m^2).

For your reference, a copy of the F-1 and R-2 Zones is attached to this report.

Official Community Plan

The South Cowichan Official Community Plan Bylaw No. 3510 contains a number of policies relevant to this application. They include:

Policy 7.5: The OCP supports the protection of the renewable forest resource for natural resource management (forestry, mining) over the long term. Forest lands will be designated as "Rural Resource" and they should not be considered a 'land-bank-in-waiting' for future residential development.

Policy 8.1: A fundamental theme of this plan is that new residential development should help to contribute toward necessary community amenities to ensure that chronic amenity deficits are not perpetuated, and that new residential development does not negatively impact amenities which existing residents use. When an application is received to rezone land for residential uses within the Plan area, the Regional Board will apply amenity zoning, whereby the land density may be increased through rezoning on the condition that community amenity contributions are provided to enhance the character of the Plan area.

By applying amenity zoning:

- a. *The CVRD may accept the provision of an amenity or a contribution toward an amenity on the subject property or within the VCB; or*
- b. *The CVRD may accept cash-in-lieu of amenities, and subsequently provide amenities within the VCB through a capital program.*

The CVRD may require the amenity or amenities by the developer prior to granting a subdivision or occupancy permit the registration of a covenant on title to ensure the amenity is provided, include the amenity as a requirement in a housing agreement or require an irrevocable letter of credit equal to the value of the amenity contribution to be held as security to cover the costs of providing the amenity in the event of default. Community amenities to be considered during a rezoning process should include but not be limited to:

- a. *Subsidized, cooperative, or non-market affordable housing units;*
- b. *Parkland dedication in excess of the 5% required under the Local Government Act;*
- c. *Provision of open spaces and improvements for the benefit of the public;*
- d. *Dedication of environmentally sensitive areas;*
- e. *New recreational facilities or improvements to existing recreational facilities;*
- f. *Dedication of land or improvements for a community benefit (daycare, arts, culture, heritage, seniors centres, youth centres, transition homes, schools, fire halls, community police stations, transit shelters, train stations, community services, education, library);*
- g. *Sidewalk and trail improvements;*
- h. *Other amenity contributions approved by the Regional Board; and*
- i. *Cash-in-lieu.*

Policy 8.2: Site specific conditions, as well as the scope and scale of the project, will determine the specific community amenity contributions that will be required for a rezoning application. Criteria for determining priority among possible amenities will include:

- a. *Affordable housing potential and need;*
- b. *Site characteristics, including natural features that are environmentally sensitive, or have heritage or recreational value;*
- c. *Needs of the surrounding community for schools or other amenities; and*

- d. *The size, location and character of the proposed development, projected population increases, and the potential impacts of the development on existing community infrastructure.*

Policy 8.3:

The Regional Board will assist in the provision of affordable housing, by:

- e) *Allowing secondary suites and secondary dwelling units, including micro-suites, in specified areas, subject to the community water and community sewer services necessary to protect the natural environment.*

Policy 12.9: Applications for residential or mixed use developments in the Rural Resource Designation, including developments that would require an expansion of a VCB or the creation of a new VCB, may be considered provided that, in the Board's opinion, they meet the following conditions:

- a. *The proposed development must have a diverse mix of land uses (e.g. residential, employment, recreational, institutional, commercial and parkland);*
- b. *For residential development, there must be a demonstrated need for housing, based upon public statistical information related to total population increases and housing in the South Cowichan Plan area, and it must be determined that the housing need cannot be met within the village containment boundaries;*
- c. *There must be a demonstrated need for the proposed use in the South Cowichan, to justify development of the proposed use outside of a VCB;*
- d. *The proposed development must contribute to rebuilding and maintaining balanced community demographics through providing a full range of housing types aimed at different income levels.*
- e. *The proposed development must be phased, to ensure a continual balance of residential, commercial, employment, institutional and recreational land uses;*
- f. *The proposed development must demonstrate significant environmental, economic and social benefits to the immediate area and to the South Cowichan region. Community amenity contributions, in accordance with Section 8 – Social Sustainability – must be substantially higher than those for development within a VCB. The amenity contribution should include a combination of amenities, including:*
 - i. *The dedication to the CVRD of sensitive ecosystems, designated by the Province, riparian corridors, areas identified in the Species and Ecosystems at Risk Act (SARA), and waterfront areas;*
 - ii. *An affordable non-market or subsidized housing component of 10% of residential units will be provided;*
 - iii. *A significant parkland dedication of at least 40 to 70 percent of the area of the subject property will be required;*
 - iv. *A dedication of land and provision of infrastructure to ensure that the institutional needs of the community can be met.*
- g. *The proposed development must protect ground and surface water and potable water must be proved to be available in suitable quantities to support the development.*
- h. *The proposed development must provide regional transportation improvements including major road network improvements and linkages that relieve pressure on existing residential neighbourhoods;*
- i. *The proposed development must integrate public transit and transit-supportive land uses together with provision of pedestrian and cycling networks to reduce vehicle miles travelled and corresponding greenhouse gas emissions.*
- j. *The subject property must be located outside of the Shawnigan Lake Watershed, delineated in Section 5 – Shawnigan Lake Watershed Management;*
- k. *Watershed planning must be an integral part of the development – rainwater management plans will be required to ensure that runoff is not increased as a result of land development;*
- l. *The CVRD Development Approvals Information Bylaw will apply;*

m. A Phased Development Agreement and design guidelines may be required to ensure phasing, that the development proceeds in a timely manner, that amenities are forthcoming and that there is a high standard of architectural and landscape design. Development permit guidelines would also apply.

Policy 13.1.2: The Rural Residential Designation (RR) is intended to accommodate a range of rural lifestyle options outside of village containment boundaries, and to provide a buffer between resource lands (agriculture and forestry) and residential parcels, to reduce the potential for land use conflicts and provide a rural residential housing option.

Policy 13.1.4: Lands designated as Rural Residential (RR) are located outside of the village containment boundaries and are intended to remain rural. New community water or sewer systems will not be permitted outside of the village containment boundaries. For parcels that are connected to an existing community water system, the implementing zoning bylaw will allow for a minimum parcel size of 0.4 ha.

Policy 23.2: To reduce the risk of wildfire interface events in South Cowichan, the CVRD will ensure that new developments are compact, are not established outside of a fire protection area, and do not add to the significant volume of rural parcels in the wildfire interface area.

Referral Agency Comments

This proposed amendment has been referred to the following external agencies for comment:

- **Shawnigan Lake Volunteer Fire Department** – *Interests Unaffected.*
- **Vancouver Island Health Authority (VIHA)** - *Approval recommended subject to the following conditions: each lot is to connect to a community water system and during the subdivision phase, the applicant will be required to meet VIHA's Subdivision Standards for minimum native soil depth for each proposed lot.*
- **Ministry of Transportation and Infrastructure** – *Interests Unaffected.*
- **School District No. 79** – *No comments received.*
- **CVRD Parks and Trails Division, Parks, Recreation & Culture Department** – *Once comments on from the APC are received the application will be referred to the Parks Commission. The current park location that applicant is proposing may not be in a favorable location and the park may be requested as a trail corridor along the Western boundary of the property as a connection North or across the North Boundary to provide a linkage from the end of Gregory Road to lands further to the West.*
- **CVRD Public Safety Department** – *No comments received.*
- **CVRD Engineering and Environmental Services** – *The department is supportive of this development as it will contribute to water conservation fees to the Shawnigan Lake North Water Conservation Program.*
- **Malahat First Nation** – *No comments received.*
- **Cowichan Tribes** – *No comments received.*

Advisory Planning Commission Comments

The Joint South Cowichan Advisory Planning Commission reviewed this application at its meeting March 22, 2012 made the following recommendation:

*It was moved and seconded that the Joint APC not support proposal 3-B-11RS.
MOTION CARRIED (8-1)*

The Electoral Area B Advisory Planning Commission was referred this application and it was discussed at their meeting on August 9, 2012 and they made the following recommendation:

*The APC recommends that application 3-B-11RS not be approved.
MOTION CARRIED*

Development Services Division Comments

There are some merits to this proposal such as the proposed lot sizes are consistent with the minimum lot sizes which are established in OCP policy. The OCP supports the creation of rural residential lots of 0.4 ha (with a connection to community water) outside the Village Containment Boundary to accommodate a rural residential lifestyle option and to provide a buffer between resource lands (forestry and agriculture) and residential lands.

The applicant has offered a community amenity cash contribution of up to \$5,000 which is consistent with OCP Policy 8.1.

The applicant is proposing a phased development which is consistent with OCP Policy 12.9(e) where one home during the first year will be constructed and two to three homes per year will be constructed until all seven homes are built. Total build out of all seven homes is projected to be three to four years in total.

The applicant has tried to provide some affordable housing by requesting that each lot be permitted to have a small suite or secondary suite that could be rented out to residents of different income levels (OCP Policies 8.3 (e) & 12.9 (d)).

The applicant has incorporated sustainability features into both the site design and home design and has designed his proposed subdivision layout and lot sizes to minimize any disturbance to the wetland on proposed lot 2 and to preserve some older growth trees within the proposed park area.

Land Use:

The South Cowichan Official Community Plan establishes well defined boundaries (i.e. Village Containment Boundaries) for lands intended for future community water and sewer servicing, growth and development. OCP Policy 10.4 further reiterates that development is encouraged to take place within village containment boundaries and that lands outside these boundaries should remain rural. This particular property lies outside of the Village Containment Boundary, is zoned F-1 (Primary Forestry) and was designated as Rural Resource during the South Cowichan Official Community Plan review.

OCP Policy 7.5 supports the protection of renewable forest resources over the long term and states that Forest lands should not be considered a "land-bank-in-waiting" for future residential development.

Notwithstanding some of the policies above, the South Cowichan Official Community Plan does contain a specific policy that applies applications for residential development within the Rural Resources Designation (OCP Policy 12.9). In evaluating this proposal against the criteria listed in OCP Policy 12.9 it is the opinion of Planning staff that the proposal in its current form does not meet a majority of the criteria listed. For instance, the proposed development does not contain a diverse mix of land uses; the applicant has not demonstrated to the CVRD that there is a need for housing in the Peterbrook Road area of Shawnigan Lake; the proposal does not demonstrate significant environmental or social benefits to the immediate area; the proposal does not contain an affordable housing component of 10% or a significant park land dedication of at least 40 to 70 percent of the area; the development does not provide any regional transportation improvements and there is no integration of transit or transit-supportive land uses within the proposed development (OCP Policies 12.9 (a)(b)(c)(f)(h)(i)).

Fire Protection

With regards to fire protection, the subject property has been rated as high in the Wildfire Interface Index and is currently not included within the Shawnigan Lake Fire Protection Area. OCP Policy 23.2 discourages new developments from being established outside of a fire protection area. If the Committee sees merit in this proposal and the proposal moves forward staff are recommending that the property included in the Shawnigan Lake fire protection area as a condition of rezoning approval.

Parkland Dedication

During the application referral process Planning staff did refer this application to CVRD Parks and Trails Division staff. However the application has not formally been referred to the Electoral Area B Parks Commission for comment. If the Committee sees merit in this proposal Planning staff recommends that the application be referred to the Electoral Area B Parks Commission for comment and review.

South Cowichan Development Permit Area

It should be noted that if the rezoning application is approved and the land is subdivided and developed, the applicant will need to obtain a Development Permit from the Cowichan Valley Regional District prior to the subdivision of the land. The development permit will address site specific issues such as: the management of invasive weeds, rainwater management, environmental protection, the protection of riparian areas and sensitive ecosystems, and the mitigation and prevention of wildfires.

Conclusion

Because this development proposal is contrary to many of the OCP Policies regarding redesignating Rural Resource lands to Rural Residential Lands Planning staff are recommending denial of this proposal.

Options:

Option 1:

That Application No. 3-B-11RS (Steve and Alexandra McLeod) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Option 2:

That Application No. 3-B-11RS be referred back to the Committee when the following conditions have been met:

- a) That Application No. 3-B-11RS (Steve and Alexandra McLeod) be formally referred to the Electoral Area B Parks Commission for comment and review.
- b) That a Wildland Urban Interface Fire Hazard Assessment for the property be drafted and submitted by the applicant.
- c) That draft Zoning and OCP Amendment Bylaws for the property be drafted by Planning Staff.

Option 3:

That Application No. 3-B-11RS (Steve and Alexandra McLeod) and draft amendment bylaws be presented at a public meeting and that the application and public meeting minutes be reviewed at a future EASC meeting.

Option 1 is recommended.

Submitted by,

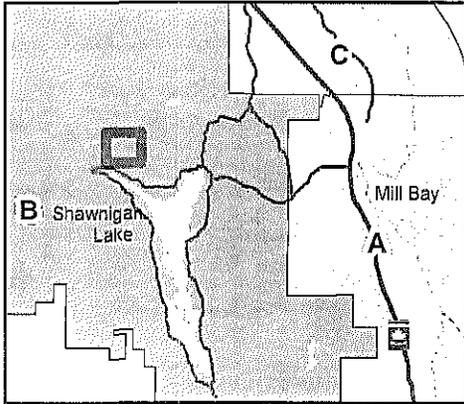
Dana Leitch
Planner II
Development Services Division
Planning & Development Department

DL/jah

Attachments

Reviewed by:
Division Manager:

Approved by:
General Manager:



**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.

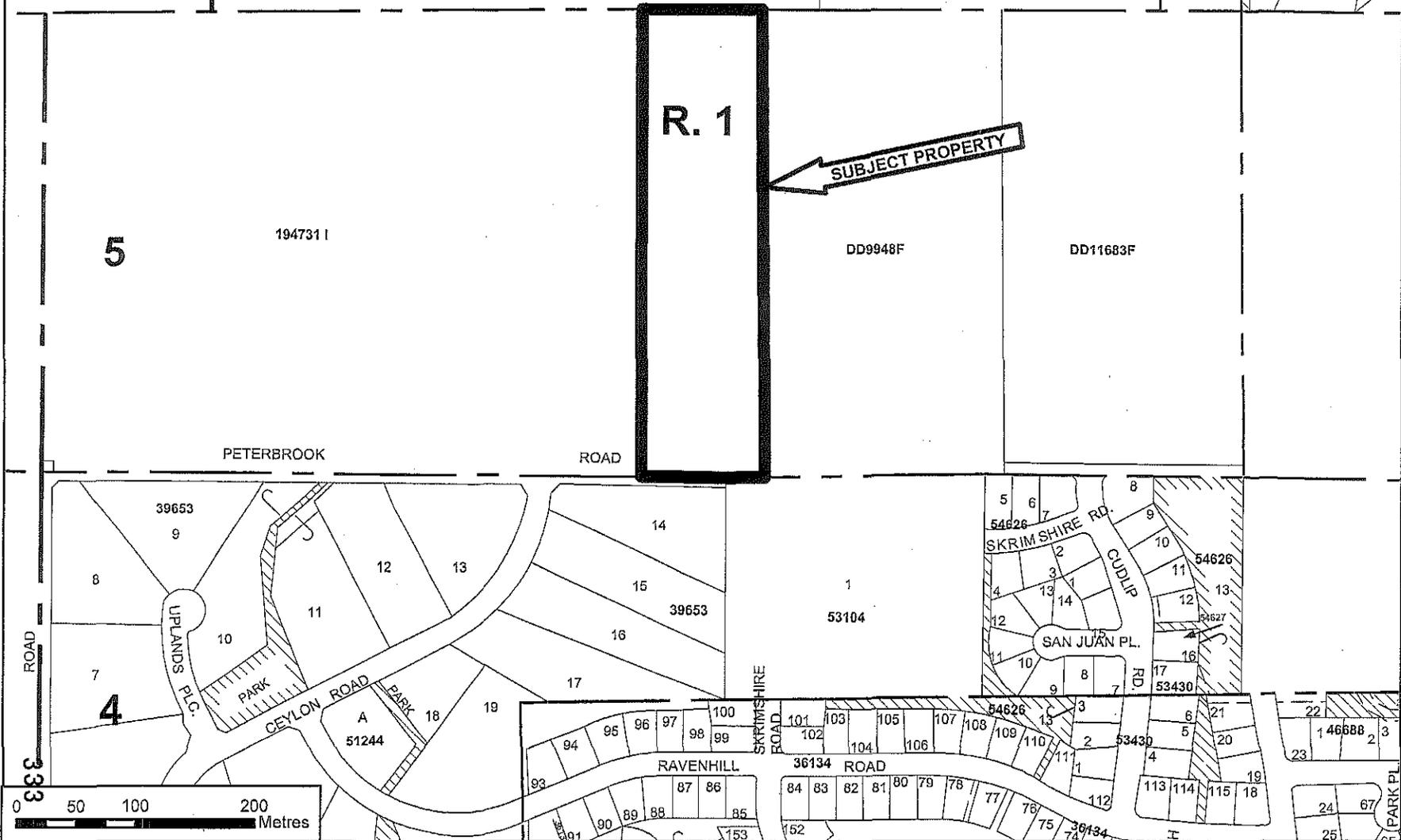
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

File: 03-B-11-RS

Legend

 Subject Property



R. 1

SUBJECT PROPERTY

PETERBROOK ROAD

ROAD

39653

UPLANDS P.L.C.

CEYLON ROAD

51244

RAVENHILL ROAD

36134 ROAD

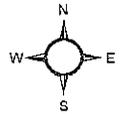
SKRIMSHIRE RD.

CUDLIP

SAN JUAN PL.

RD.

PARK PL.





