



NOTICE OF ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
September 15, 2009
Regional District Board Room
175 Ingram Street, Duncan, BC

3:00 pm

A G E N D A

	<u>Pages</u>
1. <u>APPROVAL OF AGENDA</u>	1-2
2. <u>ADOPTION OF MINUTES</u>	
M1 Minutes of September 1, 2009 EASC Meeting.....	3-10
3. <u>BUSINESS ARISING FROM MINUTES</u>	
4. <u>DELEGATIONS</u>	
D1 Gerald and Florenda Stenberg regarding Application No. 5-I-09DP.....	11-38
D2 Bertha and William Cameron regarding Application No. 1-C-09ALR	39-47
D3 Ian Poyntz regarding Application No. 3-I-09DP.....	48-81
D4 Sheena Nelson regarding Application No. 3-A-09DVP	82-87
D5 Dianne Kolenosky and Bill Jones regarding Glenora Business Park	88-90
D6 Russ Crawford regarding Application No. 10-E-07DP	91-328
5. <u>STAFF REPORTS</u>	
SR1 Staff Report dated August 27, 2009 from Sybille Sanderson, Acting General Manager, regarding Public Safety Mid-Year Budget Status Report.....	329-332
SR2 Staff Report dated September 1, 2009 from Sybille Sanderson, Acting General Manager, regarding First Responder Agencies Consent, Indemnity Agreement.....	333-346
SR3 Staff Report dated September 8, 2009, from Nino Morano, Bylaw Enforcement Officer, regarding Ticket Information Bylaw Amendments	347-371
SR4 Staff Report dated September 9, 200, from Brian Duncan, Chief Building Inspector, regarding Building Permit Construction Value Schedule	372-375
SR5 Staff Report dated September 10, 2009, from Mike Tippet, Manager, regarding Woodland Shores Restrictive Covenant - TO BE DISTRIBUTED	

000001

6. **APC**
 - AP1** Minutes of Area C APC meeting of August 25, 2009376-378
 - AP2** Minutes of Area I APC meeting of September 2, 2009379-381
 - AP3** Resignation from Area D APC..382
7. **INFORMATION**
 - IN1** August 2009 Building Report383-385
8. **NEW BUSINESS**
 - NB1** Road Connections – Mill Bay...386
9. **PUBLIC/PRESS QUESTIONS**
10. **CLOSED SESSION**

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

 - CSM1** Minutes of Closed Session EASC meeting of September 1, 2009387-388
11. **NEXT MEETING**

Tuesday, October 6, 2009
12. **ADJOURNMENT**

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

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

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

Director L. Iannidinardo
Director L. Duncan
Director M. Dorey

000002

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, September 1, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

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

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager
Rachelle Moreau, Planning Technician
Alison Garnett, Planning Technician
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding eight items of New Business, and one closed session item.

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 August 4, 2009 EASC meeting be amended by changing page 7 Area H APC minutes meeting date from June 11, 209 to June 11, 2009, and that the minutes, as amended, be accepted.

MOTION CARRIED

BUSINESS ARISING

Director Harrison reported that progress has been made regarding pre-emption lights being installed at busy intersections. A meeting was attended with the Mill Bay Co-op respecting funding. The Co-op in conjunction with other local merchants will fund the lights for the Co-op intersection. The Fire Department is likely looking at funding the Hutchinson Road intersection. Pre-emption lights were installed by the Ministry of Transportation in areas North where the Highway has been upgraded and that Mill Bay was not part of the original contract.

DELEGATIONS

D1 - CVRD

Rachelle Moreau, Planning Technician, presented Application No. 3-F-08RS on behalf of the applicant, the CVRD, to rezone 48.1 hectares on South Shore Road (Gordon Bay Provincial Park) from F-1 and A-1 to P-1.

The Committee directed questions to Ms. Moreau.

It was Moved and Seconded

That Application No. 3-F-08RS (CVRD/Gordon Bay Provincial Park) be referred back to staff for further research.

MOTION CARRIED

D2 - Cander

Rachelle Moreau, Planning Technician, presented Application No. 3-E-09DVP (Cander) to decrease the setback of a residence at 4345 Gerz Road.

The Committee directed questions to Ms. Moreau.

The applicant was present and had nothing further to add.

It was Moved and Seconded

That Application No. 3-E-09DVP by Stephen and Christina Cander for a variance to Section 7.6(b)(4) of Zoning Bylaw No. 1840, by decreasing the setback to a front parcel line for a residential structure from 7.5 metres (24.6 ft) to 4.81 metres (15.8 ft), on Lot 1, Section 9, Range 9, Sahtlam District, Plan 26014 (PID: 002-710-285), be approved, subject to the applicant providing a survey confirming compliance with the approved setback.

MOTION CARRIED

D3 - Parkinson

It was Moved and Seconded

That Application No. 2-G-08RS (Parkinson) be tabled.

MOTION CARRIED

D4 - Wiggins

Rob Conway, Manager, Development Services Division, presented Application No. 1-H-08RS (Clifford/Wiggins) to rezone 4.2 hectares on Shell Beach Road to permit subdivision into four strata residential waterfront lots.

The Committee directed questions to Mr. Conway.

Brian Wiggins, applicant, was present, and distributed an amended site plan to Committee members. Mr. Wiggins explained their proposal to create four waterfront lots with individual wells on each lot.

The Committee directed questions to the applicant.

Director Marcotte stated that she would like to proceed to public hearing and advised of a minor amendment to the proposed zoning bylaw.

It was Moved and Seconded

1. That Application No. 1-H-08RS (Clifford/Wiggins) proceed to the bylaw stage and that the draft Zoning Amendment Bylaw be amended to add the following words to section (c)9 of the proposed R-11 Zone: "If for any reason, the property is deemed to be excess to the North Oyster Fire Department requirements, the property shall revert to the community by way of being added to the Area H Community Parkland Inventory or another appropriate community land bank."
2. That the OCP Amendment Bylaw, and Zoning Amendment Bylaw (as amended) be forwarded to the Board for consideration of 1st and 2nd readings.
3. That following the submission of an archaeological overview assessment, a public hearing be scheduled and that Directors Marcotte, Dorey and Kuhn be delegated to the Hearing.
4. That the referral of this application to the Ministries of Transportation and Infrastructure, Community and Rural Development, the Agricultural Land Commission, School District 68, Chemainus First Nation, Shell Beach Water Utility, North Oyster Volunteer Fire Department and CVRD Parks Recreation and Culture, be approved.

MOTION CARRIED

D5 - Mock

Alison Garnett, Planning Technician, presented Application No. 4-E-09DVP (Mock) to decrease the setback of an agricultural building to a watercourse and side interior parcel line on property located at 3900 Rowe Road.

The applicant provided further information to the application.

The Committee directed questions to Ms. Garnett.

It was Moved and Seconded

That Application No. 4-E-09DVP (Tim and Laurice Mock) for a variance to section 7.3(b)(4) and (5) of Zoning Bylaw No. 1840 by decreasing the setback of an agricultural building to a watercourse from 30 metres to 15 metres, and decreasing the setback to a side parcel line from 15 metres to 10 metres, on Lot A, Section 9, Range 2, Quamichan District, Plan 11002, be approved, subject to the applicant providing a survey confirming compliance with the approved setbacks.

MOTION CARRIED

000005

D6 - Ilkay

Alison Garnett, Planning Technician, presented Application No. 1-G-09DP (Ilkay) to permit removal of 7 trees on Strata Lot 6 only on Clifcoe Road in Saltair.

The Committee directed questions to Ms. Garnett.

The applicant provided further information to the application.

It Moved and Seconded

That Application No. 1-G-09DP be approved, and that a development permit be issued to Ender Ilkay of Seaside Woods Estates for Strata Lot 6 of District Lot 27, Oyster District, VIS6144, to permit the removal of 7 trees, as indicated on the site plan dated June 23, 2009, subject to:

- a) Compliance with the recommendations for tree removal noted in the March 12, 2009 report by Levelton Consultants,
- b) Receipt of a remedial landscaping plan of low-lying native vegetation prepared by a registered professional biologist or BCLSA member,
- c) Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 120% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the registered professional biologist or BCLSA member.

MOTION CARRIED

D7 - Leighton

Doug Leighton was present regarding a recently submitted OCP amendment application by Carma Developments that would add 600 hectares to the south-west of Mill Bay. Mr. Leighton requested to show a power point presentation of their proposal and stated that they require direction on procedural matters.

The Chair stated that the Committee was not ready to view a presentation at this stage and could simply respond to procedural questions at this point.

A question and answer session ensued.

It was Moved and Seconded

That the applicants for OCP Amendment Application No. 5-A-09RS (Doug Leighton/Carma) be advised that the request to process their application as outlined in their letter dated July 23, 2009, not be acted upon.

MOTION CARRIED

RECESS

The Committee adjourned for a five minute recess.

STAFF REPORTS

**SR1 – South
Cowichan OCP
Committee**

It was Moved and Seconded

That June Laraman, Geoff Johnson, Archie Staats and Ken Waldron be appointed to the South Cowichan OCP Steering Committee.

MOTION CARRIED

SR2 – ILMB referral

It was Moved and Seconded

That the Cowichan Estuary Environmental Management Plan Committee be requested to investigate the lease referral (File 3020-01-1405511) prior to commenting to the ILMB, and that they be requested to host a public meeting to consult the community.

MOTION DEFEATED

It was Moved and Seconded

Further to a previous response to the Integrated Land Management Bureau respecting lease referral #3020-01-1405511 (Area D - Hokanson), that a letter be forwarded to the ILMB reiterating existing zoning regulations and permitted uses, and advising that the CVRD opposes the lease for reasons that the District is currently reviewing the Cowichan Bay Official Community Plan and encourages environmentally friendly practices in that area.

MOTION CARRIED

It was Moved and Seconded

That staff be directed to prepare a report to the EASC outlining how the Cowichan Estuary Management Plan process can be supported, and further that a copy of the CEEMP report be distributed to EASC members.

MOTION CARRIED

**SR3 – Bamberton
Final Report**

It was Moved and Seconded

That the Bamberton Regional Impact Assessment final report be received and filed.

MOTION CARRIED

SR4 – Budget Status

It was Moved and Seconded

That the staff report dated August 17, 2009, from Tom Anderson, General Manager, regarding mid-year budget status report, be received and filed.

MOTION CARRIED

**SR5 – 2010 Planning
Budget**

It was Moved and Seconded

That one additional experienced Planner be hired immediately on a temporary full-time basis, and that a report be prepared which addresses the long term staffing requirements of the planning function and related resources required for consideration in the 2010 budget.

MOTION CARRIED

**SR6 – Meeting Start
Time**

It was Moved and Seconded

That the staff report dated August 26, 2009, from Tom Anderson, General Manager, regarding EASC meeting start times, be received and filed.

MOTION CARRIED

APC

AP1 – AP2 - Minutes

It was Moved and Seconded

That the minutes of the Area A APC meeting of July 28, 2009 and the minutes of the Area G APC meeting of August 18, 2009, be received and filed.

MOTION CARRIED

PARKS

PK1 – PK2 - Minutes

It was Moved and Seconded

That the minutes of the Area D Parks meeting of May 25, 2009, and June 15, 2009, be received and filed.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded

That the July 2009 building report be received and filed.

MOTION CARRIED

NEW BUSINESS

**NB1 – NB4 – Grant in
Aid Requests**

It was moved and seconded

That a Grant-in-Aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$400 be given to Palsson Elementary School PAC to assist with costs associated with their “Stream of Dreams” education project.

That a Grant-in-Aid request (Electoral Area I – Youbou) in the amount of \$400 be given to Palsson Elementary School PAC to assist with costs associated with their “Stream of Dreams” education project.

That a Grant-in-Aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$1,250 be given to Mesachie Lake Volunteer Fire and Rescue Association to assist with costs in completing their next year's projects.

That a Grant-in-Aid request (Electoral Area B – Shawnigan Lake) in the amount of \$700 be given to 1st Shawnigan Lake Scouts to assist with costs to clean up Millicent Road Park.

MOTION CARRIED

NB5 – APC minutes

It was Moved and Seconded

That the minutes of the Area A APC meeting of August 20, 2009, be received and filed.

MOTION CARRIED

Director Giles noted appreciation for the workmanship of the APC minutes.

NB6 – News Release

Discussion only respecting the August 25, 2009 News Release respecting a sewage service connection rupture on the Cowichan Bay forecmain.

NB7 –Beekeeping

Director Morrison advised of concerns regarding an existing problem with domestic bees in Area F and stated that he would like to see bylaw consistency and a region wide approach to beekeeping issues. He requested more in-depth discussion on the matter.

It was Moved and Seconded

That staff be directed to prepare a report to the EASC outlining regulations and policies respecting “beekeeping” use and how these and/or proposed regulations can be standardized in all electoral area land use bylaws.

MOTION CARRIED

**NB8 – Land
Acquisition**

Director Morrison questioned if lands purchased by the CVRD can be used for purposes other than parkland, and also questioned uses for old school sites. He stated that he would like to see more flexibility with use of such lands.

Mr. Anderson stated that he could check out existing legislation

CLOSED SESSION

It was Moved and Seconded

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

MOTION CARRIED

The Committee moved into Closed Session at 6:25 pm.

000009

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 6:44 pm.

Chair

Recording Secretary



D 1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF SEPTEMBER 15, 2009

DATE: September 8, 2009 **FILE NO:** 5-I-09DP
FROM: Alison Garnett, Planning Technician **BYLAW NO:**
SUBJECT: Application 5-I-09DP
(Gerald and Florenda Stenberg)

Recommendation:

That application No. 5-I-09DP be approved, and that a development permit be issued to Gerald and Florenda Stenberg for the construction of an addition to the existing residence, on Lot B, District Lot 27, Cowichan Lake District, Plan 7339, subject to:

- Compliance with the measures and recommendations outlined in RAR assessment report No. 1295 by Lehna Malmkvist, R.P.Bio.

Purpose:

To consider the issuance of a Development Permit for the construction of an addition to the existing residence, in accordance with the provisions of the Watercourse Protection Development Permit Area.

Background:

Location of Subject Property: 8720 North Shore Road

Legal Description: Lot B, DL 27, Cowichan Lake District, Plan 7339 (PID: 005-714-672)

Date Application and Complete Documentation Received: July 9, 2009

Owner: Gerald and Florenda Stenberg

Applicant: As above

Size of Parcel: ± 0.89 ha

Existing Zoning: R-2 Suburban Residential 2 Zone

Minimum Lot Size Under Existing Zoning: 0.4 ha if connected to community water system
2 ha if not connected to community water system

Existing Plan Designation: Suburban Residential

000011

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North	North Shore Rd and residential
South	Cowichan Lake
East:	commercial and residential
West:	residential

Services:

<u>Road Access:</u>	North Shore Road
<u>Water:</u>	N/A
<u>Sewage Disposal:</u>	On-site system

Agricultural Land Reserve Status: The subject property is not within the ALR.

Environmentally Sensitive Areas: The subject property is located on Cowichan Lake, and is therefore subject to the Watercourse Protection Development Permit Area.

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

Planning Division Comments:

The subject property is an R-2 zoned residential lot located at 8720 North Shore Road. It is approximately 0.89 ha in size, and is located along the northern shore of Cowichan Lake. Existing structures on the site include a single-family home and one accessory building. The applicants wish to construct a two storey addition onto the north side of the existing residence, which will have a footprint of 149 m² (1603 ft²). The lower level of the addition will be used as a garage, and the upper floor as a studio.

The subject property is located within the Watercourse Protection Development Permit Area (DPA). In accordance with the Youbou/Meade Creek Official Community Plan Bylaw No. 2650, the applicant must receive a development permit from the CVRD prior to commencing any site preparation or construction. Lehna Malmkvist, registered professional biologist, has conducted a Riparian Areas Regulation (RAR) Assessment for the proposed development. A copy of RAR report No. 1295 is attached, with a site plan included on page 9.

The following section outlines how the proposed development addresses the Watercourse Protection DPA guidelines.

- (a) **Retention of natural vegetation** – No new trees will be removed from within or directly adjacent to the SPEA. The applicant previously cleared the area dedicated for the addition.
- (b) **Coverage of entire area** – Existing development provides a buffer between the proposed addition and the lake. As shown on the site plan (page 9 of RAR report) the existing residence to the south and the adjacent property to the west separate the proposed construction and the shoreline. Additionally, the proposed addition will be located outside the 15 metre Streamside Protection and Enhancement Area (SPEA).
- (c) **Riparian area protection** – This guideline has been largely superseded by the *Riparian Areas Regulation* guidelines.
- (d) **BMP implementation for stormwater management** – The RAR report addresses stormwater management on page 12.

- (e) **Silt and sediment control** – The RAR report does not provide a specific plan for the proposed development, but does provide general recommendations, such as minimizing soil disturbance, to ensure that no sediment enters the SPEA or the lake.
- (f) **Imperviousness figures** – The R-2 Zone permits 30% parcel coverage for all buildings and structures on a lot. If we look at the new development only, the proposed 149m² structure represents less than an additional 2% parcel coverage.
- (g) **Floodplain** – The proposed development will be constructed above the flood construction level.
- (h) **Driveway design** – As this is redevelopment, no new driveways are required.
- (i) **Footpaths** – see above.
- (j) **Retaining walls** – none are planned.
- (k) **Retaining wall appearance** – see above.
- (l) **Retaining wall with fence** – see above.
- (m) **Cultural/heritage sites** – no such sites were identified.
- (n) **Pilings/floats** – No new such construction is proposed.
- (o) **Applicable only to subdivision**
- (p) **Develop with care** – the RAR Assessment Report will cover this within the Riparian Assessment Area.
- (q) **Wetlands** – there are no wetlands on site.
- (r) **Harmful Alteration Destruction of Disruption of fish habitat** – compliance with the RAR Report will by definition prevent a HADD.

Riparian Areas Regulation Assessment Report:

The attached report by Lehna Malmkvist identifies a 15 metre Streamside Protection and Enhancement Area (SPEA) along the lake. The proposed development complies with the Riparian Areas Regulation in that all proposed development will be located outside that 15 metre protected area.

The applicant has also submitted a letter from Richard Brimmell, P. Eng., which address the slope stability of the subject property and states that the land is suitable for the proposed construction. The geotechnical aspects of this development will be addressed in more detail at the building permit stage.

Advisory Planning Commission Comments:

This application was referred to the Electoral Area I Advisory Planning Commission, who provided the following recommendation at their meeting held September 2, 2009:

It was moved and seconded by Area I (Youbou/Meade Creek) Area Planning Commission that Development Permit 5-I-09 DP (Gerald and Florenda Stenberg) be approved

Options:

1. That application No. 5-I-09DP be approved, and that a development permit be issued to Gerald and Florenda Stenberg for the construction of an addition to the existing residence, on Lot B, District Lot 27, Cowichan Lake District, Plan 7339, subject to:
 - Compliance with the measures and recommendations outlined in RAR assessment report No. 1295 by Lehna Malmkvist, R.P.Bio.

2. That application No. 5-I-09DP not be approved in its current form, and that the applicant be directed to revise the proposal.

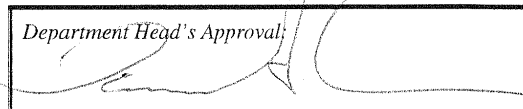
Option 1 is recommended.

Submitted by,



Alison Garnett,
Planning Technician
Planning and Development Department

AG/ca

Department Head's Approval:

Signature



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 5-I-09 DP

DATE: September 8, 2009

TO: Gerald and Florenda Stenberg

ADDRESS: 6315 Clearview Drive
Victoria BC, V8Y 2R3

1. This Development 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 Permit applies to and only to those lands within the Regional District described below (legal description):

Lot B, District Lot 27, Cowichan Lake District, Paln 7339, PID 005-714-672
3. Authorization is hereby given for the development of the subject property in accordance with the conditions listed in Section 4, below.
4. The development shall be carried out subject to the following condition:
 - *Compliance with the measures and recommendations outlined in RAR assessment report No. 1295 by Lehna Malmkvist, R.P.Bio.*
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. The following Schedule is attached:
 - RAR Report No. 1295 by Lehna Malmkvist, dated May 11, 2009
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Development Services Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO.XXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE __th 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 _____ other than those contained in this Permit.

000015

Signature

Witness

Owner/Agent

Occupation

Date

Date

000016



Covichan
Valley
Regional
District

000017

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.

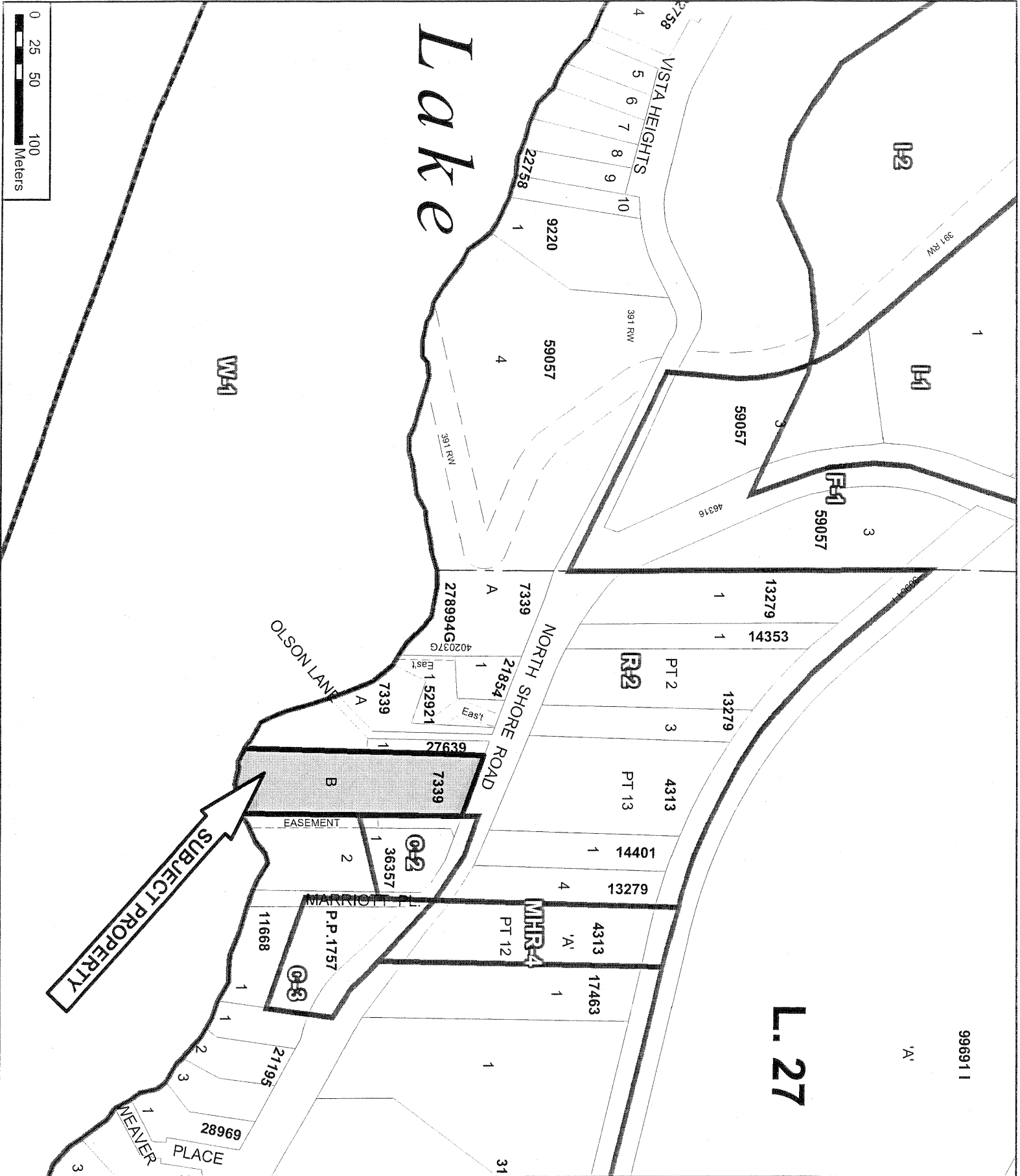
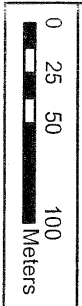
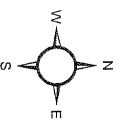
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 05-1-09-DP

ZONING

Legend

- Subject Property
- Zoning Electoral Area I



Riparian Areas Regulation Report

Project: 8720 North Shore Rd.,
Cowichan Lake B.C.

Completed For:
Gerald Stenberg

By:
Swell Environmental Consulting
May 11, 2009

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

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

Date May 11, 2009

I. Primary QEP Information

First Name	Lehna	Middle Name	Kathleen
Last Name	Malmkvist		
Designation	R.P.Bio.	Company	Swell Environmental Consulting
Registration #	1613	Email	lehna@swell.ca
Address	3345 University Woods		
City	Victoria	Postal/Zip	V8P 5R2
Prov/state	B.C.	Country	Canada
		Phone #	(250) 217-9190

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

First Name	Richard	Middle Name	Chester
Last Name	Brimmell		
Designation	PEng	Company	R. Brimmell Engineering
Registration #	12949	Email	rbrimmell@pacificcoast.net
Address	971 Bank St.		
City	Victoria	Postal/Zip	V8S 4B1
Prov/state	BC	Country	Canada
		Phone #	250-592-6545

III. Developer Information

First Name	Gerald	Middle Name	
Last Name	Stenberg		
Company			
Phone #	250-652-4816	Email	stenberg@shaw.ca
Address	6315 Clearview Dr.		
City	Victoria	Postal/Zip	V8Y 2R3
Prov/state	B.C.	Country	Canada

IV. Development Information

Development Type	Construction: Single Family Residential		
Area of Development (ha)	0.01	Riparian Length (m)	150
Lot Area (ha)	0.9	Nature of Development	re-development
Proposed Start Date	01/06/09	Proposed End Date	Sept. 2009

V. Location of Proposed Development

Street Address (or nearest town)	8720 North Shore Rd.		
Local Government	Cowichan Valley Regional District	City	Lake Cowichan
Stream Name	Lake Cowichan		
Legal Description (PID)	005-714-672	Region	1 (Vancouver Is.)
Stream/River Type	Lake	DFO Area	Area 18 – Van. Is.
Watershed Code	920-257700		
Latitude	48	49	37.6
Longitude	124	5	10.4

Table of Contents

I. Primary QEP Information	1
II. Secondary QEP Information (use Form 2 for other QEPs).....	1
III. Developer Information.....	1
IV. Development Information.....	1
V. Location of Proposed Development	1
Section 1. Description of Fisheries Resources Values and a Description of the Development proposal.....	3
1.1 Site Context and Development Description.....	3
1.2. Fisheries Resources Values.....	4
1.3 Summary of Aquatic Ecosystems.....	4
Section 2. Results of Riparian Assessment (SPEA width).....	5
Section 3. Site Plan.....	8
Section 4. Measures to Protect and Maintain the SPEA.....	10
4.1 Danger Trees	11
4.2 Windthrow	11
4.3 Slope Stability	11
4.4 Protection of Trees	12
4.5 Encroachment	12
4.6 Sediment and Erosion Control During Construction	12
4.7 Stormwater Management	12
4.8 Floodplain Concerns	13
Section 5. Environmental Monitoring.....	13
Post-Development Report	13
References.....	14
Section 6. Photos.....	15
Section 7. Professional Opinion.....	17
Appendix A - Geotechnical Report.....	18

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

1.1 Site Context and Development Description

The assessed property is located on the north shore of Cowichan Lake (watershed 920-257700), in the south arm of the lake near the outflow (Cowichan River), at 8720 North Shore Rd. (Figure 1.1, 1.2). A single family residence with a small out-building is currently located on the site; the developer plans to build a 149m² garage connected by a causeway to the residence. The entire footprint of the new development is outside of the SPEA, but within the Riparian Assessment Area. A neighbour's residence/yard and driveway is located between the proposed development and the lake shore.



Figure 1.1. Location of site (yellow arrow) on Lake Cowichan (North is oriented to the top of the page; image source, Cowichan Regional District Habitat Atlas)

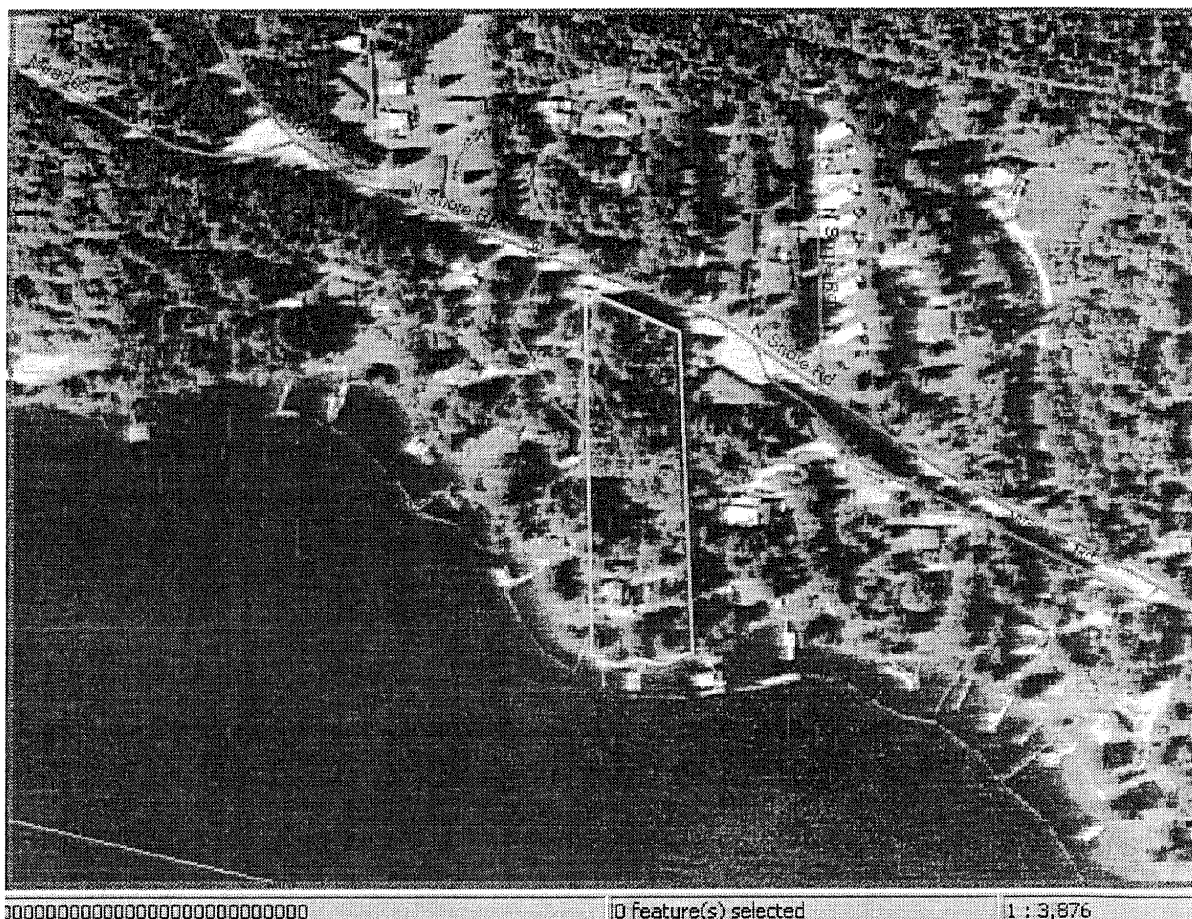


Figure 1.2. Location of subject property (yellow outline); north is oriented toward top of page (image source: Cowichan Regional District Habitat Atlas)

1.2. Fisheries Resources Values

Cowichan Lake supports (or has supported – some references are not dated) a wide variety of salmonids and other fish, both indigenous and stocked, including bull trout, rainbow trout, brook trout, brown trout, cutthroat trout, Dolly varden, steelhead, Chinook salmon, Coho salmon, Kokanee salmon, Atlantic salmon (possibly a historic occurrence when they were stocked), lake lamprey (a red-listed species), western brook lamprey and Pacific lamprey (BC MoE, no date).

1.3 Summary of Aquatic Ecosystems

The nearest lake shoreline to the proposed development is located to the south-west, however a neighbour's property (residence, yard and driveway) is located in between the development and the lake. To the south, the proponent's residence lies in between the development site and the lake shore. On the south side of the residence, native vegetation is for the most part intact, and no erosion or other damage to the shoreline and riparian area was apparent. In this area and elsewhere on the property, species noted include*: Douglas-fir (*Psuedotsuga menziesii*);

western redcedar (*Thuja plicata*); bigleaf maple (*Acer macrophyllum*); red alder (*Alnus rubra*); willow (*Salix* sp.); salmonberry (*Rubus spectabilis*); Oregon grape (*Mahonia nervosa*); salal (*Gaultheria shallon*); hardhack (*Spiraea douglasii*, var. *douglasii*); English ivy (*Hedera helix*); English holly (*Ilex aquifolium*); common snowberry (*Symphoricarpos albus*); western trillium (*Trillium ovatum*); common periwinkle (*Vinca minor*); St. John's wort (*Hypericum perforatum*); sword fern (*Polystichum munitum*); bracken fern (*Pteridium aquilinum*); reed canarygrass (*Phalaris arundinacea*); sedge (*Carex* sp.).

* highlighted species are invasive

1.4 Development Description

The proponent plans to build a garage with a studio on the second floor, attached by a causeway to the existing residence. The structure will be built on concrete slabs on the existing grade, and will be approximately 54 feet long by 26' wide. Construction is to take place in the summer of 2009.

Section 2. Results of Riparian Assessment (SPEA width)

(see following pages)

2. Results of Detailed Riparian Assessment: Cowichan Lake, North Shore Rd.

Refer to Chapter 3 of Assessment Methodology

Date: 09-05-07

Description of Water bodies involved (number, type)

1, lake shoreline

Stream

Wetland

Lake

Ditch

Number of reaches

Reach #

X

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

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

I, Lehna Malmkvist, hereby certify that:

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

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

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

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

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons		X

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

I, Lehna Malmkvist, hereby certify that:

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

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

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

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

Polygon No:				Method employed if other than TR
	LC	SH	TR	
SPVT Type			X	

Polygon No:				Method employed if other than TR
	LC	SH	TR	
SPVT Type				

Polygon No:				Method employed if other than TR
	LC	SH	TR	
SPVT Type				

Form 3 Detailed Assessment Form
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

--	--	--	--

Zone of Sensitivity (ZOS) and resultant SPEA

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

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

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

I, <u>Lehna Malmkvist</u> , hereby certify that:	
a)	I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;
b)	I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Gerald Stenberg</u> ;
c)	I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d)	In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

<p>Property is located on north shore of Cowichan Lake, therefore SPEA is 15m and the shade ZOS is not applicable</p> <p>Vegetation: Douglas-fir (<i>Pseudotsuga menziesii</i>); western redcedar (<i>Thuja plicata</i>); bigleaf maple (<i>Acer macrophyllum</i>); red alder (<i>Alnus rubra</i>); willow (<i>Salix</i> sp.); salmonberry (<i>Rubus spectabilis</i>); Oregon grape (<i>Mahonia nervosa</i>); salal (<i>Gaultheria shallon</i>); hardhack (<i>Spiraea douglasii</i>, var. <i>douglasii</i>); English ivy (<i>Hedera helix</i>); English holly (<i>Ilex aquifolium</i>); common snowberry (<i>Symphoricarpos albus</i>); western trillium (<i>Trillium ovatum</i>); common periwinkle (<i>Vinca minor</i>); St. John's wort (<i>Hypericum perforatum</i>); sword fern (<i>Polystichum munitum</i>); bracken fern (<i>Pteridium aquilinum</i>); reed canarygrass (<i>Phalaris arundinacea</i>); sedge (<i>Carex</i> sp.). (Highlighted species are invasive)</p>
--

Section 3. Site Plan

NORTH SHORE ROAD

A horizontal scale bar with markings at 10, 5, 0, 10, 20, and 30 metres.


All clearance distances are shown to an accuracy of plus or minus 0.10 metres.


Note: Lot B lies within the CVRD
Area 1 and is Zoned R-2.
Bylaw setback requirements are as follows:
Residential & Accessory Buildings & Structures
Front 7.5 m
Side (Interior) 3.0 m
Side (Exterior) 4.5 m
Rear 3.0 m


LOT B


PLAN 7339


PLAN

 Proposed Addition

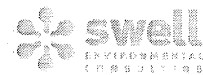
 Riparian Assessment Area

 ZOS for Large Woody Debris

 ZOS for Litter Fall and Insect Drop

 Streamside Protection and Enhancement Area

* ZOS for Shade not applicable



COWICHAN

LAKE

000027

Section 4. Measures to Protect and Maintain the SPEA

1. Danger Trees	
I, <u>Lehna Malmkvist</u> hereby certify that:	
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Wndthrow	
I, <u>Lehna Malmkvist</u> hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Slope Stability	
I, <u>Richard Brimmell</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Protection of Trees	
I, <u>Lehna Malmkvist</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Encroachment	
I, <u>Lehna Malmkvist</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Sediment and Erosion Control	
I, <u>Lehna Malmkvist</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Stormwater Management	
I, <u>Lehna Malmkvist</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ;	

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

c.	I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation
e.	Floodplain Concerns (highly mobile channel)
I, <u>Lehna Malmkvist</u> , hereby certify that:	
f.	I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;
g.	I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Langelier</u> ;
h.	I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation

4.1 Danger Trees

Note: no trees will be removed from within or adjacent to the SPEA, therefore an arborist was not retained for this assessment. The following information is provided for the information of the client.

Trees are important elements of functional riparian ecosystems, for providing shade (which maintains cool water required by salmonids and their prey), habitat for terrestrial species, and for slope stability. Roots are critical for maintaining the integrity of soils in the SPEA and for providing infiltration of water to the soil and groundwater. Danger trees are those trees that have been damaged due to physical disturbance or pathogens such that the tree and/or large branches are at risk of falling and causing damage to people and property. The RAR permits removal of these trees within the SPEA, provided they are replaced with appropriate native species, as per the requirements of the BC Ministry of Environment (<http://www.env.gov.bc.ca/wld/documents/bmp/treereplcrit.pdf>), with consultation from a certified arborist. Where possible, trees felled within the SPEA are required to be left as coarse/large woody debris, which is important to terrestrial and aquatic organisms, and to physical stream function. Where possible, danger trees that require removal near stream channels or along lake shores should be pushed over with their root wads intact, to provide natural anchoring of the tree in the channel and bank.

4.2 Windthrow

Windthrow refers to the risk of land clearing exposing previously protected trees to storm-force winds. In particular, steep slopes in/near the SPEA may be put at additional risk if stabilising trees are damaged. Stand-level mitigation of this risk is generally preferred. In this case, windthrow is not a hazard, as tree clearing for this development has been minor, and has not been carried out adjacent to the SPEA.

4.3 Slope Stability

The site was assessed by Richard Brimmell (P.Eng.); the geotechnical report is included in Appendix A. There were no existing slope stability concerns identified, and none anticipated with the proposed development, providing some basic precautions are followed as detailed in the report, such as avoiding stockpiling soils and excessive excavation near the steep slope along the west property boundary.

4.4 Protection of Trees

As there are no trees within or adjacent to the SPEA that will be affected by development activities, tree protection is not required.

4.5 Encroachment

Encroachment refers to human disturbance of riparian ecosystems, e.g. by trampling, unsanctioned trails, landscaping beyond property lines (i.e. into protected areas) and dumping of refuse and yard waste within the SPEA. This is sometimes accomplished with fencing and signage. Given the small scale of this development, and the use of the property by a single family, exclusionary fencing is not required. However, the developer has been advised that vegetation clearing, and dumping of yard waste, etc. is not permitted within the SPEA. Furthermore, several aggressive invasive species were noted in the general area (although few within the SPEA itself), including St. John's wort, periwinkle, English ivy and holly. We advise controlling these species as much as possible, to avoid their spread into the SPEA. Any planting within the SPEA must consist of native species.

4.6 Sediment and Erosion Control During Construction

Under the RAR, the integrity of the riparian vegetation and soils within the SPEA must be protected; this includes ensuring that erosion does not occur within the SPEA, and that sediment laden water is not discharged into the SPEA and aquatic environment. The RAR also prohibits treatment, including filtration, of stormwater within the SPEA. Furthermore, the federal Fisheries Act (1985) prohibits the deposit of a deleterious substance, including sediment, in water frequented by fish. Finally, any stormwater discharges into adjacent downstream receiving environments (especially freshwater ecosystems) should meet the federal (Canadian Council of Ministers of the Environment) and provincial (B.C. Ministry of Environment) water quality guidelines for the protection of aquatic life.

The developer is responsible for designing an effective erosion and sediment control plan that ensures no sediment laden water enters the SPEA nor lake, and that erosion of nearby slopes does not occur such that the SPEA is damaged. The QEP can provide general recommendations as to the design principles of a Sediment and Erosion Control plan (if needed), and can monitor its effectiveness. Since this development is situated well back from the SPEA and lakeshore, erosion and sediment control should be feasible with simple measures, such as minimizing soil disturbance and carrying out construction activities during dry weather. The steep slope to the west needs to be protected from compaction and runoff. Environmental monitoring is required during construction to ensure these measures are effective, as discussed in Section 5.

4.7 Stormwater Management

Stormwater runoff from roofs and impervious surfaces must not be discharged into the SPEA nor onto steep slopes adjacent to the SPEA. The recommended method to discharge stormwater is to divert runoff to a low gradient area well back from the steep slopes. Construction of a "rain garden" to retain and infiltrate roof runoff from the proposed building is a recommended strategy to prevent excess surface flows and erosion, and can also provide an aesthetic benefit to the property. The following resources provide guidance on rain-garden

design:

CMHC Rain garden guide http://www.cmhc-schl.gc.ca/en/co/maho/la/la_005.cfm

Washington State University, Pierce County Low Impact Development "Rain Garden Handbook for Western Washington Homeowners." http://www.pierce.wsu.edu/Water_Quality/LID/

4.8 Floodplain Concerns

The proposed development does not involve any floodplains that are not contained in the SPEA.

Section 5. Environmental Monitoring

Monitoring of construction activities is required under the RAR to ensure the SPEA is protected and that the Erosion and Sediment Control Plan is carried out in an effective manner. Weekly inspections (by the QEP or a designate) are required at a minimum, in addition to more frequent inspections during times of high rainfall. Items to be checked on these inspections include:

- Preventative erosion and sediment control measures are in place (e.g. timing and phasing of construction so as to minimize disturbed area);
- Locations of no-go zones and sensitive areas (including tree protection, if applicable) are marked and communicated to all personnel;
- Spill response kits are on site when any heavy machinery is working, and operators know how to use them;
- Erosion/sediment control measures (e.g. infiltration trenches, sediment filtration dams, etc.) are in place and functioning well;
- Tracking of soil and sediment off the site (onto neighbouring roads) is not occurring.

Photopoint monitoring is the preferred means to document that proper construction and erosion/sediment control methods are carried out: specific locations are chosen and marked by the QEP prior to construction, and photographs are taken from the same locations (with the same views through the camera) periodically throughout the construction period. This documentation must be carried out by the QEP.

Post-Development Report

The QEP will file a post-development report on behalf of the developer, submitted through the Ministry of Environment Notification System, after the development has been completed. This report will document that the required measures and conditions outlined in this report have been implemented, as per Section 5(a) of the Riparian Area Regulation. A physical inspection of the site and the SPEA will be conducted, to ensure that no damage has occurred or is anticipated and the required management practices have been carried out. A checklist will be drafted, with each of the measures and monitoring requirements listed above, and accompanying documentation will be attached, such as a summary of the results of the monitoring and photographs.

References

B.C. Ministry of Environment. 2002. Stormwater Planning: a Guidebook for British Columbia. <http://www.env.gov.bc.ca/epd/epdpa/mpp/stormwater/stormwater.html>

B.C. Ministry of Environment, Fisheries Inventory Data Queries. Online database, retrieved April, 2009: <http://a100.gov.bc.ca/pub/fidq/main.do>

City of Nanaimo. 1999. Cottle Creek and You. Accessed January 2009: <http://www.nanaimo.ca/assets/Departments/Environmental-Planning/Watersheds/CottleCreek.pdf>

Department of Fisheries and Oceans Canada. 1992. Land Development Guidelines for the Protection of Aquatic Habitat.

United States Environmental Protection Agency (EPA). 1992. Storm water management for industrial activities: developing pollution prevention plans and best management practices. EPA-833-R-92-005.

Section 6. Photos

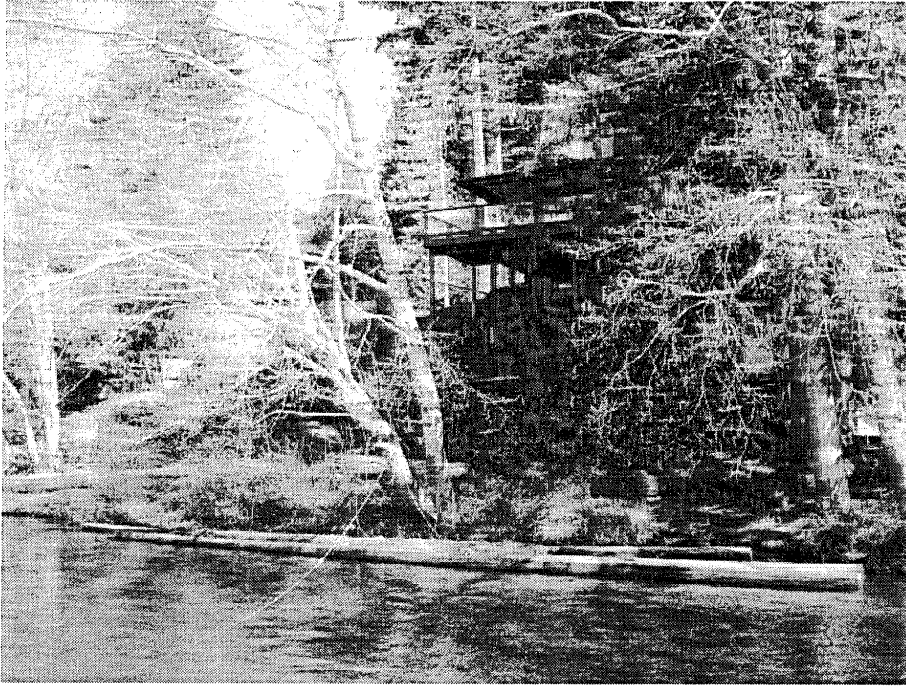


Figure 6.1. View of property from floating dock, looking north; proposed development site is behind and to the left of the residence

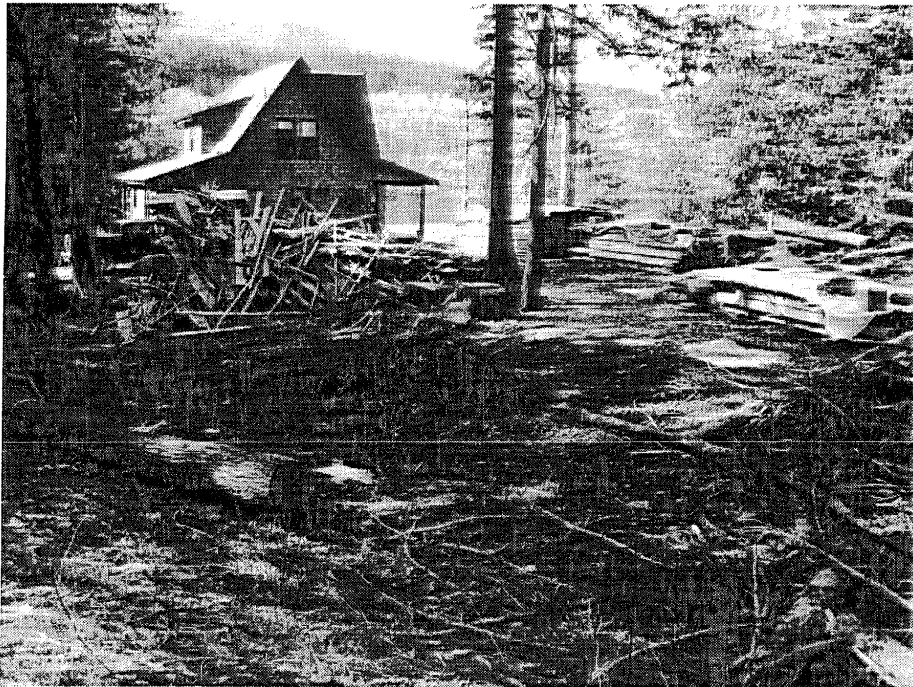


Figure 6.2. View of property, looking south; development site is located in area of stacked lumber on the right

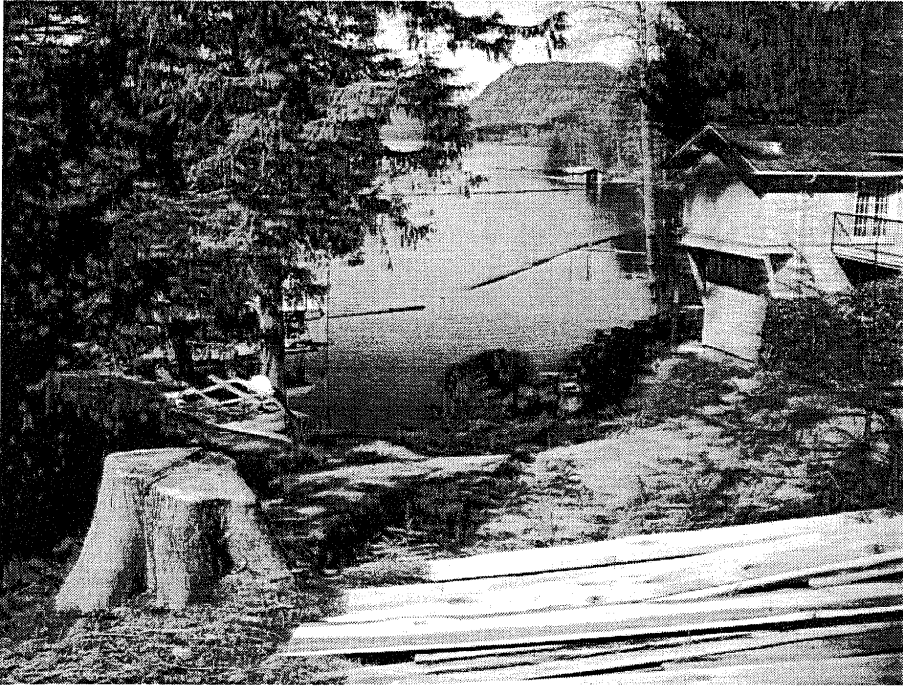


Figure 6.3. Looking west from proposed building site, across neighbour's property

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date May 11, 2009

1. I/We Lehna Malmkvist (R.P.Bio.)

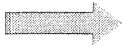
hereby certify that:

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

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

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)



- b) if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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

Appendix A - Geotechnical Report

Richard Brimmell, P. Eng
971 Bank St., Victoria, B.C.
V8S 4B1
Phone: 250-592-7645 Fax: 250-592-7640
rbrimmell@pacificcoast.net

Mr. Jerry Stenberg
c/o Swell Environmental Consulting
201-848 Mason Street
Victoria, B.C.
V8W 0A2

April 29/09
File 09-43

Att: Lehna Malmkvist, M.Sc.

Dear Sir & Madam:

Re: Proposed Detached Garage, 8720 North Shore Road, Lk. Cowichan
Geotechnical Considerations

This report summarizes my observations of April 27, in company with Mr. Stenberg. Drawing 1 is appended showing a measured slope profile westward from the proposed building site.

The site has been cleared in the past and is relatively level. The property slopes down toward Lake Cowichan both to the south and west of the proposed garage site. To the west of the site there is a cut slope, to a maximum height of about 3 m, exposing native gravel. This excavation was done by the neighbour to accommodate the lower elevation of his property and is shown on Drawing 1. A stacked boulder wall has been started along the toe of the cut slope and the neighbour indicated that he will complete the wall as boulders become available.

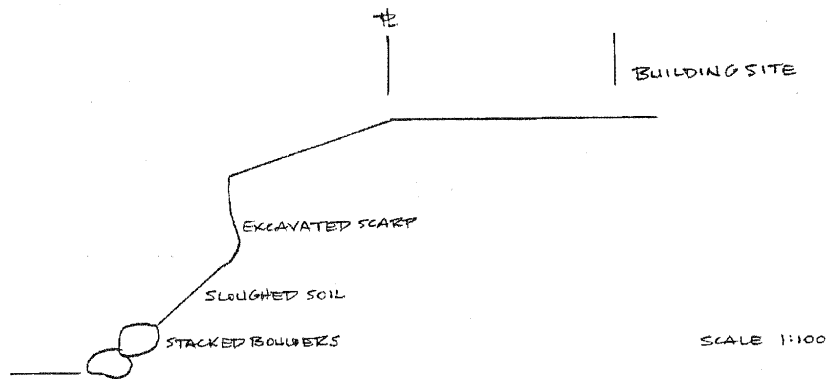
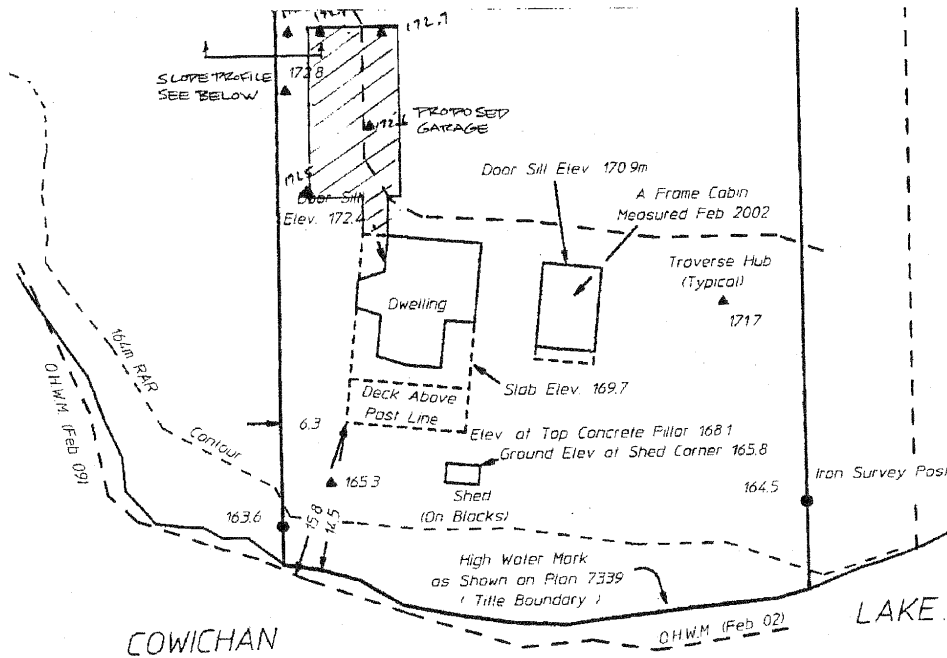
The proposed building site is geotechnically "buildable" and I do not foresee geotechnical difficulties. Construction materials and stockpiled soil should not be placed either to the south or west of the garage site. Where an existing stump encoaches into the building envelope it will be necessary to dig it out down to competent bearing; however where a stump is outside the building envelope it should be left intact to help promote soil stability.

Footing excavations should penetrate through the topsoil to expose competent native gravel. Footings may be sized based on a bearing pressure of 150 kPa [3000 psf] and a minimum footing width of 40 cm [16 in.].

I trust that this information meets your present requirements. Please do not hesitate to call if there are any questions.

Yours truly,

Richard Brimmell, P. Eng.



Project: Proposed Garage	DRAWING 1	Name: Site Sketch & Measured Slope Profile
Client: Stenberg c/o Swell Environmental Consulting	Job No. 09-43	R. Brimmell Engineering



D2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF SEPTEMBER 15, 2009

DATE: September 8, 2009 **FILE NO:** 1-C-09 ALR
FROM: Alison Garnett, Planning Technician **BYLAW NO:**
SUBJECT: Application 1-C-09 ALR
(Cameron)

Recommendation:

That application No. 1-C-09 ALR (Cameron) regarding a second dwelling on Lot A, Section 11, Range, 9 Shawnigan District, Plan VIP69418 be forwarded to the Agricultural Land Commission with a recommendation to approve.

Purpose:

Pursuant to Section 20(3) of the *Agricultural Land Commission Act*, for approval to construct a second residence on the subject property.

Background:

Location of Subject Property: 3501 Telegraph Road

Legal Description: Lot A, Section 11, Range 9, Shawnigan District, Plan VIP69418
(PID: 024-611-859)

Date Application and Complete Documentation Received: June 9, 2009

Owner: Bertha and William Cameron

Applicant: As above

Size of Parcel: 2.58 ha (6.4 acres)

Existing Zoning: A-1 (Primary Agricultural)

Minimum Lot Size Under Existing Zoning: 12 hectares

Existing Plan Designation: Agriculture

Existing Use of Property: Residential

000039

Existing Use of Surrounding Properties:

North: Hutchinson Road and Arbutus Ridge
 South: Arbutus Ridge
 East: Arbutus Ridge residences
 West: Telegraph Rd and Arbutus Ridge fairway

Services:

Road Access: Telegraph Road
Water: Well
Sewage Disposal: On-site septic

Agricultural Land Reserve Status: Property is located within the ALR

Environmentally Sensitive Areas: None identified

Archaeological Site: We have no record of any archaeological sites on the subject property.

Soil Classification:

Canada Land Inventory Maps:

± 90% 5 A/T (5 T⁷/P - 4 T³P);

± 10% 4 W⁵-3A⁵/W (3W⁵/D-2W⁵/D)

Soil Classification	% of subject property (Unimproved)	% of subject property (Improved)
1	-	-
2	-	5
3	5	5
4	5	27
5	90	63
6	-	-
7	-	-
<u>TOTAL</u>	100	100

Explanation of Land Capability Classifications:

- Class 1 lands have no limitations for Agricultural Production
- Class 2 lands have minor limitations, can be managed with little difficulty
- Class 3 lands have moderate limitations for Agricultural Production
- Class 4 lands have limitations that require special management practices
- Class 5 lands have limitations that restrict capability to produce perennial forage crops
- Class 6 lands suitable for domestic livestock grazing, may not be suitable for cultivation
- Class 7 lands have no capability for arable culture.

- Subclass “A” indicates soil moisture deficiency, improvable by irrigation
- Subclass “C” thermal limitations
- Subclass “D” indicates low perviousness, management required
- Subclass “P” indicates stoniness, improvable by stone picking
- Subclass “R” indicates bedrock near the surface or rock outcrops
- Subclass “T” indicates topography limitations, not improvable
- Subclass “W” indicates excess water, may be improvable by drainage.

Policy Context:

The Official Community Plan, Bylaw No. 1210, supports the designation and retention of agricultural lands. The following policies are derived from the Agricultural section of the OCP, and are meant to guide development within lands designated as Agricultural.

