



## NOTICE OF ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,  
June 16, 2009  
Regional District Board Room  
175 Ingram Street, Duncan, BC

3:00 pm

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10. **NEW BUSINESS**
  - NB1 Verbal report from Director Giles regarding School Closures
11. **PUBLIC/PRESS QUESTIONS**
12. **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.

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14. **ADJOURNMENT**

**NOTE: A copy of the full agenda package is available at the CVRD website [www.cvrld.bc.ca](http://www.cvrld.bc.ca)**

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

M 1

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, June 2, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

**PRESENT**

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

**CVRD STAFF**

Tom Anderson, General Manager  
Mike Tippet, Manager  
Rob Conway, Manager  
Dana Beatson, Planner  
Rachelle Moreau, Planning Technician  
Brian Duncan, Chief Building Inspector  
Cathy Allen, Recording Secretary

**APPROVAL OF  
AGENDA**

The Chair noted changes to the agenda which included adding three items of New Business.

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

MOTION CARRIED

**M1 - MINUTES**

It was Moved and Seconded  
That the minutes of the May 19, 2009 EASC meeting be accepted.

MOTION CARRIED

**BUSINESS ARISING**

There was no business arising.

**DELEGATIONS**

**D1a (New Business)  
Mike Cronquist**

Mike Cronquist, Vice President, Market Group from Sidney, was present regarding the Hood Canal Bridge project in Cowichan Bay. A short video made by Director Iannidinardo was played. Mr. Cronquist showed a Power Point presentation reviewing the Pontoon Refurbishment Project. He noted that the project involves potential marina usage. It was stated that anyone interested in learning more can visit Seagate Plontoons website which contains information on the project and also includes the Power Point presentation.

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A question and answer session ensued.

Director Giles suggested that Market Group host a public meeting in Cowichan Bay and that staff could work with the Group to clarify zoning issues and assist with organizing the public meeting.

The delegation presentation was given for Committee information only.

NOTE: Director Cossey arrived at this point.

**D1 – Friesen**

Mike Tippet, Manager, introduced the request by Wayne Friesen to have their Application (No. 2-I-05RS) put on hold.

Wayne Friesen, applicant, was present regarding their request to put Application No. 2-I-05RS on hold.

It was Moved and Seconded

That staff report back to EASC respecting the substance of Application No. 2-I-05RS (Friesen) and provide options.

MOTION CARRIED

**D2 – Brown**

Rob Conway, presented Application No. 8-E-08DP by Landale Signs and Neon Ltd. to permit additional fascia signs on the commercial/retail warehouse building (The Brick) located at 5380 Trans Canada Highway.

Jay Brown, representing Landale Signs, was present regarding Application No. 8-E-08DP. Mr. Brown stated that the applicant wants secondary signage approved so that they can proceed to finish the project.

A question and answer session ensued.

It was Moved and Seconded

That Application No. 8-E-08DP (Landale Signs and Neon Ltd.) to permit additional fascia signs on Lot 1, Section 14, Range 6, Quamichan District, Plan 4077 shown outlined in red on Plan 1500R, except that part shown in red on Plan 1688OS and except part in Plan 40941 (PID: 012-522-449), be denied.

MOTION CARRIED

**D3 - Atwall**

Application No. 2-E-08RS (Kabel Atwall) was referred to a future EASC meeting.

**D4 - Parkes**

Rachelle Moreau, Planning Technician, presented Application No. 6-E-08DVP by Fay Parkes to vary Zoning Bylaw No. 1840 by 2.8 metres to permit the length of the mobile home (small suite) located at 4387 Creighton Road, to be increased from 13 metres to 15.8 metres.

Fay Parkes, applicant, was present. Ms. Parkes stated that she had no further comments to add.

A question and answer session occurred.

It was Moved and Seconded

That Application No. 6-E-08DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Fay and Gordon Parkes with respect to Lot A, Section 9, Range 9, Sahtlam District, Plan VIP 59116 that would vary Section 5.23(g) of Zoning Bylaw No. 1840 by 2.8 metres to permit the length of the mobile home (small suite) to be increased from 13 metres to 15.8 metres.

MOTION CARRIED

**D5 - Thom**

Rachelle Moreau, Planning Technician, presented Application No. 2-I-09DP by Gerald and Caroline Thom for renovation of the dwelling located at 9254 Youbou Road and extension of the upper floors to correspond with the location of the foundation four metres from the natural boundary of Cowichan Lake.

Gerald and Caroline Thom, applicants, were present. Mr. Thom stated that he had no further comments to add.

There were no questions from Committee members.

It was Moved and Seconded

That Application No. 2-I-09DP be approved, and the Planning and Development Department be authorized to issue a Development Permit with variance to Gerald and Caroline Thom with respect to Lot 4, Block 312 and Unnumbered Portion, Cowichan Lake District, Plan VIP 56533 (PID: 018-256-295) for the renovation of the dwelling and extension of the upper floors to correspond with the location of the foundation 4 metres from the natural boundary of Cowichan Lake.

MOTION CARRIED

**D6 - Shatzko**

Rachelle Moreau, Planning Technician, presented Application No. 3-D-08DP by Hylton McAlister and Elizabeth Shatzko to construct a stilt home at 1783 Cowichan Bay Road.

The application was discussed at the May 5, 2009 EASC meeting where additional information was requested. Ms. Moreau noted further information which is contained in the May 27<sup>th</sup> Staff Report.

Hylton McAlister and Elizabeth Shatzko, applicants, were present. Mr. McAlister provided further information to the application.

A member of the Cowichan Bay Fire Department was present regarding clearance and building material concerns.

A question and answer session occurred.

It was Moved and Seconded

That Application No. 3-D-08DP be approved, and that a development permit be issued to Hylton McAlister and Elizabeth Dianne Shatzko for District Lot 202, Cowichan District for the construction of a dwelling subject to:

- a) Construction of the dwelling occurs subject to compliance with the recommendations and mitigation measures specified in the Streamline Environmental Consulting Ltd. report prepared July 9, 2008;
- b) Reduction of the number of deck pilings to eight or fewer; and
- c) That the platform of the stilt home including supports and decks be constructed of non- combustible material.

And further, that the following variances be granted:

- a) Relax Section 12.7(b) of Zoning Bylaw 1015 to reduce the front parcel line setback from 7.5 metres to zero, the west side parcel line setback from 0.762 metres to 0.6 metres and the east side parcel line setback from 0.762 metres to zero;
- b) Relax Section 4.1 of Off-street Parking Bylaw No. 1001 to reduce the number of required off-street parking spaces for a single family dwelling from two to zero.

MOTION CARRIED

**D7 - Wall**

Dana Beatson, Planner, presented a potential rezoning application by the Cowichan River Bible Camp In. to rezone the existing legal non-conforming Bible Camp located at 5070 West Riverbottom Road from P-1 to P-2.

Gerry Wall, delegate, was present on behalf of the Bible Camp regarding the potential rezoning application. Mr. Wall stated that he had no further information to add.

Mr. Tippet added that the proposal could be considered a house keeping amendment.

A question and answer session occurred.

It was Moved and Seconded

That the CVRD initiate a zoning amendment for 5070 West Riverbottom Road (Cowichan River Bible Camp), Electoral Area F, to change the zoning from P-1 to P-2, and further that the appropriate amendment bylaw be prepared and forwarded to the Regional Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings; and further that the public hearing be waived pursuant to Section 890(4) of the *Local Government Act*.

MOTION CARRIED

**D8 - Cooper**

Dana Beatson, Planner, presented Application No. 1-F-06RS by Paul Cooper to permit residential uses on properties located at the junction of Kapoor Road and Old Cowichan Lake Road.

The application was discussed at the April 7<sup>th</sup> EASC meeting and was referred back to staff for clarification.

Ms. Beatson advised of three key differences with the revised application. The applicant is no longer applying to rezone the 20 hectare portion of land on the west side of the hydro R/W; the applicant is proposing four lots on the east side of the hydro R/W rather than two lots; and the applicant is proposing that Lot 4 be gifted to the CVRD as parkland.

Paul Cooper, applicant, was present. Mr. Cooper further confirmed amendments to the previous application.

A question and answer session occurred.

It was Moved and Seconded

1. That a Zoning Amendment Bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to rezone a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, from Forestry Resource 1 (F-1) to Rural Residential 1 (R-1), and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;
2. That an Official Community Plan amendment bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to redesignate a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984 from Forestry to Suburban Residential, and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;

3. That Application No. 1-F-06RS be referred to the Area F Parks Commission and the Cowichan Tribes for comment; and that following receipt of comments from these groups, that the application be referred to a public hearing, and that Directors Morrison, Marcotte, and Dorey be delegated to the hearing.

MOTION CARRIED

## STAFF REPORTS

**SR1 – Training Sessions** Staff Report dated May 25, 2009, from the Administrator, regarding CVRD training session costs was received as information.

**SR2 – Campground Closures** Staff Report dated May 27, 2009, from Brian Farquhar, Parks and Trails Manager, regarding campground closures was received as information.

**SR3 – Heritage Register** It was Moved and Seconded

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

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

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

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

1. Citation  
This resolution may be cited for all purposes as “Cowichan Valley Regional District Community Heritage Register Resolution No. xxxx”
2. Establishment of the Register
  1. In the Cowichan Valley Regional District, a Community Heritage Register is established called the “Cowichan Valley Regional District Heritage Register”
  2. The Board may maintain the Community Heritage Register in the CVRD Community Heritage Conservation Service Area;
  3. For the purposes of maintaining a Community Heritage Register, the following provisions in relation to the heritage properties shall apply:
    - a) *Local Government Act*  
Section 954 – Community Heritage Register;  
Section 974 – Giving Notice to owners and occupiers;



Section 977-Giving Notice to the minister responsible for the  
*Heritage Conservation Act*

3. Participating Areas

1. The boundaries of the extended service area are the entire Cowichan Valley Regional District, excluding the member municipalities.

2. The participants in the Community Heritage Register established in clause 2.1 are the following: , which encompasses lands within Electoral Areas A, B, C, D, E, F, G, H, and I.

4. Amendment to the Community Heritage Register

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

2. That the Board place the Kinsol Trestle on the CVRD Community Heritage Register.

3. That the Planning and Development Department initiate a process for on-going implementation of the CHR.

MOTION CARRIED

It was Moved and Seconded

That the Board place the Mill Bay Historical Church and Koksilah School on the CVRD Community Heritage Register.

MOTION CARRIED

**SR4 – Procedures  
Bylaw**

It was Moved and Seconded

That the draft Procedures and Fees Bylaw No. 3275 be approved to replace existing Bylaw No. 2255, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

**CORRESPOND-  
ENCE**

**C1 – Directors  
Meeting**

It was Moved and Seconded

That any interested Electoral Area Directors be authorized to attend the UBCM Electoral Area Directors Meeting on June 26, 2009 in Vancouver, and that associated costs be approved.

MOTION CARRIED

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**C2 – Rona MS Bike Tour**

It was Moved and Seconded  
That the Fax dated May 6, 2009, from MS Society of Canada regarding the 2009 RONA MS Bike Tour, be received and filed.

MOTION CARRIED

**C3 – Grant in Aid**

It was Moved and Seconded  
That a grant-in-aid request (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation to provide a bursary to a deserving student who resides in Saltair and attends Ladysmith Secondary.

MOTION CARRIED

**C4 – Grant in Aid**

It was Moved and Seconded  
That a grant-in-aid request (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School to provide a bursary to a deserving student who resides in Saltair.

MOTION CARRIED

**APC**

**AP1 –AP4 - Minutes**

It was Moved and Seconded  
That the following APC minutes be received and filed:

- Minutes of Area A APC meeting of May 6, 2009
- Minutes of Area H APC meeting of April 9, 2009
- Minutes of Area H APC meeting of May 14, 2009
- Minutes of Area H APC site visit meeting of April 15, 2009

MOTION CARRIED

**INFORMATION**

**IN1 – Building Report**

It was Moved and Seconded  
That the April 2009 building report, be received and filed.

MOTION CARRIED

**NEW BUSINESS**

**NB1 – Section 946 subdivisions**

Discussion regarding Section 946 ALR subdivision applications.

Mr. Tippet provided background information to Section 946 subdivision legislation and suggested the matter be referred back to Legal Council for an updated opinion.

It was Moved and Seconded

That staff seek an updated legal opinion respecting Section 946 ALR subdivision applications and report back to the EASC.

MOTION CARRIED

**NB4 – Parks Minutes**

It was Moved and Seconded

That \$1,500 be granted to the Sahtlam Fire Department to complete the Sahtlam community kiosk sign and map project, and that the funds be drawn from the Electoral Area E Community Parks budget.

MOTION CARRIED

It was Moved and Seconded

That development of the east parking lot area at the Glenora Staging Area Community Park to provide for equestrian trail riding be supported, with funding to undertake the work to be drawn from the Electoral Area E Community Parks budget.

MOTION CARRIED

It was Moved and Seconded

That the minutes of the Area E Parks and Recreation Commission meeting of May 21, 2009 be received and filed.

MOTION CARRIED

**RECESS**

The Committee adjourned for a short recess.

**CLOSED SESSION**

It was Moved and Seconded

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 6:34 pm.

**RISE**

The Committee rose without report.

**ADJOURNMENT**

It was Moved and Seconded  
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 6:54.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary



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## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF JUNE 16, 2009

**DATE:** June 3, 2009 **FILE NO:** 2-I-05 RS  
**FROM:** Mike Tippet, Manager  
Community and Regional Planning Division **BYLAW NO:** 2465 and 2650  
**SUBJECT:** Application No. 2-I-05RS  
Wayne Friesen et. al.

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**Recommendation:**

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

**Purpose:**

Following a review of the work program for 2009-2013, to reconsider a request to amend the Youbou/Meade Creek OCP and zoning bylaw in order to permit a low density cottage development on a parcel to the west of Youbou.

**Financial Implications:**

N/A

**Interdepartmental/Agency Implications:**

N/A

**Background:**

Location of Subject Property: 5 km west of Youbou, on a private logging road

Legal Description: Parcel A (DD72787I) of Section 45, Renfrew District

Date Application and Complete Documentation Received: June 13, 2005

Owners: W. and J. Friesen; C. and M. Gibson ; B. and E. Burton; K. Holm; D. and P. Carley;  
P. Nielsen; B. and L Martin; A. and J Dong; K. Curtis; B. Wallin

Applicant: Wayne Friesen

Size of Parcel: 11.6 hectares

Existing Zoning: F-1

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Minimum Lot Size Under Existing Zoning: 80 hectares

Existing Plan Designation: Forestry

Existing Use of Property: Vacant rural

Existing Use of Surrounding Properties:

North: Forest resource lands  
 South: Cowichan Lake  
 East: ancient subdivision from 1913 (typical size of lot: ~0.4 ha)  
 West: small lot subdivisions from 1979 (6 lots to west) & 1960s (further west)

Services:

Fire Protection: Youbou Volunteer Fire Department Service Area  
Road Access: No public road access  
Water: On-site  
Sewage Disposal: On-site  
Electrical Services: None

Agricultural Land Reserve Status: Out

Contaminated Sites Regulation: declaration of “clean site” signed

Environmentally Sensitive Areas: lakefront/RAR

Archaeological Site: none indicated in GIS

### **The Proposal:**

An application has been made: for rezoning to permit the creation of a building strata development of up to ten dwelling units, all to be located on a single parcel of common property.