Cowichan Valley Regional District

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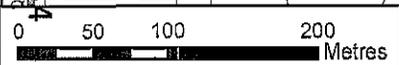
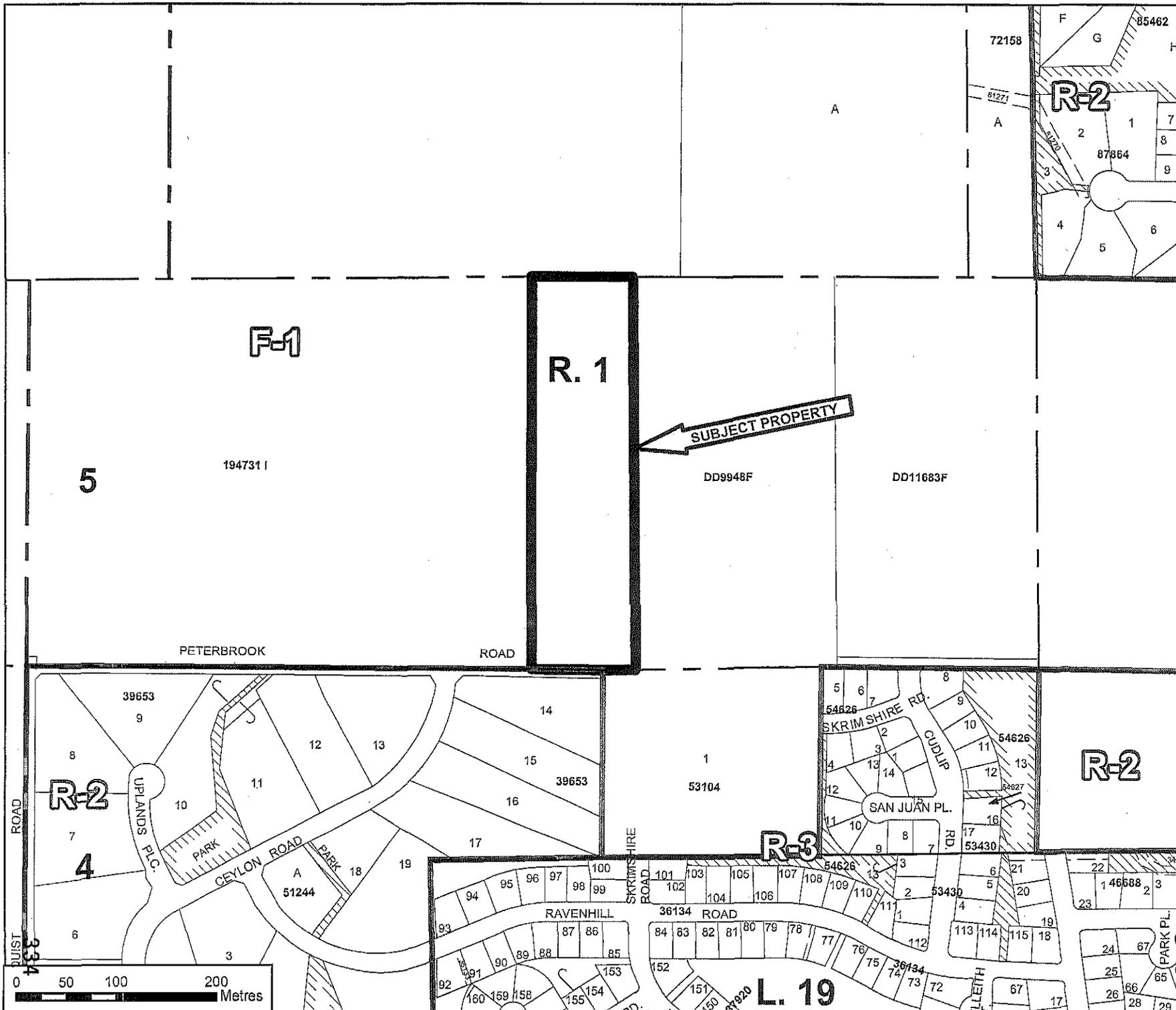
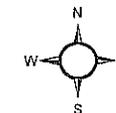
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File: 03-B-11-RS

ZONING

Legend

-  Subject Property
-  Zoning Electoral Area B





Cowichan Valley Regional District

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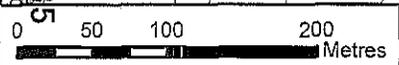
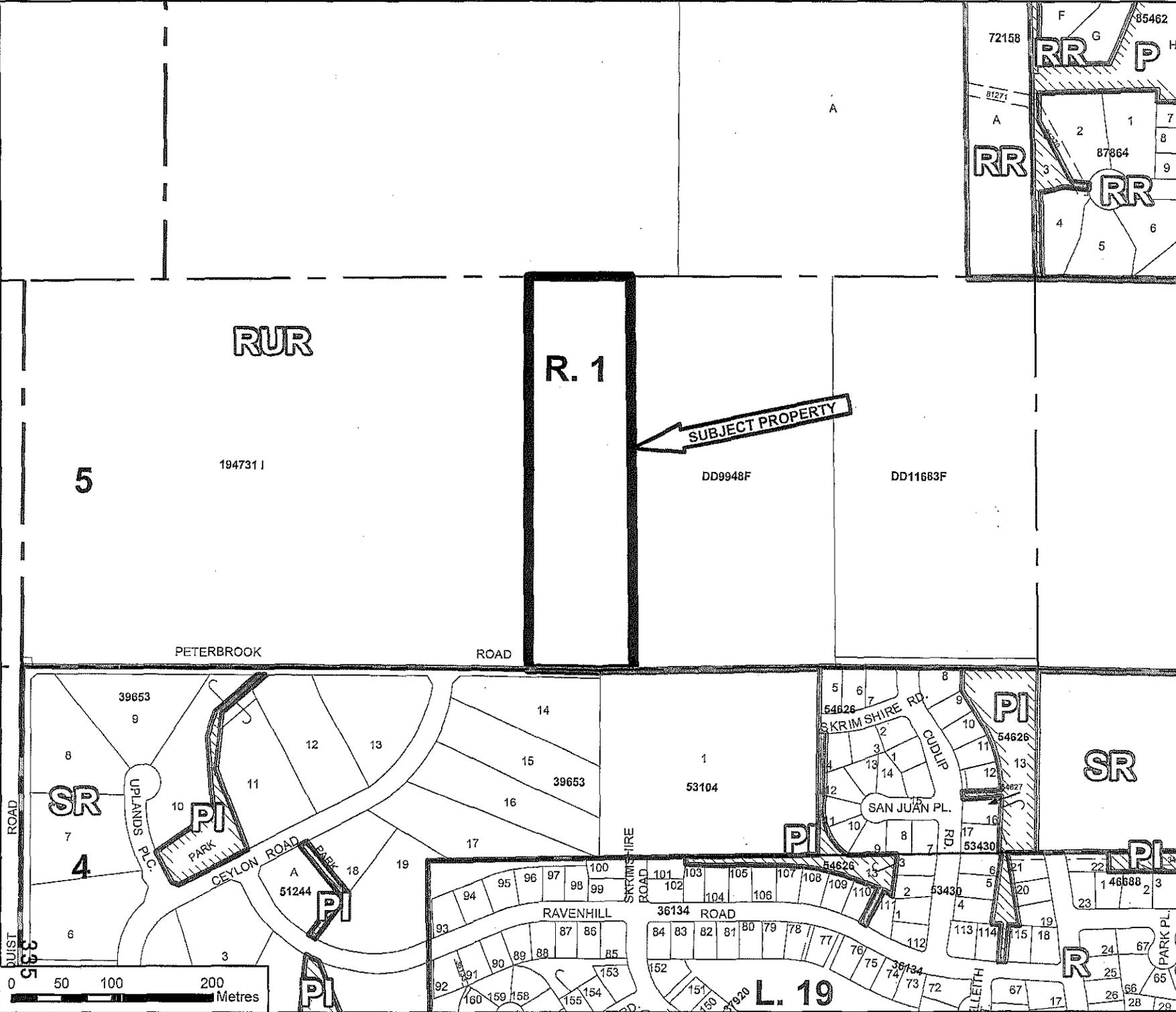
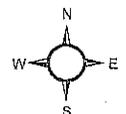
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File: 03-B-11-RS

OCP

Legend

-  Subject Property
-  OCP Electoral Areas ABC





**Cowichan
Valley
Regional
District**

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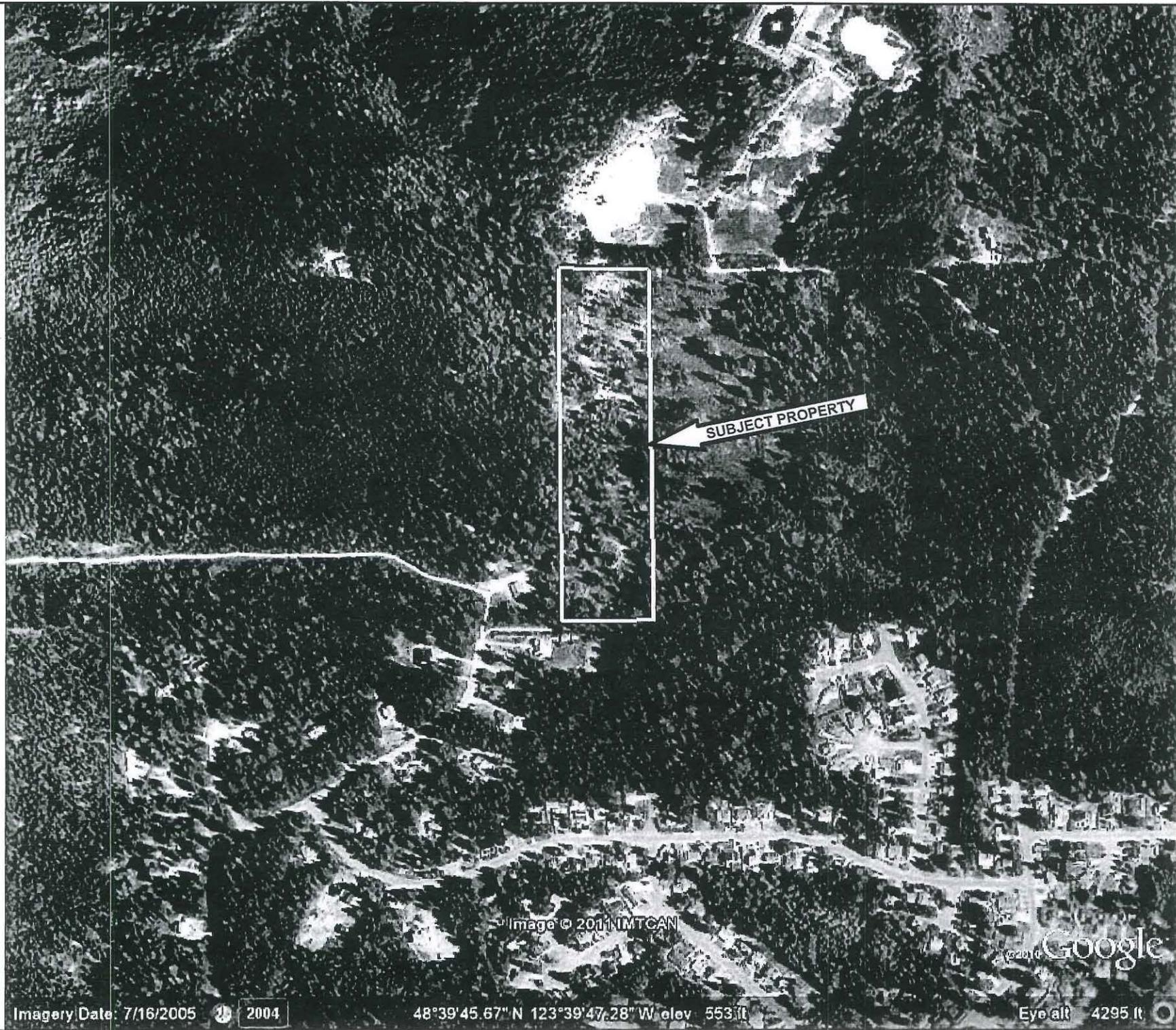
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File: 03-B-11-RS

**Google Earth
Photo (2005)**



Imagery Date: 7/16/2005 2004

48°39'45.67" N 123°39'47.28" W elev 553 ft

Eye alt 4295 ft

7.4 F-1 ZONE – PRIMARY FORESTRY

(a) Permitted Uses

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

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) extraction crushing milling concentration for shipment of mineral resources or aggregate materials excluding all manufacturing;
- (3) single family residential dwelling or mobile home;
- (4) agriculture silviculture horticulture;
- (5) home occupation – domestic industry;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite on parcels that are less than 10.0 hectares in area;
- (8) secondary suite or a second single family dwelling on parcels that are 10.0 hectares or more in area.

(b) Conditions of Use

For any parcel in an F-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

8.3 R-2 ZONE - SUBURBAN RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in an R-2 Zone:

- (1) single family dwelling or mobile home;
- (2) agriculture horticulture;
- (3) home occupation – domestic industry;
- (4) bed and breakfast accommodation;
- (5) daycare nursery school accessory to a residential use; and
- (6) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-2 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for auxiliary buildings which shall not exceed a height of 7.5 metres; and
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column III and IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural & Accessory Use	COLUMN IV Accessory Residential Use
Front	7.5 metres	30 metres	7.5 metres
Side (Interior)	10% of the parcel width or 3 metres whichever is less	15 metres	10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	4.5 metres

14.1 With respect to the zones identified in Column I of Section 6.1 and briefly described in Column II the minimum parcel size shall except to the extent as varied by the provisions of Sections 14.2, 14.11, and 14.12 be in accordance with the following table based on the method of sewage disposal and water supply:

Zoning Classification Under Zoning Bylaw	Parcels Served by Community Water and Sewer Systems	Parcels Served by Community Water System Only	Parcels Neither Served By Community Water or Sewer
A-1 Primary Agricultural	12 ha	12 ha	12 ha
A-1A Modified Primary Agricultural	12 ha	12ha	12 ha
A-2 Secondary Agricultural	2 ha	2 ha	2 ha
F-1 Primary Forestry	80 ha	80 ha	80 ha
F-1A Primary Forestry – Kennel	20 ha	20 ha	20 ha
F-2 Secondary Forestry	4.0 ha	4.0 ha	4.0 ha
R-1 Rural Residential	2 ha	2 ha	2 ha
R-1A Limited Rural Residential	2 ha.	2 ha.	2 ha.
R-2 Suburban Residential	0.4 ha	0.4 ha	1.0 ha
R-2A Limited Suburban Residential	1.0 ha	1.0 ha	1.0 ha
R-3 Urban Residential	0.2 ha	0.2 ha	1.0 ha
R-4 Rural Community Residential	8 ha.	8 ha.	8 ha.
R-6 Urban Residential (Mobile Home)	0.8 ha	0.8 ha	1.0 ha
MP-1 Mobile Home Park	2 ha ¹	2 ha ¹	2 ha ¹
C-1 Village Commercial	1100 sq.m.	1675 sq.m.	1.0 ha.
C-2A Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-2B Local Commercial	1100 sq. m.	1675 sq. m.	0.8 ha.
C-2 Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-3 Service Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-4 Tourist Recreation Commercial	0.8 ha	0.8 ha	0.8 ha
C-5 Neighbourhood Pub	1100 sq. m.	1675 sq. m	0.8 ha
P-1 Parks and Institutional	0.2 ha	0.4 ha	1.0 ha
P-2 Parks and Recreation	20 ha	20 ha	20 ha
I-1 Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1A Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1B (Sawmilling)	1.0 ha	1.0 ha	1.0 ha
I-1C (Light Industrial)	0.2 ha	0.4 ha	0.8 ha
I-3 Medium Industrial	0.2 ha	0.4 ha	1.0 ha
I-5 Eco-Industrial	1 ha	1 ha	1 ha

August 9, 2012

7:00 p.m.

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

Present:

APC members: Graham Ross-Smith, Sara Middleton, Roger Painter
Chris Hennecker, Grant Treloar, Dave Hutchinson, Jennifer Morros

Absent: Cynara de Goutiere.

Director: Bruce Fraser

Alternate Director: Kelly Musselwhite

Members of Public:

ORDER OF BUSINESS

1) **Introductions.**

2) **Agenda Review.**

3) **Minutes of June meeting**

Motion - None

Action Items - None

4) **Director Bruce Fraser report:**

- Gave update on the ongoing discussions with SIA's application. Bruce expects a collaborative approach with the CVRD and Ministry in continuing to look for suitable sites as this application is unacceptable in a community watershed;
- A Lakewatch/Blockwatch Program is in the works. Currently looking at other models;
- Bruce asked that going forward there be at least 2 APC members be at all site visits.

5) **Correspondence**

None

6) **Craig Partridge - Ron Sharpe - Proposal 2-B-11-RS Development Permit**

Motion - APC recommends that the DP application 2-B-11-RS Development Permit not be approved.

7) **Steve McLeod - Proposal 3-B-11-RS Development Permit Application (Amended).**

Motion - APC recommends that the DP application 3-B-11-RS Development Permit Application (Amended) not be approved.

Meeting adjourned.



C.V.R.D.

JOINT SOUTH-END ELECTORAL AREA APC MEETING

Day: Thursday

Date: March 22, 2012

Place: Shawnigan Community Centre

Address: 2804 Shawnigan Lake Road

Time: 7:00 PM.

MINUTES

PRESENT:

APC:

Roger Painter	Area B (Shawnigan) APC Chair and Chair for this Joint Meeting
Sara Middleton	Area B (Shawnigan) APC Vice-Chair
Dave Hutchinson	Area B (Shawnigan) APC Member
Grant Treloar	Area B (Shawnigan) APC Member
Bruce Stevens	Area B (Shawnigan) APC Member
Ted Stevens	Area A (Mill Bay) APC Chair
Cliff Braaten	Area A (Mill Bay) APC Vice-Chair
Rod de Paiva	Area C (Cobble Hill) APC Chair
Jens Liebgott	Area C (Cobble Hill) APC Vice-Chair

CVRD:

Bruce Fraser	Area B Director
Kelly Musselwhite	Area B Alternate Director

Applicants:

Steve McLeod, Robert McLeod and Christian Gaujous for Proposal 3-B-11RS
Steve Homick and Denise Kors for Proposal 4-B-11RS

ORDER OF BUSINESS:

1. Introductions
2. Call to Order
3. Chair Explanation of Meeting Procedure
4. Acceptance of Agenda
It was agreed to revise the agenda so that the discussion and recommendations regarding each proposal would immediately follow the presentation by the applicant.
5. Presentation by Steve McLeod for Proposal 3-B-11RS (2373 Peterbrook Road)

6. APC Discussion Regarding Proposal 3-B-11RS

- The applicant's presentation was clear and well prepared. It including a promising conceptual design incorporating several commendable features.
- The main concern for the APC was the location of the subject property relative to adjacent F-1 parcels. Allowing this parcel to be rezoned could create pressure for similar proposals contrary to the objectives of OCP Policy 7.5 concerning forest lands.
- It was observed that the subject property slopes from north to south towards the West Arm of Shawnigan Lake. Although the Watershed Map (p.32 of the OCP) does show the parcel to be just outside of the watershed, this should be checked and the boundary adjusted if necessary.
- The rezoning application states that the water supply would be from the Shawnigan Lake North Water System. Questions were raised about the current status and capacity of this service and, incidentally, of the Shawnigan Beach Estates Sewer System. It was agreed that a request be made to the CVRD Engineering Department for a detailed status report of both these systems. It was thought that this information would be valuable as a general reference for the APC.

7. Motion

It was Moved and Seconded that the Joint APC **not support** Proposal 3-B-11RS.
MOTION CARRIED (8-1)

8. Presentation by Steve Hornick and Denise Kors for Proposal 4-B-11RS**9. APC Discussion Regarding Proposal 4-B-11RS**

- The applicant's presentation was clear and well prepared.
- Although the APC had similar concerns to the previous proposal with regard to OCP Policy 7.5 concerning forest lands, the fact that subject property did not intrude significantly into adjacent F-1 parcels, and also that the OCP designation is already Rural Residential, were clearly points in its favour.

10. Motion

It was Moved and Seconded that the Joint APC **support** Proposal 4-B-11RS.
MOTION CARRIED (7-2)

11. Director's Report

Area B Director Bruce Fraser took part in a general discussion about the structure and process of the new Joint South-End APC. There was concern that some referrals, even though they are located outside of Village Containment Boundaries, are not significant enough to warrant the Joint APC process and would be more appropriately handled by the local APCs. It was also observed that the local APC members who do not participate with the Joint APC will miss out on relevant issues. One comment was that all the local APC members should participate in the Joint APC when the referral is in their Area. Director Fraser suggested that local members attend as observers in the short term and that the CVRD Board would likely be amenable to requests to improve the process after a review period. Roger Painter volunteered to follow up on this issue.