“Policy 5.1.1:

All lands within the Agricultural Land Reserve (ALR) as well as other lands considered to be agricultural in character or supportive of agricultural lands shall be designated Agricultural in the plan map.

Policy 5.1.2:

- a) All uses and subdivision of ALR land except those lands exempted under Section 19(1) of the Agricultural Land Commission Act shall be in accordance with the provisions of the Act, regulations thereto, and orders of the Land Commission.*

Policy 5.1.3

Subject to the policies contained within this Plan, agricultural pursuits shall be given priority within the Agricultural designation and the only uses permitted are those which shall not preclude future agricultural uses.

Planning Division Comments:

The subject property is located at 3501 Telegraph Road, at the junction of Telegraph and Hutchinson Roads. There is currently one single-family residence on the lot, several accessory residential and agricultural buildings, and fenced paddocks. The subject property is zoned A-1, Primary Agriculture, and is located within the Agricultural Land Reserve (ALR). The applicants previously used the land for horse breeding, however they currently have only one stallion. Their use of the land today is largely residential.

The applicants are applying to construct a second residence, approximately 125 m² in size, to be used by their daughter. As the subject property is 2.58 ha, and the A-1 zone permits a second dwelling on parcels 2 ha or larger, this proposal complies with Zoning Bylaw No. 1405. However, the Agricultural Land Commission (ALC) permits only one single-family residence on lands within the ALR, and any subsequent residences require an application to the Commission for a Non-Farm Use.

A site visit has confirmed that the existing home is located in the southeast corner of the lot, and is surrounded by accessory residential and agricultural use buildings. The proposed location of the second residence is an existing paddock (please see attached site plan provided by the applicant). Practically speaking, this proposed location would leave the paddocks in the north east corner of the lot largely unaffected, and would allow the proposed residence to make use of the existing driveway.

The subject property is extremely fragmented from surrounding agricultural uses. It is bounded by Hutchinson Road to the north and Telegraph Road to the west. In addition, the fairways and residences of Arbutus Ridge golf course surround the subject property in virtually all directions. The nearest farming activity occurs opposite Telegraph Road, on a 5.5 ha property which operates as a lavender farm.

The Canada Land Inventory soil classification identifies the agricultural capacity of the subject property to be a majority of Class 5 (approximately 90 %) and Class 4 (approximately 5%) and Class 3 (approximately 5%) soils with subclasses noted above, in particular soil moisture deficiency, topography limitations and excess water. With appropriate techniques, the soil capability improves to 63% Class 5, 27% Class 4, 5% Class 3, and 5% Class 2, with many of the same subclass limitations.

The CVRD's role in this application is to advise the ALC whether a second residence on the subject property in the ALR is within the public interest. Any changes claiming current or short-term advantage for an individual should not be outweighed by the long-term importance of maintaining the ALR in a way that will benefit the entire agricultural community. However, it is important to note that the applicants' proposal does comply with CVRD zoning.

Advisory Planning Commission Comments:

This application was referred to the Electoral Area C Advisory Planning Commission, who provided the following recommendation at their meeting held August 25th 2009:

It was moved seconded that the APC support the application

Options:

1. That application No. 1-C-09 ALR (Cameron) regarding a second dwelling on Lot A, Section 11, Range 9, Shawnigan District, Plan VIP69418 be forwarded to the Agricultural Land Commission with a recommendation to approve.
2. That application No. 1-C-09 ALR (Cameron) regarding a second dwelling on Lot A, Section 11, Range 9,, Shawnigan District, Plan VIP69418 be forwarded to the Agricultural Land Commission without a recommendation.
3. That application No. 1-C-09 ALR (Cameron) regarding a second dwelling on Lot A, Section 11, Range 9, Shawnigan District, Plan VIP69418 be forwarded to the Agricultural Land Commission with a recommendation to deny.

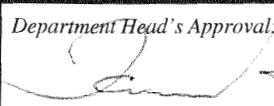
Option 1 is recommended.

Submitted by,



Alison Garnett,
Planning Technician
Development Services Division
Planning and Development Department

AG/ca

Department Head's Approval:	
<hr/>	
Signature	

000043



Cowichan
Valley
Regional
District

000044

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

The Regional District does not warrant the accuracy.

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

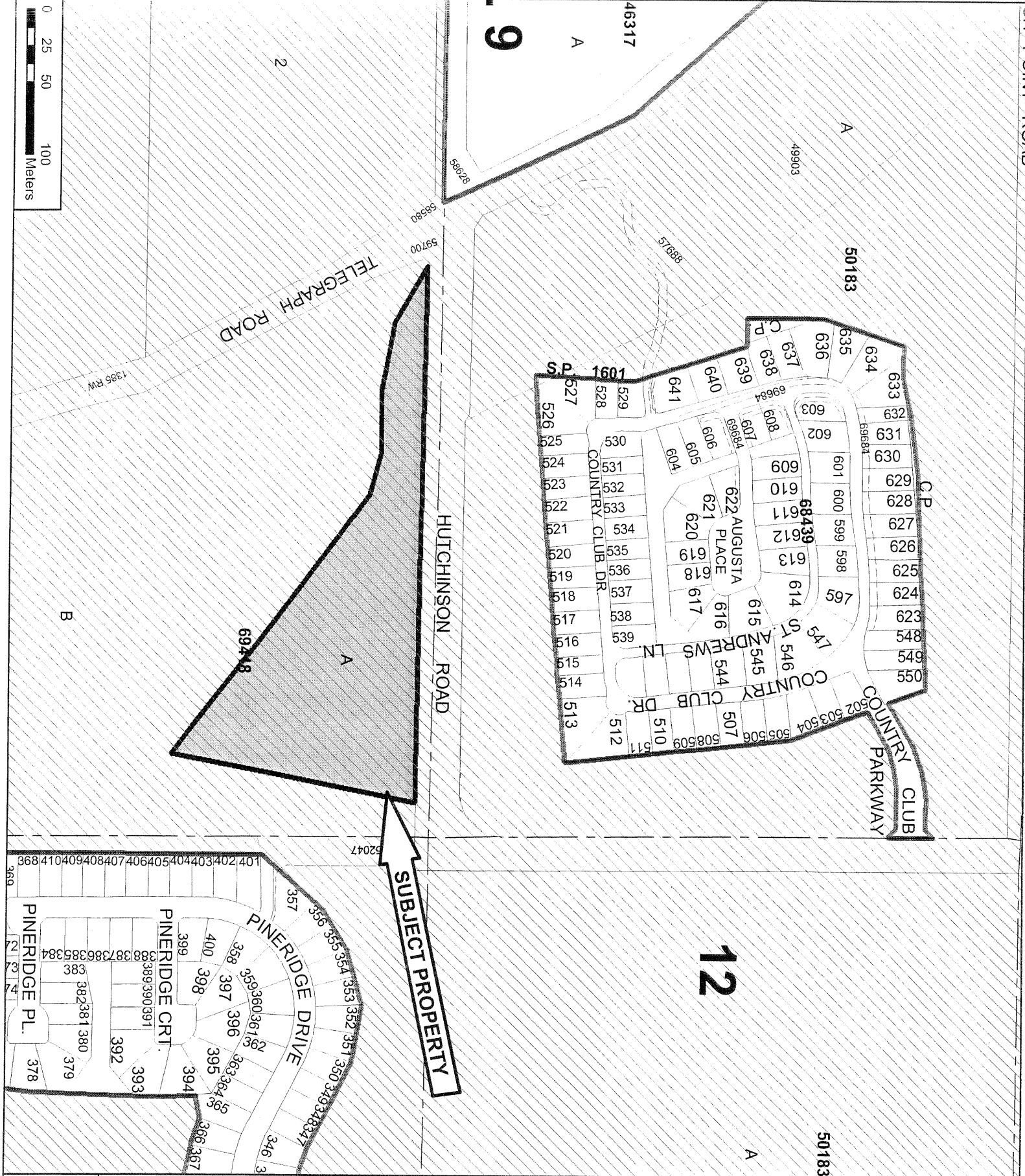
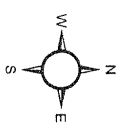
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 1-C-09
-ALR

ALR

Legend

- Subject Property
- C. ALR





Cowichan
Valley
Regional
District

0000045

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-C-09
-ALR

ZONING

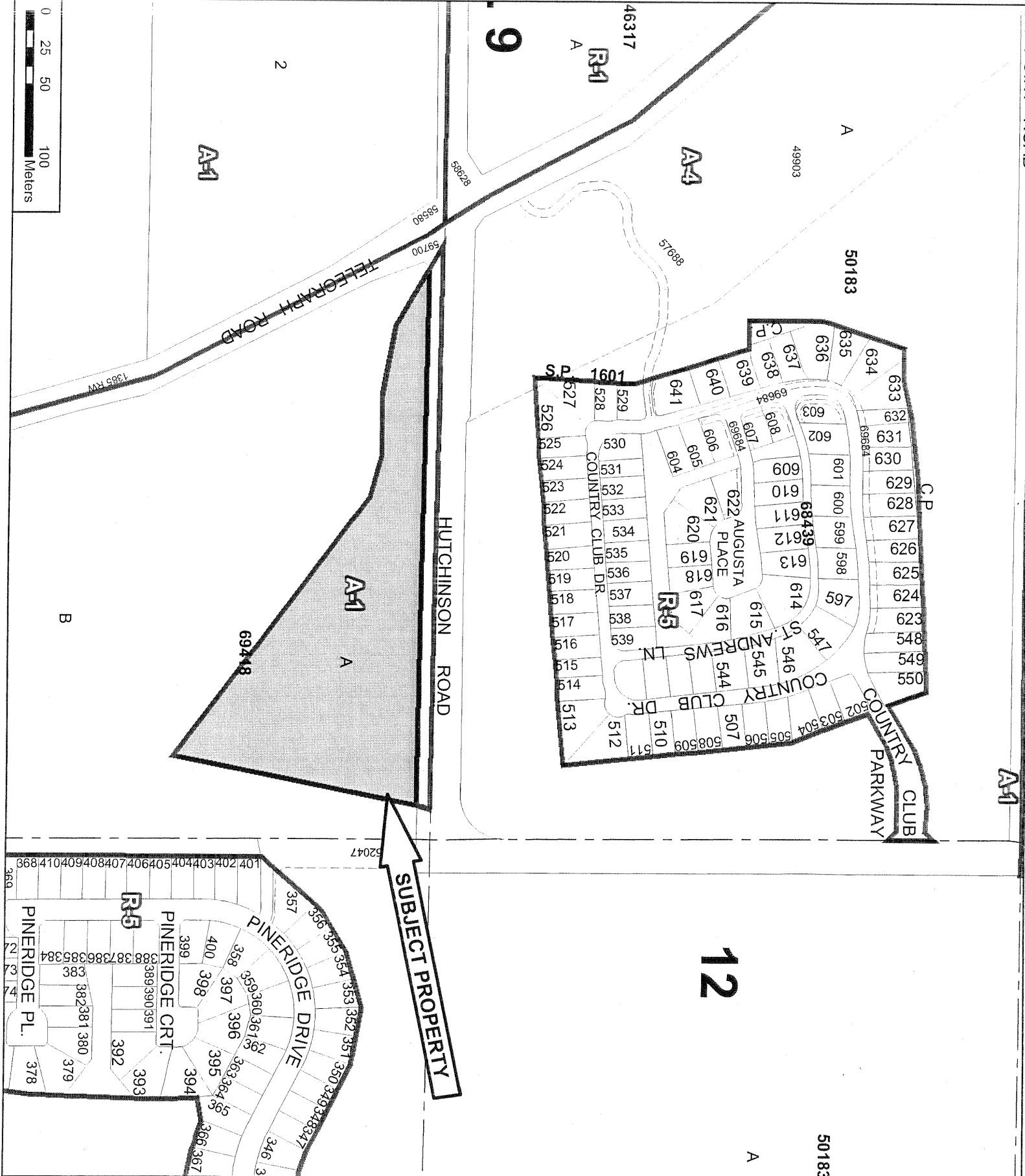
Legend

-  Subject Property
-  Zoning Electoral Area C



12

SUBJECT PROPERTY



HUTCHINSON ROAD

TREES

TITLE EN77200
LOT B

GOLF COURSE

Proposed
New House

Riding
Rings

Barn

Existing
House

Shed

Sheds

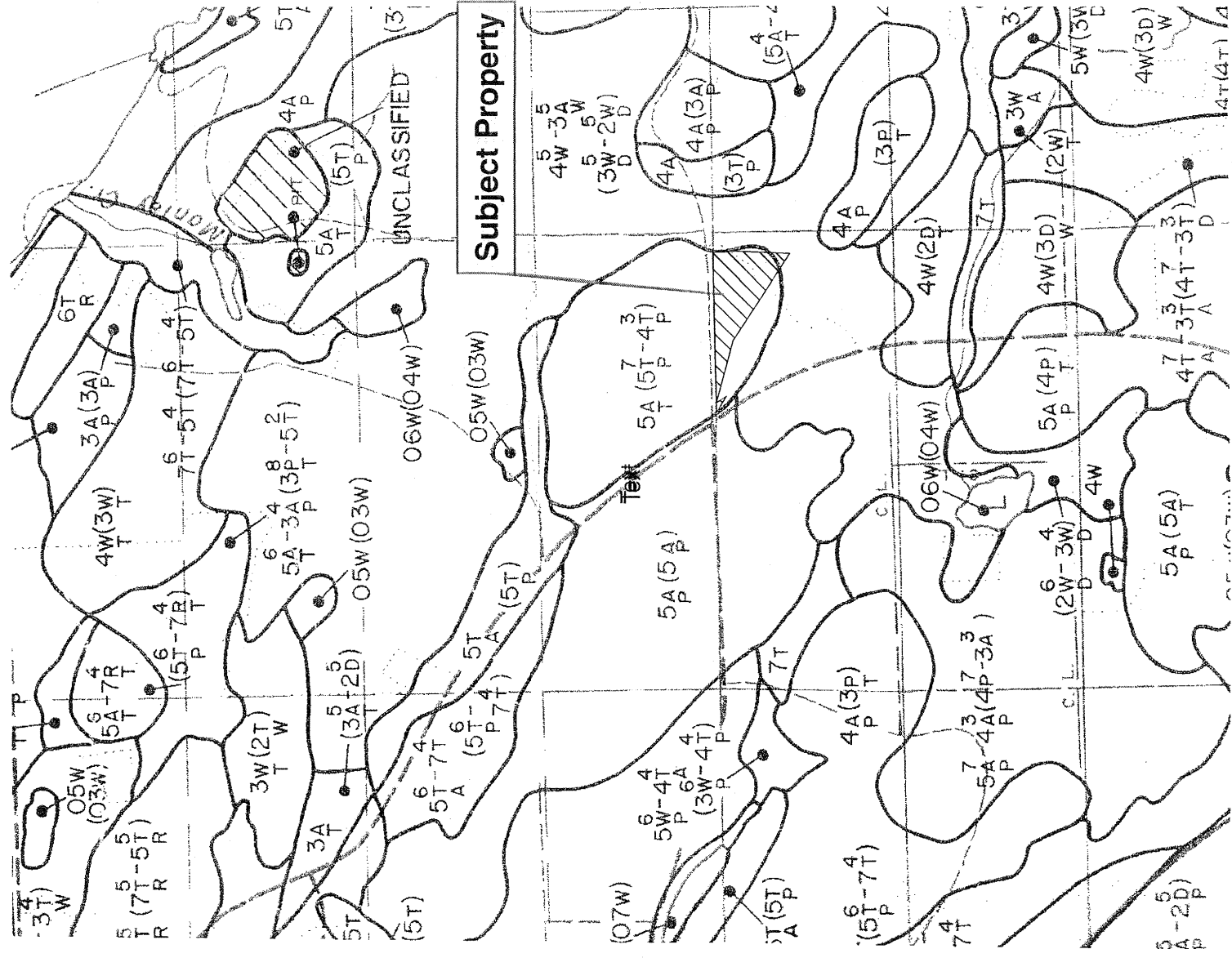
PADDOCKS

TITLE EN77199
LOT B

GOLF
COURSE

000046

Canadian Land Inventory Soil Capability Map



000027



D3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF SEPTEMBER 15, 2009

DATE: September 8, 2009 **FILE NO:** 3-I-09DP
FROM: Alison Garnett, Planning Technician **BYLAW NO:**
SUBJECT: Application 3-I-09DP
(Ian Poyntz for Goat Island Holdings)

Recommendation:

That application No. 3-I-09DP be approved, and that a development permit be issued to Ian Poyntz of Goat Island Holdings Ltd for the construction of a single family dwelling on Goat Island, Block 1454, Cowichan Lake District, Plan 40412, subject to:

- Compliance with the measures and recommendations outlined in RAR assessment report No. 1189 by Ted Burns, including the appropriate marking/flagging of the Streamside Protection and Enhancement Area to prevent encroachment.

Purpose:

To consider a development permit application for the construction of a single family dwelling on Island 3 (Goat Island), in accordance with the provisions of the Watercourse Protection Development Permit Area.

Background:

Location of Subject Property: Island 3, Cowichan Lake

Legal Description: Block 1454, Cowichan Lake District, as shown on Plan 40412 (PID 000-121-894)

Date Application and Complete Documentation Received: May 25, 2009

Owner: Goat Island Holdings Ltd.

Applicant: Ian Poyntz

Size of Parcel: \pm 1.5 hectares (\pm 3.7 acres)

Existing Zoning: LR-1 Lakefront Residential 1 Zone

Minimum Lot Size Under Existing Zoning: 1 hectare if not connected to a community water system

000048

Existing Plan Designation: Lakefront Residential

Existing Use of Property: Vacant

Existing Use of Surrounding Properties:

North	Cowichan Lake
South	Cowichan Lake
East:	Cowichan Lake
West:	Cowichan Lake

Services:

<u>Road Access:</u>	Boat access only
<u>Water:</u>	Lake water
<u>Sewage Disposal:</u>	On-site sewage system

Agricultural Land Reserve Status: The subject property is not within the ALR.

Environmentally Sensitive Areas: The subject property is an island located on Cowichan Lake, and is therefore subject to the Watercourse Protection Development Permit Area.

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

Planning Division Comments:

The subject property is Island No. 3 on Cowichan Lake, located near Marble Bay. Other than an existing boat house and dock situated on the south end of the island, the subject property has no buildings or structures. The applicant is proposing to construct a 147.5 m² (1590 ft²) house in the centre of the island.

The subject property is located within the Watercourse Protection Development Permit Area (DPA). As such, the applicant must receive a development permit from the CVRD prior to commencing any site preparation or construction, in accordance with the Youbou/Meade Creek Official Community Plan Bylaw No. 2650. In compliance with the Watercourse Protection DPA guidelines, the applicant has retained the services of Ted Burns, a qualified environmental professional, to conduct a Riparian Areas Regulation (RAR) Assessment. A copy of RAR report No. 1189 is attached for your reference.

The following section outlines how the proposed development addresses the Watercourse Protection DPA guidelines.

- (a) **Retention of natural vegetation** – Trees and vegetation will be removed in the location of the proposed house, the path, and presumably where the septic disposal system will be located. Otherwise, the proponent aims to preserve the native vegetation on the site.
- (b) **Coverage of entire area** – As indicated on the attached site plan, the proposed house is located at the centre of the Island, as far removed from the riparian area as possible.
- (c) **Riparian area protection** – this guideline has been largely superseded by the *Riparian Areas Regulation* guidelines.

- (d) **BMP implementation** – the role of the Qualified Environmental Professional (QEP) is to examine all BMPs and integrate these into the Riparian Assessment Report. Report No. 1189 indicates the proponent will use rock pits to absorb roof runoff.
- (e) **Silt and sediment control** – Report No. 1189 states that construction will occur in the dry months between May and late September. However, as the island is relatively flat, a large rain event is unlikely to produce runoff to the lake.
- (f) **Imperviousness figures** – The LR-1 Zone permits 20% parcel coverage for all buildings and structures on a lot. However, the development proposal will produce far less parcel coverage than that permitted by the zoning. The total building footprint including outdoor living area will be 238.5 m² (2567 ft²) on a 1.5 ha island, which results in approximately 1.6% parcel coverage.
- (g) **Floodplain** – The entire island is below the 167.33 m flood construction level, therefore the habitable portion of the dwelling will be constructed above this elevation.
- (h) **Driveway design** – No driveways or roads are proposed.
- (i) **Footpaths** – A 1 to 2 metre wide footpath is proposed to provide access between the dock, the house, and the site identified as a suitable landing for construction equipment and materials. The footpath will be located at least 5 m inland from the Streamside Protection and Enhancement Area (SPEA).
- (j) **Retaining walls** – none are planned.
- (k) **Retaining wall appearance** – see above.
- (l) **Retaining wall with fence** – see above.
- (m) **Cultural/heritage sites** – no such sites were identified.
- (n) **Pilings/floats** – No new such construction is proposed.
- (o) **Applicable only to subdivision**
- (p) **Develop with care** – the RAR Assessment Report will cover this within the Riparian Assessment Area.
- (q) **Wetlands** – the applicant aims to preserve all wetlands on the site.
- (r) **Harmful Alteration Destruction of Disruption of fish habitat** – compliance with the RAR Assessment Report will by definition prevent a HADD.

Riparian Areas Regulation Assessment Report:

The RAR assessment report No. 1189 by Ted Burns identifies a 30 metre Streamside Protection and Enhancement Area (SPEA) on the north side of the island, and a 15 metre SPEA for the east, west and south sides. The SPEA is measured from the high water mark of the lake, which is estimated at 164 metres above mean sea level. All proposed development, other than a permitted 1.5 metre footpath to access the shore, will be located outside the designated SPEAs. The attached report has also identified a shoreline area suitable for barge landing for construction and equipment materials.

Advisory Planning Commission Comments:

This application was referred to the Electoral Area I Advisory Planning Commission, who recommends that the application be approved. The APC voiced concerns over the use and storage of heating oil on the Island, and asked the applicant to provide a written statement that only wood, solar or propane be used on the Island.

Options:

1. That application No. 3-I-09DP be approved, and that a development permit be issued to Ian Poyntz of Goat Island Holdings Ltd for the construction of a single family dwelling on Goat Island, Block 1454, Cowichan Lake District, Plan 40412, subject to:
 - Compliance with the measures and recommendations outlined in RAR assessment report No. 1189 by Ted Burns, including the appropriate marking/flagging of the Streamside Protection and Enhancement Area to prevent encroachment.
2. That application No. 3-I-09DP not be approved in its current form, and that the applicant be directed to revise the proposal.

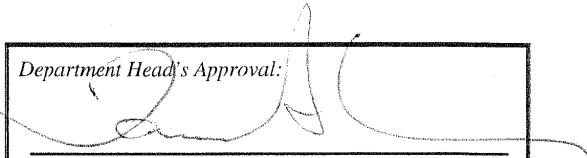
Option 1 is recommended.

Submitted by,



Alison Garnett,
Planning Technician
Planning and Development Department

AG/ca

Department Head's Approval:

Signature



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 3-I-09 DP- DRAFT

DATE: September 8, 2009

TO: Ian Poyntz c/o Goat Island Holdings

ADDRESS: 107 Clarence St.

Victoria BC V8V 2H9

1. This Development 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 Permit applies to and only to those lands within the Regional District described below (legal description):
Block 1454, Cowichan Lake District, as shown on Plan 40412 (PID 000-121-894)
3. Authorization is hereby given for the construction of a single family dwelling on the subject property in accordance with the conditions listed in Section 4, below.
4. The development shall be carried out subject to the following condition:
 - *Compliance with the measures and recommendations outlined in RAR assessment report No. 1189 by Ted Burns, including the appropriate marking/flagging of the Streamside Protection and Enhancement Area to prevent encroachment.*
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. The following Schedule is attached:
 - RAR Report No. 1189 by Ted Burns, dated December 20, 2008, including site plan on page 8.
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Development Services Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO.XXXXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE ___th 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.

000052

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 _____ other than those contained in this Permit.

Signature

Witness

Owner/Agent

Occupation

Date

Date

000053



Cowichan
Valley
Regional
District

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

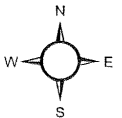
The Regional District does not warrant the accuracy.

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

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

**FILE: 3-I-09-
DP-RAR**

**Orthophoto
(2004)**



Goat Island **BLK. 1454**

SUBJECT PROPERTY

0 25 50 100
Meters

000054



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.

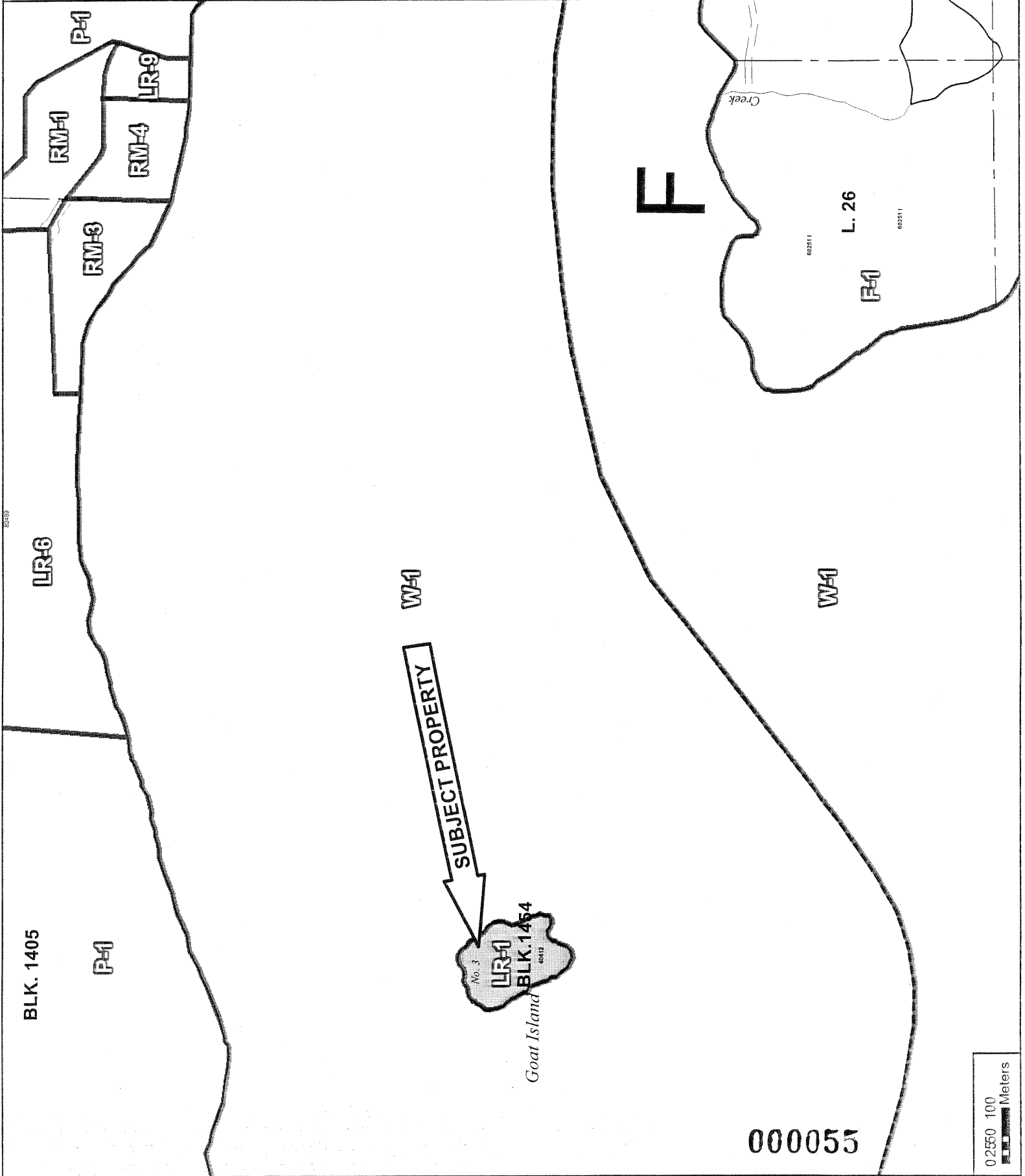
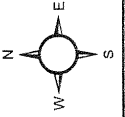
FILE: 3-I-09-DP-RAR

ZONING

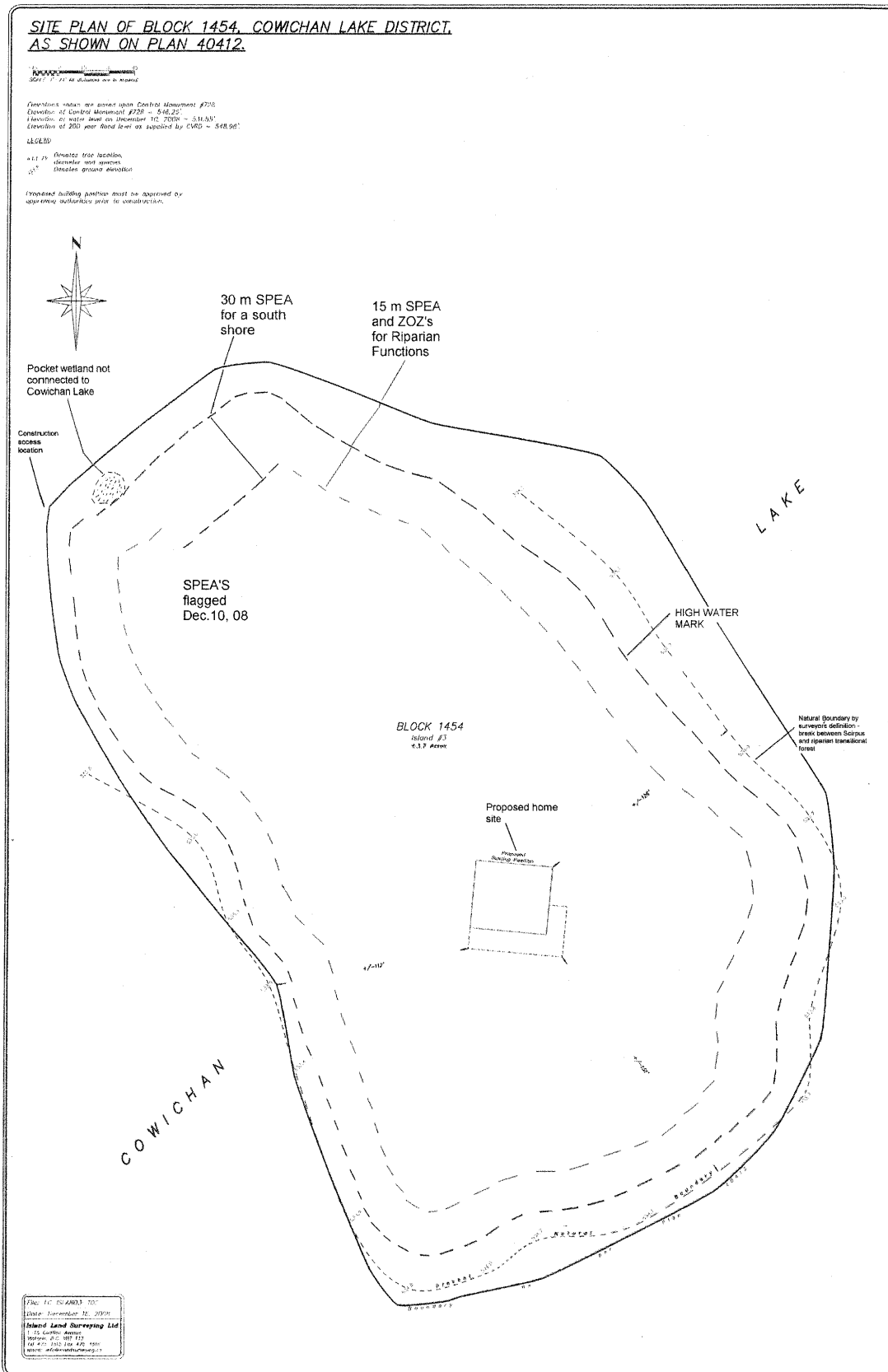
Legend

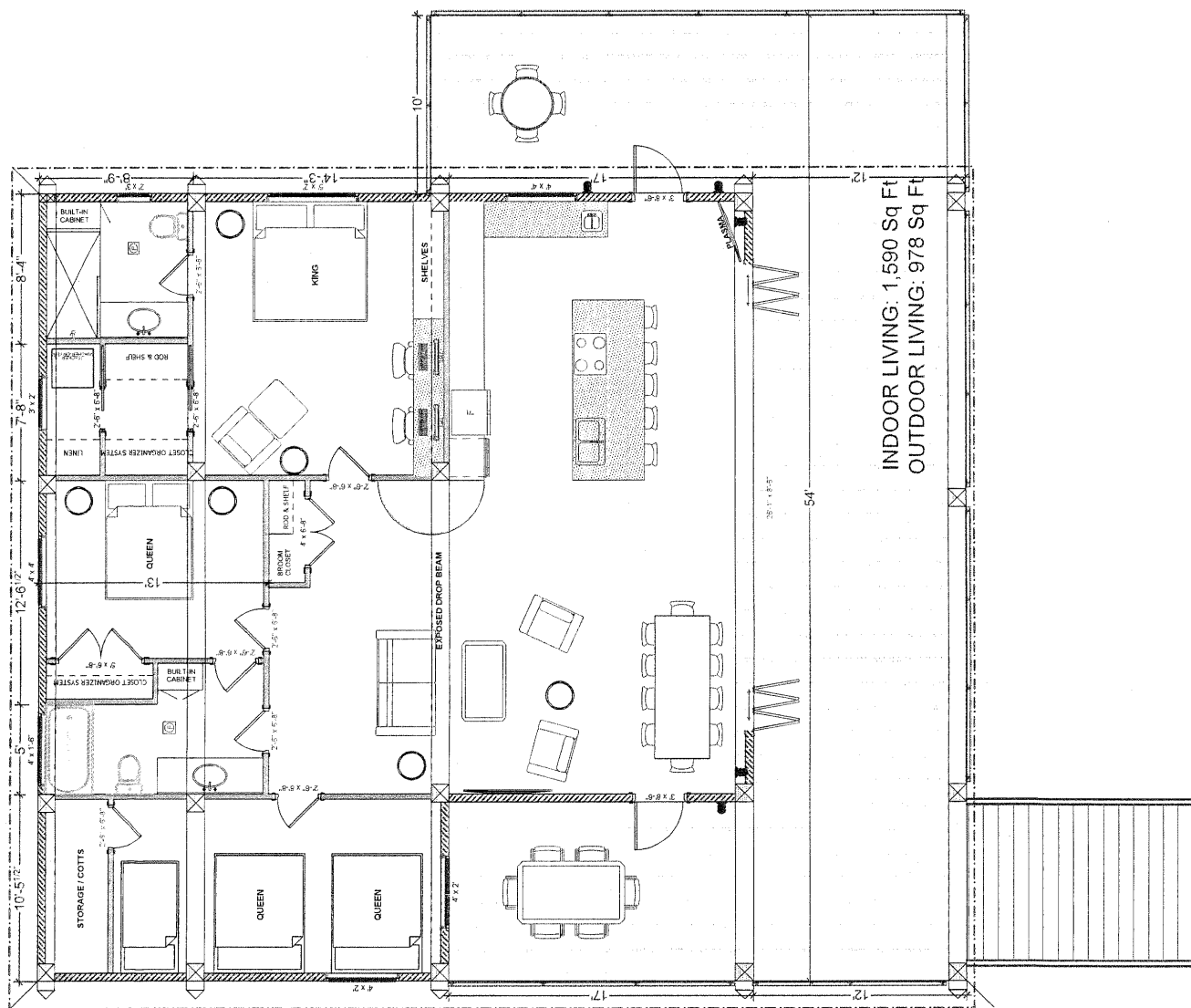


Subject Property
Zoning Electoral Area I



000055





INDOOR LIVING: 1,590 Sq Ft
 OUTDOOR LIVING: 978 Sq Ft

WEDNESDAY, JAN. 14, 2009

000057

Riparian Areas Regulation: Assessment Report

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

Date December 20, 08

I. Primary QEP Information

First Name	Ted	Middle Name		
Last Name	Burns			
Designation	Biologist	Company		
Registration #	895	Email tedburns@shaw.ca		
Address	9715 Epp Drive			
City	CHILLIWACK	Postal/Zip	V2P 6N7	Phone # 604-795-9716
Prov/state	BC	Country	CANADA	

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

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

III. Developer Information

First Name	Ian	Middle Name		
Last Name	Poyntz			
Company				
Phone #	250-385-9191	Email poyntz@telus.net		
Address	107 Clarence Street			
City	VICTORIA	Postal/Zip	V8V 2H9	
Prov/state	BC	Country	CANADA	

IV. Development Information

Development Type	Construction :Single Family Residence			
Area of Development (ha)	.023	Riparian Length (m)	480	
Lot Area (ha)	1.50	Nature of Development New		
Proposed Start Date	May 15, 2009	Proposed End Date	September 15, 2012	

V. Location of Proposed Development

Street Address (or nearest town)	Lake Cowichan			
Local Government	Cowichan Valley Regional District	City	DUNCAN	
Stream Name	Cowichan Lake			
Legal Description (PID)	000-121-894	Region	Vancouver Island	
Stream/River Type	Lake	DFO Area	South Coast	
Watershed Code	9252577			
Latitude	48	49	46	Longitude 124 9 40

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

Table of Contents for Assessment Report

	Page Number
1. Description of Fisheries Resources Values	3-4
2. Results of Riparian Assessment (SPEA width)	5-6
3. Site Plan	8
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
1. Danger Trees.....	9
2. Windthrow.....	9
3. Slope Stability.....	9
4. Protection of Trees.....	9
5. Encroachment	10
6. Sediment and Erosion Control.....	10
7. Floodplain.....	10
8. Stormwater Management.....	10
5. Environmental Monitoring	11
6. Photos	12-15
7. Assessment Report Professional Opinion	16

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

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

Date December 20, 08

I. Primary QEP Information

First Name	Ted	Middle Name	
Last Name	Burns		
Designation	Biologist	Company	
Registration #	895	Email	tedburns@shaw.ca
Address	9715 Epp Drive		
City	CHILLIWACK	Postal/Zip	V2P 6N7
Prov/state	BC	Country	CANADA
		Phone #	604-795-9716

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

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

III. Developer Information

First Name	Ian	Middle Name	
Last Name	Poyntz		
Company			
Phone #	250-385-9191	Email	poyntz@telus.net
Address	107 Clarence Street		
City	VICTORIA	Postal/Zip	V8V 2H9
Prov/state	BC	Country	CANADA

IV. Development Information

Development Type	Construction : Single Family Residence		
Area of Development (ha)	.023	Riparian Length (m)	480
Lot Area (ha)	1.50	Nature of Development	New
Proposed Start Date	May 15, 2009	Proposed End Date	September 15, 2012

V. Location of Proposed Development

Street Address (or nearest town)	Lake Cowichan		
Local Government	Cowichan Valley Regional District	City	DUNCAN
Stream Name	Cowichan Lake		
Legal Description (PID)	000-121-894	Region	Vancouver Island
Stream/River Type	Lake	DFO Area	South Coast
Watershed Code	9252577		
Latitude	48	49	46
Longitude	124	9	40

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

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

Development Proposal

Mr. Ian Poyntz of Victoria proposes to build an approximately 2500 square foot home on Island 3 (Goat Island) on Cowichan Lake. The home would be located on upland near the centre of the island which is a second growth coniferous forest of Douglas fir and Western Red Cedar. The home would be located well inland from the SPEA. The SPEA is 15 m on the east, west and south sides of the island and 30 m on the north side because the north side of the island is a south shore of the lake. The island is zoned LR – 1 (lakefront residential).

Cowichan Lake as Fish Habitat

Cowichan Lake and, in particular, its shore zone, is very important fish habitat. **Cowichan Lake** is a large, deep, oligotrophic coastal lake. It covers a surface area of 62,043,000 m², has a volume of 3,109,138,000 m³ and a perimeter of 102,740 m. The shore zone has been divided into 85 reaches and sub-reaches (Burns, 2002). It has a strong and diverse fish community.

Table 1: Cowichan Lake Physical Description

Elevation	Area (m ²)	Volume (m ³)	Mean Depth (m)	Max. Depth (m)	Perimeter (m)	Reaches
158-162	62,043,000	3,109,138,000	50.1	152	102,740	85

Cowichan Lake is utilized by rainbow and cutthroat trout, brown trout, Dolly Varden char, kokanee, chinook and coho salmon. Chum salmon also use the lake on a short term basis. Threespine sticklebacks and sculpins are also present (*Cottus asper* and *Cottus aleuticus*). The Cowichan Lamprey is also present (Table 2).

Table 2: The fishes of Cowichan Lake and their relative abundance

Species	Relative Abundance
Coho salmon	Very abundant in the shore zone between May and July. Can persist all summer in cool years.
Three – spine stickleback	Very abundant in the shore zone for most of the year
Kokanee	Very abundant but mainly in open water
Cutthroat trout	Very abundant. At least two races or forms in the lake.
Rainbow trout	Very abundant but slightly less so than cutthroats
Dolly Varden	Formerly abundant especially in the west portion of the lake but have declined markedly of late. Now uncommon.
Chinook salmon	Scarce. Very abundant prior to 1950's in the form of early run (June) that held in the lake until fall rains then spawned in a number of tributaries. Fall Chinooks are still relatively abundant in the Cowichan system but they make little use of the lake.
Chum salmon	Not abundant, spawns in several tributaries in small numbers, total escapement to the lake tributaries usually less than 1000. Very occasional beach spawning near Youbou and possibly at other

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

	sites. Young are in shore zone from late April to June.
Brown trout	Rare
Cowichan Lamprey	Abundant
Prickly Sculpin	Abundant in the shore zone
Aluetian Sculpin	Common

Of the Cowichan Lake fish community, Threespine sticklebacks and coho salmon are the most at risk from development adjacent to the lake because they are most dependent on shore zone habitat. All juvenile salmonids winter in the shore zone (inland extent of riparian vegetation and, in most cases, seasonal wetting, to the 6 m contour offshore). But coho and sticklebacks are present in all but the warmest weather periods when water temperature exceeds 22°. However they are not usually present in all habitats being largely limited to protected, well vegetated Class 1 and 2 Shores. Except for a short stretch of gravel beach with an adjacent bedrock shelf, the shore zone of Goat Island is excellent fish habitat (Class 1). A broad shoal surrounds nearly all the Island. The substrate is primarily muddy sand which supports a band of bulrushes (*Scirpus lacustris*) that varies from 15 to 50 m in width. A small dock and boathouse are present on the southern end of the island.

Riparian Conditions

As mentioned above, most of the island shore is covered with a Scirpus Marsh which is entirely below the high water mark. Between the marsh and upland (terrestrial habitat) there is a transitional zone of Pacific Ninebark, Pacific Crabapple, Hardhack (*Spirea*) and occasional willows and red osier with patches of *Carex* and snowberry. Occasional cedars and shore pines also occupy this zone which is littered with heavy flotsam (driftwood). The highwater "mark" is located in the upper portion of this zone which is about 15 m wide. Inland from the transitional zone is the upland core of the island which is covered with a forest of second growth Douglas fir and cedar with a small group of Douglas fir vets. The understory is sparse due to the tight canopy but there is occasional Salal, Oregon Grape, Sword Fern, Vanilla Leaf, Red Huckleberry and Bracken.

Construction Access

The gravel beach and bedrock shelf on the NW corner of the island provide a non-sensitive barge landing for construction equipment and materials. A 1-2 m wide path leads from the landing to the south end of the island and the home site. The path is at least 5 m inland from the SPEA for its entire length.

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

Development Proposal

Mr. Ian Poyntz of Victoria proposes to build an approximately 2500 square foot home on Island 3 (Goat Island) on Cowichan Lake. The home would be located on upland near the centre of the island which is a second growth coniferous forest of Douglas fir and Western Red Cedar. The home would be located well inland from the SPEA. The SPEA is 15 m on the east, west and south sides of the island and 30 m on the north side because the north side of the island is a south shore of the lake. The island is zoned LR – 1 (lakefront residential).

Cowichan Lake as Fish Habitat

Cowichan Lake and, in particular, its shore zone, is very important fish habitat. **Cowichan Lake** is a large, deep, oligotrophic coastal lake. It covers a surface area of 62,043,000 m², has a volume of 3,109,138,000 m³ and a perimeter of 102,740 m. The shore zone has been divided into 85 reaches and sub-reaches (Burns, 2002). It has a strong and diverse fish community.

Table 1: Cowichan Lake Physical Description

Elevation	Area (m ²)	Volume (m ³)	Mean Depth (m)	Max. Depth (m)	Perimeter (m)	Reaches
158-162	62,043,000	3,109,138,000	50.1	152	102,740	85

Cowichan Lake is utilized by rainbow and cutthroat trout, brown trout, Dolly Varden char, kokanee, chinook and coho salmon. Chum salmon also use the lake on a short term basis. Threespine sticklebacks and sculpins are also present (*Cottus asper* and *Cottus aleuticus*). The Cowichan Lamprey is also present (Table 2).

Table 2: The fishes of Cowichan Lake and their relative abundance

Species	Relative Abundance
Coho salmon	Very abundant in the shore zone between May and July. Can persist all summer in cool years.
Three – spine stickleback	Very abundant in the shore zone for most of the year
Kokanee	Very abundant but mainly in open water
Cutthroat trout	Very abundant. At least two races or forms in the lake.
Rainbow trout	Very abundant but slightly less so than cutthroats
Dolly Varden	Formerly abundant especially in the west portion of the lake but have declined markedly of late. Now uncommon.
Chinook salmon	Scarce. Very abundant prior to 1950's in the form of early run (June) that held in the lake until fall rains then spawned in a number of tributaries. Fall Chinooks are still relatively abundant in the Cowichan system but they make little use of the lake.
Chum salmon	Not abundant, spawns in several tributaries in small numbers, total escapement to the lake tributaries usually less than 1000. Very occasional beach spawning near Youbou and possibly at other

Section 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: Dec. 20, 08

Description of Water bodies involved (number, type)

1 lake

Stream	
Wetland	
Lake	X
Ditch	

Number of reaches

Reach #

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

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

I, (name of qualified environmental professional), hereby certify that:

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

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

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

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

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons		X

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

I, (Ted Burns), hereby certify that:

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

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer (Ian Poyntz);

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

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

Polygon No:			
	LC	SH	TR
SPVT Type			X

Method employed if other than TR

Polygon No:			
	LC	SH	TR
SPVT Type			

Method employed if other than TR

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Polygon No:		Method employed if other than TR
SPVT Type		

Zone of Sensitivity (ZOS) and resultant SPEA

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

Segment No:	2	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	30						
Litter fall and insect drop ZOS (m)	30						
Shade ZOS (m) max	30	South bank	Yes	x	No		
SPEA maximum	30	(For ditch use table3-7)					

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

I, (Ted Burns), hereby certify that:

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

Comments

Segment 2 is the north end of the island which is a south shore of the lake.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: Dec. 20, 08

Description of Water bodies involved (number, type)

1 lake

Stream	
Wetland	
Lake	x
Ditch	

Number of reaches	
Reach #	

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

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

I, (name of qualified environmental professional), hereby certify that:

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

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

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

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

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons		x

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

I, (Ted Burns), hereby certify that:

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

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer (Ian Povntz) ;

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

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

Polygon No:			
	LC	SH	TR
SPVT Type			x

Method employed if other than TR

Polygon No:			
	LC	SH	TR
SPVT Type			

Method employed if other than TR

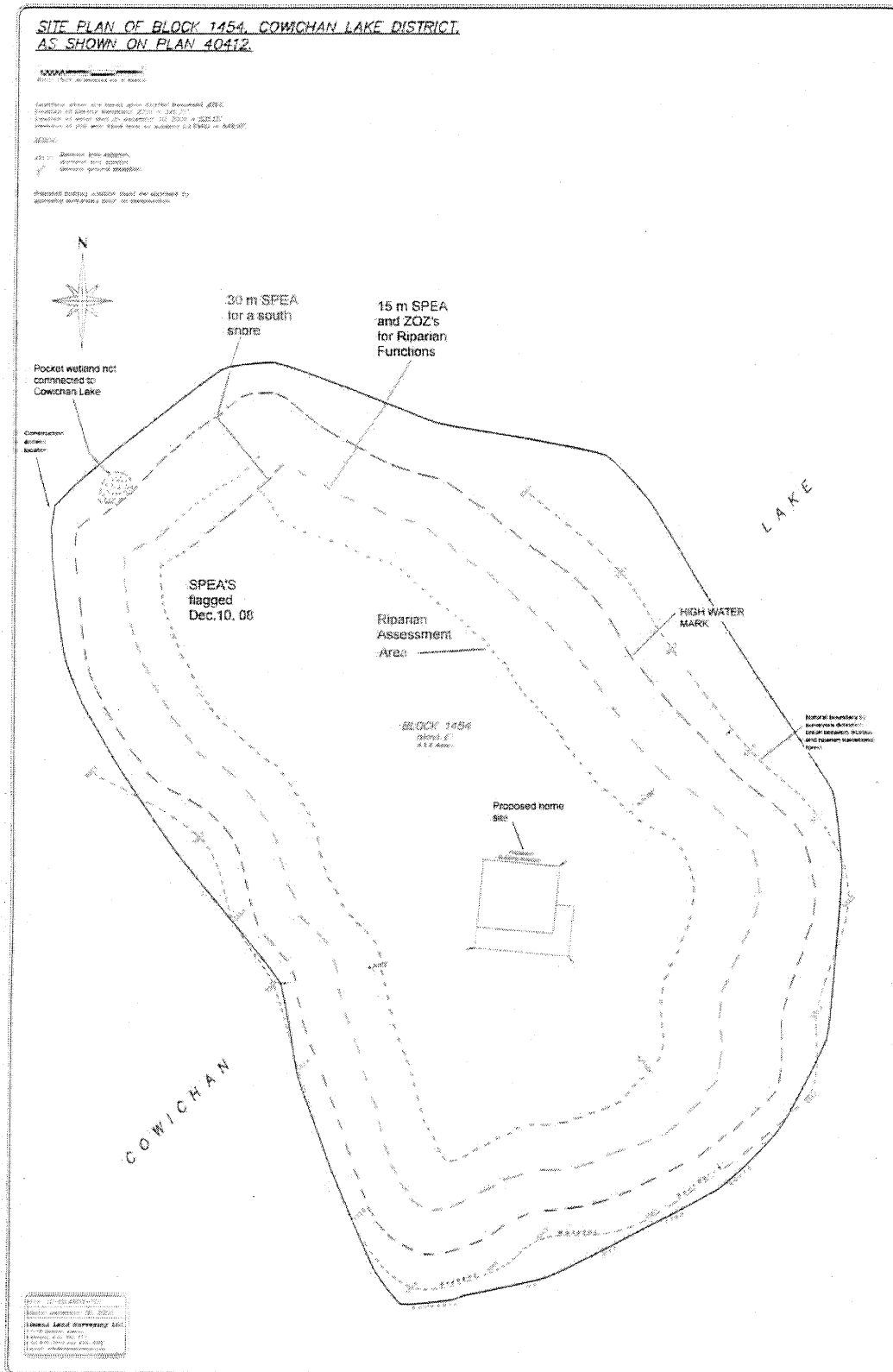
FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 3. Site Plan

Insert jpg file below

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 3. Site Plan

Insert jpg file below

Section 4. Measures to Protect and Maintain the SPEA

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

1. Danger Trees	Within the core area of the island, the forest is second growth Douglas fir and Western Red Cedar. Nearly all the trees in this close forest are between 15 and 40 cm dbh – relatively young and healthy. No snags or dead branches are evident. There are four large Douglas fir vets near the southwest corner of the island. They range from .9 to 1.5 dbh but are sound. The tops are flat but there is no dead wood or widow makers. Nonetheless these trees may eventually become danger trees and may need to be taken down. The owner is well aware of their presence.
I, <u>(Ted Burns)</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Windthrow is not a concern in the tight second growth forest. There are two shore pine windfalls but they are in the transition zone where the water table is high and flooding is relatively frequent. They are also in the open exposed to high winds. The home site is in dry upland and tight second growth. The minimal clearing necessary for the home site will not be enough to create blow down potential.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	The island is relatively flat. It does slope a bit from shore zone to centre but it is always less than about 5-8 %.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	The SPEA is well removed from the home site. Snow fencing will be placed around the SPEA near the construction site just in case.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian</u>	

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

<p><u>Poyntz</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>5. Encroachment</p>	<p>The SPEA will be well marked and a pole fence will be placed along the boundary adjacent to the home site.</p>
<p>I, <u>(Ted Burns)</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>6. Sediment and Erosion Control</p>	<p>Construction will occur in the dry months between May and late September. There is not enough slope on the island to produce runoff to the lake even in the event of a downpour.</p>
<p>I, <u>(Ted Burns)</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>7. Stormwater Management</p>	<p>Roof downspout water will be directed to rock pits that will absorb the runoff.</p>
<p>I, <u>(Ted Burns)</u> hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>8. Floodplain Concerns (highly mobile channel)</p>	<p>No floodplain issue are present. The lake does not flood the home site even though it is technically below the 200 year designated floodplain level. The floor will be elevated above that level (167.3 m)</p>
<p>I, <u>(Ted Burns)</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	

Section 4. Measures to Protect and Maintain the SPEA

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

1. Danger Trees	Within the core area of the island, the forest is second growth Douglas fir and Western Red Cedar. Nearly all the trees in this close forest are between 15 and 40 cm dbh – relatively young and healthy. No snags or dead branches are evident. There are four large Douglas fir vets near the southwest corner of the island. They range from .9 to 1.5 dbh but are sound. The tops are flat but there is no dead wood or widow makers. Nonetheless these trees may eventually become danger trees and may need to be taken down. The owner is well aware of their presence.
I, <u>(Ted Burns)</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Windthrow is not a concern in the tight second growth forest. There are two shore pine windfalls but they are in the transition zone where the water table is high and flooding is relatively frequent. They are also in the open exposed to high winds. The home site is in dry upland and tight second growth. The minimal clearing necessary for the home site will not be enough to create blow down potential.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	The island is relatively flat. It does slope a bit from shore zone to centre but it is always less than about 5-8 %.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	The SPEA is well removed from the home site. Snow fencing will be placed around the SPEA near the construction site just in case.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Ian Poyntz)</u>	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all documents be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Pre-Construction Meeting

A pre-construction meeting will be held with the owner and the contractor to insure that the SPEA protective requirements are well understood and to forestall any problems that may arise during construction. Landing equipment and materials and moving them to the building site will be of particular interest and concern.

Construction Monitoring

The site will be visited at least twice during construction.

Post Development Report

Following build out, a post development report will be prepared that explains how well the SPEA protection objectives were met and outlines any restoration needs that may be required.

Section 6. Photos

Provide a description of what the photo is depicting, and where it is in relation to the site plan.

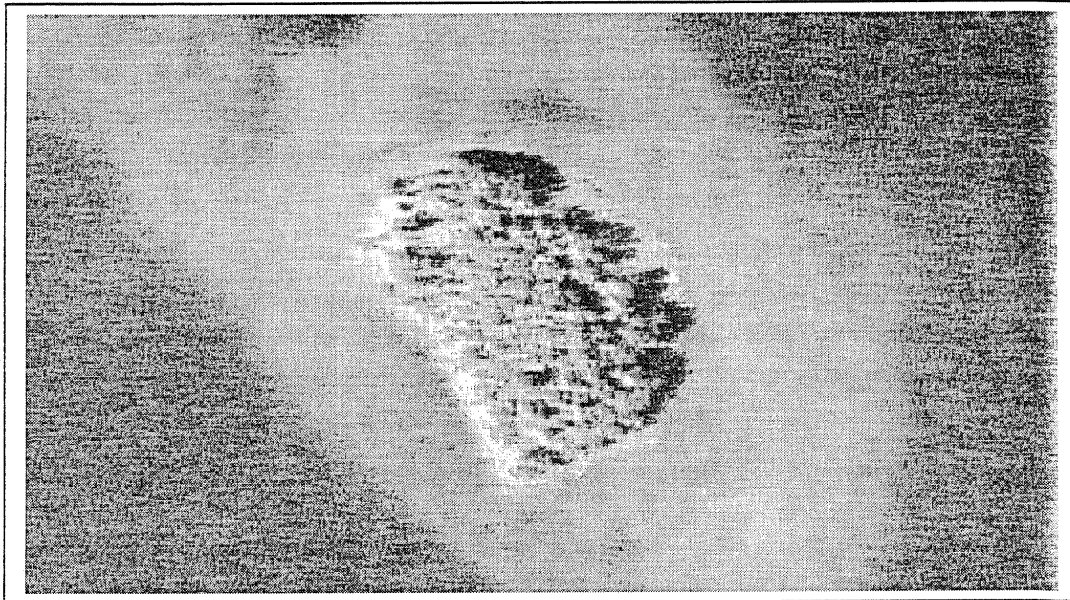


Figure 1: Island 3 at a scale of 1: 3800. 2005 Vancouver Island orthophoto. Light area in the upper left corner of the Island is the best barge landing site. A path leads south from this site to the home site.

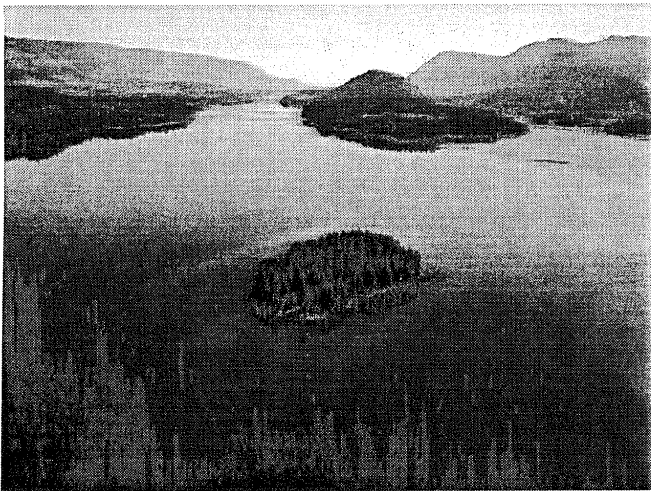


Figure 2: Another aerial view of Island 3 looking southeast. Photo from the summer of 08 by Don Fern.

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Pre-Construction Meeting

A pre-construction meeting will be held with the owner and the contractor to insure that the SPEA protective requirements are well understood and to forestall any problems that may arise during construction. Landing equipment and materials and moving them to the building site will be of particular interest and concern.

Construction Monitoring

The site will be visited at least twice during construction.

Post Development Report

Following build out, a post development report will be prepared that explains how well the SPEA protection objectives were met and outlines any restoration needs that may be required.