### **Advisory Planning Commission Comments:**

The APC dealt with the latest revision of this application on April 5<sup>th</sup> and 9<sup>th</sup> of 2008. On April 9<sup>th</sup>, the following resolution was passed:

*It was moved and seconded that Area I (Youbou/Meade Creek) Planning Commission support the rezoning application 2-I-05 RS (REVISED) on the merits provided to the APC meeting, which include the covenants and strata as outlined in the letter by the applicant to Mike Tippet, CVRD dated and received by the CVRD April 9<sup>th</sup>, 2008.*

**MOTION CARRIED**

*(I. Graeme Opposed)*

**Referral Agency Comments:**

This application was referred out to 7 referral agencies back in September of 2005, when this was a nine lot subdivision proposal. Their comments to that original application follow:

***Ministry of Community Services – no comments received***

***Ministry of Forests – interests unaffected***

***Ministry of Transportation – The Ministry of Transportation would have no objections to the land use proposal, however, this is not to be construed as approval of any subsequent subdivision proposal as the Ministry does have the following concerns:***

- *Proposed subdivision would be accessed by “water only”, putting public pressure on the Ministry to maintain the private logging road.*
- *Section 75(1)(c) of the Land Title Act would have to be resolved.*
- *Proposed lots would be separated by intervening land.*

***VIHA – Soil conditions in the area of the proposed rezoning are generally suitable for sewage disposal. However, in order to determine whether a 9 lot subdivision was feasible, preliminary site investigation including percolation testing would be needed.***

***Youbou Fire Department – no comments received***

***School District No. 79 – no comments received***

***Fisheries and Oceans Canada – no comments received***

The portion of the comments above that reference the subdivision may be dismissed, as this is no longer a subdivision proposal, but rather a multiple dwelling per lot proposal. Nevertheless, the comments are in part relevant to the present proposal, and staff did not consider it to be necessary to refer this out to the agencies again when the details of the application changed.

**Background:**

This matter is before the Committee again following the decision of the last Board to put this application on hold pending a proposed review of the advisability and consequences of permitting limited rural residential development along Cowichan Lake shoreline to the west of the Youbou Lands site, to be added to the 2009 work program. A review of the work program, including the Areas B and C OCP, Area D OCP and Area E OCP, plus other project work, indicated that the CVRD is unable to add an Area I review to its 2009 work program. In fact, the soonest this could be attended to is after 2013, when the last of the above-mentioned major projects would be ending.

The applicant asked at the Committee meeting of June 2<sup>nd</sup> 2009 if the application could be tabled until the Electoral Area I OCP could be updated again, which would have required the Committee to suspend the effect of the “one year file inactivity rule” that is contained within the Development Applications Procedures and Fees Bylaw. The Committee discussed when and whether the Area I bylaw might be eligible for review and the advisability of keeping an application file open for that length of time (at least 8, but likely 10 years from the date of application). The Committee decided that it is not prepared to deviate from the procedures set out in Bylaw 2255 and so it asked for the report on the application to be brought back before the committee for a conclusion.

Accordingly, the balance of the report is similar to the one that went to the EASC in June 2008, with the exception of the third option (development review west of Youbou) being eliminated.

**The First Application**

The applicants proposed in 2005 to amend the Official Community Plan and zoning bylaw, in order to subdivide the subject lands into 9 parcels. This matter went to the APC in September 2005 and the request was not supported.

Rather than see their application go forward at that time in a report to the Electoral Area Services Committee (EASC) with a negative APC recommendation, the applicants then requested that the matter not be brought to the EASC until they had an opportunity to reconfigure the proposal in a way that they felt might improve the chances of APC and community support. During this period, the applicants consulted each other and CVRD staff for information.

This application was amended several months ago to propose only five fee-simple parcels, and that revision was referred to the APC in March 2008, along with a new staff report.

After the subsequent APC meeting, the applicants further revised their proposal by dropping the subdivision idea altogether and proposing instead one large strata on a single parcel of land, with ten independently owned cottages (building strata). This revision was made directly at the APC level during 2008 and CVRD staff did not have another opportunity to review the new information nor did we have a chance to update the APC staff report a second time. The majority of the former APC supported it.

#### **The Revised Proposal:**

The subject property is traversed by a private road, over which the owners have an easement for access purposes. The road separates the property into two parts, one with lake frontage and the other without. The latest revision to the proposal would see the land remaining un-subdivided, and instead, having a new zone applied to it that would allow for ten cottages on the site, each of which would be strata titled.

There would be a 20 metre "green space" on the western boundary of the subject property, and a 10 m wide addition to an existing half-road to the east is also proposed. Aside from the 20 m green space, no park dedication is proposed as part of this application. There is no requirement for park dedication, however, the CVRD often examines opportunities for public amenities at the time of application for bylaw amendments.

Upon this single parcel of land, the applicants are proposing ten homes, each of which would be registered as a strata lot, with the entire land area as common property. The applicants have gone even further in their proposal. They are proposing:

- A limit to the floor area of the proposed building: 125 m<sup>2</sup> for indoor space and 75 m<sup>2</sup> for covered deck/patio space per residence;
- Lot coverage over the entire parcel would be limited to 3% (under 3500 m<sup>2</sup> for the entire parcel) as opposed to the much higher percentage permitted under F-1 zoning;
- The area to the north of the private logging road would be covenanted in perpetuity for no building, with a view to not only restricting future demand for redevelopment, but to limit impacts upon the local Roosevelt Elk herd, which apparently uses this area to forage and migrate;
- Perimeter fencing would be disallowed in the proposed zone, to allow for wildlife movement;
- Driveway surfacing would be pervious;
- The development would not be serviced with power, water or sewer;
- Bed and breakfast use would not be permitted in their requested zone, but home occupation would.

The applicants indicate that the development they are proposing should not have to be added to the Urban Containment Boundary, since they are not seeking any conventional municipal services.



**Planning and Development Department Comments:**

The subject property is sandwiched in between two older subdivided areas, with some very small lot sizes. These areas are designated for forestry use and zoned accordingly. Most of this development pre-dates the first zoning bylaw. Apparently these parcels were developed for recreational purposes at the time, starting in the pre-war period and ranging right up to the 1970s.

The proposed density is low for a typical residential use, with roughly one dwelling unit per hectare. However, this is the minimum that would normally be found in any residential zone – even Urban Residential, if no community services were available to the lot.

The proponents' idea of having one common property lot, with ten cabins or cottages on it, is novel, and in some ways the fact that the land base would be common property shared by ten or more owners could lead to a more careful management of the riparian zone along the lake. The CVRD has found that riparian areas, even those designated as SPEA (Streamside Protection and Enhancement Area) under the RAR tend to be very poorly managed by private parties, particularly where lot sizes are small. So the shared ownership could provide some mitigation of that tendency. It is important to examine alternatives to the various discredited attempts to protect riparian features around lakes, in particular where further lakeshore development is already permitted in the land-use regulations. Experimentation with interesting new ideas, especially on a small scale, has its attractions. The goal of such experimentation would be a new ecological stewardship paradigm for lakeshore development. Recent attention from senior government officials has concentrated on the concept of encouraging private docks, as these are believed to become the focus of human activity, as oppose to the riparian shoreline itself. But there are over-arching planning considerations that come to bear on this application, and so the Committee needs to decide if this land is the right place to conduct such an experiment, or whether it should be done inside an Urban Containment Boundary instead.

The portion of the lot that is separated from the waterfront portion by public road would have to be covenanted against future subdivision, if this development was approved. This is a mandatory requirement in the zoning bylaw. It is difficult to imagine how the people living near the water could effectively use the area to the north of the private road, and it is likely that in some time in the future, there would be a request to allow them to be further subdivided, for practical reasons. The applicants argue that the proposed density is far lower than that of the parcels on either side of the subject lands, which it is. However, there are also important policy considerations.

**Policy Review:**

There is no "Rural Residential" designation in the OCP, nor is there a Rural Residential zone in the zoning bylaw. Is a Rural Residential Zone is appropriate for the Plan area?

It is entirely clear in the Official Community Plan that the areas designated as Forestry are not intended as a land bank for future subdivision and residential development. In particular the following policy sums up this approach well:

**POLICY 3.12** *Residential growth will not be encouraged west of the Cottonwood Creek future development area outlined in this Plan. Among the reasons for this are:*

- (a) *Allowing haphazard development, sometimes called 'spot-zoning', takes away from the community's ability to create a more complete, livable community with a mix of housing, recreational and commercial*

*opportunities, shared services, healthier lifestyles and a better protected resource base.*

- (b) An increase in automobile dependent development west of Youbou would attract still more like development, and would result in additional automobile pollution and less concentration on alternative forms of travel such as walking, cycling and public transit;*
- (c) An increase in residential holdings would fragment green space and wildlife habitat, including Roosevelt Elk habitat;*
- (d) Increasing day and night road travel west of Youbou would further impact wildlife habitat;*
- (e) Residential development can consume the working land base – forestry is a renewable resource;*
- (f) Residential development in inappropriate areas can lead to forestry-residential land use conflicts, where complaints arise over logging, truck traffic, dust, noise, safety, etc.;*
- (g) Rural and urban sprawl leads to inefficient servicing and higher costs for such servicing as fire protection, policing, school bus services, power, transit, ambulatory care, garbage collection, and transportation, which in turn may lead to higher overall taxes;*
- (h) Rural and urban sprawl promotes more wildfire interface areas, where residential neighbourhoods are established in forested areas with extreme or high wildfire ratings; and*
- (i) The logging road west of Youbou is a forest industrial road, and there are safety concerns pertaining to the mix of forestry and residential traffic, particularly during all daylight hours.*

Some aspects of this policy would not apply to this proposal – for example, (f) and (g) are arguably not offended by this concept. Under (f), the residential use is already established on adjacent parcels and this proposal could conceivably slightly reduce the forestry/urban conflict potential. However, deviating from this policy's general focus could open up the possibility of requests from others to the west of Cottonwood Creek for similar zoning. The CVRD has resisted changing the zoning of the ancient subdivisions that bracket this site for the same reason, even before the above-noted policy was developed.

Even in the event that this could be overcome, there is the following part of the Residential section to consider:

**POLICY 4.4:** *In considering further designation of lands for residential purposes, the Regional Board will give preference to the following:*

- (a) The proposed residential development will be located within the Urban Containment Boundary;*
- (b) Residential development will be encouraged to provide for buffering between the residence and the Cowichan Lake shoreline;*
- (c) Lands designated for residential use will be required to locate adjacent to existing residential subdivisions;*

- (d) *Lands designated for residential use will be required to locate in close proximity to community amenities and services; and*
- (e) *Lands designated for residential use will be encouraged to connect to existing community water systems and community sewer systems.*

This policy addresses the issue raised by the applicants in their proposal, in which they suggest that it would not be necessary to alter the Urban Containment Boundary (UCB) to encompass their lands. Their argument is based upon the fact that they'd not be seeking services such as community water or sewer, or even electric power. However, the Plan appears to be clear on this point: the only lands that will be allowed to have purely residential use will have to be serviced and in the containment boundary. There is no provision for wholly unserved rural residential development in the Plan. If there were, it would probably be called the "Rural Residential" designation. It is conceivable that such a designation could be added to the OCP, but then the question would be: what criteria would be applied to it, so that the entire lakefront does not end up in a similar state of development, with one dwelling unit per hectare? And what would ensure that the demand for public services such as water, sewer and others would not follow, with subsequent owners of the proposed strata development?

#### **Planner's Comments:**

The Plan does not have a designation that offers low-density residential use in unserved areas. We can only assume that is intentional, with a desire to establish and maintain a firm distinction between the built-up and rural areas. This leaves a few historical anomalies in place, such as the older subdivisions that bracket the subject property, but probably for good reason.

The main thrust of the Plan is to direct development pressures into the creation of a new community core (the Future Development Area, *i.e.* Youbou Lands) and to existing partially serviced lands that lie within the UCB. Softening the approach to fringe area development on a wide scale would only serve to undermine the direction for community growth and development that the present Plan is aiming for. While this development would not add significantly to this problem on its own, the legacy of the OCP amendment that it would require could have that effect. For example, if the same density provision being applied for here (approximately one cottage per hectare) was applied to all F-1 lakefront lands in Electoral Area I, the potential for over 900 cottages of 125 m<sup>2</sup> would be there, in Area I alone. To avoid this scenario, the Committee could consider whether there are any circumstances under which a new Rural Residential designation could be appropriate, and whether sufficiently solid OCP policy could be developed to make this designation apply just to the subject lands. Staff would suggest that an attempt to do this, thereby limiting the likelihood of the potential 900 cottages on other lands could be made, but we are concerned that it would be very difficult to hold the line, which has been held to the west of the Youbou Lands site since the latest OCP revision.

We have seen one major amendment to this Plan since it was adopted, in an area that was formerly outside of the UCB – namely, Woodland Shores. It is worth examining this now, to see if there are any parallels to the present application. The decision to amend the OCP in that case was a difficult one, which probably swung on the issue of the substantial land dedication for public parkland in an area that had long been sought for public use by the CVRD, and policy had been developed in the OCP to that effect. Given the approval of that application, it is evidently possible to contemplate changes to the OCP if the proposal has a major public interest element in it. The Committee needs to consider whether there is any similar public interest argument at work in this case. Advantages of this application are the innovative form of tenure proposed and the possibility of new self-policing of common riparian areas being brought forward. Another might be the covenanted area to the north of the private logging road, which would remain available for the use of wildlife, especially if the terms of the covenant were broadened to

encompass environmental protection and not just the prohibition of building and subdivision. Perhaps this would be even more clearly protected for environmental purposes were the land to be covenanted or dedicated to TLC or another organization with ecological stewardship as a prime directive.

Without a new Rural Residential (RR) designation, staff is of the opinion that the UCB would have to be expanded to encompass this site, if the application is to be approved. Even with a new RR designation, significant policy revisions to existing OCP policies, especially those cited earlier in this report, would be needed.

If there was a shortage of developable residential land in Electoral Area I, this could be a good reason to consider amending the OCP. But with development of Woodland Shores well under way and the Future Development Area in place (Youbou Lands site) and under active application right now, it is not likely that a convincing case for there being a land shortage could be made.

### **Summary:**

We know that the waterfront lands to the west of the Future Growth Area in the OCP are under intense development pressures. Forestry companies have been selling them off and the new owners are generally not interested in practicing resource management activities there. The OCP does not have a Rural Residential designation, nor does the Zoning Bylaw have such a zone.

There are a number of positives to this proposal. The proposed form of tenure would be unique to Youbou, and building strata may not be the preferred form of residential development in today's real estate market, which arguably could limit the "precedent effect" with respect to other lands around the lake. It is conceivable that the common property land base would be better managed for riparian protection than it would be if the site were under a single individual's control. The footprint of the proposed development is very low, and the submitted information from the applicants indicates that they have put a great deal of thought and effort into crafting a proposal that would be of limited environmental impact and uphold broad environmental protection objectives on this site. The applicants should be commended for their careful attention to these important matters. Finally, the immediately surrounding areas are already subdivided to a similar density, and in that sense, this proposal would not seem to be inconsistent with the character of this area.