12. Meeting Adjourned at 9 pm.

Sustainability Checklist Summary

Note: These are short answers to the checklist questions. Please read the proposal for a more cohesive outline.

Environmental Protection and Enhancement

1. Conserve Restore or Improve natural habitat
 - Additional parkland: A 7% portion of the property (0.74 acres) will be given for parkland rather than the required 5% (0.49 acres) to encompass natural runoff systems. Manmade pond will remain in current state for its habitat value.
2. Remove Invasive species
 - Scotch broom has begun to take hold in a few of the fringe areas on the property. These areas will be addressed during the development of the road and services, and maintained by a neighbours committee.
3. Impact an ecologically sensitive site
 - There are no sensitive areas on the property requiring an R.A.R as is stated in the attached environmental assessment.
4. Provide conservation for sensitive areas beyond the required
 - N/A
5. Cluster housing to limit disturbance to land
 - Natural clearings on the property were chosen in the lot design to retain the natural beauty of the area and minimize the clearing necessary for building sites. In addition, to minimize the disturbance caused by road building, rather than rerouting the road to maximize lot potential the existing drive way will be followed for the large majority of the road and cul-de-sac layout.
6. Protect Groundwater from contamination
 - Beyond VIHA approved septic systems, some of the lots will be serviced by Vegetative Tertiary Filter systems which require a much smaller area to operate and pre-treat the sewage before it enters a landscaped garden leech field.
7. Fill in existing parcels of land
 - This 10 acre property has sat only partially developed since at least 2003 with an old model mobile home and greenhouse as the only buildings on site. It is adjacent to an R-2 subdivision and near many amenities.
8. Utilize pre-existing roads and services
 - A well developed access road (Peterbrook) exists between Ceylon road and the property. A good quality driveway (with culverts) and a powerline with 7 poles run the length of the 400M property. The Municipal watersupply line runs just north of the lot and is easily accessed. Hook-up has already been approved by the Engineering department. Schools, stores, parks and public transit are all within a short distance.

9. Revitalize contaminated area
 - o N/A
10. Use of climate sensitive design features
 - o House plans will utilize passive solar design and super insulated construction techniques for reduced heating and cooling requirements. This includes: Energystar appliances, doors and windows, extra air seals in framing, spray foam insulation, increased attic insulation, metal roofing.
11. Provide onsite renewable energy generation (solar energy / geothermal)
 - o Housing design and construction will be focused on energy conservation rather than generation. This cost effective approach can provide much more benefit per dollar over generation techniques. (which can also be retrofitted later)
12. Provide composting facilities
 - o Lot sizes provide adequate space for owner composting.
13. Provide a community garden
 - o Lot sizes provide adequate space for owner gardens.
14. Involve ways to reduce waste and protect air quality
 - o During development and construction all efforts will be made to reduce and reuse waste on site. Where possible waste materials will be recycled and slash from clearing will be used for firewood rather than burn piles.
15. Include a car free zone
 - o N/A
16. Include a car share program
 - o N/A
17. Use plants or materials in the landscaping design that are not water dependant
 - o Landscaping and restoration after installation of road and services will be done with native and drought resistant plant varieties.
18. Recycle water and wastewater
 - o Raincatchment will be provided for each lot consisting of a cistern and pump system for landscaping and gardening use.
19. Provide for no net increase to rainwater runoff
 - o Driveways and patio areas will be constructed with low impervious surfaces. Also the main roofing type will be metal which does not contaminate rainwater runoff. Cistern collection will also reduce runoff.
20. Utilize natural systems for sewage and rainwater
 - o Septic and VTF sewage treatment use natural systems for their processes. The seasonal pond on site will be left to remain in its natural state and provide for rainwater collection, and slow integration.
21. Use energy saving appliances
 - o Houses will utilize LED lighting, and energy star windows, doors, and appliances.

22. Shielded lighting

- o Yes

23. Built to a recognized green building standard

- o Houses will be Built Green Certified to a silver level standard or above.

24. Reduce construction waste

- o A recycling / sorting area will be set up during the project where extra materials can be stored for eventual use

25. Utilize recycled materials

- o LVL and manufactured lumber product such as I-beam joists will be used in place of solid lumber, also metal roofing has a high recycled material content.

26. Use on site materials to reduce trucking

- o Any soils, blasted rock, etc will remain on site for use in development or landscaping.

27. Avoid contamination

- o Precautions such as fabric or straw bale filtering will be utilized to prevent siltation of any runoff near construction and road building sites.

28. Any other environmental features.

- o Some houses will include insulated concrete form foundations which greatly increase the R-value of basements and crawlspaces.

Community Character and Design

1. N/A

2. Provide amenity in close proximity to a residential area

- a. This proposal would bring an extension of the municipal water supply and fire protection within 50M of Ceylon road and even closer to the adjacent neighbour's homes. This would allow for potential hook up by local houses and provide fire protection for the nearby area, which currently has none.

3. Provide housing in close proximity to public amenities

- a. 1.25 Km school
- b. 0.7 KM to bus
- c. 2.75 KM to Shawinigan Village
- d. 0.7 KM to restaurant

CVRD

2011

Rezoning Application Proposal

2373 Peterbrook Road - Shawnigan Lake

Submitted By:

Steve McLeod

TEASDA

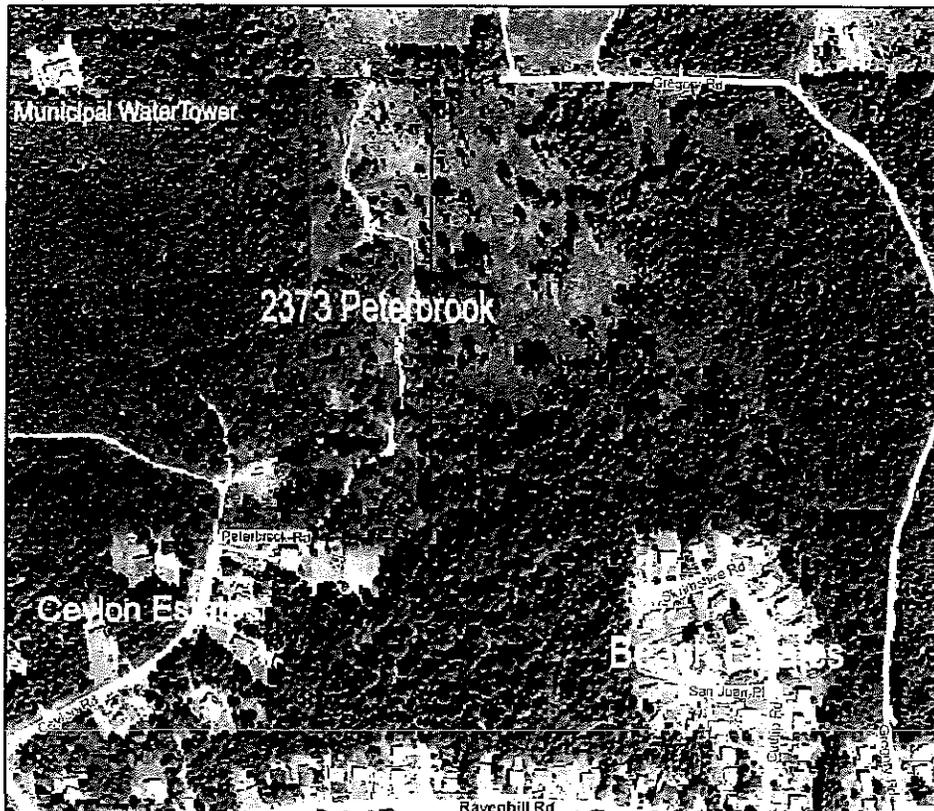
Rezoning Proposal

2373 Peterbrook Road

Introduction: Peterbrook road is a small cul de sac near the large Beach estates subdivision in Shawnigan Lake. It sits at the end of Ceylon road which is home to a number of attractive properties ranging in size from 1 to 2 acres. At the end of the Peterbrook cul de sac is a beautiful 9.74 acre property that has remained partially developed for over 8 years. The following proposal outlines a project that would extend the Peterbrook cul de sac further into this property along a private lane to a small stretch of acre lots designed to not only preserve the natural beauty of the property but keep the look and feel of the Ceylon neighbourhood.

One of the owners is a Green builder who intends on constructing a green custom home for his family on one of the proposed lots. This house will also serve as a show home for the rest of the houses on the property.

This proposal will present a project that is an excellent opportunity to increase the density of the Shawnigan Village area with Green Built housing by utilizing an existing, partially developed property that lies attached to one subdivision and within 200M of the largest subdivision in Shawnigan Lake and all of its nearby amenities.

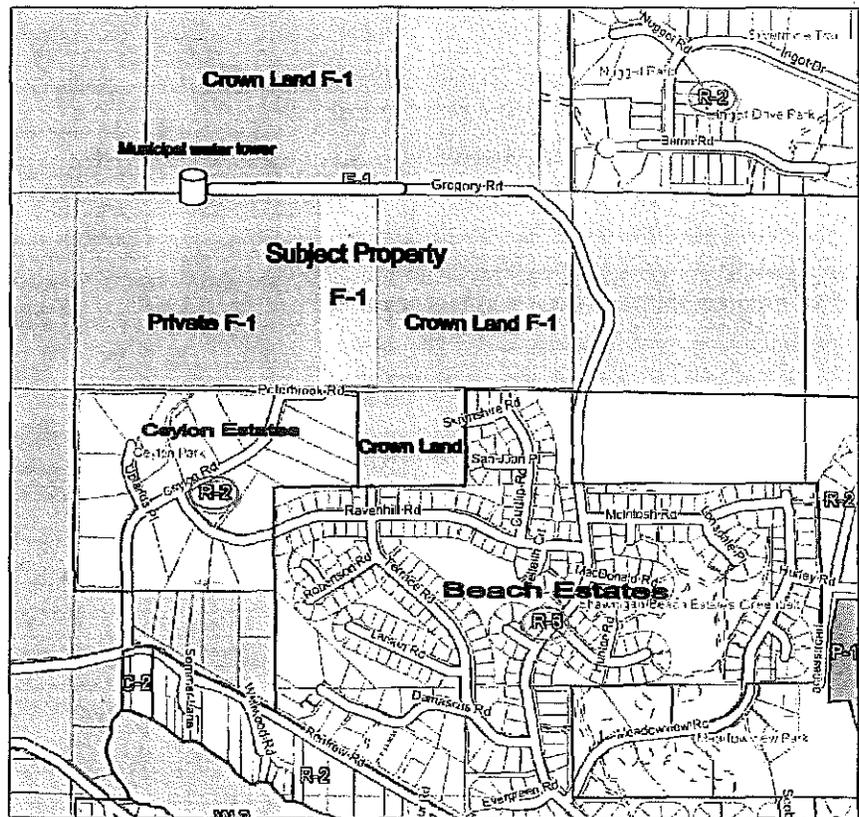


Background and Site Information:

(see attached: Figure 1 - survey map)

2373 Peterbrook was recently purchased from the owner who had been in possession since 2003 and partially developed the lot as an estate. The property does not lie within the ALR, or the Watershed and does not contain a sensitive ecological site. The lot is 9.74 acres in a long rectangle 330ft (100m) wide by 1286ft (391m) long and is currently zoned F-1 Forestry. A driveway / road extends the full length of the property which connects to Gregory road, a gravel service road originating from the Beach estates. The lot is already well serviced; seven power poles line the road reaching approx 2/3rds into the lot and it also has a septic system and well. The Municipal water supply tower lies nearby to the west and the main water line runs east near the property line to the north. The property was logged many years ago and the majority of existing trees are widely spaced with no dense forest area. There is an existing pond and an assessment completed to confirm it was artificially constructed by berming a channel for seasonal runoff. It does not contain or is connected to any fish bearing waterbodies and no R.A.R. is required for the property. (see attached assessment)

Current Use: For the last 8 years the lot has featured a mobile home which is currently being rented by tenants of the previous owner. There is also a green house, which contains the well, situated near the pond.



Adjacent Properties: To the North of the property is a large parcel of Crown land part of which was previously used for municipal sewage treatment until its failure and resiting to a R-2 subdivision further to the North east. To the East is a 40 acre parcel of Crown land, zoned F-1 and only slightly further east (170m) lies Shawnigan Beach estates, zoned R-3. To the west is a 40 acre parcel of privately owned, F-1 zoned property which holds the Municipal water supply tower. To the south is the Ceylon R-2 zoned subdivision.

Local Amenities: As the property sits so close to existing residential areas it has access to all of the amenities and services enjoyed by these residents, including schools, stores, and public transit.

Public transit: 700m Restaurant: 725m School: 1.25 km Shawnigan Village: 2.75 km

Proposed Usage:

The project proposed would involve rezoning the 9.74 acre property from F-1 Forestry to R-2 Suburban Residential and dividing it into eight parcels: Seven 1 to 1.5 acre lots and one - 0.74 acre park. R-2 zoning allows for 1 Hectare lots (2.47 acres) on well water or 0.4 hectares (1 Acre) with municipal water. Municipal water access has been secured for the property, and would be supplied to each lot.

The end goal is to retain the natural beauty of the property while creating small inviting estates for Green Built certified homes.

Lot Design

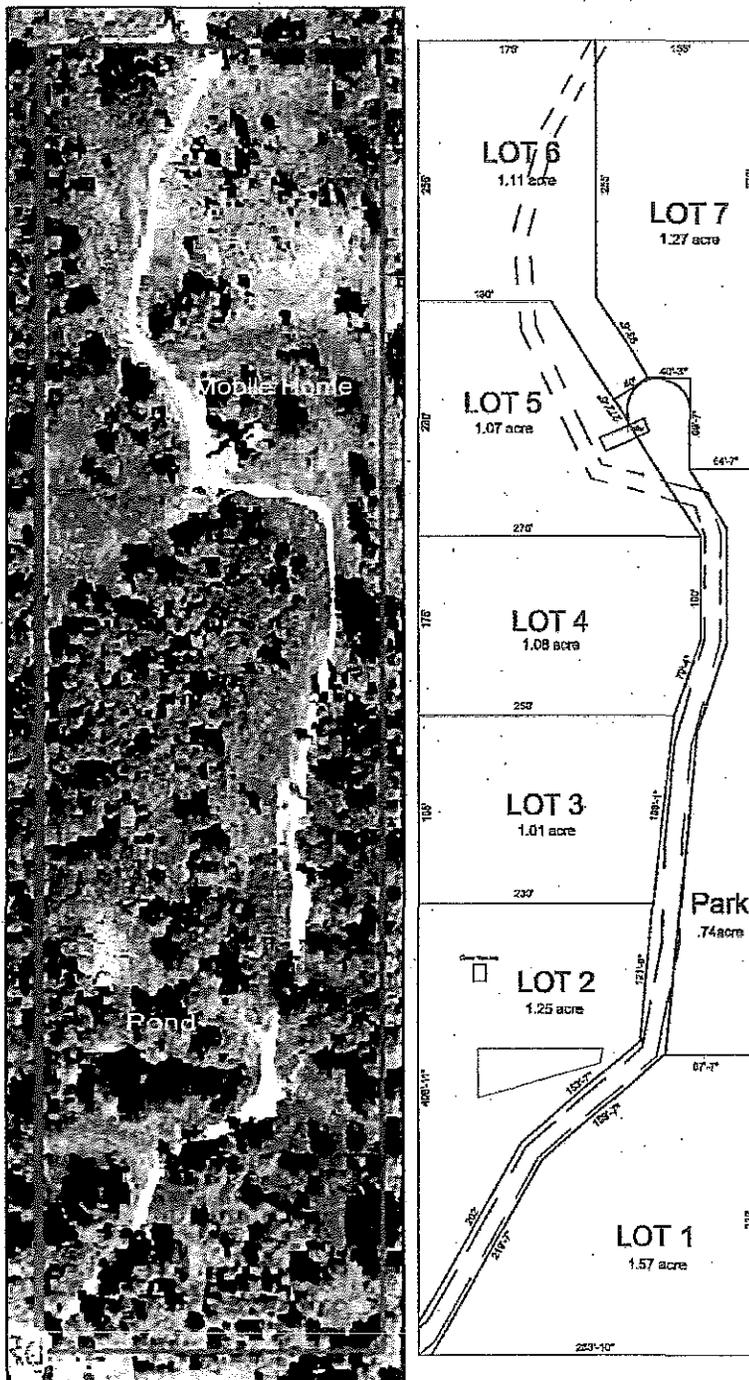
Natural clearings on the property were chosen for building sites in the lot design to minimize the clearing necessary for construction. Proposed lots 2 through 7 all sit on a plateau overlooking the road and proposed park area. Lot 1 due to the road layout and its proximity to an existing neighbours house was designed especially large at 1.57 acres. Lot 2 was also created larger to accommodate a building site without disturbing the existing pond.

Park

Required park contribution for this size property is approx 0.5 acres but in order to keep seasonal runoff in undeveloped, naturally maintained areas and protect a few interesting trees the park was increased to 0.74 acres.

Road Access

Road access would be designated as a private lane and remain in strata care by the subdivision. This lane would end in a cul de sac approx 300M into the property and therefore cut off the connection to Gregory road ending any threat of eventual flow through traffic from the Beach estates (a concern of local residence). The Ministry of Transportation and Infrastructure has no requirement for a thru road and has approved the proposed road and cul de sac design.



To minimize the disturbance to the area caused by road building; rather than rerouting the road to maximize lot potential, the existing drive way will be followed for the large majority of the road and cul-de-sac layout. Waterline infrastructure will also be placed along the road to keep the excavation required to as few areas as possible.

Pond

According to the Environmental assessment, the pond although manmade, holds some value to the local wildlife it also adds to the natural beauty of the area. In accordance to the assessment recommendations it be left in its current state. Drainage from the pond flows into a culvert that runs under the road. Upgrading this culvert during road construction was also recommended in the assessment to allow the natural drainage system to continue its existing path into the proposed park.

Water

Key to this proposal is the connection to the Municipal water supply that runs along the northern border of the property. This connection allows for 1 acre size parcels in an R-2 zoned area making the water line expansion and connection costs financially feasible. The previous owner had a letter of approval by the CVRD for connection to the municipal supply and this has since been secured by the new owners through meetings with the Engineering Department. Extension of the water supply through the property will potentially allow access to the residence of Peterbrook and Ceylon roads if homeowners choose to pay for the necessary infrastructure.

Power

Electrical servicing is already well provided for by 7 power poles and 2 transformers along the current driveway and only 1 or 2 additional poles would be needed to supply all of the proposed lots.

Sewer

As sewer connection is not available at this time the proposed lots will be serviced by approved septic fields as well as Vegetative Tertiary Filter systems. VTF systems provide much more efficient treatment from a much smaller area and use a specially planted garden for the final step in sewage treatment. The result is less disturbance to the lot for installation and much more area available to the homeowner for other uses, besides adding an attractive garden feature.