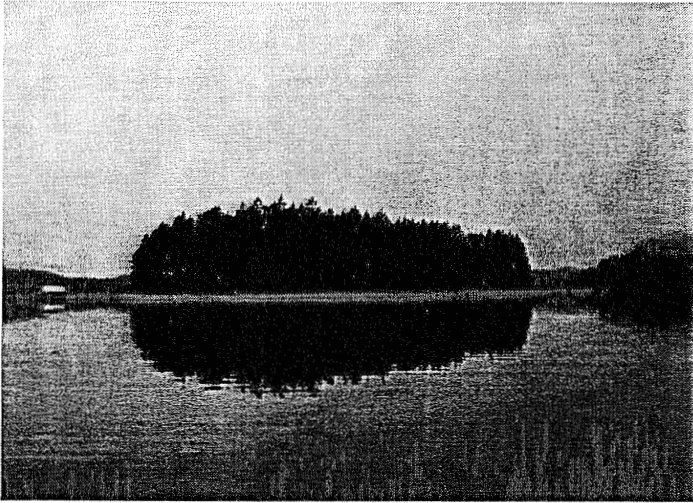


Figure 3: A closer view of Island 3 looking west. The peninsula on the right is the west end of Bald Mtn. Peninsula. Following photos and this one are from Dec. 10, 08.



Figure 4: A view of the Scirpus marsh that surrounds much of the Island.

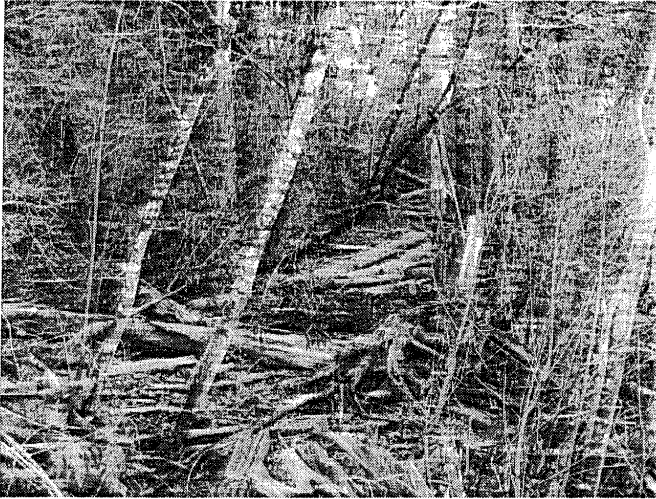


Figure 5: The transitional riparian band inland from the Scirpus Marsh. it is around 10 - 15 m wide. The high water mark is within this zone.



Figure 6: The tight canopy second growth forest that covers the interior of the Island. The home site will be within this zone near the south central portion of the Island very near the centre of this photo.



Figure 3: A closer view of Island 3 looking west. The peninsula on the right is the west end of Bald Mtn. Peninsula. Following photos and this one are from Dec. 10, 08.



Figure 4: A view of the Scirpus marsh that surrounds much of the Island.

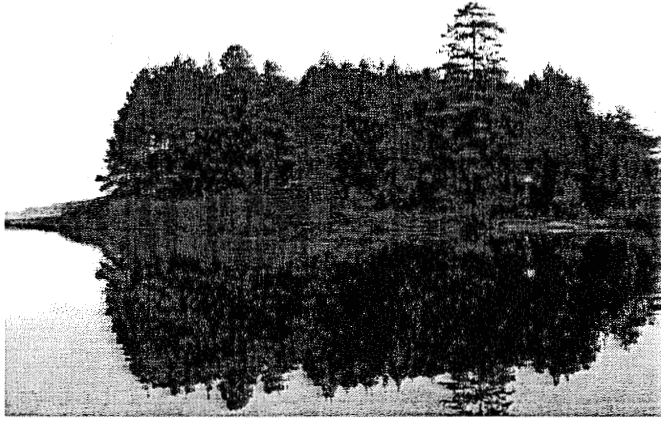


Figure 7: North end of island. Barge access point is on the right near the white sign to the right of the Douglas fir vet. The location is a gravel/bedrock beach.

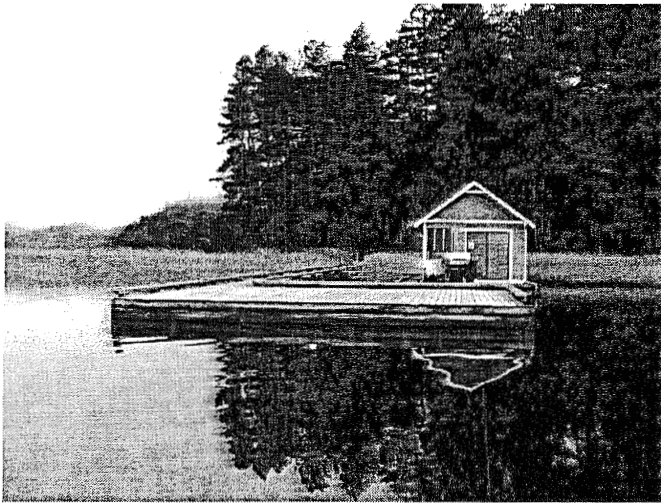


Figure 8: Wharf and floats on south end of island.

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date

December 20,08

1. I/We Ted Burns
2. Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
 - b) I am/We are qualified to carry out the assessment of the proposal made by the developer (Ian Poyntz), which proposal is described in section 3 of this Assessment Report (the "development proposal");
 - c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
 - d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND
2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:
- a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
 - b) ☒ X if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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



Figure 7: North end of island. Barge access point is on the right near the white sign to the right of the Douglas fir vet. The location is a gravel/bedrock beach.

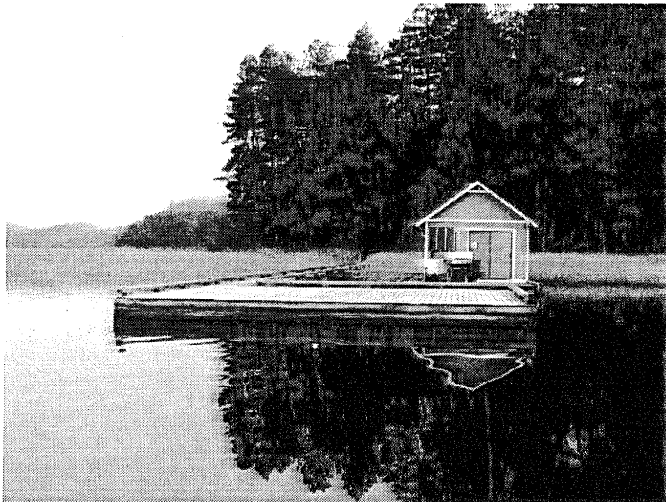


Figure 8: Wharf and floats on south end of island.



D4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF SEPTEMBER 15, 2009

DATE: September 9, 2009 **FILE NO:** 3-A-09DVP
FROM: Rachelle Moreau, Planning Technician **BYLAW NO:** 2000
SUBJECT: Application No. 3-A-09DVP
(Sheena Nelson)

Recommendation:

That the application by Sheena Nelson for a variance to Section 8.4(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a rear and side parcel line for an accessory building from 3.0 metres (9.8 ft) to 0.6 metres (2 ft), on Strata Lot 35, District Lot 60, Malahat District, Strata Plan VIS4795 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 026-185-563), be approved, subject to the applicant providing a survey confirming compliance with the approved setback.

Purpose: To consider an application to vary the rear and side parcel line setback of an accessory building from 3.0 metres (9.8 ft.) to 0.6 metres (2 ft.).

Background:

Location of Subject Property: 962 Deloume Road

Legal Descriptions: Strata Lot 35, District Lot 60, Malahat District, Strata Plan VIS4795 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V (PID: 026-185-563)

Date Application and Complete Documentation Received: June 29, 2009

Owner: Sheena Nelson

Applicant: As above

Size of Parcel: 0.172 ha

Existing Zoning: R-3 (Urban Residential)

Minimum Lot Size Under Existing Zoning: 0.2 ha

000082

Existing Plan Designation: Urban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North:	Residential
South:	Undeveloped phase of Mill Springs subdivision
East:	Residential
West:	Residential

Services:

<u>Road Access:</u>	Deloume Road
<u>Water:</u>	Mill Bay Waterworks
<u>Sewage Disposal:</u>	Mill Springs private sewer system

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: None have been identified.

Archaeological Site: None have been identified

The Proposal:

An application has been made to: the Regional Board to vary Section 8.4(b)(3) of Bylaw No. 2000.

For the purpose of: constructing a shed 0.6 metres (2 feet) from the rear and side property lines.

Planning Division Comments:

The subject property is located off Deloume Road in Mill Springs. There are two developed lots to the east and west of the subject property, Deloume Road to the north and vacant land to the south. In the future, this vacant land will be developed as a phase of the Mill Springs subdivision.

The applicants are requesting to construct an approximately 37 m² (398 sq. ft) shed on the subject property in the south east corner of the subject property. The lot slopes up from Deloume Road towards the centre where the house is constructed. The entrance to the garage is on the side of the house, facing east. Accordingly, the space between the garage and the proposed shed consists of the driveway to enter the garage and some landscaped areas. The area proposed for the shed is flat and at the same elevation as the house, whereas every other potential location on the lot for the shed is sloped, or would require removal of existing landscaping.

Although the proposed setbacks are small, in consideration of the topography of the lot and the current configuration of the dwelling this would appear to be the ideal location for a shed. Additionally, there are currently some large trees located on the neighbouring property to the east that would act as a buffer between the proposed shed and the neighbouring dwelling.

Surrounding Property Owner Notification and Response:

A total of ten (10) letters were mailed out and/or otherwise hand delivered to adjacent property owners, as required pursuant to CVRD Development Application Procedures and Fee Bylaw No. 2255, which described the purpose of this application and requested comments on this variance within a specified time frame. During the 2-week period provided for a written reply, we received no correspondence with regards to the proposed variance.

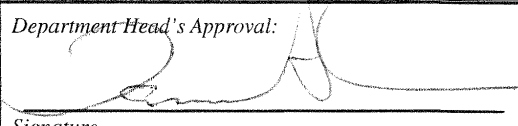
Options:

1. That the application by Sheena Nelson for a variance to Section 8.4(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a rear and side parcel line for an accessory building from 3.0 metres (9.8 ft) to 0.6 metres (2 ft), on Strata Lot 35, District Lot 60, Malahat District, Strata Plan VIS4795 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 026-185-563), **be approved, subject to the applicant providing a survey confirming compliance with the approved setback.**
2. That the application by Sheena Nelson for a variance to Section 8.4(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a rear and side parcel line for an accessory building from 3.0 metres (9.8 ft) to 0.6 metres (2 ft), on Strata Lot 35, District Lot 60, Malahat District, Strata Plan VIS4795 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 026-185-563), **be denied.**

Submitted by,



Rachelle Moreau
Planning Technician
Planning and Development Department

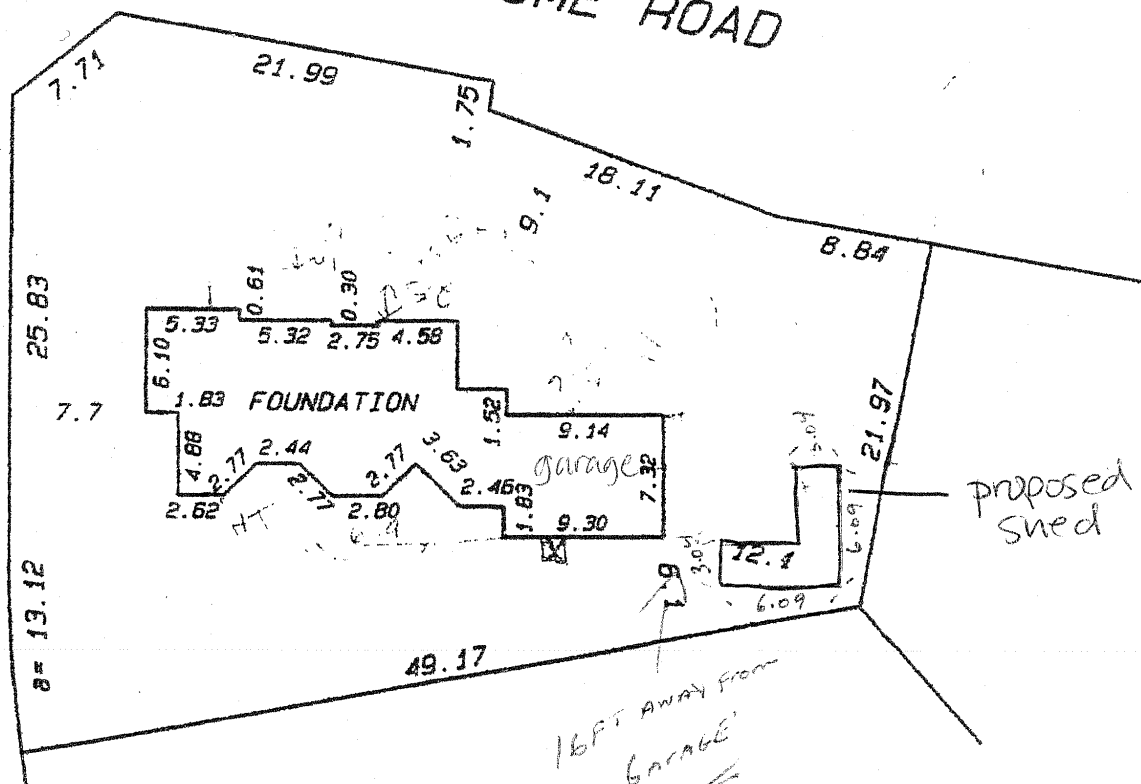
<p>Department Head's Approval:</p>  <p>Signature</p>
--

RM/ca

000084

KINFAUNS TERRACE

DELOUME ROAD



THIS PLAN WAS PREPARED FOR MORTGAGE AND/OR MUNICIPAL PURPOSES AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

FIELD SURVEY: July 8th, 2005.

MICHAEL E. CLAXTON
B.C. & CANADA LANDS SURVEYOR
80A 4223 COMMERCE CIRCLE
VICTORIA, B.C. V8Z6N6
PHONE 479-2258 FAX 479-3831

FILE: 05-17173.CRT fd: 359

sheet

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT, OR ALTER THIS DOCUMENT IN WHOLE OR IN PART.

THIS DOCUMENT SHOWS THE RELATIVE LOCAL SURVEYED STRUCTURES AND FEATURES WITH TO THE BOUNDARIES OF THE PARCEL DESCR. THIS DOCUMENT SHALL NOT BE USED TO DETERMINE PROPERTY LINES OR PROPERTY CORNERS.

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS 11th DAY OF July, 2005.

© MICHAEL E. CLAXTON, B.C.L.S. 2005

000085



Cowichan
Valley
Regional
District

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


The Regional District does not warrant the accuracy.

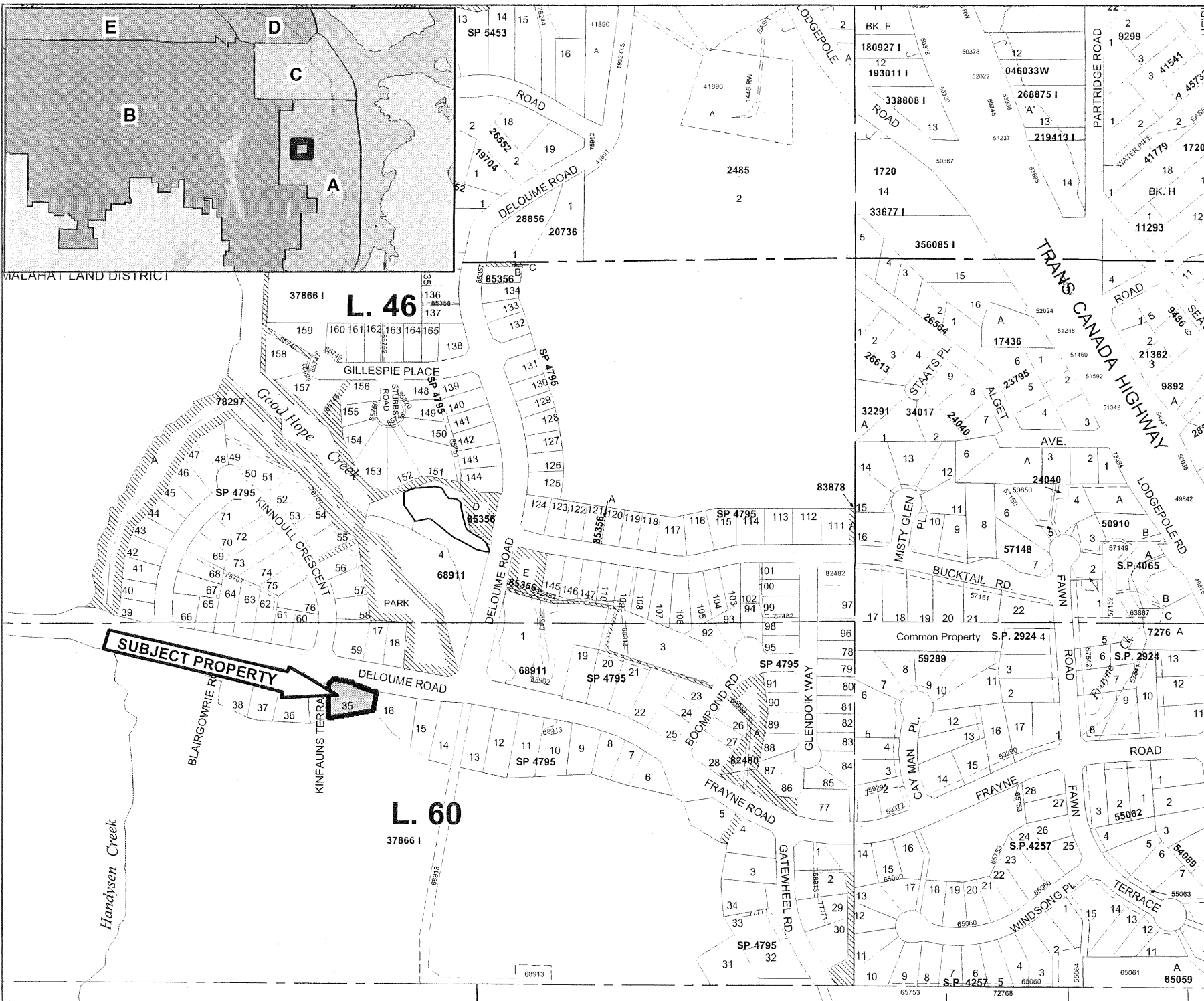
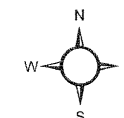
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

FILE: 03-A-09
DVP

Legend

 Subject Property



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.

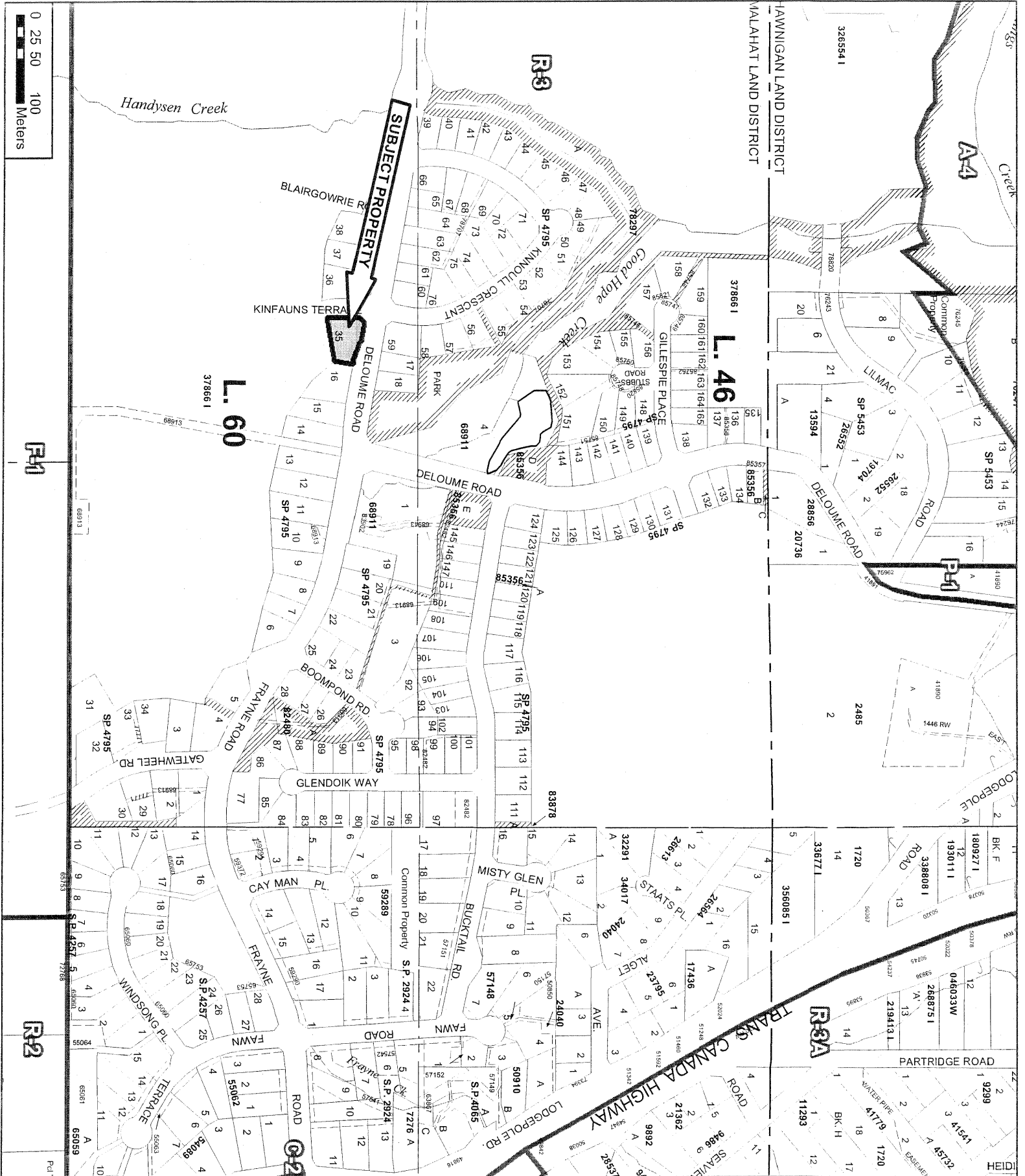
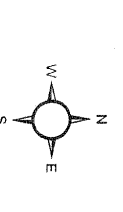
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 03-A-09
DVP

ZONING

Legend

- Subject Property
- Zoning Electoral Area A



D5

COWICHAN VALLEY REGIONAL DISTRICT
ADMINISTRATIVE SERVICES DEPARTMENT

REQUEST FOR DELEGATIONS

APPLICATION DATED: NOV. 13, 2007
NAME OF APPLICANT: DIANNE KOLENOSKY/BILL JONES
ADDRESS OF APPLICANT: 3790 CAVIN RD, V9L 6T2
PHONE NO.: 250-746-4438 748-7920 Robert
REPRESENTING: GLENORA RESIDENTS 520-826 1180 Renshaw
Name of Organization
MEETING DATE: DEC. 10 approximately
COMMITTEE/BOARD NAME: ELECTORAL AREAS SERVICES COMMITTEE
NO. ATTENDING: 2

TOPIC TO BE PRESENTED:

APPLICATION BY RUSS CRAWFORD FOR
DEVELOPMENT PERMIT TO ESTABLISH A
GLENORA BUSINESS PARK AT 4885
WATERS RD. IN GLENORA

NATURE OF ~~REQUEST~~/CONCERN:

1) IMPACT OF PROPOSED DEVELOPMENT ON GLENORA RESIDENTS AND
GLENORA'S BURGEONING AGRITOURISM INDUSTRY INCLUDING THE
TRANS-CANADA TRAIL

2) INCONSISTENCY OF PROPOSED DEVELOPMENT WITH OFFICIAL
COMMUNITY PLAN

Note: Once the request for delegation application has been favourably considered, presentations will be restricted to ten (10) minutes, unless notified otherwise.

WRITTEN PRESENTATION TO BE SUBMITTED LATER.

000088

3790 Cavin Rd.,
Duncan, BC, V9L 6T2,
November 24, 2007

TO: Development Services
CVRD

**SUBJECT: APPLICATION FOR DEVELOPMENT PERMIT:
PROPOSED GLENORA BUSINESS PARK – 4885 WATERS RD.,
GLENORA**

The Cowichan-Koksilah Official Community Plan states on p.73 under Justification for the Forestry Industrial Development Permit Area that:

“The CVRD Board wishes to ensure that the Forestry Industrial development does not negatively impact the peace and enjoyment of neighbouring residential parcels”.

As contiguous neighbours of this property we are writing to object to this development because it will most definitely **“impact negatively on the peace and enjoyment of its residential and agricultural neighbours”.**

In the 15 ½ years since Ken Williams’ sawmill burned down, the character of Glenora has changed:

- The forest industry has declined and moved to more lucrative sources of trees;
- the Trans-Canada Trail has been established;
- vineyards have flourished;
- equestrian centres have developed;
- specialty farms have developed; and
- a whole new agri-tourism business has established itself based on the peace, quiet and pastoral nature of the surroundings.

Many people have invested millions of dollars in these agri-tourism businesses and one of the major attractions of this area is its quiet, peaceful, pastoral ambience that is so rare in today’s world. In fact, advertising from the Cowichan Economic Development Commission lists the vineyards and specialty farms as the second major reason for moving to the Cowichan Valley. This whole industry is placed in jeopardy with the approval of this development permit for a metal fabricating plant and unknown other industrial activities. And the value of neighbouring residential properties will decline.

Mr. Crawford’s plans make this development look attractive on paper, but this belies the major negative impact it will have on the Glenora community –**NOISE**. Not only will it affect most of the residents of Glenora, but it could also reverberate over the Cowichan River into Sahtlam. That is the character of noise transmission in this part of the Cowichan Valley. It was amply demonstrated by the wide swath of noise that the Chambers chipper and debarker cut through the quiet of Glenora and beyond.

000089

We therefore respectfully request that this development permit be denied since it will violate the Justification Policy stated in the Official Community Plan for the Glenora area.

If, however, the CVRD intends to approve this development, against the wishes of the Glenora community, then a lot more work needs to be done to develop noise mitigation measures such as:

- a) Sound-proofing **all** doors and keeping them **closed** during noisy metal manufacturing and assembly processes;
- b) All sand-blasting should be done in a closed building including the compressors and pumps. All sand-blasting material should be captured and disposed of as hazardous waste;
- c) Sound-absorbing barriers such as those seen on the highways should be placed along the north and north-east sides of the property where the metal fabricating and assembly processes are closest to residences and on the back of the residential property on Waters Rd. which overlooks the site;
- d) More rigorous controls of the timing when noisy activities can occur including no work on weekends and holidays.

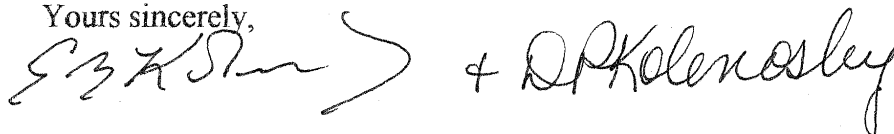
If this development is approved, we support the variances but only in exchange for covenants limiting hours of operation for all manufacturing activities on the site and limiting future permitted uses. However, we are very concerned about how these covenants will be enforced. Will the residents be calling the CVRD to complain about noisy work being done after hours just to create a file that never sees any action?

Another area of concern is the potential for fire in this area. There have already been two fires on this site which fortunately have not occurred in the dry season. In both cases, the buildings were destroyed.

Finally, we have concerns for our groundwater. Almost everyone in this area depends on surface water from shallow dug wells. The potential for contamination of our groundwater through industrial discharge is very high. In addition, there is not very much water here in the dry season and industrial processes may rob the rest of the community of what little water that they have been able to manage on in the past.

In summary, it will be a black day for Glenora if this development is permitted to proceed.

Yours sincerely,



George & Dianne Kolenosky



D6

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF SEPTEMBER 15, 2009

DATE: September 9, 2009 **FILE NO:** 10-E-07 DP
FROM: Rachelle Moreau, Planning Technician **BYLAW NO:** 1490
SUBJECT: Application No. 10-E-07DP
(Rocky Point Metal Craft)

Recommendation:

That application No. 10-E-07DP be denied due to the uncertainties regarding the proposed uses and in the absence of information regarding the availability of groundwater on the site and the potential impact to neighbouring wells.

Purpose:

To obtain a Development Permit that will permit construction of an industrial business park.

Background:

Location of Subject Property: 4885 Waters Road

Legal Description: That Part of Section 8, Range 2, Quamichan District, Lying to the East of the Right-of-Way of the Canadian Northern Pacific Railway Company, Except Parcel A (DD38366¹ and DD56015¹) and Parcel C (DD89280¹) Thereof, and Except Parts in Plans 4701, 6992, 7049, 7867, 8335 and 25654

Date Application and Complete Documentation Received: September 14, 2007
Riparian Areas Regulation Report Approval by Ministry of Environment: April 24, 2008
Revised Plan and Building Elevations: January 7, 2009
Hydrogeology Report: February 25, 2009

Owner: Rocky Point Metalcraft Ltd.

Applicant: As above (Russ Crawford)

Size of Parcel: 3.1 ha (7.7 acres)

Existing Zoning: I-2 (Heavy Industrial)

Minimum Lot Size Under Existing Zoning: 1 ha

000091

Existing Plan Designation: Forestry

Existing Use of Property: Vacant

Existing Use of Surrounding Properties:

North: Residential (F-1 zoned)
 South: Residential/ Agricultural Land Reserve/ Trans Canada Trail
 East: Residential/Agricultural Land Reserve (ALR)
 West: Residential (F-1 zoned)

Services:

Road Access: Waters Road
Water: Well
Sewage Disposal: Septic system

Environmentally Sensitive Areas: The CVRD Environmental Planning Atlas has not identified any environmentally sensitive areas on the subject property. However, there is an existing pond, a seasonal wetted depression along the southern boundary, and a ditch on the southeast portion of the site. Therefore, a Riparian Areas Regulation assessment was conducted, and was approved in April 2008.

Archaeological Site: There are no known archaeological sites on the subject property.

The Proposal:

An application has been made to the Regional Board for approval of the design and site planning of the subject property in accordance with the requirements of the Forestry Industrial Development Permit Policies contained within Official Community Plan (OCP) Bylaw No. 1490 for the purpose of constructing a business park consisting of one caretaker's dwelling and office, eight mini-storage buildings, an office and two warehouses, and three buildings to be occupied and used as permitted under the zoning.

Planning Division Comments:

Policy Context

The subject property is located off Waters Road near Cavin Road and is within the Forestry Industrial Development Permit Area (DPA). This DPA was established to provide guidelines for the form and character of future industrial development, to ensure that industrial development is adequately screened from neighbouring residential parcels, to protect surface and groundwater from inappropriate development and to ensure that farming is protected from the potential impact of the industrial development. Therefore, prior to any new construction, a development permit is required to ensure that the guidelines set forth within the Official Community Plan are adhered to. The development permit process does not directly regulate permitted use or density. Rather, the process allows local government input into the form and configuration of development in accordance with guidelines in the OCP.

Project Description

The property will be developed in four general areas: the mini-storage development within the panhandle of the lot and Areas 1 – 3. As shown on the site plan, there will be a caretaker's dwelling near the entrance to the parcel off Waters Road, and eight mini-storage buildings will be situated behind it. Areas 1 and 2 will provide opportunities for any of the permitted uses within the I-2 (Heavy Industrial) zone (see attached zoning description). Area 3 will be developed with two warehouses and an office. Area 3 was previously intended to house the applicant's own fabrication shop with office space and an assembly shop; however, this is no longer proposed and is replaced by two warehouse buildings and an office as indicated on the attached site plan. Currently, no phasing schedule has been proposed.

In support of the application, the applicant has provided a Riparian Areas Regulation Assessment report approved by the Ministry of Environment, a Stage 2 Preliminary Site Investigation by Trow Associates Inc. to address concerns with respect to possible site contamination as required under the *Environmental Management Act*, and a Hydrogeology Report conducted by a Professional Engineer to assess well water supply.

This application was first reviewed by the Advisory Planning Commission in October of 2007, and since then several revisions have been made to the site plan:

- No fabrication and assembly shops are proposed;
- Eight two-storey mini-storage buildings are proposed;
- An eight-metre landscaped buffer will be located along the southern portion of the panhandle;
- All buildings and parking areas will be located outside of the 20-metre setback from the pond and ditch;
- A chain link fence will be located along portions of the landscaped buffer and in areas in front of the 20-metre watercourse setback.

As this property is already zoned for industrial uses, the proposed use of the property complies with the applicable CVRD Zoning Bylaw (Bylaw No. 1840). Accordingly, this application should be reviewed with specific attention to the guidelines listed in the Forestry Industrial Development Permit Area.

The following section will discuss compliance with the applicable Development Permit Guidelines (*in italics*), as specified in Section 14.4 of the Official Community Plan Bylaw. For your reference, attached is a description of the project submitted by the applicant, the proposed site plan, elevation drawings of all buildings, the RAR report approved in April 2008, and a copy of the Hydrogeology report prepared February 9, 2009.

14.4.3 Guidelines

- (a) *Buildings and structures should be designed in harmony with the aesthetics of the surrounding lands and landscaping plans. All plans and building designs should promote personal and public safety.*

The subject property is the only industrially zoned parcel within a generally residential and agricultural area, and as such it is important that the design of the buildings strikes a balance between the objectives, policies and guidelines of the Cowichan-Koksilah Community Plan, and the operational requirements of the businesses. The application has attempted to achieve this in a number of ways: under the current proposal all buildings will be painted green, the caretaker's dwelling and the office for the business park are wood exterior painted green with

cedar shingles, wood posts and rock work for the deck supports. All the other buildings will be a combination of flat and split block painted green. The landscaping plan proposes to re-vegetate currently disturbed riparian areas, establish new vegetation on the site, and separate the industrial uses from the adjacent properties via an 8 metre wide buffer around the perimeter of the property. For your reference, please see the attached building elevation drawings.

- (b) *Roofing materials and insulation should meet the appropriate fire rating requirements contained within the BC Building Code, and eaves, attics, decks and other building openings should be screened to prevent the accumulation of combustible material.*

The roofs for the dwelling/office and mini-storage units will be corrugated metal roofing. The buildings in Areas 1-3 will have a "green" roof design applied to them consisting of soil and vegetation. These are intended to reduce the amount of rainwater runoff and to moderate summer and winter temperatures.

- (c) *Fuel reduced buffers, 10 metres in width, shall be provided and maintained around buildings to minimize fire risk.*

Currently, there is limited vegetation on the site, and the front of most buildings will be either gravel-surfaced parking areas or asphalt surfacing. In all areas the rear of the buildings are adjacent to the required landscaped buffer area. In order to accommodate both the landscaped buffer and the suggested 10-metre fuel reduced buffer, the buildings would need to be located more centrally within the site, likely with the parking areas adjacent to the landscaped buffer. The application has been referred to the City of Duncan, as the property is within the Eagle Heights Fire Service Area (see comments below), as well as the CVRD Public Safety Division. The exterior surfaces of the buildings (split block) are fire resistant.

- (d) *In areas of wildfire risk, developments that have only one access route should provide exterior sprinkler systems to protect against fires.*

Exterior sprinkling is not proposed, however as indicated below the CVRD Public Safety Department is recommending that interior sprinklers be installed. It is felt that due to the potential industrial activities, it is more necessary to have indoor sprinklers to quickly diffuse a fire generated inside a building. Access to the pond via a 3-metre wide gravel surfaced path is proposed, however, the Duncan Volunteer Fire Department has advised that this path should be widened to 5 metres. The Riparian Areas Regulation Assessment report permits this path to be located within the 15 m Streamside Protection and Enhancement Area (SPEA).

- (e) *Underground wiring shall be encouraged instead of overhead wiring.*

The site is currently serviced with overhead wiring; however, hydro and telephone wiring to the individual buildings will be underground.

- (f) *A treed buffer at least 8 metres in width shall be provided between the industrial use and adjoining residential parcels. The buffer shall be densely vegetated such that parking areas, garbage collection areas, service areas, outdoor storage areas, fuel tanks, air conditioning units and delivery areas are buffered to reduce noise and visual impacts.*

As illustrated on the site plan, buffer areas are proposed along the boundaries of the subject property. Chain link fencing will be provided in some instances along the property line and in some instances along the buffer areas separating the industrial uses from the SPEA. The landscaped buffer will consist of native trees and shrubs: Douglas fir, Black cottonwood, Red osier dogwood, and Nootka rose.

East - On the east side there is an 8-metre buffer proposed along on the northern half of the property. On the southern half the buffer area will consist of a treed area and rain garden. A septic field was previously proposed in this area but is no longer proposed. Areas shown as rain gardens and septic field will be planted with shallow root vegetation and grasses.

South - Along the southern parcel line, there is an existing treed area, which will not be modified. Additionally, the 20-metre setback area and 15-metre SPEA around the pond and the ditch leading from the pond will be re-vegetated and contribute to the buffer area. The RAR report specifies that re-vegetation of disturbed areas within the SPEA will consist of alder and willow saplings.

West - An 8-metre landscaped buffer is proposed.

Panhandle - The applicants have proposed a reduced buffer along the north side of the panhandle (previously both sides were proposed to have a reduced buffer width). This area will be planted with a cedar hedge, and *Acer Rubrum* "October glory". The south side of the buffer will be the full 8-metre landscaped buffer. This combination of landscaping is also proposed along the boulevard into the development.

- (g) *Existing mature trees should be incorporated into the landscape design.*

There is one large Douglas fir tree and two cottonwood trees near the pond. These will remain as well as any large trees that have grown up along the property boundaries.

- (h) *The use of permeable parking materials such as hard grass (grass crete) is strongly encouraged to soften the visual effect of parking lots and minimize changes to site drainage.*
Surfacing for roads and parking areas will be a combination of gravel and asphalt surfacing. Bioswales are proposed to capture road runoff prior to being released into the perimeter drainage system. The Bioswale will be located within the landscaped areas adjacent to the main road into the site.

- (i) *Where paved parking areas are established, they should contain oil/water separators and use pervious landscaping that can absorb runoff, where feasible.*

Bioswales are proposed in order to remove silts and pollutants from surface runoff water.

- (j) *Vehicle access points, circulation patterns and parking layouts shall be designed in such a way as to reduce impacts upon roads and adjacent parcels. Sites should be designed to allow delivery trucks to maneuver without having to block or back onto an adjacent road or pedestrian route. Emergency vehicles should be able to reach all parts of the development easily.*

The only access to adjacent roads is the entrance and exit off Waters Road, and the applicant is required to obtain an access permit from the Ministry of Transportation and Infrastructure. The main road into the site will be paved with asphalt and will be separated from the adjacent property by a 3-metre landscaped buffer area. No parking areas are adjacent to neighbouring parcels. In most cases they are in front of the buildings and are mostly gravel-surfaced. As noted above, the Development Permit Application has been referred to the City of Duncan (Eagle Heights Fire Service Area) for their comments regarding accessibility for emergency vehicles (see below).

- (k) *Parking areas and pedestrian routes shall be well lit, without glare to adjoining residential parcels, agricultural parcels, or public roads.*

It is anticipated that pedestrian traffic will be minimal, however lighting is proposed for each building and road lighting will be provided with low intensity shielded lighting. The site plan does not indicate the proposed location of lighting within parking areas or along the roadways.

- (l) *Proposed sewage treatment and disposal methods shall be designed to avoid impacts upon the environment and shall meet the requirements of the Central Section Liquid Water Management Plan.*

The Central Sector Liquid Waste Management Plan (LWMP) requires Class B treated discharge. However, for development with daily discharge less than 22.7 m³, the Vancouver Island Health Authority is the agency responsible. For discharge greater than 22.7 m³ per day, the Ministry of Environment is the agency responsible and the sewage treatment system would be subject to the LWMP.

- (m) *Signs shall be designed to reflect the architecture of the site and be in harmony with the landscaping plans for the site, but shall be limited in height and area commensurate with the site characteristics. If multiple signs are required, they should be grouped and shared and fluorescent lighting shall not be used. Non-lit signs, or frontal lighting with incandescent bulbs is preferred.*

The only sign currently proposed is at the entrance to the property from Waters Road. It will be approximately 1.6 metres tall with two columns at either end with a height of 2.3 metres. It will be constructed out of stone blocks with a green background for the face of the sign and black lettering (see attached site plan). Any new signage will be required to obtain a development permit; the only exception to this requirement is changes to text or a message on existing signage that was approved in a previous development permit.

- (n) *Particular attention should be paid to ensuring that changes to drainage patterns will not result in detrimental impact such as flooding or runoff conditions on residential lands or into nearby watercourses. A combination of natural wetland protection or artificial wetland creation, to buffer storm flows should be incorporated where necessary, along with measures to minimize impervious surfaces.*

The applicant proposes a combination of green roofs, permeable parking areas, a bioswale along the entrance road, rain gardens and the existing pond as measures to moderate storm flows and ensure that drainage patterns will not negatively affect nearby watercourses or result in increased flooding or runoff on adjacent properties. The site plan indicates that there are four rain gardens. Additionally, the applicant has supplied a Water Balance Model to compare the percentage of water runoff based on three scenarios: development with stormwater management, development without stormwater management, and percentage runoff from a naturally forested site. The graphs illustrate that the surface runoff generated from the site after it has been developed (using the above-mentioned stormwater management techniques) will be similar to that of a naturally forested site (approximately 4.5%). With respect to the existing water courses, a 15-metre Streamside Protection and Enhancement Area (SPEA) has been designated around the pond and a 10-metre SPEA will be alongside the ditch running out of the pond. However, the Zoning Bylaw requires a setback of 20 metres, and consequently, no development is proposed within 20 metres of these water bodies.

- (o) *A treed buffer at least 15 metres in width shall be required along the boundaries of a watercourse, including a wetland area or stream. Riparian areas shall be left natural and wild to retain fish habitat. Bark mulches, impermeable landscape fabric and plant species that require the use of pesticides or fertilizers shall not be located in this area.*

As noted above, a 15-metre SPEA is proposed around the pond and a 10-metre SPEA is proposed along the ditch. The Riparian Areas Assessment Report has been conducted by a Qualified Environmental Professional who determined that these setbacks are appropriate for protection of the pond and ditch. The fire access road encroaches within the 15-metre SPEA. The Electoral Area E Zoning Bylaw requires a 20 metre setback from watercourses for any building, structure, lane/highway, or driveway and, as noted above, no development is proposed within the 20 metre setback (aside from the access road).

- (p) *Discharges of material that could potentially damage groundwater shall be avoided.*

No uses are proposed which create hazardous waste products that could contaminate groundwater. However, given the industrial uses permitted on the parcel and the fact that residences within the area rely on groundwater for their potable water, the issue of potential groundwater contamination has been raised as a major concern for residences. Additionally, concerns have been raised regarding the effect this development will have on the quantity of water provided to residences on nearby parcels. Staff have been advised by residents that

well water is generally in short supply and of poor quality in this neighbourhood. (Please see the attached letters we have received from nearby residents).

- (q) *The latest best management practices for land development of the Ministry of Environment, and Fisheries and Oceans Canada should be respected.*

The applicant has incorporated several of the Ministry of Environment's latest *Best Management Practices* for land development into the design of the site. For example, to retain and enhance ecosystem features and functions (by re-establishing riparian areas around the pond and ditch); attempting to increase infiltration through use of rain gardens and bioswales; using bioswales as a mechanism for rainwater management; and to maintain pre-development flows during and after development.

- (r) *All land clearing debris (wood and vegetation) resulting from development must be removed after work is completed and, in the case of subdivision, prior to final subdivision approval. A security may be required for the removal of the material within three months of subdivision plan approval.*

The site is primarily cleared except for the trees that will remain on site, and some blackberry and other bushes. The latter will be cleared as soon as the redevelopment of the site gets underway.

Contamination Issue Background

Because of the previous activities on the site, when the application for a development permit was received, a site profile form had to be completed by the applicant, which detailed the previous use. This site profile form was forwarded to the Ministry of Environment – Environmental Management Branch in Surrey for review as required by the *Environmental Management Act*.

As this Site Profile indicated some “yes” answers to the Schedule 2 Industrial purposes and activities (Schedule 2 of the Contaminated Sites Regulation), a preliminary site investigation for the subject property is required. Therefore, there is a Ministry “hold” on the development permit, meaning that the development permit cannot be issued prior to approval from the Ministry of Environment. The applicant has two options for release of the permit:

- 1) Obtain a Ministry instrument for the site (Certificate of Compliance, Determination ect.)
- 2) Request and obtain a Ministry release for the permit, which would be dependent upon future permits being withheld for the site.

A “Stage 2 Preliminary Site Investigation” by Trow Associates Inc. was received by this office to address concerns with respect to possible site contamination, and a copy of the report was forwarded to the Ministry of Environment (MOE) for their records. The CVRD cannot provide comments on the findings of this report, as the issue must be resolved by the applicant in consultation with the Ministry of Environment. Therefore, the CVRD cannot issue the Development Permit until advised by the Ministry of Environment that the applicants have obtained the required instruments (e.g. Certificate of Compliance or Determination).

Riparian Areas Regulation Assessment

As noted above, there are three water features on the site that were assessed under the Riparian Areas Regulation: a pond, a ditch, and a seasonal wetted depression (which for the purposes of the RAR site map and this report is considered part of the pond). The ditch was originally constructed to carry water flow from the pond to a stream on the adjacent property to the south east, eventually reaching Glenora Creek.

The Streamside Protection and Enhancement Areas (SPEA) have been delineated as follows: 10 metres for the ditch/stream and 15 metres for the pond. A SPEA is an area where no development, including tree cutting, deposit of fill, or construction can occur – it is meant to be left completely natural, and to protect the riparian function of the pond and ditch/stream. Furthermore, Bylaw No. 1840, the Electoral Area E Zoning Bylaw, has established a setback of 20 metres from the natural boundary of any watercourse. Accordingly, all buildings and structures are proposed outside of the 20 metre setback area. The only works that will be permitted within the SPEA are the gravel-surfaced access to the pond for fire trucks.

As noted on the site plan, the ditch is proposed to be relocated in order to follow more closely the south-eastern property boundaries. The applicants applied for approval under Section 9 of the *Water Act* for work in and around a stream, however the Ministry of Environment has advised it is unnecessary since this ditch does not meet the definition of stream under the *Water Act*. The RAR report recommends that the ditch realignment include a berm, one metre in height, on its northeastern edge adjacent to the proposed light industrial activities to control stormwater and redirect flows to the fire pond via vegetated swales. The 10-metre SPEA should also be re-vegetated along both sides of the ditch where required.

Potable Water

In order to better determine whether this development will impact the local water supply, the CVRD required a well water assessment of this property and the proposed development. The report states that the business park would employ an estimated 50 people (maximum), and that the estimated water requirement at 50 Igpd per person is 2500 Igpd total. The report further indicates that in consideration of the local groundwater conditions, one well with a capacity of 2.0 Igpm (2880 Igpd) could be developed on the subject property to serve the development, and that this potential well water supply is sufficient to meet the projected demand.

This analysis of potential supply vs. demand does not, however, provide any information with respect to the potential industrial processes that are more intensive water users. Well logs attached to the report from the local area include two very productive wells (8 gpm and 6 gpm), and seven poor wells (ranging in yield from 0-0.75 gpm). The report supplied the following findings:

- 1) There is good probability of obtaining sufficient groundwater for the subject property;
- 2) A well is expected to produce potable water suitable for domestic use. Some water quality issues may be encountered but can be remedied with treatment.
- 3) The subject area is underlain by a moderately productive bedrock aquifer;
- 4) The subject property can be self-sufficient with respect to water supply without negative impacts to existing groundwater users.
- 5) As the well database from BC MOE may not be complete (as shown in Appendix A) a well survey should be undertaken prior to drilling and testing the water supply well.

In general, the above-mentioned report indicates that there is good probability of obtaining potable water for the development based on an assessment of potential water used per day per employee. One of the difficulties with the application is that there is uncertainty in the proposed uses, the zoning provides for such a variety of uses that a number of intensive water uses and processes could locate here, and we currently have no information with respect to how these would affect the water supply.

Noise Abatement

As stated in the OCP, one of the purposes of this Development Permit Area is to ensure that the industrial development does not negatively impact the peace and enjoyment of neighbouring residential parcels.

The guidelines that would implement this objective include establishing landscaped buffers, not having excessive lighting, and keeping vehicle parking areas and loading areas away from the neighbouring parcels. This does not include guidelines respecting the actual noise level generated from industrial uses.

CVRD Noise Bylaw (Bylaw No. 1060) exempts “*the making of noise by any persons in the conduct of business within an area zoned for such business where the nature of the business conforms to the particular zoning requirements and where the noise is such as is usual or inevitable to the business so conducted*”. Therefore, any use or noise that is reasonably expected as a result of a permitted use can be conducted on a parcel despite potential noise disturbance to neighbouring parcels. The guidelines attempt to provide, through site layout and design, mechanisms to mitigate disturbance to neighbours.

Government Agency Comments:

Advisory Planning Commission

The Electoral Area E APC met and discussed this application on two occasions: October 16, 2007 and March 26, 2009. They submitted to us the following comments and recommendations:

October 16, 2007:

The following issues be addressed by the CVRD:

1. *That the ground water and stream be protected from potential hazardous wastes such as diesel and other fuels;*
2. *That a “peace and quality clause” be implemented to address the potential noise and light pollution from the hours of operation of the proposed uses;*
3. *That concerns of the local residents be met when determining hours of operation;*
4. *That there should be an entrance gate, which would be locked after hours, to address security issues for the site;*
5. *That the two variances requested be supported by a meaningful and supportive covenant(s) to protect community drinking water and to monitor the riparian buffer of the stream;*
6. *That a report be made available regarding the water quality of the stream;*
7. *That all landscaping be done to BC Society of Landscape Architecture Standards;*
8. *That an adequate bond be issued by the owner to ensure that all development permits are complied with; and*
9. *That a public meeting be held with the applicant and his representative and CVRD staff in attendance to enable community residents to voice their concerns.*

Motion carried unanimously.

March 26, 2009

It was moved and seconded that Application File No. 10-E-07 DP be approved subject to the following recommendations:

- i. That a productive well be drilled and tested as to adequate flow quantity, quality and impact on adjacent properties' wells;*
- ii. That the proposed development does not negatively impact the peace and enjoyment of neighbouring residential parcels; and*
- iii. That the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water.*

Motion carried.

CVRD Public Safety Department

As stated in Section 14.4 of the Forestry Industrial Development Permit Area, it is intended that this DPA will provide measures to minimize the risk of damage to persons and property within wildfire interface areas. Accordingly, input was received from the CVRD Public Safety Department with regards to this application. It was recommended that the applicants install a water storage tank and pump – the size and location of which is to be determined by an engineer, and which would be accessible to both the community and the proposed development for fire protection. Providing a connection to the community for fire protection purposes would need to be voluntary. Additionally, because of the nature of the industrial use within the proposed buildings, they recommended that sprinklers should be installed inside each building and tie into the storage tank

Duncan Volunteer Fire Department (Eagle Heights Fire Service Area)

The site plan was referred to the Fire Department for their comments and they require that the access to the fire pond be widened to 5 metres to accommodate the size of the fire trucks, and they expressed concerns that the trash storage area is too close to the landscaped buffer area.

Ministry of Transportation

The Ministry of Transportation reviews and approves road access to commercial developments. Section 924(2) of the *Local Government Act* states that a “permit for the construction of commercial or industrial buildings exceeding 4,500m² in gross floor area must not be issued unless a site plan of the buildings including traffic circulation and parking areas and facilities, has been approved by the Minister responsible for the *Transportation Act*.” The access must meet the Ministry of Transportation’s standard before they will grant approval, however an application has not currently been received by the Ministry.

Public Input:

There has been significant public interest in the proposal as a result of the proposed industrial use, the scale of the development, and the surrounding residential/agricultural lands. Please find attached the letters we have received since this application was first initiated in 2007.

The APC recommended that a public meeting be held with the applicant and CVRD staff in attendance to enable community residents to voice their concerns. Staff have given this aspect of the APC’s recommendation due consideration and respectfully recommend not conducting a public meeting given that the *Local Government Act* does not provide an opportunity for public

consultation during a Development Permit process. A recent BC Supreme Court ruling (Yearsley v. City of White Rock) confirmed that development permits cannot be denied because of public opposition. The Board does have discretion to refuse to issue a development permit, but only insofar as the application is deemed to not comply with applicable guidelines. Input received at a public meeting can therefore not be considered if it is contrary to the development permit guidelines, or if the main concern is the use. Conducting a public meeting for a development permit application would likely create expectations in the community that could not legally be fulfilled.

Many letters have been received by residents with respect to their opposition to the proposed use. However, the proposed use is consistent with the I-2 (Heavy Industrial zoning), and should therefore not be the topic of discussion in reviewing this development permit application. Rather, compliance with the Development Permit Area guidelines can be the focus of the application review. As several Directors may recall, Bylaw No. 2512 was adopted on May 26, 2004 which created this Development Permit Area. At the same time, proposed zoning amendment Bylaw No. 2513 was intended to rezone this and two other properties from I-2 (Heavy Industrial) to a new I-2 (Forestry Industrial) zone. The intention of these bylaws was to reduce the potential impact of future industrial uses upon adjacent residential and agricultural areas. The new I-2 (Forestry Industrial) zone proposed to limit the uses to the following in recognition of the properties' historic forestry resource based uses:

- 1) Log sorting operations;
- 2) Sawmills;
- 3) Forestry based equipment storage and maintenance, but not the recycling of materials;
- 4) Value added secondary forestry related uses, excluding pulp and paper mill.

However, this Bylaw was defeated and the zoning remains in place. Therefore, the appropriate time for discussion of the actual use of this property was at the public hearing in 2004.

Furthermore, public input gathered at a public meeting at this stage/level would only serve to raise expectations that the use can be limited or changed through the DP process, which it cannot.

Attachments

Please find enclosed the correspondence received with respect to this application, the Riparian Areas Regulation Assessment report approved by the Ministry of Environment, and the Hydrogeology Report conducted by a Professional Engineer to assess well water supply.

Summary:

Due to the historic zoning of the property, the applicant is entitled to use the property as permitted under the zoning. In any area that is generally considered industrial or even commercial, the plans submitted by the applicant would be accepted and even considered a very good development. The problem lies with the adjacent residential/agricultural uses and that a heavy industrial development in the midst could possibly result in land use conflicts. However, as noted above, the development permit process is not equipped to limit the use or density of a parcel; this is only handled by a rezoning. Additionally, both the applicant and the public have a right to a fair and transparent process as set out in the *Local Government Act*.

000101

Given the known (in the community) historical problems of providing potable water on this site and several sites in the area, it has been suggested that a precautionary approach be taken in proceeding with this application. It is difficult for the applicant to further identify which uses will ultimately establish on the site without first knowing whether the development permit has been approved and what conditions will be placed on the land. However, given the level of concern about the water supply, it would seem appropriate to require testing of the water supply and monitoring of wells on adjacent properties. Although the CVRD has no direct role in approving wells or ensuring potable water is provided to rural well water users, we should also not approve a development permit where the uses are unknown and the impact of these uses on the water supply is also unknown.

There are some relatively benign proposed uses (e.g. mini-warehousing, office and warehouse). However, the difficulty is with the other permitted uses, and which of these may end up being proposed. The current I-2 (Heavy Industrial) zone permits such a wide range of uses, that it may be desirable to further refine the list of permitted uses to coincide with the limitations of the site. Furthermore, if specific testing of the water source and monitoring of adjacent wells were undertaken, and upon receipt of the water testing results, the CVRD may be in a better position to determine whether there is sufficient water to service an industrial development of this scale, and to identify whether there should be limits to the uses based on the availability of water.

Options:

1. That application No. 10-E-07 DP be approved, and that a development permit be issued to Rocky Point Metal Craft Ltd. for That Part of Section 8, Range 2, Quamichan District, Lying to the East of the Right of Way of the Canadian Northern Pacific Railway Company, Except Parcel A (DD 38366I and DD 56015I) and Parcel C (DD 89280I) Thereof, and Except Parts in Plans 4701, 6992, 7049, 7867, 8335, and 25654 PID: 009-656-448 for the construction of a new business park consisting of five industrial buildings, eight mini-warehouse buildings and a caretaker's dwelling and office space subject to the following:
 - a. Underground wiring to the buildings be installed;
 - b. Landscaping be installed to BCSLA standards in the amount and location as illustrated on the Glenora Business Park Landscape Plan;
 - c. Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the revised landscape plan (greenroofs, bioswales, boulevard plantings, SPEA re-vegetation and landscaped buffer areas) be provided with 75% of the security being refunded once the landscaping has been installed, and the balance being returned after successful completion of a one-year maintenance period;
 - d. Water storage tank and fire pump be installed as specified by an Engineer to provide water for fire-fighting purposes;
 - e. Interior sprinklers be provided for each building, excluding mini-storage and office/caretaker residence, and these are tied into the water storage tank ;
 - f. The driveway access to the fire pond is widened to 5 metres;
 - g. Approval of the access permit by the Ministry of Transportation and Infrastructure;
 - h. Compliance with the recommendations and measures to protect the Streamside Protection and Enhancement Area (SPEA) specified in RAR report No. 854 including

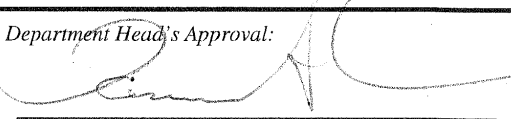
- re-vegetation of the SPEA, monitoring and sediment control with a detailed sediment and erosion control plan to be prepared by the Qualified Environmental Professional (QEP) prior to construction;
- i. Fencing and signage installed to protect the SPEA;
 - j. Appropriate approvals from the Ministry of Environment with regards to site contamination;
 - k. Low intensity shielded lighting to be supplied along the boulevard;
 - l. Covenant be registered on the property limiting the hours of operation to 7:30 am to 5:30 pm week days, and 8 am to 5 pm on Saturday;
 - m. Covenant for maintenance of the vegetated buffer, landscaping and SPEA, including reference plan and a no vegetation removal clause for protection of the SPEA and vegetated buffer area;
 - n. Covenant for the panhandle limiting the use to mini-storage, caretaker's residence, or other non-disruptive uses, and prohibiting outdoor storage; and
 - o. A drilled well(s) be provided onsite demonstrating proof of potable water sufficient to service the proposed industrial development including any intensive industrial processes, and adjacent wells must be monitored during testing to ensure no negative impacts.
2. That application No. 10-E-07 DP be held in abeyance, with further consideration by the Electoral Area Services Committee to occur once the following information has been supplied by the applicant:
 - a. a drilled well(s) be provided onsite demonstrating proof of potable water sufficient to service the proposed industrial development including any intensive industrial processes;
 - b. monitoring of adjacent wells demonstrating that withdrawal of well water on the subject property does not result in negative impacts to adjacent wells; and
 - c. well testing to determine the maximum pumping rate below which there would be no negative impact to neighbouring wells.
 3. That application No. 10-E-07DP be denied due to the uncertainties regarding the proposed uses and in the absence of information regarding the availability of groundwater on the site and the potential impact to neighbouring wells.