On the negative side, rezoning this land even to allow ten units on a single lot would add significant value to the property, which in turn could lead to others to the west of the Urban Containment Boundary seeking similar zoning, even if fee-simple subdivision would be their first choice. The Official Community Plan is not at all supportive of development to the west of the Youbou Lands site. The ancient subdivisions that bracket this site on either side are not legal non-conforming; their lots were created when it was legal to do so, and the zoning bylaw recognizes them as legal and conforming. There is no need to rezone them, but it is the parcels in the F-1 Zone that are 20 hectares or larger in area that would likely be the next to come in with applications similar to this one. If any of these were successful, this would, over time, undermine the objectives of the Official Community Plan with respect to containing residential development.

The absence of a strong argument that this requested land use change is clearly in the public's interest does not mitigate in favour of approving the application either. Despite the care and attention the applicants have taken with this proposal, the planning staff does not see a compelling argument as to why this change to the community's Plan would be in the public interest.

The other recent example in this community of an OCP amendment did, on the other hand, involve a large positive public interest element – significant lands that had long been identified in the present and previous OCP as being suitable for park, and much of these were offered to the CVRD by that owner. In this case, no similar element is present, and even if over 70% of the subject land were offered to the CVRD, this site has not been identified in any CVRD policy documents as being a priority for public acquisition, so that would not carry the same weight as it did on the Bald Mountain Peninsula.

Staff does not take any comfort in not supporting an APC recommendation, but in this case we feel that the application raises matters that would be more properly discussed on a community-wide basis, preferably when the next update of the Official Community Plan is done in years to come.

**Options:**

1. That application No. 2-I-05RS (Friesen et. al.) on Parcel A (DD72787I) of Section 45, Renfrew District for a new rural residential designation and zone be denied and that a partial refund be given to the applicants in accordance with the CVRD Development Applications Procedures and Fees Bylaw No. 2255.
2. That application No. 2-I-05RS (Friesen et. al.) on Parcel A (DD72787I) of Section 45, Renfrew District for a new rural residential designation and zone be approved, and that the appropriate amendment bylaws be prepared for consideration by the Board, with Directors Hodson, Allan and Dorey named as delegates to the public hearing, and that the application referral to the Ministries of Community Services, Transportation, Forests, VIHA, School District No. 79, Youbou Volunteer Fire Department and Fisheries and Oceans Canada be accepted.

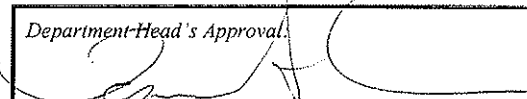
Submitted by,



Mike Tippett, MCIP  
Manager

Community and Regional Planning Division  
Planning and Development Department

MT/ca

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

April 9, 2008

To Mike Tippit, (CVRD planner)  
cc Ian Graeme (APC area I chairman)

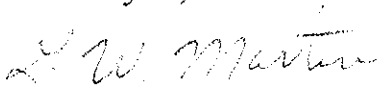
Related to Proposed Development West of Youbou, File No. 2-I-05RS (revised)

The following are revisions related to the APC meeting on April 5, 2008:

1. The CVRD or the land conservatory (whichever is appropriate) will receive a 20 metre strip of land on the west end of the property on the water side of the road.
2. The CVRD will receive a 10 metre strip of land on the east end of the property and the water side of the road to expand the current public access and beach area.
3. A building covenant will be placed on all property north of the road.
4. Instead of creating 5, 5 acre strata lots we propose that the entire property become one strata in the applicable "rural-residential" zoning permitting 10 size limited residences.

These clarifications will be discussed at our second appearance with the APC on April 9, 2008.

Thank you,



Louise Martin  
Craig Gibson  
Wayne Friesen



000022

April 25, 2008

To: Carley Cove Co-Owner's

From: John M. Unwin (President – Pine Pt./Waredroper Community Association)

Subject: **Rezoning of Property**

Thank you for reviewing your rezoning and strata proposal with our committee.

As president and on behalf of the Pine Pt./Waredroper Community Association and neighbour to your property, I would like to say that I support your rezoning and land use proposal.

We like the idea of keeping the parcel large and the maximum of 10 smaller sized houses keeps the residential density low. Keeping the top side of the property undeveloped with no building is very thoughtful especially with all the Elk that frequent the area. We also look forward to having more full-time residents to help with the ongoing theft and vandalism issues of the area.

Good luck and we welcome you to our neighbourhood.

Yours truly,



John M. Unwin  
11932 Youbou Road  
Youbou, BC  
V0R 3E1

Ph: 745-3374

3

000023







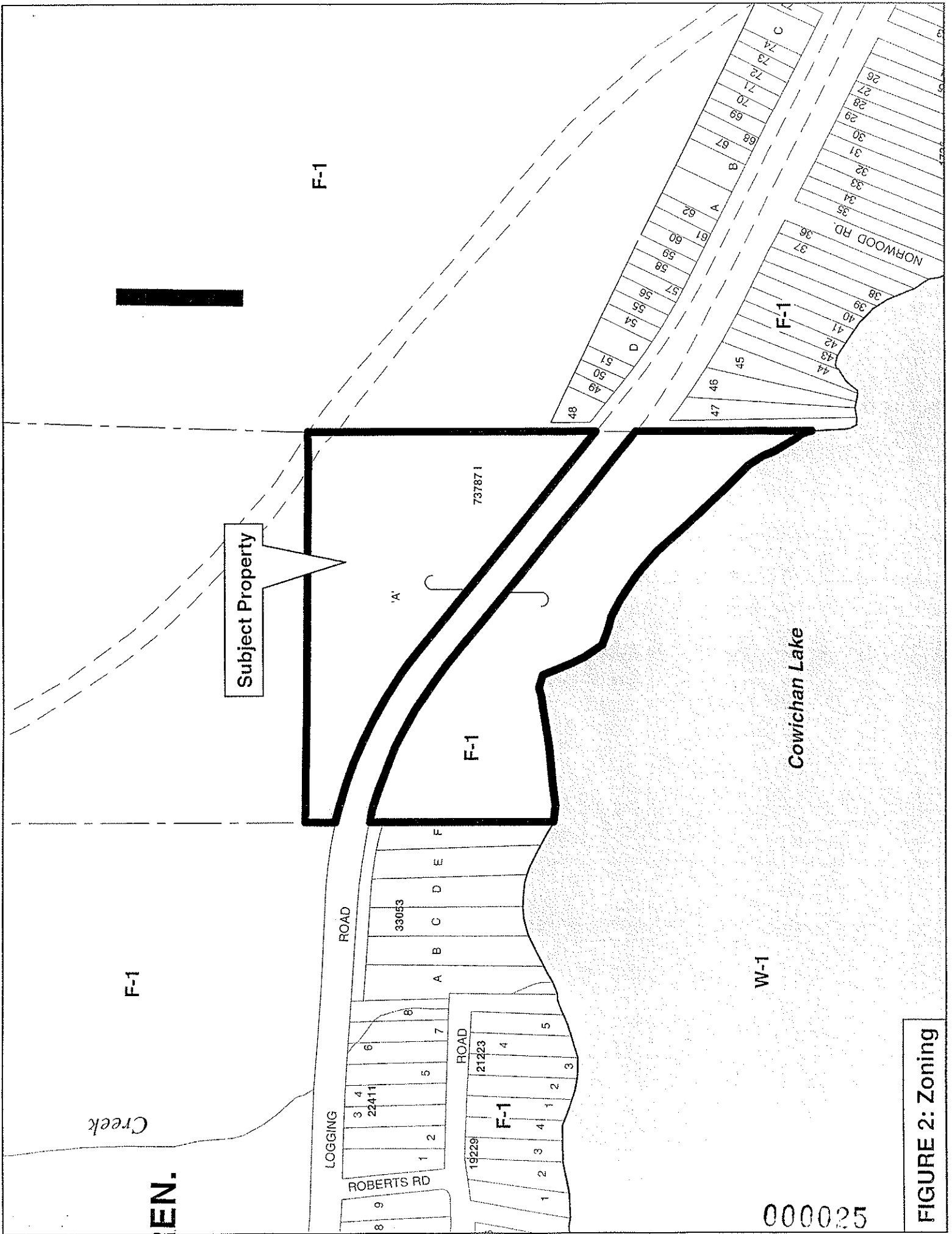


FIGURE 2: Zoning

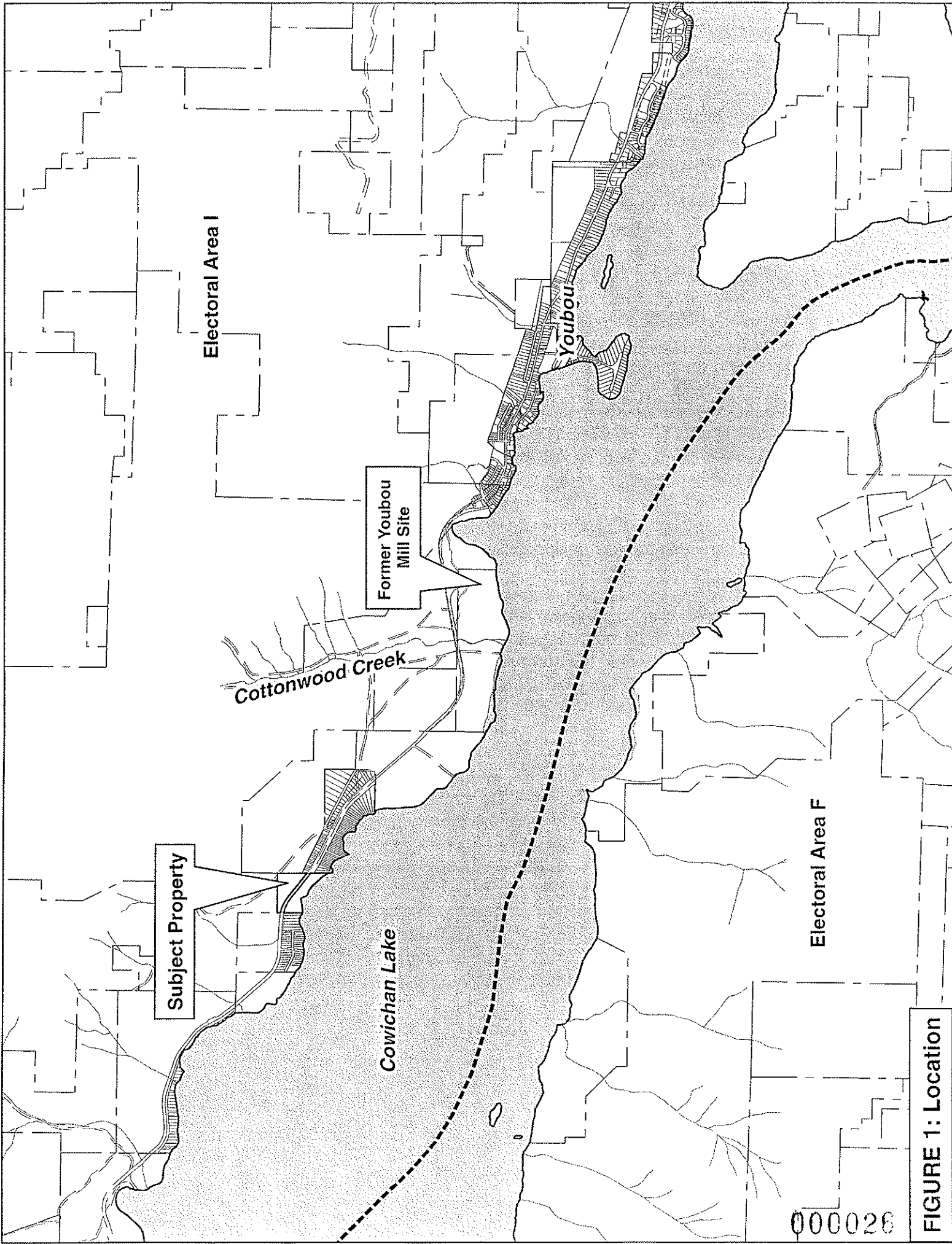


FIGURE 1: Location



D2

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE OF JUNE 16, 2009

**DATE:** June 11, 2009 **FILE NO:** 1-B-09DVP  
**FROM:** Rachelle Moreau, Planning Technician **BYLAW NO:**  
**SUBJECT:** Development Variance Permit Application No. 1-B-09DVP  
(Brian and Betty Town)

---

**Recommendation:**

That the application by Betty and Brian Town for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to a front parcel line for an accessory building from 7.5 metres down to 2.9 metres, on Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan VIP13231, be approved subject to receipt of a legal survey showing the proposed setback.

**Purpose:**

To consider an application to relax the setback of an accessory building to a front parcel line by 4.6 metres (15.1 ft).

**Financial Implications:** N/A

**Interdepartmental / Agency Implications:** N/A

**Background:**

Location of Subject Property: 2163 Angus Road

Legal Description: Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan VIP13231  
(PID: 000-616-133)

Date Application and Complete Documentation Received: March 26, 2009

Owner: Betty and Brian Town

Applicant: As above

Size of Parcel:  $\pm 3120 \text{ m}^2$  (0.7 ac.)

Zoning: R-2 (Suburban Residential)

Setback Permitted by Zoning: 7.5 metres (24.6 ft)

000027

Proposed Setback: 2.9 metres (9.5 ft)

Existing Plan Designation: Suburban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North:	Shawnigan Lake
South:	Residential
East:	Residential
West:	Residential

Services:

<u>Road Access:</u>	Angus Road
<u>Water:</u>	Shawnigan Lake
<u>Sewage Disposal:</u>	Septic (located across Angus Road)

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: The proposed accessory building is located further than 30 metres from Shawnigan Lake.

Archaeological Site: None Identified

### **Planning Division Comments:**

The subject property is located on Angus Road and is adjacent to Shawnigan Lake. Currently on the site are a single-family dwelling and two small accessory buildings. The applicants are proposing to remove the two accessory buildings and construct an approximately 57.6m<sup>2</sup> (620 sq. ft) garage to be located 2.9 metres from the front parcel line.

The subject property is a long and narrow lot, and is split by Angus Road. The southern portion of the lot contains the septic system. The residential buildings are located on the northern side of the lot, adjacent to Shawnigan Lake. The northern part of the parcel is approximately 20 metres wide and 41.2 metres long at the location of the proposed garage. The applicants are proposing to build the garage on the same apparent lot as the single family dwelling.

Due to the location of the existing dwelling and the 30 metre Riparian Assessment Area, compliance with the front setback is not possible if the applicant builds on the northern portion of the lot. The alternative option is to build the garage on the southern portion of the lot, which would be separated by Angus Road from the portion of the lot containing the residence. Additionally, the south side of the lot contains the septic system, and is well treed. Therefore, a garage on this side would require tree clearing whereas the proposed building site is already cleared and located behind a well-established hedge. This hedge will provide a landscape screen, thereby reducing the visual impact of the setback encroachment from the road.

The location of the proposed garage is 30 metres from the natural boundary of Shawnigan Lake, and therefore outside the Riparian Areas Regulation Development Permit Area (RAR DPA). Due to the small size of the northern part of the lot, a garage located outside the RAR DPA requires a relaxation to the 7.5 metre front yard setback.

As the location of the proposed garage is within 4.5 metres of Angus Road, approval is required from the Ministry of Transportation and Infrastructure for the encroachment within their setback from a road. The applicant conducted a site visit with Ross Deveau on June 10, 2009 and it was concluded that the Ministry has no objection to the requested variance subject to receipt of a legal survey showing the proposed setback.