Fire Protection

According to CVRD regulations 2 fire hydrants must be installed no more than 200M apart for fire protection of the subdivision. One of these hydrants will be placed near the entrance to the property to also provide fire protection for existing homeowners on Peterbrook and Ceylon roads (which is currently unserviced).

Clearing and Site Construction

Beyond utilizing natural clearings for building sites, areas surrounding the specific build sites will be left as undisturbed as possible to provide a natural look and reduce the need for restorative landscaping later. To reduce trucking, any blasted or excavated material will be used to its maximum potential on site for lot preparations, road or driveway building, or landscaping. Where possible waste materials will be recycled and slash from clearing will be used for firewood or compost rather than burn piles. Precautions such as

fabric or straw bale filtering will also be utilized to prevent siltation of any runoff near construction and road building sites.

Due to the properties' location at the end of the Peterbrook cul de sac, and the fact it is bordered by 3 larger properties, disruption to local residence should be minimal during the development and construction processes.

Storm Water Runoff

Natural seasonal drainage systems already exist on the property and will be left intact wherever possible including the pond in the proposed lot 2. These systems not only add beauty to the area but serve to slowly integrate rainwater runoff into the local ecosystem.

A Roof rainwater collection system will be provided for each building lot, consisting of a cistern with a pump system for landscape and garden watering. To minimize chemical contamination of this water supply and the additional rainwater runoff, metal and alternative roofing materials will be utilized which do not leach chemicals as found with other types of common roofing products. The stored water will therefore be more suitable for vegetable gardening and have much less impact on the surrounding ecosystem.

Driveways and patio areas will be constructed with low impervious surfaces such as gravel, pavers, or reinforced grass to reduce any additional runoff.

Affordable housing

Suburban Residential zoning (R-2) does allow for small or secondary suites if the lot size is 1 acre or larger. Rental suites of this size (approx 800 sq ft) are much more affordable for low income earners or seniors and can encourage neighbourhood diversity. There is a potential for some of the new homeowners to develop affordable rental units on their lots.

Landscaping

Native plants species will be used for any restoration work needed during and after development to keep the area as natural as possible.

Scotch broom has begun to take hold in a few of the fringe areas on the property. These areas will be addressed during the development of the road and services, and maintained later by a neighbours committee.

Design Features and Green Construction

House plans will utilize passive solar design and super insulated construction techniques for reduced heating and cooling requirements. This includes: extra air seals in framing, spray foam insulation, increased attic insulation, metal roofing and Energy Star doors and windows.

Houses constructed in this project will be Built Green Certified to a silver level standard or above and will utilize high efficiency LED lighting, hooded exterior lighting, Energystar appliances, and Heat Recovery and Ventilation systems.

During development and construction all efforts will be made to reduce and reuse waste on site. A sorting / recycling area will be set up and maintained until completion of the project.

Housing Demand and OCP Compliance

According to current OCP figures 366 housing units will be needed in Shawnigan Lake by 2016 and 1098 units by 2026. This project would provide 7 new units along with the potential for affordable rental suites on each lot. The property sits directly on the designated Shawnigan Village Boundary and meets all of the criteria stated in the OCP Policy 6.17:

“In considering the future re-designation of land for suburban residential use, the Board shall give priority to those lands that meet the following criteria:

- The land is outside the Shawnigan Lake Watershed;
- The land abuts areas already designated suburban residential;
- The land is well suited to future resubdivision into smaller lots;
- The land is reasonably close to public and commercial services;”

Conclusion

Beyond meeting the above criteria, 2373 Peterbrook has many additional positive factors that make it well suited for a project of this nature, including; available municipal water servicing and fire protection, existing road ways, and substantial power infrastructure. The current F-1 zoning does not reflect the potential for this small parcel to expand on a beautiful Suburban subdivision and the nearby infrastructure. This proposal was carefully crafted to meet the concerns of local residents, provide a benefit to the community, retain the character of the local area, create minimal impact during development and provide an environmentally higher standard in the construction of homes within this project.

Rezoning Application Package Contents

For

2373 Peterbrook Road

1. Application and attached Sustainability Checklist Summary
2. State of Title
3. Rezoning Proposal
4. Figures
 - a. Lot Survey
 - b. Aerial View
 - c. Zoning Map
 - d. Proposed Layout
5. Letter of Inclusion to Municipal Watersupply
 - a. Map of Watersupply Area
6. Environmental Assessment
 - a. Assessment Site Photos

Submitted by:

Steve McLeod

2044 Mable Road Shawnigan Lake, B.C., V0R 2W3

earthboundhomes@shaw.ca

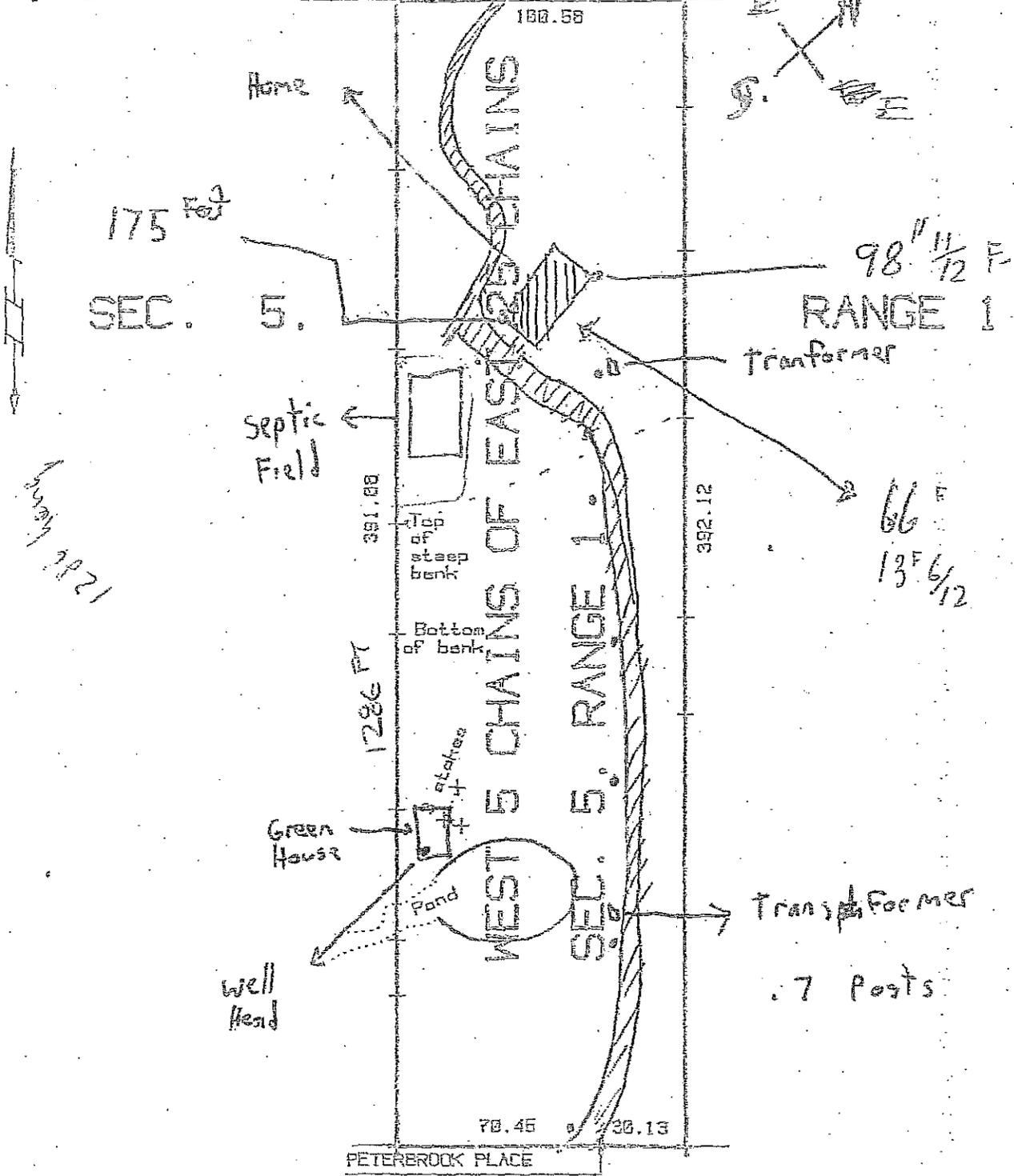
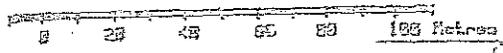
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Flare ①

SKETCH-PLAN SHOWING LINE MARKING ON THE SOUTH, EAST AND WEST BOUNDARIES.

SCALE 1:2000 (All dimensions are in metres.)

Legend: Bearings are astronomic. From Plan VIP69381.



Robin LaGerff, B.C. Land Surveyor
 65-1261 Northgate Rd., Rte 1,
 Cobble Hill, B.C., V0R 1L0
 Phone / Fax 250-743-4912

Dated this 24th day of November, 2003.

2373 Peterbrook Rd



Legend

- Municipal Boundaries
- Electoral Area Boundaries
- Highways
- Major Roads
- Roads
- Parks & Protected Areas
- Municipal Park or Protected Area
- Federal Park
- Provincial Park or Escarpment
- Regional Park
- Lot Boundaries
- Major Lakes
- Lakes and Rivers
- CRP Boundary



This map is for informational purposes only. It is not intended to be used for any other purpose. The map is not a legal document and should not be used for any legal or financial purposes. This map is not to be used for navigation. For more information please visit <http://www.crp.ca> and the website.



Cowichan Valley Regional District

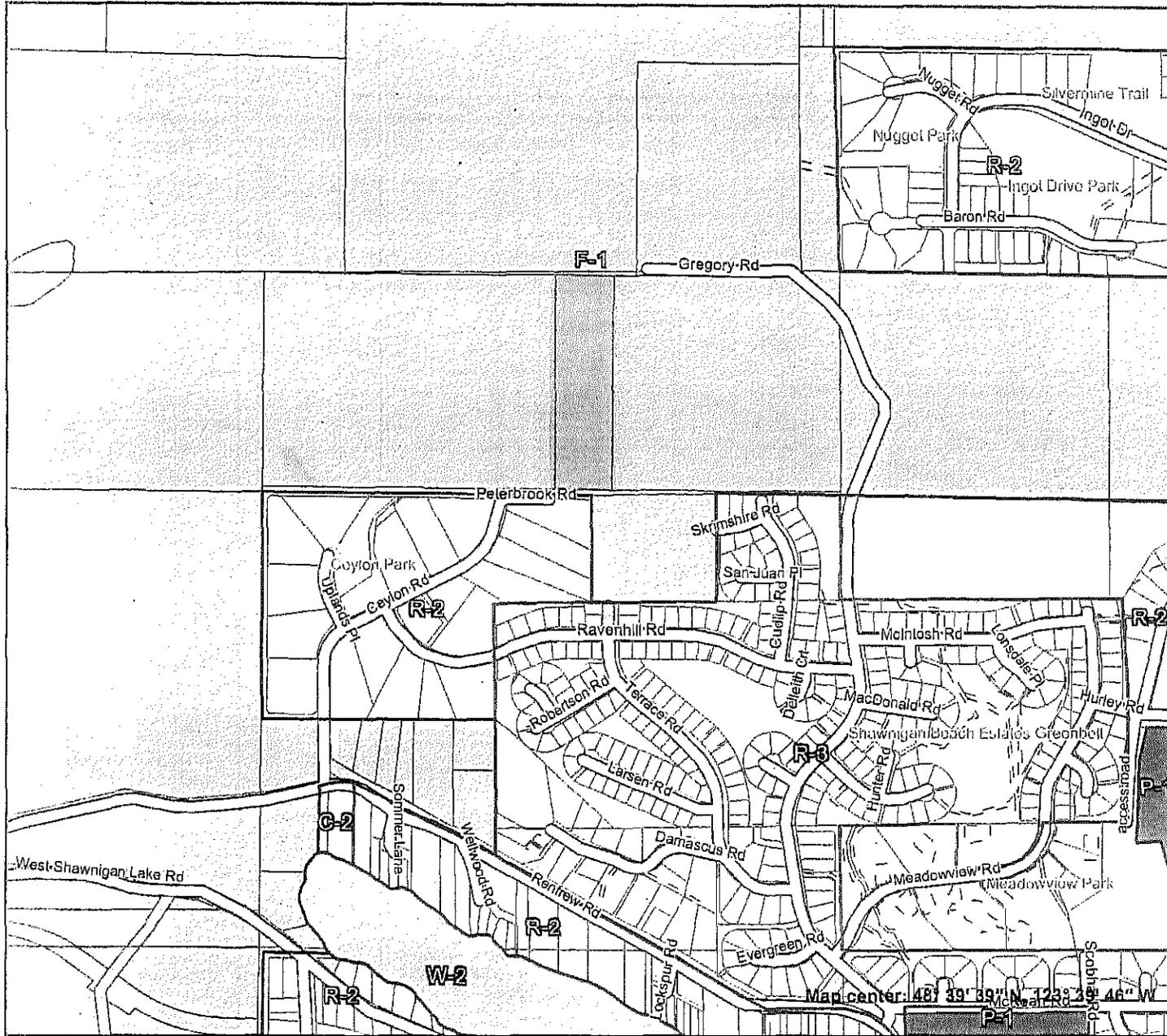
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

Legend

- Zoning Outline
- Roads
- Highway
- Road
- Foreshore
- PARCEL_ARC
- BDEALNS
- BDRDLNS
- ROOTHNGZ
- Parcel Arcs
- First Nations
- Zoning Colour
- AGRICULTURAL
- COMMERCIAL
- FIRST NATIONS
- FORESTRY
- INDUSTRIAL
- ISLAND
- NORTH COWICHAN
- PARKS AND INSTITUTIONAL
- RESIDENTIAL
- TRANSPORTATION
- UTILITY
- WATER
- Parks by Community
- PARKS
- Park Boundaries



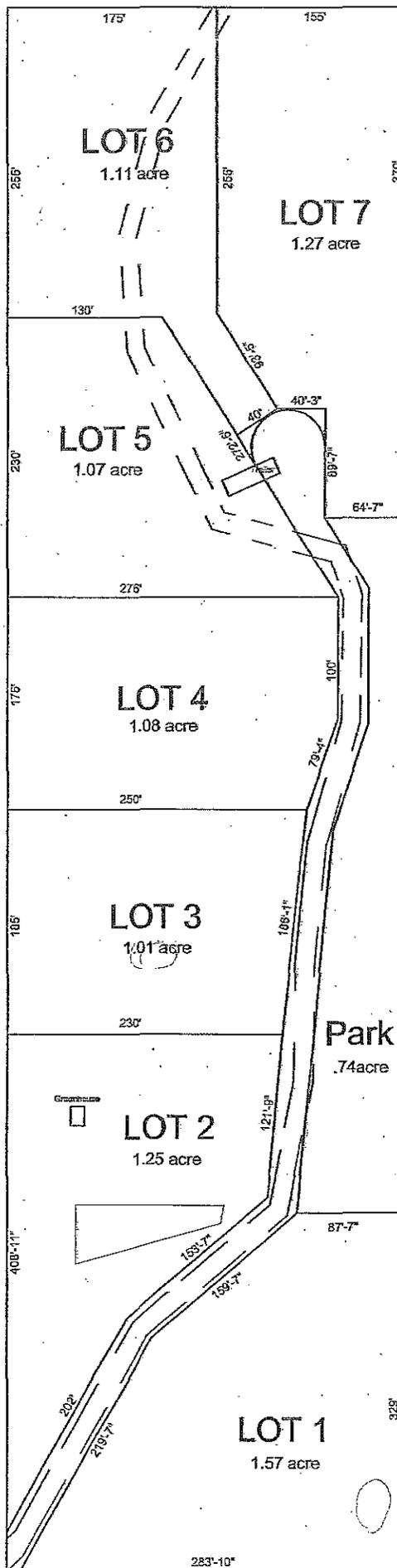
Date Printed: 19/01/2011 19:31:12



Map center: 48° 39' 39" N, 123° 29' 46" W



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.





R8

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 8, 2013 **FILE NO:** 1-I-09RS
FROM: Dana Leitch, Planner II **BYLAW NO:** 2465 & 2650
SUBJECT: OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565
(Van Isle Waterfront Development Corporation)

Recommendation/Action:

Option 1:

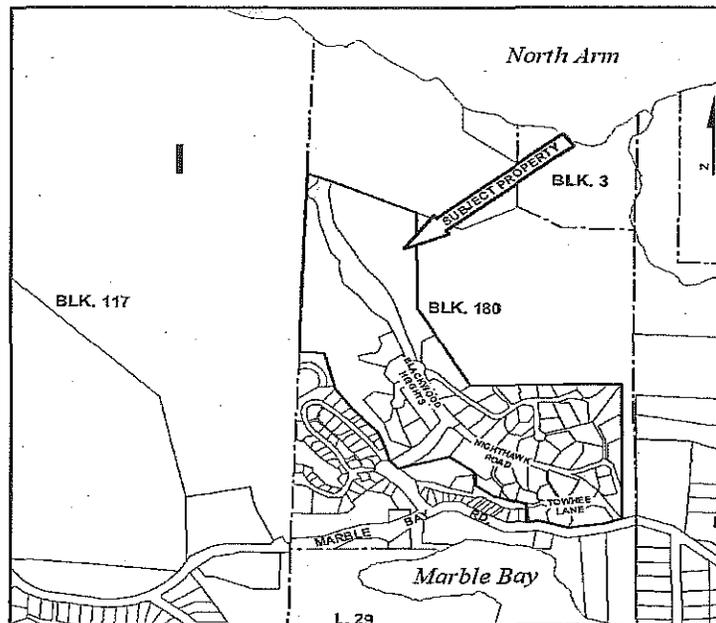
- a) That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be included on the next Board agenda for consideration of third reading;
- b) That a contribution of \$50,000 from Van Isle Waterfront Development Corporation towards improvements to the Youbou/Meades Creek Road intersection and associated road network be accepted as a condition of adoption of OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565; and
- c) That prior to consideration of adoption of OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565, a covenant be registered against (Lot 1, Block 180, Cowichan District Plan VIP78710, Except Part in Strata Plan VIS5772 Phases 1, 2, 3, 4, and 5) to secure payment of the \$50,000 road network improvement contribution prior to any subdivision of the land.

Relation to the Corporate Strategic Plan: N/A

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

Background:

A public hearing was held for Bylaw No. 3564 and 3565 on October 18, 2012. The bylaws would rezone "The Cottages at Marble Bay", shown on the map below, from C-4 (Tourist Commercial 4 Zone) to a new LR-11 (Lakeview Residential 11) Zone. The new zone would remove the restriction that limits the occupancy of the cottages by an individual or family to a maximum of 22 weeks in a calendar year. It also requires that any future development be connected to a community water and community sewer system.



At the public hearing there were a number of comments and concerns expressed about the safety of the Youbou/Meades Creek Road intersection and the capacity of Meades Creek Road to handle additional traffic from the Cottages at Marble Bay and the Woodland Shores development.