Option 3 is recommended, as the extensive list of potential industrial uses associated with this project means that we cannot adequately determine that the application complies with the development permit area guidelines.

Submitted by,



Rachelle Moreau,
Planning Technician
Planning and Development Department

Department Head's Approval:  _____ Signature

RM/ca

000103



**Cowichan
Valley
Regional
District**

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

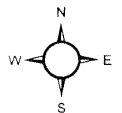
The Regional District does not warrant the accuracy.

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

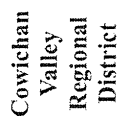
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws

FILE: 10-E-07-DP

**Orthophoto
(2004)**



000104



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.

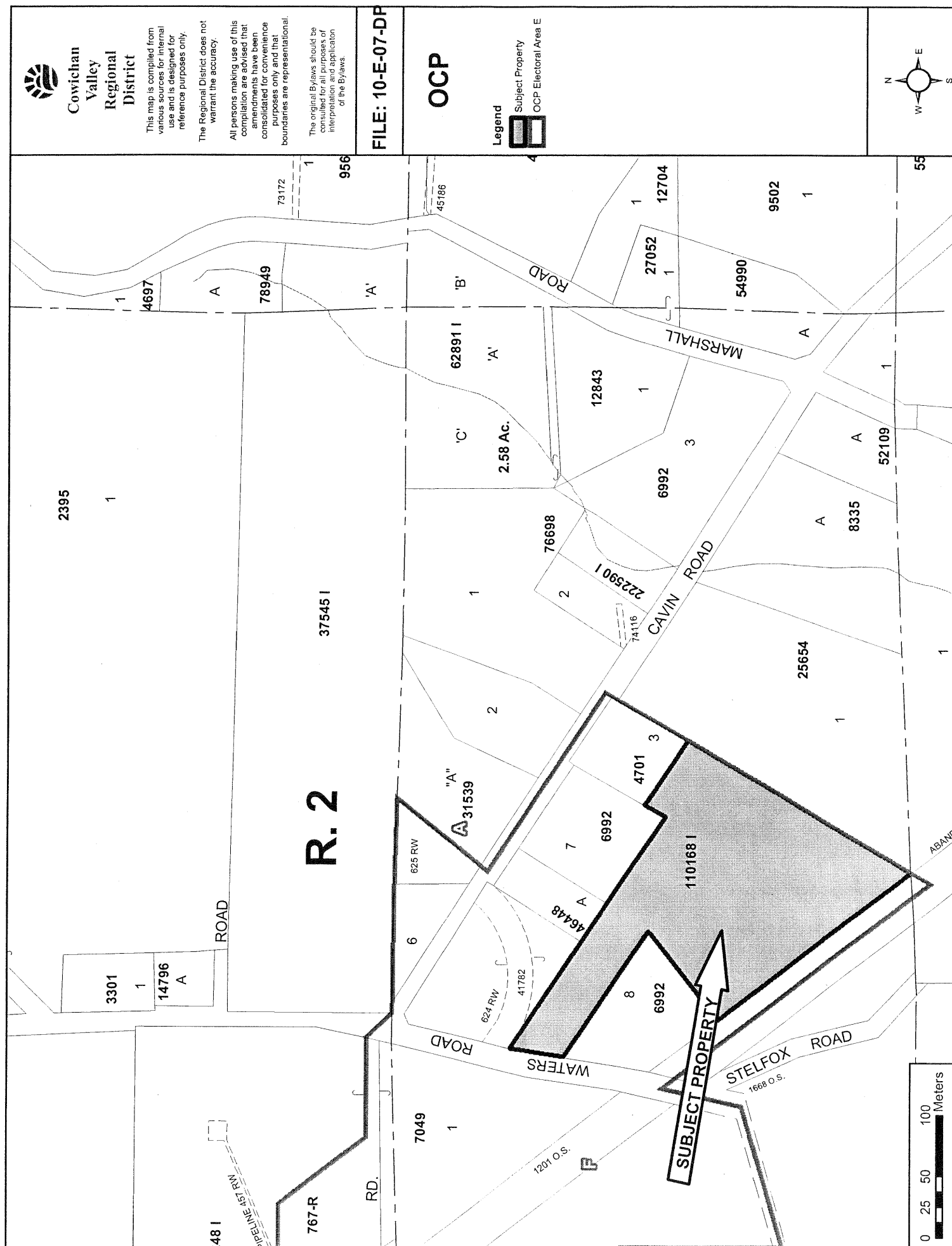
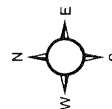
FILE: 10-E-07-DP

000

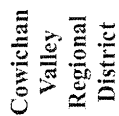
Legend



Subject Property
OCP Electoral Area E



000105



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.

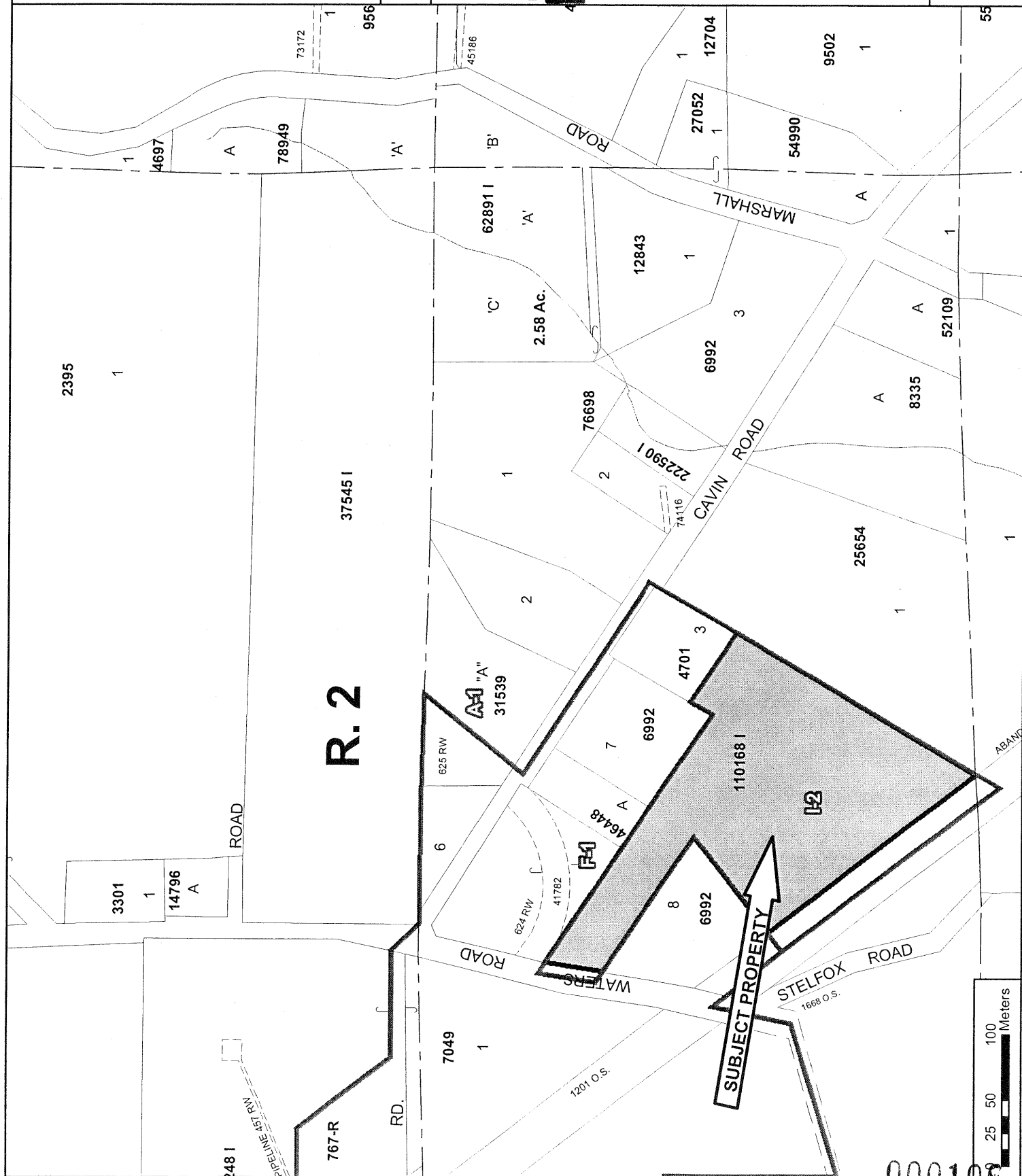
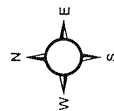
FILE: 10-E-07-DP

ZONING

Legend



Subject Property
Zoning Electoral Area E



11.0 INDUSTRIAL ZONES

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

11.1 I-1 ZONE - LIGHT INDUSTRIAL**(a) Permitted Uses**

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

- (1) auction grounds;
- (2) automotive repair, sales, body repair, painting, wrecking, storage, salvage;
- (3) café, restaurant, take out service, catering;
- (4) clothing and garment manufacturing, laundry, dry cleaning, repair and storage;
- (5) contractor's workshop, yard and storage;
- (6) electric and electronic equipment manufacturing;
- (7) equipment repair, sales, storage and rental;
- (8) feed, seed and agricultural supplies, sales and storage;
- (9) food and candy products manufacturing, storage, processing, packaging, frozen food locker, cold storage plant, but excluding fish cannery and abattoir;
- (10) industrial processing, manufacturing, repair, storage and packaging;
- (11) *kennels* for the keeping, boarding, raising, training and/or breeding of cats and dogs and animal hospital;
- (12) laboratory;
- (13) lumber and storage yards, sale of wholesale and *retail* building supplies;
- (14) modular or prefabricated home structure and truss manufacturing and sale;
- (15) parking garage, recreational vehicle storage and sale;
- (16) processing and sale of gardening and landscaping supplies and materials;
- (17) publishing;
- (18) retail and wholesale sale of petroleum products and accessory storage of petroleum products not exceeding 455,000 litres;
- (19) secondary processing and manufacturing of wood products, including the making of cabinets, furniture, plywood, lath and particle board and similar products; but excluding sawmills, pulp and paper mills and log storage and sorting;
- (20) recycling, sorting and storage of substances or materials, including in-vessel composting;
- (21) warehouse, including mini-warehouse, freight handling and storage;
- (22) welding shop;
- (23) *office accessory* to a *principle use* permitted in Section 11.1(a)(1) to (22);
- (24) *retail sales accessory* to a *principle use* permitted in Section 11.1(a)(1) to (22);
- (25) one single *family dwelling* unit per *parcel accessory* to a *use* permitted in Section 11.1(a)(1) to (22).

(b) Conditions of Use

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

- (1) the *parcel coverage* shall not exceed 50 percent for all *buildings* and *structures*;
- (2) the *height* for all *buildings* and *structures* shall not exceed 10.0 metres;
- (3) notwithstanding the uses permitted in Section 11.1(a) of the Industrial-1 Zone, no sewage, septage, biosolids, animal manure, animal material or animal substance shall be stored or utilised in an industrial process on a parcel in the Light Industrial Zone;
- (4) the *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	4.5 metres
Interior Side	0 metres where the abutting <i>parcel</i> is zoned Industrial 9.0 metres where the abutting <i>parcel</i> is zoned Residential, Agricultural, Forestry or Institutional
Exterior Side	4.5 metres
Rear	0 metres where the abutting <i>parcel</i> is zoned Industrial 9.0 metres where the abutting <i>parcel</i> is zoned Residential, Agricultural, Forestry or Institutional

(c) Minimum Parcel Size

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

- (1) 0.1 Ha. for *parcels* served by a *community water* and *sewer system*;
- (2) 0.3 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

11.2 I-2 - HEAVY INDUSTRIAL

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

(a) Permitted Uses

The following *uses*, *uses* permitted under Section 4.4, and no others are permitted in an I-2 zone:

- (1) any *use* permitted in the I-1 zone;
- (2) dry land log sorting;
- (3) forest products processing, milling, and storage, excluding pulp and papermill;
- (4) manufacturing, processing, repair, treatment and storage of products, materials, fabric or compounds;
- (5) *office accessory* to a *principle use* permitted in Section 11.2(a)(1) to 11.2(a)(4);
- (6) one single *family dwelling* per *parcel accessory* to a *principle use* permitted in Section 11.2(a)(1) to 11.2(a)(4).

(b) Conditions of Use

For any *parcel* in an I-2 zone:

- (1) the *parcel coverage* shall not exceed 50% for all *buildings* and *structures*;
- (2) the *height* of all *buildings* and *structures* shall not exceed 15 m.;
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	9.0 metres
Interior & Exterior Side	9.0 metres
Rear	9.0 metres

(c) Minimum Parcel Size

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

- (1) 0.1 Ha. for *parcels* served by a *community water* and *sewer system*;
- (2) 0.3 Ha. for *parcels* served by a *community water system* only;
- (3) 1.0 Ha. for *parcels* served neither by a *community water* or *sewer system*.

BUFFER PLANTING, 8M WIDE.
NATIVE TREE AND SHRUB SPECIES,
DOUGLAS FIR, BLACK COTTONWOOD, RED OSIER DOGWOOD,
NOOTKA ROSE

SCREEN PLANTING IN BOULEVARD.
TREES, ACER RUBRUM "OCTOBER GLORY",
AND CEDAR HEDGING.

MINI STORAGE BUILDINGS,
TYPICAL SIZE - 8 @ 40' x 20',
2 STOREY, SEE ARCHITECTURAL

BUSINESS PARK OFFICE &
CARE TAKERS ACCOMMODATION,
2 STOREY, OFFICE BELOW,
LIVING SPACE ABOVE,
SEE ARCHITECTURAL.

SITE ENTRANCE,
WITH SIGN

CAVIN ROAD

SECTION NINE

RAIN GARDEN

TOP OF BANK

EXISTING TREES

TRAIL

EXISTING TREES

RAIN GARDEN

25654

SCALE 1:500
0 5 10 15 20 25 30 40 50 METRES

SMALL & ROSSELL
LANDSCAPE ARCHITECTS
3012 monter road, sooke, b.c. v9c 2h6
P: 250-443-6967
F: 250-443-6968
design@smallandrossell.com
www.smallandrossell.com

GLENORA BUSINESS PARK
WATERS ROAD, DUNCAN,
CVRD.
FOR
ROCKY POINT METALCRAFT LTD

DRAWING LIST

LANDSCAPE PLAN - L1
SITE CROSS SECTION - L2

• Column lighting on access road
• Column lighting in parking areas

OFFICE SPACE AND
WAREHOUSE SPACE

HEIGHTS OF ALL
BUILDINGS TO COMPLY
WITH I-1 & I-2
ZONE USE OF LAND

8m WIDE
VEGETATED BUFFER

WARE HOUSE

PARKING ON GRAVEL
SURFACE WITH
VEGETATED BIOSWALE

ACCESS TO FIRE
POND, 3m WIDE,
GRAVEL SURFACE

Revisions		
12	NOV 2007	FOR APPLICATION
11	NOV 2007	FOR APPLICATION
10	NOV 2007	FOR APPLICATION
9	NOV 2007	FOR APPLICATION
8	NOV 2007	FOR APPLICATION
7	NOV 2007	FOR APPLICATION
6	NOV 2007	FOR APPLICATION
5	NOV 2007	FOR APPLICATION
4	NOV 2007	FOR APPLICATION
3	NOV 2007	FOR APPLICATION
2	NOV 2007	FOR APPLICATION
1	NOV 2007	FOR APPLICATION
NO.	DATE	DESCRIPTION

Sheet Information

Date 7 SEPT. 2007

Drawn car

Checked

Scale 1:500

Title

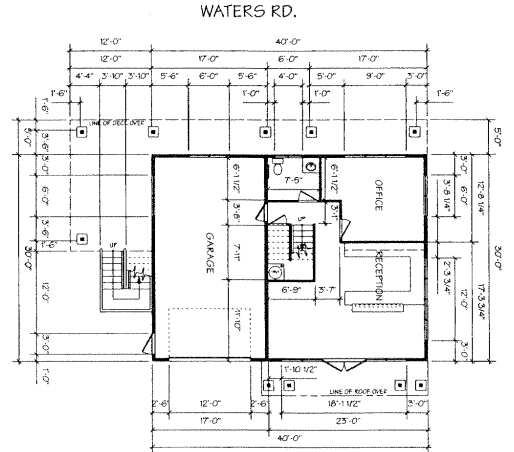
LANDSCAPE PLAN

Sheet

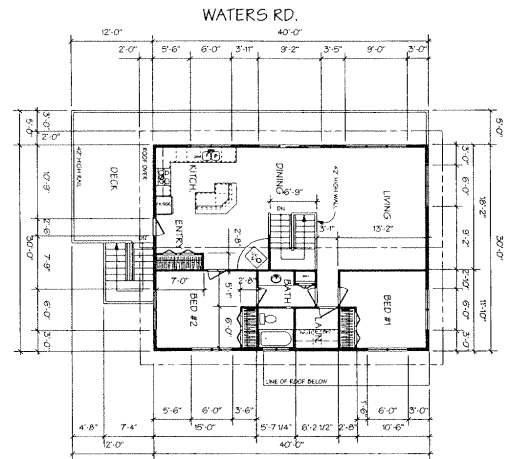
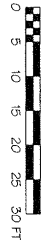
L1

Copyright © 2007 Small & Rossell Landscape Architects

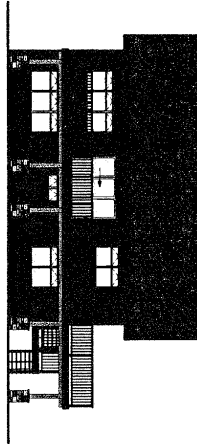
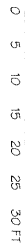
GLENORA BUSINESS PARK



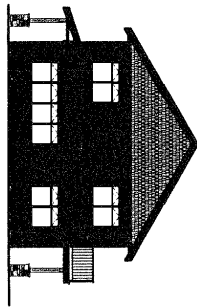
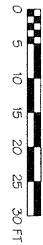
1 PARK OFFICE - GROUND FLOOR PLAN
Scale: 1/8" = 1'-0"
FLOOR AREA = 690 SQ. FT.
GARAGE = 510 SQ. FT.



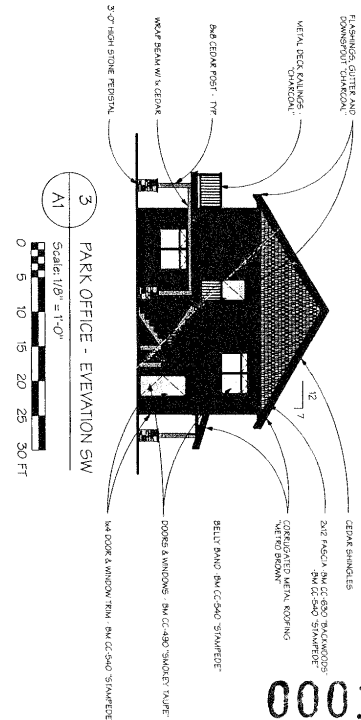
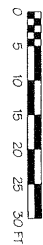
2 CARETAKERS SUITE - UPPER FLOOR PLAN
Scale: 1/8" = 1'-0"
1200 SQ. FT.



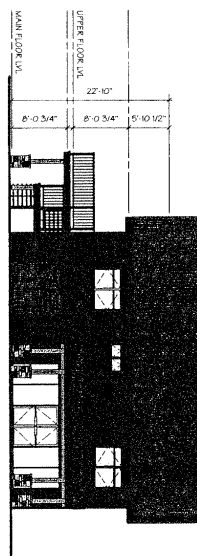
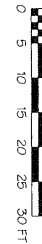
4 PARK OFFICE - ELEVATION NW
Scale: 1/8" = 1'-0"



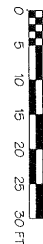
5 PARK OFFICE - ELEVATION NE
Scale: 1/8" = 1'-0"



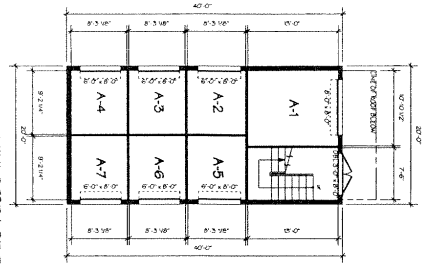
3 PARK OFFICE - ELEVATION SW
Scale: 1/8" = 1'-0"



6 PARK OFFICE - ELEVATION SE
Scale: 1/8" = 1'-0"

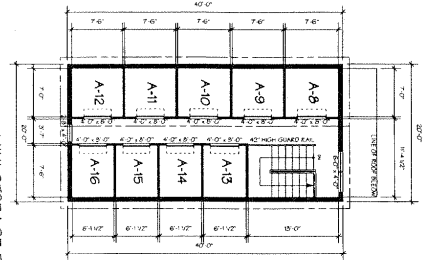


000112



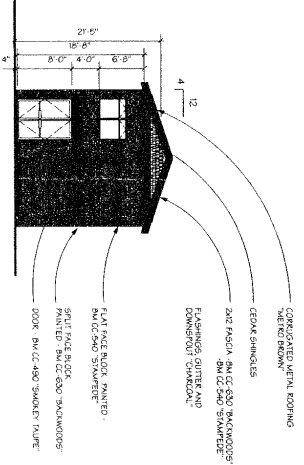
1 MINI STORAGE BUILDING
GROUND FLOOR PLAN - TYP

A1 Scale: 1/8" = 1'-0"



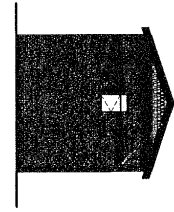
2 MINI STORAGE BUILDING
SECOND FLOOR PLAN - TYP

A1 Scale: 1/8" = 1'-0"



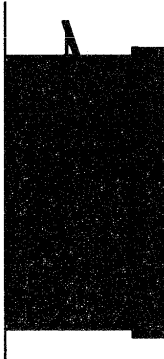
3 MINI STORAGE - ELEVATION

A2 Scale: 1/8" = 1'-0"



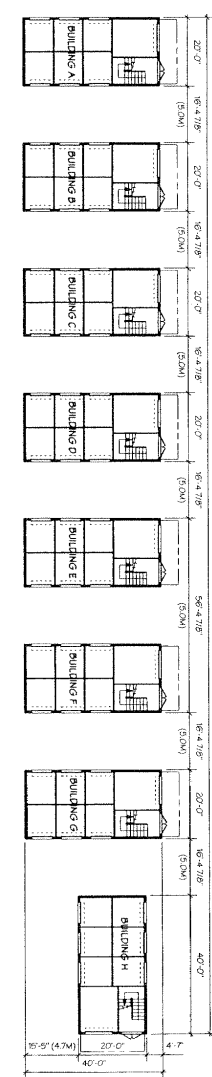
4 MINI STORAGE - ELEVATION

A2 Scale: 1/8" = 1'-0"



5 MINI STORAGE - ELEVATION (OPPOSITE SIM.)

A2 Scale: 1/8" = 1'-0"

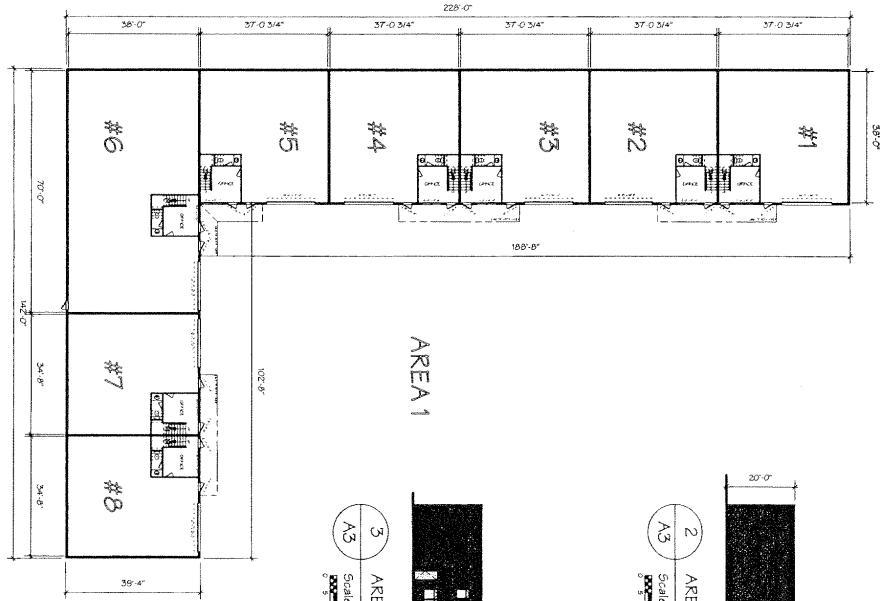


6 MINI STORAGE LAYOUT - PLAN

A2 Scale: 1/8" = 1'-0"

000113

A2



1 AREA 1 BUILDING - FLOOR PLAN
A3
Scale: 1/16" = 1'-0"
0 5 10 20 30 FT

GROUND FLOOR AREA = 13006 SQ. FT.
UPPER FLOOR AREA (SEE SHEET A5) = 1344 SQ. FT.

2 AREA 1 BUILDING - ELEVATION
A3
Scale: 1/16" = 1'-0"
0 5 10 20 30 FT



3 AREA 1 BUILDING - ELEVATION
A3
Scale: 1/16" = 1'-0"
0 5 10 20 30 FT



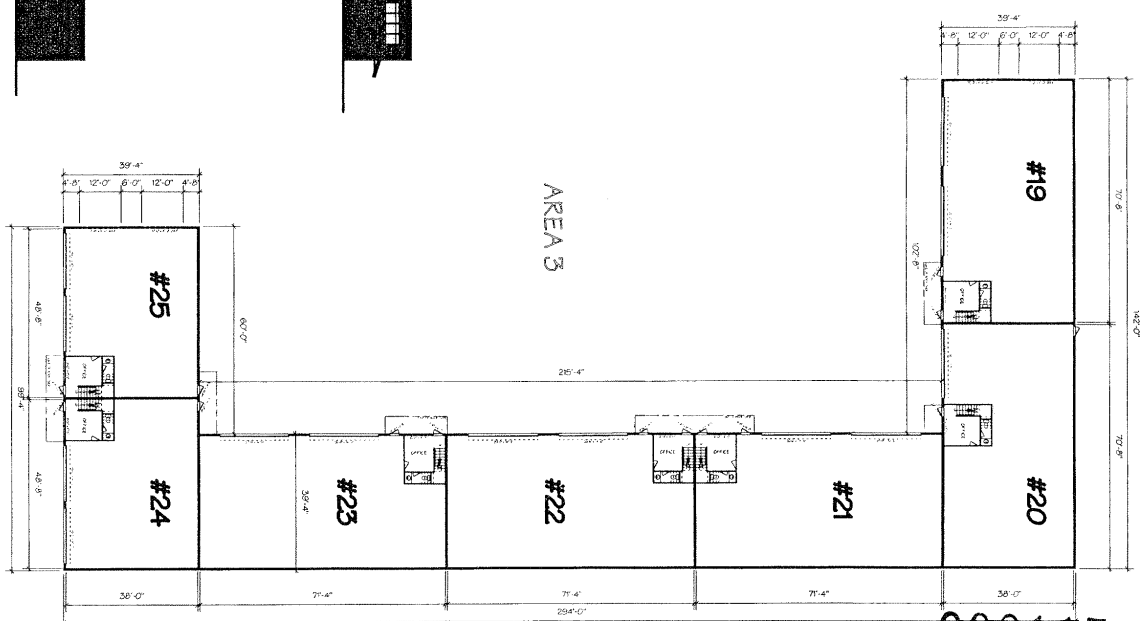
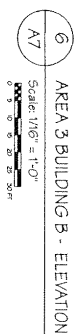
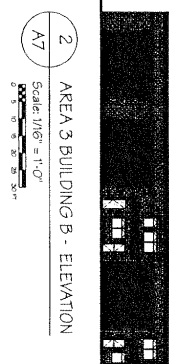
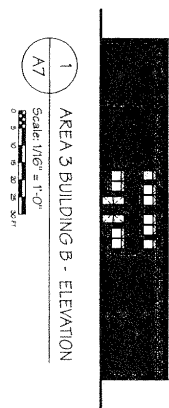
4 AREA 1 BUILDING - ELEVATION
A3
Scale: 1/16" = 1'-0"
0 5 10 20 30 FT

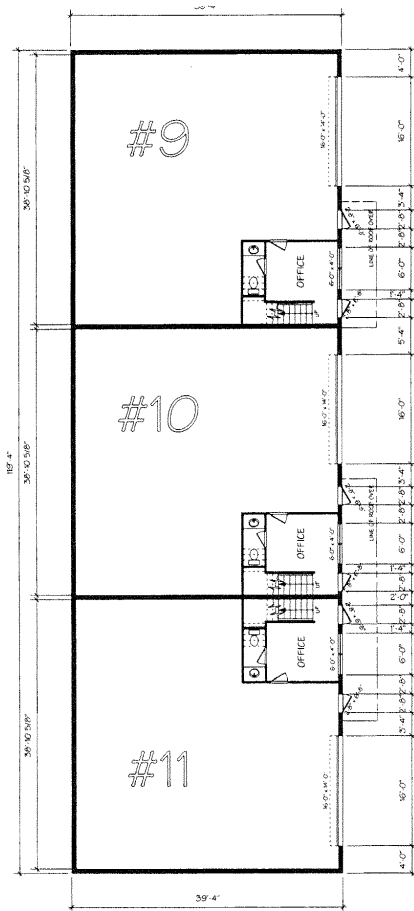


5 AREA 1 BUILDING - ELEVATION
A3
Scale: 1/16" = 1'-0"
0 5 10 20 30 FT

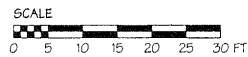


000114



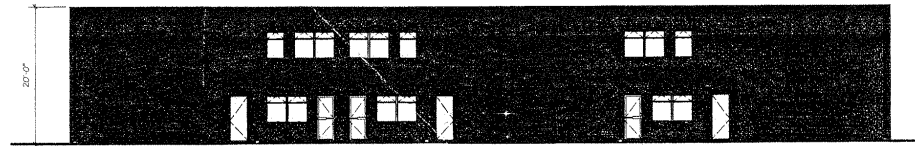
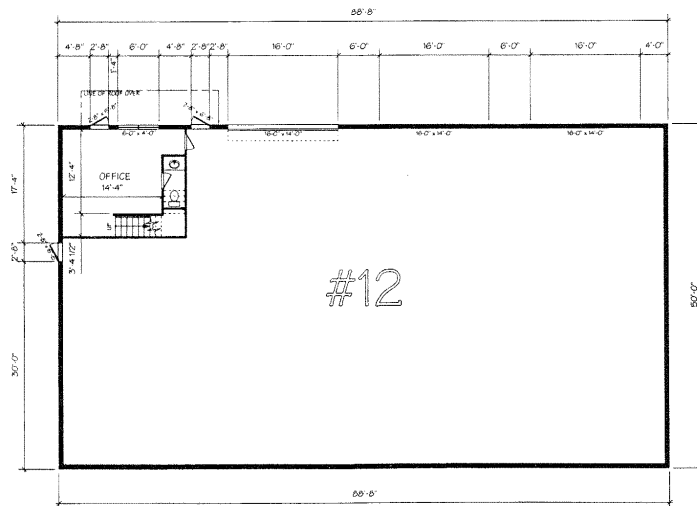


1 AREA 2 BUILDING A - FLOOR PLAN
A4
Scale: 1/8" = 1'-0"
SHOP SPACE / UNIT = 1397 SQ. FT.
OFFICE SPACE / UNIT = 336 SQ. FT.
(SEE -/- FOR UPPER FLOOR PLAN)
TOTAL FLOOR AREA = 5199 SQ. FT.
(1733 SQ. FT. / UNIT)

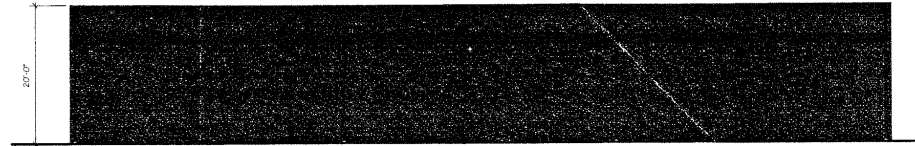


2 AREA 2 BUILDING B - FLOOR PLAN
A4
Scale: 1/8" = 1'-0"
SHOP SPACE = 4122 SQ. FT.
OFFICE SPACE = 622 SQ. FT.
(SEE -/- FOR UPPER FLOOR PLAN)
TOTAL FLOOR AREA = 4744 SQ. FT.

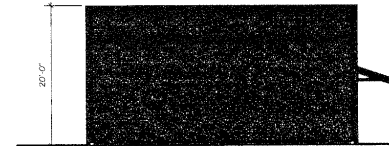
AREA 2



3 AREA 2 BUILDING A - ELEVATION
A4
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



4 AREA 2 BUILDING A - ELEVATION
A4
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



5 AREA 2 BUILDING A - ELEVATION (OPPOSITE ELEV SIM.)
A4
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT

000116

PROPOSED DEVELOPMENT FOR
ROCKY POINT
METALCRAFT LTD.
RUSS CRAWFORD
Box 10000
Vancouver, BC
V6N 1C1

GLENORA BUSINESS PARK
WATERS RD. DUNCAN, BC

CMS NOV. 28, 2007

REVISIONS:

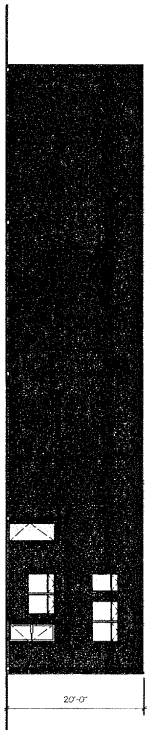
DATE: JAN. 5, 2009

SCALE: AS NOTED

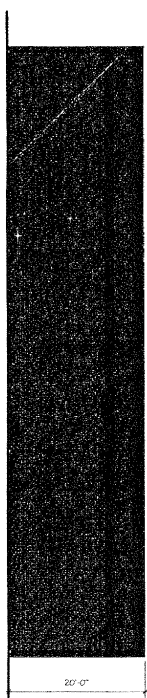
DRAWN BY: C. SUPEENE

SHEET 4 OF 7

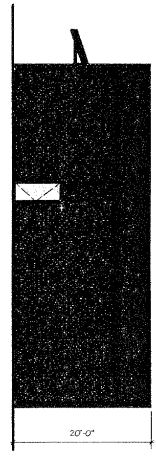
A4



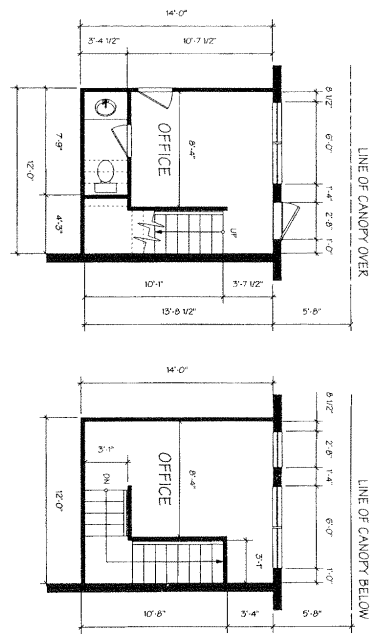
1
A5
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



2
A5
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT

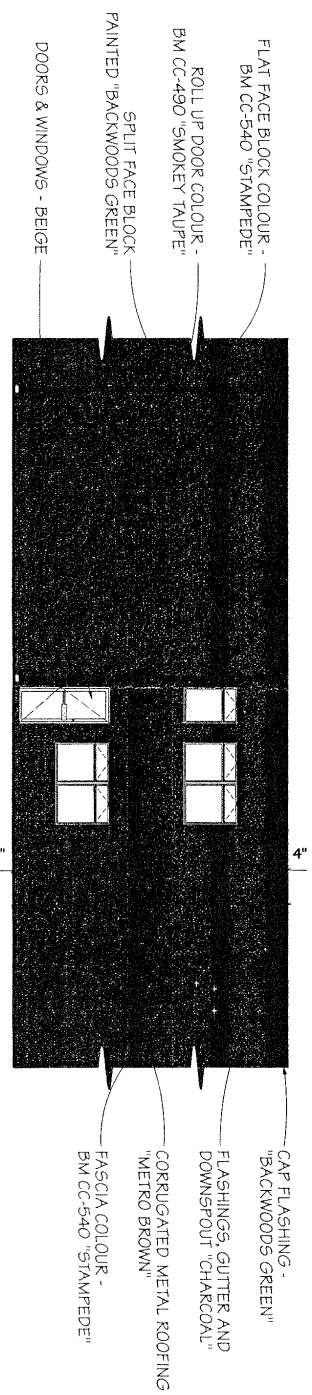


3
A5
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



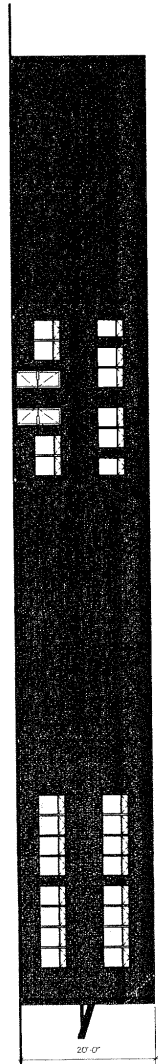
4
A5
TYPICAL OFFICE PLAN -
GROUND FLOOR
SCALE: 1/4" = 1'-0"
168 SQ. FT.

5
A5
TYPICAL OFFICE PLAN -
UPPER FLOOR
SCALE: 1/4" = 1'-0"
168 SQ. FT.

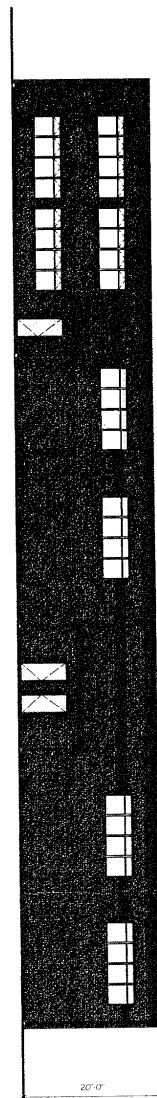


6
A5
Scale: 1/4" = 1'-0"
ASSEMBLY SHOP - ELEVATION NW

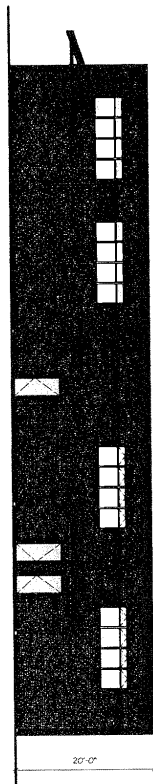
000117



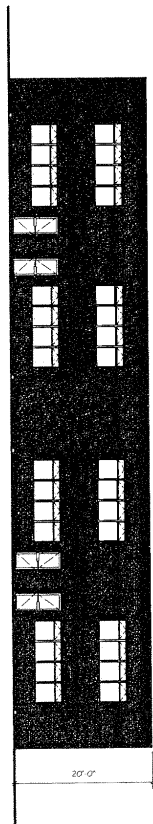
1
A6
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



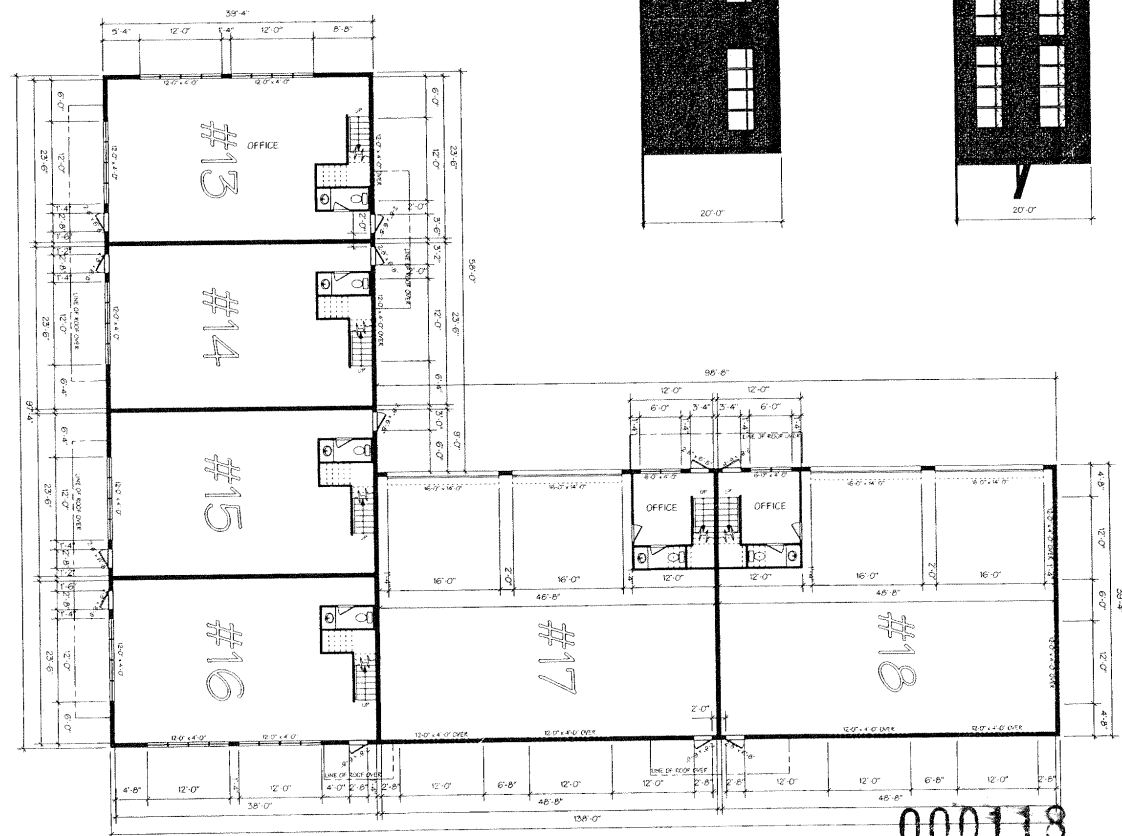
2
A6
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



3
A6
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



4
A6
Scale: 1/8" = 1'-0"
0 5 10 15 20 25 30 FT



5
A6
Scale: 1/8" = 1'-0"
GROUND FLOOR AREA = 7709 SQ. FT.
UPPER FLOOR AREA = 4164 SQ. FT.
TOTAL FLOOR AREA = 11873 SQ. FT.
0 5 10 15 20 25 30 FT

000118

GLENORA BUSINESS PARK

WATERS RD. DUNCAN, BC

A6

WATERS RD. DESIGN & DEVELOPMENT LTD.
 Christopher M. Suprenant
 401 Glenora Rd.
 Vancouver, BC
 Email: csuprenant@watersrd.com
 www.watersrd.com

**TRUSTEES DEVELOPMENT FOR
 ROCKY POINT
 METALRAFT LTD.**
 10000 Glenora Rd.
 Vancouver, BC
 Email: info@rockypointmetalraft.com
 www.rockypointmetalraft.com

**Mailing Address
 401 Glenora Rd.
 Vancouver, BC**

DATE: JAN. 5, 2009
SCALE: AS NOTED
DRAWN BY: C.SUPRENT
SHEET NO. 7



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 10-E-07 DP

DATE: _____

TO: _____

ADDRESS: _____

1. This Development 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 Permit applies to and only to those lands within the Regional District described below (legal description):

That Part of Section 8, Range 2, Quamichan District, Lying to the East of the Right of Way of the Canadian Northern Pacific Railway Company, Except Parcel A (DD 38366I and DD56015I) and Parcel C (DD 89280I) Thereof, and Except Parts in Plans 4701, 6992, 7049, 7867, 8335 and 25654 PID:009-656-448

3. Authorization is hereby given for the development of the subject property in accordance with the conditions listed in Section 4, below.

4. The development shall be carried out subject to the following conditions:

- a. Underground wiring to the buildings be installed;
- b. Landscaping be installed to BCSLA standards in the amount and location as illustrated on the Glenora Business Park Landscape Plan;
- c. Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the revised landscape plan (greenroofs, bioswales, boulevard plantings, SPEA re-vegetation and landscaped buffer areas) be provided with 75% of the security being refunded once the landscaping has been installed, and the balance being returned after successful completion of a one-year maintenance period;
- d. Water storage tank and fire pump be installed as specified by an Engineer to provide water for fire-fighting purposes;
- e. Interior sprinklers be provided for each building, excluding mini-storage and office/caretaker residence, and these are tied into the water storage tank ;
- f. The driveway access to the fire pond is widened to 5 metres;
- g. Approval of the access permit by the Ministry of Transportation and Infrastructure;
- h. Compliance with the recommendations and measures to protect the Streamside Protection and Enhancement Area (SPEA) specified in RAR report No. 854 including re-vegetation of the SPEA, monitoring and sediment control with a detailed sediment and erosion control plan to be prepared by the Qualified Environmental Professional (QEP) prior to construction;
- i. Fencing and signage installed to protect the SPEA;
- j. Appropriate approvals from the Ministry of Environment with regards to site contamination;
- k. Low intensity shielded lighting to be supplied along the boulevard;
- l. Covenant be registered on the property limiting the hours of operation to 7:30 am to 5:30 pm week days, and 8 am to 5 pm on Saturday;
- m. Covenant for maintenance of the vegetated buffer, landscaping and SPEA, including reference plan and a no vegetation removal clause for protection of the SPEA and vegetated buffer area;
- n. Covenant for the panhandle limiting the use to mini-storage, caretaker's

000119

- residence, or other non-disruptive uses, and prohibiting outdoor storage; and
- o. A drilled well(s) be provided onsite demonstrating proof of potable water sufficient to service the proposed industrial development including any intensive industrial processes, and adjacent wells must be monitored during testing to ensure no negative impacts.

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. The following Schedule is attached:
- Schedule A – Glenora Business Park Site Plan
 - Schedule B – Glenora Business Park Building Elevations
 - Schedule C – Riparian Areas Regulation Assessment Report No. 854 prepared by Thomas Roy R.P. Bio
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Planning and Development Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE __th DAY OF _____.

Tom Anderson, MCIP
General Manager, Planning and Development Department

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

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

Signature

Witness

Owner/Agent

Occupation

Date

Date

000120

LOWEN HYDROGEOLOGY CONSULTING LTD.

4030 Zinnia Road, Victoria, BC, V8Z-4W3 Telephone: (250) 595-0624 Fax (250) 595-0634

Date: Feb. 9, 2009

File: 09-02

Rocky Point Metalcraft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Attention: Russ Crawford

Dear Sir:

Re: Well Water Supply Assessment, Proposed Glenora Business Park, corner of
Cavin and Water's Roads, Glenora near Duncan, BC.

Following our correspondence and our proposal dated January 22, 2009 we have assessed the potential for well water supplies on the above described property. Our findings are presented in the following sections.

1.0 Physical Setting

Topography

Local terrain of the Glenora region, within which the property lies, is classified as gently to moderately rolling. Slopes range from gentle to moderate, or 5 to 15 percent. Overall, the topography is complex and typical of glacial modified valleys on Vancouver Island.

.../2

000121

- 2 -

Soils

The dominant soil type found in the area of study is the Shawnigan soil unit. Shawnigan is a gravely-sandy-loam soil, derived from glacial moraine deposits. This soil unit is well drained. The soil unit is found overlying primarily sandstone or shale bedrock in the area of interest, however some well logs show water bearing sand/gravel soils in some places. The soil is further described as moderately to strongly cemented pans. The local vegetation is the Douglas Fir sub-zone but the site has been cleared of trees.

Geology

The study area is blanketed by glacial drift. Drilling records indicate permeable sandstone/shale at shallow depths. The Geological Survey of Canada Map 1553A by J.E.Muller (1980) shows the area of study is probably underlain by the Nanaimo Group sedimentary rock units. The rock units are extensively folded and faulted. There are major faults to the north in these units but none in the immediate vicinity of the subject property. These rock units consisting of primarily sandstone and shale and are generally favourable for domestic or community water supply development. Moderate yields can be obtained from the rock aquifers (5 to 25 gpm).

Hydrogeology

Principally due to fractures, in addition to probable bedding plane and geologic contact zones, the bedrock is saturated at depth and the water bearing zones (aquifers) are replenished through the vertical infiltration of precipitation and/or by lateral flow from up-slope recharge zones. The aquifer here is recharged from vertical infiltration and lateral flow from Koksilah Ridge to the south. The bedrock wells are generally greater than 30 feet deep and completed in sandstone and/or shale. The average well depth in the study area is 94 feet. Please see the well records in Appendix A and Well location plan in Figure 1.

.../3

000122

- 3 -

The bedrock aquifer has a hydraulic conductivity ranging from 1×10^{-10} to 6×10^{-6} m/sec. (Domenico & Schwartz, 1990). A recharge rate to the bedrock aquifer of 15 percent of precipitation, or $0.10 \times 1,052$ mm/year = 105.2 mm/year, has been estimated by LHC based on these rock conductivities and the characteristics of the overlying soils.

The subject site is underlain by a bedrock aquifer system that covers most of the Cowichan River Valley (45 km²). The aquifer underlies the entire 8 acre development site.

There are 10 existing wells selected in the project region. See Figure 1 for a well location map and Appendix A for well records. Most of the nearby wells are completed in the bedrock aquifer. It is likely that most wells could be drilled deeper to obtain more water from the bedrock aquifer. The average yield from the selected well data sample is 2.5 lgpm.

2.0 Potential Supply vs. Demand

The business park would employ an estimated 50 people (maximum) and the estimated water requirement at 50 lgpd per person is 2500 lgpd total. This is a good estimate of actual peak water consumption (demand). Considering the local groundwater conditions as described above one well with capacity of 2.0 lgpm (2880 lgpd) could be developed on the subject property. Additionally it may be necessary to consider water treatment as deeper wells here have encountered poor water quality. In our opinion there is potential here for a well water supply sufficient to meet the projected demand.

.../4

000123

- 4 -

3.0 Well Water Abstraction Rate vs. Recharge Rate

The renewable groundwater resource has been determined by LHC in its assessment to be sustainable for the proposed development. Based on the estimated vertical infiltration and lateral flow in the region, the groundwater system is replenished at a rate of about 2,630 m³/ha/yr. Water demand in the region is less than 1330 m³/ha/yr (density less than 1 home/acre in area of study) so the well water supply scenario is sustainable.

4.0 Well Drawdown Interference

As is always the case, the water levels of the aquifer underlying the development will be drawn down by the production well and consequently this drawdown effect on adjacent or nearby wells must be considered in the assessment. Given the hydraulic conductivity of the aquifer at the site and the anticipated pumping rate, the drawdown effect from a production well will not extend beyond 100 m, radial distance. This would be a recommended separation distance to neighbouring wells. With a well located in the southeast area of the site this separation distance can be maintained to all neighbouring lots (wells).

5.0 Anticipated Well Water Quality

Most well logs in this area have not noted any water quality issues. In our experience this aquifer can produce acceptable quality water. Any water quality issues can be addressed by treatment. The old sawmill on this site had its own well and was self-sufficient regarding water supply.

.../5

000124

- 5 -

6.0 Conclusions

1. There is a good probability of obtaining sufficient groundwater for the subject property.
2. A well is expected to produce potable water suitable for domestic use. Some water quality issues may be encountered but can be remedied with treatment.
3. The subject area is underlain by a moderately productive bedrock aquifer.
4. The subject property can be self-sufficient with respect to water supply without negative impacts to existing groundwater users.
5. As the well database from BC MOE may not be complete (as shown in Appendix A) a well survey should be undertaken prior to drilling and testing the water supply well.

If you have any questions or require further information please contact the undersigned.

Yours very truly,



LOWEN HYDROGEOLOGY CONSULTING LTD.

Dennis A. Lowen, P. Eng., P. Geo.

DAL/hmr

File: Office\LHCProjects\2009Projects\Glenora-Letter report

000125

Appendix A

Local Well Records and Location Plan



1

Report 1 - Detailed Well Record

Well Tag Number: 17549	Construction Date: 1962-07-22 00:00:00.0
Owner: WILLIAMS	Driller: Pacific Water Wells
Address:	Well Identification Plate Number:
Area:	Plate Attached By:
WELL LOCATION:	Where Plate Attached:
QUAMICHAN Land District	PRODUCTION DATA AT TIME OF DRILLING:
District Lot: Plan: Lot:	Well yield: .5 (Driller's Estimate) Gallons per Minute (U.S./Imperial)
Township: Section: 8 Range: 2	Development Method:
Indian Reserve: Meridian: Block:	Pump Test Info Flag:
Quarter:	Artesian Flow:
Island:	Artesian Pressure (ft):
BCGS Number (NAD 27): 092B072134 Well: 1	Static Level: 110 feet
Class of Well:	WATER QUALITY:
Subclass of Well:	Character:
Orientation of Well:	Colour:
Status of Well: New	Odour:
Well Use: Unknown Well Use	Well Disinfected: N
Observation Well Number:	EMS ID:
Observation Well Status:	Water Chemistry Info Flag:
Construction Method: Drilled	Field Chemistry Info Flag:
Diameter: 5.0 inches	Site Info (SEAM):
Casing Drive shoe:	Water Utility:
Well Depth: 220 feet	Water Supply System Name:
Elevation: 0 feet (ASL)	Water Supply System Well Name:
Final Casing Stick Up: inches	SURFACE SEAL:
Well Cap Type:	Flag:
Bedrock Depth: 50 feet	Material:
Lithology Info Flag:	Method:
File Info Flag:	Depth (ft):
Level Info Flag:	Thickness (in):
Screen Info Flag:	WELL CLOSURE INFORMATION:
Site Info Details:	Reason For Closure:
Other Info Flag:	Method of Closure:
Other Info Details:	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size	
Casing from	to feet	Diameter	Material	Drive Shoe

GENERAL REMARKS:

YIELD 12 GPM AT 200'.

LITHOLOGY INFORMATION:

from	0 to	0 Ft.	Source: 1/4 GPM at 170
from	0 to	0 Ft.	1/4 GPM at 216
from	0 to	17 Ft.	Dug hole
from	17 to	50 Ft.	Blue hardpan
from	50 to	220 Ft.	Soft shale

• [Return to Main](#)

• [Return to Search Options](#)

• [Return to Search Criteria](#)

Information Disclaimer

The Province disclaims all responsibility for the accuracy of information provided. Information provided should not be used as a basis for making financial or any other commitments.

000128



2

Report 1 - Detailed Well Record

Well Tag Number: 77098	Construction Date: 1998-10-05 00:00:00.0
Owner: BROOKE WILLIAMS	Driller: Drillwell Enterprises
Address: 4930 WATERS RD	Well Identification Plate Number:
Area:	Plate Attached By:
	Where Plate Attached:
WELL LOCATION:	PRODUCTION DATA AT TIME OF DRILLING:
QUAMICHMAN Land District	Well Yield: 8 (Driller's Estimate) Gallons per Minute (U.S./Imperial)
District Lot: Plan: Lot:	Development Method:
Township: Section: 9 Range: 2	Pump Test Info Flag:
Indian Reserve: Meridian: Block:	Artesian Flow:
Quarter:	Artesian Pressure (ft):
Island:	Static Level: 35 feet
BCGS Number (NAD 27): Well: 0	WATER QUALITY:
	Character:
	Colour:
	Odour:
	Well Disinfected: N
	EMS ID:
	Water Chemistry Info Flag:
	Field Chemistry Info Flag:
	Site Info (SEAM):
	Water Utility:
	Water Supply System Name:
	Water Supply System Well Name:
	SURFACE SEAL:
	Flag: N
	Material:
	Method:
	Depth (ft):
	Thickness (in):
	WELL CLOSURE INFORMATION:
	Reason For Closure:
	Method of Closure:
	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size
0	0		0
0	0		0

Screen from	to feet	Diameter	Material	Drive Shoe
11	null	0	null	null

GENERAL REMARKS:

WATERS RD EASEMENT ON E 60 ACRES BOTTOM OF CASING IS BENT

LITHOLOGY INFORMATION:

0m	0 to	11 Ft.	BROWN SILTY GRAVEL
0m	11 to	18 Ft.	GREY SILTY GRAVEL
0m	18 to	29 Ft.	GREY SLIGHTLY SILTY GRAVEL
0m	29 to	45 Ft.	GREY CLAY
0m	45 to	55 Ft.	SILTY GREY GRAVEL & BOULDERS
0m	55 to	Ft.	GREY GRAVEL WITH CLAY

[Return to Main](#)
[Return to Search Options](#)
[Return to Search Criteria](#)

Information Disclaimer

Province disclaims all responsibility for the accuracy of information provided. Information provided should not be used as a basis for making financial or any other commitments.

000129



3

Report 1 - Detailed Well Record

Well Tag Number: 88816	Construction Date: 2002-05-15 00:00:00.0
Owner: QUESNEL	Driller: Drillwell Enterprises
Address:	Well Identification Plate Number:
Area:	Plate Attached By:
WELL LOCATION:	Where Plate Attached:
QUAMICHAN Land District	PRODUCTION DATA AT TIME OF DRILLING:
District Lot: Plan: 31539 Lot: A	Well Yield: .33 (Driller's Estimate) U.S. Gallons per Minute
Township: Section: 8 Range: 2	Development Method: Air lifting
Indian Reserve: Meridian: Block:	Pump Test Info Flag: N
Quarter:	Artesian Flow:
Island:	Artesian Pressure (ft):
BCGS Number (NAD 27): 092B072134 Well: 35	Static Level:
Class of Well: Water supply	WATER QUALITY:
Subclass of Well: Domestic	Character:
Orientation of Well: Vertical	Colour:
Status of Well: New	Odour:
Well Use: Domestic	Well Disinfected: N
Observation Well Number:	BMS ID:
Observation Well Status:	Water Chemistry Info Flag: N
Construction Method:	Field Chemistry Info Flag:
Diameter: inches	Site Info (SEAM): N
Casing drive shoe: N N	Water Utility: N
Well Depth: 84 feet	Water Supply System Name:
Elevation: feet (ASL)	Water Supply System Well Name:
Final Casing Stick Up: 12 inches	SURFACE SEAL:
Well Cap Type:	Flag: N
Bedrock Depth: feet	Material:
Lithology Info Flag: N	Method:
Tile Info Flag: N	Depth (ft):
Leve Info Flag: N	Thickness (in):
Screen Info Flag: N	Liner from To: feet
Site Info Details:	WELL CLOSURE INFORMATION:
Other Info Flag:	Reason For Closure:
Other Info Details:	Method of Closure:
	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size	
Casing from	to feet	Diameter	Material	Drive Shoe
	42	6	Steel	N
	84	6	Open hole	N

GENERAL REMARKS:

MEASUREMENTS FROM GROUND LEVEL. 1/3 GPM. PITLESS UNIT WELDED. WELL HEAD COMPLETION CHLORINATE.