This is the second variance application submitted by the applicants for this garage as the first application, although approved by the CVRD Board on September 10, 2008 contained an error. At that time, the applicants had proposed a 3.9 metre setback when in actual fact a 2.9 metre setback was required.

**Surrounding Property Owner Notification and Response:**

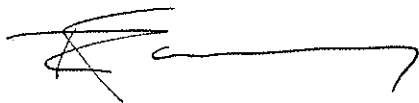
A total of ten (10) letters were mailed-out or hand delivered, as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 2255. The notification letter described the purpose of this application and requested comments regarding this variance within a recommended time frame. During the two week period provided for a written reply, we received one letter (attached).

**Options:**

1. That the application by Betty and Brian Town for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to a front parcel line for an accessory building from 7.5 metres (24.6 ft) to 2.9 metres (9.5 ft), on Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan VIP13231, **be approved** subject to receipt of a legal survey showing the proposed setback.
2. That the application by Betty and Brian Town for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to a front parcel line for an accessory building from 7.5 metres (24.6 ft) to 2.9 metres (9.5 ft), on Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan VIP13231, **be denied**.

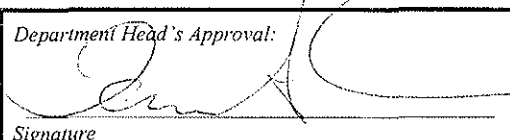
Option 1 is recommended.

Submitted by,



For: Rachelle Moreau  
Planning Technician  
Planning and Development Department

RM/ca

<p>Department Head's Approval:</p>  <p>Signature</p>
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000029

Cowichan Valley Regional District  
175 Ingram Street  
Duncan B. C.

March 27 2009

Dear Madam:

I would ask that you consider our application for a development variance permit to allow the construction of a 2 car garage at our residence at 2163 Angus road. The current residence on the property is a 2 bedroom single bathroom cottage of 890 square feet built 16 years ago.

In 1959 a poorly thought out sub-division placed Angus road down the middle of these properties causing all residents problems by having their single family properties spit by a 20M road way. Without this variance we would have to build our garage across Angus road placing our garage over 170 feet from our home.

The proposed garage location is along side an existing 16 foot high hedge that borders the road and we will leave it intact as well as the fir trees that border our neighbor to the east. The 2 existing storage sheds now at this location will be removed. The 2 fir trees and 1 cedar growing by the power pole will be removed allowing entry along the western fence line. I would like to point out that these 3 trees will have to be removed in any case as they are dangerously intertwined with the hydro lines connecting 2 houses.

Unfortunately for me this is my second application for this same project. When the building permit was issued and the property re surveyed prior to excavation I realized that my proposed new garage was just too large and this new application reflects a garage 180 square feet smaller than the original but is 6 feet wider plus my surveyor discovered an error of almost 1M on the engineering drawing used in my last application.

Thank-you for your consideration.

Yours Truly,



Brian & Betty Town

000030

0 25 50 100  
Meters



Covichan  
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.

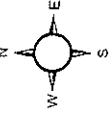
FILE: 1-B-09-  
DVP

## ZONING

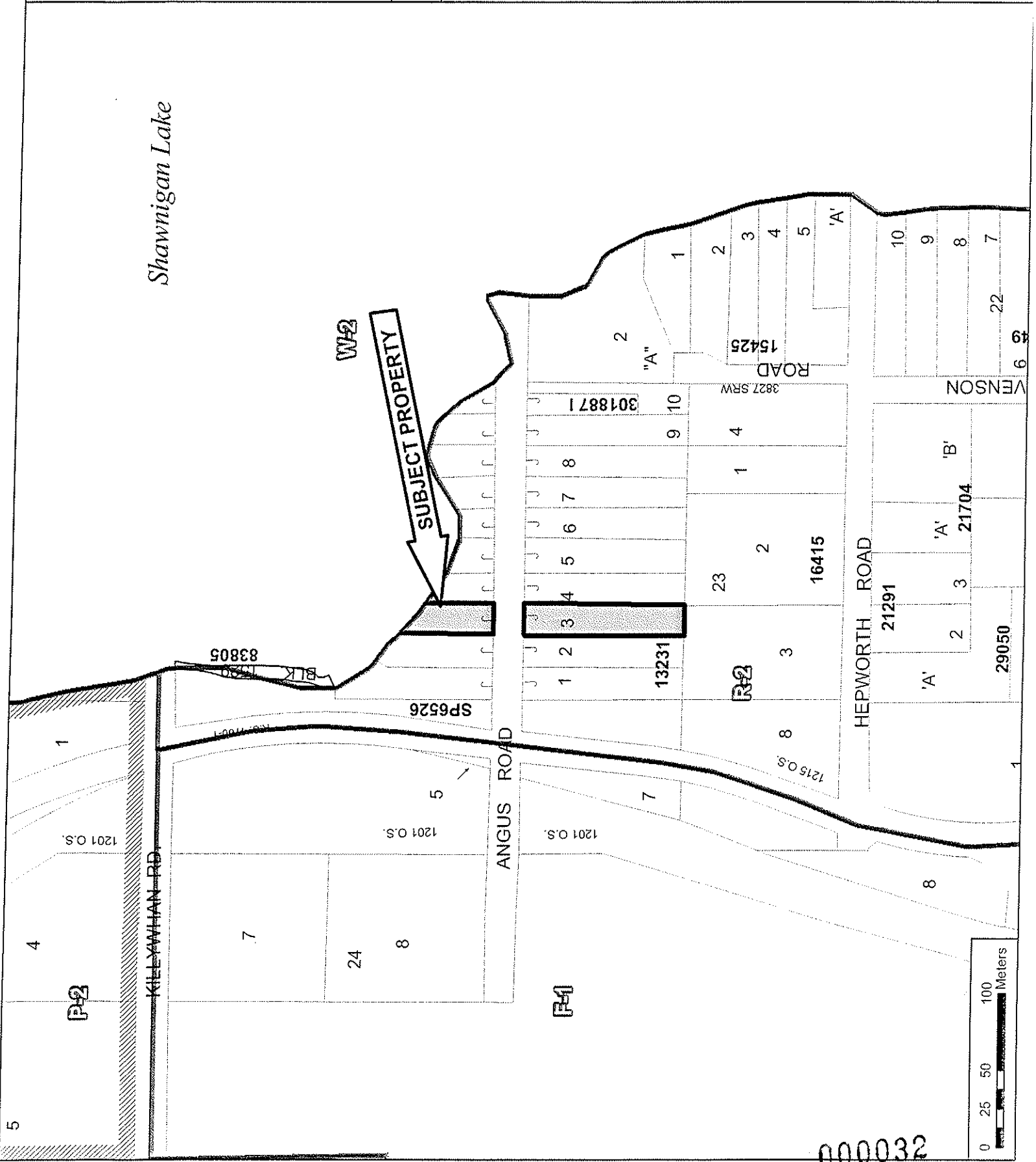
Legend



Subject Property  
Zoning Electoral Area B



Shawnigan Lake



000032





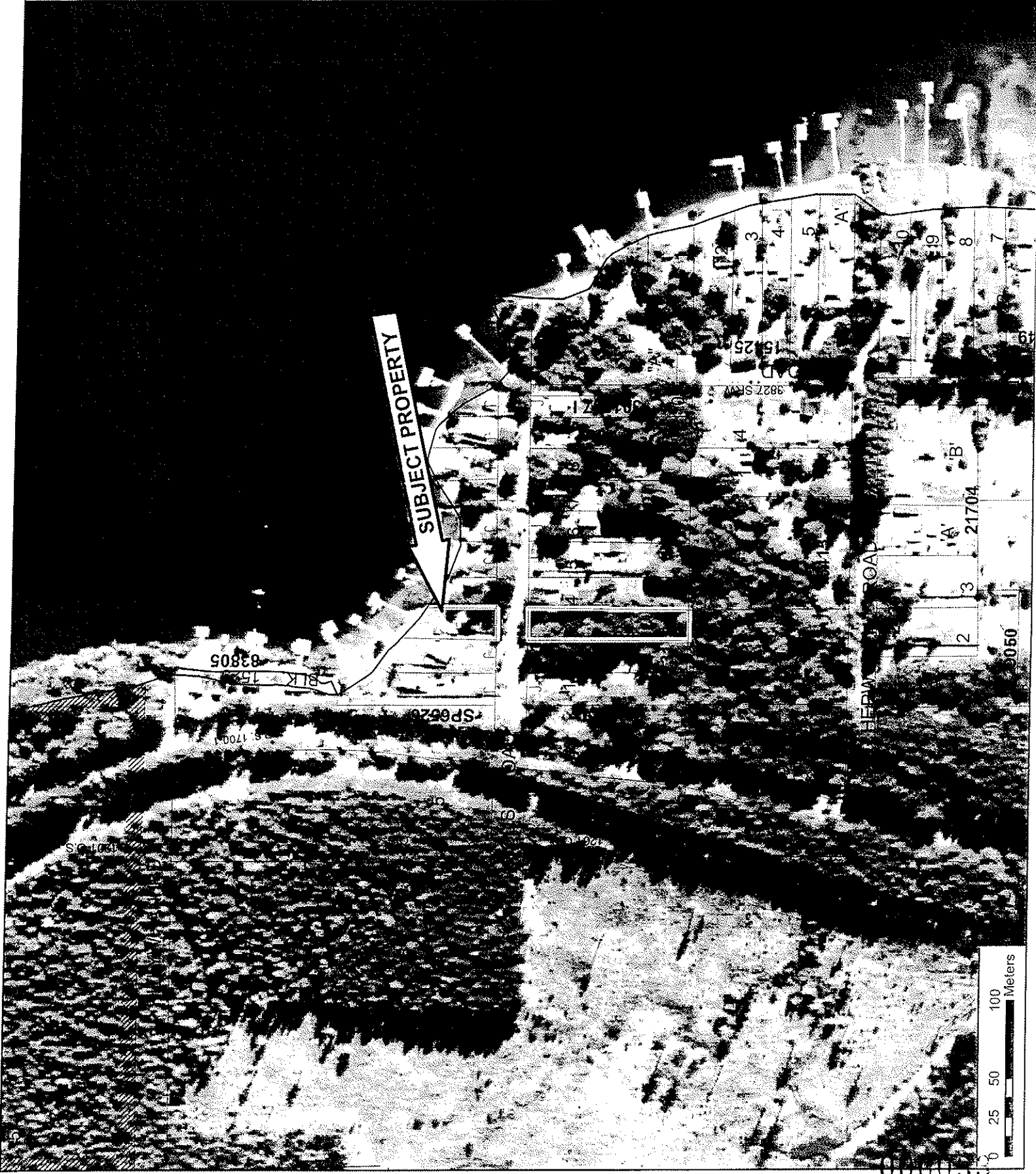
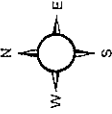
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**FILE: 1-B-09-DVP**

Orthophoto  
(2002)

Meters

SHANNIGAN LAKE  
URBAN LOTS  
MALAHAT DISTRICT  
PLAN 13231

(2163 ANGUS ROAD)

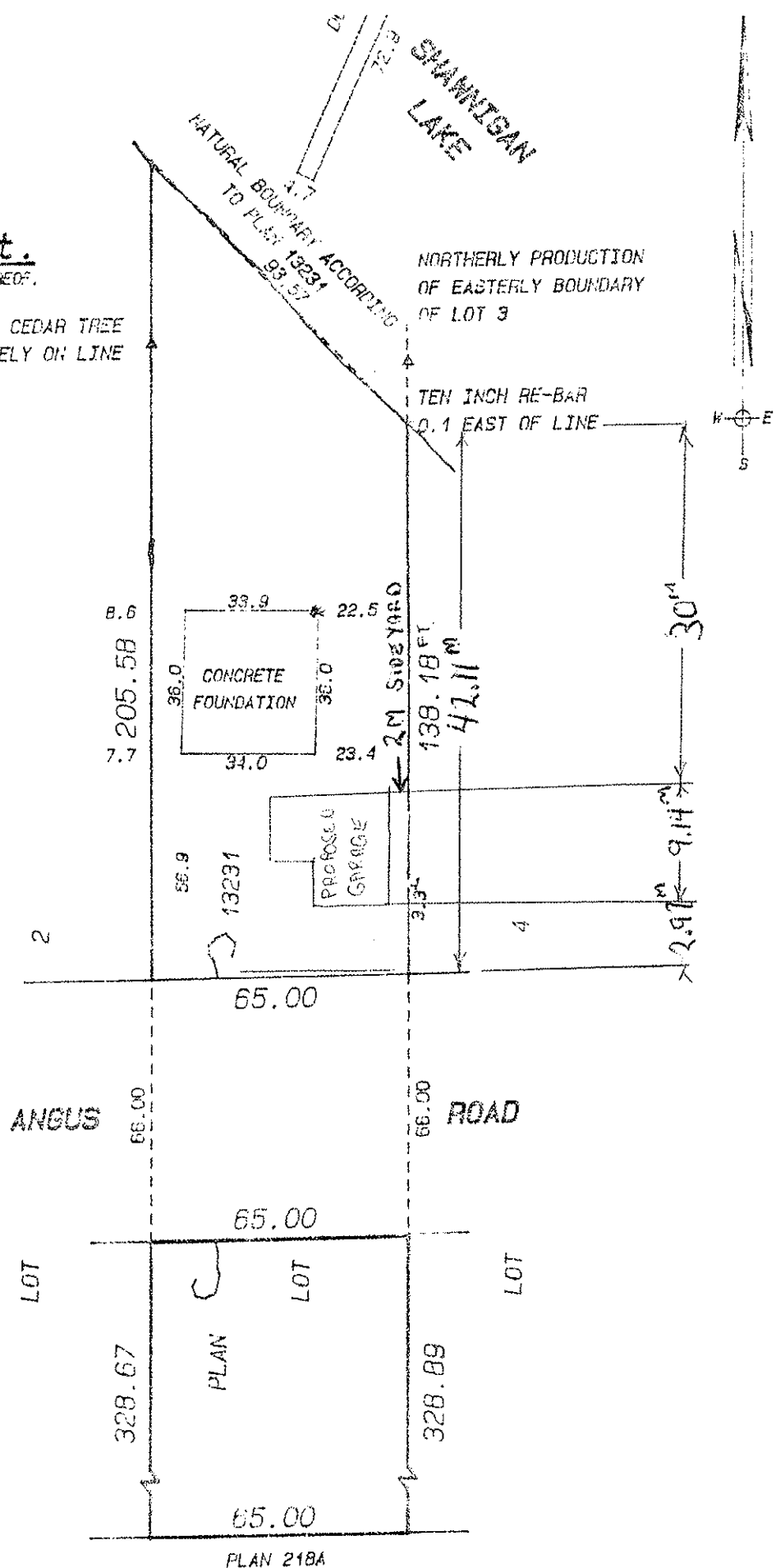
SCALE 1In.=40Ft.

DISTANCES ARE IN FEET AND DECIMALS THEREOF.

NAIL IN CEDAR TREE  
APPROXIMATELY ON LINE

\*  
ELEVATION OF TOP OF CONCRETE  
SLAB = 118.0 METRES (GEODETIC)  
±0.05 METRES

2163 ANGUS RD  
BRAND + BETTY TOWN



THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH PROPERTY BOUNDARIES OR FOR CONSTRUCTION PURPOSES

JOHN A. WHITTAKER  
B.C. LAND SURVEYOR

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.  
THIS PLAN IS PREPARED FOR MORTGAGE PURPOSES ONLY.