At the Board meeting on December 12, 2012 the Regional Board received the public hearing minutes and passed the following resolution:

"That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 (Van Isle Waterfront Development Corp.) be considered at a future meeting, and that staff be directed to prepare a report for the Electoral Area Services Committee regarding options for addressing road and intersection issues raised by the public at the October 18, 2012 public hearing."

Comments from Ministry of Transportation and Infrastructure

On December 17, 2012 CVRD Planning staff met onsite with representatives from the Ministry of Transportation and Infrastructure (MoTI). The purpose of the site visit was to review the safety of the Youbou/Meades Creek Road intersection and discuss the capacity of the roads leading to the Cottages at Marble Bay and Woodland Shores development sites.

During the site visit, staff from the Ministry indicated that the current Youbou/Meades Creek Road intersection meets MoTI's safety standards. Ministry staff further stated that even though the existing intersection meets MoTI safety standards, the intersection does warrant some improvements. The suggested improvements included: raising the intersection to the south to improve sight lines and sight distances; the creation of a left hand turn lane in a westbound direction and acquiring additional road r-o-w on the northwest side of Meades Creek Road for the creation of a pedestrian pathway and bicycle lane.

Ministry staff said that it would be beneficial to have a proper transportation study completed when the next major development in the area occurs so that Ministry staff is better informed about the specific improvements that need to be completed at this intersection.

It is the opinion of Ministry staff that no larger scale developments in this immediate area should be approved until the intersection is improved. MoTI defines a large scale development as a development that would generate approximately 150-200 vehicle trips per day.

MoTI staff does not consider the proposed development at the Cottages at Marble Bay to be a large scale development. Ministry staff does not feel that the 7 or 8 additional cottages that would be permitted in the LR-11 Zone on the upland portion of the subject lands would have any significant impact on the performance of the intersection. MoTI staff have confirmed that their interests are unaffected by the rezoning application.

Woodland Shores Development

During the Woodland Shores rezoning process in 2006 and 2007, the developer assessed the safety and performance of the Youbou Road/Meades Creek Road intersection. Although it was determined that there was no safety or "level of service" issues that would result from the proposed development, a commitment was made to undertake any off site road network upgrades deemed necessary by MoTI. Improvements to the Youbou Road and Meades Creek Road intersection was not required with the first phase of the subdivision for Woodland Shores, but it is expected that the Ministry will monitor the safety and adequacy of the road network when applications for future subdivision are received and will require upgrades if necessary.

Staff understands that the Woodland Shores developer will be applying for a zoning amendment in the near future and it is expected that the zoning process will provide an opportunity for road network issues to be revisited.

Road Network Improvement Contribution

Although the subject zoning amendment would not add any significant traffic to the road network that services the Cottages at Marble Bay, some of the public who attended the hearing expressed an opinion that no further development in the Marble Bay/Bald Mountain Peninsula area should occur until road network improvements are completed. While it is not economically feasible for the developer of the Cottages at Marble Bay to fully fund all of the offsite road network upgrades, the developer has confirmed he is prepared to contribute to future road improvements. If this option is pursued, it is expected that the contribution would be made prior to any further subdivision, and that it would be secured through a covenant registered against the undeveloped subject lands.

Options:

Option 1:

- a) That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be included on the next Board agenda for consideration of third reading;
- b) That a contribution of \$50,000 from Van Isle Waterfront Development Corporation towards improvements to the Youbou/Meades Creek Road intersection and associated road network be accepted as a condition for adoption of OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565; and
- c) That prior to consideration of adoption of OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565, a covenant be registered against (Lot 1, Block 180, Cowichan District Plan VIP78710, Except Part in Strata Plan VIS5772 Phases 1, 2, 3, 4, and 5) to secure payment of the \$50,000 road network improvement contribution prior to any subdivision of the land.

Option 2:

That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be included on the next Board agenda for consideration of third reading.

Option 3:

That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be referred to a new public hearing to receive public input on the proposed \$50,000 road network improvement contribution, with Director's Weaver, Morrison and Dorey appointed as delegates.

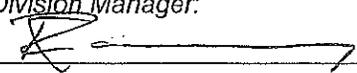
Option 1 is recommended.

Submitted by,



Dana Leitch, Planner II
Development Services Division
Planning & Development Department

DL/ca

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



R9

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 10, 2012 FILE No: 1-REG-13BE
FROM: Nino Morano, Bylaw Enforcement Officer BYLAW NO:
SUBJECT: 2012 Bylaw Enforcement Report

Recommendation/Action:

That the report be received for information.

Relation to the Corporate Strategic Plan: N/A

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

Background:

At the beginning of each new year, the Committee is provided with a update on the previous year's bylaw enforcement activities. The 2012 Report follows.

Bylaw Enforcement Report 2012

Bylaw Enforcement in 2012 changed significantly with the addition of Rob Harris as the new full time Bylaw Enforcement Official. While Rob is involved with enforcement of all applicable bylaws, he is more focused on waste management as well as parks related issues. The number of files has been average with a shift of less building and development permit area related issues and more noise and parks related issues, generally.

The Ticket Information Authorization Bylaw (No. 3209) continues to be a useful tool in enforcement since it became operational in June 2009. Compliance is often gained with the knowledge that a ticket is a real possibility and some issues are resolved more quickly. Thirteen (13) tickets were issued in areas such as dog control, noise, waste management, parks and building with seven (7) being paid. The remaining tickets were either voided, under dispute or sent to collections. The Shawnigan Lake RCMP issued four (4) of these tickets and are the first detachment in the CVRD to utilize this enforcement tool.

Dog control is contracted out to the SPCA who handles all first contact complaints. If issues become irresolvable at this level they are then turned over to the Bylaw Enforcement Official and subsequently to the CVRD solicitor, if need be. Dog related issues increased somewhat in 2012 most notably in vicious dogs and barking. An excellent working relationship with the SPCA continues and has resulted in more than adequate customer service. This contract was renewed by the Regional Board for a three year term ending December 31, 2014.

The CVRD relies on the sale of dog licences at its head office as well as from vendors such as pet and convenience stores, SPCA and community centers. For the first time in quite some time the revenue from the sale of dog licences met budget. The current fee schedule has been unchanged since 2010.

Issues that continue to come up regularly that can be regulated by bylaw but are not, include: backyard burning, soil fill/removal, animal control (excluding dogs), altering of land outside of development permit areas (tree cutting and pollution) and general nuisance issues.

The following is a breakdown of files from year to year and bylaw to area.

File Total Comparison by Year:

Area	Year 2000	Year 2001	Year 2002	Year 2003	Year 2004	Year 2005	Year 2006	Year 2007	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012
A	29	30	22	13	18	21	26	27	21	18	33	23	20
B	59	62	47	58	46	42	42	38	52	51	43	47	64
C	33	40	26	35	21	30	20	23	27	10	25	16	20
D	17	17	20	19	14	16	15	15	12	15	21	20	26
E	36	31	34	25	30	34	22	21	19	34	22	24	26
F	20	21	19	20	17	13	16	13	20	9	15	18	9
G	16	13	9	12	9	9	9	10	14	16	11	14	4
H	13	10	21	11	14	9	18	17	12	15	16	11	10
I	12	15	14	13	19	15	25	19	18	16	17	17	13
CVRD						3	6	4	5	8	9	12	8
Total	235	239	212	206	188	193	199	187	200	192	212	202	200

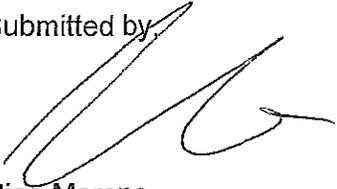
2012 Breakdown of Files by Area:

Area	Waste	Zoning	Noise	Dog/Animal	Parks	Liquor	Other	Unsightly	Development Permit Area	Building	Fire-works	Signs	CVRD	Year Total
A	4		3	2	2	4	1	1	1	2				20
B	9	12	11	6	9	2	5	4	5	1				64
C	5	4	1	6	1	3								20
D	7	4	2	3	5		3					2		26
E	4	9	3	3		3	1	2		1				26
F			1	1	1	2	2	2						9
G				1		2		1						4
H	5	2	2					1						10
I		6	1				1	1	2		2			13
CVRD	5										1		2	8
Total	39	37	24	22	18	16	13	12	8	4	3	2	2	200

The statistics above do not show the numerous issues that are often resolved over the phone (averages five calls/day) or at the front counter or files carried over from previous years or the regular communication with Provincial & Federal agencies. Complainants usually want to know what rules and regulations apply to their particular issues and then weigh their options. Bylaw Enforcement continues to work closely with CVRD solicitors for advice and opinion on legal issues that come up regularly with the goal of voluntary compliance. Authorization for legal action from the Board was requested two (2) times in 2012 and subsequently granted. There has been a significant amount of success in concluding files to everyone's satisfaction, although several

issues are still under investigation. There are approximately 31 files that are currently under investigation and four ongoing active files with our solicitor.

Submitted by:



Nino Morano,
Bylaw Enforcement Official
Inspections and Enforcement Division
Planning and Development Department

NM/ca

Reviewed by:
Division Manager:

Approved by:
General Manager:





R 10

STAFF REPORT

**ELECTORAL AREA SERVICES COMMITTEE MEETING
OF JANUARY 15, 2013**

DATE: January 9, 2013 **FILE NO:**
FROM: Tanya Soroka, Parks & Trails Planner **BYLAW NO:**
SUBJECT: Release of Covenant CA2576177 for proposed subdivision (Jacqueline Logan and William Hayes) located on Thain Road in Electoral Area B, Shawnigan Lake

Recommendation/Action:

That the appropriate documents be executed to release Covenant CA2576177 in favour of the Cowichan Valley Regional District registered June 13, 2012, on Lot B, Section 15, Range 4, Shawnigan District, Plan VIP58126, as the subject conditions within the covenant referring to the dedication of proposed Lot 3 (0.32 hectares), for park purposes to the CVRD, will be appropriately executed at the time of subdivision approval and will no longer be relevant within the covenant terms and conditions.

Relation to the Corporate Strategic Plan: N/A

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

Background:

The subject property is located on Thain Road in Electoral Area B – Shawnigan Lake. In 2012 the property was rezoned and a Section 219 covenant was registered with Land Titles in favour of the Cowichan Valley Regional District (CVRD) on Lot B, Section 15, Range 4, Shawnigan District, Plan VIP58126, PID: 018-606-300 for 0.32 hectares of parkland to be dedicated to the CVRD as a condition of rezoning the property. The park dedication is located on the west portion of the property and runs North/South as a 10 metre wide corridor linking Thain Road to the lands to the south. (See attached plan) This corridor runs parallel to a woodlot on the west that is part of the existing Cobble Hill Mountain Regional Recreation Area and will provide for a future trail corridor.

The applicants have applied for subdivision and as part of the covenant requirements park dedication must come across to the CVRD as a fee simple titled lot registered with land titles at the time of approval and registration of the subdivision plan.

Submitted by,

Tanya Soroka
Parks and Trails Planner
Parks & Trails Division
Parks, Recreation & Culture Department

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

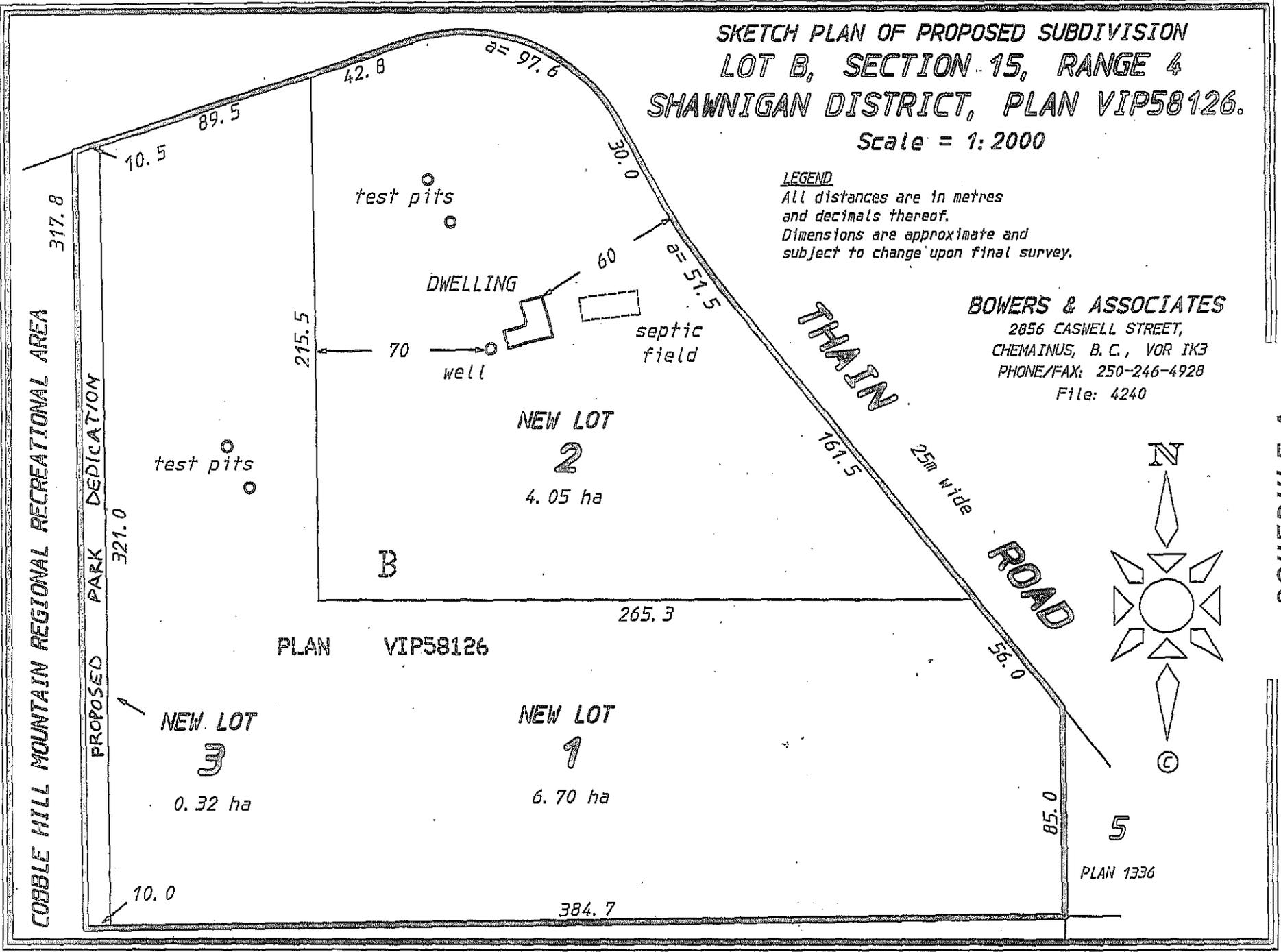
SKETCH PLAN OF PROPOSED SUBDIVISION LOT B, SECTION 15, RANGE 4 SHAWNIGAN DISTRICT, PLAN VIP58126.

Scale = 1:2000

LEGEND

All distances are in metres
and decimals thereof.
Dimensions are approximate and
subject to change upon final survey.

BOWERS & ASSOCIATES
2856 CASWELL STREET,
CHEMAINUS, B. C., V0R 1K3
PHONE/FAX: 250-246-4928
File: 4240



COBBLE HILL MOUNTAIN REGIONAL RECREATIONAL AREA

PROPOSED PARK DEDICATION

PLAN VIP58126

SCHEDULE A



C·V·R·D

R11

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 8, 2013 FILE NO:

FROM: Rob Conway, Manager BYLAW NO: 1840

SUBJECT: Requested Amendment to Area E Zoning Bylaw – Small Suites in A-1 Zone

Recommendation/Action:

That a bylaw to amend Area E Zoning Bylaw No. 1840 to remove “small suite” as a permitted use in the A-1 zone be drafted and forwarded to the Board for consideration of first and second reading and that the public hearing be waived in accordance with Section 890(4) of the *Local Government Act*.

Relation to the Corporate Strategic Plan: N/A

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

Background:

The Director for Electoral Area E has requested that staff bring a report forward to initiate an amendment to Area E Zoning Bylaw No. 1840 that would remove “small suite” as a permitted use in the Primary Agricultural (A-1) Zone.

The Zoning Bylaw was amended in 2008 to add small suites on parcels 2 hectares or larger as a permitted use in the A-1 zone. In addition to a single family dwelling the bylaw had previously allowed a secondary suite and a second dwelling on parcels six hectares or larger. The amendment essentially allowed owners of A-1 zoned land to have a detached second dwelling on parcels between 2.0 and 6.0 hectares or a third detached dwelling on parcels larger than 6.0 hectares.

Any second dwelling on land in the Agricultural Land Reserve, other than secondary suites attached to the principal dwelling and mobile homes less than 9 metres in width¹, require approval from the Agricultural Land Commission. Where ALC approval is required, owners must submit a non-farm use application. The CVRD reviews and comments on the application, but it is ultimately up the ALC to decide if the small suite will be permitted. As the ALC’s mandate is to protect agricultural land, its primary consideration is the impact of the small suite on the agricultural capability of the subject property and adjacent agricultural land.

¹ Section 3 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation permits (i) one secondary suite within a single family dwelling, and (ii) one manufactured home, up to 9 m in width, for use by a member of the owner’s immediate family, unless otherwise prohibited by a local government.

Prior to adoption of the small suite amendment in 2008, it was referred to the ALC for comment. The ALC expressed reservations about the change, noting that additional dwellings in agricultural areas can contribute to land use conflicts and can create pressure to subdivide agricultural land.

Discussion:

Director Duncan has discussed with staff a number of concerns he has with maintaining small suite as a permitted use on A-1 zoned land. These include:

1. Mobile homes – The ALC allow mobile homes as second dwelling without an application process and without having to justify the dwelling for farm labour. Since the Area E Zoning bylaw allows mobile homes as small suites, they can be placed on agricultural property without a non-farm use ALR application and explicit ALC approval.
2. Land owner expectations – By allowing small suites as a permitted use in the A-1 zone, land owners may assume that the CVRD Board will necessarily support small suite applications. Although the permitted use is “subject to ALC approval”, land owners may not know that the CVRD is still encouraged to provide recommendations to the ALC and that CVRD support of the application is not automatic. This may put the CVRD Board and individual directors in a difficult position of having to recommend denial when there is not a clear agricultural justification of the small suite, even though the zoning permits the use.
3. Consistency - The opinions and priorities of individual directors can vary, and some directors may consider more than just the impact on agriculture when reviewing non-farm use applications for small suites. The weight that is given to agricultural considerations may vary depending on the composition of the Board, which could result in unpredictable recommendations to the ALC.

Options:

Staff have identified four options in response to Director Duncan’s concerns:

Option 1

That a bylaw to amend Area E Zoning Bylaw No. 1840 to remove “small suite” as a permitted use in the A-1 zone be drafted and forwarded to the Board for consideration of first and second reading and that the public hearing be waived in accordance with Section 890(4) of the *Local Government Act*.