LITHOLOGY INFORMATION:

0m	0 to	3 Ft.	topsoil
0m	3 to	11 Ft.	SILTY brown gravel
0m	11 to	42 Ft.	SILTY GRAVEL, CLAY grey
0m	42 to	84 Ft.	shale

- [Return to Main](#)
- [Return to Search Options](#)
- [Return to Search Criteria](#)

000130



4

Report 1 - Detailed Well Record

Well Tag Number: 63983	Construction Date: 1989-11-03 00:00:00.0
Owner: QUESNEL DARYL	Driller: Drillwell Enterprises
Address: 3819 CAVIN ROAD	Well Identification Plate Number:
Area: DUNCAN	Plate Attached By:
	Where Plate Attached:
WELL LOCATION:	PRODUCTION DATA AT TIME OF DRILLING:
QUAMICHAN Land District	Well Yield: 0 (Driller's Estimate)
District Lot: Plan: 31539 Lot: A	Development Method:
Township: Section: 8 Range:	Pump Test Info Flag: N
Indian Reserve: Meridian: Block:	Artesian Flow:
Quarter:	Artesian Pressure (ft):
Island: VANCOUVER ISLAND	Static Level:
BCGS Number (NAD 27): 092B072134 Well: 46	WATER QUALITY:
Class of Well: Water supply	Character:
Subclass of Well: Domestic	Colour:
Orientation of Well:	Odour:
Status of Well: Abandoned	Well Disinfected: N
Well Use: Domestic	EMS ID:
Observation Well Number:	Water Chemistry Info Flag: N
Observation Well Status:	Field Chemistry Info Flag:
Construction Method: Drilled	Site Info (SEAM):
Diameter: 6.0 inches	Water Utility:
Casing drive shoe:	Water Supply System Name:
Well Depth: 0 feet	Water Supply System Well Name:
Elevation: 0 feet (ASL)	
Final Casing Stick Up: inches	SURFACE SEAL:
Well Cap Type:	Flag: N
Bedrock Depth: feet	Material:
Lithology Info Flag: N	Method:
Tile Info Flag: N	Depth (ft):
Leve Info Flag: N	Thickness (in):
Screen Info Flag: N	WELL CLOSURE INFORMATION:
Site Info Details:	Reason For Closure:
Other Info Flag:	Method of Closure:
Other Info Details:	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size	
Casing from	to feet	Diameter	Material	Drive Shoe
GENERAL REMARKS:				
STEEL CASING, .250 THICK.				
LITHOLOGY INFORMATION:				
0m	0 to	0 Ft.	CASING ALL RETREIVED AND HOLE FILLED IN	
0m	0 to	0 Ft.	ABANDONED	
0m	0 to	10 Ft.	BROWN SILTY GRAVEL	
0m	10 to	112 Ft.	GREY TILL	
0m	42 to	125 Ft.	SHALE BEDROCK	

000131

• [Return to Main](#)



(5)

Report 1 - Detailed Well Record

Well Tag Number: 86861	Construction Date: 2004-04-29 00:00:00.0
Owner: QUESNEL	Driller: Drillwell Enterprises
Address: 3815 CAVIN ROAD	Well Identification Plate Number:
Area: DUNCAN	Plate Attached By:
WELL LOCATION:	Where Plate Attached:
QUAMICHAN Land District	PRODUCTION DATA AT TIME OF DRILLING:
District Lot: Plan: 31539 Lot: A	Well Yield: .75 (Driller's Estimate) U.S. Gallons per Minute
Township: Section: 8 Range: 2	Development Method:
Indian Reserve: Meridian: Block:	Pump Test Info Flag: N
Quarter:	Artesian Flow:
Inland:	Artesian Pressure (ft):
SCGS Number (NAD 27): 092B072134 Well: 38	Static Level: 5 feet
Class of Well: Water Supply	WATER QUALITY:
Subclass of Well: Domestic	Character:
Orientation of Well: Vertical	Colour:
Status of Well: Alteration	Odour:
Well Use: Domestic	Well Disinfected: N
Observation Well Number:	EMS ID:
Observation Well Status:	Water Chemistry Info Flag: N
Construction Method:	Field Chemistry Info Flag:
Diameter: inches	Site Info (SEAM): N
Using drive shoe: N	Water Utility: N
Well Depth: 200 feet	Water Supply System Name:
Elevation: feet (ASL)	Water Supply System Well Name:
Inner Casing Stick Up: inches	SURFACE SEAL:
Well Cap Type:	Flag: N
Bedrock Depth: 80 feet	Material:
Geology Info Flag: Y	Method:
Le Info Flag: N	Depth (ft):
Cve Info Flag: N	Thickness (in):
Rock Info Flag: N	Liner from To: feet
Le Info Details:	WELL CLOSURE INFORMATION:
Le Info Flag:	Reason For Closure:
Le Info Details:	Method of Closure:
	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Open from	to feet	Type	Slot Size
Open from	to feet	Diameter	Material
	200	5	Open hole
			Drive Shoe
			N

GENERAL REMARKS:
MEASUREMENT FROM GROUND LEVEL. ORIGINALLY MAKING 1/3 GPM PICKED UP APPROX 1/2 GPM OF SALTWATER AT 185'. POSSIBLE MATCH TO WTN:63983 BUT NOT ENOUGH INFO TO DETERMINE
OPENED WELL FROM 80 TO 200 FEET. ORIGINAL WELL POSSIBLY WTN 63983

GEOLOGY INFORMATION:
80 to 200 Ft. BEDROCK SHALE

Return to Main

Return to Search Options

Return to Search Criteria

Information Disclaimer

Province disclaims all responsibility for the accuracy of information provided.
Information provided should not be used as a basis for making financial or any other commitments.

000132



6

Report 1 - Detailed Well Record

Well Tag Number: 84183	Construction Date: 2004-04-30 00:00:00.0
Owner: QUESNEL	Driller: Drillwell Enterprises
Address: 3819 CAVIN ROAD	Well Identification Plate Number:
Area:	Plate Attached By:
	Where Plate Attached:
WELL LOCATION:	PRODUCTION DATA AT TIME OF DRILLING:
QUAMICHAN Land District	Well Yield: .5 (Driller's Estimate) U.S. Gallons per Minute
District Lot: Plan: 31539 Lot: A	Development Method:
Township: Section: 8 Range: 2	Pump Test Info Flag: N
Indian Reserve: Meridian: Block:	Artesian Flow:
Quarter:	Artesian Pressure (ft):
Island: VANCOUVER ISLAND	Static Level:
BCGS Number (NAD 27): 0928072134 Well: 44	
Class of Well:	WATER QUALITY:
Subclass of Well:	Character:
Orientation of Well:	Colour:
Status of Well: New	Odour:
Well Use: Domestic	Well Disinfected: N
Observation Well Number:	EMS ID:
Observation Well Status:	Water Chemistry Info Flag: N
Construction Method: Drilled	Field Chemistry Info Flag:
Diameter: 6.00 inches	Site Info (SEAM): N
Casing Drive Shoe:	
Well Depth: 34 feet	Water Utility: N
Elevation: feet (ASL)	Water Supply System Name:
Final Casing Stick Up: inches	Water Supply System Well Name:
Well Cap Type:	
Bedrock Depth: 2 feet	SURFACE SEAL:
Lithology Info Flag: Y	Flag: Y
Leak Info Flag: N	Material: Bentonite clay
Seal Info Flag: N	Method:
Screen Info Flag: N	Depth (ft):
	Thickness (in):
Well Info Details:	WELL CLOSURE INFORMATION:
Header Info Flag:	Reason For Closure:
Header Info Details:	Method of Closure:
	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size
Casing from	to feet	Diameter	Material
Well	null	null	null
			Drive Shoe
			null

GENERAL REMARKS:

There was an issue with the Well OWNER please manually update CHLORINATE & TACK WELD LID. MAKING APPROX 1/2 GRM ON TOP OF SHALE

LITHOLOGY INFORMATION:

Depth	to	Material
0	10 Ft.	BROWN TILL
10	19 Ft.	BROWN SAND & GRAVEL SLIGHTLY MOIST
19	32 Ft.	GREY TILL
32	34 Ft.	SHALE BEDROCK

[Return to Main](#)
[Return to Search Options](#)
[Return to Search Criteria](#)

Information Disclaimer

Province disclaims all responsibility for the accuracy of information provided. Information provided should not be used as a basis for making financial or any other commitments.

000133



7

Report 1 - Detailed Well Record

Well Tag Number: 88817	Construction Date: 2002-05-14 00:00:00.0		
Owner: QUESNEL	Driller: Drillwell Enterprises		
Address:	Well Identification Plate Number:		
Area:	Plate Attached By:		
WELL LOCATION:	Where Plate Attached:		
QUAMICHAN Land District	PRODUCTION DATA AT TIME OF DRILLING:		
District Lot: Plan: 31539 Lot: A	Well Yield: .33 (Driller's Estimate) U.S. Gallons per Minute		
Township: Section: 8 Range: 2	Development Method: Air lifting		
Indian Reserve: Meridian: Block:	Pump Test Info Flag: N		
Quarter:	Artesian Flow:		
Island:	Artesian Pressure (ft):		
CGS Number (NAD 27): 092B072134 Well: 36	Static Level:		
Class of Well: Water supply	WATER QUALITY:		
Subclass of Well: Domestic	Character:		
Orientation of Well: Vertical	Colour:		
Status of Well: New	Odour:		
Well Use: Domestic	Well Disinfected: N		
Observation Well Number:	EMS ID:		
Observation Well Status:	Water Chemistry Info Flag: N		
Construction Method:	Field Chemistry Info Flag:		
Diameter: inches	Site Info (SEAM): N		
Raising drive shoe: Y Y	Water Utility: N		
Well Depth: 84 feet	Water Supply System Name:		
Elevation: feet (ASL)	Water Supply System Well Name:		
Final Casing Stick Up: 12 inches	SURFACE SEAL:		
Well Cap Type:	Flag: N		
Bedrock Depth: feet	Material: Bentonite clay		
Geology Info Flag: N	Method:		
Well Info Flag: N	Depth (ft):		
Level Info Flag: N	Thickness (in):		
Screen Info Flag: N	Liner from To: feet		
Well Info Details:	WELL CLOSURE INFORMATION:		
Other Info Flag:	Reason For Closure:		
Other Info Details:	Method of Closure:		
	Closure Sealant Material:		
	Closure Backfill Material:		
	Details of Closure:		

Screen from	to feet	Type	Slot Size
Casing from	to feet	Diameter	Material
44		6	Steel
84		6	Open hole
			Drive Shoe
			Y
			Y

GENERAL REMARKS:

MEASUREMENTS FROM GROUND LEVEL. 1/3 GPM. STATIC. SHOE THIESSEN. WELL HEAD COMPLETION CHLORINATE.

GEOLOGY INFORMATION:

0 to 3 Ft.	topsoil
3 to 8 Ft.	brown silt
8 to 44 Ft.	TILL, COBBLES grey
44 to 84 Ft.	SHALE, SANDSTONE LAYERS

[Return to Main](#)[Return to Search Options](#)[Return to Search Criteria](#)

000134



8

Report 1 - Detailed Well Record

Well Tag Number: 84576	Construction Date: 2000-10-20 00:00:00.0
Owner: Percival	Driller: Drillwell Enterprises
Address:	Well Identification Plate Number:
Area:	Plate Attached By:
WELL LOCATION:	Where Plate Attached:
PEACE RIVER Land District	PRODUCTION DATA AT TIME OF DRILLING:
District Lot: Plan: 6992 Lot:	Well Yield: 8 (Driller's Estimate) U.S. Gallons per Minute
Township: Section: 8 Range: 2	Development Method:
Indian Reserve: Meridian: Block:	Pump Test Info Flag: N
Quarter:	Artesian Flow:
Island:	Artesian Pressure (ft):
CGS Number (NAD 27): 092B072134 Well: 51	Static Level:
Class of Well:	WATER QUALITY:
Subclass of Well:	Character:
Orientation of Well:	Colour:
Status of Well: New	Odour:
Well Use: Domestic	Well Disinfected: N
Observation Well Number:	EMS ID:
Observation Well Status:	Water Chemistry Info Flag: N
Construction Method: Drilled	Field Chemistry Info Flag:
Diameter: 6.00 inches	Site Info (SEAM):
Driving drive shoe:	Water Utility:
Well Depth: 41 feet	Water Supply System Name:
Elevation: feet (ASL)	Water Supply System Well Name:
Final Casing Stick Up: inches	SURFACE SEAL:
Well Cap Type:	Flag: Y
Drill Depth: 36 feet	Material:
Geology Info Flag: Y	Method: Poured
Seal Info Flag: N	Depth (ft):
Seal Info Flag: N	Thickness (in):
Seal Info Flag: N	Liner from To: feet
Seal Info Details:	WELL CLOSURE INFORMATION:
Seal Info Flag:	Reason For Closure:
Seal Info Details:	Method of Closure:
	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Seal from	to feet	Type	Slot Size
Seal from	to feet	Diameter	Material
7		6	Steel
			Drive Shoe
			null

GENERAL REMARKS:
LOADED LID ON CASING CHLORINATE

GEOLOGY INFORMATION:

m	0 to	5 Ft.	GRAVEL & SAND COARSE COBBLES, BROWN
n	5 to	10 Ft.	SANDSTONE BEDROCK
n	10 to	41 Ft.	SHALE BEDROCK
n		Ft.	4 GPM AT 7'
n		Ft.	4 GPM AT 11'

[Return to Main](#)[Return to Search Options](#)[Return to Search Criteria](#)

000135



9

Report 1 - Detailed Well Record

Well Tag Number: 81869	Construction Date: 2002-10-18 00:00:00.0
Owner: WILLIAMS	Driller: Drillwell Enterprises
Address: WATERS ROAD	Well Identification Plate Number:
Area: GLENORA	Plate Attached By:
WELL LOCATION:	Where Plate Attached:
QUAMICHAN Land District	PRODUCTION DATA AT TIME OF DRILLING:
District Lot: Plan: Lot:	Well Yield: 6 (Driller's Estimate) U.S. Gallons per Minute
Township: Section: 8 Range: 2	Development Method:
Indian Reserve: Meridian: Block:	Pump Test Info Flag: N
Quarter:	Artesian Flow:
Parcel:	Artesian Pressure (ft):
CGS Number (NAD 27): 092B072134 Well: 31	Static Level: 10 feet
Class of Well: Water supply	WATER QUALITY:
Subclass of Well: Domestic	Character:
Orientation of Well:	Colour:
Status of Well: New	Odour:
Well Use: Domestic	Well Disinfected: N
Observation Well Number:	EMS ID:
Observation Well Status:	Water Chemistry Info Flag: N
Construction Method:	Field Chemistry Info Flag:
Diameter: 6 inches	Site Info (SEAM): N
Driving shoe: Y Y	Water Utility: N
Well Depth: 40 feet	Water Supply System Name:
Elevation: feet (ASL)	Water Supply System Well Name:
Final Casing Stick Up: 24 inches	SURFACE SEAL:
Well Cap Type: WELDED LID	Flag: N
Drill Depth: feet	Material:
Geology Info Flag: Y	Method:
Well Info Flag: N	Depth (ft):
Level Info Flag: N	Thickness (in):
Screen Info Flag: N	WELL CLOSURE INFORMATION:
Well Info Details:	Reason For Closure:
Owner Info Flag:	Method of Closure:
Owner Info Details:	Closure Sealant Material:
	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size
Screening from	to feet	Diameter	Material
	40	6	Steel
	40	6	Open hole
			Drive Shoe
			Y
			Y

GENERAL REMARKS:
NOTE: 1-6"

GEOLOGY INFORMATION:

Depth	Material
0 to 6 Ft.	Gravel silty, fill
6 to 12 Ft.	sawdust, some pebbles (sp?)
12 to 16 Ft.	till, gray, some broken shale
16 to 40 Ft.	shale
to Ft.	6 gpm at bedrock contact

[Return to Main](#)[Return to Search Options](#)

000136

[Return to Search Criteria](#)



(10)

Report 1 - Detailed Well Record

Well Tag Number: 81870	Construction Date: 2002-10-18 00:00:00.0
Owner: WILLIAMS	Driller: Drillwell Enterprises
Address: WATERS ROAD	Well Identification Plate Number:
Area: GLENORA	Plate Attached By:
	Where Plate Attached:
WELL LOCATION:	PRODUCTION DATA AT TIME OF DRILLING:
QUAMICHAN Land District	Well Yield: 0 (Driller's Estimate)
District Lot: Plan: Lot:	Development Method: Air lifting
Township: Section: 8 Range: 2	Pump Test Info Flag: N
Indian Reserve: Meridian: Block:	Artesian Flow:
Quarter:	Artesian Pressure (ft):
Island:	Static Level:
CGS Number (NAD 27): 092B072134 Well: 30	WATER QUALITY:
	Character:
Class of Well: Water supply	Colour:
Subclass of Well: Domestic	Odour:
Orientation of Well:	Well Disinfected: N
Status of Well: New	EMS ID:
Well Use: Domestic	Water Chemistry Info Flag: N
Observation Well Number:	Field Chemistry Info Flag:
Observation Well Status:	Site Info (SEAM): N
Construction Method:	Water Utility: N
Diameter: 6 inches	Water Supply System Name:
Casing drive shoe: Y Y	Water Supply System Well Name:
Well Depth: 61 feet	
Elevation: feet (ASL)	SURFACE SEAL:
Internal Casing Stick Up: 6 inches	Flag: N
Well Cap Type: WELDED LID	Material:
Bedrock Depth: 20 feet	Method:
Lithology Info Flag: Y	Depth (ft):
Le Info Flag: N	Thickness (in):
Seve Info Flag: N	
Green Info Flag: N	WELL CLOSURE INFORMATION:
	Reason For Closure:
Site Info Details:	Method of Closure:
Owner Info Flag:	Closure Sealant Material:
Owner Info Details:	Closure Backfill Material:
	Details of Closure:

Screen from	to feet	Type	Slot Size
Casing from	to feet	Diameter	Material
	61	6	Steel
	61	6	Open hole
			Drive Shoe
			Y
			Y

GENERAL REMARKS:

LITHOLOGY INFORMATION:

0 to	9 Ft.	Till brown, cobbles
9 to	20 Ft.	till, gray, cobbles and tough drilling
20 to	61 Ft.	sandstone gray, maybe trickle of water
	Ft.	
	Ft.	

000137

Riparian Areas Regulation: Assessment Report

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

Date 2008-04-11

I. Primary QEP Information

First Name	Thomas	Middle Name	
Last Name	Roy		
Designation	R.P. Bio	Company	Cascadia Biological Services
Registration #	1089	Email	cascadiabiological@shaw.ca
Address	1442 White Pine Terrace		
City	Victoria	Postal/Zip	V9B-6J3
Phone #	250 474-0102		
Prov/state	BC	Country	Canada

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

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

III. Developer Information

First Name		Middle Name	
Last Name			
Company	Rocky Point Metal Craft Ltd.		
Phone #	250-478-5035	Email	rockypointmetal@shaw.ca
Address	824 Kangaroo Road		
City	Victoria	Postal/Zip	V9C 4E2
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Construction: Light Industrial		
Area of Development (ha)	2.2	Riparian Length (m)	159
Lot Area (ha)	3.16	Nature of Redevelopment	
Proposed Start Date	2008-06-30	Proposed End Date	2009-12-31

V. Location of Proposed Development

Street Address (or nearest town)	4885 Waters Road		
Local Government	Cowichan Valley Regional District	City	Duncan
Stream Name	"Glenora Creek" - unnamed tributary		

000138

Legal Description (PID)	009-656-448	Region	CVRD
Stream/River Type	Stream	DFO Area	South Coast
Watershed Code	"Glenora Creek Watershed" – WSC 920-257700-02300-08300-1350 – 10.444171.5399421		
Latitude	48	44	45
Longitude	124	45	36

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

Table of Contents for Assessment Report

Page Number

1. Description of Fisheries Resources Values	
2. Results of Riparian Assessment (SPEA width)	
3. Site Plan	
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
1. Danger Trees.....	
2. Windthrow.....	
3. Slope Stability.....	
4. Protection of Trees.....	
5. Encroachment	
6. Sediment and Erosion Control.....	
7. Floodplain.....	
8. Stormwater Management.....	
5. Environmental Monitoring	
6. Photos	
7. Assessment Report Professional Opinion	

000139

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

The purpose of this report to provide recommendations for best management practices as well as adequate watercourse buffers for a proposed light industrial business park at 4885 Waters Road in the Cowichan Valley Regional District (CVRD). The subject property adjoins Waters Road along its northwestern boundary as well as the Trans Canada trail along its south and southwestern boundary. Originally a sawmill, historical disturbances include concrete slabs, abandoned buildings as well as invasive species (Scottish Broom) over 80% of the lot area. Riparian vegetation is limited to the south and southwestern perimeter predominantly along a seepage area to the northeast of an old railway bed (Trans Canada trail). Riparian vegetation is limited along both the constructed ditch and fire pond ranging in width from 0 to 5m consisting of alder, willow, cottonwood and Douglas Fir. Current canopy closure along the designated watercourses average 5 to 30% during summer months. At the time of our assessment in August of 2007, aquatic resources within the property included a man made pond constructed for past fire fighting uses as well as a constructed ditch/watercourse. The approximate pond dimensions are 20m in length by 10m in width resulting in a total area of 200m². Water depth within the wetland/pond at time of survey in August ranged from 0.2m to 1.1m. Flows from the pond are to the southeast of the property through a man made ditch/watercourse (<1.0m in width) eventually meeting the definition of a stream in the adjoining property to the southeast. This unnamed stream flows approximately 250m east from the adjoining property into Glenora Creek. A seasonal wetted depression (no hydrophilic vegetation and/or anaerobic soils documented) also exists along the southern boundary of the property, which appears to be inundated with water for several months of the year during winter months (November – April). For the sake of clarity, the wetted depression and fire pond are treated as one unit when projecting Zones of Sensitivity – ZOS for the project. Current local and provincial fisheries data including a search of the FISS database (Fisheries Information Summary System) resulted in no information on fish distribution within the subject property. Although not meeting the definition of a stream, the ditch system eventually feeds (seasonally) an unnamed tributary to Glenora Creek. Substrate within both the pond and ditch consist primarily of silt and organic muck with no mineral alluvium documented. Watercourse morphology through the property is limited to standing water in the pond during summer months and very slow glide morphology through the ditch system in winter when flows are greater. One existing culvert along the southeastern corner is presently backing up flows to the southwest as a result of the limited flow capabilities (undersized). As the ditch exits the property to the southeast, mineral alluvium and evidence of scour is observed in the adjacent property as gradients increase.

Recommendations

Recommendations for the property if development were to proceed include revegetating designated SPEA areas that are currently classified as disturbed with alder/willow saplings to ensure thermal regulation to the ditch and pond. The revegetation activities should be monitored by a Professional Biologist (R.P. Bio.) and signed off after completion. Sediment controls structures are also recommended during construction and should be installed prior to proposed works. In order to facilitate flows along the southeastern and southwestern corners of the property, the ditch should be realigned to take advantage of the topography and the undersized

000140

culvert removed. The ditch realignment should also include a berm (1m in height) located on its northeastern flank adjacent to proposed light industrial activities to control stormwater and redirect flows to the fire pond via vegetated swales. A 10m riparian buffer should also be planted along both sides of the ditch (where required/disturbed). Other works within the SPEA will include road construction (<4m width) to the fire pond to allow fire truck access to a stand pipe. For all proposed works within the SPEA including watercourse realignment, riparian restoration as well as fire truck access, a Section 9 application for instream works has been applied for and accepted (see attached document for Ministry approval) by the Ministry of Environment (MoE) in Nanaimo BC.

Section 2. Results of Riparian Assessment (SPEA width

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2008-03-11

Description of Water bodies involved (number, type) 1 wetland, 1 ditch

Stream	
Wetland	
Lake	
Ditch	1
Number of reaches	2
Reach #	1

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

Channel Width(m)		Gradient (%)	
starting point	1.2	High	
upstream	0.86		
	0.80		0.5
	1.1		
	0.75		
downstream	0.40	Low	
	0.55		
	0.81		
	0.73		0.5
	0.95		
	1.05		
Total: minus	7.60		
high /low			
mean	0.84		
	R/P	C/P	S/P
Channel Type	X		

I, Thomas Roy, hereby certify that:

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

Site Potential Vegetation Type (SPVT)

000141

	Yes	No	
SPVT Polygons	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			<p>I, <u>Thomas Roy</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Rocky Point Metal Craft Ltd</u>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and</p> <p>d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.</p>
Polygon No:	<input type="text" value="1"/>		Method employed if other than TR
	LC	SH	TR
SPVT Type	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Polygon No:	<input type="text"/>		Method employed if other than TR
	LC	SH	TR
SPVT Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Polygon No:	<input type="text"/>		Method employed if other than TR
SPVT Type	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	<input type="text" value="1"/>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons											
LWD, Bank and Channel Stability ZOS (m)	<input type="text" value="10"/>	<table border="1"> <thead> <tr> <th>South bank</th> <th>Yes</th> <th>No</th> <th>X</th> </tr> </thead> <tbody> <tr> <td></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </tbody> </table>				South bank	Yes	No	X		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
South bank	Yes					No	X						
	<input type="checkbox"/>					<input type="checkbox"/>	<input checked="" type="checkbox"/>						
Litter fall and insect drop ZOS (m)	<input type="text" value="10"/>												
Shade ZOS (m) max	<input type="text" value="10"/>												
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)												
Ditch Fish Bearing	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	If non-fish bearing insert no fish bearing status report								
SPEA maximum	<input type="text" value="10"/>	(For ditch use table3-7)											

000142

Segment No: If two sides of a stream involved, each side is a separate segment.
For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel
Stability ZOS (m)

Litter fall and insect drop ZOS
(m)

Shade ZOS (m) max

South
bank

Yes

No

SPEA maximum

(For ditch use table3-7)

Segment No: If two sides of a stream involved, each side is a separate segment.
For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel
Stability ZOS (m)

Litter fall and insect drop ZOS
(m)

Shade ZOS (m) max

South
bank

Yes

No

SPEA maximum

(For ditch use table3-7)

I, Thomas Roy, hereby certify that:

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

Comments

Note: Although classified as a ditch, I have recommended that 10m SPEA buffers be utilized and therefore, have not used Table 3-7. Only one segment used as no activities are proposed along the southern side of the ditch.

Section 2. Results of Riparian Assessment (SPEA width)

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date:

Description of Water bodies involved (number, type)

Stream

Wetland

Lake

Ditch

Number of reaches

Reach #

000143

Polygon
No:
SPVT
Type

Method employed if other than TR

--

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No: If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel
Stability ZOS (m)

15

Litter fall and insect drop ZOS
(m)

15

Shade ZOS (m) max

15

South
bank

Yes

No

X

Ditch

Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)

Ditch Fish
Bearing

Yes

No

If non-fish bearing insert no
fish bearing status report

SPEA

maximum

15

(For ditch use table3-7)

Segment No: If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel
Stability ZOS (m)

15

Litter fall and insect drop ZOS
(m)

15

Shade ZOS (m) max

30

South
bank

Yes

X

No

SPEA

maximum

30

(For ditch use table3-7)

Segment No: If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel
Stability ZOS (m)

Litter fall and insect drop ZOS
(m)

Shade ZOS (m) max

South
bank

Yes

No

SPEA

maximum

(For ditch use table3-7)

000145

I, Thomas Roy, hereby certify that:

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

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Rocky Point Metal Craft Ltd;

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

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

Comments

Note: Segment 1 represents northern half of wetland while segment 2 represents the southern half

Section 3. Site Plan

Insert jpg file below

Site Plan

RAR Assessment Map



SPEA Map



Section 4. Measures to Protect and Maintain the SPEA

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

1. Danger Trees	No danger trees identified on the property
-----------------	--

000147

<p>I, <u>Thomas Roy</u>, hereby certify that:</p> <p>i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Rocky Point Metal Craft Ltd</u> ;</p> <p>k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
2. Windthrow	No trees required to be cut as part of development proposal (area previously disturbed)
<p>I, <u>Thomas Roy</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Rocky Point Metal Craft Ltd</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
3. Slope Stability	No slope stability issues identified on-site
<p>I, <u>Thomas Roy</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Rocky Point Metal Craft Ltd</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
4. Protection of Trees	Remaining trees within the SPEA will be protected via high visibility fencing during construction and permanent fencing - post construction
<p>I, <u>Thomas Roy</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Rocky Point Metal Craft Ltd</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
5. Encroachment	To reduce the potential for encroachment into the SPEA, fencing (temporary) must be installed prior to the initiation of construction. Permanent fencing will be required to delineate SPEA post construction. QEP to advise owner as to fencing specifics and location.
<p>I, <u>Thomas Roy</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Rocky Point Metal Craft Ltd</u> ;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
6. Sediment and Erosion Control	Sediment and erosion control measures will be implemented to reduce sediment ladden water from entering the watercourses during construction. These will include sediment fencing and hay bales placed around the wetland and ditch at the SPEA boundary along the length of the proposed development closest to the proposed disturbed areas. The designated QEP will install the sediment controls and monitor all works on-site during construction.

000148

I, Thomas Roy, hereby certify that:

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

b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Rocky Point Metal Craft Ltd ;

c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation

7. Stormwater Management	The proposed business park will employ green roof technology, permeable driveways/parking areas as well as bioswales thereby reducing stormwater on the property to pre-development levels.
--------------------------	---

I, Thomas Roy, hereby certify that:

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

b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Rocky Point Metal Craft Ltd ;

c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation

8. Floodplain Concerns (highly mobile channel)	Flooding concerns are not an issue on this particular property as the proposed buildings are approximately 2m above the HWM.
--	--

I, Thomas Roy, hereby certify that:

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

b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Rocky Point Metal Craft Ltd ;

c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report.
Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Specific Recommendations for Works Associated With Proposed Business Park Development and Within the Designated SPEA and 30m RAR Assessment Area

4885 Waters Road, Cowichan Valley Regional District, BC

April 2008

Works Within Designated SPEA and RAR Assessment Area Associated with Proposed Business Park Development

- Prior to construction, a detailed sediment and erosion control

000149

plan will be developed to prevent the discharge of sediment laden water into the pond and ditch

- All work scheduled within the 30m assessment area will adhere to all recommendations as outlined in the BMP - Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia. As well:

- Ensure construction will proceed smoothly without harmful alteration of habitat;
- Provide long-term monitoring for disturbed sites until green-up is established.
- Heavy equipment (excavators etc.) working within the SPEA (for ditch relocation only) and the 30m RAR assessment area will be monitored for leaks (oil, hydraulic fluid etc.).
- Sediment control measures will be installed (where necessary) along disturbed areas to minimize sediment inflow to pond and ditch.
- Areas designated as the SPEA will be flagged with high visibility flagging tape and temporary fencing during construction.
- Disturbed areas within designated SPEA zones will be revegetated with native plants of a size that will quickly re-establish riparian cover when construction activities are deemed complete.
- Detailed direction to contractors will be given to ensure that no erosion or sediment movement will occur and that no silt will be released to waterbodies during the construction and post construction phase.
- The site will be monitored by the designated QEP (once every week or as required due to high rainfall events - >30mm/24 hour period) during the construction period. Any contraventions of the RAR will be communicated to the builder as well as local municipal staff and RAR staff.
- A post construction report generated by the designated QEP will be submitted to RAR and local municipal staff when activities are deemed complete.

000150

Date April 11, 2008

1. I/We Thomas Roy, R.P. Bio.

hereby certify that:

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

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

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

b) X if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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

Submission Instructions

Riparian Areas Regulation – Qualified Environmental Professional – Assessment Report RAR-QEP-AR

000152

Forms you will need to complete are

- Form 1 which has the database information, the description of the fisheries resources, development site plan, measures to protect and maintain the SPEA, and environmental monitoring.
- Form 2, if more QEPs are part of the project team.
- Either Form 3 the detailed assessment form(s) or Form 4 simple assessment form(s) which is for the results of the riparian assessment (SPEA width). Use enough copies of the form to complete the assessment of the site.
- Form 5 is the photo form(s). Duplicate for additional photos.

NB: See the Guidelines and the Assessment Methods for detailed instructions on the information required for completing the Assessment Report.

A complete Riparian Assessment Report based on the template forms must be converted to a *single* Portable Document Format PDF file prior to uploading onto the Notification System.

The Assessment Report must be complete, by submitting the information specified, and posted to provide notification to the local government, Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans Canada.

Tips for working with MS Word Template Forms

Using the forms

- Before beginning, print a hard copy of the form and the guidance files for reference
- Open the template
- Enter data into the shaded fields on the form
- Use TAB to move from one field to another; SHIFT-TAB to go in reverse
- Text and digital photos may be inserted from other applications
- The amount of text that can be entered in each box is limited and cannot be changed by the user; boxes with date information, for example, require input like: yyyy-mm-dd.

Saving the completed form

- Assign name to the completed form
- Save a word document (*.doc file)
- Do not overwrite the Template (*.dot file) with your completed form
- If you do overwrite the template, you can download a new copy from this web site

000153

Rachelle Moreau

From: Loren Duncan [loren_duncan@telus.net]
Sent: Tuesday, August 25, 2009 8:14 AM
To: 'Loren Duncan'; Rachelle Moreau
Cc: Tom Anderson; Rob Conway; Bill Jones; Gerry Giles
Subject: RE: Glenora Business Park

Hello Rachelle...again...as well as the CVRD interest in this application and DP authority, the Ministry of Environment required a contaminated site review and perhaps a remediation prescription? As I recall the lack of such a permit stalled the application for a while, have those issues now been resolved? Has the Ministry given out a certificate of compliance? Has the Ministry given us the go ahead to issue a DP if we so choose, or encouraged us to do so? I believe the EAS committee would certainly prefer such a certificate to be in hand before considering the terms of the proposed DP. Could you include the certificate in the staff report, or appropriately comment otherwise. Anyway, I know contaminated site legislation is not part of your bailiwick, but it is a concern, and I know we have to integrate it into our process, one way or another, somehow. As well I do not believe these type of issues should be downloaded to the building inspection dept to deal with or adjudicate.

Cheers, Loren

From: Loren Duncan [mailto:loren_duncan@telus.net]
Sent: Monday, August 24, 2009 5:43 PM
To: 'Rachelle Moreau'
Cc: Tom Anderson (tanderson@cvrld.bc.ca); Rob Conway (rconway@cvrld.bc.ca); Bill Jones (bill@magnorth.bc.ca); Gerry Giles (ggiles12@shaw.ca)
Subject: RE: Glenora Business Park

Hello Rachelle, I have been waiting for this application to build a 25 unit Industrial park as well as other uses proceed to the next step for some time now, however I did think that the APC advice that a well be drilled and tested during the appropriate season would be a foregone conclusion considering OCP Policy 13.4.2(c):

The CVRD Board wishes to ensure that the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water."

Considering the known, historical, problems on this site producing both potable water and quantity of water I am concerned. As well it is locally known that the adjacent residents rely on the groundwater for domestic uses and that it is not abundant, I believe the CVRD must approach this DP with caution and a precautionary approach until adequate water for a development of the proposed size is proven and it is as well proven that negative effects and impacts will not occur for the neighbours.

Considering the OCP content, I believe it is the fiduciary duty of the CVRD to exercise its discretion in that the neighbouring community water resources are adequately protected. As CVRD staff has not required that the water issue be clarified I will be asking the EAS committee to do so as a precursor to making an informed decision on this matter. That clarification will be that well(s) required for a 25 unit Industrial Business Park be proven and that no known negative effects

are probably for the immediate neighbours.

As well, the local community has indicated that they wish to be consulted in regards to this proposed development and, and wish the CVRD to respect the OCP in regards to Justification of the DP requirements and Guidelines, Policy 14.4.2 (a,b,c,d,e,f) The community wishes that the CVRD host a community meeting to have the applicant, CVRD staff, and the elected Directors hear their questions and answer any concerns they may have. I will be asking the members of the EAS committee to consider hosting such a information meeting before adjudicating the DP application.

I would appreciate it if the staff report 'options section' offers these two opportunities, clarity of the water issues by drilling and appropriate testing, and then thereafter the CVRD hosted public meeting to hear community concerns.

I believe these recommendations are within the scope and intent of the OCP...and I think the Glenora community agrees with that conclusion.

As I understand the situation, organized members of the Glenora community wish to present as a delegation at such time as this application is placed upon the EAS agenda...could you make sure that this happens.

I will not be available for the October 6, EAS meeting and would appreciate not having items relevant to this application on that agenda.

Loren Duncan, Director Area "E"
Cowichan Station-Sahtlam-Glenora

From: Rachelle Moreau [mailto:rmoreau@cvrd.bc.ca]
Sent: Monday, August 24, 2009 2:24 PM
To: Director Loren Duncan
Subject: Glenora Business Park

Hi Director Duncan,

I spoke to Tom and Rob about the Glenora Business Park and we will not pursue the water study at this time. Obviously we will bring the water issue forward in a Committee report and highlight the option of requiring potable water (drilled well) prior to or subject to the development permit. We are thinking September 15 EASC. If that is agreeable to you, please advise.

Rachelle Moreau
Planning Technician
Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8
Phone (250) 746-2620
Fax (250) 746-2621
rmoreau@cvrd.bc.ca

Rachelle Moreau

From: Loren Duncan [loren_duncan@telus.net]
Sent: Monday, August 24, 2009 5:43 PM
To: Rachelle Moreau
Cc: Tom Anderson; Rob Conway; Bill Jones; Gerry Giles
Subject: RE: Glenora Business Park

Hello Rachelle, I have been waiting for this application to build a 25 unit Industrial park as well as other uses proceed to the next step for some time now, however I did think that the APC advice that a well be drilled and tested during the appropriate season would be a foregone conclusion considering OCP Policy 13.4.2(c):

The CVRD Board wishes to ensure that the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water."

Considering the known, historical, problems on this site producing both potable water and quantity of water I am concerned.

As well it is locally known that the adjacent residents rely on the groundwater for domestic uses and that it is not abundant,

I believe the CVRD must approach this DP with caution and a precautionary approach until adequate water for a development

of the proposed size is proven and it is as well proven that negative effects and impacts will not occur for the neighbours.

Considering the OCP content, I believe it is the fiduciary duty of the CVRD to exercise its discretion in that the neighbouring

community water resources are adequately protected.

As CVRD staff has not required that the water issue be clarified I will be asking the EAS committee to do so as a precursor to

making an informed decision on this matter.

That clarification will be that well(s) required for a 25 unit Industrial Business Park be proven and that no known negative effects

are probably for the immediate neighbours.

As well, the local community has indicated that they wish to be consulted in regards to this proposed development and, and wish

the CVRD to respect the OCP in regards to Justification of the DP requirements and Guidelines, Policy 14.4.2 (a,b,c,d,e,f)

The community wishes that the CVRD host a community meeting to have the applicant, CVRD staff, and the elected Directors

hear their questions and answer any concerns they may have.

I will be asking the members of the EAS committee to consider hosting such a information meeting before adjudicating the DP application.

I would appreciate it if the staff report 'options section' offers these two opportunities, clarity of the water issues by drilling and

appropriate testing, and then thereafter the CVRD hosted public meeting to hear community concerns.

I believe these recommendations are within the scope and intent of the OCP...and I think the Glenora community agrees with that conclusion.

As I understand the situation, organized members of the Glenora community wish to present as a delegation at such time as

this application is placed upon the EAS agenda...could you make sure that this happens.

I will not be available for the October 6, EAS meeting and would appreciate not having items relevant to this application on that agenda.

Loren Duncan, Director Area "E"
Cowichan Station-Sahtlam-Glenora

From: Rachelle Moreau [mailto:rmoreau@cvrd.bc.ca]
Sent: Monday, August 24, 2009 2:24 PM
To: Director Loren Duncan
Subject: Glenora Business Park

Hi Director Duncan,

I spoke to Tom and Rob about the Glenora Business Park and we will not pursue the water study at this time. Obviously we will bring the water issue forward in a Committee report and highlight the option of requiring potable water (drilled well) prior to or subject to the development permit. We are thinking September 15 EASC. If that is agreeable to you, please advise.

Rachelle Moreau
Planning Technician
Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8
Phone (250) 746-2620
Fax (250) 746-2621
rmoreau@cvrd.bc.ca

Rachelle Moreau

From: Paula Oulton [mypetpigs@hotmail.com]
Sent: Tuesday, September 08, 2009 5:00 PM
To: Rachelle Moreau
Subject: Glenora Business Park 4885 Waters Rd

Hi, We are Paula and Tom Oulton. We live at 3835 Cavin Road Which is the North side of Cavin Rd right beside Waters and the logging road. I would like to state my water problems. I bought my house over 20 years ago within the contract of buying the house was a statement that they had no water in the summer time. We talked to the people that made the well and they stated that they stopped at 22 feet because of salt. Since then to now we still do not have water in the summer time and we don't get water in the well until the river starts flowing.

Click less, mail more: Hotmail on the new [MSN homepage!](#)

3727 Cavin Rd.,
Duncan, BC, V9L 6T2
September 08, 2009

Development Services Division
Cowichan Valley Regional District
175 Ingram St.,
Duncan, BC, V9L 1N8

Attention: Rachelle Moreau

SUBJECT: Glenora Business Park – 4885 Waters Rd.

There are many reasons why the above-mentioned development should not be permitted to proceed. In this letter, five will be addressed.

1. WATER

Glenora has historically been known for difficulty in obtaining an adequate supply of quality water both for personal use and irrigation on many properties in the area and the property in question is no exception.

We live within a kilometer of the proposed development. We have a drilled well 40 feet in depth. The driller suggested that drilling deeper would very likely risk sulphur and other contaminants in the water affecting its palatability. As a consequence, we have excellent water – no foul odour or taste – but a very limited supply which requires continuous monitoring of the well performance.

When we moved into our new house in September 1994, we installed a 600 gallon in-ground concrete cistern to collect pumped well water, with a pump in the cistern to pump water to the house. The well pump was controlled by an automatic pump timer (with manual operation capability) to pump 4 minutes every half hour. At that time, well recovery was adequate to enable pumping for 24 hours on this time schedule to supply the needs of our home (the house, new grass and landscaping, small vegetable garden, small orchard and other needs as required) quite easily during the dry months. We would manually turn off the timer when the level of stored water was at maximum and there was no immediate need for more.

However, within three years, it became evident that the water table was dropping, so we changed the pumping time to 2 minutes every half hour, over a shortened period of time. Around this time, we decided to have a second well drilled to add irrigation supply. At 360 feet, and no appreciable amount of water, the driller, who was also a geologist advised that drilling deeper would risk contamination by salt water, so we abandoned the project.

Soon after this expensive experiment, we installed a second in-ground cistern of 1700 gallon capacity to collect water overflow from cistern # 1 when there was no demand

000159

for house use. This cistern is also equipped with a pump and is used for irrigation only. This had helped us maintain a stored supply of water in the event of an emergency need. The cost for all of the above was approximately \$9,000.

Over the past 15 years, because of the constant monitoring of our well water quantity and our system operation, it became abundantly clear that the quantity of available water in our well was diminishing dramatically and the recent years' long hot summers have added to this condition. This year (2009), we shortened the pumping period to less than 9 hours, much earlier than in past summers and now in September we're down to 7 hours – 2 minutes every half hour and we may need to reduce again before the rains make a difference. This is enough to service our house (two occupants) but very little for any outdoor growth. We are presently considering where we might drill or dig another well.

With our experience in the cautious use of our precious water, how the proposed development could properly supply potable and emergency water to the extent it would be required during these seasons of increasing heat and lessening rainfall is a mystery to us.

IF THE PROPOSED DEVELOPMENT IS PERMITTED TO PROCEED:

The shallow wells serving the surrounding parcels would definitely be at risk both for quantity and quality. Who knows what or how many contaminants will be released into the environment as the site is developed. And, it would appear that the CVRD would be in contravention of the Cowichan-Koksilah Official Community Plan which states in Policy 13.4.2 : “The CVRD wishes to ensure that the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water.”

We can speculate that the CVRD could be put at risk of litigation should water and/or environmental problems materialize.

2. NOISE

Sound travels in Glenora. Depending on wind direction, we can be anywhere on our property and hear sounds from the Trans-Canada Highway – traffic, sirens, trains, etc. – eight kilometers to the east. We could hear plainly, noise from the Weyerhaeuser dry-land sort, more than a kilometer to the north when it was in operation.

IF THE PROPOSED DEVELOPMENT IS PERMITTED TO PROCEED:

It will dramatically disrupt the peace and quiet this part of Glenora has enjoyed since the dry-land sort ceased operations.

3. **ACCESS:**

We are very concerned about access to the site from Waters Road which is a winding, hilly, narrow country road serving farms, a vineyard/winery, equestrian centre, private homesteads and probably others we haven't thought of.

IF THE PROPOSED DEVELOPMENT IS PERMITTED TO PROCEED:

The combination of existing country, private and business traffic with this new manufacturing business-supplying traffic would be a disaster just waiting to happen.

4. **TOURISM:**

The nature of business in Glenora has changed over the years from Industrial to Tourism as it has in other parts of the Cowichan Valley.

Glenora has the Trans-Canada Trail which directly abuts the proposed development site on its southern boundary. Horse-riding enthusiasts come from afar to ride the trail and an increasing number of visitors walk the trail to enjoy the sights and sounds of the beautiful area in which we live.

It is important to note that renowned chef, Bill Jones, Magnetic North Cuisine, operates a thriving culinary business at his home on Deerholme Farm, directly across the Trans-Canada Trail from the proposed development site. He and his home business have been featured in Harrowsmith Magazine last fall and in the current (Oct.) issue of Gourmet Magazine published in New York. *The Cowichan Valley is fortunate to enjoy this type of international promotion, and at no cost to the taxpayer.*

IF THE PROPOSED DEVELOPMENT IS PERMITTED TO PROCEED:

We risk losing these incentives for folks from far and wide to visit our wonderful Cowichan Valley. *Don't jeopardize this valuable resource!*

5. **PUBLIC MEETING:**

The residents of Glenora have not yet had an opportunity to hear and question the proponent on why we should have this development in our midst.

We request that a public meeting be held in our Glenora Community Hall with the proponent and CVRD staff present in order to educate everyone involved about the pros and cons of the application and help Mr. Crawford understand why his proposed development is totally inappropriate for this property.

We urge the CVRD to deny the applicant a Development Permit for a development on the site in question.

IF THE PROPOSED DEVELOPMENT IS PERMITTED TO PROCEED:

It will put at risk:

- 1) the vulnerable shallow water wells surrounding the proposed site;
- 2) the peaceful enjoyment of neighbouring properties which are presently free of industrial noise and interference;
- 3) the pedestrian and vehicular traffic using Waters Rd. for everyday travel;
- 4) the enjoyment of local visitors and tourists to our area and the cottage businesses which benefit from our country ambiance;
- 5) the rights of Glenora residents to be included in the discussion of and the decision- making by the CVRD on this development, particularly if a Development Permit is issued without a Public Meeting,

Yours truly,

Gordon and Anne Wilkinson

Rachelle Moreau

From: Fran Generous [fgenerous@threepointproperties.com]
Sent: Tuesday, September 08, 2009 2:07 PM
To: Rachelle Moreau
Cc: dkolenosky@vtc.net
Subject: Proposed Glenora Business Park
Attachments: Glenora Business Park 08Sept09.doc; image001.gif

Attached please my letter of opposition to the proposed Glenora Business Park for receipt and filing with the CVRD Electoral Services and CVRD Board.

Regards,

Frances Generous

250 597-0584

3811 Cavin Road

Duncan, BC V9L 6T2

Frances Generous
3811 Cavin Road
Duncan, BC V0R 2P4

September 8, 2009

Cowichan Valley Regional District
Electoral Area Services
rmoreau@cvrd.bc.ca

Re: Proposed Glenora Business Park

Fragile Underground Water Supply

My name is Fran Generous and I live at 3811 Cavin Road, Glenora. I'm writing in opposition of the proposed Glenora Business Park located off Waters Road. My husband and I have lived at this address since January 2008...BUT for how long?

Our first summer in Glenora was spent learning all about our fragile water supply; about water conservation efforts, dipping our well and watching the local creeks to see how much water, if any, was there. We spent time with our neighbours learning about shallow wells and slow recharge rates. We learned about expensive equipment that we could install to ensure supply i.e. cisterns, electronics, additional pumps and on it goes.

Despite all our efforts our well went dry in 2008. We were left with 2 choices; move into a hotel or purchase drinking water by tanker truck and have it pumped into our well.

Our well is a shallow dug well, dug many, many years ago. Historically the well struggled to provide enough water for one residential home and was often dry by August/September. Looking for a positive outcome to our problem, we investigated digging the well deeper. Deeper wasn't necessarily better...we soon learned about wells in the area that had been drilled deeper and they had come up contaminated due to high salinity, high dissolved minerals and a 'sour taste' that was deemed unpotable. These wells had to be abandoned.

And so we continued to buy tanker trucks of water and dumped it into our well. Our learning curve doesn't stop here. We learned about the low water table and that the water we were pumping into the well was seeping into the ground to balance the well with the water table.

We have come to appreciate 'water' not as a freebie but as a precious resource that if the aquifer is compromised and/or contaminated it would severely impact

000164

our lives and lives of the families living in and around Waters/Cavin Road areas. We ask that the CVRD consider the fragility of the water situation in our neighbourhood when considering the development permit for the GB Park. We ask that the developer be required to provide proof of water supply and influence/impact on local wells and that our wells be monitored annually for any impact, quantity as well as quality.

In addition, we ask the CVRD have a public meeting so that everyone can express their concerns regarding the proposed GB Park. Many of the families living in the Glenora Cavin/Waters Road area, including my husband and I are opposed to the development. Our reasons are as follows:

- Water supply, quality and quantity, may be jeopardized by the industrial development;
- Development of the site may release past-use contaminants into the nearby creeks and our wells;
- Enjoyment of our properties may be disrupted by noise created by the manufacturing activities;
- Peaceful use of the Trans Canada Trail may be compromised by a 24/7 proposed businesses;
- Industrial development may have a dangerous effect on the nearby fish bearing creeks;
- Traffic may increase along local roads creating additional burden and cost for the residents of the region. Our children traveling on school buses may be at risk;
- Industrial development may cause additional risk for fire protection;
- Industrial development will obliterate the quaint charm of Glenora.

Please hear our concerns. We can't afford to experiment with our water supply and our lifestyle.

Regards,

Fran Generous

Rachelle Moreau

From: Justlikeawoman27 [justlikeawoman27@shaw.ca]
Sent: Tuesday, September 08, 2009 12:00 PM
To: Rachelle Moreau
Subject: Glenora Business Park

Importance: High

CVRD,

175 INGRAM ST., DUNCAN, V9L 1N8

Attention: Rachelle Moreau

Email: rmoreau@cvrd.bc.ca

September 8 2009

I am writing with great concern regarding the proposed Glenora Business Park at 4885 Waters Rd.

The site connects to my land. My home is on Cavin Rd and is found on site number 4701 on the proposed site map of the park. I will be directly affected.

When I first heard of this plan for the business park, (far from what we think of as a 'Park') I was extremely upset. The first worries were my beautiful, peaceful, healthy place I love and moved into almost 8 years ago. Our secret, beautiful Glenora. Entering Glenora is almost like stepping back in time

Visiting friends and family are always in awe and envy of how quiet and lovely this community is. Cars on my road are few and far between, and it's almost a certainty that you will know the car and family passing by.

Secondly, I thought of our fish bearing creeks, with already a much lower supply of fish.

Thirdly, I am also concerned about the airborne pollutants that will not only cover me and my home but definitely will travel to the wineries, blueberry farm and vegetable gardens, business and residential. How will that affect them??

As well as the negative effect on our countryside existence, the extremely serious water situation is at this time a less emotional but very real reason for this industrial park not to be situated in Glenora. We are most certain to run out of water here in late summer. My dream garden had to be down played to conserve drinking and general household necessities such as showering and cooking etc. Laundry is done at the laundromat in the late Summer. I try to catch rain water and use grey water for the garden. I also employ other water saving methods. It is hard to teach newcomers the value of every drop of water. The park will have many toilets flushing and water running continuously. No doubt this will impact the amount of water for residential use. It has been proven we all drop with another's over-use.

I have recently invested all my money into my home and already live with the worry of the 'park' devaluing my property and life style and now have the worry of my already low water supply being further depleted. As well, there is concern that waste may be added to our water supply.

I respectfully urge the CVRD to investigate our very serious concerns and ensure the Glenora Community the integrity of our community will remain instead of fall. We trust you to recognize genuine worries and not simply attribute this to the NIMBY syndrome.

Sincerely,

Julie Cook

3804 Cavin Rd.

Rachelle Moreau

From: Dianne Kolenosky [dkolenosky@vtc.net]
Sent: Tuesday, September 08, 2009 2:54 AM
To: Rachelle Moreau
Subject: George Kolenosky Letter re: Glenora Business Park

September 8, 2009

Development Services Division

Cowichan Valley Regional District

SUBJECT: Glenora Business Park Development Permit Application

We have owned 8 acres at 3790 Cavin Rd in Glenora for 17 years and lived here for the last 15 years. Our property has Glenora Creek as its eastern boundary and shares a 700 foot boundary with the property in question on the west. The back of our property abuts the Trans-Canada Trail which we use regularly for biking.

When we bought our property in 1992, it had 2 shallow dug wells (12 feet and 16 feet) - one for the house and the other for the garden. We are fortunate that we did not have the added expense and uncertainty of having to drill for water, but we did enlarge the size of the well for the garden. We are also fortunate that our house well is near the creek to access its associated water table.

Like our neighbours, we have to judiciously manage our water supply in the late summer/early fall until the rains come around mid October. In late August, 3 loads of wash can run the house well dry, so washing clothes has to be spread out over the week or taken to the Laundromat in town – a royal pain! Our lawns get no water from July on and are really yellow this year. Bath-tubs, dehumidifiers and even dish-water are emptied by bucket onto our shrubs and potted plants.

Given the problems that our neighbours encountered in drilling for water, we opted instead to install a storage system to get us over the late summer dry period. Five years ago, we invested in a 2450 gal cistern, an extension to our barn to store it in, new water lines to the barn and house and an elaborate system of pumps, filters (carbon, particulate and UV light), and electrical switches and controls to automate water pumping so the well is never pumped dry. This cistern holds enough water to last a normal household about 3 weeks. We estimate that we have invested about \$15,000 in this system to give us some sense of security in our water supply but we still have to manage it judiciously, especially in a dry summer like this year.

As some of our neighbours have noted, excessive use of one neighbours' well can actually draw down the water table and affect the water supply of another. As noted above, proximity to the creek provides a better water source and historically, some wells near the creek have serviced as many as 4 houses, a considerable distance away. One neighbour has no water on their property and a line was brought in a mile from a well near the creek to provide them with water. In late fall, they fill their neighbour's cistern with a hose between the two houses.

Getting back to the property in question, it was originally owned by Ken Williams who operated a sawmill on the site for over 30 years and used to have water tanks on the site and a pond for fire suppression. Fortunately for him, a sawmill did not use very much water, as industrial uses go. In addition, 20-30 years ago water was more abundant, especially before the surrounding mountains were clear cut. Unfortunately for Ken, the sawmill burned down in June 1992. There has been no industrial activity on this sight in the intervening 17 years. Five-six years ago, Ken hired Drillwell to drill for water on the site. The only water he got was "sour" and he had to cap that well and return to a shallow dug well, like the rest of us. Ken is a very resourceful person and I'm sure that in the 40+ years that he owned and managed that site, he would have found water on it if water was there.

Unless the applicant can demonstrate that :

- a) he has adequate water for his planned Industrial Park; and
- b) the use of that water will not reduce the quality or quantity of the domestic water supply of the surrounding residential properties,

I strongly recommend that the CVRD NOT approve the Development Permit Application for this property.

When something as crucial as the community's water supply is being threatened, then the CVRD should be holding a Public Meeting, out here at the Glenora Community Hall with the CVRD Planning staff and the proponent in attendance to listen to and address our concerns, not only about the development and its impacts, but also what the CVRD is going to do to protect our water supply and our investments.

Yours truly,

George B. Kolenosky

3790 Cavin Rd.,

Duncan, BC, V9L 6T2

250-746-4438

Rachelle Moreau

From: Dianne Kolenosky [dkolenosky@vtc.net]
Sent: Tuesday, September 08, 2009 3:59 AM
To: Rachelle Moreau
Subject: Dianne Kolenosky letter re: Glenora Business Park

September 8, 2009

Development Services Division

Cowichan Valley Regional District

SUBJECT: Glenora Business Park Development Permit Application

Going back in history, as I understand it, there were no zoning regulations in place in the CVRD when Ken Williams established and operated his cedar sawmill on the property in question. When the CVRD implemented zoning regulations in Area E in 1974, this property was zoned Agricultural 2, but had non-conforming status as its use as a sawmill pre-dated the enactment of the zoning By-Law 149. In May 1979, the CVRD enacted By-law 437 to amend By-Law 149 changing the property zoning from A-2 to I-2 (industrial use). At that time, the community was infuriated since they did not feel that they were adequately consulted and would never have agreed to the change, but the deed was done.

Many years passed until June, 1992, when the sawmill burned down. It was never rebuilt.

In August, 1994, the current Cowichan-Koksilah Official Community Plan was created. Policy 9.1.1 states that:

“The industrial zoned sites in the vicinity of Culverton Road, Deerholme Station, Cavin Rd. and Hillbank Rd. may be continued in their existing zoning categories and the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and the adjacent residential and agricultural uses.”

In 2004, the Cowichan-Koksilah Official Community Plan established a Forestry Industrial Development Permit Area for this property and in its Justification Policy # 13.4.2, it states that:

“The CVRD Board wishes to ensure that the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water.”

This policy requires the CVRD to ensure that any development at 4885 Waters Road does not affect the water supply of the neighbouring community.

Residents living in this part of Glenora primarily depend on shallow dug wells for their domestic water. Successful drilled wells are few and far between. Many don't encounter water and for those that do, it's usually salty or sour. Ken Williams, the original owner of the site, never managed to find a significant source of good water by digging or drilling and had to resort to storage tanks and run-off ponds to provide fire suppression capability. Since there

are only two successful drilled wells in this neighbourhood (and many failed attempts) and the majority of wells here are shallow dug wells, any hydrological study that does not include these shallow wells can not accurately determine the impact of industrial use at 4885 Waters Rd. on the neighbouring community's water supply.

Because of the nature of the planned development (rental manufacturing units), there is no way of knowing:

- a) what kind of manufacturing will locate here;
- b) how much water they will need for their processing;
- c) what kinds of wastes they will be discharging into their septic beds.