000034

FILE NUMBER 1-B-09DVP.  
(TOWN) 2163 ANGUS RD LOT 3 (PLAN 13231

MAY 25, 2009.

To whom it may concern.

My would Mr Down want to build  
so close to the road. The rest of his  
property across the road is unused.  
He told us he's planning on building a  
suite on top of the proposed garage for  
his sons and their families so that would  
make it higher and look like a bank  
alley in the city.  
It depreciates the property value of properties  
on the road.  
My the last 31 years that we have lived  
here the lake has come almost to the  
road surrounding homes on the lake  
side of the road.

A few years ago an inspector was taking  
photo one wants to prove to people the  
lake has been up to the road. We also  
have a photograph.  
There is too much pollution in this  
bay already.  
We are again it granting this  
variance request.

Yours truly

Pauline Somerville

John Somerville

JOHN AND PAULINE  
SOMMERVILLE  
2154 ANGUS RD  
SHANNINGAN YK BC  
V0R-2V3.

000035



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

NO: 1-B-09DVP

DATE: \_\_\_\_\_

TO: BETTY AND BRIAN TOWN

ADDRESS: 9077 LOCHSIDE DRIVE

SIDNEY BC, V8L 1N1

1. This Development Variance Permit 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 (legal description) for purposes of subdivision:  
  
Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan 13231 (PID 000-616-133)
3. Zoning Bylaw No. 985, applicable to Section 8.3(b)(3), is varied as follows:
  - front yard setback decreased from 7.5 metres to 2.9 metres for the construction of a garage
4. The following plans and specifications are attached to and form a part of this permit.
  - Schedule A – Site Plan
5. 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.
6. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Development Services Department.

AUTHORIZING RESOLUTION NO. PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE <sup>TH</sup> DAY OF -----.

\_\_\_\_\_  
Tom Anderson, MCIP  
Manager, Development Services

**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 BETTY AND BRIAN TOWN other than those contained in this Permit.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Owner/Agent

\_\_\_\_\_  
Occupation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

000036



SR1

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING JUNE 16, 2009

**DATE:** June 5, 2009

**FILE NO:**

**FROM:** Chris Ewing, IT Division manager

**BYLAW NO:**

**SUBJECT:** Latitude Geographics interactive internet mapping system

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#### **Recommendation:**

That it be recommended to the Board that the CVRD continue with Latitude Geographics Group Ltd. to supply a hosted interactive internet mapping system for publishing CVRD spatial information to the internet.

#### **Interdepartmental/Agency Implications:**

The interactive internet mapping system provides public and staff access to general CVRD mapping information. Currently, no internet server is available on-site and thus the internet mapping system must continue to be hosted externally as a component of the CVRD GIS strategy.

#### **Background:**

At the October 24, 2007 Board meeting the Board passed a resolution recommended by the Electoral Area Services Committee to acquire an internet mapping system. A contract was subsequently awarded to Latitude Geographics Ltd. of Victoria for \$14,825 before tax, to supply a hosted interactive internet mapping system to publish CVRD parcel information. Continued hosting beyond the first year was approved at a cost of \$832.50/month before tax. Due to the success through greater than expected utilization by both staff and the public, site traffic and data storage requirements have grown, resulting in increased costs. The initial contract is based on 10,000 user hits/month and is currently averaging 25,000 hits/month to the internet mapping system. The larger hosting cost amounts to \$1,380/month before tax.

Submitted by,

Chris Ewing,  
Information Technology Division Manager  
Corporate Services Department

General Manager's Approval:
Signature

000037



SR2

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF JUNE 16, 2009

DATE: June 11, 2009

FILE NO:

FROM: Brian Duncan, Chief Building Inspector

BYLAW NO:

SUBJECT: Seasonal Cabins

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**Recommendation:**

That the Regional Board adopt the attached policy.

**Purpose:**

To allow seasonal cabins to be built within the CVRD where connection to a piped water supply and public sewer system is not possible due to their unique location.

**Financial Implications:**

None

**Interdepartmental/Agency Implications:**

N/A

**Background:**

As per staff report of May 5, 2009 attached.

Submitted by,

Brian Duncan,  
Chief Building Inspector  
Building Division  
Planning and Development Department

Department Head's Approval:
Signature

BD/ca  
attachments

000038



CVRD

**PLANNING & DEVELOPMENT  
POLICIES and PROCEDURES**

**Title: SEASONAL CABINS**

**Classification: Building Regulations – Building Permits & Inspections**

**Approval History:**

**Effective Date:**

**PURPOSE:**

CVRD land use bylaws do not define ‘seasonal cabin.’ We receive permit applications for seasonal cabins in remote areas and on the Gulf Islands. They are used for recreational purposes only and do not require registration with the Homeowner Protection office because they are not considered a single family dwelling. A single family dwelling is connected to a private/ public sewer and water system, and is intended for year-round habitation.

**DEFINITION:**

A ‘seasonal cabin’ is defined as a structure that:

- is intended for recreational or seasonal use only;
- is not connected to a public/private sewer or water system;
- may contain eating, living, sleeping, and cooking facilities;
- has a self contained sanitation facility and a source of potable water;
- has a floor area that does not exceed 74 square metres; and
- is used no more than 180 days per calendar year.

**POLICY:**

A seasonal cabin shall not be permitted in an area where sewer and water are readily available to the property.

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## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE OF MAY 5, 2009

**DATE:** May 5, 2009

**FILE NO:**

**FROM:** Brian Duncan, Chief Building Inspector  
Planning and Development Department

**BYLAW NO:**

**SUBJECT:** Seasonal Cabins

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#### **Recommendation:**

That the Board adopt a policy which defines dwellings meant for seasonal use (maximum 180 days per year) that, because of their unique location, cannot be connected to a piped potable water system or a public/private sewer system. A "seasonal cabin" is a dwelling which is not intended for year round residential occupancy, has a self contained sanitation facility and may contain cooking, eating, living and sleeping facilities. Its use is limited to 180 days per year and it cannot exceed 74 sq. m. in floor area.

#### **Purpose:**

To allow seasonal cabins to be built within the CVRD where connection to a piped water supply and public sewer system is not possible due to their geographical location.

#### **Financial Implications:**

N/A

#### **Interdepartmental/Agency Implications:**

N/A

#### **Background:**

The BC Building Code requires all dwelling units to be supplied with potable water and where a piped water supply is available, hot and cold water shall be supplied to all sinks and showers, and cold water shall be supplied to all toilets. It goes on to say that all fixtures shall discharge to a sewer system. There are areas in the CVRD where there is no water or sewer system, namely some of the Gulf Islands, and water access only to islands such as those in Shawnigan Lake. We do get inquiries for seasonal cabins but this term is hardly used and does not appear in any of our land use bylaws. The Island Trust has issued approvals for seasonal/recreational cabins, and we, in turn, have issued permits for "seasonal cabin only" on the Gulf Islands. These cabins usually

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have a composting toilet, rain water collection and solar power in place of connections to conventional services.

This policy would allow us to issue a permit for a seasonal use dwelling as long as we are provided with details of the sanitation facilities and water supply. The conditions of the permit would limit the use and the possibilities of converting the structure to year round accommodation.

Submitted by,

Brian Duncan,  
Chief Building Inspector  
Planning and Development Department

BD/ca

*Department Head's Approval:*

\_\_\_\_\_  
*Signature*

000041



SR3

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF JUNE 16, 2009

**DATE:** June 10, 2009

**FILE NO:**

**FROM:** Grant Breckenridge, Senior Building Inspector

**BYLAW NO:**

**SUBJECT:** Solar Hot Water Systems

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#### **Recommendation:**

That the minimum \$55 building permit fee be charged for installation of a solar hot water system in the CVRD provided a double walled heat exchanger with leak detection is installed.

#### **Purpose:**

To recommend a building permit fee respecting installation of a solar hot water system.

#### **Financial Implications:**

Slightly less fees would be received ie: If the value of a system is \$6,800 the normal permit fees would have been \$109.

#### **Interdepartmental/Agency Implications:**

N/A

#### **Background:**

The following resolution was passed at the April 21<sup>st</sup> EASC meeting:

That staff prepare a report outlining how the Building Inspection Division could issue permits for home owners who want to renovate in order to allow for solar hot water systems without the CVRD charging an initial building permit fee but charging a small fee for the inspection itself, and forward the report back to the EASC.

Submitted by,

Grant Breckenridge,  
Senior Building Inspector  
Building Division  
Planning and Development Department

Department Head's Approval
Signature



SR 4

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF JUNE 16, 2009

**DATE:** June 11, 2009 **FILE NO:**  
**FROM:** Ryan Dias, Parks Operations Superintendent **BYLAW NO:**  
**SUBJECT:** Mesachie Lake Park Use - Half-Cutz Softball Tournament

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#### **Recommendation:**

That the request to hold the Half-Cutz softball tournament event at Mesachie Lake Park from July 30-August 2, 2009 be approved subject to the event organizers complying with the following conditions:

- Provision of liability insurance listing the CVRD as an additional insured in the amount no less than \$ 2million;
- Written confirmation from event organizers that they understand and acknowledge the current size and layout of the Mesachie Lake Park youth ball field and agree to take full responsibility and liability for any and all incidents that may arise as a result of adult use of this field.
- Preparation of "sandwich boards" advising of errant fly balls to be installed/maintained for the duration of the event in locations around the exterior of the ballpark fence, including but not limited to the commercial store parking lot and the park playground, with such wording and layout to be approved by the CVRD.
- Ensuring event participant compliance with CVRD Park Bylaws, inclusive with respect to campfire ban restrictions and after-hours noise in the park.
- Posting of additional signage regarding campfire ban restrictions that may be in place during the event, inclusive of removal/storage of any fire rings prior to the event;
- Provision of site security to for the duration of the event manage event access to registered participants only, inclusive of licensed security staff on-site from the hours from 8 pm to 4 am during the event to control access and address any after-hours noise issues;
- Posting signage clearing specifying event hours;
- Providing additional port-o-potties at the park for the duration of the event; and

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- Providing additional dumpsters for refuse collection/disposal for the duration of the event.

**Purpose:**

To inform the Committee of a request from the Half-Cutz Ball Tournament organizers to host the event at Mesachie Lake Park July 30<sup>th</sup>-August 2<sup>nd</sup>, 2009, inclusive of overnight camping in the park for the duration of the event.

**Financial Implications:**

N/A

**Interdepartmental/Agency Implications:**

N/A

**Background:**

The Half-cutz softball tournament is a fundraiser for the Cody Classic, which is a local charity that provides financial support for children and their families battling cancer. The tournament has been held for the last four years at Mesachie Lake Park, with eight teams participating in 2008. For 2009 the event organizers are requesting use of the park for the tournament, inclusive of overnight camping in the park for participants, for the weekend of July 30<sup>th</sup> –August 2<sup>nd</sup>, 2009. During the past couple of years there have been issues with respect to noise, unauthorized campfires and rowdiness afterhours in the park which has raised concerns with local residents and CVRD Parks.

To determine how these issues could be addressed with consideration of the request to use the park for the event in 2009, Parks Staff met with the organizers of the Half Cutz event on May 6, 2009, along with the organizers of two other annual ball tournament events at the park. The meeting provided an opportunity to formally review with all of the event organizers the expectations of the Regional District and Area F Parks and Recreation Commission for ball tournament use of the park, what some of the event organizers were doing to manage successful and positive events at the park and in particular what the Half Cutz organizers proposed to implement with respect to addressing particular concerns raised by CVRD Parks staff and the Parks Commission regarding managing site camping, after hours noise, campfire prohibition regulations, and event security.

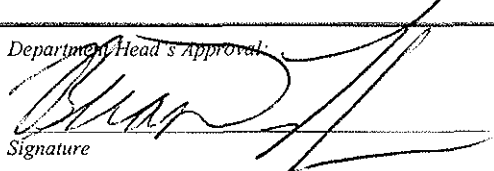
Following the site meeting the Half Cutz event organizers submitted a letter dated May 27, 2009 detailing actions that would be implemented to address the concerns arising from the event in previous years (see attached letter). As noted in the letter, the event organizers are proposing to establish a more formal site security presence for the duration of the event, inclusive of hiring a licensed security firm to be present from 8 pm to 4 am each night of the event, posting campfire restriction notices (in addition to CVRD no campfire signage), renting of additional porta-potties and providing additional refuse containers. Parks staff have reviewed the proposed actions the event organizers are intending to implement this year as appearing to be reasonable actions to address the recurrent problems that occurred in previous years.

In addition to the actions noted above, the Electoral Area Services Committee has previously approved booking of the Mesachie Lake youth baseball field for adult baseball use under the following conditions:

- Provision of liability insurance listing the CVRD as an additional insured in the amount no less than \$ 2million;
- Written confirmation from event organizers that they understand and acknowledge the current size and layout of the Mesachie Lake Park youth ball field and agree to take full responsibility and liability for any and all incidents that may arise as a result of adult use of this field.
- Preparation of "sandwich boards" advising of errant fly balls to be installed/maintained for the duration of the event in locations around the exterior of the ballpark fence, including but not limited to the commercial store parking lot and the park playground, with such wording and layout to be approved by the CVRD.

Submitted by,

Ryan Dias  
Parks Operations Superintendent  
Parks, Recreation and Culture Department

Department Head's Approval  
  
Signature

RD/ca  
Attachments

000045

Wednesday May 27, 2009

CVRD

To Whom It May Concern:

The ½ Cutz softball tournament is a fundraiser for the Cody Classic, which is a local charity that helps children and their families that are battling cancer in the Cowichan Valley, with traveling expenses and numerous prescription bills. The traveling is so expensive because there is no facility on Vancouver Island that treats youth cancer patients, forcing them to go to the children's hospital in Vancouver, and the prescriptions that run over \$250 weekly are not yet covered by any Canadian medical plan. We started doing this charity tournament in Mesachie 4 years ago, with the proceeds of the first tournament raising approximately \$1700 to last year's tournament, which raised over \$17,000. All that is greatly needed and appreciated in the community.

Our goal each year is to have 8 teams playing ball, from ages 19-60 at a setting with one location for ball play, camping, concession, and a dance so as people who are attending are not having to travel all over the area. The atmosphere created by this lone setting is amazing in the fact that this wide of an age group can come together for one common goal, and that is to help the Cowichan Valley be a better place to live.

In the past there have been a few concerns that need to be addressed and this is how we have planned to fix them. We are forming an inner security group, that will all be wearing identified shirts, having at least 10 people per day and night on duty. We have also hired a licensed security company where they will be posted from 8pm to 4am every night at both entrances, which are going to be barricaded to keep this year's event private, thus keeping the noise down. We are going to post signs stating a fire ban, and removing the fire pits as we do every year. To facilitate the campers we have rented two additional port-o-potties, as well as a large dumpster for refuse. Along with our liability insurance naming the CVRD as an additional insured, we will be posting signs warning people of arrant fly balls leaving the park.

The organizing group of the ½ Cutz tournament held on July 30<sup>th</sup> to August 2<sup>nd</sup> 2009 feel that all these measures being taken will ensure that the concerns in the past wont be an issue. We are also open to any and all suggestions to help with this successful community event.