Option 2

That a bylaw to amend Area E Zoning Bylaw No. 1840 be drafted and forwarded to the Board for consideration of first and second reading and that a public hearing be scheduled with Directors Duncan, Morrison and Fraser appointed as Board delegates.

Option 3

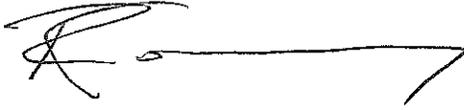
That staff be directed to prepare a report for an upcoming EASC meeting regarding regulation and policy options for minimizing the potential impact of small suites on agriculture and agricultural land.

Option 4

That the issue of small suites in the A-1 zone be reviewed as part of the upcoming review of the Area E OCP and Zoning Bylaw.

In accordance with Director Duncan's request, Option 1 is recommended.

Submitted by,



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

RC/ca

Approved by:
General Manager:





Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

19th February 2008

Please reply to the attention of Roger Cheetham
ALC File: # J - 13109

Catherine Tompkins, MCIP
Planner III, Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V0E 2N0

Dear Madam:

Re: Proposal to allow small Suites on A-1 Parcels in EAE - Cowichan Station/Sahtlam/Glenora

Thank you for your referral dated 29th January 2008.

The Commission is generally opposed to the erection of additional dwellings on farmland except where clearly justified having regard to the present and foreseeable future farming activity. It has found that there is a tendency for dwellings originally built to accommodate farm help over time to become rental accommodation occupied by persons not engaged in the farming activity. The resulting increase in rural residents brings with it a concomitant increase in the potential for conflicts between farming and residential activities, in particular the disturbance of livestock by domestic pets and trespass on farm land to the detriment of agriculture. The additional dwellings also increase the pressure on the Commission to permit further subdivision of agricultural land.

In this light we have reservations regarding the proposed bylaw amendment to allow small suites on parcels 2 ha or larger in the Primary Agricultural Zone. Our initial reaction is that the proposal is not in the interests of agriculture and might run the risk of inconsistency with the Agricultural Land Commission Act.

Time has precluded the consideration of this proposed bylaw by the Island Panel of the Commission. It is suggested that in the event that the Regional District wishes to pursue the proposal a meeting be arranged with the Panel to discuss the matter further.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'R.H. Cheetham', is written over the printed name of Erik Karlsen.

Erik Karlsen, Chair

cc: Wayne Haddow, Regional Agrologist, Duncan

RC
i/13109m4

Normally, all of this would come to us (and you) as an application from the landowner, and that may yet happen with respect to the zoning issue near Honeymoon Bay. However, the CVRD is engaged at the moment in an omnibus amendment to the Area F OCP, and TimberWest is encouraging our Area F Director to incorporate the Future Development Area for the Mesachie Lake portion of their land into that bylaw. I think it is fair to say that staff is inclined not to do this through an omnibus amendment, however we may receive direction from our Board to add this to the amendment, in which case we will have to ask the ALC's position on designating ALR land as a Future Development Area.

The site in question is at the junction of South Shore Road and the Circle Route, a relatively new public, paved road that goes to Port Renfrew. It is not the best ALR land, given its generally north-facing aspect, and the fact that some of the area was historically used as a maintenance yard for logging machinery and is contaminated.

If you could provide us with some preliminary input concerning the designation of some of TimberWest's ALR lands as a Future Development Area, as well as the zoning concept for the other TimberWest ALR land at Honeymoon Bay (sewage disposal use), we would appreciate it. Your response would help us provide appropriate advice to our Board on this matter.

Roger, thanks for your attention to this!

Mike Tippett MCIP, RPP

Manager, Community and Regional Planning Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8

Telephone: (250) 746-2602 or 1-800-665-3955 toll-free in BC

7.3 A-1 ZONE - PRIMARY AGRICULTURAL

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an A-1 zone:

- (1) *agriculture, horticulture, silviculture, turf farm*, fish farm;*
- (2) *one single family dwelling;*
- (3) *a second single family dwelling on parcels six hectares or larger*;*
- (4) *one additional single family dwelling as required for agricultural use*;*
- (5) *bed and breakfast accommodation*;*
- (6) *daycare, nursery school accessory to a residential use*;*
- (7) *home occupation*;*
- (8) *horse riding arena, boarding stable*;*
- (9) *kennel*;*
- (10) *sale of products grown or reared on the property;*
- (11) *secondary suite;*
- (12) *small suite on parcels two hectares or larger*.*

* subject to Land Reserve Commission approval: It is the mandate of the ALC to preserve agricultural land and encourage agriculture. Therefore, the ALC will base its decision on the benefit to or impact on agriculture.

(b) Conditions of Use

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

- (1) the *parcel coverage* shall not exceed 30 percent for all *buildings and structures*;
- (2) notwithstanding Section 7.3(b)(1) *parcel coverage* may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;
- (3) the *height* of all *buildings and structures* shall not exceed 10 metres except for *accessory buildings* which shall not exceed a *height* of 7.5 metres;
- (4) the *setbacks* for the types of *parcel lines* set out in Column I of this section are set out for residential and *accessory uses* in Column II, for *agricultural and accessory uses* in Column III and for *auction use* in Column IV:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural and Accessory Uses	COLUMN IV Auction Use
Front	7.5 metres	30 metres	45 metres
Interior Side	3.0 metres	15 metres	45 metres
Exterior Side	4.5 metres	15 metres	45 metres
Rear	7.5 metres	15 metres	45 metres

- (5) Notwithstanding Section 7.3(b)(4), a *building or structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.
- (6) Processing of any farm material not grown or raised on the parcel shall be specifically prohibited;
- (7) A slaughterhouse, abattoir or stockyard shall be specifically prohibited;
- (8) Maintenance and repair of any materials offered for sale shall be specifically prohibited.

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel size* shall be 12 Ha.

5.20 Signage

Notwithstanding Cowichan Valley Regional District Sign Bylaw no person shall erect, construct, place, *use*, maintain, display or cause to be constructed, erected, *used*, maintained or displayed any sign which does not in all respects conform with the applicable requirements.

5.21 Siting - General

- (a) The siting regulations of this bylaw apply to *parcels* and, notwithstanding the generality of the foregoing, to bare land *strata lots*.
- (b) The *interior side parcel* line requirements of this bylaw shall not apply to *strata lots* under a registered plan pursuant to the Condominium Act where there is a common wall shared by two or more *parcels* within a *building*.

5.22 Siting of Kennel Buildings

Within a zone in which *kennels* are a permitted *use*, *buildings* and *structures* for the accommodation of dogs, including dog runs, shall not be located within 45 metres of a *parcel* line.

5.23 Small Suites

- (a) The maximum *floor area* of a *small suite* shall not exceed 90 square metres;
- (b) The *small suite* shall be freestanding;
- (c) Two additional on-site *parking spaces* shall be provided;
- (d) Prior approval of the authority having jurisdiction for sewage disposal must be secured before issuance of building permit;
- (e) Prior approval of the authority having jurisdiction for potable water must be secured before issuance of building permit;
- (f) The *small suite* shall not be in the form of a recreational vehicle nor park model unit;
- (g) The *small suite* may be in the form of a mobile, manufactured or modular home but may not exceed a length of 13 m.;
- (h) Only one *suite*, either *secondary* or *small* shall be permitted per *parcel*.
- (i) An owner of the parcel must occupy either the *small suite* or the principal dwelling;
- (j) The small suite is subject to Section 5.26 of this Bylaw;

- (k) A small suite may be incorporated into or attached to an accessory building.
- (l) The *small suite* may be subdivided from the *parcel* upon which it is located only if:
- i. it is in a zone which would allow for the proposed lot sizes following subdivision;
 - ii. the *principal dwelling* and *small suite* are so located as to allow for setback requirements to be met following subdivision;
 - iii. the approval of the Health Authority for sewage disposal has been obtained
 - iv. all other requirements of subdivision are met.

If the *parcel* upon which the *small suite* would be located is in a zone which would not allow for subdivision, the owner shall, prior to the issuance of a building permit for the *small suite*, register a restrictive covenant on the *parcel* which would prevent its subdivision or the registration of any form of strata plan under the *Strata Property Act* on the *parcel*.

For *parcels* that meet the requirements of (l) i., ii., iii., and iv., following the subdivision, the *dwelling* that was formerly considered to be the *small suite* will no longer be subject to the regulations of Section 5.23 of the Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw.

5.24 Storage of Junk or Wrecks

Unless specifically permitted by this bylaw, no *parcel* shall be used for a junk yard or for the storage, collection or accumulation of all or part of any automobile wreck or all or part of any *motor vehicle* which is not:

- (a) Validly registered and licensed in accordance with the Motor Vehicle Act; and/or
- (b) Capable of motivation under its own power.

5.25 The Use of Tents, Trailers or Recreation Vehicles as a Residence

A tent, trailer, recreation vehicle, park model unit, bus or other motor vehicle shall not be used as a *residence*.

5.26 Undersized Parcels

Parcels that exist as separate and titled *parcels* in the records of the Land Titles Office, at the time of the passage of this bylaw; or

Parcels that have been reduced to a size that is less than the allowable minimum parcel size, as a result of *highway* widening by the Ministry of Transportation and Highways or;

Parcels that have been created under the authority of a statute of the Province of B.C.;

may be occupied for the *uses* permitted in the zone in which they are located, subject to all other regulations of this or any other bylaw, regulation or statute.



R 12

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 2, 2013

FILE NO:

FROM: Tom Anderson, General Manager

BYLAW NO:

SUBJECT: 2013 Electoral Area Services Committee Meeting Schedule

Recommendation/Action:

That the Committee approve the 2013 EASC meeting schedule and forward it to the Regional Board for information.

Relation to the Corporate Strategic Plan: N/A

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

Background:

Once again, it is proposed that meetings be held on the first and third Tuesdays of the month and that meetings start at 3:00 pm. As was done last year there will be one meeting at the beginning of July and one at the end with no meeting in August, and meetings will be cancelled if there is insufficient material to be considered.

Tuesday, January 15 th	Tuesday, June 18 th
Tuesday, February 5 th	Tuesday, July 2 nd
Tuesday, February 19 th	Tuesday, July 30 th
Tuesday, March 5 th	Tuesday, September 3 rd
Tuesday, March 19 th	Tuesday, September 24 th
Tuesday, April 2 nd	Tuesday, October 1 st
Tuesday, April 16 th	Tuesday, October 15 th
Tuesday, May 7 th	Tuesday, November 5 th
Tuesday, May 21 st	Tuesday, November 19 th
Tuesday, June 4 th	Tuesday, December 3 rd

Submitted by,

Tom Anderson, MCIP, RPP
General Manager
Planning & Development Department

TA/ca

C 1

Paul Brigel, M.D., C.C.F.P.
Clinical Assistant Professor
Department of Family Practice, UBC Faculty of Medicine
120 - 1105 Pandora Avenue, Victoria, B.C. V8V 3P9
Ph: (250) 383-9533 Fax: (250) 383-0312

January 4, 2013

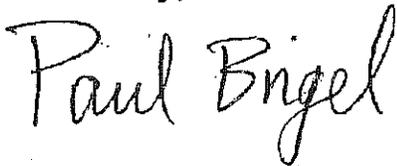
CVRD
Electoral Area Services Board
Fax No. 250-746-2513

Dear Electoral Area Services Committee,

I request CVRD Board amend the area I OCP to allow temporary use permits to be issued for vacation rental purposes.

I hope to apply for temporary use permit for up to 4-6 weeks per year and, as before, I will respect neighborhood peace and quiet.

Yours sincerely,



Paul Brigel

cc to **Rob Conway**, Planning & Development Dept., CVRD and
Nino Morano, Bylaw Enforcement Officer, CVRD (fax no. 1-250-746-2513)
Ms. Pat Weaver, Director, CVRD (fax no 1-250-749-3120)
Robert Macquisten, Stewart McDannold Stuart (fax no 250-380-3008)

2013

R

C2



CVRD

COWICHAN VALLEY REGIONAL DISTRICT ^{Finance}

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

Submitted by Director G. Giles Area C

Grantee: _____ Grant Amount \$ 1000.00

NAME: Cowichan Secondary School

ADDRESS: 2652 James St
Duncan BC V9L 2K2

Contact Phone No: 746-4435

PURPOSE OF GRANT: 2 x \$500 Bursary for students
residing in Area C

REQUESTED BY: *George Giles*
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
<u>01-2-1950-0205-113</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: _____

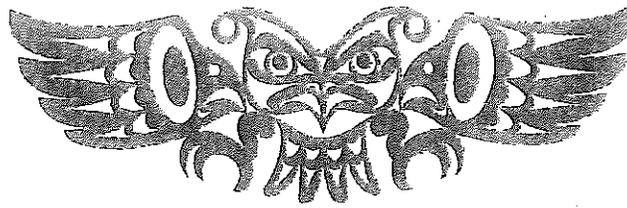
Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization



COWICHAN SECONDARY SCHOOL

2652 James St., Duncan, BC V9L 2X2
Tel: (250) 746-4435 Fax: (250) 746-1561

November 13, 2012

Mrs. Gerry Giles
1115 Braithewaite Dr.
Cobble Hill, BC V0R 1L4

Dear Mrs. Giles:

Re: Cowichan Valley Regional District - Area C Bursary

We are beginning to prepare our Scholarships and Bursaries Booklet for the 2013 graduation year. 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 encouragement that our community believes in their potential.

Please confirm your continued support by completing the attached questionnaire and return it at your earliest convenience, if possible before January 9th, 2013. We have also attached the description of your award. If necessary, please amend it and return with the questionnaire.

Thank you for your support.

Yours truly,

COWICHAN SECONDARY SCHOOL

Venessa MacDowell

Scholarship/Bursary Chairperson

/tm

Encl.

Important Dates:

Donor Meeting for Allocation of Awards: Wed. May 15th, 2013 at 7:00 pm in the School Library

Scholarship and Bursary Award Night: Wed. June 5th, 2013 at 7:00 pm



COWICHAN VALLEY REGIONAL DISTRICT Financial

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

Submitted by Director Gerry Giles Area C

Grantee: _____ Grant Amount \$ 1500.00

NAME: Frances Kelsey Secondary School

ADDRESS: P.O. Box 279
Mill Bay BC V0R 2P0

Contact Phone No: 743-6916

PURPOSE OF GRANT: 3x \$500 Bursary for students
residing in Area C

REQUESTED BY: *Gerry Giles*
 Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
<u>01-2-1950-0103-113</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 _____



FRANCES
K E L S E Y
S E C O N D A R Y S C H O O L

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

November 5, 2012

Cowichan Valley Regional District Electoral Area C Cobble Hill
Ms. Gerry Giles
1115 Braithwaite Drive
Cobble Hill, BC, V0R 1L4

Dear Ms. Gerry Giles:

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) or email it to nwheeler@sd79.bc.ca to Ms. Norma Wheeler by Friday, January 18, 2013.

Thank you for your support.

Sincerely,

R Hoban
Vice Principal
Scholarship and Bursary Chairperson

RH/njw
Encl.



CVRD

REC C4

COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director DOREY Area G

Grantee: _____ Grant Amount \$ 500⁰⁰

NAME: Chemainus Secondary School

ADDRESS: 9947 Daniel St.
Chemainus, B.C. V0R 1K1

Contact Phone No: 250-246-4711

PURPOSE OF GRANT: Saltair Community Bursary

REQUESTED BY: [Signature]
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0318-117	500. 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 _____



R C5

COWICHAN VALLEY REGIONAL DISTRICT

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

Financial Services Department

Submitted by Director DOREY Area G

Grantee: _____ Grant Amount \$ 500⁰⁰

NAME: Nanaimo - Ladysmith Schools Foundation

ADDRESS: 550 7 st.
Nanaimo, B.C. V9R 3Z2

Contact Phone No: 250 - 753 - 4074

PURPOSE OF GRANT: Saltair Community Bursary

REQUESTED BY: [Signature]
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0361-117	500. 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 _____

RECEIVED

NOV 28 2012



EC
C6

COWICHAN VALLEY REGIONAL DISTRICT
Financial Services Department

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

Submitted by Director IANNIDINARDO Area D.

Grantee: _____ Grant Amount \$ 1,000.00

NAME: FRANCES KELSEY SECONDARY SCHOOL

ADDRESS: P.O. BOX 279 MILL BAY BC
VOR 2P0.

Contact Phone No: 250-743-6916 R. Hoban VP.

PURPOSE OF GRANT: To assit a worthy student in
his or her post-secondary education

REQUESTED BY: Lou L. IannidinarDO
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
<u>01-2-1950-0103-114</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
K E L S E Y
S E C O N D A R Y S C H O O L

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

November 5, 2012

Cowichan Valley Regional District Electoral Area D Cowichan Bay
Mrs. Lori Iannidinardo
1366 Garret Place
Cowichan Bay, BC, V0R 1N2

Dear Mrs. Lori Iannidinardo :

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) or email it to nwheeler@sd79.bc.ca to Ms. Norma Wheeler by Friday, January 18, 2013.

Thank you for your support.

Sincerely,

R Hoban
Vice Principal
Scholarship and Bursary Chairperson

RH/njw
Encl.



REC C7

COWICHAN VALLEY REGIONAL DISTRICT

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

Financial Services Department

Submitted by Director WANNIDINARO Area D

Grantee: _____ Grant Amount \$ 500⁰⁰

NAME: Cowichan Foundation

ADDRESS: 202-58 Station Street
Duncan V9L1M4

Contact Phone No: _____

PURPOSE OF GRANT: Assist with further
educational opportunities

REQUESTED BY: Lei L. Dandinando
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0107-114	500.00	10.0

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 _____

COWICHAN FOUNDATION

President

Rollie Rose

Vice President

Daniel Varga

Secretary

Debbie Williams

Treasurer

Michael G. Coleman

Directors:

Michael Coleman

Cam Drew

Dave Ferguson

Gerry Giles

Dr. John Philp

Rollie Rose

Daniel Varga

Debbie Williams

Lance Steward

October 10, 2012

Cowichan Valley Regional District

137 Evans Street

Duncan, BC V9L 1P5

Attention: Lori Iannidinardo

Dear Ms. Iannidinardo:

RE: COWICHAN FOUNDATION

A donation to the Cowichan Foundation is a good investment in our community.

Our ongoing programs include financial support to Cowichan students attending Vancouver Island University.

Many of these awards have been named as permanent annual memorials of \$1,000.00 each in the names of supporters who made significant contributions to the Cowichan Foundation – Chief Dennis Alphonse, Jean Gillespie, Dr. Owen Gloster, Art Mann, Don Morton, and Roger Stanyer.

The Cowichan Foundation also assists our community by such contributions as providing charitable receipts for the Cowichan Wheels Association (formerly Rick Hansen, Wheels in Motion) wheelchair rugby event held in Duncan each June, as well as for the Kinsol Trestle rehabilitation project.

For further information, we invite you to visit our website (the cost of which was largely funded by Island Savings Credit Union).

The Cowichan Foundation has become a considerable and positive contributor to the Cowichan Valley and its residents. And it must be said this could not have come about without your continuing generosity!