On top of that, the proponent has not obtained a Certificate of Compliance from the Ministry of the Environment demonstrating that the site is not contaminated with hazardous substances from its previous use as a sawmill.

All of these circumstances mean that the proponent is in effect asking the CVRD to issue him a Development Permit for this site:

- a) for an unspecified industrial use;
- b) where there is no Certificate of Compliance from the Ministry of the Environment;
- c) where there is no proven water source;
- d) on which waste disposal is through septic beds around the perimeter of the property;
- e) from which all water runs off onto neighbouring properties and into a salmon-bearing stream;and
- f) which is surrounded by 16 residential properties that depend on shallow dug wells for their drinking water.

THIS IS A RECIPE FOR DISASTER!!!

In addition, the CVRD has not had a full Public Meeting out here at the Glenora Community Hall with the CVRD Planning staff and the proponent in attendance to listen to and address our concerns, not only about the development and its impacts, but also what the CVRD is going to do to protect our water supply and our investments.

According to the Official Community Plan, it is the CVRD's responsibility to ensure the integrity of surface and groundwater is protected from inappropriate development. If they do not do so, then our investments in our properties will be next to worthless. Whose investment has priority here – that of the existing neighbourhood (estimated at \$5-6 million) or that of the proponent (\$550,000)? It would appear that the applicant should have investigated water availability on the property before he made his purchase.

When something as crucial as the community's water supply is being threatened, the bottom line is that this Development Permit Application is not consistent with the CVRD's Official Community Plan and should NOT be approved.

Yours sincerely,

Dianne P. Kolenosky

3790 Cavin Rd.,

Duncan, BC, V9L6T2

250-746-4438

Rachelle Moreau

From: Stafford Reid [enviroemerg@mac.com]
Sent: Monday, September 07, 2009 2:34 PM
To: Rachelle Moreau
Subject: Letter pertaining to Glenora Business Park proposal to EAS committee of CVRD
Attachments: Letter to CVRD Glenora Business Park.pdf; ATT26098.htm

Attention Rachelle Moreau
Development Services Division
CVRD.

Attached is a letter that addresses the issues and our perspectives on the proposed Glenora Business Park on Waters Road. CVRD's full consideration of our opinions would be greatly appreciated as we live next door to this site six months each year and have a strong sense of community with the Glenora area and its people. Please provide this letter to the Electoral Area Services Committee members prior to their September 15th, meeting on this subject.

Yours sincerely,

Marianna Terauds & Stafford Reid

Development Services Division
CVRD, 175 INGRAM ST., DUNCAN, V9L 1N8

Attention: Rachelle Moreau

Re: GLENORA BUSINESS PARK– 4885 WATERS RD

We are writing about *Glenora Business Park* proposed by *Rocky Point Metal Craft Ltd.* We live immediately next door to the proposed site six-months each year.

This industrial site can be characterized by active wetlands that overtime have been filled in with wood fiber and gravel. The entire parcel has a convex surface with the apex approximately in its centre. This can cause contaminated surface water to drain into the surrounding wetlands, ponds, and streams, thereby potentially polluting Glenora Creek - located approximately 200 meters from the site and nearby wells. (See Google Earth image below). This wetland is also very important to replenish shallow wells used for domestic and agriculture uses. Many of these wells have marginal replenishment during the summer to meet current demands.

As such, the salient social, economic, and environment issue is the protection of both surface and ground water quality and integrity. This challenge is not easily achieved given the substrate (in-filling) and nature of the proposed industrial activity presented by *Rocky Point Metal Craft Ltd.*

The proposal is to build about 25 workshops to be available for rental use, as well as some storage units and a caretakers house. There is no criteria stated for what the workshops can be used. It could range from being mechanical shops, joineries, metal/ wood fabrication, and more. During the March 27th, 2009 meeting of CVRD Directors regarding the *Glenora Business Park* revised project, the proponent made it clear he has no restrictions on workshop use.

The overall water demand by workshop renter's business activities could far exceed that of the numerous occupant toilets and sinks. There are about 29 toilets, including the caretaker's house. Very high water use and contamination could stem from such businesses that employ metal grinding machines, parts cleaning, hydroponics, and more. Besides this potential heavy draw of water, the contaminated water could damage any treatment system designed only for black/grey sewage. From a water resource conservation and protection perspective alone, this project proposal should be rejected. Furthermore, the CVRD should ensure the future use of the site is compatible with the current social, economic, and environmental setting of the Glenora area.

There are other external impacts related to this project that could occur and often discounted as "nuisances" to neighbours - this includes noise, light and dust. As where the above water threats are often insidious and long-term, the nuisance of daily industrial activities is immediate and wearing. Since the proponent has no criteria on the use of the workshops, there is no knowing how extensive nuisances will be and the mitigative measures required. The proponent has provided no guidelines during public consultation on work hours or operational constraints. As such, there could be a company testing or operating engines and machinery both inside or outside their workshop at any hour of the day or night.

Though the layout of the workshops show no external windows or opening facing neighbouring properties, the proponent during the above mentioned meeting made it clear that the renters can add vents, dust collectors or other potentially noisy apparatuses on these external walls.

000174

There is no information on the configuration of the industrial site's lighting to reduce light-pollution.

There is a potential for 25 business of several employees each, which would result in significant traffic volumes on Water Road. There has been no traffic analysis.

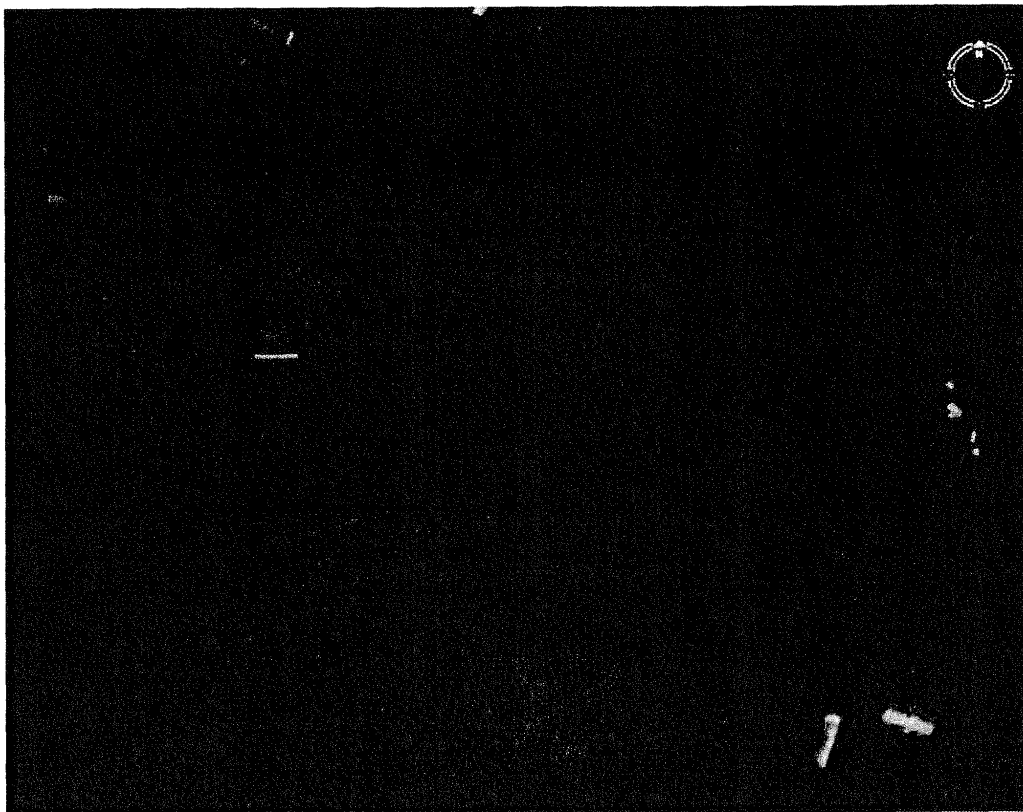
I would be very cautious of the proposed model layout of the industrial site regarding buildings, roads, hedges, and water-gardens, etc. As the likelihood of compliance to such proposals has been dismally poor in the CVRD with little or no recourse once they have been built. The CVRD has not undertaken or made in publically known whether a zoning/by-law compliance evaluation has been done for the proponent's previous industrial activities.

This proposal review is at a crucial juncture for the CVRD and Glenora area where past practices of forestry uses, this current project, and any future industrial proposals are no longer compatible for this parcel of land. Glenora is a sanctuary for people living there now who are striving to harmonize recreational, residential, and agricultural values. This effort is to benefit future generations as well. What currently exists is a zoning artifact of past industrial use that has no relevance today. The outcome of the application will be a measure of CRVD's commitment to its vision for the Cowichan Valley that has already been articulated in its many community plans. A public meeting to allow Glenora residents and CRVD to address this issue openly and to share a vision for the site use would be appreciated.

Looking over the long-term, it would be less expensive and burdensome to CVRD to purchase this land to be part of - say - the Trans-Canada trail system, than to be caught in long legal process of ensuring land-use compliance, addressing resident nuisance concerns, and mitigating potential impacts to affected wells.

Sincerely,

Marianna Terauds & Stafford Reid
Glenora Part-time Resident
250 (748-3710)



Green – approximate boundaries of wet lands
Blue – Ponds and streams that flow into Glenora Creek
Yellow line marks industrial site boundaries

SCALE: **Red**-line = 30 meters

Rachelle Moreau

From: Georg Stratemeyer [georg.stratemeyer@shaw.ca]
Sent: Saturday, September 05, 2009 12:40 PM
To: Rachelle Moreau
Subject: Electoral Area Services Committee - Glenora Business Park Proposal 4885 Waters Road
Attachments: Electoral Area Services Committee 09-09-05.doc

Please find attached a letter in opposition to the Proposal for the Committee.

Thanks

Georg

Georg Stratemeyer
4876 Marshall Road, Duncan, BC V9L 6T3
georg.stratemeyer@shaw.ca
250.715.3886

G E O R G S T R A T E M E Y E R

September 5, 2009

Electoral Area Services Committee

Development Services Division

CVRD

175 Ingram St., Duncan, BC V9L 1N8

Attention: Rachelle Moreau

Email: rmoreau@cvrd.bc.ca

Subject: Glenora Business Park Proposal – 4885 Waters Road

Dear Committee Member,

As a neighbour and long term resident, I am registering my opposition to this proposal. This development will have an irreversible negative impact on the economic, physical and social environments of our community: there is no plausible justification to permit development to proceed.

A long list of concerns has been raised since we became first aware of the plans. Concerns range from the dismal record of broken promises and commitments by the owner to the incompatibility of the proposed business activities with existing successful economic ventures; and from the negative environmental impact to the destructive consequences for community investments made over the years, such as the Cross Canada Trail adjacent to the property. All of these concerns must be investigated and addressed satisfactorily by this Committee before approval can be considered not only for the immediate neighbours but from the larger perspective of the Cowichan Valley.

Today I would like to emphasize the threat to the water supply. Our current condition is such that water is extremely limited particularly during the late summer months. Additional demand on the water table will make supply through existing systems very tenuous. Historical evidence and drill records clearly show that there is simply no sufficient water supply to be accessed even with deep wells. We drilled to a depth of 400 feet without success. It is clearly unconscionable to permit further reduction of an already limited water supply to neighbours or to force neighbours to invest significant amounts of money as a consequence to meeting the needs of a business venture. Not only is water supply limited, there is some evidence that the water supply is declining over time as water levels in wells around the community are dropping. The water that is available is high in sulphur and other minerals requiring users to utilize filtration systems. Without demonstrable evidence that the water supply will not be impacted, such as a hydrological study large enough in scope to investigate the impact on the community at the most challenging time of the year, granting a permit is clearly putting the community at risk.

4876 Marshall Road, Duncan, BC, V9L 6T3
250.746.6132

000178

A final observation is that the property is zoned industrial not by community choice, but based on historical use patterns when zoning bylaws were introduced. For the last two decades the property has not been utilized for industrial purposes and the community around it evolved over time, creating a similar set of circumstances this time in favour a different land use zoning.

The purpose of the Electoral Services Committee is to balance community needs with the proposed use of the property. Glenora is not the site of an industrial park. A long list of measurable and demonstrable negative impacts on the community that cannot be mitigated due to the nature of the proposed use; a long term use pattern of the property that is not industrial; and an overwhelming negative community response all point to a lack of community benefit from the proposal, not only for Glenora but for the Cowichan Valley.

Thank you for your consideration.

Georg Stratemeyer

Rachelle Moreau

From: Robert Rensing [rrensing@shaw.ca]
Sent: Saturday, September 05, 2009 10:12 PM
To: Rachelle Moreau
Subject: Glenora Business Park

Re: GLENORA BUSINESS PARK– 4885 WATERS RD
Electoral Area Services Committee Meeting
Tuesday, Sept.. 15, 2009.

Gentlemen,

I am writing to you regarding the above mentioned meeting to express my serious concerns about the water situation on Cavin Road and Stelfox Road. Most, if not all local residents depend on surface wells for their water supply. These wells are producing minimal amounts of water and, especially after a dry hot summer, many wells have deteriorated to the point where the water supply is less than is needed for normal domestic water consumption. Activities such as laundry are nearly impossible because of water shortages.

Local residents have attempted to drill deep wells at considerable expense, unfortunately with no tangible results although some deep wells have produced saline water, which is not useable for domestic consumption.

I understand that the proponents of the Glenora Business Park intend to consume substantial amounts of water for their industrial uses, including water for 19 toilets. I am at a loss to understand where they expect this water supply to come from, other than from the same sources that supply the local residents.

I urge you to direct the proponents of the proposed Glenora Business Park to drill a deep well and prove that an adequate supply of well water is available year round, and not at the expense of the local residents. Furthermore I ask you to ensure that waste water from the proposed Glenora Business Park will under no circumstances be allowed to negatively affect the water supply and quality of the local residents as well as the water quality of Glenora Creek. Unless these criteria can be met, I ask you to recommend that the CVRD not issue a development permit for the Glenora Business Park. I also ask that the CVRD requires of the proponents to post a substantial bond to ensure adequate water supply and quality for local residents.

Please consider also the contents of the Official Community Plan for the area. Not only is the proposed business park in the middle of a rural residential area contrary to the Community Plan and should not be allowed under any circumstances; any negative impact on the well-being of local residents, including their rights of peaceful and quiet enjoyment of their properties must take absolute precedence over any development in the area.

We, the local residents, have been forced to oppose this development plan for over two years now. It is now time to deal with this once and for all and deny the issuing of a development permit. It is most unfortunate that the land for the proposed Industrial Park is not zoned residential. I believe that it is the duty of the Cowichan Valley Regional District as representatives of the local residents to change this improper zoning to a zoning that allows for residential single family dwellings only. This is what is stated in the Official Community Plan, as well as represents the expressed wishes of the local residents. The CVRD must take these factors into serious consideration, listen to the residents, and deal with this situation accordingly.

Once more I must state publicly that any industrial development in Glenora is not wanted here, and that it is the duty of the CVRD to act accordingly.

We urge you to hold a Public Meeting with staff and the proponent in attendance so that the community has an opportunity to express its opinion about the proposed business park, and to ask questions and receive answers from the CVRD.

Finally, you must be aware that the proponent still has not received his Certificate of Compliance from the Ministry of the Environment that certifies that the property in question is free of contaminants. Considering the fact that the property has been used for industrial activities for several decades, I fully expect that the CVRD will not take any action, including issuing a development permit, until this certificate has been issued by the Ministry and reviewed by the responsible authorities..

Sincerely,

Robert Rensing.
3415 Glenora Road,
Duncan, BC.
V9L 6S2
250-748-7920

Rachelle Moreau

From: Alex Apostoli [aaestructural@shaw.ca]
Sent: Thursday, September 03, 2009 10:46 PM
To: Rachelle Moreau
Cc: 'Dianne Kolenosky'; 'Jennifer Apostoli'
Subject: Glenora Business Park

Dear Rachelle,

My family and I live at 3791 and 3805 Cavin Road within a couple hundred yards from the proposed Glenora Business Park. We are extremely concerned about the negative impact this development will most probably have on our water supply. When we first moved to 3791 Cavin Rd. in November of 1994 we had a shallow dug well. In September of that year the well went dry. We spent about \$2000 trying to improve the capacity and reliability of that well but had to abandon it. Drillwell drilled an approximately 200 foot deep well with a yield of about 1.5 gal/min, which cost us about \$6000 to \$8000 in total. This well lasted for about 18 months then turned salty and dried up.

We then had Drillwell drill three more holes on our two properties. We managed to get one well on our main property with a yield of .75 gal/min. One of the three holes was dry and the other hole on our separate lower lot had 3 gal/min, but was extremely silty with tannin and high iron. We commissioned the lower yield well because of the poor water quality in the second well and because we wanted to keep our two titles free of encumbrances. We had to install an 1100 gal cistern with filters and a chemical disinfectant system. We spent approximately \$15,000 to commission this well and treatment system. Over the course of two years we determined that the chemical disinfection system was very unreliable and replaced it with an iron permanganate filter and UV light system installed by BC Aquifer. This cost us about an additional \$8000.

When operating on our shallow well originally we observed the water level drop hourly when our neighbours repeatedly filled their swimming pool over the course of a week. With our current drilled well, which is only 35 feet deep, we noticed degradation of our yield when the Quesnel family drilled a shallow well several hundred yards away from our well. We had to install additional controls on our system for low water conditions. That was approximately another \$1000.00. Estimating conservatively, we have spent well over \$30,000 on a barely usable water system for our property.

We have approximately fifty head of alpacas on our property, 40 laying hens five dogs and four humans and are just managing with the water we have. Any degradation in our water supply as it now stands would be disastrous for our farm and would significantly devalue our agricultural property and business.

We are just starting construction of a new house on our lower lot on Cavin Creek which we assume will be called 3781 Cavin Road. We are commissioning the 3 gal/min well drilled by Drillwell a few years ago that exists on that lot. We will be spending approximately \$15,000 to \$20,000 to store and treat this water. This well is just beside Cavin Creek and is only 20 feet deep. It will be very sensitive to changes in Cavin Creek, both for water quantity and quality. In particular pollution from the industrial site in question, whether existing or newly generated could have potentially damaging effects on the usability and value of that property, particularly once the lot is fully developed.

We urge you to ensure that our water supply is not jeopardized by this proposed development by holding the applicant to the most rigorous standard and proof possible.

I also urge you to hold at least one public meeting on this matter so that the concerns and objections of Glenora residents can be heard.

Regards,
Alex Apostoli. P.Eng.
3791 Cavin Road

Rachelle Moreau

From: bill jones [bill@magnorth.bc.ca]
Sent: Friday, September 04, 2009 11:55 AM
To: Rachelle Moreau
Cc: Loren Duncan; Dianne Kolenosky; Lynn Jones
Subject: Glenora Business Park

Hi Rachelle,

I'm writing to express my continued concern for the proposed development at Russ Crawford's property off Waters Road and adjacent to the Trans Canada Trail

This development is totally unsuitable for a number of important reasons:

It threatens the continuing use of the surrounding properties for agricultural, business and residential activities. In particular, the ground water in the region is very sensitive to disruption and pollution. We all rely on shallow aquifer wells. On our property (across the Trans Canada Trail from the proposed site) relies on a shallow well for water. This well exhibits seasonal fluctuations in water height and quality throughout the season. August and September are typically the times we have to be very careful with water use and have occasionally ran the well dry. The recharge rate is slow (less than .5 gal/min). There is a deep well on the property that reaches a depth of 180 feet. This well is abandoned due to high salinity, high dissolved minerals and a general "sour taste" that was deemed unpotable (at a cost of more than \$20,000).

There is the dangerous potential of contaminants (on site from previous usages) to be disrupted during construction of the proposed site and causing them to migrate to the nearby properties and shallow wells, in addition to the salmon-bearing creek.

There is the potential for industrial pollutants to be introduced into the shallow water table by the septic system design of the proposed development. There is potential for airborne pollutants to migrate to the adjacent properties. These may lead to health issues for the surrounding residents.

The legal enjoyment of our properties will be disrupted by potential nuisance levels of noise, odors and particulate matter coming from the site.

The peaceful use of the Trans Canada Trail and surrounding assets as a catalyst for economic development and media attention will be compromised.

The traffic patterns of a quiet back corner of the valley will be disrupted and create additional burden and cost for the residents of the region.

The activities on site may represent an elevation of fire danger to the surrounding residences, particularly in our increasingly dry climate patterns.

These factors all add up to a development that will disrupt and potential harm the economic potential of the community and I believe this constitutes grounds for a legal challenge to your process and the potential to seek future damages as a result of these actions. There is more at stake here than a flawed zoning process. The irregularities of the approval of the zoning in the first place, coupled with the lack of leadership and accountability (from all levels of government) in the development process have been identified as potential legal challenges to this process.

This development is wrong on a number of levels. I still have faith in the political will of the CVRD to stop the destruction of a peaceful and vibrant community. There has been no public input on the process, the applicant has shown a willingness to defy the system in his past business practices. If you do not protect the rights of our community, prepare for a battle in the courts and in the media.

Bill Jones
4830 Stelfox Road
Duncan, BC, V9L 6S9
250 748-7450

PROPOSED GLENORA BUSINESS PARK – 4885 WATERS RD

Background of Key Issues for the Development Proposal



JAN 27 2009

Zoning:

The site is currently zoned for ~~Forestry~~ Industrial use, this is an artifact from the era when Forestry was a major employer in the region and the Macmillan-Blodel South Shawnigan Lumber Sort was in operation across the road. The site was used as a maintenance yard for forestry vehicles and later as a controversial saw mill (which burnt down 15 years ago). The forestry sort operation has now moved and the rationale for zoning the site industrial has moved along with it. The use outlined by Russ Crawford, contravenes the Glenora-Koksilah Official Community Plan (OCP) as the effect of doing business will impact the rural nature, traffic, surrounding properties and the adjacent Trans-Canada Trail (Appendix 1).

Adjacent properties:

Properties surrounding the site have evolved to include residential properties, agricultural lands and properties associated with vineyards, cooking schools and diverse business activities (including equestrian centers and B&B's) due in large part to the rural and peaceful nature of the community and the proximity to the Trans-Canada Trail. They represent a significant contribution to the economic vitality of the area. Much publicity throughout North America has been generated for the entire valley from these businesses (Appendix 2). Development has followed a slow, controlled pace due to zoning regulations, the ALR and lack of development infrastructure (sewage, water, etc). The proposed usage, as outlined, will damage the surrounding businesses, depress property values and lower the quality of life. These are all values the CVRD has promised to uphold in entering into the social contract of the OCP.

Applicants Business History

The applicant is moving to the area after many years of operating a non-compliant business in the Metchosin area. His business has a documented history of generating many complaints from neighbors for noise and long hours of operation. (Appendix 3) It was recently denied an application for a temporary user permit based on "its incompatibility with the Metchosin OCP and levels of dust, noise and traffic that have impaired the character of the Kangaroo Road community". The nature of his business is metal fabrication, requiring welding, hammering, grinding and sandblasting operations. These proposed activities will generate significant nuisance noise in an otherwise quiet corner of the CVRD. This business is one of the worst possible uses for the Glenora site.

Traffic

The area is significantly far away from existing major roads where the infrastructure for heavy traffic should be contained. The roads to the site travel through residential and rural areas where significant upkeep and upgrading have not taken place. The entrance to the site is considered a dangerous location for vehicle traffic turning into the site. Two large humps in the road on either side of the property prevent timely sight lines for traffic passing by the entrance. The site presents a significant safety concern to residents of Glenora if heavy industrial (and increased) traffic is generated from the proposed site. The nearby Trans-Canada Trail is undergoing an evaluation to restore the Kinsol Tressel. The area adjacent to the proposed site is a popular starting point for equestrians, hikers and cyclists. The business will detract from the potential of the trail and potentially create a negative economic impact on the area.

Ground water

The site is in an area with historical and documented challenges to groundwater aquifers. Most properties rely on shallow wells, as deep wells have poor flow and high levels of dissolved salts. Shallow wells are sensitive to surface flooding and contamination issues. Several properties bordering the proposed site are forced to bring in water or store water in a cistern to get through periods of drought (August-September).

Fire Hazard

The site has been the location of two fires which destroyed buildings on site. The potential exist for fires to spread to nearby buildings if not caught in time. The local zoning bylaws requires "a fuel reduced buffer 10 meters in width shall be provided and maintained around buildings to minimize fire risk".

"Half of the economic development being encouraged is counterproductive to the future of the community. I have to live with bad decisions made 30 years ago" Mayor Jon Lefebure, District of North Cowichan – quoted in the Imagine BC, Imagine the Cowichan, Consensus Report 2006

000185

Key issues why the proposal should not be given the approval to proceed

A) The Business proposed is incompatible with the goals of the Official Community Plan and portends to be a significant generator of noise, traffic and potential visual, air and groundwater pollution.

1) The proposed development will significantly impact the enjoyment and peace of neighboring residential parcels (Glenora Official Community Plan (GOCP) Section 13.4.2 a)

2) The proposed development will impair the rural character of the surrounding area and act as an economic deterrent for the surrounding businesses (GOCP Section 2.1.1, Section 2.2.2, Section 2.2.7, Section 2.2.8)

Noise as an economic deterrent

The applicant is asking for variances to reduce the amount of buffer space required for the industrial properties. Specifically, on the proposed development plan, the applicant is asking for a covenant to remove the need for a 9m minimum buffer adjacent to residential properties (along the entrance pan-handle). In reality, much more buffer space is needed to minimize the potential noise generation of the proposal. The quiet nature of the area makes any significant noise from the operation difficult to mitigate through traditional methods of vegetation buffers and/or barriers. Traditional industrial areas are near major roadways – where levels of ambient or white noise tend to lessen the impact of the sounds. The high frequency nature of grinding and metal fabrication will be a nuisance to many residences and businesses in the vicinity. The Trans-Canada trail borders the site and is frequently used by equestrians, hikers and cyclists. The sound from the industrial operation will be incompatible (particularly with horses) and hinder the potential for economic gains from these activities. The presence of a nuisance industrial facility will downgrade the value of the neighboring properties, placing an unfair economic penalty on the community of Glenora.

B) The proposed development will compromise the transportation goals for the community

It will negatively affect the area with additional, serious, safety and access concerns and add to the upkeep and maintenance of the regions roads. In addition, traffic corridors will be created through residential areas, a significant distance from designated “Major” road routes. (GOCP Section 2.2.10, Policy 9.2.1 and Section 13.4.2 d)

Traffic safety issues

The CVRD is mandated to protect all residents from development that will negatively affect their safety and wellbeing. The nearby forestry lands use a private haul road to bring dangerous loads to the main network of “Major” road routes, the applicant does not have access to this transportation corridor, even if it did, the access issues onto Waters road still remain a significant barrier to development on the site.

C) The proposed development has the potential to compromise the surface and groundwater of the surrounding region

It would be tapping into an already fragile resource, increasing the potential for surface contamination of shallow wells and leaching contaminants into the local watershed through industrial processes and heavy equipment storage. The large surface area of pavement has the effect of magnifying the potential damage to the on-site wetlands. (GOCP Section 2.1.3, Section 2.2.8, Section 2.2.11, Section 9.2.1, Section 13.4.2 c, Section 13.4.3 i, n. o. and p)

Environmental Protection of Aquifers and Wetlands

The wetlands on the site appear to be larger than indicated on the proposed development site drawings. Even so, site drawings indicate the proposed buildings encroach on the 15 m minimum buffer required for all wetlands. The CVRD has the option of requiring geotechnical engineering reports on the impact of industrial development on the surface water of a site. These wetlands also appear encroach on the 15 m development buffer shielding the Trans-Canada trail from logging and development. The nearby Glenora Creek is a salmon-bearing watercourse and connected to the site with run-off during periods of heavy rain.

Appendix 1: Background OCP Information relevant to the Development Proposal

The official community plan for Glenora-Koksilah has been in place since 1994. The plan provides citizens and interest groups with a framework against which development proposals and actions will be considered. It prevents the local authority from engaging in activities contrary to the plans policies.

The duty of the CVRD is to guide the community in determining the best uses for land and water surfaces in the community.

The following relevant sections are taken verbatim from the Official Glenora-Koksilah Community Plan (1994):

2.1.1 Social Goal of the plan

To foster the retention of an attractive rural setting and diversity of lifestyles by only allowing timely and orderly rural and agricultural development so that it does not impinge on the lifestyle of Cowichan-Koksilah

2.1.2 Economic Goal

To ensure the retention of the agricultural character and nature of the community while encouraging the sustainable forest and mineral resources for future production and to identify sites for commercial, industrial and institutional uses compatible with the character of the community

2.1.3 Environmental goal

To identify, protect and enhance environmentally sensitive aquatic and natural resources for the long-term benefit of wildlife and natural ecosystems and to foster protection to life and property from natural hazards.

2.2.2 Cultural and Heritage Objectives

Recognize and preserve the rural, agricultural and forestry heritage of the Cowichan-Koksilah Plan Area.

2.2.7 Commercial Area Objectives

Discourage small scale commercial uses in locations which are isolated from existing commercial areas or which reduce highway safety or impact on the rural character of the community or its natural environment

2.2.8 Industrial Area Objectives

Discourage intensive industrial development that would erode the present rural residential, agricultural and recreational characteristics of the plan area

Recognize industrial zoned land uses and encourage small scale light industrial activities in locations which do not impact on the rural character of the community or natural environment, in particular ground water resources

2.2.10 Transportation Objectives

Co-ordinate land management and traffic management so as to establish a balanced hierarchy of roads in order to maximize safety and efficiency while minimizing hazardous situations, costs and social disruption.

Support road design and construction standards which show due regard for pedestrian and vehicular safety, the quality of the environment, and the rural character and natural landscape of the planning area.

2.2.11 Utilities, Water, Sewer, Solid Waste Services

Prevent development that would adversely affect the availability of water for present and future users

Ensure that adequate water supplies are available for fire protection purposes and domestic purposes during peak demand periods

Industrial Areas Policies

Policy 9.2.1

1. The area chosen for development is within easy access of a major local road
2. The industry does not generate traffic through a residential area
3. The industrial activity is compatible with the surrounding environment and land use, and does not detract from the areas present amenities
4. The emission of any type of pollutants meet Provincial and Federal regulations
5. The site has adequate services (hydro, sewer, water, etc)

Policy 9.2.5

The dedication of a natural state buffer or Greenway of sufficient width shall be required as a condition of land being zoned for light industrial uses where the parcel in question abuts land in some other land use designation (ie. residential, institutional).

13.4.2 Justification for Forestry Industrial Development Permit Areas

- b) The CVRD board wishes to ensure that the Forestry Industrial Development does not negatively impact the peace and enjoyment of neighboring residential parcels
- c) The CVRD Board wishes to ensure the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water.
- d) The CVRD wishes to ensure that the industrial development offers safety and accessibility and is adequately landscaped and screened.
- f) The CVRD board wishes to ensure that farming is protected from potential impacts of industrial development.

Policy 13.4.3 Guidelines for Forestry Industrial Development

- a) All plans and building designs should promote personal and public safety
- f) A treed buffer at least 8 meters in width shall be provided between the industrial use and adjoining residential parcels. The buffer shall be densely vegetated such that parking areas, collection areas, service areas, outdoor storage areas, fuel tanks, air conditioning units and delivery areas are buffered to reduce noise and visual impacts.
- i) Where paved parking area are established, they should contain oil/water separators and use pervious landscaping that can absorb run-off, where feasible
- j) Vehicle access points, circulation patterns and parking layouts shall be designed in such a manner to reduce impacts on roads and adjacent parcels.
- k) Parking areas and pedestrian areas should be well lit, without glare to adjoining residential parcels, agricultural parcels or public roads.
- n) Particular attention should be paid to ensuring that changes to drainage patterns will not result in detrimental impact such as flooding or runoff conditions on residential lands or into nearby watercourses. A combination of natural wetland protection or artificial wetland creation to buffer storm flows should be incorporated where necessary, along with measures to minimize impervious surfaces.
- o) A treed buffer of at least 15 meters in width shall be required along the boundaries of a watercourse, including wetland or stream.
- p) Discharges of material that could potentially damage groundwater shall be avoided.

Policy 13.4.4 C Variances

Favorable consideration will be given to variances which are deemed to have no negative impact on adjacent parcels and would enhance the aesthetics of the site in question.

Policy 13.4.5 Application Requirements

d) The CVRD may require the applicant to furnish, at the applicants expense, a report certified by a professional engineer with experience in geotechnical engineering, which shall include

- A hydro geological report/environmental assessment assessing any impact of the project on water surfaces in the area
- A report on the potential impact of the development on the groundwater resource

e) Development that will create more than 280 m² of new impervious surfacing should include a report prepared by a professional engineer that determines the extent of changes to the natural drainage system. It should identify any conditions that should be incorporated into the development permit to protect property from flooding, erosion or from other undesirable impacts as the result to changes to storm water runoff.

Appendix 2: Brief Summary of Publicity Generated by Neighbouring businesses

In the last few years, Articles on Glenora and Deerholme Farm have appeared in:

The National Post
The Globe and Mail
The Vancouver Sun
The Province

The Times Colonist
Vancouver Magazine
The Georgia Straight
CityFood Magazine
Saveur Magazine (New York City)
Northwest Palate (Seattle)
The Seattle Intelligencer
San Francisco Chronicle
Chicago Tribune
Westjet Inflight Magazine
Air Canada Inflight Magazine

Harrowsmith Magazine
Small Farm Magazine
Eat Magazine
Monday Magazine

Radio and Television

CBC Radio
CBC Television
City TV
New VI
CHEK TV
Canada AM
Breakfast TV
National Public Radio (Seattle)
CityFood

Appendix 3: Summary of Neighbor Complaints for Russ Crawfords Existing Metchosin Business at 824 Kangaroo road - the base for Rocky Point Metal Craft and Aggressive Excavating

The following documents are excerpts from officially submitted complaints against the business. There are 28 formal complaints submitted to the Municipality over a period of more than fourteen years of operation. Many cite the escalating levels of noise and chronic non-compliance of the business to the local bylaws and the requests of the neighborhood from the beginning up to this present day.

District of Metchosin Public Communication Reports., Letters and Emails to Council

1) June 10, 1993 Report 1027

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Machinery coming and going – doing heavy duty repairs. In AG zone. Lots of traffic. Talked to owner – he said would keep noise down, had license.

Action Note: Doing heavy machinery repairs, spoke with owner – he said he was refused a business license. Told him he was illegal, will write him a letter explaining what avenues he has open to him” D.S. - Bylaw enforcement

2) December 16, 1993 Report 1110

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Business operating in the ALR without their permission and without a Metchosin Business License. She said she will be writing to the ALR about her concerns.

Action Note: “...I did some inspections three times last week and twice this week, he is carrying out a business, (will) write letter and give him two weeks, then it will go to counsel for legal action. He is in the ALR.” J.D - Bylaw Enforcement

3) March 4, 1998 Reoprt 3071

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Welding , working on cars, grinding noises, late at night (9-11pm) 7 days a week. Noise penetrates indoors with windows and doors closed

4) August 27, 1998 Report 3696

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Banging, metal sawing, welding, welding noise, outside work, starts at 8:00 am until 6:00 pm, bad this week especially.

5) February 27, 2002 Report 5022

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: “Noisy Machinery is constant, just after 7:00am in the morning, all day and on weekends. Can’t understand how he can have a home based business that makes so much noise in a residential neighbourhood”

Action Note: Was determined to be non-compliant, site visited on Feb 28, 2002. Meet with Russell Crawford, Property owner and Business proprietor at 824 Kangaroo Road. (I) informed Mr. Crawford of the noise complaint in regard to his metal fabrication shop. He advised that he was operating his business in conformance (with) the district bylaws (land use bylaws and noise). I advised Mr. Crawford that the situation would be monitored and that if the district receives further complaints his business license , in terms of renewal, would be reassessed” M. Ciles, - Bylaw Enforcement

6) November 29, 2002 Report 2068

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: “ Rocky Point Metal Craft “at it again”. Making a lot of noise at this very time”

7) August 29, 2003, Report 5139

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: “Heavy Machinery going, sandblasting started at 8:00 am. Regular noise coming from this business”

8) Letter Sent to Metchosin Mayor and Council dated June 20, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: The undersigned are all the property owners and taxpayers in the Metchosin Municipality. We are registering another formal complaint regarding the business operated at 820-824 Kangaroo Road. The Business is Rocky Point Metal Craft which backs onto several of the complainant's property.

Specifically, we are fed up with the increase in industrial noises we have been subjected to over the last couple of years. The noise sometimes starts at 7:00 pm and continues throughout the week and sometimes extends to 6:00 pm and later. Weekends and holidays included (Saturday May 13th and Sunday Mother's Day 1:00 pm-3:00 pm jackhammer and drilling sounds)... The noise of heavy machinery, high pressure air sandblasting, pounding on steel, the beep, beep of backing up vehicles are now regular sounds in our neighborhood... There are still the environmental concerns the effect this business have on our water supply from wells on our property and our air quality being compromised because of airborne metal debris. In addition to metal debris, on the property a lake has been filled in next to adjacent properties on Tiswilde Road of which the composition of fill could affect our water.

Our previous letter was dated May 2nd 2002. As far as we know it was discussed by council in camera and with obviously no positive results for our neighbourhood as the noise continues.

We all choose to live in Metchosin, a rural area, for the privacy, peace and tranquility that Metchosin Municipality and the elected council always promote as a way of life they want to sustain. The undersigned have lived in the area for 10-30 plus years and would like our environment returned to its residential standing. We are also concerned that such a business with its increasingly accompanying noise pollution adversely affects the value of our homes and properties"

9) June 27, 2006, Report 6060

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "We have lived here for 34 years. Again the business at Rocky Point Metal Craft is subjecting us to continuous industrial noises of sandblasting, banging and falling metal (and) conveyor belt noises starting as early as 7:00 am and continuing at times as late as 7:00 pm. Mothers Day, May 14th, 2006 we were subjected to jackhammer and drilling sounds.... How the hell was this approved?"

10) August 15, 2006, Report 5770

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: High pressure air (sandblasting) sledge hammering on metal, past 4:00 pm till approximately 5:30, not in compliance with bylaw 462!"

11) Letter sent to District of Metchosin, Dave Drummond, Acting CAO dated August 16. 2007

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Thank you for the response to our complaint about excessive noise from Mr. Crawford's business on Kangaroo Road.

I'm sure Mr. Crawford was aware of the response we received in the mail because of his response to the neighborhood. As of Monday morning we were greeted with a symphony of industrial noises starting at close to 8:00 am and lasting throughout the day. Sledgehammers on metal, air hoses whining, and cutting torches or welding noises until after 5:00 pm. Today, the same, except we were entertained until 5:30 pm. I know this happened because I have the task of staining and painting my house and have been outside, although 2 properties away. I find this is a bit of a stretch to say this is a quiet rural business.

I will be contacting my neighbors, who I know are unhappy, as to further proceedings to return our neighborhood to it's rural setting before Mr. Crawford set up his "Business" on Kangaroo Road."

12) Letter sent to District of Metchosin, Dave Drummond, Acting CAO dated August 29. 2007

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "On behalf of the complainant neighbors in the area, we request a meeting with the Mayor or Mayor and Council regarding the ongoing and escalating problem"

14) Letter sent to Metchosin Mayor Ranns dated September 2006

RE: Rocky Point Metal Craft/Aggressive Excavating, 8241 Kangaroo Road

Complaint: "On our return from vacation on August 29, 2006, the noise of sandblasting/compressed air/white noise continued until 5:05 pm, and on the morning of Saturday, September 1, 2006, the noise was that of sundry machinery and banging. It would appear the Districts action noted in their letter of August 11, 2006 has had no effect.

At the time of writing, Labour Day Monday, September 4. 2006 at 2:15 pm, noise coming from the property is that of heavy machinery and a constant speed diesel engine"

15) Email to Metchosin Council dated September 29, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "I want to draw your attention to the excessive noise levels coming from 824 Kangaroo Road. The noise levels have been increasing over the summer... We hear banging, sand-blasting, electrical welding... Members of my neighbourhood have been filling in complaint forms at the Hall throughout the summer but so far council has turned a blind eye to this on-going and expanding problem... This type of industrial activity goes against all the laws that Metchosin has in place and I would like to see the council act in this matter as soon as possible"

16) RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Saturday September 30, 12:10 pm – very loud equipment noise until approximately 1:45 pm.

From 1:45 pm, general noise until complainant left home at 3:00 pm

17) Email to Mayor and Council dated Sunday October 1, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "I wish to register the first of my personal, formal complaints... about a serious noise problem that has been going on for years. The noise goes on 7 days a week, beginning at 6-6:30 am and ending well after 6:00 pm – of the as late as 10:00 pm on a Saturday night. We can hear the noise in our house with all the windows closed. Being outside enjoying our home is no longer possible. When the banging operations begin, our house shudders. You have had numerous complaints from all of us..."

Saturday, September 30th – noise began at 8:35 am. At noon it was extremely loud compressor/sand blasting noise

18) Email to Mayor and Council of Metchosin dated October 4, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "Once again, after a day of work, the possibility of relaxing has evaporated. The constant noise from the heavy industrial metalwork, excavating, the low bed truck business; these have all ruined the peaceful homes of many people whose rights have been ignored.... Metchosin's complaints about the Langford development machine resonate with the lucky neighbors of 824 Kangaroo Road and the support we have been given – a complete disregard for their neighbors, for the fact that Metchosin is trying to preserve rural features for us and not just in the buffer zone? ... This situation is very, very wrong and I strongly urge you to act upon this problem and not allow all of our lives to be trashed simply to avoid legal fees for the municipality...."

19) October 13, 2006 Report 5837

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Pre bylaw allowable time start up! Heavy machinery and steel banging 7:20 am

20) October 13, 2006 Report 5793

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: General machinery noise went on until 5:45 pm. This morning at 7:30 am banging and crashing of steel. Machinery noise very loud – sand blasting? Arc cutting?

21) Email to Mayor of Metchosin dated October 21, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint:

- 1) Thursday October 12, 5:16 pm – loud noises from trucks, banging. Please note with was a disturbance in the house with all windows and doors shut, In order to listen to the news on TV, I had to turn the volume up. Have I lost this pathetic right in my home?
- 2) Sunday, October 14, noon – loud air blasting/sand blasting noises
- 3) Sunday, October 15, 1 pm – loud banging noises
- 4) Tuesday October 17, 4:30 pm – house shaking from truck activity, As in #1 above, this was audible inside my home (or what use to be my home) with all doors and windows shut.
- 5) Wednesday, October 18th, 9:40 am – huse shaking from truck activity and audible inside home with all doors and windows shut.
- 6) Saturday, October 21, 7:15 am and still continuing at 12:00 noon. Loud trucks, yelling, banging metal, rocks being dumped. Again audible inside house

Thank you for your action on this problem.

22) Email to council dated November 22, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "You have received numerous complaints from neighbors of 824 Kangaroo Road regarding the excessive levels of noise from the heavy industrial work done there. ...Much to our surprise the entire matter seems to have been delegated to Mr. Crawford to resolve... Why is Russ Crawford going to respond to our questions and concerns? Why aren't you doing that? We don't have questions for Mr. Crawford nor the patience for which he thanked us – we want it stopped. It is wrong and has destroyed our homelife. We respectfully request that the mayor, Council, ALR and CRD deal with this".

23) Email to Council dated December 10, 2006

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: "A number of residents have been complaining about excessive noise from 824 Kangaroo Road, most recently in September and October of this year but in fact over a number of years... do noise bylaws permit industrial manufacturing noise to shake our houses, to be heard when doors and windows are closed, to be carried out 7 days a week often beginning shortly after 6am and sometimes as late as 10 pm on a Saturday night? What is so special about those businesses that our rights, our property values, our right to peaceful enjoyment of our property have been trashed? Why are the Crawfords rights more important than all of ours?

Sent to Mayor Ranns, Councillors: Gramigna, Kahakauwila, Mitchell and Webb

24) January, 2007 Report 5777

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: noise, heavy equipment/machinery noise starting at 7:25 am

25) May 25, 2007 Report 6230

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Starting and revving of heavy machinery, banging of steel, etc. etc. starting at 7:15 am

26) July 25, 2007, Report 6386

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: Metal Grinding, metal pounding, loud machinery, started up at 7:35 am

27) August 8, 2007 Report 6262

RE: Rocky Point Metal Craft, 824 Kangaroo Road

Complaint: BC Day (public Holiday Aug. 6) noise, banging on steel, engine noise, air compressor 12:30-4:30

28) August 21, 2007 Report 6396

RE: Rocky Point Metal Craft, 824 Kangaroo Road

- Complaint: noise, banging and crashing steel, grinding, engine noise from 7:23 am – 6:15 pm

Rachelle Moreau

From: CVRD Development Services
Sent: Thursday, January 22, 2009 8:32 AM
To: Rachelle Moreau
Subject: FW: Attention Rachelle Moreau

-----Original Message-----

From: Bill Jones [mailto:wajones1@telus.net]
Sent: Monday, January 19, 2009 1:30 PM
To: CVRD Development Services
Cc: chip; Dianne & George Kolenosky
Subject: Attention Rachelle Moreau

Hi Rachelle

Following up a phone message left for you today. Loren Duncan asked me to call you to inquire into the development plan for Russ Crawford and his proposed Industrial Business Park off Waters Road in Glenora. I represent the Glenora Improvement Association and we have had grave concerns about the development since first hearing of the proposal.

We feel the property was inappropriately zoned industrial in the first place and is a hangover from previous uses as a forestry industrial site. There are issues with water in our community, all wells in the area are shallow aquifer wells - deep drilled well are salt compromised.

There are also serious issues with the lack of a transportation corridor, site access, pollution, noise and sight issues of a piece of property that borders residential properties, the Trans-Canada trail system and is 7 Kilometers from the nearest major roadway. These issues are all serious concerns for the residents of Glenora and we had 180 people turn up to an information meeting on the application last spring.

As you are aware, each time Russ meets resistance, he revises the drawing of his development and in each case has increased the density and footprint of the development. Russ has a long history of documented non-compliance in his home base of Metchosin and was forced to re-locate his business to a properly zoned location - after ignoring the local by-laws and neighbors for a period of 10 years. This is an indication to us of the sincerity of his efforts to mediate the impact of his development practices - in other words we don't trust him and you should take all due diligence when dealing with Russ and his agents.

I would like to see a copy of the new proposed configuration and to inform you we will be taking this threat to our community very seriously and working with the community to protect our rights as residents and taxpayers of Glenora. I'm away from my desk for the next couple of days but will follow-up on my return Wednesday.

Thank you for your time

Bill Jones
4830 Stelfox Road
Duncan, BC, V9L 6S9
250-748-7450

re: Glenora Business Park

RECEIVED
C.V.R.D.

Ann Lindwall
4770 Waters Rd.
Duncan, B.C. V9L 6S9

MAR 03 2008

The Electoral Area Serv. Com.
CVRD

175 Ingram St
Duncan B.C.

cc Karen Duncan

I'm writing to express my

concern regarding the proposed

"Glenora Business Park" on water

road in Glenora.

I think the current industrial

zoning of this property is inappropriate

It is adjacent to many residential

2.

will adversely affect all the ~~the~~ neighbours.

The fact that most neighbours have shallow wells is another concern where runoff from metal fabricating e.g. is concerned.

The increased traffic this business will create is another problem. Our roads are narrow and winding ~~with~~ with no shoulder, also, the access to the property in question will be dangerous.

3.

It's time to recognize that
tourism and recreation is the
business of the future for Glenora
with the Trans Canada trail
near by, as well as vineyards,
maple syrup production, organic
farms and equestrian centres.

Please consider working
with the residents of Glenora
to find a good solution.

Sincerely,

Ann Lindsay

ANN LINDSAY

February 12, 2008



To the CVRD:

RE: Glenora Business Park

My husband and I are very concerned about the water and stream pollution that will happen if the Business Park goes thru. The community have either dug or drilled wells and the increased use of water will affect all of us especially in the dry summer and fall months.

The amount of heavy truck traffic that will be generated going in and out of Glenora is also a major concern.

We are also opposed to the CVRD zoning bylaw which does not conform to the OCP which is suppose to reflect the wishes of our community.

Just maybe, it would be a good idea to hold public meetings so that you can listen to the community, hear what we have to say and consult with us.

Yours truly,

Two handwritten signatures in cursive script. The top signature appears to be "B. Carlson" and the bottom signature appears to be "C. Carlson".

Bob and Christine Carlson

3915 Vaux road

Duncan B.C.

✓ Cc: Mr. Loren Duncan

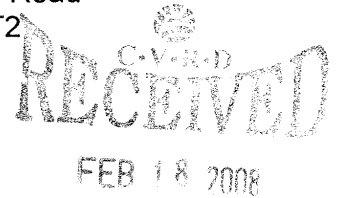
Original:	DSD	Copies to:	Dr. Duncan
Board:			
Committee(s):			
Directed by:	[Signature]	Date:	Mar 7/08
File #			

000198

February 4, 2008

Alex and Jennifer Apostoli
3791 & 3795 Cavin Road
Duncan BC V9L 6T2

Cowichan Valley Regional District
Development Services
175 Ingram Street
Duncan BC V9L



Attention: Development Services & Area Director Lorne Duncan

Dear Sirs,

Re: Proposed Glenora Business Park, Rocky Point Metalcraft Ltd.

Our two properties, totaling approximately 6 acres, are on the north side of Cavin Road directly across from the proposed Glenora Business Park site. We have lived at this location for the past 13 years during which time there has been no industrial activity on the Waters Road site. On our properties we operate an alpaca ranch with a herd size of approximately 50 for the purpose of raising and selling breeding stock. We are strongly opposed to this proposed development on the grounds that it will negatively affect the quality of life we have become accustomed to in Glenora in many significant ways, and it will negatively impact the health and well-being of our alpaca herd, and hence our livelihood. Some of our more pressing concerns are discussed below.

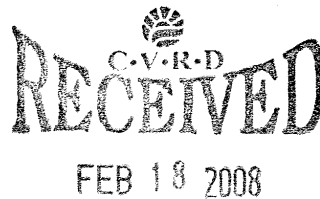
As a structural engineer I am very familiar with the conditions associated with steel fabrication works, and the nature of the construction industry. These are very noisy facilities and with tight contractual and scheduling constraints work can occur twenty-four hours a day, for extended periods of time. From the civic complaint reports we have read from Rock Point's neighbors in Metchosin we do not feel this is an unreasonable concern.

It is highly probable that noise, light and chemical pollution from the business park and steel fabrication plant will adversely affect our health and the health of our alpaca herd. The list of possible effects includes increased stress, birth defects, reproductive dysfunction and disease.

The supply and quality of water in Glenora, and particularly in the area north-west of Marshall Road, is extremely poor. We have spent in excess of \$35,000 developing a usable water source on our property. This water comes from the shallow aquifer common to this area. We have noticed fluctuations in the summer water table just from our neighbor servicing and filling their swimming pool. This size and scope of this development will surely affect our water supply in an adverse manner. There is also a high probability that contaminants from the development in the form of lead and zinc based paint, solvents and other chemicals and airborne particulate matter associated with structural steel fabrication may find their way into our water supply via the wetland and stream located on the proposed development site.

Another condition that will adversely affect our safety and wellbeing is increased traffic on our marginal local roads. With industrial traffic added to the already heavy forestry traffic in this area road conditions will deteriorate even further and our safety will be further at risk.

000199



James and Lorna Cutt
5152 Lee Road,
Duncan, B.C.
V9L 6S6
(250) 748-7864

12/02/2008
The Electoral Area Service Committee.
Cowichan Valley Regional District,
175 Ingram Street,
Duncan, B.C.

To Whom It May Concern:

This letter is in response to the proposed metal fabricating shop slated for construction on the corner of Waters Rd. and Cavin Rd. in Glenora. The concerns are possible water pollution, increased industrial traffic and noise, and that the current zoning for the area is not in-line with the Official Community Plan for Glenora.

Firstly, many people in the Glenora area rely on shallow wells, ourselves included. The addition of a metal fabrication shop and its corresponding need for water, and hence creation of waste water, would severely affect the water supply and quality in Glenora. In addition, runoff of waste water from the site would enter the wetland attached to the site and eventually enter the Glenora Creek, polluting a salmon-bearing stream.

Secondly, a metal fabrication shop requires deliveries to and from the place of manufacture. This would lead to increased industrial traffic in a rural area on narrow, winding country roads, creating a serious safety concern for those of us who walk and run the area. At the present moment, we must be alert for the huge logging trucks that currently travel on these same roads. Increased heavy vehicle traffic would make it extremely dangerous for our family to walk and bike.

In addition to the increased traffic, would be an increase in industrial noise created at the site. A metal fabricating shop is an incredibly noisy business, affecting the peace and tranquility of our Glenora community.

000200

Alison Garnett

From: Robert Rensing [rrensing@shaw.ca]

Sent: Monday, February 18, 2008 5:24 PM

To: Alison Garnett

Dear Ms. Garnett,

Further to our conversation of this afternoon, Monday February 18th, this is my formal request that, as the representative of residents in Glenora, I be informed at your earliest convenience of receipt by the CVRD of any application for a development permit pertaining to Mr. Russ Crawford and/or Rocky Point Metalcraft Ltd., whether accompanied by an application for variance(s) or not, or other information pertaining to this.

Your help is very much appreciated.

Sincerely,
Robert Rensing,
3415 Glenora Road,
Duncan , B.C.
V9L 6S2

748-7920

10-E-07 DP

Alison Garnett

From: Loren Duncan [loren_duncan@telus.net]
Sent: Thursday, February 14, 2008 7:02 PM
To: Alison Garnett
Subject: FW: Proposed Industrial Park on Waters Road

-----Original Message-----

From: Horgan.MLA, John [mailto:John.Horgan.MLA@leg.bc.ca]
Sent: Thursday, February 14, 2008 3:45 PM
To: loren_duncan@telus.net
Subject: Proposed Industrial Park on Waters Road

Dear Loren –

I have been contacted by a CVRD resident with reference to a proposed industrial park on Waters Road. While I understand decisions of this nature are of municipal jurisdiction, I feel it is important for me to advise you of concerns I receive from my constituents. Neighbours are worried about the possible detriment to their water quality, property values and general way of life if this park proceeds.

The public meeting and consultation process is important in these situations to ensure that, at the very least, residents feel the CVRD is listening to their concerns. This process allows for the public to understand the reasons behind the decisions made by the District - decisions which can seriously impact their lives. They need to know what steps the CVRD has taken to ensure responsible building and industrial practices will be followed, and what the consequences will be if they are not.

I urge you to provide for this kind of public consultation process and take into consideration the needs and worries of local residents.

John Horgan

000202

2/15/2008



581 West 4th Street
Benson, AZ 85602

520.586.2800
520.586.8770 Fax

pa@upfrontsolutions.biz
www.upfrontsolutions.biz

Facsimile Transmittal

To: CVRD - DEVELOPMENT
SERVICES

Fax Number: 1-250-746-2621

From: DIANNE KOLEWOSKY

Date: FEB. 13, 2008

Subject: GLENORA BUSINESS PARK
PUBLIC MEETING

Pages: COVER + 2

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

Notes:

Confidential

000203

3790 Cavin Rd.,
Duncan, BC, V9L 6T2,
February 8, 2008.

The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram St., Duncan, BC, V9L 1N8

SUBJECT: GLENORA BUSINESS PARK PUBLIC MEETING

As a neighbouring property owner sharing a 500' property line with this proposed development, I am writing to demand that the CVRD hold a public meeting for adequate consultation with the community on the Glenora Business Park. Such a meeting was recommended by the Area E Advisory Planning Committee on Oct. 6 /07, and, so far, this recommendation has been ignored.

The Glenora Business Park represents a giant step backwards in the development of the agri-tourism based economy of our community. This development will change the character of the Glenora community, yet the CVRD has not seen fit to consult with us on it.

This development violates **Policy 9.1.2 of the Area E Official Community Plan** which states that: **"the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and the adjacent residential and agricultural uses"**. Although the CVRD has a policy of making zoning regulations consistent with the area OCP, our OCP has been in effect for 14 years and this Industrial Zoning has not been changed.

This Development Permit process does not conform to the Area E OCP policies in the following ways:

1. A metal fabricating plant is not consistent with the allowable uses identified in **Policy 9.3.1 of the OCP**;
2. This development will certainly have a negative impact on the peace and enjoyment of the neighbouring residential properties (**Policy 13.4.2b**);
3. Both surface and groundwater will be impacted (**Policy 13.4.2**):
 - a) all the neighbouring properties get their drinking water from shallow wells (12-30") and water levels drop significantly in late summer before the rains start. This facility will be drawing from the same depth of well (deeper wells encounter sulphur or salt) and will be competing for those same scarce resources;
 - b) 3 separate septic fields are being proposed for this facility;

000204

- c) by its very nature, a metal fabricating plant is a dirty industry with sand-blasting of paint, the release of metallic dust particles from the cutting and grinding of metal as well as metal paint and solvents;
 - d) no one knows what kind of industrial processes will end up in the smaller industrial rental units;
 - e) a wetland is present on the site which is likely to be contaminated by effluent or air from the manufacturing processes. A stream feeds the water from this wetland directly into Glenora Creek – a salmon bearing stream and a source of drinking water for many Glenora residents, only 200 metres away across our property;
 - f) the Ministry of the Environment has no teeth in its legislation to enforce water quality standards once the development permit is issued;
 - g) prevention of the problem is the only way to protect the drinking water of the community and the health of the salmon population.
4. Access to the property is an accident waiting to happen. (Policy 13.4.2 d)
5. Air and water-borne contaminants will impact the neighbouring agricultural land which grows hay for the local dairy industry. (Policy 13.4.2e).

The Area E OCP provides rigorous standards for the evaluation of the impacts of such a development including the requirement for a “hydro geological report/environmental impact assessment assessing any impact of the project on water surfaces in the area; and a report on the potential impact of the development on the groundwater resource”. To protect our drinking water and our salmon populations, the community is requesting that this level of study be done and made available to Area E Advisory Planning Committee and the community before any decision is made to approve this Development Permit application. (Policy 13.4.5 d).

The residents of Glenora have a right to be heard at a public meeting on an issue of such significance to our quality of life in the CVRD.

Yours sincerely,



Dianne Kolenosky
3790 Cavin Rd.,
Duncan, BC, V9L 6T2



581 West 4th Street
Benson, AZ 85602

520.586.2800
520.586.8770 Fax

pa@upfrontsolutions.biz
www.upfrontsolutions.biz

Facsimile Transmittal

To: CURD - DEVELOPMENT SERVICES Fax Number: 1-250-746-2621

From: GEORGE KOLENOSKY

Date: FEB. 13, 2008

Subject: GLENORA BUSINESS PARK
PUBLIC MEETING

Pages: COVER + 2

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

Notes:

Confidential

000206

3790 Cavin Rd.,
Duncan, BC, V9L 6T2,
February 12, 2008.

The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram St., Duncan, BC, V9L 1N8

SUBJECT: GLENORA BUSINESS PARK PUBLIC MEETING

I wish to add my voice to the many others who have identified the need for a public meeting in Glenora so the CVRD can adequately consult with our community on the proposed Glenora Business Park. The Area E Advisory Planning Committee recommended such a meeting on Oct. 6 /07 and we are still waiting.