Sincerely,

½ Cutz Tournament Organizer  
Dustin Mayo

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## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF JUNE 16, 2009

**DATE:** June 10, 2009 **FILE NO:** Area I Zoning  
**FROM:** Mike Tippet, Manager **BYLAW NO:** 2465  
Community and Regional Planning Division  
**SUBJECT:** Area I Housekeeping Issues

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#### **Recommendation:**

That Youbou/Meade Creek Zoning Bylaw No. 2465 be amended by deleting Section 3.4.2(a) and replacing it with the following:

*(a) the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the Land Title Act to the effect that the owner removes the existing dwelling or converts it to an accessory building under a Building Permit to the satisfaction of the Building Inspector, prior to the issuance of an occupancy permit;*

AND FURTHER that the last sentence of Section 3.10.2 be deleted and replaced with the following:

*No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.*

AND FURTHER that Section 3.14 be amended by deleting subsections (c) and (d) and replacing them with the following:

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

*(d) where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel's area by greater than 20% of its original size.*

AND FURTHER that a public hearing be waived pursuant to Section 890(4) of the *Local Government Act* and public notice occur in its place.

#### **Purpose:**

To propose minor amendments to Youbou/Meade Creek Zoning Bylaw No. 2465 in order to improve and clarify some regulations.

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**Financial Implications:**

Usual bylaw amendment costs, with hearing costs optional.

**Interdepartmental/Agency Implications:**

One of the proposed changes was suggested by the Chief Building Inspector.

**Background:**

From time to time it becomes apparent that there are certain adjustments necessary to zoning regulations in order to clarify the original intent of a regulation, to remove ambiguity or to close a “loophole”.

Electoral Area I’s Zoning Bylaw No. 2465 is in its fifth year, and despite our attempt to create a perfect bylaw at the outset, it has shown a few minor problems. We will highlight these below and suggest a possible corrective measure to each problem.

The list of housekeeping issues is listed below, along with a suggested possible remedy for each.

**Planning and Development Department Comments:*****1. Conversion of Former Dwellings***

Section 3.4.2.a of Zoning Bylaw 2465 contains a regulation that deals with the construction of a new dwelling on a lot that already has an occupied dwelling on it, provided that the old dwelling is removed or “rendered uninhabitable” after an occupancy certificate is issued for the new unit.

The Chief Building Inspector has advised that the preferred wording would require that the former residence be either removed or “converted to an accessory building under a building permit” instead of the current wording, and further, that this occur “prior to” the issuance of an occupancy permit.

With this amendment, administration of the bylaw would improve.

The Area I Advisory Planning Commission (APC) reviewed this proposed change in wording and suggested that the phrase “prior to” be changed to “concurrent with”, but it is hard to imagine that the work of converting a dwelling to an accessory building would be literally done at the same time as the final inspection of a new dwelling, so staff recommends the “prior to” wording.

***2. Revision of Wording in “Dedication For Public Use” Clause***

Most CVRD zoning bylaws have a section similar to Electoral Area I’s 3.10.2, which grants the CVRD the ability to consider reductions to the usual minimum parcel size required when land is being subdivided, if the deficiency in size is only related to the dedication of land for a public purpose unrelated to the subdivision itself. For example, if an area of land has a significant natural feature on it that could either be made part of one of the proposed lots or added to the 5% parkland that is the maximum required under legislation, having this clause would allow a total of up to 15% of the land area to be dedicated as park, with the subdivider still being permitted to create the same number of lots that would have been allowed if 95%



of the land was available for subdivision. This is an incentive for developers to be generous with the dedication of public land. There are other examples that don't involve park – such as a 1 hectare portion of someone's 10 hectare lot being needed for a water tower, where the concept is not to punish those who have been required to give some of their land for a public purpose not directly related to the development of their own land. If that former 10 hectare lot is located in a zone that permits 5 hectare lots, it would still be subdividable following the 1 hectare removal for the water tower.

The proposed amendment to the wording would remove the part of the regulation that requires that all resulting lots be of the same size following subdivision. One reason for removing this restriction is that if the land is subdivided as Bare Land Strata, the size of the lots is already permitted to be varied. Another reason is that there are occasions where it may not make sense for the resulting lots to be exactly the same size.

Current wording:

*All such new parcels and remainder(s) of the original parcel shall be of the same size following the subdivision.*

The suggested wording would be:

*No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.*

This suggested wording is reflective of the 10% rule and would apply it to each of the resultant lots, but the absolute requirement for size parity following subdivision would be gone.

The Area I APC was in agreement with this proposed change.

### **3. *Parcel Realignment and Amalgamation Section***

Section 3.14 of the Zoning Bylaw is intended to permit the adjustment of common lot boundaries. Its main application is for lots that already exist but are well below the usual minimum parcel size requirement for the zone. The purpose of the regulation is to permit boundary adjustments of such parcels to occur despite the lots being non-compliant with the minimum lot size.

The present regulation has a limitation to the degree to which the amount of land that is shifted from one parcel to another can occur, at 20% of the total area. The concept behind this limitation is to prevent the reduction of areas necessary for sewage disposal. The assumption is that by limiting the transfer of land from one lot to another to 20% of the smallest one, the sewage area required will be protected. However, this is more the case for very small lots than it is for very large lots. This regulation applies to lands in all areas, regardless of the size of lots, and the 20% limitation can be a hindrance to lot boundary adjustments that make sense.

Another approach to the regulation is to not specify the maximum percentage of land that can be transferred from one parcel to another, but to simply state that any boundary adjustment must not impact on the setbacks required for any building or structure, nor will it reduce the area required for an existing/proposed septic field nor a reserve septic field.

One of the consequences of such an amendment is that it opens up many more lot boundary adjustment scenarios, including the possibility that if a large number of contiguous lots are owned by a single person, that they could in effect consolidate the parcel boundaries into a rather small area of land under this provision. This is more likely to be a scenario that could occur on forest lands, where there are large numbers of large parcels owned by single companies. However, it is also important to recognize that any “boundary adjustment” undertaken pursuant to this regulation is considered to be a subdivision under the *Land Title Act*, so the usual requirements of public road access would apply. Also, the regulation only applies to fully contiguous parcels, so if a single owner held 75 large parcels, but only a maximum of 7 of them were contiguous, the maximum number of undersized lots that could be created is 7 in each contiguous mass. This, combined with the road access requirement, limits the likelihood of large-scale density transfers taking place under this regulation.

The Area I APC discussed this matter and came up with a recommendation that the “20% rule” should be abandoned where all parcels involved in the boundary adjustment are under 10 hectares in area, but that it should remain in place where one or more parcel in the proposed boundary adjustment scheme is greater than 10 hectares. This would ensure that the potential for large-scale density transfers between forestry blocks would not be possible.

#### **Options:**

1. That Youbou/Meade Creek Zoning Bylaw No. 2465 be amended by deleting Section 3.4.2(a) and replacing it with the following:

*(b) the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the Land Title Act to the effect that the owner removes the existing dwelling or converts it to an accessory building under a Building Permit to the satisfaction of the Building Inspector prior to the issuance of an occupancy permit;*

AND FURTHER that the last sentence of Section 3.10.2 be deleted and replaced with the following:

*No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.*

AND FURTHER that Section 3.14 be amended by deleting subsections (c) and (d) and replacing them with the following:

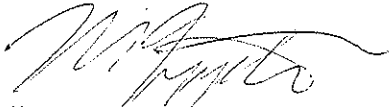
*(c) where the parcels involved are all under 10 hectares in area, the resulting parcels may be of any size provided that a required area for a sewage disposal field and reserve field area and a reasonable building envelope is available on each proposed parcel, and that any existing buildings and structures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

*(e) where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel's area by greater than 20% of its original size.*

AND FURTHER that a public hearing be waived pursuant to Section 890(4) of the *Local Government Act* and public notice occur in its place.

2. Same as option 1, except that a public hearing be scheduled, with Directors Kuhn, Morrison and Duncan as delegates.
3. That the proposed amendments be not proceeded with.

Submitted by,



Mike Tippett, MCIP

Manager

Community and Regional Planning Division  
Planning and Development Department

MT/ca

Department Head's Approval:

Signature

000051



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW NO. 33XX

#### **A Bylaw For The Purpose Of Amending Zoning Bylaw No. 2465 Applicable To Electoral Area I – Youbou/Meade Creek**

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

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

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

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

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

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 33xx – Area I – Youbou/Meade Creek Zoning Amendment Bylaw (2009 housekeeping), 2009**".

#### 2. AMENDMENTS

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

(a) Section 3.4.2(a) is deleted and replaced by the following:

(a) the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the Land Title Act to the effect that the owner removes the existing dwelling or converts it to an accessory building under a Building Permit to the satisfaction of the Building Inspector, prior to the issuance of an occupancy permit;

(b) The last sentence of Section 3.10.2 is deleted and replaced with the following:

No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.

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(c) Section 3.14 is amended by deleting subsections (c) and (d) and replacing them with the following:

- (c) where the parcels involved are all under 10 hectares in area, the resulting parcels may be of any size provided that a required area for a sewage disposal field and reserve field area and a reasonable building envelope are available on each proposed parcel, and that any existing buildings and structures are set back the required minimum distance from proposed lot lines;
- (d) where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel's area by greater than 20% of its original size.

### 3. **FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary



SR6

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF JUNE 16, 2009

**DATE:** June 10, 2009

**FILE NO:**

**FROM:** Tom Anderson, General Manager

**BYLAW NO:**

**SUBJECT:** Funding of Boat Patrols on Shawnigan and Cowichan Lakes

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**Recommendation:**

That the Committee provide further direction if desired.

**Purpose:**

Director Cossey has requested that this matter be placed back on the Committee agenda for further consideration.

**Financial Implications:**

Dependent upon the direction provided.

**Interdepartmental/Agency Implications:**

N/A

**Background:**

This matter has been in front of the Committee on previous occasions. Attached is my May 5, 2009 report to Committee which outlines the issue at hand. The Committee defeated the following recommendation which stated:

**“That the CVRD provide funding in the amount of \$13,000 to the RCMP to assist with costs for additional summertime lake patrols, and that the funds be extracted from Bylaw Enforcement Budget Function 328.”**

The issue was referred back to EASC by the Board and was again discussed at the May 19<sup>th</sup> EASC meeting. Unfortunately, Director Cossey was not able to attend that meeting and has requested that the matter be placed back on the agenda so that he may be given an opportunity to address the issue.

Submitted by,

Tom R. Anderson,  
General Manager  
Planning and Development Department



## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF MAY 5, 2009

**DATE:** April 29, 2009

**FILE NO:**

**FROM:** Tom Anderson, General Manager

**BYLAW NO:**

**SUBJECT:** RCMP Boat Patrols on Shawnigan and Cowichan Lakes

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#### **Action:**

That the Committee provide direction on this initiative.

#### **Purpose:**

To update the Committee on direction given last summer and receive further Committee direction.

#### **Financial Implications:**

Dependent upon the direction taken.

#### **Interdepartmental/Agency Implications:**

A cooperative effort between the RCMP and the Cowichan Valley Regional District.

#### **Background:**

Over the last two decades, boat traffic on Shawnigan and Cowichan Lakes has increased considerably. The boating populace on both lakes has grown as a result of the expanding populations within these areas and within the Cowichan Valley in general. Also, the tightening of boating regulations on the lakes in the Capital Regional District has pushed many of their boaters up-island to find waters that are less crowded and perhaps, less restrictive.

In an effort to respond to some of the concerns that we were hearing from residents around the lake, the Regional District passed bylaws in the mid 1990's which prohibited unmuffled boats from using Shawnigan and Cowichan Lakes. Signs were posted at various locations notifying boaters of these restrictions. This signage also notified boaters of the Transport Canada regulated speed limits allowed on the lakes.

At the same time, the RCMP recognized the growth in the boating public along with the inherent problems associated with people out on a lake in a boat on a hot summer day. Police patrols on both lakes have taken place most summers but as happens with the demands of a growing area

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where budgets are tight and resources thin, the patrols have not been consistent and the troubles on the waters have increased.

Unfortunately, the efforts being made by the RCMP and the CVRD do not seem to be matching up against the increasing boat activity and subsequent problems. As such, the Regional Board received a delegation last July from Cowichan Lake residents and as a result passed the following resolution at the August 2008 regular Board meeting:

**“That Staff create educational signage with regard to boat noise and safety on Cowichan Lake and that the signs be posted at all boat launches and marinas on Cowichan Lake as well as being located along Highway 18 and that discussions with regard to boat noise and safety on Cowichan Lake be carried out with the local RCMP, Coast Guard and Town of Lake Cowichan.”**

While the resolution above was directed toward matters pertaining to Cowichan Lake, it should be noted that staff were approached by a number of residents of Shawnigan Lake expressing the same concerns with boating activity on their lake. Staff have therefore included both lakes in the direction given above.

In that regard, the attached signage is proposed to be erected along highway right of way at a number of points in both the Shawnigan Lake and Cowichan Lake areas. Specifically, in Shawnigan Lake, signs will be located a) along East Shawnigan Lake Road at the south end of Shawnigan Lake, b) along Shawnigan-Mill Bay Road near the Fire Hall, and c) at the intersection of Cobble Hill Road and Renfrew Road. In the Cowichan Lake area, signs will be located a) along Highway 18 prior to entering the Town of Lake Cowichan, b) along South Shore Road just east of Mesachie Lake, and c) along Highway 18 near Meade Creek which is just east of Youbou. While verbal approval has been given by the Ministry of Transportation to have these signs erected along their rights of way, the specific locations have yet to be approved by the Ministry.

Further to direction given under the resolution, signage will also be placed at CVRD boat launches located at Recreation Road and at the Wharf Park in Shawnigan Lake. In Cowichan Lake, they will be erected at the Bear Lake Boat Launch and attempts will made to have BC Parks erect the signage at the Gordon Bay Provincial Campground boat launch.

Two meetings have also taken place with representatives of the RCMP including Inspector Goodridge, Sgt. Rob Webb, Detachment Commander of the Shawnigan Lake Detachment and Sgt. Dave Voller, Detachment Commander of the Cowichan Lake Detachment. The focus of these meetings centered around what level of enforcement activity the RCMP is able to commit to their lake patrols this coming summer. In short, the Shawnigan Lake Detachment have a total of 40 hours of financial resources to commit and the Cowichan Lake Detachment have a total of 50 hours of financial resources to commit. Unfortunately, they require two officers in the boat at any one time so the hours noted above must be cut in half to determine the number of hours they will actually be on the water. The total number of hours is felt to be roughly half of what is necessary to adequately and consistently patrol the lakes. This would include 6 hour patrols on Saturdays and Sundays for roughly the 8 weekends of the summer including the Mondays of long weekends.



In order for these lake patrols to have any effect on enforcing noise, speed and boating regulations in general, it is absolutely necessary that the patrols be regular and consistent. As such, there is an option that the Committee may wish to explore and that is to cost share with the RCMP in order to ensure that there are boat patrols every weekend this summer. A rough calculation indicates that the cost to the Regional District would be in the neighbourhood of \$13,000. The RCMP have assured us that they are firmly committed to the boat patrols themselves and that if we were to commit these funds, their monetary commitment would not be diverted to any of their other areas of operation. The RCMP have provided us with a copy of a Memorandum of Understanding that is in place with the Regional District of North Okanagan for similar boat patrols for the lakes in that area.