.../2

c/o #202-58 Station Street, Duncan, BC V9L 1M4

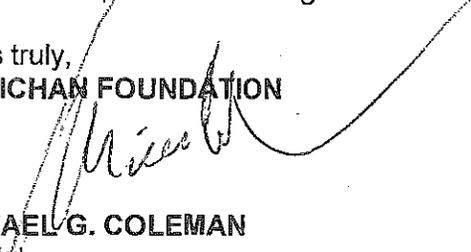
www.cowichanfoundation.com

Page 2

We ask that you consider a contribution to support our ongoing work. Funds received before December 31, 2012 will be eligible for charitable tax receipts.

Yours truly,
COWICHAN FOUNDATION

PER:


MICHAEL G. COLEMAN
MGC/kd



MEMORANDUM

DATE: December 12, 2012
TO: Tom R. Anderson, General Manager, Planning & Development Department
FROM: Brian Duncan, Manager, Inspections & Enforcement Division
SUBJECT: BUILDING REPORT FOR THE MONTH OF NOVEMBER 2012

There were 27 Building Permits and 0 Demolition Permit(s) issued during the month of November, 2012 with a total value of \$2,540,200.

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"				367,460	9,940		4	60	377,400	11,533,670
"B"				923,600	40,600		9	80	964,200	8,624,097
"C"					31,440		1	32	31,440	1,802,775
"D"				950,080	15,000	5,000	6	34	970,080	4,163,235
"E"					15,000		3	44	15,000	3,452,336
"F"				143,480	31,100		3	25	174,580	2,134,070
"G"							0	27	0	3,556,725
"H"							0	27	0	2,836,760
"I"					7,500		1	17	7,500	2,525,702
Total	\$ -	\$ -	\$ -	\$ 2,384,620	\$ 150,580	\$ 5,000	27	346	\$ 2,540,200	\$ 40,629,370

B. Duncan, RBO
 Manager, Inspections and Enforcement Division
 Planning and Development Department

689 BD/lag

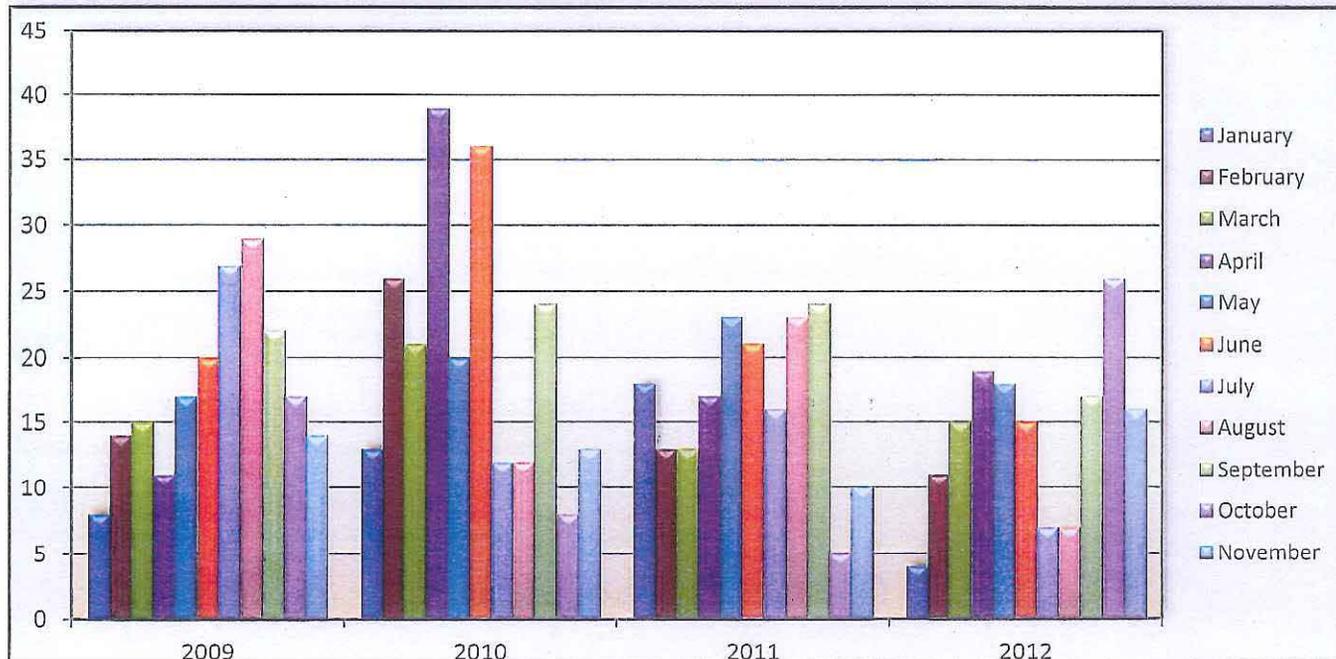
NOTE: For a comparison of New Housing Starts from 2009 to 2012, see page 2
 For a comparison of Total Number of Building Permits from 2009 to 2012, see page 3

INI



Total of New Housing Starts

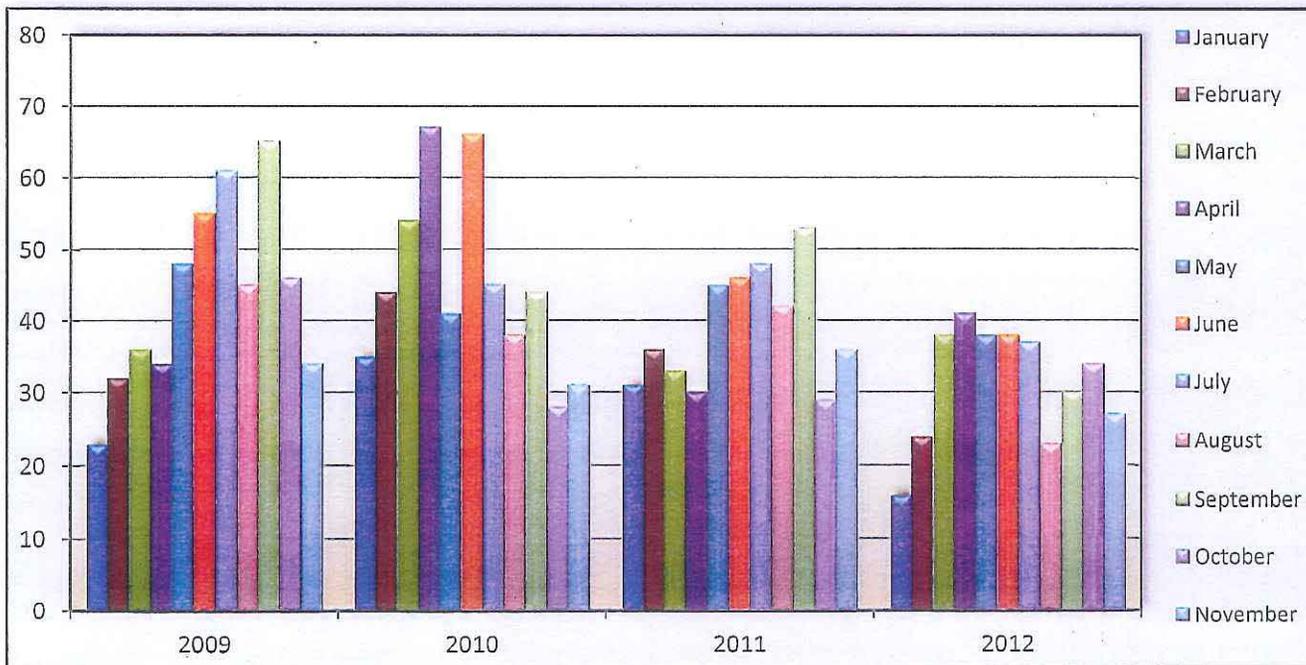
	2009	2010	2011	2012
January	8	13	18	4
February	14	26	13	11
March	15	21	13	15
April	11	39	17	19
May	17	20	23	18
June	20	36	21	15
July	27	12	16	7
August	29	12	23	7
September	22	24	24	17
October	17	8	5	26
November	14	13	10	16
YTD Totals	194	224	183	155





Total Building Permits Issued

	2009	2010	2011	2012
January	23	35	31	16
February	32	44	36	24
March	36	54	33	38
April	34	67	30	41
May	48	41	45	38
June	55	66	46	38
July	61	45	48	37
August	45	38	42	23
September	65	44	53	30
October	46	28	29	34
November	34	31	36	27
YTD Totals	479	493	429	346





MEMORANDUM

DATE: January 11, 2013
TO: Tom R. Anderson, General Manager, Planning & Development Department
FROM: Grant Breckenridge, Chief Building Inspector, Inspections & Enforcement Division
SUBJECT: BUILDING REPORT FOR THE MONTH OF DECEMBER 2012

There were 20 Building Permits and 0 Demolition Permit(s) issued during the month of December, 2012 with a total value of \$ 2,530,680

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"				526,700	18,000		3	63	544,700	12,078,370
"B"		5,000		78,630	189,320		7	87	272,950	8,897,047
"C"							0	32	0	1,802,775
"D"			1,000,000	134,310			2	36	1,134,310	5,297,545
"E"	109,500			117,000			2	46	226,500	3,678,836
"F"					1,000		1	26	1,000	2,135,070
"G"					114,800		3	30	114,800	3,671,525
"H"					1,000		1	28	1,000	2,837,760
"I"				235,420			1	18	235,420	2,761,122
Total	\$ 109,500	\$ 5,000	\$1,000,000	\$ 1,092,060	\$ 324,120	\$ -	20	366	\$ 2,530,680	\$ 43,160,050

G. Breckenridge,
 Chief Building Inspector, Inspections & Enforcement Division
 Planning & Development Department

GB/lag

NOTE: For a comparison of New Housing Starts from 2009 to 2012, see page 2
 For a comparison of Total Number of Building Permits from 2009 to 2012, see page 3

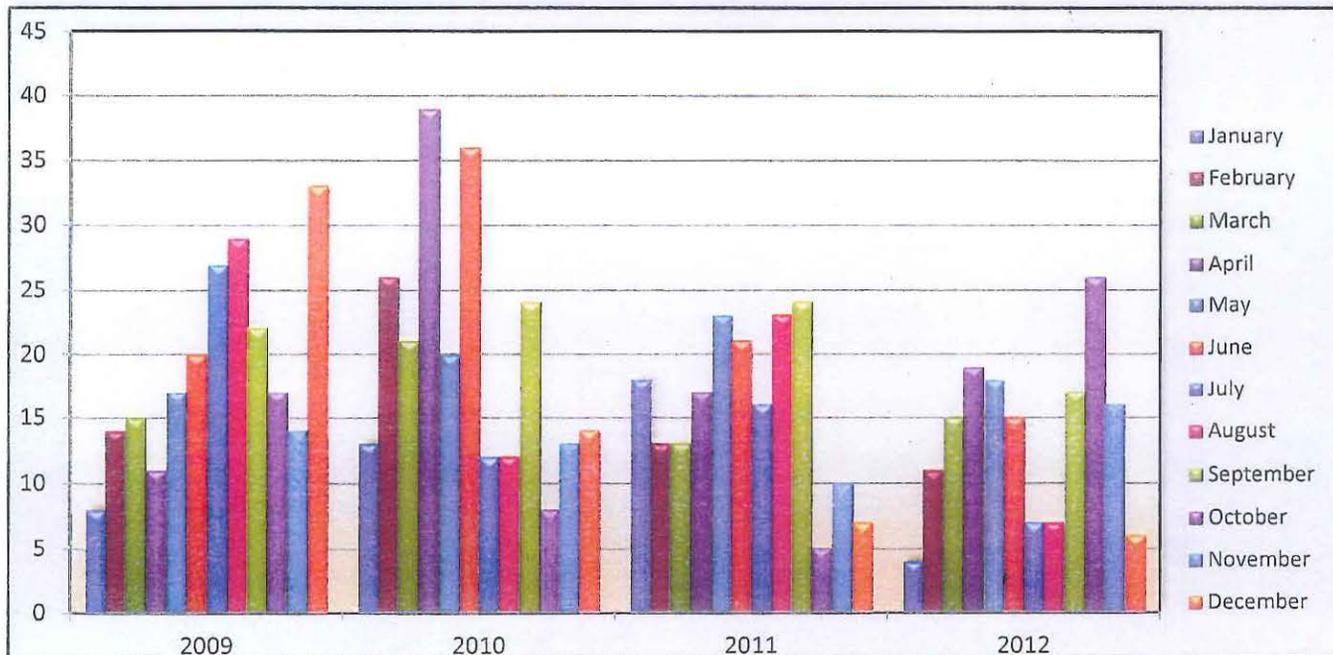
INT 2012



CVRD

Total of New Housing Starts

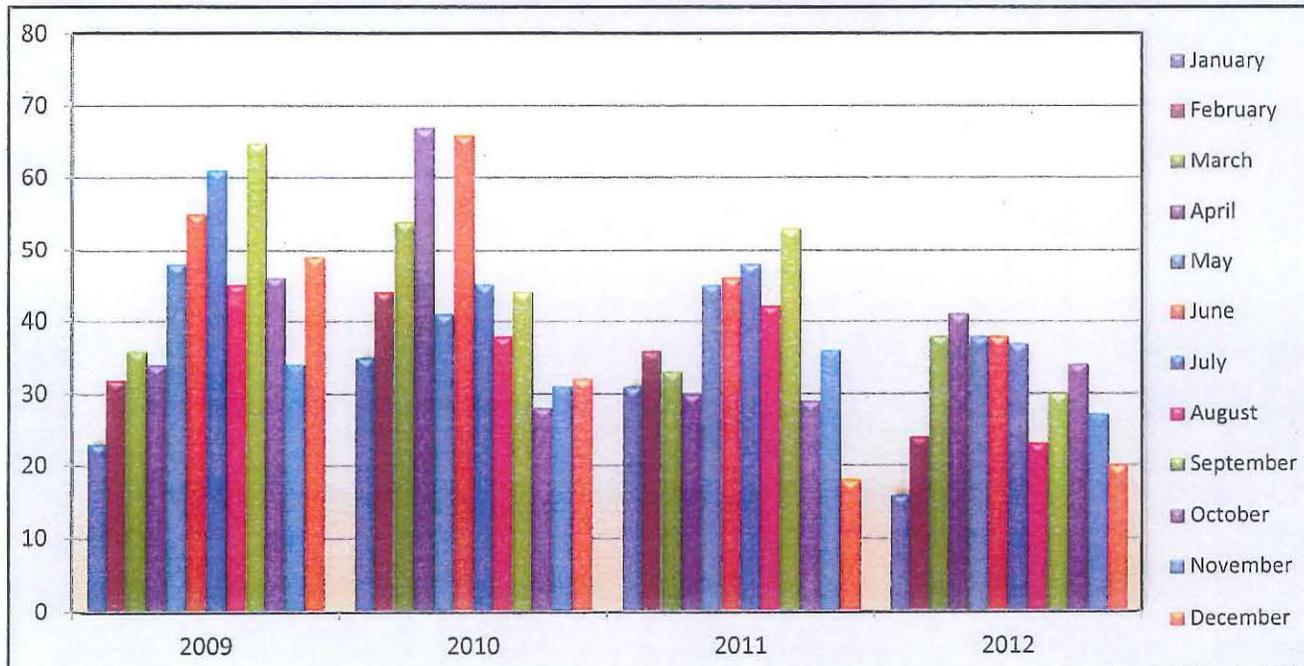
	2009	2010	2011	2012
January	8	13	18	4
February	14	26	13	11
March	15	21	13	15
April	11	39	17	19
May	17	20	23	18
June	20	36	21	15
July	27	12	16	7
August	29	12	23	7
September	22	24	24	17
October	17	8	5	26
November	14	13	10	16
December	33	14	7	6
YTD Totals	227	238	190	161





Total Building Permits Issued

	2009	2010	2011	2012
January	23	35	31	16
February	32	44	36	24
March	36	54	33	38
April	34	67	30	41
May	48	41	45	38
June	55	66	46	38
July	61	45	48	37
August	45	38	42	23
September	65	44	53	30
October	46	28	29	34
November	34	31	36	27
December	49	32	18	20
YTD Totals	528	525	447	366



IN3

Meeting of the Area E Advisory Planning Commission (AP

December 4, 2012, Glenora Community Hall

Members Present: Frank McCorkell (Chair)
Keith Williams
David Tattam
Michelle Young
Dan Ferguson
Jill Thompson

Also Present: Director Loren Duncan
Rob Conway (CVRD Staff)
Robert Davidson and associate (Applicant for 3-E-12RS)
Jim Mercer and associate (Applicant for 1-E-12RS)

The meeting commenced at approximately 7pm.

Application 3-E-12RS

The applicant explained his request to rezone the former Galaxy property at the corner of the Trans Canada Highway and Bench Road from C-4 to I-5.

APC members were generally supportive of the application. It was noted that design and environmental issues would be addressed at the development permit stage. The issue of community amenities were discussed, but the Commission felt that because the site is currently zoned for commercial use, no residential use is proposed, and the business supports agriculture, a community amenity contribution should not be required.

Motion:

That rezoning application 3-E-12RS be approved.

Motion carried unanimously.

Application 1-E-12RS (Mercer)

The applicant introduced the rezoning application and the requested zoning amendment from C-1 to C-2 for a property at the corner of Cowichan Lake Road and Payne Road.

The Commission expressed concerns about rezoning the property to C-2 due to the broad range of commercial uses the zone allows. Some commission members indicated a preference for a modified C-1 zone. Discussion ensued as to the type of uses and the number and size of residential dwellings that would be appropriate for the property.

Motion:

1. *That the application 3-E-12RS, to rezone a property at the corner of Cowichan Lake Road and Payne Road to from C-1 to C-2, not be approved.*
2. *That the Advisory Planning Commission would be supportive of an amended application for a modified C-1 zone that would permit a coffee shop, a small suite accessory and integral to convenience store use, and a single family dwelling, in addition to the convenience store and gas bar use currently permitted.*

Motion carried unanimously.

The meeting was adjourned at approximately 8:30pm.

AREA D PARKS COMMISSION
AGM MINUTES
December 5, 2012
BENCH SCHOOL

IN 4

Call to order: 7:13 pm

Minutes from last meeting- Amended:

Val Townsend resigned position to comply with number of commission members bylaw.
Motion made and passed

Elections: 3 Commission members to be elected for 2 year term

Elected unanimously: Bruce Clarke
Dave Nisbet
Roger Southern

Appointed: 2 year term

Megan Stone
Steve Garnett
Kerrie Talbot

Gateway Park: In consultation with First Nations the park has been developed with a \$60k grant for construction from WESCAP, obtained by CVRD staff with a matching contribution of \$40k by Area D Parks Commission.

The park will be open to public in spring when the grass has established.

Adopt a Trail Program

A brochure is available for perusal from CVRD for any persons, groups interested.

Bright Angel Sub Regional Park

Funded by Areas A, B, C, D & E. A \$400k grant has been obtained by CVRD staff for upgrading.