This industrially zoned land has been dormant for over 15 years since Ken Williams' sawmill burned down in June 1992. The Area E Official Community Plan in 1994 states that "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and the adjacent residential and agricultural uses". To date this has not occurred.

This industrial property is surrounded by residential properties and the Trans-Canada Trail. For the most part, it is not visible to someone driving through the community except for a rusty old gate at 4885 Waters Road with no sign on it. As a result, many people have bought property in this community without realizing that there was industrial land in the neighbourhood. Others who found out about it were lulled into a false sense of security by the direction stated in the Area E OCP.

Over the past 15 years, since the Williams' sawmill burned down, millions of dollars have been invested in agri-tourism businesses in Glenora such as vineyards, equestrian centres, bed & breakfasts, culinary establishments, organic & other specialty farms. Glenora businesses represent a green economy that is vitally needed in today's fast life style with the threats of global warming.

In fact, the CVRD itself has invested considerable funds in the Glenora Trailhead Park off Vaux Rd. and is considering a multi-million dollar investment in the restoration of the Kinsol Trestle which will encourage more tourism along the Trans Canada Trail. If this development is approved, these same tourists will have to run the gauntlet of shrieking and grinding metal as well as other industrial noises as they hike, bike and horse-back ride from the Kinsol Trestle to the Glenora Trailhead Park and back.

The CVRD Economic Development Commission lists the Glenora area as # 3 on its list of places for tourists to visit in the Cowichan Valley. Film Cowichan is marketing the rural-pastoral ambiance of the Glenora area to US film companies and Glenora has been featured in a number of films with hopes of many more in the future.

000207

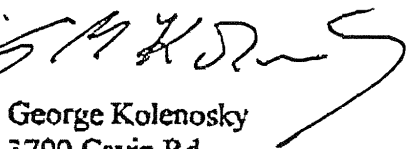
This is not just a "straight-forward development permit application". A decision to allow the development of a dirty, noisy, polluting metal fabricating plant in Glenora with industrial traffic on our narrow, winding roads is pure economic insanity and a decision against agri-tourism, an emerging economic engine in the Cowichan Valley.

To make matters worse, there is a vulnerable wetland on the property with a stream that connects directly across my neighbouring property to Glenora Creek – a salmon-bearing tributary of the Koksilah River – less than 500 ft. away. This creek is also the source of drinking and agricultural water for many farms and residences downstream.

The residents of Glenora have a right to be heard at a public meeting on an issue of such significance to our quality of life in the CVRD.

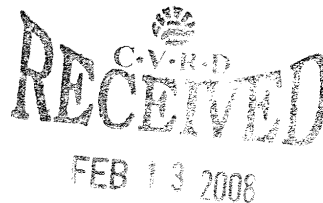
Please think hard and long on this decision because the impacts of this development will be far-reaching and irreversible if it is given the green light.

Yours sincerely,



George Kolenosky
3790 Cavin Rd.
Duncan, BC, V9L 6T2

February 11, 2008



The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C.

Dear Committee Members,

I am writing in regard to the proposed
industrial park on Waters Rd in Glenora.

I have many concerns that I wish to
put forward to your committee and to
the applicants and therefore, request that
a public meeting for adequate consultation
with the community of Glenora be held.

I look forward to hearing from you.

Sincerely,

Laurie Mock

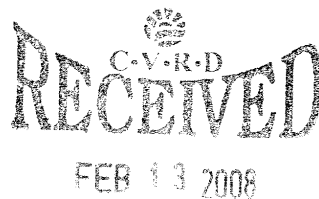
Laurie Mock
3900 Rowe Rd
Glenora
Duncan B.C.

CC Loren Duncan
Director, Area C
Cowichan Valley Regional Dist.
175 Ingram St.
Duncan, B.C.

000209

Feb 11. 2008

The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram St.
Duncan BC



Dear Committee Members:

I am writing to request a public meeting for adequate consultation with the community of Glenora in regards to the proposed industrial park on Waters Rd. I have many grave concerns regarding this development and wish to air my concerns & request more information from you and the applicant.

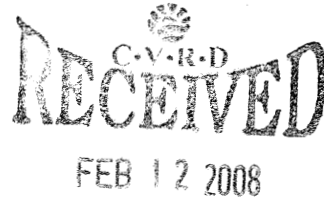
Yours Truly,

A handwritten signature in dark ink, appearing to read "Tim Mock".

cc Loren Duncan
Director, Area E
Cowichan Valley Reg. District

Tim Mock
3900 Rowe Rd
Duncan BC

000210



Feb. 2, 2008

To the Electoral Committee of the C.V.R.D.

Dear Sir/Madam,

I am writing to protest the proposed development of the industrial zoned site on Waters Road. While I understand the property is zoned industrial, the proposed use does not conform to the official community plan. It is against the overall trend to develop this area for farming, eco-tourism, wineries and light industrial related to forestry. This will also impact the residents whose property adjoins this site as well as the Trans-Canada trail.

I ask the committee to use their considerable influence to support the acquisition by a consortium of local people so that a different zoning can be obtained without financial loss to the present owner or degradation to the proposed industrial area.

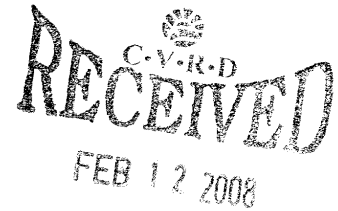
Yours sincerely,

A handwritten signature in cursive script, appearing to read "P. Nunn".

Dr. Peter Nunn
4766 Waters Road
Duncan, B.C.
V9L 6S9

000211

February 4, 2008



The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C.

Re: Proposed Business Park, Waters and Cavin Road, Glenora

To Whom It May Concern:

This is in regards to the development of the above Industrial Land. There are several reasons I feel this should not move forward.

1. One of my greatest concerns is the affect on our water supply. Since most of us have shallow wells increased use and pollution of our water could greatly affect our quality and quantity.
2. Since there is a wetland area on the property which drains into Glenora creek it can well affect the fish in the creek.
3. Having industrial/commercial traffic on our narrow country roads is going to be a safety issue for everyone.
4. The noise from a metal fabricating plant will definitely affect our peace and quality of living.

With three vineyards and cottage businesses Glenora has developed into a quiet residential area and compliments other such areas of the Cowichan Valley. I feel that because of the sensitivity of developing an industrial site in such an area that the CVRD should hold a public meeting to listen to the community's concerns.

Regards,

A handwritten signature in cursive script, appearing to read "Rosemarie Painchaud".

Rosemarie Painchaud
5180 Lee Rd.
Duncan, B.C.

Cc: Loren Duncan, Director, Area E,
Cowichan Valley Regional District

000212



February 4, 2008

The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C.

Re: Proposed Business Park, Waters and Cavin Road, Glenora

To Whom It May Concern:

This is in regards to the development of the above Industrial Land. In my opinion this is not viable for the following reasons:

1. We are concerned about our aquifer. Most of the Glenora area gets its water supply from shallow wells and could well be affected..
2. There is a wetland area on the property which drains into Glenora Creek. Again what control will there be that leaching will not happen and affect the fish in the creek.
3. There will be a great increase in commercial traffic on our roads. They are not built for this and will affect the safety of the residents.
4. According to the OCP something that will affect our comfort of living should not be allowed. The noise from a metal fabricating plant will definitely do this.

Glenora has developed into a residential community with three vineyards and agricultural areas. I feel that because of the sensitivity of developing this property as an industrial site that the CVRD should hold a public meeting to listen to the community.

Regards,

A handwritten signature in dark ink, appearing to read "Paul Painchaud".

Paul Painchaud
5180 Lee Rd.
Duncan, B.C.

Cc: Loren Duncan, Director, Area E,
Cowichan Valley Regional District

000213

Electoral Area Services Committee,
Cowichan Valley Regional District
175 Ingram Street,
Duncan, B.C.



FEB 12 2008

February 4, 2008.

Gentlemen,

Re: Glenora Business Park,

I am writing to express my strong opposition to the CVRD issuing a development permit regarding the above proposed business development.

My main concerns centre around the following:

- * the proposed development is completely contrary to the Official Community Plan for the Glenora area, which states the expressed wishes of the community.
- * the proposed business: metal fabrication, is a highly polluting activity. Run-off into Glenora creek, which is a salmon bearing stream, pollution as well as air and drinking water can cause major damage to the environment and danger to surrounding residences.
- * with the absence of a noise control bylaw that applies to this industry, there is no protection to the Glenora area from noise, as well as light pollution. My own business, the Sunflower Inn Bed and Breakfast, would therefore be severely impacted by this development.
- * the Glenora Business Park proposal includes rental space for other business, the nature of which is at present unknown. Additional disruption of the community can be expected.
- * industrial traffic on Glenora and Indian Roads can be expected to increase substantially and will cause dangerous conditions for other vehicle and pedestrian traffic.

I would like to remind you that, as our elected representatives, your first duty is to act in the best interests of the community. During a community meeting in the Glenora Hall last week, a turn-out of over 80 local residents expressed their concerns in no uncertain terms. I fully support these concerns and urge you to respect the expressed wishes of the community by rejecting the development application. This kind of industrial development belongs in an industrial park - no in a rural residential area. Perhaps the CVRD could cooperate with North Cowichan which has ample industrial land available in their newly developed industrial park

For these reasons I join my friends and neighbours by demanding that the CVRD hold a public meeting as soon as possible so that we have an opportunity to be heard and ask questions.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Rensing".

Robert Rensing,
3415 Glenora Road,
Duncan, V9L 6S2
Tel: 748-7920

cc. Mr. Duncan,
Director, Area E

000214



FEB 12 2008

The Electoral Area Service Committee.
Cowichan Valley Regional District,
Ingram Street,
Duncan, B.C.

Olaf Lampson
4768 Waters Rd.
Duncan, BC, V9L 6S9

February 5, 2008

Re: Industrial development on 4885 Waters Rd.:

To whom it may concern,

As resident Waters Road I am concerned that the proposed industrial development on 4885 Waters Rd. will adversely affect this part of the Glenora Valley as a peaceful rural neighborhood through

- Noise pollution,
- Air pollution
- Light pollution at night
- Increased traffic
- Pollution of salmon bearing creeks.

I would like to draw your attention to the fact that the proposed development goes against the Official Community Plan (OCP) in which it is clearly expressed that although existing industrial zoning in this area may be continued, alternative land uses would be favored, while industrial uses should be restricted to forestry related industries. It is also stated there that the CVRD Board wishes to ensure that such industrial uses should not negatively impact the peace and enjoyment of neighboring residential parcels, as well as that surface and ground water should not be affected through inappropriate land uses.

It seems to me that the proposed development threatens to do precisely that: impact the enjoyment of neighboring residential parcels as well as affect surface and ground water.

Many more concerns have been voiced among neighbors in this area. I therefore demand that a public hearing be held by the CVRD so that all these concerns can be heard.

Sincerely yours,

A handwritten signature in cursive script that reads "Olaf Lampson".

Olaf Lampson

000215

The Electoral Area Service Committee
Cowichan Valley Regional District,
175 Ingram Street
Duncan, B.C.



FEB 12 2008

Re: Glenora Business Park

I wish to object to the current proposal for a steel fabrication business at the Waters Road site.

The CVRD zoning bylaw does not conform to the OCP, which reflects the wishes of the community.

See:

Policy nr.9.1.2, which recognizes that there is a conflict.

Policy nr. 9.3.1. which limits uses on forestry industrial land

Policy nr. 13.4.2.-a, b.c.d. which sets standards.

OCP Background Report, see pages 53 and 54, which deals with inappropriately zoned land.

One of my key concerns is the heavy and increased traffic to and from this site, Our current roads are already in a broken state of blacktop from logging and gravel truck traffic.

I use the TransCanada Trail for recreation and meet many visitors from outside this area, enjoying the beauty of the trail.

Now what will they see?

An industrial site at Waters Road, combined with the devastating clear cutting alongside the trail.

And we have the desire to promote it as a "world class" trail?

Re-contouring and perhaps pollution will affect the wetlands that are on this site.

This flows into the Glenora Creek and as a fish-bearing stream, is of significant importance.

The country- side is precious to we who chose to live here, as it is quiet, dark at night and safe to walk along the roads.

I would insist that a public meeting is held for adequate consultation with the community.

It appears that none of the "advisory planning commission's recommendations from the Oct. 16th 2007 meeting have to be addressed and this is of concern to me as a resident

Who will be affected?

Sharon Predy
3680 Cavin Rd.

Duncan, B.C. 715-1220

Sharon Predy Feb 5 2008

000216

Summary of Relevant Sections of the Official Community Plan (OCP)

POLICY 9.1.2

The industrial zoned sites in the vicinity of Culverton Road, Deerholme Station, Cavin Road and Hillbank Road may be continued in their existing zoning categories and the Regional District shall look favorably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and the adjacent residential and agricultural uses.

POLICY 9.3.1

Permitted uses within a Forestry Industrial area shall be restricted to:

- log sorting operations;
- sawmills;

forestry-based equipment storage and maintenance;

- other forestry related uses;
- buildings and structures accessory to any one of the above;
- single family dwelling.

POLICY 13.4.2: (JUSTIFICATION)

- va) The CVRD wishes to ensure that the design of any Forestry Industrial development within Electoral Area E Cowichan Koksilah has a very high standard of aesthetic quality, in keeping with the community's high expectations for visual quality.;
- (b) The CVRD Board wishes to ensure that the Forestry Industrial development does not negatively impact the peace and enjoyment of neighbouring residential parcels.
- (c) The CVRD Board wishes to ensure that the integrity of surface water and groundwater is protected from inappropriate development. The residents in the general area rely upon the aquifer for domestic water.
- (d) The CVRD Board wishes to ensure that the industrial development offers safety and accessibility and is adequately landscaped and screened.
- (e) The CVRD Board wishes to ensure that lands within a wildfire interface area are developed in a manner that minimizes the risk of damage to persons and property from interface fire hazards while still addressing environment issues.
- (f) The CVRD Board wishes to ensure that farming is protected from potential impacts of industrial development.

From: Cowichan-Koksilah Official Community Plan - Background Report - Pages 53 - 54.

It is also important to note any industrial sites which may have become inappropriately zoned such as south of Cavin Road Heavy Industrial site which has had sawmill operations cease. The uncertainty of what the nature of industrial uses on sites such as Cavin Road results in demands from the community for the removal of the industrial designation. The Regional District should consider the possibility of down-zoning industrial sites if the operation has ceased and where the industrial zoning has become inappropriate in the neighbourhood.

RECEIVED

FEB 12 2008

Sadie Pat, Sarah Barham-Amo
4949 Mcclay Rd
Duncan BC V9L 6S1

February 8, 2008
Electoral Area Committee
Cowichan Valley Regional District
175 Ingram Street
Duncan BC V9L 1N8

We are writing in regards to the proposed Glenside Business Park (Rocky Point Metal Craft Ltd) on 4885 Waters Road.

As residents of Glenside, we feel concerned about the development of an industrial park in our rural residential community. Such a development does not fit in with the vision for our community outlined in our Official Community Plan which states the Regional District should consider down-zoning industrial sites where this zoning has become inappropriate in the neighborhood.

An industrial park would be disruptive in many ways to our rural residential community. These disruptions include, the noise generated from industrial activities, the light generated from industrial activities, the possibility of air pollution, and increased industrial traffic on our narrow roads (the last two also posing a safety concern). We also feel concerned about the possibility of stream pollution as the wetlands on the property drain into Glenside Creek which is a salmon bearing creek. Considering the low salmon count in the Valley this past season, this factor is of particular concern.

We believe the proposed development would also negatively impact the use of the Trans Canada Trail which borders the property. This affects not only Glenside residents, but all residents of the Cowichan Valley, as well as tourists who come to use the trail.

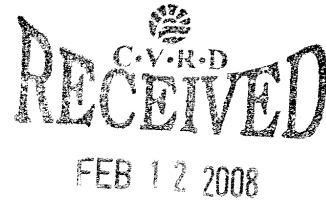
000218

We would like the CURD to hold an official public meeting (as was recommended by the Area "E" Advisory Planning Commission on Oct. 16, 2007) regarding this proposed development so there can be adequate consultation with the community.

Sincerely,

Sadie, Pat, and Isaiah Barton Amos

February 08, 2008-02-11



To;

The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram St
Duncan, BC

I am a resident of Glenora and I strongly object to the proposed Industrial Park for the following reasons:

Noise pollution

Light pollution

Air pollution

Stream pollution

Industrial traffic will be unsafe on our narrow, winding, hilly roads

Property values will go down

The CVRD zoning bylaw does not conform to the OCP

The possibility of such a business in our quiet rural corner is definitely enough to make a person think about moving. The trees disappearing from the hills at an awful rate, even night logging and the noise of it all are a reminder of the environmental degradation that we stand around watching helplessly while people in other parts of the world wonder what is wrong with us.

I demand that the CVRD hold a public meeting to listen to the community on this issue.

Some ways of doing things need to change. I look forward to your immediate action for our community.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Hess".

Margaret Hess
5181 Elliott Rd

Cc: Loren Duncan
Director, Area E

000220

Lawrence and Annette Lampson
4811 Waters Rd
Duncan BC V9L-6S9



Attention: The Electoral Area Services Committee of the CVRD.

FEB 12 2008

As resident and home owner in Gelnora Deerholm,(4811 Waters Rd) I would like to express my concern, and disappointment over the proposed development of a heavy industrial park in the heart of Glenora.

Although I understand the fact that the zoning of the sit is heavy industrial, and the owner is in his legal right to do all he has proposed, and has been open and forthcoming, from what I hear, there is a clear conflict with the Official Community Plan. This is a carefully put together document for which many of you, and such people as the late Will Julsinger, devoted years, and countless hours of Volunteer time to produce, and which I see as the will of the people. I find it hard to see how this piece of property can have sat idle for so many years, while an official community vision is being formed, and the knowledge of potential of this application ad the conflict with this plan was staring us in the face all the time... I believe the impact of this proposed fabrication business would be devastating to the agro tourism, which has been pushed as the future of our valley. We have just recovered from the Chambers chipper mill, which was operating illegally across the road from the proposed site, and it is actually peaceful out here at night. I am afraid that will change with a metal fabrication shop able to work around the clock a couple of hundred meters from my place, as the crow flies.

There are many concerns, which come up with this proposal;

- Not only the certainty of noise pollution, but concerns over light pollution, if working long hours at night and potentially seven days a week,
- Most of us here in the neighborhood have shallow wells, and are concerned about pollution which could affect our drinking water
- There is already a lot of pressure on the roads, out here and increased industrial traffic would only exasperate the situation,
- Then there is concern about the adjacent wetlands, and the salmon baring creeks which are already in trouble out here due too the accelerated rate of logging.
- We are also concerned about our investments, in tourism, and the possible loss of property value.

I would like to see a public meeting for adequate consultation with the community.

Respectfully

Lawrence Lampson

A handwritten signature in black ink, appearing to read "Lawrence Lampson", with a long, sweeping horizontal line extending to the right.

000221



FEB 12 2008

To whom it may concern,

I am writing to you in regards to the proposed Business Park on Waters Rd. I am very concerned in regards to the possible contaminates from this site into my 12 foot deep dug well located across the road from the proposed site. As you are probably already aware, Glenora is limited in supply of fresh water and any contaminates could be extremely damaging to our aquifer. I am also concerned that toxins may also get into the Glenora Creek which is a salmon bearing creek.

Has DFO approved such a site so close to an aquifer that contains salmon?

Has the Cowichan River Hatchery been notified that this site is going in and may cause damage to a creek they supervise and stock?

I also have a concern in regards to the Agriculture businesses out in this area such as winery's and blueberry farm are they going to be affected by the pollution. Much of our food comes from other places we are not a self sufficient Island and many of us in the area grow gardens to supply food for our families, should we be concerned that in the near future we may be feeding our family food that is loaded with toxin's that have come directly from this site?

I have read thru the OCP and in that document it says the CVRD would look favorably on different uses for lands zoned industrial in our area. What is the future for the Glenora area if such a business goes into the area? I understand that 30 years ago a sawmill was allowed and put on this land and the zoning that accompanied it, but now in light of global warming, known toxic materials etc. how in the world can we allow such a out of place zoning that allows a Industrial Park containing a known waterway polluter into a rural/agrarian community. No matter which way I look at this it truly makes no sense to me at all.

★ I would also like to demand the CVRD hold a public meeting regarding the proposed Industrial Park so all residence have their concerns addressed.

Thank you
Curtis and Jennifer McCorkell.
3785 Cavin Rd
Duncan B.C

Jennifer McCorkell

000222

RECEIVED

FEB 08 2008

February 5, 2008

The Electoral Area Service Committee
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC. V9L 1N8

Re: Glenora Business Park development

The Glenora area has changed over the 25 or so years that I have lived here. All those years ago Zanatta's was being planted and sponsored by the government to see if grape growing was viable here. We now have three wineries that are great attraction to the Cowichan Valley.

The development of the Trans Canada Trail has been and still is a major project. They have replaced train trestles and will fairly soon start the major overhaul of the Kinsol Trestle. A great staging area has been built in Glenora for parking vehicles and horse trailers for convenient use of the trail.

Much time and money has been invested in the above and they are critical to the Glenora area development. They are marketed country wide and beyond as BC attractions and especially as attractions to the Cowichan Valley. Tourism dollars are coveted as a major resource.


The residents of this area all rely on good ground water as wells our only source of water. The industrial development is a threat to maintaining that good quality water supply.

We have invested in real estate and in a life style of quiet country living. The proposed development would affect that very negatively.

Be it because of noise pollution, or soil or water contamination – the use of this site as industrial does not fit in this community. Too much is at risk.

A public meeting with the community is crucial.

Sincerely,



Anita Turlock
5094 Lee Road, Glenora
748-6405

000223

Feb 4/08.

ATT CURD Planing
and Loren Duncanson.



FEB 18 2008

I am a resident of Glenora and was very recently informed about the property on Waters RD that is to be turned into the Glenora Business Park.

ABSOLUTLY NOT ACCEPTABLE

Where was the consultation with the community? Where are the independent environmental impact studies on the creek waters and aquifers around there and on the property itself.

Warehauser. had a chipping mill there that was detested and kicked out and

I can assure you Russ will not have an easy time on Waters RD.

Rezone this area! Do something!
Michelle Connerly. Vaux RD

Original: <u>DD</u>	Copies to: <u>indure</u>
Board:	
Committee(s):	
Date:	<u>Feb 18 2008</u>
File #	

000224

att. Loren Duncan:
To C.V.R.D. Planning:

Feb. 3/08

I attended a standing room only meeting at the Glenora Hall last week to hear of an impending new problem slated for our quiet residential neighborhood.

I refer to the plan for the sheet metal manufacturing plant being considered for our area.

We have not been properly consulted in this process, nor does my family feel this plant has been subjected to the proper scrutiny.

We feel that this will have a serious negative impact on our lives. We also have deep concerns for the environment. Our worries range from noise pollution, to a steep drop in our property value.

We feel that this is a slap in the face, after removing Weyerhaeuser's chipping operation, for many of the same reasons.

We are deeply committed to stopping this new threat to our peace of mind and our health. We raise children here and will not allow them to be exposed to this blight.

With Anxiety

Dan Feehan
4073- VAUX Rd
Duncan B.C.

Original	<i>[Signature]</i>	Copies to:
Budget		
Committee(s)		D. Duncan
Date	<i>[Signature]</i>	Feb 11/08
File #		000225

C.V.R.D.
RECEIVED

FEB 07 2008

5150 Lee Rd.
Duncan, BC V9L6S6
Feb. 2, 2008

C.V.R.D.
Electoral Area Service Com.
Duncan, BC.

Dear Sirs,

We, as landowners in the Glenora area, wish to protest the business plan of the Glenora Business Park. For many reasons the nature of this business is wrong for the surrounding area. Glenora is a rural, residential community that very agreeably mixes AHR and residential.

Tourism is an important part of the community because of the world-wide fame of our Trans-Canada trail and the Cowichan River trail.

We have vineyards and farm properties close to this proposed development.

Our fragile water system (we all depend on well water) and fish streams could be harmed also. Please reconsider allowing this business in our area.

Yours Truly,
Glenora Fidler & E. Bauman

000226

c.c. L. Duncan

Twincreeks
4820 Marshall Rd
Duncan B.C.
V9L 6T3

February 3, 2008



To whom it may concern:

I am a resident of Glenora and have many concerns regarding the Business Development Park which is proposed here on Waters Road. I would like to take this opportunity to object to the obvious noise and light pollution my neighbours and I would have to endure should this project proceed.

I have already written and expressed my opinion regarding the water quality and already inadequate supply of drinking water here in Glenora.

Air pollution is also a major concern especially from things like welding and sand blasting lead-based paints.

I'm sure you are aware of the stream pollution which would undoubtedly occur. The wetlands on this property drain into our fish bearing Glenora Creek.

When looking at our OCP we see:

Policy nr.9.12 which recognizes that there is a conflict.

Policy nr.9.3,1 which limits uses on forestry industrial land

Policy nr. 13.4.2, a,b,c,d which sets standards

Also see OCP Background Report, pages 53,54 which deals with re-zoning inappropriately zoned land

Obviously the CVRD zoning bylaw does not conform to the OCP, which reflects the wishes of the community.

I believe it is my right to request that the CVRD hold a public meeting to listen to the community around these extremely important issues.

Sincerely,

Deborah Dunn

000227

Twincreeks,
4820 Marshall Rd
Duncan B.C.
V9L 6T3

February 3, 2008

To whom it may concern:

I am a resident of Glenora, Duncan B.C. I have many concerns around the proposed Business Development Park on Waters Rd. One point I'd like to highlight is that of our drinking water. Ground water protection is so important. It is my understanding that the district of Glenora has limited sources of water. Apparently there are no large confined aquifers underlying Glenora, only surface and groundwater sources.

There are maps showing this generally and studies are being completed by the Federal government and agencies to more clearly define water capacity in the region. Apart from the fact that I as a resident of Glenora and would be directly impacted by the proposed development I feel we must be respectful of a very limited resource. Could you please evaluate this situation and get back to me with information around this very important issue

Sincerely,

A handwritten signature in cursive script that reads "Deborah Flinn".

Deborah Flinn
Twincreeks .

C.V.R.D.
RECEIVED

FEB 06 2008

FROM:

Tony and Ro de Bree
3925 Vaux Rd.
Duncan B.C.
V9L 6S6

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General)). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

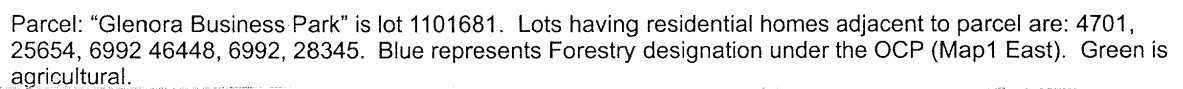
Sincerely yours,



Date:

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000229



000230

RECEIVED
C.V.R.D.

FEB 05 2008

To whom it may concern,

I am writing to you in regards to the proposed Business Park on Waters Rd. I am very concerned in regards to the possible contaminates from this site into my 12 foot deep dug well located across the road from the proposed site. As you are probably already aware, Glenora is limited in supply of fresh water and any contaminates could be extremely damaging to our aquifer. I am also concerned that toxins may also get into the Glenora Creek which is a salmon bearing creek.

Has DFO approved such a site so close to an aquifer that contains salmon?

Has the Cowichan River Hatchery been notified that this site is going in and may cause damage to a creek they supervise and stock?

I also have a concern in regards to the Agriculture businesses out in this area such as winery's and blueberry farm are they going to be affected by the pollution. Much of our food comes from other places we are not a self sufficient Island and many of us in the area grow gardens to supply food for our families, should we be concerned that in the near future we may be feeding our family food that is loaded with toxin's that have come directly from this site?

I have read thru the OCP and in that document it says the CVRD would look favorably on different uses for lands zoned industrial in our area. What is the future for the Glenora area if such a business goes into the area? I understand that 30 years ago a sawmill was allowed and put on this land and the zoning that accompanied it, but now in light of global warming, known toxic materials etc. how in the world can we allow such a out of place zoning that allows a Industrial Park containing a known waterway polluter into a rural/agrarian community. No matter which way I look at this it truly makes no sense to me at all.

I would also like to demand the CVRD hold a public meeting regarding the proposed Industrial Park so all residence have their concerns addressed.

Thank you
Curtis and Jennifer McCorkell.

Jennifer McCorkell
Feb 3 2008.

000231



FEB 04 2008

January 31, 2008

Cowichan Valley Regional District
Development Services
175 Ingram St
Duncan BC V9L 1N8

To the Board of Directors and Loren Duncan;

Re: Glenora Business Park

The Glenora area has changed over the 25 or so years that I have lived here. All those years ago Zanatta's was being planted and sponsored by the government to see if grape growing was viable here. We now have three wineries that are great attraction to the Cowichan Valley.

The development of the Trans Canada Trail has been and still is a major project. They have replaced train trestles and will fairly soon start the major overhaul of the Kinsol Trestle. A great staging area has been built in Glenora for parking vehicles and horse trailers for convenient use of the trail.

Much time and money has been invested in the above activities and they are critical to the Glenora area development. They are marketed country wide and beyond as BC Attractions and especially as an attraction to the Cowichan Valley. Tourism dollars are coveted as a major resource.

On the news recently they announced the top 10 reasons for BC being the Best Place On Earth – wine was number four! Access to good trails etc for health and eco tourism also rated high on the list. We have those right here and a great deal of time and money has been spent and continues to be spent on their development.

My co workers in Nanaimo can't understand how I can commute for all these years until they come to the wineries or for walking the River Trail or the Trans Canada Trail or just for a quiet country drive – each of them has said "I see why you commute – it's beautiful!"

Be it because of noise pollution, or soil or water pollution – the use of this site as industrial does not fit in this community. Too much is at risk.

Sincerely,

Anita Turlock
5094 Lee Rd
Duncan BC V9L 6S6
Email – anita.star@shaw.ca

000232



FEB 01 2008

Jan.31/08

CVRD Regional District
Attn: Development Committee
Cc: Loren Duncan

Re: Proposed Glenora Industrial Park

We have been residents of Glenora at 4945 Waters Rd for 20 years, and we would like to state our objection to the proposed Glenora Industrial Park on Waters Rd. We feel that this proposed project is totally wrong for this site in such a rural economically diverse community. With three wineries, Organic farms, bed and breakfasts and large horse training stables within 500 ft to 1 mile from the site we feel the metal shop and other proposed uses will only cause hardship to the environment Glenora has worked so hard to maintain. The property also borders on the Trans Canada Trail which is widely used in all seasons with walkers; horse rides bikers and many others.

Most people in the area including ourselves, have a shallow well. Any disruption with large wells or commercial uses of water could leave many residents, who already go dry in the summer, in worse jeopardy. Being a metal shop, metal, paint or chemical runoff damage could happen quickly. For example if there was a spill before anyone knew and the entire aquifer and everyone relying on it would be compromised.

Through the community plan and many years of work by people developing rural business to compliment Glenora, we attract many visitors to our area. When a house goes up for sale, it is not on the market long. Glenora is a desirable community with quiet respect for all involved; this Industrial park would decrease property values in our entire community. We have narrow, rural winding roads which are not conducive for the type of heavy industrial traffic that this type of Industrial park will incur. A project like this belongs in an area with better highway access and neighbors who do the same types of industry to compliment the area not detract from it.

Two handwritten signatures in cursive script, one above the other, reading "Ruth Haynes" and "Grant Haynes".

Sincerely,
Grant and Ruth Haynes
4945 Waters Rd
Duncan BC
V9L 6S9
748-4449

000233

RECEIVED

JAN 31 2008

FROM:

SANDRA McMANUS
5150 Elliot Rd
Duncan, BC
V9L 6S4

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General)). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

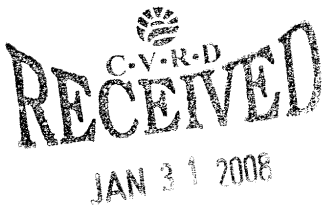
Sincerely yours,



Date:

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000234



FROM:

Skene Bloume
5156 Elliot Rd
Glenora
V9L 6S4

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

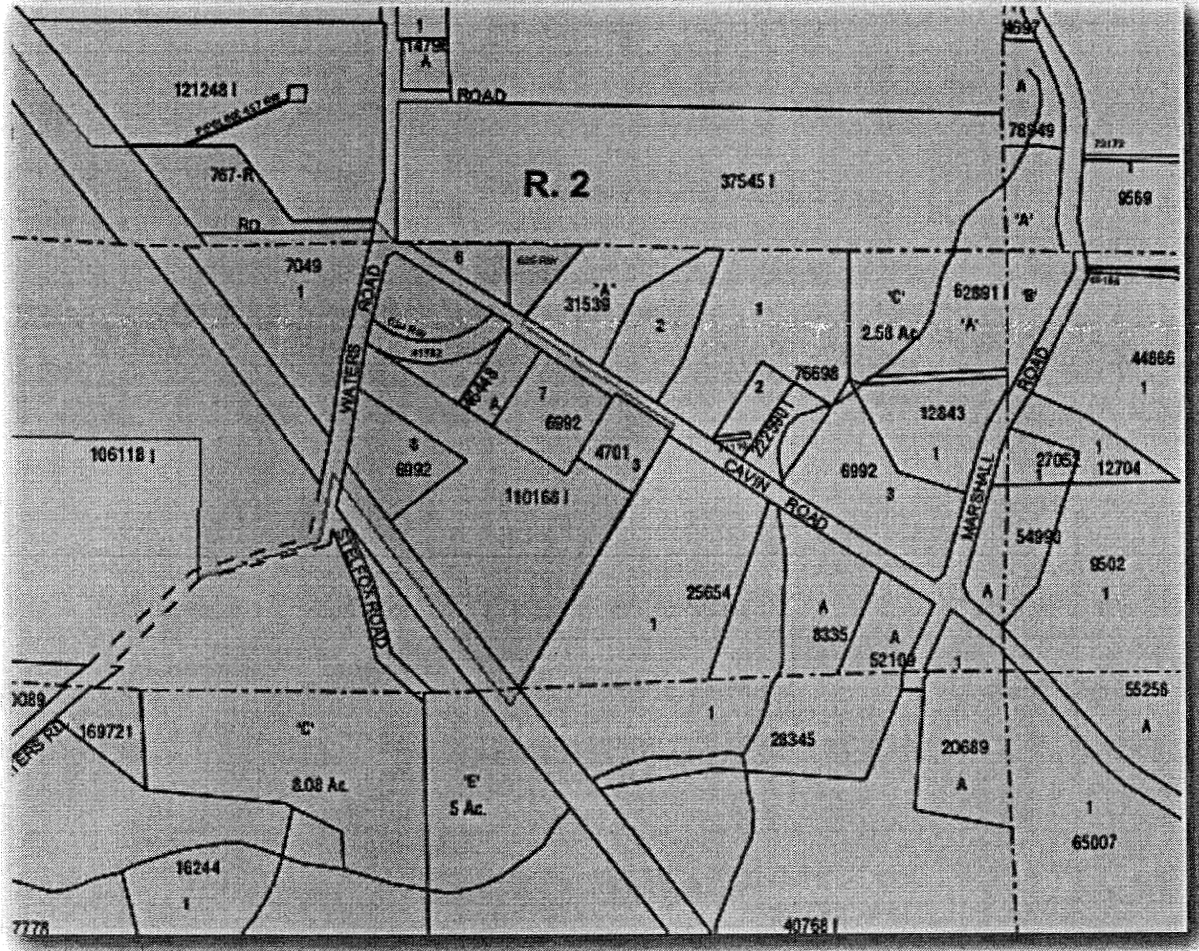
Sincerely yours,

Date:

Jan 28/07

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000236



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.

JAN 31/08

CURD DEVELOPMENT SERVICES


C.V.R.D.
RECEIVED

LORNE DUNCAN:

JAN 31 2008

I LIVE ON MARSHALL RD IN GLENORA,
JUST A SHORT DISTANCE FROM THE
PROPOSED STEEL FABRICATING PLANT.
I AM NOT IN FAVOUR OF THIS PLANT
BEING BUILT HERE, ESPECIALLY WITH
NO CONTROLS ON NOISE, HOURS OF WORK,
AND POLLUTION OF WATERWAYS ~~AND~~
LOCAL WELLS, PLUS THE IMPACT ON LOCAL
TOURISM.

THERE MUST BE ANOTHER AREA WHICH
IS BETTER SUITED TO THIS INDUSTRY

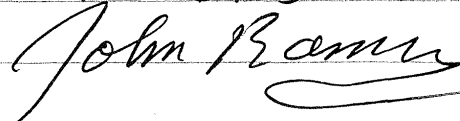
SINCERELY

John RAMSEY

4865 MARSHALL RD

DUNCAN BC.

V9L-6T3



John_Ramsey1@hotmail.com

000238

RECEIVED

JAN 31 2008

Jan. 31, 2008

CVRD Development Services
Lorne Duncan

I am very concerned about the proposed Steel Fabrication Plant for Glenora, in the area of Watus Road and Carin Road. Glenora is a tranquil country area with vineyards, blueberry farm, alpacas, greenhouses, etc. People love living here because of it's quiet, peaceful rural setting, perfect for hiking. I live on Marshall Road near Carin Road close to the proposed site. We don't want this area to be transformed into a noisy, polluting area that destroys what makes this area so special. What about our water supply? How will that be affected? We are on wells, and some years the water level has been very low (some people have had to bring water in). Traffic? Our roads are country roads, narrow and winding. Pollution? This is an eco friendly area and I would like to have it stay that way. I have lived in Glenora for 26 years and watched the changes that have taken place, developing and growing more into a tourist and people friendly neighbourhood.

Please don't let this Steel Plant move into Glenora. Help them to find a more suitable site in a real industrial area.

Thank you.

Gail Ramsey
4865 Marshall Rd.

Glenora 000239
ramseygail@hotmail.com



JAN 29 2008

FROM:

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

James Cutt
Dr. Lorna Cutt *JAMES CUTT*
Date: Jan 25. 08

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000240

RECEIVED
C.V.R.D.

JAN 29 2008

FROM:

3824 Cavin Road
Duncan, BC

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

ASD

Date:

Jan 26/08

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

*Artene Sanford - Knowles
3824 Cavin Rd.*

*I am also opposed
to any variance
regarding setbacks +
noise barriers along
my property line!*

000241

RECEIVED

JAN 29 2008

FROM: 3804
3804 Cavin Road
Duncan, BC

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

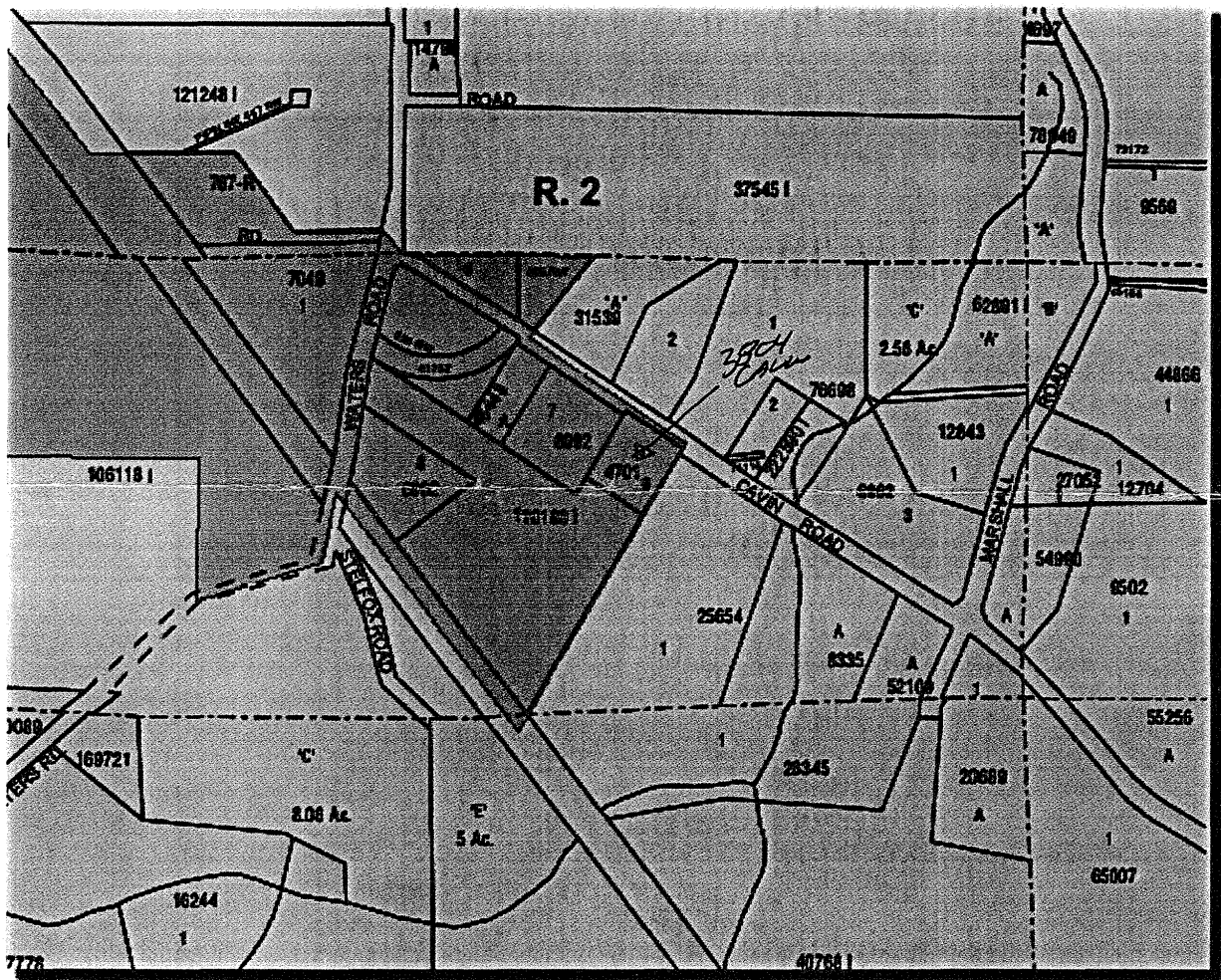
Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours, *Grace Maycock*

Date: *27/1/2008*

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000243



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.

REGARDING LETTER ATTACHED.

Provided for your convenience is a letter expressing to *Cowichan Valley Regional District's Development Services* a position on variances in both building set-backs and changes in permit designation for the proposed *Glenora Business Park* by *Rocky Point Metal Craft Ltd.*

This request for comment was provided by the *Cowichan Valley Regional District's* notice sign located on 4885 Waters Road. This sign shows the nature of the set-backs and proposed building locations.

If you agree with the position, please sign (and print your name beside signature), date, and locate your property on the inserted map and mark its location.

An addressed and stamped envelope is also provided to facilitate mailing.

Feel free to add your comments, or write your own reply.

Disregard the letter if you do not agree with the position's stated.

If you have any questions, contact:

Stafford Reid -
(at Kolenosky Home)
3790 Cavin Rd.
748-3710

000245

C.V.R.D.
RECEIVED
JAN 25 2008

FROM:

3764 Cavin Road
Duncan, BC

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident living nearby to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

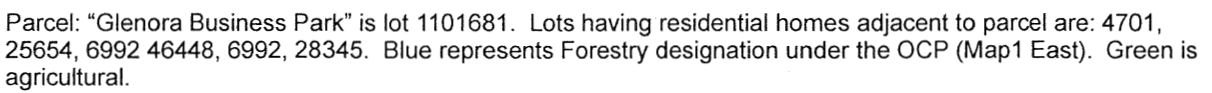
Sincerely yours,

Mrs Postma

Date: *January 23/2008*

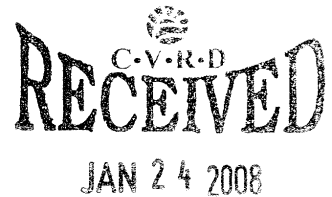
Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000246



000247

Laurie Gibson
5034 Waters Rd.
Duncan, BC V9L 6S9



January 22, 2008

Development Services Department
Cowichan Valley Regional District
175 Ingram St.
Duncan, BC V9L 1N8

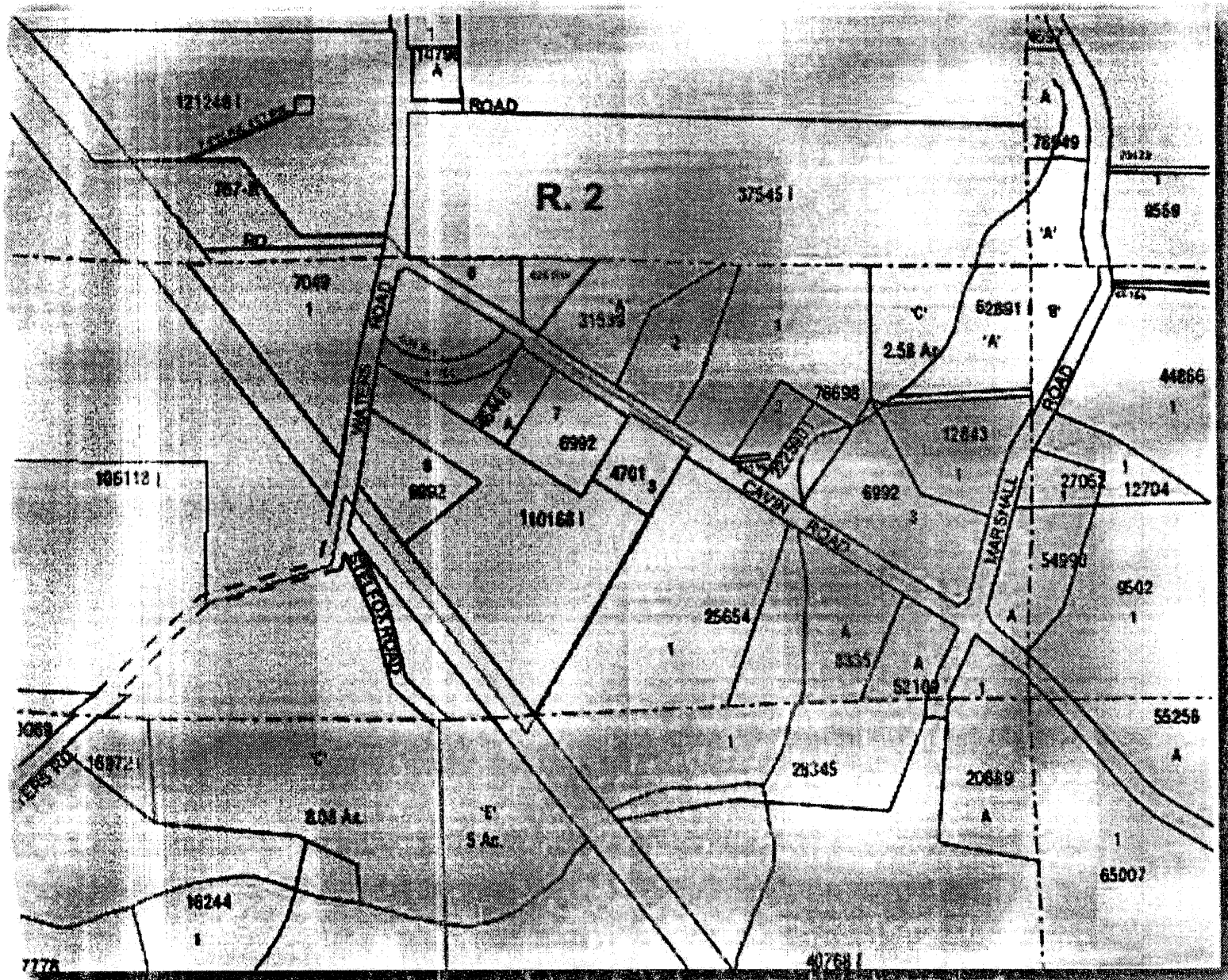
RE: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd) on 4885 Waters Road.

As a resident near the proposed Glenora Business Park to be developed by Rocky Point Metal Craft Ltd, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada Trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favorable for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies – Industrial (General). To date, this intent has not been demonstrated.

...../2

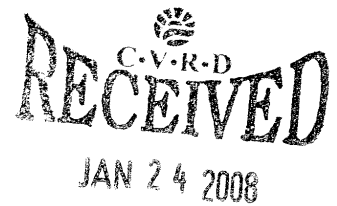
000248



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.

MarleneGibson
5034 Waters Rd.
Duncan, BC V9L 6S9



January 22, 2008

Development Services Department
Cowichan Valley Regional District
175 Ingram St.
Duncan, BC V9L 1N8

RE: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd) on 4885 Waters Road.

As a resident near the proposed Glenora Business Park to be developed by Rocky Point Metal Craft Ltd, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada Trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favorable for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies – Industrial (General). To date, this intent has not been demonstrated.

...../2

000250

Page 2

Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

RE: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd) on 4885 Waters Road.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan district)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 – Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Rd.
Victoria, BC V9C 4E2

Thank you.

Sincerely yours,



Attached : OCP map of parcel seeking variance and surrounding residential/agricultural lots.

000251



JAN 24 2008

FROM:

Grant + Ruth Haynes
4945 Waters Rd
Duncan B.C
V9L 6S9

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

Date: 18 JAN 108

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000253

C.V.R.D.
RECEIVED

JAN 24 2008

FROM:

Cavin Road
Duncan, BC

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

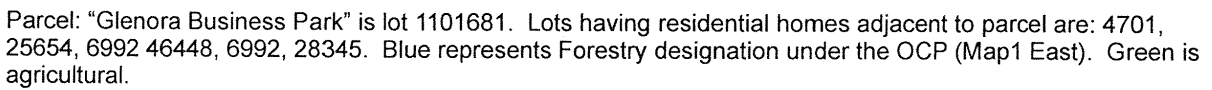
P. Chippendale 3816 Cavin Rd Duncan B.C. V9L 6T2
Walter Coyne 3816 Cavin Rd Duncan BC V9L 6T2

Date:

250-748-5994

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000254



000255

C.V.R.D.
RECEIVED

JAN 23 2008

FROM:

3850 Cavin Road
Duncan, BC

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident living nearby to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General)). To date, this intent has not been demonstrated.

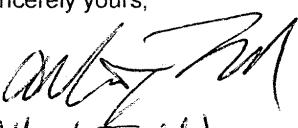
Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

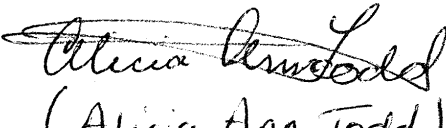
Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

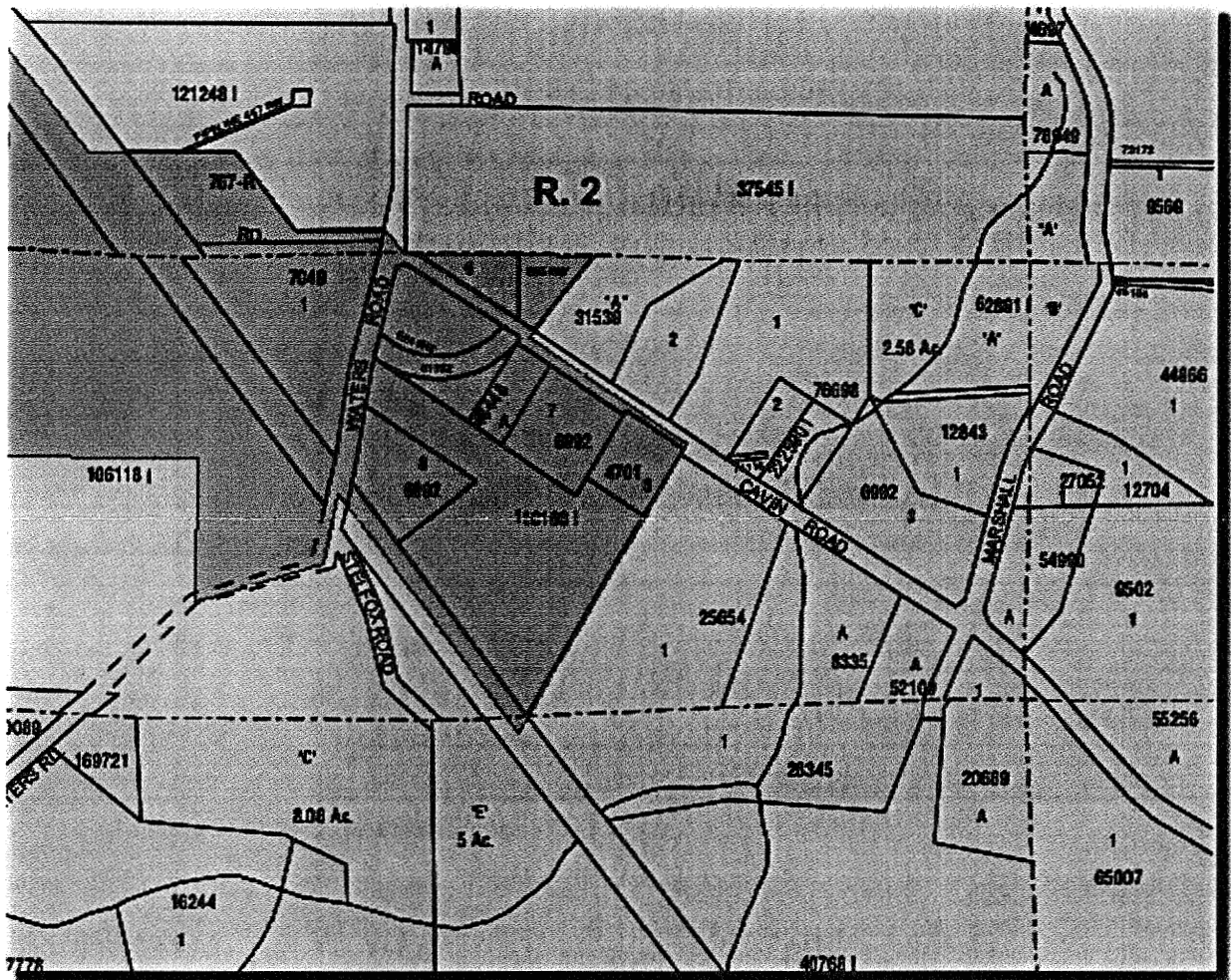

(Albert Todd)

Date: Jan 22 2008


(Alicia Ann Todd)

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000256



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.

C.V.R.D.
RECEIVED

JAN 23 2008

FROM:

Arita Turlock
5094 Lee Rd
Duncan BC V9L6S6

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

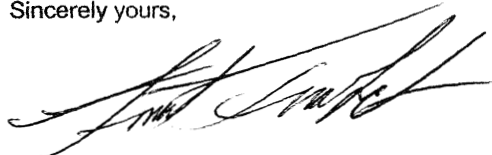
Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

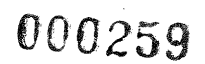
Sincerely yours,



Date: Jan 21, 2008

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000258





JAN 23 2008

FROM:

Deborah Flinn
4820 Marshall Rd
Duncan BC
V9L 6T3

250 746 8769

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd) on 4885 Waters Road,

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

Deborah Flinn

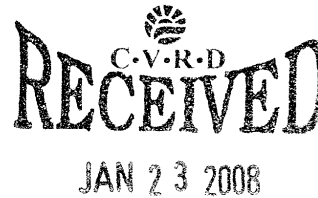
Date:

Jan 15/08

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000260

Pacific Sun Alpacas
JENNIFER APOSTOLI
FROM: 3791 Cavin Road
Duncan, BC



January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident living nearby to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General)). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

Jennifer Apostoli
JENNIFER APOSTOLI *JB*

Date:

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000262

C.V.R.D.
RECEIVED

JAN 23 2008

FROM:

Ann Lindwall
4770 Waters rd
Duncan B.C.
V9L6S9

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General)). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

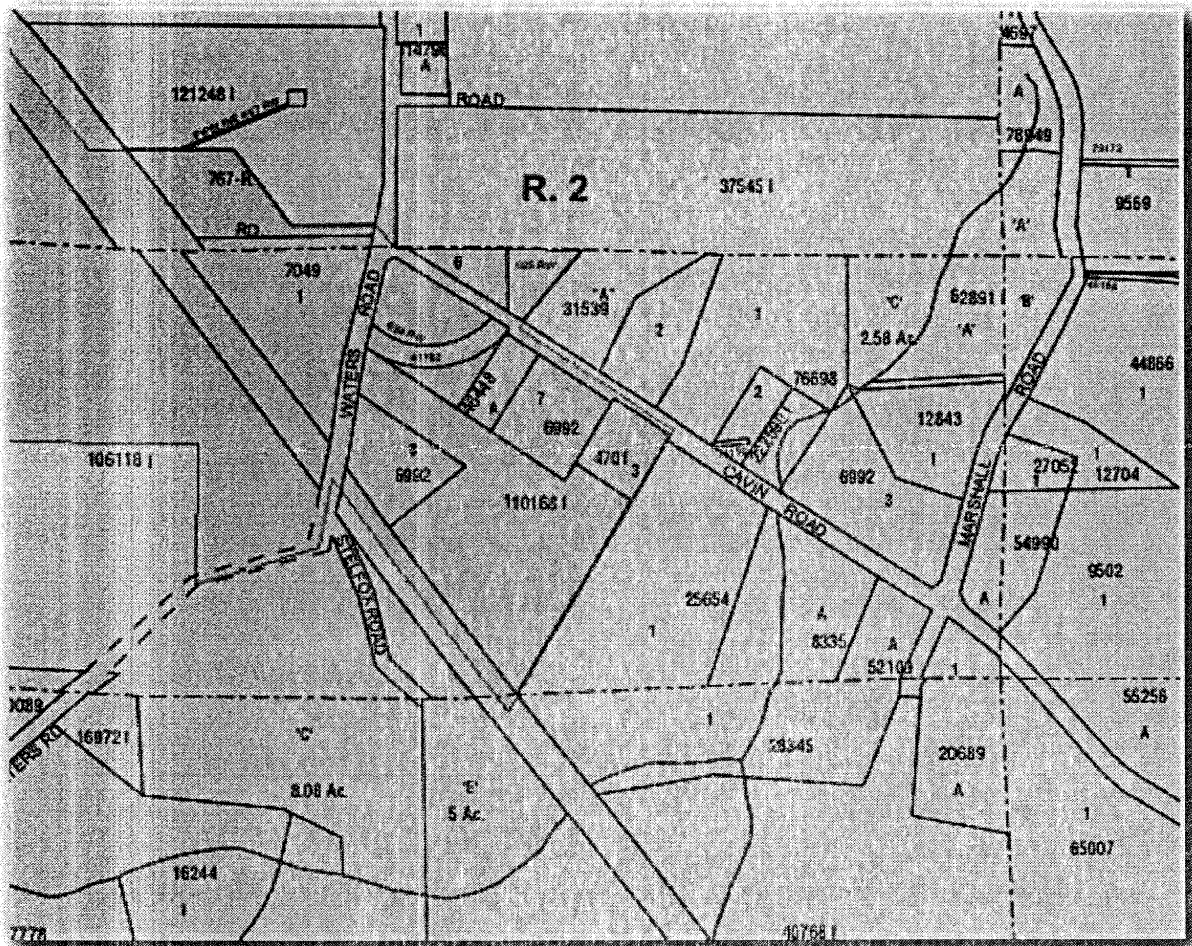


ANN LINDWALL

Date:

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000264



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.