While all budgets are tight, if the Committee is interested in pursuing this opportunity, there may be a way for the CVRD to find the necessary funds to accommodate this expenditure. It should also be noted that if every weekend turns out to be wet and cold resulting in few boaters on the lakes, boat patrols will not be necessary and these funds will not be required.

Submitted by,



Tom Anderson,  
General Manager  
Planning and Development Department

TA/ca

# SHAWNIGAN LAKE

## Family Recreation Area

### Unmuffled Boats **PROHIBITED**



*Safe  
Boating!*

Max. 8 Km / h  
33m from Shore

Max. 65 Km / h  
Centre of Lake



C.V.R.D.

# **COWICHAN LAKE**

## **Family Recreation Area**

### **Unmuffled Boats PROHIBITED**



*Safe  
Boating!*

**Max. 10 Km / h  
60m from Shore**



**C·V·R·D**



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

Financial Services Department

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

Submitted by Director LORI IANNIDINARD Area D

Grantee:

Grant Amount \$ 250.00

NAME:

CBIA (Cowichan Bay Improvement Assoc.)

ADDRESS:

1759 COWICHAN BAY RD.

BOX 23 COWICHAN BAY

VOR INC.

Contact Phone No:

Hylton McAlister. 250-715-0880

PURPOSE OF GRANT:

sign repairs

REQUESTED BY:

Lori L. Iannidinard  
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0108-114</u>	<u>250.00</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 \_\_\_\_\_

## Lori Iannidinardo

---

**From:** Hylton McAlister [dhmcalister@shaw.ca]  
**Sent:** Thursday, May 21, 2009 1:37 PM  
**To:** Iannidinardo Lori  
**Cc:** Stewart Bruce  
**Subject:** Mariner at west entrance to Village and grant in aid

Hi Lori:

I think you have all the information on the above. However this is a little more formal should you require it for your grant-in aid submission. Total cost was \$250. \$150 to the local artist who repainted the mariner (in the form of a dinner to the Masthead); \$70 for her paint supplies and \$30 to me for the plywood. The Maritime Centre provided epoxy free. Total is \$250. Please submit through the CBIA who will reimburse me for the \$250 which has been disbursed.

Thanks

Hylton

CR2



CVRD

REC

COWICHAN VALLEY REGIONAL DISTRICT

JUN - 2 2009

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

Submitted by Director IANNI DINARDO Area D.

Grantee:	Grant Amount \$ <u>1,250.00</u>
NAME:	<u>COWICHAN BAY IMPROVEMENT ASSC</u>
ADDRESS:	<u>1759 COWICHAN BAY RD</u> <u>BOX 23 COWICHAN BAY</u> <u>VORINO.</u>
Contact Phone No:	<u>BRUCE STEWART - 250-746-7664.</u>
PURPOSE OF GRANT:	<u>WELCOME TO THE VILLAGE OF</u> <u>COWICHAN BAY SIGN 50% OF</u> <u>THE TOTAL COST.</u>
REQUESTED BY:	<u>Lou L. Iannidnardo</u> Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
01-2-1950-0108-114	1,250.00	10.0

<u>FOR FINANCE USE ONLY</u>
BUDGET APPROVAL <u>X</u>
VENDOR NO. _____

<u>Disposition of Cheque:</u>
Mail to above address: _____
Return to _____
Attach to letter from _____
Other _____

Approval at Regional Board Meeting of \_\_\_\_\_

Finance Authorization \_\_\_\_\_

**Lori Iannidinardo**


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**From:** Hylton McAlister [dhmcalister@shaw.ca]  
**Sent:** Thursday, May 21, 2009 8:51 AM  
**To:** Iannidinardo Lori  
**Cc:** Stewart Bruce; cowichanbaymarina@shaw.ca  
**Subject:** Grant in aid

Hi Lori:

This email is confirming our request for a grant-in-aid to build and install a "Welcome Sign" at the east entrance to Cowichan Bay. Below you will find a quotation for approximately \$2500 of which we would like Area D to fund 50% or approximately \$1250. The support structure has already been built at a cost of approximately \$500 and is located at the entrance to the Bay with great visibility to all vehicular and pedestrian traffic. Installation will be done by CBIA member volunteers. The grant should be made payable to the CBIA. The sign design, noted below will have the words "scenic loop" modified to read "welcome to".

Hylton

Begin forwarded message:

**From:** shelly cassidy <shelly.cassidy@leonsigns.com>  
**Date:** April 29, 2009 11:19:35 AM PDT (CA)  
**To:** dhmcAlister@shaw.ca  
**Subject:** cedar sign

Hilton  
 Welcome to Cowichan Bay  
 price on 3" thick cedar  
 sandblasted on one side  
 size- circle is 49" - the banner part approx 65" which is part of the sign (not separate piece)  
 wheel handles routed from sign foam and attached to wheel  
 painted  
 \$2320.00 + tax

thanks  
 Shelley

Leon Signs Ltd.  
 12-4970 Polkey Road  
 Duncan, B.C. V9L 6W3



000063

5/22/2009



REC CR3

COWICHAN VALLEY REGIONAL DISTRICT  
Financial Services Department  
SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director JANNIDINARDO Area D

Grantee:

Grant Amount \$ 2,000.00

NAME: THE COWICHAN COMMUNITY LAND TRUST SOCIETY

ADDRESS: #6 - 55 STATION STREET DUNCAN BC  
V9L 1M2

Contact Phone No: 250-746-0227

PURPOSE OF GRANT: MONITORING AND TRANSPLANTING  
REEDGRASS IN COWICHAN BAY EDUCATION/OUTREACH  
MORE SIGNAGE: TRAINING VOLUNTEERS.

REQUESTED BY: Lou L. Jannidinardo  
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0195-114</u>	<u>2000.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL X

VENDOR NO. \_\_\_\_\_

Disposition of Cheque:

Mail to above address: \_\_\_\_\_

Return to \_\_\_\_\_

Attach to letter from \_\_\_\_\_

Other \_\_\_\_\_

Approval at Regional Board Meeting of \_\_\_\_\_

Finance Authorization \_\_\_\_\_





## THE COWICHAN COMMUNITY LAND TRUST SOCIETY

#6 – 55 Station Street, Duncan, British Columbia V9L 1M2

Telephone: (250) 746-0227 • Fax: (250) 746-9608 • E-mail: [cclt@naturecowichan.net](mailto:cclt@naturecowichan.net)

May 20<sup>th</sup>, 2009

Lori Ianidinardo  
CVRD  
Duncan, BC

Dear Ms. Ianidinardo,

I am writing to request a Grant-in-Aid from the CVRD for our Cowichan Eelgrass Stewardship Project. We are currently planning an eelgrass transplant from June 26<sup>th</sup> – 28<sup>th</sup> 2009, which will be staged at the Hecate Park boat launch. We are expecting to have a wide range of community members involved in volunteering to put anchors on the eelgrass shoots. Last year we had over 50 volunteers.

This project is now in its fifth year and it is helping the eelgrass beds come back to life. It is also one of our most popular events and we are hoping to continue building on the past successes we have had, both ecologically and by bringing community members together.

We are in need of more funding in order to reach our goals of making this eelgrass transplant as successful and as popular as possible. This year our project plans include not only monitoring and transplanting in Cowichan Bay, but also education/outreach; more signage; training volunteers for mapping eelgrass habitat; and collaborating with relevant stakeholders and planners. We are requesting \$2000.

Thank you again for the support you have given us in the past and we look forward to hearing back from you regarding this year's eelgrass endeavors. The Cowichan Land Trust will recognize the CVRD's contribution within all of our communications about this project. If you have any questions please feel free to contact us at the office.

Sincerely,

Erin Ward  
Project Coordinator

000065

1 PK1

MAY 20 2009

**COBBLE HILL PARKS AND RECREATION  
COMMISSION MEETING  
Tuesday April 14, 2009 7:00 pm.  
Arbutus Ridge Board Room  
MINUTES**

Present: John Krug – Chair, Richard Shaw, Bill Turner, Lynn Wilson, Linden Collette, Alan Seal, and Area 'C' Director Gerry Giles.

Guest: Dan Brown, CVRD Parks

Regrets: Ian Sparshu

1. Moved and seconded to approve the minutes of the February 26, 2009 parks commission meeting as follows:

**MOTION CARRIED**

Business arising from the minutes

1. Richard Shaw provided an update on the bike skills park. The park opened approximately one month ago. There is some clean up that is still being done. There have been some minor injuries of bicyclists at the park. Richard states that this is common and the injuries will decrease as the skill levels of the kids using the park increase. Kona Bicycles is planning to have a professional demonstration at the park this spring. Experience Bicycles has made a connection to the professional biker who will be doing the demonstration. People are coming from other areas on the island to use the park. The commission is requesting a picnic table, 3 benches, and a garbage can from CVRD for the park. Owners of the Cobble Hill Market have commented that the young people coming to use the park are very polite and respectful. Gordon Smith at Cowichan Woodworks has made a sign for the park. It will be unveiled at the official park opening. The opening will be on the 16<sup>th</sup> of May. South Cowichan Rotary will donate a cook cart and volunteers to make hot dogs and snacks. The owners of the Cobble Hill Market would like to arrange for a dragon dancers to perform at the opening. Park staff and the family and friends of Mr. Cleasy will speak at the ceremony. Bill mentioned a concern about metal culverts that are exposed and are a safety hazard. Those are to be replaced with plastic to reduce the risk of injury.

Moved and seconded:

*"The commission will strike a committee to organize the park opening event."*

**MOTION CARRIED**

000066

Gerry Giles, Richard Shaw, and John Krug will form the committee to plan the park opening event.

2. John provided an update on the dog park. Water and electrical lines have been installed. The lighting pole will go up in the next couple of weeks. Electrical wiring will be completed soon after that. Two to three light standards will be installed. A drinking fountain will be set up in the park that will accommodate human and dog use.
3. Gerry provided an update to the Trees for Tomorrow grant application. It is possible that we may have student volunteers from Shawnigan Lake School help with the project. We need to ensure that the water system is capable of providing enough water for the trees. We may need to have another source of water installed.
4. Parks commission members should send suggestions for projects for summer students to Linden to be forwarded to the CVRD Parks Department. Identified priorities include replacing the #2 bridge on Manley Creek, clearing and trimming of the Aros Rd. trail, and maintenance of the path and board walks on the Hatch Point trail.
5. John will email the Northwest Wildlife Preservation Society to enquire if they would like the parks commission to arrange an evaluation of the barn on the Granfield Farm Estate.
6. The Parks and Trails Master Plan is in review by Brian Farquhar at CVRD. It will come back to the parks commission for another review before going to the CVRD Board of Directors in June.

#### New Business

1. There will be a Green Mapping workshop run by the Cowichan Community Land Trust at the Cobble Hill Hall on April 16<sup>th</sup>. Park commission members and other community members are invited to attend.
2. Bend School was not able to meet funding expectations for the project for which the Parks Commission donated \$5000. Therefore it was moved and seconded:  
*"The Area C Parks Commission will rescind the \$5000 funding from Bend School for the park project."*  
**MOTION CARRIED**
3. Gerry announced that there is a community viewing of the food security film *Island on the Edge* at the Cobble Hill Hall on April 23<sup>rd</sup>.

4. The CVRD requested a bylaw enabling reduction of air pollution in the Cowichan Valley by regulating open air burning. The bylaw would require large burns to be done in a high heat, rapid manner to reduce smoke.
5. Park commission members are encouraged to attend a meeting at the Kerry Park Regional Recreation Hall on April 16<sup>th</sup> to learn about possible models for recreational funding in the CVRD.
6. The next meeting is May 21, 2009.
7. The meeting adjourned at 8:55 p.m.

---

Submitted by Linden Collette, Secretary

PK 2

**COBBLE HILL PARKS AND RECREATION  
COMMISSION MEETING  
Tuesday May 26, 2009 7:00 pm.  
Arbutus Ridge Board Room  
MINUTES**

Present: John Krug – Chair, Richard Shaw, Bill Turner, Linden Collette, Ian Sparshu, and Area 'C' Director Gerry Giles.

Regrets: Lynn Wilson and Alan Seal

Guest: Gordon Dickenson

1. Moved and seconded to amend the minutes of the April 14, 2009 parks commission meeting as follows:

*Under New Business #2 Change "Bend" School to "Bench" School.*

**MOTION CARRIED**

Business arising from the minutes

1. The opening celebration for the Cleasby Bike Park was very successful. Richard stated that the opening was well attended, the kids had fun, the food was good, and it was a heart warming event. John noted that the park had been conceived, planned, and completed very quickly. He thanked Gerry for being MC. Gerry had thank you cards for park commission members to sign. These cards and a formal letter of thanks from the CVRD board will be sent to the many contributors who helped to build and celebrate the park. There were many donations of hot dogs, ice cream, pop, chips, and cake from the community. Gerry noted that one lesson learned from the event is to have an MC separate from the individual overseeing the whole event.
2. Gerry provided an update on the dog park. The new lighting has been installed. She noted that about \$10,000 has been spent on water and electrical services. The allocation of monies from Area "C" parks commission and the South Cowichan parks commission will need to be clarified by Ryan Dias.
3. Gordon explained his sketch of the water fountain that is to be installed at the dog park. He is currently researching places where he can access the stone for the fountain. The fountain will have a push button control and an access panel for turning the water off.

4. Parks commission members are requesting that summer students working with the CVRD focus on trail clearing and clean up, staining and preserving of wooden stairs and structures in area parks, and renovating the Hatch Point trail. The Hatch Point trail is boggy in sections and the board walk needs some repair. The construction of Bridge 2 on Manley Creek is in progress and will be completed in about one month. Linden asked for clarification from CVRD Parks staff about why there are pink and blue paint spots on some trees on Hatch Point Trail.
5. John has emailed the Northwest Wildlife Preservation Society to enquire if they would like the parks commission to arrange an evaluation of the barn on the Granfield Farm Estate. They have not yet responded.
6. There was a discussion about having washrooms built in Quarry Park. Ian suggests one building with two bathroom units and a storage area for supplies in between. He stated that a door lock could be placed on a timer that would eliminate the need for staff or volunteers to open and close the washrooms each day. Both units and the approach to the building would be handicapped accessible. Moved and seconded:

*"The parks commission will investigate building washrooms at Quarry Park for the 2010 budget year."*

#### **MOTION CARRIED**

#### New Business

1. Gerry has had a request from a community member to include outdoor exercise equipment for seniors in a park. There is senior equipment at the Sportsplex in North Cowichan. Gerry will go to see it and will bring back pictures to show the commission.
2. John attended the CVRD Parks Commission Chairs meeting. He showed the Area "C" commission laminated posters that announce free recycling of garden waste at the landfills. These can be posted at mailboxes in the area. A parks chair from another area suggested that areas receiving Trees for Tomorrow grants go together for bulk purchasing of trees. Brian Farquhar noted that the CVRD Parks Staff now have 150 parks to care for with a team of 5. He is requesting that the area commissions schedule park maintenance and building projects well in advance so the staff can be best deployed. The CVRD Parks Commission Chairs meeting will be held about twice per year.
3. Richard spoke about opportunities to promote the Cleasby Bike Park. The commission talked about adding more jumps to the current park, hosting workshops on bike skills, encouraging mountain biking up Cobble Hill

Mountain, promoting bike trail etiquette, and developing and promoting bike tourism on the roads. Richard noted that the International Mountain Biking Association has a local presence and could possibly help. He will invite Tara from Experience Bike Shop in Duncan to a commission meeting to talk about promoting bicycling in the area. Gerry noted that Trevor Miranda and Ray Green are interesting in applying for funding to put a trail along Telegraph Road from Aros Road to Bench School. Gerry will be helping them with this application.