Planning is underway and a usage survey is available for all residents to partake.

Parks Masterplan as part of OCP

The Area D Parks Masterplan will be included as part of Area D OCP as well as being a stand alone document.

Coverdale Watson Park

Public meetings will be held in spring to discuss playground replacement and park use.

Wilmot Road off road trail

Public meetings will be held in spring to discuss continuing efforts to establish a safe off road walking trail.

Meeting adjourned: 8:06 pm

Minutes of the Cobble Hill Parks and Recreation Commission held at 10 a.m.
December 8th 2012 in the Youth Hall on Watson Avenue.

IN 5

Those present: John Krug - Chair, Alan Seal, Gord Dickenson, Jennifer Symons, Bill Turner, Dennis Cage, Ruth Koehn, Lynn Wilson and Gerry Giles - Director.

Apologies: Al Garside, Annie Ingraham.

Moved/second

the agenda be accepted as presented.

RECEIVED
JAN - 3 2013
MOTION CARRIED

The purpose of the meeting was to review and comment on the design details of the Quarry Nature Park washroom.

There was general agreement on Design 3 with the following modifications:

- make the mechanical room a few feet smaller and the handicapped/family washroom a few feet larger and also install a baby change table in this washroom
- move the storage unit to the men's washroom side and have a third stall in the women's washroom as the vast majority of park users are women and they often frequent the park in groups
- relocate doors on both men's and women's washrooms so that the entrances are closer to the edges of the buildings. This will give more usable space inside the washrooms and provide better clearance with the sinks
- paint scheme #2 to be utilized with Lifetime product on natural elements.

Additional comments were offered on washroom features:

- agreement with split block and roof design
- cedar shingles preferred but can staff see if the same look can be accomplished with a maintenance free material
- install Armstrong gutters with gutter guards
- possibly use LED rope lights on the outside of the building rather than pot lights under the overhang and have these photo cell activated
- push button automatic door opener for the handicapped/family washroom
- preference is for automatic timers to open/close doors at dawn/dusk
- the drinking fountain on the exterior of the building should be spring loaded and able to fill water bottles (Lynn Wilson will send photos of a preferred design)
- install photo controlled LED wash lights in the peak of the end gables for security
- use LED lights inside, with motion activated controls for lights and extraction fans
- strong preference for Dyson hand dryers
- strong endorsement for automatic faucets, soap dispensers, urinals and toilets
- 2 grab bars in the handicapped/family washroom (one at back/one on side wall)
- all plywood to be tongue and groove
- countertops to be constructed with more than a single sheet of 3/4 inch plywood and supported on the underside
- insulate the ceiling
- ceiling heater great
- sink, urinals, toilets are all okay with appropriate back splashes.

Outside area:

- hitching posts and dog ties be incorporated into the overall design of the area
- bike wash is to be installed outside of the bike park so people coming off of the mountain can also use this asset
- message board to be installed on or near the washroom to display park etiquette.

Questions:

- what is the interior ceiling height?
- are any of the inside walls made from blocks or is the interior entirely wood stick?
- can the old road off of Thain Road be used as tandem truck access to the bike park? If so, can we move the washroom out into the parking lot a few feet?
- are hose bibs also inside the washrooms or just outside?
- will Regional Parks contribute to the annual maintenance of this facility given that it will provide service to the Cobble Hill Mountain Recreation Area, which is within the Regional Park system and heavily used by residents from across the Valley.

With these changes it is felt that this building would be an asset to the park. Also, that all CVRD buildings should be built as energy efficient as possible, within reasonable budget constraints, to show leadership.

Meeting adjourned at 11:10 a.m.

John Krug - Chair

Minutes of the annual general meeting of the Area H Parks Commission held at North Oyster Community Hall on Thursday, February 23, 2012 at 6:30 PM.

PRESENT: Chairperson Bruce Mason, Don Pigott, Snuffy Ladret, Brad Uytterhagen, Murray McNab, Secretary Barbara Waters, Alternate Area Director Rob Waters.

ALSO PRESENT: One member of the public.

ABSENT: Area Director Mary Marcotte

ING

**APPROVAL OF
AGENDA**

Moved:
Seconded:

That the agenda be approved.

MOTION CARRIED

**REVIEW OF
MINUTES FROM
FEB. 8, 2011**

The minutes of the annual general meeting of February 8, 2011 were circulated for information purposes.

**BUSINESS
ARISING FROM
THE MINUTES**

None.

REPORTS

The Area H Parks Commission year-end report and the chairperson's annual report were circulated and reviewed. Copies are appended to these minutes.

ELECTIONS

Prior to conducting Commission elections, Rob Waters reviewed the related procedures and qualifications.

Murray McNab & Snuffy Ladret were each nominated and re-elected for a further two-year term by acclamation.

ADJOURNMENT

Moved
Seconded

That the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:45 p.m.

Barbara Waters, Secretary
March 3, 2012

Minutes of the regular meeting of the Area H Parks Commission held at the North Oyster Community Centre February 23, 2012.

PRESENT: Chairperson Bruce McNab, Don Pigott, Snuffy Ladret, Brad Uytterhagen, Murray McNab, Secretary Barbara Waters, Acting Area Director Rob Waters.

ALSO PRESENT: One member of the Public.

ABSENT: Area Director Mary Marcotte.

INT 7

Bruce Mason called the meeting to order at 6:30 p.m..

APPROVAL OF AGENDA

**Moved
Seconded**

That the agenda be approved.

MOTION CARRIED

ADOPTION OF MINUTES

The minutes of the meeting of January 19, 2012 were adopted as circulated.

**REPORTS:
R1 Yellow Point Park**

There was some discussion about the need for further broom removal in this park. In addition it was noted that cut broom must be removed from the park, as it was strewn down the road after the last cull. Don Pigott offered to discuss this with the contractor.

R2 Blue Heron Park

This park continues to be in good condition and well used.

R3 Raven Park

Bruce Mason reported that BC Hydro has been cutting trees along the road allowance at the edge of this park.

R4 Elliott's Beach

This park continues to be well used. The contractor has recently been clearing the blackberries along the drainage ditch. Don Pigott noted that the recently-installed bench is not level; he and a neighbour will attend to this. Bruce Mason noted that the dedication plaque on the picnic table is cracked; also that the dark colour of the new bench seems to deter vandalism. The minor capital project for rebuilding pathways and garden beds will need to be initiated soon. The gravel in the parking lot looks a little better but traffic has already caused a few potholes. A neighbour has offered to level it.

R5 Michael Lake

Don Pigott visited this park recently and reports no change.

R6 Trillium Park This park also continues to be well used. A tree was down across the trail recently but has been removed. Brad Uytterhagen has had a preliminary discussion with the Kinsmen about building a boardwalk and placing gravel in the flooded portion of the trail. The Kinsmen will require recognition in the form of a plaque.

R7 Ladysmith Parks and Recreation At a recent meeting the proposed dog park and broom removal were discussed.

NEW BUSINESS: Don Pigott reports that Otter Point Timber would donate 2 80-foot
NB1: Donation peeled poles for use in the bridge to be constructed across Bush Creek.

NEXT MEETING Thursday, March 22, 2012, 6:30 p.m., North Oyster Community Hall.

ADJOURNMENT Moved
Seconded

That the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:15 p.m

Barbara Waters, Secretary
March 3, 2012

Minutes of the special meeting of the Area H Parks Commission held at Elliott's Beach April 5, 2012.

PRESENT: Chairperson Bruce McNab, Don Pigott, Snuffy Ladret, Brad Uytterhagen, Barbara Waters, Area Director Mary Marcotte

ALSO PRESENT: Area H Parks maintenance contractor Grant Vizeley

ABSENT: Murray McNab

INS

Bruce Mason called the meeting to order at 9:30 a.m.

PURPOSE OF MEETING

Parks commission members and contractor toured Elliott's Beach park and noted tasks required to be done in order to refurbish the planted areas, grass and pathways, as well as upkeep on picnic tables, benches, toilet surround, beach access and parking lot. Objective is pleasing esthetics and ease of maintenance.

Detailed discussion ensued regarding best methods of refurbishment, which plants may be salvageable, and suitable types of plants for replacement.

DECISIONS

- European rose in garden on east side is to be largely eliminated. Any remaining clumps are to be strictly contained.
- Blackberries to be eliminated from south side.
- Existing Oregon grape and salal to be encouraged.
- Other native plants such as foxglove and Nootka rose to be added to south side garden.
- Blackberries in west side garden to be pruned, cleaned up and maintained only to the edge of the grass near the top of the ditch.
- Stumps to be removed from west side garden.
- Blackberries to be eliminated from the circle garden at the bottom of the path; Oregon grape, salal and one or two clumps of roses to be retained.
- Pathway to be redefined, wooden edging uncovered or replaced, and new gravel obtained if required.
- Latex stain to be applied to toilet surround.
- Picnic tables to be refinished with brown stain to match benches.
- Dedication plaques not to be replaced, as they are targets for vandalism. Glue to be removed and a wooden patch inserted.
- Wooden plugs to be replaced over bolts on picnic tables.
- Another stone step to be installed at the bottom of the steps to the beach; or the big log at the bottom of the incline to be cut to make another step.
- First bench to be straightened up.
- Potholes in parking lot to be filled with more gravel, and

- parking lot graded on an annual basis by volunteer effort.
- Signage to be renewed. There was discussion about the practicality of providing scoops rather than bags for removal of dog waste.

NEXT MEETING **Thursday, April 26, 2012, 6:30 p.m., North Oyster Community Hall.**

ADJOURNMENT **Moved
Seconded**

That the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 10:45 a.m.

Barbara Waters, Secretary
April 9, 2012

Minutes of the regular meeting of the Area H Parks Commission held at North Oyster community Centre May 26, 2012.

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PRESENT: Chairperson Bruce McNab, Don Pigott, Snuffy Ladret, Brad Uytterhagen, Secretary Barbara Waters, Area Director Mary Marcotte

ABSENT: Murray McNab

IN 9

Chairperson Bruce Mason called the meeting to order at 6:40 p.m.

APPROVAL OF AGENDA

**Moved
Seconded**

That the agenda be approved as amended.

MOTION CARRIED

ADOPTION OF MINUTES

The minutes of the regular meeting of April 26, 2012 were adopted as circulated.

BUSINESS ARISING FROM THE MINUTES

Please see Director's Report

**REPORTS:
R1 Director's Report**

- Community Fisheries. Bob Grant has expressed interest in conducting a 6-month project in Area H parks. He will require a letter of intent from the CVRD and a detailed work plan, which can be modified if required. Mary has had preliminary discussions with Ryan Dias. Parks commission members would like to formulate the plan, and will be conducting a parks tour in the near future for this purpose.
- Raise Road beach access. Department of Highways has confirmed that this public access requires removal of plantings that obscure the path.

**Moved
Seconded**

That the Area H Parks Commission request and recommend that the CVRD obtain a legal opinion regarding the beach access at Raise Road.

MOTION CARRIED

A discussion ensued regarding timing required to prepare this access for 2012 summer use. It was suggested that concrete steps may be required as there is a steep low bank above the high water mark.

- Elliott's Beach. The contractor is doing a good job of refurbishing this park but requires review of decisions made at April 5 meeting. The following were confirmed:

Bullet 6 correction: alder stumps on west side of path to be cut to the ground. Blackberries have been cut back sufficiently.

Bullet 7: re circle garden: confirmed, no change.

Bullet 8: remove from list.

Bullet 9: confirmed, contractor to proceed with grey stain.

Bullet 10: confirmed, contractor to proceed with Home Hardware latex stain, colour “horse chestnut”.

Bullet 13: re steps to beach; deferred to next meeting.

Bullet 14: re straightening bench; confirmed, Don Pigott to proceed.

Bullet 15: confirmed, but not to be done by contractor.

Bullet 16: Mary Marcotte to follow up re signage.

**R2 Yellow Point
Park**

Still looking fine. Parks commission members to tour soon.

**R3 Blue Heron
Park**

This park continues to be in good condition and well used.

R4 Raven Park

We received a report from a neighbour that there appeared to be serious erosion on the waterfront bank of this park. Chairperson Bruce Mason reports he inspected and determined that the next-door neighbour has built out a retaining wall that makes it appear that the rest of the bank has eroded, but in fact the bank at Raven Park appears much as previously. Tree is still standing.

R5 Elliott’s Beach

Please see director’s report.

R6 Michael Lake

No report.

R7 Trillium Park

Brad Uytterhagen reported that a couple of yards of gravel are needed on the Chandler Road side.

**R8 Ladysmith
Parks and
Recreation**

No report.

NEXT MEETING **Thursday, June 28, 2012, 6:30 p.m., North Oyster Community Hall.**

ADJOURNMENT **Moved
Seconded**

That the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 8:04 p.m

Barbara Waters, Secretary
May 30, 2012

Minutes of the regular meeting of the Area H Parks Commission held at North Oyster community Centre August 23, 2012.

PRESENT: Chairperson Bruce McNab, Don Pigott, Snuffy Ladret, Secretary Barbara Waters, Area Director Mary Marcotte

ABSENT: Murray McNab, Brad Uytterhagen

Acting chairperson Mary Marcotte called the meeting to order at 6:40 p.m., acting until Chairperson Bruce Mason arrived at 7:00 p.m. and took over.

APPROVAL OF AGENDA

Moved
Seconded

IN 10

That the agenda be approved.

MOTION CARRIED

ADOPTION OF MINUTES

The minutes of the regular meeting of May 26, 2012 were adopted as circulated.

BUSINESS ARISING FROM THE MINUTES

Please see Reports.

CORRESPONDENCE:

None.

REPORTS:
R1 Yellow Point Park

This park is looking well maintained and well used.

R2 Blue Heron Park

This park continues to be in good condition and well used. There was further discussion confirming the park boundary issue.

R3 Raven Park

Park is in good condition. No significant recent erosion noted.

R4 Elliott's Beach

This park has been very busy in the good weather, and the garbage can is often overflowing. There was a complaint from the public about the toilet also overflowing. Please see attached copy of a memo from Ryan Diaz regarding contractor progress on the improvements at this park. A suggestion was made that we meet with the contractor in the fall to review the work. Deferred items: stone steps to the beach, and new signage.

R5 Michael Lake No report.

R6 Trillium Park No update on the couple of yards of gravel that are needed on the Chandler Road side. Other than that the park looks good.

**R7 Ladysmith
Parks and
Recreation** No report.

**UNFINISHED
BUSINESS**

**UB1 Community
Fisheries** Mary Marcotte has followed up with Bob Grant and learned that the program is not taking new applications. However, a project in Victoria has been cancelled which gives us a possible chance to receive this service. The project would have to be for six months, and the preference is for all the work to be in one park. Parks Commission members would like to design the project, with CVRD involvement regarding due diligence and liability. The next step is for Mary to meet with Ryan Diaz, Bob Grant and Snuffy Ladret. There is no money in this year's budget for this project but it could be authorized via a bylaw.

UB2 Raise Road Some issues remain regarding path clearance. The building will be permitted to remain. A complaint has been received about locals driving motorized vehicles on the path and doing damage. Signage is to be installed to address the issue.

The required stairs should be built by a professional contractor for liability reasons. It was agreed that we should approach Lance Goldy to do the work.

Moved

Seconded

That the Parks Commission request new signage from the CVRD for the Raise Road access.

MOTION CARRIED

**UB3 Wedding
Policy**

An amended policy for use of Area H parks for weddings and other private events was presented. Please see attached copy.

Moved

Seconded

That the Area H Parks Commission adopt the proposed wedding party policy as amended.

MOTION CARRIED

**UB4 Broom
Removal**

**Moved
Seconded**

That the maintenance contractor be authorized to spend up to two days eradicating and removing broom from Yellow Point Park.

MOTION CARRIED

NEXT MEETING

Saturday, October 6, 2012, 10:00 at Elliott's Beach.

ADJOURNMENT

**Moved
Seconded**

That the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:50 p.m

Barbara Waters, Secretary
September 13, 2012

Minutes of the regular meeting of the Area H Parks Commission held at North Oyster community Centre October 24, 2012.

PRESENT: Acting chairperson Mary Marcotte, Snuffy Ladret, Brad Uytterhagen, Secretary Barbara Waters

ABSENT: Chairperson Bruce Mason, Murray McNab, Don Pigott

Acting chairperson Mary Marcotte called the meeting to order at 6:37 p.m.

APPROVAL OF AGENDA

Moved
Seconded

That the agenda be approved.

MOTION CARRIED

IN 11

ADOPTION OF MINUTES

The minutes of the regular meeting of August 23, 2012 were adopted as amended (spelling correction).

**BUSINESS ARISING FROM THE MINUTES
B1 Community Fisheries grant**

Mary Marcotte reported that Ryan Dias has had no success in connecting with Bob Grant. Snuffy Ladret reported that he has already had some informal discussion with Bob Grant regarding the proposed 6-month project in Area H parks. Snuffy agreed to contact Bob Grant and ask him to call Ryan Dias. As proposed at the last meeting, the plan is for Snuffy and Mary to meet with Ryan and Bob to tour the parks and draft a plan that will be brought back to the Commission for consideration.

B2 Raise Road

Lance Goldy was not available to bid on the project to build stairs to the beach at the Raise Road access within the given time frame.

Moved
Seconded

That the Area H Parks Commission request the CVRD staff to contact Lance Goldy regarding a possible time frame when he could be available to build the stairs.

MOTION CARRIED

Moved
Seconded

That the Area H Parks Commission accept the concept sketch for the Raise Road stairs presented by the CVRD, with the suggestion of substituting galvanized pipe for the railings instead of wood.

MOTION CARRIED

A copy of the sketch is appended to these minutes for reference.

CORRESPONDENCE:

C1 Financial Statements

Director Mary Marcotte reported that funds were transferred from reserves via bylaw to cover potential projects.

C2 Draft Budget

A copy of the draft budget is appended to these minutes for reference. It is noted that the tax requisition will be the same for 2013 as it was for 2012. Parks Commission members are requested to review financial goals and minor capital projects and bring comments & suggestions back to the next Parks meeting. These comments and suggestions must be reviewed by the Commission in time for finalization of the 2013 budget.

REPORTS:

R1 Yellow Point Park

Snuffy Ladret rode his horse through this park recently and reported no problems.

R2 Blue Heron Park

This park continues to be in good condition. Mary Marcotte, Snuffy Ladret and Richard Hill are to meet further to recent discussions regarding this park.

R3 Raven Park

No report.

R4 Elliott's Beach

The meeting planned for Oct. 6 with the maintenance contractor was cancelled and should be rescheduled.

R5 Michael Lake Trail

No report.

R6 Trillium Park

Downed tree was removed following a recent storm.

R7 Ladysmith Parks and Recreation

Meeting postponed until October 31.

NEXT MEETING

Thursday, November 22, 2012, 6:30, North Oyster Community Centre. In addition there may be a special meeting regarding Elliott's Beach, at the call of the chair.

ADJOURNMENT

Moved
Seconded

That the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:33 p.m.

Barbara Waters, Secretary
October 29, 2012