4. John spoke to the group about a suggestion from a community member to construct a disc golf course in a local park. The community member suggests an area of 7-10 acres for setting up a course. The member suggested that the cost would be about \$2000. John will invite some people from Victoria who construct disc golf courses to come and speak to the commission.
5. Gerry noted that the Trees for Tomorrow project will go ahead. The entrance to the Park and Ride area near the train station will be narrowed to discourage the parking of large trucks there. An area for horse trailer parking will be added along the right side of Empress Road.
6. Gerry noted that clearing hedges for the start of the cenotaph project begins this Thursday, May 28.
7. The next meeting is June 25, 2009. at 7:00 pm. Location to be announced.
8. The meeting adjourned at 9:14 p.m.

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Submitted by Linden Collette, Secretary

**From:** David Lowther [mailto:without\_a\_net@shaw.ca]  
**Sent:** Monday, May 18, 2009 9:36 AM  
**To:** lumchow@shaw.ca  
**Cc:** Brian Farquhar; ron mckenzie  
**Subject:** May 14 Minutes

PK3

REC

MAY 18 2009

**AREA F PARKS ADVISORY COMMISSION MINUTES: MAY 14, 2009**

Called to order in the Honeymoon Bay Community Hall at 19:06

Attending: Ray Wear, Chairperson  
David Lowther, Secretary  
Mary Lowther  
Carolyn Leblanc  
Sharon Wilcox

Excused: Ron McKenzie

MSC: to accept the Previous Minutes as read.

**Chairperson's Report:**

1. Win Peters has resigned from the Commission.
2. The repair and upgrade of the Bear lake float should be complete by the end of June. Work on the parking lot being processed.
3. The Mesachie Store building will be left as is while the options are being considered.
4. The bus shelter issue is being dealt with by the Transit Commission, which will report in due course.
5. A repair estimate for the Honeymoon Bay sign has been requested from the original contractor.
6. Repairs to the Honeymoon Bay tennis courts have been completed at a cost of \$8,200, all but \$2,500 of which was covered by insurance.  
The immediate neighbours have expressed some concerns about privacy.
7. The Mesachie Lake ballfield has been aerated and maintained. The Honeymoon Bay field will be done in the fall.

MSC: to accept the report.

**New Business:**

MSC: to spend up to \$175 to maintain the flower beds at the Mesachie Lake Community Hall.

MSC: to draw \$50,000 dollars from the reserve fund to cover capital projects for 2009.

MSC: to adjourn at 20:18

000072



PK 4

## MINUTES OF ELECTORAL AREA I (Youbou/Meade Creek) PARKS COMMISSION MEETING

**DATE:** May 19, 2009

**TIME:** 7:00pm

**MINUTES** of the Electoral Area I Parks Commission Meeting held on the above noted date and time at Youbou Lanes, Youbou, BC. Called to order by chair at 7:05pm.

**PRESENT:**

Chairperson: Marcia Stewart

Vice-Chairperson: Sheny Gregory

Members: Dave Charney, Dan Nickel, Wayne Palliser, Gerald Thom

**ALSO PRESENT:**

Director: Klaus Kuhn

Alternate Director:

Secretary: Tara Daly

Guests:

**REGRETS:** Alternate Director Alex Marshall

RECEIVED

MAY 27 2009

**ACCEPTANCE OF AGENDA**

*It was Moved and Seconded to accept the agenda with additions of:*

*Garden waterer ~ under New Business*

*Parks events advertising ~ under New Business*

*Footbridge at Mile 77 Park ~ under New Business*

**MOTION CARRIED**

**ACCEPTANCE OF MINUTES**

*It was Moved and Seconded that the minutes of April 14, 2009 be accepted*

**MOTION CARRIED**

**BUSINESS ARISING**

- **Arbutus Park** irrigation ~ G. Thom has not been able to connect with company
- **Parks Maintenance Contract** ~ Director Kuhn will get hard copies of the contract for the commission members; hasn't heard back from CVRD staff
- **Woodland Shores** ~ responsibility ends for infrastructure development when it's finished, bond is in place to cover any work not finished on time, responsible for one (1) growing season for any plantings
- **Broom eradication** ~ M. Stewart is aware of a product that is applied in the Spring, lasts for four (4) months, and is applied again; Commission expressed concerns about broom being a major problem in both the Woodland Shores and Youbou Lands developments, discussed work parties and purchasing another puller
- **Danger signs** ~ education signs about bear and cougar, M. Stewart will contact MoE; Howard Smith of Wilderness Watch has obtained large signs produced by Youbou Lands developers to be placed in that area stating NO SHOOTING ELK
- **Little League Park** ~ S. Gregory noted the park is being well maintained for the ball players
- **Broom removal** ~ W. Palliser noted he was only removing broom from Mile 77 Park not the path through Creekside
- **Advertisement for 'Youbounian'** ~ M. Stewart will contact Rita Baker with information

**CORRESPONDENCE**

- **Invasive Plants** ~ memo received from T. Soroka from CVRD

000073

- **Font Board** ~ letter received from Wendy Webb stating her dislike of the font board, B. Farquhar responded

## **DIRECTOR'S REPORT**

- Marina at Youbou has closed their boat launch to the public
- general discussion on Youbou Lands development
- 20 ha parcel of land owned by TimberWest near Shaw Creek has been sold; Director Kuhn has a meeting tomorrow (May 20<sup>th</sup>) concerning the land

## **COWICHAN LAKE RECREATION**

- L. Backlund only wishes to have information about the park activities not a completed ad
- Youbou Regatta will be on August 8, 2009 with the 'Culprits' playing for the dance; commission members will be flipping hamburgers etc in the concession
- programmer's position is being advertised
- arena reno is moving forward only on design as a \$5.5 million grant has to be in place before construction begins
- Canada Day sponsored by CLR will be in Mesachie Lake at the 'Skydome'
- lifeguards are in place for Arbutus Park
- walking clubs in each community are going to be formed with meetings once a month possibly with speakers, pedometers will be handed out and distances kept
- family bowling is Friday evenings for June from 6:30pm to 9pm
- Basketball Camp was cancelled because of low registration
- Heather Roberts will email W. Palliser by Wednesday giving him a list of activities for the font board

## **CHAIRPERSON'S REPORT**

- Kathryn Swan and M. Stewart have walked through Price Park in preparation on the plant identification day on May 24<sup>th</sup> starting at 1pm at the east entrance on Miracle Way
- Park Commission chairs meeting ~ M. Stewart was unable to attend, six (6) out of nine (9) chairs attended; a concern was the lack of opportunity to obtain land before developers; from the 1990s to 2009 parks in the CVRD have increased from sixty-five (65) to 150, from 400 acres to 25 000 acres and have assets of \$7 million up from \$2 million; Regional Park staff field 50+ calls from the public on a weekly basis; work programs for the parks will be in place by the fall for the following year

## **COWICHAN VALLEY REGIONAL DISTRICT**

- **Font Board** ~ lights will be changed and the timer to go off by 9pm
- **Arbutus Park** ~ irrigation, everything is currently working, plan for new irrigation in 2010
- **Walkabout with Contractor** ~ D. Nickel noted the grass hasn't been cut at Nantree Park nor did it look like anything else had been done; Commission members would like to do a walkabout but would like to review the contract first
- **Little League Park** ~ suggested a specialist in ball fields put forward a couple of ideas for the outfield but Commission members didn't feel the need, only necessary to lift the sod, put down gravel/dirt, level and replace sod, dirt could be brought to the park in the fall and have a work party after the community ball game to wheelbarrow the dirt and then seed
- **Woodland Shores** ~ waterfront park will have washrooms in place in two (2) weeks, the south park won't be seeded until the fall at which time the bond will come in play as it will be past their deadline, the Boy Scout Camp is moving ahead nicely

## **OLD BUSINESS**

- **Font Board** ~ \$1 000 left from grant will be used to replace the lighting and landscaping

000074

- **Plant Identification at Price Park** ~ G. Thom will be drinks, hot or cold depending on the day, W. Palliser will put up directional signs

#### **NEW BUSINESS**

- **Gatekeeper** ~ Robert O'Hare is moving; W. Palliser will open gates and washrooms for Mile 77 Park, arrangements for sprinkling will be decided when planting is completed around font board; M. Stewart will approach Ben Wingo to see if he would like to take care of the Little League Park
- **Park Feedback** ~ form were handed in, Arbutus Park – the garden looks the best it has for awhile, the lawn has been aerated, the beach needs to be raked and weeded, flag pole has two (2) coats of paint with one (1) more to go and then will be returned to the park; Hard Hat Shack needs to have the path weeded and garbage can moved to the other side of the hut
- **advertising for park activities** ~ should there be more? no turn out for Bald Mountain Hike, discussion held hoping for better turn out for Plant ID
- **Mile 77 Park bridge** ~ EASC questioned the construction being done improperly and who paid for it to be built, W. Palliser and Director Kuhn will go look at the bridge in the next few days

#### **ADJOURNMENT**

*It was Moved and Seconded that the meeting be adjourned at 8:35pm.*

**MOTION CARRIED**

#### **NEXT MEETING**

June 9, 2009

7pm at Youbou Lanes

/s/ Tara Daly  
Secretary

000075

MEMORANDUM



DATE: June 8, 2009

TO: Tom R. Anderson, General Manager, Planning and Development Department

FROM: Brian Duncan, Chief Building Inspector

SUBJECT: BUILDING REPORT FOR THE MONTH OF MAY, 2009

There were 47 building Permits and 1 Demolition Permit(s) issued during the month of May, 2009 with a total value of \$ 3,386,933

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"				180,885	26,540	7,500	4	26	214,925	5,669,697
"B"				921,395	146,641		14	46	1,068,036	3,477,811
"C"	38,650			851,952	81,590		10	27	972,192	2,768,007
"D"				107,220	12,000		3	14	119,220	441,760
"E"					158,580	5,000	5	14	163,580	691,150
"F"				126,420	74,000		5	9	200,420	315,240
"G"				330,570	22,500		2	7	353,070	1,000,270
"H"					42,280		1	14	42,280	1,174,095
"I"	36,000			144,000	73,210		4	16	217,210	1,510,125
<b>Total</b>	<b>\$ 74,650</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,662,442</b>	<b>\$ 637,341</b>	<b>\$ 12,500</b>	<b>48</b>	<b>125</b>	<b>\$ 3,386,933</b>	<b>\$ 13,697,222</b>
<b>NEW RESIDENTIAL SFD</b>				<b>RESIDENTIAL REPAIRS &amp; RENOS</b>		<b>TOTAL NUMBER OF BUILDING PERMITS FOR THE MONTH OF MAY</b>				
2009	(17)			2009	(26)	2009	(48)			
2008	(18)			2008	(29)	2008	(63)			
2007	(37)			2007	(23)	2007	(70)			
2006	(23)			2006	(22)	2006	(53)			

B. Duncan, RBO  
Chief Building Inspector  
BD/db

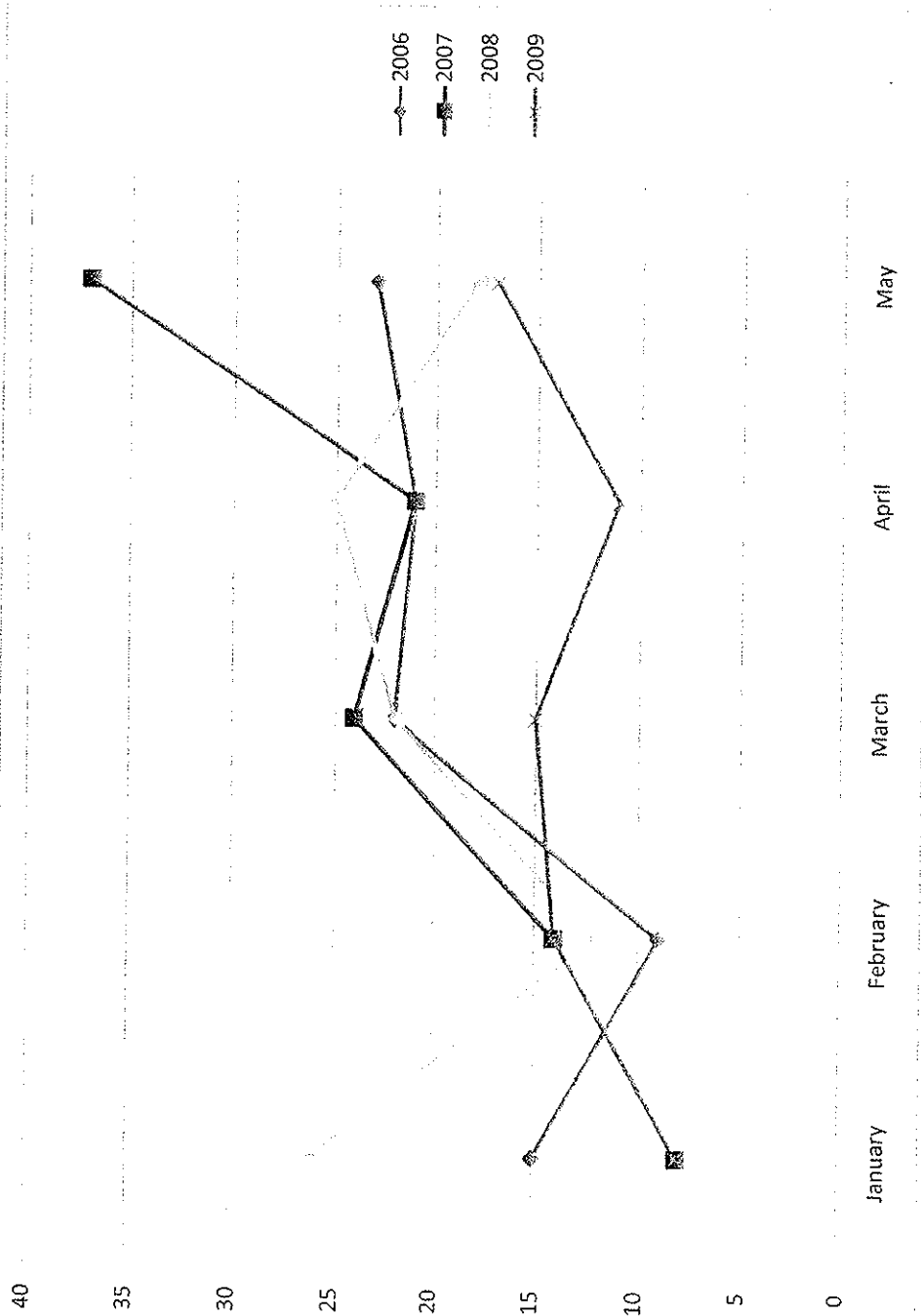
NOTE: For a comparison of New Housing Starts, see page 2  
For a comparison of Total Number of Building Permits, see page 3

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# New Housing Starts

	2006	2007	2008	2009
January	15	8	26	8
February	9	14	12	14
March	22	24	22	15
April	21	21	25	11
May	23	37	18	17



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# Total Building Permits Issued

	2006	2007	2008	2009
January	41	26	50	23
February	21	28	30	32
March	48	24	48	36
April	55	54	63	34
May	53	70	50	48