Rules for set-back were established for a reason and wherever possible should be maintained. In this case, set-back may protect natural elements of the site and adjacent land and mitigate noise and/or visual pollution from industrial activities thereon.

We strongly oppose any variance to the set-back requirements on the above proposed development site.

We live within a kilometer of the above site in Altona and we greatly value the peace and tranquility of the area since choosing to make our home here in 1993.

Subject: Application for Development Permit Variance of
Proposed Altona Business Park,
4885 Water Rd., Duncan.
Proposed Raccoon Road - Rocky Point
Metacraft of Metcrair.

Attention: Mike Jipsett

CVRD Development Services,
175 Ingram St.,
Duncan, B.C. V9L 1N8



3727 Kearn Rd.,
Duncan, B.C. V9L 6T2
January 23, 2008

2.

On this site the wetland (adjacent to the Trans Canada Trail) which drains into Glenora Creek - a fish-bearing stream - must be protected at all cost from contamination from metal grinding and painting or any risk resulting from the proposed metal fabricating operation. If we believe that the current rules for set-back - 20 meters - are sufficient, change to a shorter set-back should be denied.

Also, set-back requirements on borders with adjacent residential properties must not be compromised. The residents of these properties have enjoyed a relatively peaceful existence over the past 15 years and don't deserve to be subjected to noise and visual pollution just because the site in question is zoned Industrial.

BUT above all, the set-back requirement must be maintained to protect water wells on the adjacent residential properties from contamination from any site activity.

In closing, let us note that we are very disappointed that an active industrial operation within our usually quiet residential area of Glenora is even proposed and because of zoning may be approved.

This is not the right location for this development!

.... 3

000267

3.

We are aware of one couple who very much wished to buy a home in our little corner of Glenora if the opportunity arose but have now decided against it because of the uncertainty of how this proposed industrial operation may impact our rural/residential community.

Yours truly,

Gordon Wilkinson
GORDON WILKINSON

Anne Wilkinson
ANNE WILKINSON

P.S. Further to our telephone conversation of Tuesday, Jan. 22/08 we enclosed copies of correspondence with Bill Hickman, Ministry of Transportation re access.

a.w.

P.P.S. If possible please keep us informed. Thanks.

a.w.

000268

3727 Cavin Rd.,
Duncan, BC, V9L 6T2,
November 24, 2007

TO: Mr. Bill Hickman
Ministry of Transportation
240-4460 Chatterton Way
Victoria, BC, V8X 5J2

SUBJECT: ACCESS TO PROPOSED GLENORA BUSINESS PARK – 4885 WATERS RD., DUNCAN – PROPONENT – RUSS CRAWFORD – ROCKY POINT METALCRAFT OF METCHOSIN BC.

We live within a kilometer of the above site in Glenora (Area E, CVRD) and have viewed the plan for its development.


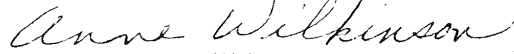
When we walk the Trans-Canada Trail, which is near our home, we exit onto Waters Road close to the proposed access to this property.

We have real concerns for safety with the access as proposed for the following reasons:

1. Glenora is a rural area of various-sized tracts of land including farms, vineyards, businesses and residential properties, served by narrow, winding, country roads which follow the contours of the land. Many of these roads have deep ditches, blind hills, s-curves, and areas with little or no shoulder.
2. The proposed access to this property is directly next to a currently-utilized forestry haul road crossing Waters Rd., from the former Weyerhaeuser dry-land sort.
3. Much of the vehicle traffic on no-thru Waters Rd. is passenger cars and pick-up trucks, but many large trucks including hay wagons, sawdust trucks, and animal transports also use this road to service the vineyard, and various farms, businesses and residences to the south. And there is, of course, pedestrian traffic as well as riders on horseback, ATV's and bicycles. **This is, after all, country.**
4. This development would presumably involve vehicle traffic, including passenger cars to pick-up trucks to cube vans and larger trucks and to serve the metal fabricating business, long-bed trucks - all making a hard right-angled turn into or out of the property only 200 feet from the top of a blind hill on a very narrow road.

We believe the access as proposed is a recipe for disaster. In considering any application for an Access Permit to this development off Waters Rd., we trust you will physically view this site and take all these factors into account, in order that you may make the best possible decision.

Yours truly,



Gordon and Anne Wilkinson

000269

Rec'd Jan 17/08



January 15, 2008

File: Waters Road
Cliff:

Gordon and Anne Wilkinson
3727 Cavin Road
Duncan BC V9L 6T2

Dear Gordon and Anne Wilkinson:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab



JAN 23 2008

FROM:

Doug Turlock

5094 Lee RD

Duncan V9L 6S6

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General)). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

Date:

Jan 21/08

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000271

C.V.R.D.
RECEIVED

JAN 23 2008 FROM:

ROBERT RENSING
3415 GLENORA ROAD
DUNCAN, BC
V9L 6S2
(748-7920)

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident living nearby to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.


Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

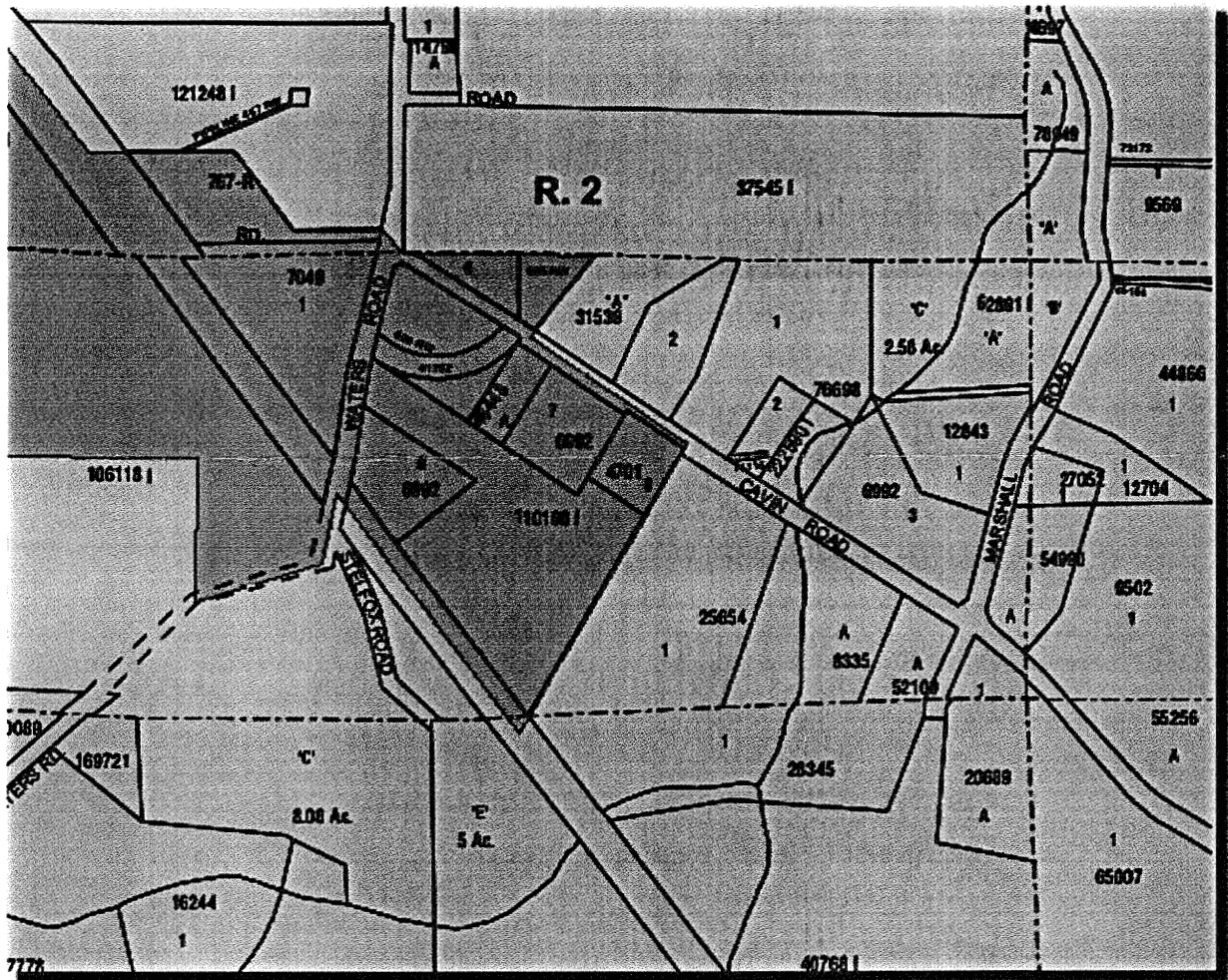
Sincerely yours,

 (ROBERT RENSING)

Date: 21/01/08

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000273



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.



JAN 23 2008

FROM:

Joy Larson
3415 Glenora Rd
Duncan

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd) on 4885 Waters Road,

As a resident living nearby to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

Date:

Jan 22/08

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000275

RECEIVED

JAN 22 2008

FROM:

Jacquie & Albert Seinen
5080 Lee Road
DUNCAN, B.C.
V9L 6S6
email: jacqal@telus.net
phone: 746-1055

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident adjacent to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

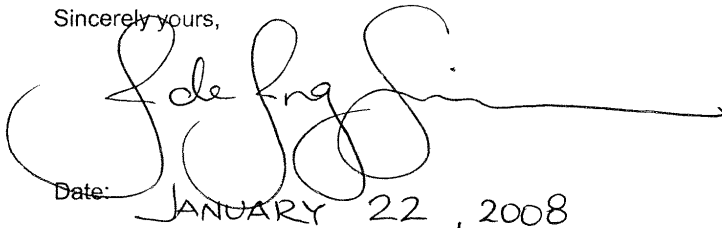
Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

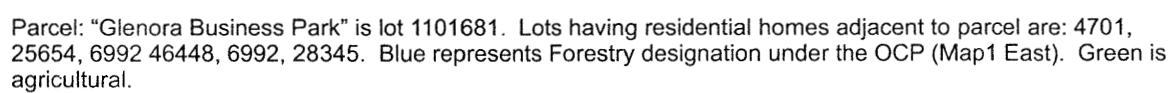
Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,


Date: JANUARY 22, 2008

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000277



000278



FROM:

3785 Cavin Road
Duncan, BC

January 15, 2008
Development Services Department
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC.
V9L 1N8

**Re: Development Permit with Variance of "Glenora Business Park" (Rocky Point Metal Craft Ltd)
on 4885 Waters Road,**

As a resident living nearby to the proposed *Glenora Business Park* to be developed by *Rocky Point Metal Craft Ltd*, I am opposed to any variance to the 20 meter set-back to allow building construction nearer to the existing pond and water course. The nature of the development poses a significant risk to water quality in the area from which residents rely on for both agricultural and personal consumption. As well, set-backs are very important to mitigate operational noise and aesthetic impacts. The Trans-Canada trail is also adjacent to the parcel where the variances are being sought.

I am also opposed to any variance from the original Official Community Plan (OCP) "forestry development permit area" for this parcel of land for the purpose of another industrial activity within our rural community. This opposition relates to the policy intent of the OCP for the Area E pertaining to industrial zones. The OCP policy states "the Regional District shall look favourably for alternative land uses, such as residential, parks or agricultural use in order to remove the conflict between industrial uses and adjacent residential and agricultural uses" (see: Section 9.1 Policies - Industrial (General). To date, this intent has not been demonstrated.

Parcel of land is identified on CVRD posted sign located at 4885 Waters Road as:

PID 009-656-448
(Section 8, Range 82, Quamichan District)
7.89 acres
OCP Designation: "Forestry Development Permit Area"
Zoning I-2 - Heavy Industrial

Proponent is:

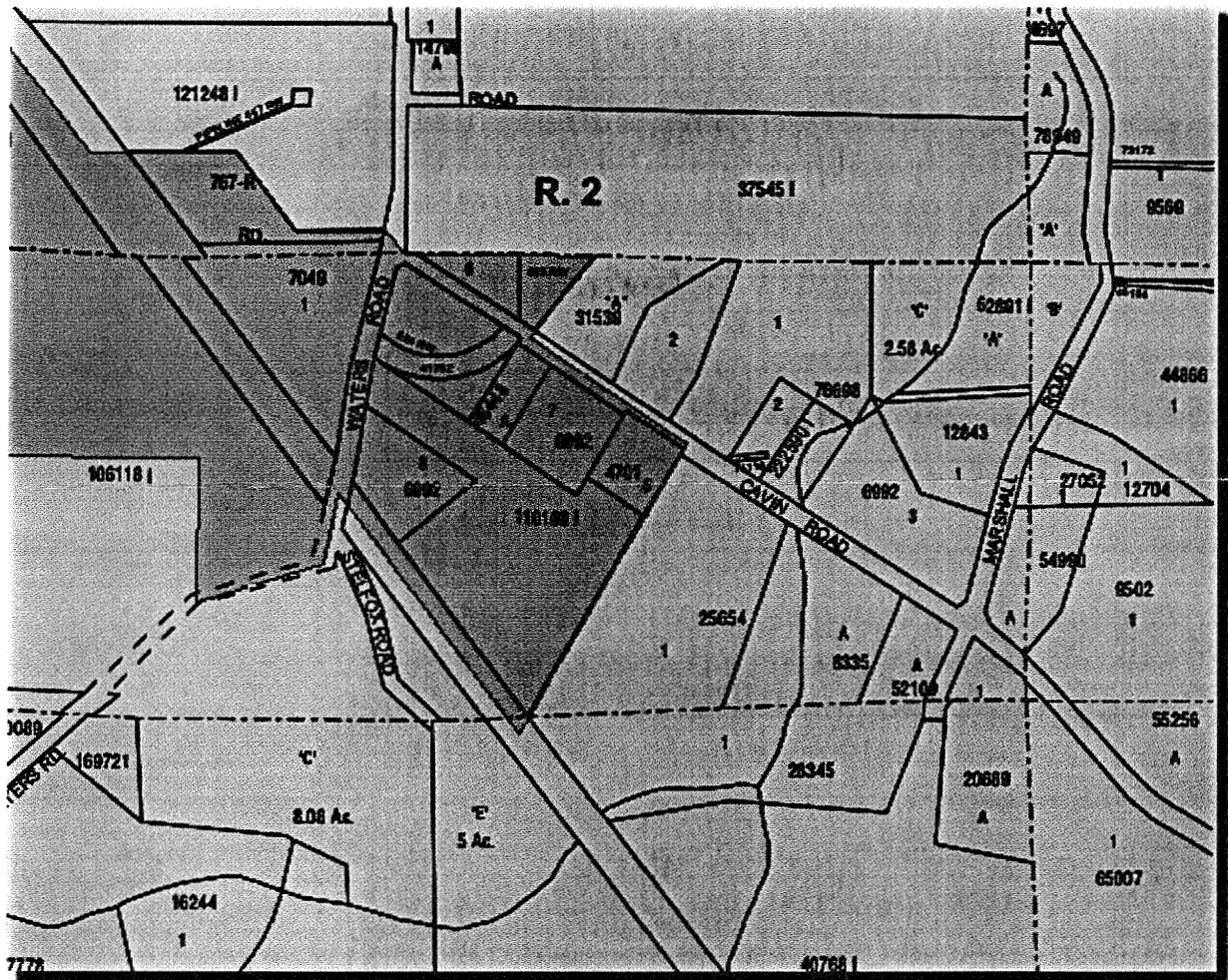
Rocky Point Metal Craft Ltd.
824 Kangaroo Road
Victoria, BC
V9C 4E2

Sincerely yours,

Jennifer + Curtis McCorkell
Date: *Jan 19 2008*

Attached: OCP map of parcel seeking variance and surrounding residential/agricultural lots

000279



Parcel: "Glenora Business Park" is lot 1101681. Lots having residential homes adjacent to parcel are: 4701, 25654, 6992, 46448, 6992, 28345. Blue represents Forestry designation under the OCP (Map1 East). Green is agricultural.

Insert from: Electoral Area E Cowichan - Koksilah.



C.V.R.D.
RECEIVED
JAN 17 2008

January 15, 2008

File: Waters Road
Cliff:

Bill and Lynn Jones
Magnetic North Cuisine
4830 Stelfox Road
Duncan BC V9L 6S9

Dear Bill and Lynn Jones:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab

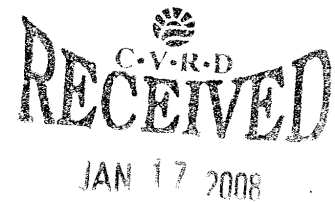
Ministry of
Transportation

South Coast Region
Vancouver Island District
Saanich Area Office

Mailing Address:
240 – 4460 Chatterton Way
Victoria BC V8X 5J2

Telephone: 250 952-4515
Facsimile: 250 952-4508
website: www.th.gov.bc.ca

000281



January 15, 2008

File: Waters Road
Cliff:

Jennifer McCorkell
3785 Cavin Road
Duncan BC V9L 6T2

Dear Jennifer McCorkell:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab



RECEIVED
C.V.R.D.
JAN 17 2008

January 15, 2008

File: Waters Road
Cliff:

Dr Stephen Faulkner
Box 742
Duncan BC V9L 3Y1

Dear Dr Faulkner:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab

000283

January 15, 2008

File: Waters Road
Cliff:

Alex and Jennifer Apostoli
3791 Cavin Road
Duncan BC V9L 6T2

Dear Alex and Jennifer Apostoli:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

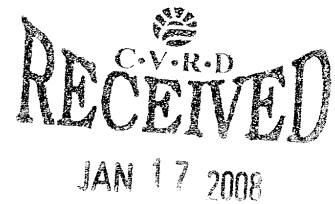
Yours truly,



W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab



January 15, 2008

File: Waters Road
Cliff:

George and Dianne Kolenosky
3790 Cavin Road
Duncan BC V9L 6T2

Dear George and Dianne Kolenosky:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab

January 15, 2008

File: Waters Road
Cliff:

Georg Stratemeyer
4876 Marshal Road
Duncan BC V9L 6T3

Dear Georg Stratemeyer:

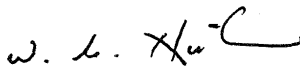
Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,



W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab

January 15, 2008

File: Waters Road
Cliff:

Gordon and Anne Wilkinson
3727 Cavin Road
Duncan BC V9L 6T2

Dear Gordon and Anne Wilkinson:

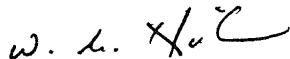
Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,



W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab



January 15, 2008

File: Waters Road
Cliff:

Laurice Mock
3900 Rowe Road
Glenora, BC V9L 6T1

Dear Laurice Mock:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab



January 15, 2008

File: Waters Road
Cliff:

Timothy D. Moek
3900 Rowe Road
Glenora, BC V9L 6T1

Dear Timothy Moek:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,

W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab

January 15, 2008

File: Waters Road
Cliff:

Albert and Alicia Todd
3850 Cavin Road
Duncan BC V9L 6T2

Dear Albert and Alicia Todd:

Re: 4885 Waters Road (Glenora Business Park)

Thank you for your letter regarding the above. After review, we can offer the following:

- All land use issues are the responsibility of the Cowichan Valley Regional District (zoning, development permits, building inspection, etc.) You may wish to talk to them about your land use issue.
- We review and approve road access to commercial developments. The access must meet the Ministry of Transportation's standard before we will grant approval. As of today's date, the Ministry has not received an access application for the above noted proposal.

If you have any questions or require further clarification, please contact this office at 250 952-4495.

Yours truly,



W.C. (Bill) Hickman
District Development Technician

pc: Cowichan Valley Regional District

WCH/ab

For the
Rocky Point Metalcraft Rd

Tom Anderson

From: Mary Anne McAdam
Sent: Wednesday, January 09, 2008 8:59 AM
To: Tom Anderson; Mike Tippet
Subject: FW: Glenora Road, Duncan, BC

From: Robert Rensing [mailto:rrending@shaw.ca]
Sent: Tuesday, January 08, 2008 5:37 PM
To: Minister.transportation@gov.bc.ca; john.horgan.mla@leg.bc.ca; Mary Anne McAdam;
loren_duncan@telus.net; Gail Robertson
Subject: Glenora Road, Duncan, BC

Dear Minister Falcon,

I live at 3415 Glenora Road. This rural road consists of two lanes and has no sidewalks or other safe pedestrian space along the road. With ever-increasing commercial traffic, our road has become less and less safe over the past few years. Aside from workers going to and from work, a substantial amount of traffic consists of large trucks, in particular sand/gravel trucks. This traffic has increased substantially since the opening of a second gravel pit in the area.

A development permit application has now been filed with the Cowichan Valley Regional District to establish the "Glenora Business Park" on a small parcel of land located at 4885 Waters Road that in the past was used for many years as a saw mill site and has been vacant for several years. It unfortunately is still zoned "heavy industrial" - an anomaly in the agricultural Glenora area. The Glenora Business Park is being established to house a metal fabrication plant, as well as other industrial activities.

If this development permit is approved, a considerable increase in the amount of heavy industrial traffic can be expected along both Glenora and Indian Roads. As mentioned above, neither of these roads have sidewalks. Of more immediate safety concern is the fact that shoulders in most places are no more than 15 cm. (6") wide. As a result I have in the past had to jump into a water-filled ditch several times in order to avoid two trucks meeting from opposite directions leaving me no room to stay on the pavement or road shoulder.

This is my formal request that, in view of the present development permit application, the Ministry of Transportation and Highways immediately review this situation, communicate its findings regarding this safety issue with the Cowichan Valley Regional District planning department, and inform me how you plan to deal with the situation so that I in turn can inform my neighbours and others in the community about this safety issue.

I look forward to your response at your earliest convenience.

Sincerely

Robert Rensing,
3415 Glenora Road,
Duncan, BC .
V9L 6S2

tel: 250-748-7920

000291

1/9/2008

cc. Mr. John Horgan, MLA.

Mr. Loren Duncan, director Cowichan Valley Regional District, Area E

Ms. Gail Robertson, Glenora Community Association

Mr. Mike Tippet, Assistant Director of Planning, Cowichan Valley Regional District,

000292

1/9/2008

Development Services,
Cowichan Valley Regional District,
175 Ingram Street,
Duncan, BC.

December 1, 2007.

Gentlemen:

Re: Proposed Glenora Business Park at 4885 Waters Road.

I am writing to register my objections regarding the above quoted proposed development, based on the following:

1. Agri-tourism is of significant economic benefit to this area and would be negatively affected by the proposed industrial development. Specifically, I have operated the Sunflower Inn Bed and Breakfast at 3415 Glenora Road for the past 14 years, and I expect that the noise, industrial traffic, and a substantial increase in general road traffic will affect my business negatively to a considerable extent.

2. The Glenora area has been a peaceful area that supports a rural lifestyle based on activities such as agricultural, tourism, and small home-based occupations. It is the virtual consensus of those living in Glenora that we wish to maintain this environment and lifestyle that has been enjoyed for many decades, and be free of industrial development that will interfere with this.

3. You will no doubt be aware that the Glenora community has recently gone through a considerable battle regarding gravel pit development and gravel extraction in the area. Now that this battle is finally behind us, we do not wish to have to go through this again. You can be assured that, should you approve the present proposal, you will be inundated with complaints about noise, dust and other pollutions, and traffic problems for years to come.

Please allow Glenora to remain according to the wishes of the community as it is and has been for decades: an attractive, peaceful, agricultural community that supports itself with non-polluting activities such as agricultural (including three vineyards, a tree nursery, alpaca raising, and many more) agri-tourism, and a wide variety of home-based small businesses.

Sincerely,



Robert Rensing,
3415 Glenora Road,
Duncan, BC. V9L 6S2

748-7920
rrensing@shaw.ca

000293

Development Services

CVRD

175 Ingram St.

Duncan, B.C.

Dec 2/07
RECEIVED
C.V.R.D.
DEC 04 2007

Dear Sirs:

Re: Proposed Glenora "Business Park" at 4885 Water Rd

I am writing in opposition to a development permit for this site for the following reasons:

- 1) Glenora is a unique and beautiful area which is almost exclusively agricultural. It has been developed as significant agri-tourist destination primarily because of its unified character and the large number of agricultural operations (vineyards, specialty farms, tree and plant nurseries, organic farms, Land Conservancy farm etc.). It is a gem of the Cowichan Valley.
- 2) The O.C.P. supports and provides guidelines and policies in order to maintain, preserve, and continue to develop this unique agricultural character. Light industry is not compatible with this vision and the O.C.P.
- 3) The designation of this piece of property as "Light Industry" is an unfortunate continuation of a designation that should have been re-zoned to agricultural prior to this sale and application. It is an anomaly in this area. The saw-mill operation has been inactive for many years while a variety of new agricultural ventures have flourished in recent years.

000294

- 4) A metal fabricating plant in Glenora will be a totally disruptive force and totally change the character of Glenora which many people have intentionally cultivated and dedicated years of work to ~~creating~~ creating.

A metal fabricating plant is noisy, polluting, and will cause increased industrial traffic through Glenora and cross the Trans Canada Trail. As far as I know there is not even a limitation to the hours and days of operation.

This proposal is totally inappropriate for Glenora and I cannot imagine how the immediate neighbours will be able to maintain their agricultural operations (ie llama farm) or even live peacefully next door to this type of industry.

I strongly urge you to reject this business development permit application.

Sincerely,

Joy Larson
3415 Glenora Rd
Duncan B.C.

000295


C.V.R.D.
RECEIVED

NOV 30 2007

Albert + Alicia Todd
3850 Carin Rd
Duncan B.C
V9L 2T2

Hello CURD
Subject Glenora Business Park - 4885
Waters Rd:

We are not in agreement with the
proposed business plan of the proposed
Glenora Business Park.

I am concerned about the noise!
This is a quiet community and moving
from a noisy community in Duncan to
then to be told there is ~~going~~ going to be
a metal manufacturing business proposing
to be put on the property behind me at
4885 waters I say No to this proposed
Business.

The smell arising from this fabrication
metal fabrication business could be
harmful and will be to my sons pet Cockatoo.
as there are contaminants used to fabricate,
These are very harmful to the bird. Extremely
harmful!

I also disagree to this ~~business~~ business
there because of fire.

If there was a fire because we are
6 km from the fire hall it takes a while to here
and in a case of a fire someone could
lose there home. I ~~does~~ will take a while
for a fire Truck to come 6 km and that
is precious time to a home owner

000296

I say no to this business because with any business comes the increase of crime. That, Drugs come with 3 piece suits, as well as families! Storage units can hold hot items, TVs, car parts & jewelry etc. People can and will be noisy moving their stuff in these storage units.

Security can only be in one place at a time. We need not more crime.

There also is the Canada Trail a trail so as you can walk in Nature hear hear smell and see nature. So you can relax from the smells & stresses of the city etc.

That would not happen here.

The smell of the welding welding etc is not a relaxing smell let alone the other contaminants.

The noise would make sure you would not see nature let alone here it.

I say No. We need to keep the Canada trail what it is a trail where you can get away from all the stresses of life.

With the smells, ~~traffice~~ traffic, the noise and no place to walk safely my dogs and grandson with the Big trucks and excess traffic I say no.

We Say No We Say No .

000297

Rachelle Moreau

From: Dianne Kolenosky [dkolenosky@vtc.net]
Sent: Friday, November 30, 2007 7:51 AM
To: Rachelle Moreau
Subject: Noise Abatement - Glenora Business Park

Hi Rachelle!

Thanks for the information you provided us when we were in the office earlier this week.

As we discussed, nobody wants this development here – so much so that the community is working on the possibility of buying the site from Russ Crawford and getting it rezoned. However, that is a work in progress and we don't know for sure that it will work. If it doesn't, then we may have to live with this Glenora "Business" Park, so we need to make sure that we make it as palatable as possible.

The work that you and Loren have done in limiting working hours, protecting the wetland, etc are appreciated, but the most serious problem with this development from the neighbours' point of view is the noise from the metal fabricating and assembly buildings as well as from the general activity on the site. We think that more attention needs to be paid to noise abatement features in this Development Permit in order to meet **Policy 13.4.2 Justification (b) The CVRD Board wishes to ensure that the Forestry Industrial development does not negatively impact the peace and enjoyment of neighbouring residential parcels.**

We have been talking to a number of the neighbours right around the site and these are some of the mitigating measures that we think need to be implemented on the site to reduce its impact on the neighbouring residential properties:

- a) Sound-proofing **all** doors and keeping them **closed** during noisy metal manufacturing and assembly processes;
- b) All sand-blasting should be done in a closed building including the compressors and pumps. All sand-blasting material should be captured and disposed of as hazardous waste;
- c) Sound-absorbing barriers such as those seen on the highways should be placed along the north and north-east sides of the property where the metal fabricating and assembly processes are closest to residences and on the back of the residential property on Waters Rd. which overlooks the site. There is also a neighbour on Stelfox Rd. across the Trans Canada Trail who will be affected. Depending on the height of the undesignated building backing on the ditch/stream/creek, this might provide a sound barrier. Alternatively, sound absorbing barriers may be needed in the SE corner as well. If sound-absorbing barriers were used, then no treed buffer or chain-link fence would be needed along those boundaries.
- d) More rigorous controls of the timing when noisy activities can occur including no work on weekends and holidays.

Experts in the field of noise abatement may have other ideas on best practices that could be explored.

In addition to the noise, here are a few other concerns that the neighbours have that the developer may be able to address:

000293

11/30/2007

- a) Placing the perimeter chain-link fence on the inside of the buffer would mean that the existing vegetation in that area would not have to be destroyed in order to put in the fence. I talked to Russ about this early in the process and he was in agreement with that suggestion, but I don't know whether that detail has been lost in the intervening time period;
- b) I noticed on the site-plan that both deciduous and evergreen trees were being proposed for the buffer. Deciduous trees are not useful for screening in the winter when they lose their leaves, so we would recommend that all evergreens be used for this purpose. They are also going to need to water these trees during the dry season for a couple of years to get them established. They might want to consider a drip system that could be automated to provide regular irrigation with little manpower;
- c) Light pollution should be minimized;
- d) Some neighbours have expressed safety concerns with only one access to this site in case a fire were to break out and that one exit got blocked. Have you heard back from the Duncan Fire Department on this? Given the activities on the site, there is a potential for fire and if it were to occur in the dry summer and the fire-trucks could not get in to access the water from the pond, then the whole neighbourhood could burn up;
- e) Arlene Sanford- Knowles (first house closest to the entrance on the north side) is concerned that the buffer zone has been relaxed in back of her place and that she will be getting more noise from the traffic driving into the site. If sound barriers are implemented, that should help address the issue. Alternatively, (but not nearly as effective) perhaps additional trees could be planted on her side of the property line to at least shield her visually from the traffic;
- f) An adequate bond should be issued by the owner to ensure that all development permits are complied with and that landscaping and noise abatement measures are implemented.
- g) Danger to pedestrians on Waters Rd. could be minimized by improving the shoulders on both sides of the hill to the south of the Business Park entrance and providing a walking path. As it is right now, pedestrians have to walk on the road and cars have to pull into the other lane to pass them on the hill which is dangerous in itself let alone having trucks entering and exiting the Business Park. This would probably require some culverts, leveling the land and a gravel surface - not a huge investment to prevent an accident and a gesture of good will towards the community. Transportation would probably have to OK design and work but Mr. Crawford owns an excavating company which could do the work at minimum expense. This does not solve the dangerous access problem because vehicles coming over the hill from the south can only see the driveway when they are just over the top of the hill leaving them only about 150 ft. to stop if there is a truck turning into or coming out of the driveway. However, it may minimize the involvement of pedestrians and possibly bikers;

Many thanks for your assistance!

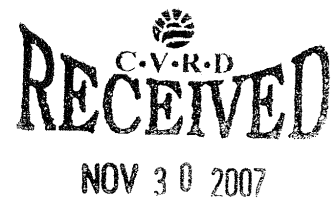
Kindest Regards!

Dianne & George Kolenosky

000299

11/30/2007

November 30, 2007



To: CVRD Development Services,
Duncan, BC

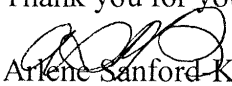
Re: 4885 Waters Rd proposed Glenora Business Park

To Whom it May Concern:

Although I do not oppose a person earning a living, as a person whose home borders this property I have a few concerns that this development will affect my health and welfare and that is something I definitely oppose.

- 1) I understand that sandblasting of large equipment will be involved in the day to day operation of the proposed shop. When someone does sandblasting I believe WCB rules state that a mask must be worn as the air fills with millions of harmful pollutants. How are these particles going to be stopped from a) polluting the local fish bearing stream, b) leaching through the ground where the particles land and c) staying off my property—I have a shallow well and a history of sinus and respiratory weakness which this could aggravate and make me very unwell.
- 2) I also understand that the operation of the necessary equipment required for Mr. Crawford to make a living could be damaging to my hearing as well as my neighbours. Do we know what the decibel level of his machinery is? What is acceptable by WCB and health Canada? What can be done to reduce or eliminate this?
- 3) How is Mr. Crawford going to get his customers machinery and equipment here? The roads, in most cases, are too narrow for the larger equipment he is likely to work on.
- 4) I am concerned that some mention has been made about reducing the buffer zone along my fence line to allow for the mini storage traffic. I would like it increased and a noise and light barrier is essential for me to retain some semblance of rural life and privacy as my bedroom windows all face that direction.
- 5) I understand this was a working mill site over 15 yrs ago but it has not been in operation since my husband, now deceased, moved here and definitely not since I moved here so for me it would definitely be an intrusion on my country lifestyle.
- 6) The welding business is also known for being a potential fire or explosive hazard and we are in the middle of some very valuable forest areas and some distance from the local firehalls, with limited water supply so fire is another concern.
- 7) What other business will also be operating out of the site? What checks and balances can be put in place to ensure they do not encroach in the same manner?

Thank you for your kind attention to this matter.


Arlene Sanford Knowles,
3824 Cavin Rd
Duncan BC
250-748-8999

000300

Tom Anderson

From: B Percival [bpercival@shaw.ca]
Sent: Tuesday, November 27, 2007 5:14 PM
To: Tom Anderson
Subject: CVRD CONCERN

C.V.R.D – Development Services
Attn. Tom Anderson and others

I know you may get lots of letters regarding this topic, but can you please take the time to read this letter as I am the property owner who is the most affected by the proposed development in Glenora, at 4885 Waters rd.

My property at 4881 Waters Rd. is on the border of this property in question on 2 out of my three sides of my property (this property panhandles around my lot).

I have a few very important concerns which I have never heard brought up yet. The main and probably biggest concern about this development which should come before anything else is the protection of the aquifer in the area.

The surrounding properties as well as the one in question are all on wells, and almost all the wells are shallow wells, which are in at least some way partially groundwater fed.

The aquifer in this area is very shallow and has no protection from spills or most contamination by most products used in certain Industrial applications. My well in particular is less than 100 feet from this property, and only a little further away from one of the proposed

Septic sites big enough for an Industrial use, which includes many rental shops to be rented out for manufacturing which would employ many people, as well as the public which comes to these shops. There is the obvious reason why such a large septic system close to my only water source is a concern, as well as the fact (which happens too frequently)

that toilets often get used to flush many different chemicals that people have no other means of disposing of properly.

As to uses for this land I think that the CVRD would have some kind of liability or at least responsibility, in protecting the environment but also the surrounding properties only water source from potentially being contaminated, because they will be the ones giving the approval to uses and to activates on this property which could contaminate the aquifer making all properties completely worthless never mind people getting sick from drinking from a contaminated system. For example metal fabricating

includes many chemicals and processes such as frequently painting on and Industrial scale. Painting takes place indoor and out doors. Indoors the overspray is vented outside settling on usually the ground only to be washed into the the groundwater. Painting by a sprayer can add up to almost 50 % overspray. No matter what anyone says, painting will take place outside in the summer. We all have an idea what chemicals are in paints, but it gets worst because certain paints for certain purposes (such as marine paint) are worst.

From what I have been told the chemicals from the Powder Coating process are even worst. Another issue is sandblasting, which is often done to all ready painted metal which ends up in our groundwater. These are only some of the chemicals used in this Industry that I am aware of. Please do not forget that there will also be these other bays for rent which we have been told will be used for other types of manufacturing (the one they mentioned was for furniture) which uses but not limited to paints and stains.

Who knows what other types of manufacturing will eventually be taking place? And not everyone has a concern for the environment.

Please consider this. A commercial size exhaust fan blowing out of the back of one of these proposed rental manufacturing shops, will be blowing directly onto my property shrinking that already risky unsafe short distance of 100 feet to my shallow well. The property allowances between my property and there's does not stop whatever is being blown out theses commercial size fans. The cfm force of these fans alone will make whatever is being exhausted land on my property (where my shallow well is). This does not even take into consideration wind, and usually what is exhausted are many times vapors of chemicals and paints which will settle on my property... It is important understand that exhaust fans are used to get rid of contaminates that are not wanted usually because they are some form of particles unhealthy to humans. Usually these places are exhausting some kind of waste, smell, chemical, overspray or who knows what else (really who will know or police this, will we find out only because I get sick from drinking my water). I think we really must first look and consider the issues like I have mentioned for they are very serious, and the CVRD are going to be the people giving the go ahead to activities on this property which can possibly contaminate.

The suggestion I make on this topic, is to limit what uses this land can be used for the above reasons (and more), and nothing less than making this property owner carry some kind of specific fool proof insurance or policy that would carry enough coverage to cover all surrounding property owners value of land, cleanup and possible physical sickness that could possibly happen if there was a spill or contamination, accidental or not, foreseen or unforeseen. I think that this would be good for obvious reasons as well as the fact that from what I know about insurance and carriers (which is very limited) is that if this property owner was required to carry such insurance or policy that the carrier would now have an invested interest and they would look into risk and evaluation to the all possible scenarios, and more than likely would only insure the owner for certain uses of this land because of the above risks. If the CVRD made this requirement, is realistic of this property owner, it would also possibly lessen the liability of the CVRD in the event that any of the above mentioned scenarios happen (or others), after the CVRD gives the go ahead to any potentially contaminating situations.

I also think that because such insurance or policy would be very expensive especially for certain uses of this land the owner may change his mind to what he does on this land.

The other concern of mine is over there proposed system to try and collect ground water on there property. We should think for a moment as to why they are willing to do this voluntarily or not. This alone would imply that they too agree that there is a very likely hood of contamination. No system is fool proof and like I have stated above our water

000302

source in this area comes from a shallow aquifer, and most wells are shallow and usually partially groundwater fed to some degree making them easily contaminated. Also this would in no way protect from overspray from painting or exhaust fans that can cause these particles to settle off there own land (especially like my situation). The fact is that even at the best case scenario, a little bit of contamination on an Industrial scale over periods of time can add up to lots . I think that this type of system (but not there's) should be required no matter what the land is used for. But why are we even considering any activities on this land that would even have the potential for contamination, which is also recognized by there willingness to put a system in.

There should be such a system no matter what the use of the land .They have said that there system was accepted (true or not) by a municipality somewhere else. I think that any system used should be some how stamped by a higher department up the food chain considering the risks and that these things are not fool proof. There must be systems that are approved by the province or even Canada? If the CVRD lets them use there system is the CVRD not in some way putting there stamp of approval on it making them also liable for the system. Would it not be easier to use a system that has been stamped by the Province or other?

Here is an issue which only affects me and my property and I have never been contacted. That is the issue of them wanting to change the variances of the distance of there building closer to my property line on my one side, in order for them to be able to have a driveway between me and there storage allowing them to now have more public traffic closer to my property . This allows them to now have storage and traffic right next to the property line. No one wants this close to there property line for many reasons (privacy, noise, and traffic). It is unfortunate that they are allowed to be as close as it is, but to now possibly make a bad situation even worst by allowing them to be even closer is totally unfair. I am not in anyway happy, or think it is fair for them to be as close as it states, so how could it be even considered to allow them closer. Besides the obvious reason of noise, more traffic, the closer to my property they are allowed would even devalue my property more. With what is happening in basically my back yard, every inch of privacy counts for me. Please do not allow this. They have 10 acres, they will be making money off of this land, and this is my home, make them find other ways. Why can they not ask for variance on the opposing side next to the hall road, there is not a direct neighbor there. The other reasons for me not wanting this are because with what they are asking will permit customers (the public using the mini storage) use units on the back side against my property. Having a friend who owns a mini storage I can tell you some of the things that go on. People throw unwanted items, garbage, bags of stuff and even mattresses over the mini storage fence onto the next piece of property (which will be me). They do this still even when the property they are throwing this garbage on is high traffic, and I have 2 rural acres with trees and bushes with only minimal normal house traffic and being gone for work all day etc. This is common practice. By not allowing them this variance would not allow them to have the storage units open to my side, and save a lot off frustration and problems also.

Please read this and please take it all into consideration. Please try to understand how

000303

you would feel if you were me. I think there are many uses for this land that would be better for us all.

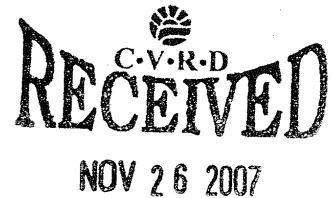
I have more ideas and concerns but not time to finish. Please contact me for any reason.

Bryon Percival
4881 waters rd
746-5932
bpercival@shaw.ca

000304

Copy

3727 Cavin Rd.,
Duncan, BC, V9L 6T2,
November 24, 2007



TO: Mr. Bill Hickman
Ministry of Transportation
240-4460 Chatterton Way
Victoria, BC, V8X 5J2

SUBJECT: ACCESS TO PROPOSED GLENORA BUSINESS PARK – 4885 WATERS RD., DUNCAN – PROPONENT – RUSS CRAWFORD – ROCKY POINT METALCRAFT OF METCHOSIN BC.

We live within a kilometer of the above site in Glenora (Area E, CVRD) and have viewed the plan for its development.

When we walk the Trans-Canada Trail, which is near our home, we exit onto Waters Road close to the proposed access to this property.

We have real concerns for safety with the access as proposed for the following reasons:

1. Glenora is a rural area of various-sized tracts of land including farms, vineyards, businesses and residential properties, served by narrow, winding, country roads which follow the contours of the land. Many of these roads have deep ditches, blind hills, s-curves, and areas with little or no shoulder.
2. The proposed access to this property is directly next to a currently-utilized forestry haul road crossing Waters Rd., from the former Weyerhaeuser dry-land sort.
3. Much of the vehicle traffic on no-thru Waters Rd. is passenger cars and pick-up trucks, but many large trucks including hay wagons, sawdust trucks, and animal transports also use this road to service the vineyard, and various farms, businesses and residences to the south. And there is, of course, pedestrian traffic as well as riders on horseback, ATV's and bicycles. **This is, after all, country.**
4. This development would presumably involve vehicle traffic, including passenger cars to pick-up trucks to cube vans and larger trucks and to serve the metal fabricating business, long-bed trucks - all making a hard right-angled turn into or out of the property only 200 feet from the top of a blind hill on a very narrow road.

We believe the access as proposed is a recipe for disaster. In considering any application for an Access Permit to this development off Waters Rd., we trust you will physically view this site and take all these factors into account, in order that you may make the best possible decision.

Yours truly,

Gordon Wilkinson
Anne Wilkinson
Gordon and Anne Wilkinson

Original: <i>DSJ</i>	Copies to: <i>D. Duncan</i>
By: _____	
Comments: _____	
Date: <i>Nov. 25/07</i>	
File #: _____	

000305

 RECEIVED

NOV 26 2007

November 23, 2007

3900 Rowe Road
Glenora, BC

Development Services
CVRD
175 Ingram Street
Duncan, BC
V9L 1N8

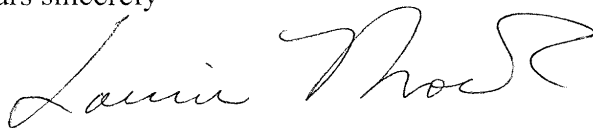
SUBJECT: Development Application at 4885 Waters Road.

Dear Madames/Sirs

I am writing to express my concern about and opposition to the proposed development by Mr. Russ Crawford of Rocky Point Metalcraft of the property at 4885 Waters Road, near our 6 hectare farm in Glenora. As you are intimately aware, Glenora has and continues to undergo a significant positive transformation from its industrial past to being focused on eco- and agri-tourism. This shift has brought with it many positive spin-offs for local residents, but also an increase in non-local traffic which are not familiar with our roads. As well, the increase in pedestrian, bicycle and horse traffic on our roads is significant. These traffic issues are just one reason why this proposed development is out of synch with our community in the proposed location.

The development proposed by Rocky Point Metalcraft is not in keeping with the otherwise positive changes taking place in Glenora. I thereby ask that you not approve or recommend the approval the application for this development.

Yours sincerely



Laurice J. Mock
Property owner

000306



November 23, 2007

3900 Rowe Road
Glenora, BC

Development Services
CVRD
175 Ingram Street
Duncan, BC
V9L 1N8

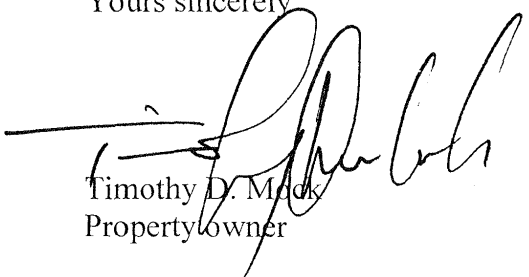
SUBJECT: Development Application at 4885 Waters Road.

Dear Madames/Sirs

I am writing to express my concern about and opposition to the proposed development by Mr. Russ Crawford of Rocky Point Metalcraft of the property at 4885 Waters Road, near our 6 hectare farm in Glenora. As you are intimately aware, Glenora has and continues to undergo a significant positive transformation from its industrial past to being focused on eco- and agri-tourism. This shift has brought with it many positive spin-offs for local residents, but also an increase in non-local traffic which are not familiar with our roads. As well, the increase in pedestrian, bicycle and horse traffic on our roads is significant. These traffic issues are just one reason why this proposed development is out of synch with our community in the proposed location.

The development proposed by Rocky Point Metalcraft is not in keeping with the otherwise positive changes taking place in Glenora. I thereby ask that you not approve or recommend the approval the application for this development.

Yours sincerely



Timothy D. Mock
Property owner

000307



November 7, 2007

CVRD

Attention: Development Department

Re: Glenora Industrial Park

Dear CVRD Board Members,

I am writing to you because of my great distress over your plans to allow a huge industrial park to be built with in less than **one hundred** meters of my alpaca farm.

We have lived in Glenora for 14 years and have watched this area blossom into a lovely farming community surrounded by vineyards, river parks and the Trans Canada Trail. All these are new to our community since the old Mill burned to the ground. We have tours coming all year round to visit our wineries, farms and parks. When we moved here the only industry of any consequence was the logging, something we are used too as part of living on Vancouver Island.

An industrial development is not in keeping with our community and will severely impact our lifestyles. It will decrease property values for everyone in the community and create a depressed area for those around the site

Along with the above reservations, my farm has the added impact of noise, which will cause immense stress to my alpacas. The consequences of stress will affect the health of my alpaca herd and may cause my females to abort or be unable to conceive. We have invested a substantial amount of effort, time, hard work and money into the development of our farm business. The loss of a single alpaca translates into tens of thousands of dollars.

I also wonder if anyone has considered the impact on the native wildlife population that calls Glenora home. I believe we need to **slow this process down to study these issues** before any development permit is issued.

Respectfully,

Jennifer Apostoli
Pacific Sun Alpacas

000308

Rachelle Moreau

From: Georg [georg.stratemeyer@shaw.ca]
Sent: Friday, October 19, 2007 4:18 PM
To: Rachelle Moreau
Cc: Loren Duncan; John Salmen; dkolenosky@vtc.net
Subject: RE: Glenora Business Park - Development Permit Application by Russ Crawford

CVRD Development Services
 Duncan, BC

To Whom It May Concern:

I had the opportunity to see the Glenora Business Park proposal at the APC meeting, Oct. 16, 2007, and would like to express some concerns specific to the proposal.

The Glenora Business Park, as proposed, will produce noise pollution. The proposal as presented does not sufficiently mitigate that form of pollution. The developer has not committed to hours of operation, installation of sound barriers, or planting of additional vegetation.

The Glenora Business Park will produce light pollution. The proposal in its current state does not include any measure to curtail light pollution.

One septic system is located adjacent to a property boundary in an area referred to as Area 3. As far as I am aware, there are setback regulations that have not been observed in the application.

The access to the property is in hidden location that makes it difficult to see whether trucks are turning. The access may in fact not be suitable for the type of business Mr. Crawford is proposing.

It seems odd, that the CVRD would consider a proposal to locate an industrial activity right next to the Trans-Canada Trail, a tourist destination and community resource, in fact degrading that community resource, in favour of an individual.

Russ Crawford and the operation of his current business has been the subject of negative press and ongoing complaints. Mr. Crawford failed to give a convincing reason why his operating practices would be different at this site.

Rick Lloyd, a consultant employed by Russ Crawford, and Russ Crawford made statements that can only be threats and attempts of intimidation. Examples are that the workshop would be located close to homes of neighbours if he could not get the variance on the distance requirements for stream protection, and that the property could well be used for heavy industrial instead of light industrial use so the community should appreciate Mr. Crawford's intentions.

While it is correct that the property is zoned for heavy industrial use there has been no activity on that site for the past 15 years. This rest period substantiates the community's claim of retaining the existing community character as a fundamental societal value that should not be violated by applying a statute such as zoning bylaws. This is further supported by the fact that current zoning bylaws state that any activity should not disturb the peace and enjoyment of neighbours. This orients the judgement of what the 'peace and enjoyment' means towards the state of the property prior to the development application (not some distant date in the past), which was one of no activity on the site. In other words, it can be successfully argued, that since the previous owner did not use the property for industrial purposes for a significant amount of time, the current owner has lost the opportunity to re-develop the property for industrial use.

Based on these concerns I continue to vigorously express my opposition to the project.

Regards

000309

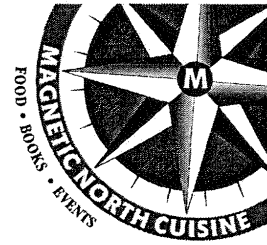
10/19/2007

Georg Stratemeyer

Georg Stratemeyer
4876 Marshall Rd., Duncan, BC, V9L 6T3
250-715-3886

000310

10/19/2007



Magnetic North Cuisine

Bill Jones
Ph: (250) 748-7450
Fx: 748-7459

www.magnorth.bc.ca

Email: wajones@island.net

4830 Stelfox Road
Duncan BC
Canada V9L 6S9

October 15, 2007

Re: Proposal for Industrial Development for Ross Crawford

I'm writing to express my concerns for the development application by Russ Crawford for a Glenora Business Park facility on 4886 Waters Road.

It was with interest that I first heard of the proposal which would activate a property that has been dormant for several years – at least over the 7 plus years we have resided in Glenora. Upon investigation of the proponent of this application, serious warning bells have gone off about the nature of the business that is proposed for this property surrounded by residential properties in a quiet corner of the CVRD.

- 1) Russ Crawford has a horrible tract record with neighbours and honouring the bylaws and zoning of his current business location in Metchosin. He has galvanized the community to submit dozens of complaints against the business, his hours of operation, his abuse of noise bylaws, his questionable environmental records and the general disdain for complying to the wishes of the community, the bylaws and the Official Community Plan (OCP).
- 2) Members of the Metchosin APRM recently rejected his application for a temporary user permit based on its incompatibility with the OCP and the levels of dust, noise and traffic that have "impaired the character of the Kangaroo Road community" - the location of the previously proposed site.
- 3) The CVRD has stated that industrial development must be contained in corridors that would support the development of infrastructure. These locations logically should be developed along major transportation corridors as they exist along the Trans Canada Highway and Highway 18. There are existing properties in these regions that are undeveloped (and for sale) that should be the prime locations.
- 4) Traffic flow from the proposed site is problematic as the trucks must drive through rural residential roads to access the main corridors of transportation. Safety concerns, noise and wear and tear on the roads of the district will be hidden costs burdening the residents of the region.
- 5) The site is currently zoned heavy industrial. This is an artifact of the Macmillan Blodell operation that used the site as an repair area for heavy machinery. This may have made sense 50 years ago. The current designation is inappropriate for a site that is surrounded by residential properties, edges the Trans Canada Trail and is located 7 kilometers (though rural residential property) from the highway.

000311

- 6) The area at the front of the property is a popular starting point for the Trans Canada Trail, close to the Glenora tressel. There are often horse trailers parked near the entrance to the trail adjacent to the proposed site. The trail is in the middle of a feasibility site to rebuild the Kinsol tressel and develop this trail as a major feature and economic generator for the Cowichan Valley. Do we really want a noisy and obtrusive industrial park on the edge of a trail system we are about to sink millions of dollars into?
- 7) The proposed site is the source of much speculation on the contaminated past of the site. The mill fire will almost certainly have released Dioxins and heavy metals into the soil. There have been significant diesel spills on the property that have been reported to the Ministry of the Environment. Will remediation work take place on the soils of the property?
- 8) The access to the site is situated between two "humps" in Waters road. Vision is greatly impaired at this point of the road. This required Macmillan-Blodell (and later Weyerhaeuser and Brascan) to use a haul road to remove timber from the site across the road from the proposed development. The applicant does not have access to this road. I feel this constitutes a serious access issue to the site and one that places the residents of Glenora at risk. This is a well known fact for the CVRD and the Ministry of Transport. There would be a case for litigation for negligence on the part of the CVRD if this factor is ignored and an unfortunate accident occurs at the site. The proposal greatly enhances the possibilities of serious accidents on Waters Road.
- 9) Ground water is an important and precious resource in our community. The area is characterized by well water that is unsuitable for deep wells do to the poor flow and high level of dissolved salts. Most residents are forced to use shallow (<10 feet) that are sensitive to droughts and surface contamination. Several residents must truck in water to meets needs in the late summer and fall. Excessive rains might cause the leaching of contaminants into the subsurface aquifer and damage the integrity of the well water in the houses to the east of the development (along Marshal Road). How will the proposed park be sustainable in terms of water production and the disposal of contaminants from the proposed industrial park?
- 10) The proposal is highly likely to downgrade the property values of the surrounding community, thereby placing the burden of the industrial development on the unwitting neighbours of the facility. Ask any of his previous neighbours.

In general, I wonder if the site is suitable for industrial development in spite of its archaic zoning designation. The applicant has shown a strong pattern of abuse of noise and pollution abuse and a pattern of being a poor neighbour and steward of his own community. A better use would be as a parking lot and starting point for the users of the Trans Canada Trail. There are other viable locations in the region for industrial activities, this site is not one of them.

The CRVD should respect the mandate of their own community plan and develop needed industrial sites along existing corridors of transport, not in the middle of a thriving rural community amid vineyards and productive farms.

Bill and Lynn Jones
Deerholme Farm

000312

Rachelle Moreau

From: Dianne Kolenosky [dkolenosky@vtc.net]
Sent: Thursday, October 11, 2007 9:15 AM
To: Alice Howse; Arlene Sanford-Knowles; Chip; Edward Brennink; Gail/Keith Robertson; Georg Stratemeyer; Ian Ripley; Jenn McCorkell; Linda Quesnel; Lynn/Bill Jones; Marianna; Pacific Sun Alpacas; Sharon Predy; The Hawthorn; Vaughn Maycock
Cc: John Salmen; Loren Duncan; Rachelle Moreau
Subject: AREA E ADVISORY PLANNING COMMITTEE MEETING -TUES. OCT. 16 - GLENORA HALL- PLEASE ATTEND!!!

Hello Neighbours!

An Industrial Park is coming to Glenora on Waters Road!

Mark **Tuesday October 16** on your calendar and plan to attend the **Area E Advisory Planning Committee Meeting (7pm at the Glenora Hall)** at which Russ Crawford of Rocky Point Metalcraft in Metchosin will be outlining his plans to build a **Glenora Business Park** at **4885 Waters Rd.** (the 7.6 acre site of Ken Williams former sawmill – **zoned Heavy Industrial**) across from the former Weyerhaeuser entrance.

Mr. Crawford has applied to the CVRD for a Development Permit to build:

1. a 100'x80' cement block building to house his **metal and aluminum fabricating business**;
2. a smaller metal storage building;
3. a building to house industrial/commercial rental units
4. 3 mini-storage unit buildings for public rental;
5. a two-story office with living quarters upstairs.

The Advisory Planning Committee Meeting will be making recommendations to **CVRD Development Services** on the proposal. Although the meeting is open to the public, the APC may or may not entertain input from the public at this meeting. However, this is your best opportunity to hear what is actually being planned and to show the CVRD that you are concerned about how Glenora is developed.

If, following the meeting, you have concerns about the development, you can discuss them with Loren Duncan (746-0240) and/or CVRD Development Services (746-2620) and/or provide written comments to both.

Within 2-4 weeks of this APC meeting, Loren will be taking the proposal to the Electoral Areas Services Committee meeting (a public meeting) which will make recommendations on the Development Permit to the full CVRD Board (a public meeting) where the final decisions will be made..

Please come to this meeting to find out what is going to be happening to the Glenora community!

Thanks!

Dianne Kolenosky, Cavin Rd. (746-4438) and

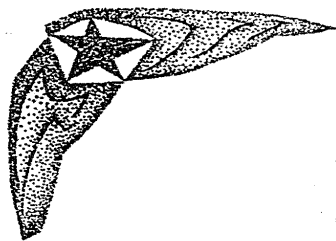
Lynn Jones, Stelfox Rd. (748-7450)

(Please feel free to call either of us if you have questions!)

000313

10/11/2007

Dev. Serv



THE ITA WEGMAN ASSOCIATION
OF BRITISH COLUMBIA

*For Curative Education
And Social Therapy*



NOV 29 2007

Oct. 10, 2007

The Cowichan Valley Regional District
Development Services
175 Ingram St.
Duncan, B.C.

Re: Development Permit Application by Russ Crawford
4887 Waters Road, Glenora, B.C.

To Whom It May Concern:

I am writing on behalf of the members of the Ita Wegman Association and the Glenora Farm community to express our concerns over the proposed industrial development at 4887 Waters Road.

The Ita Wegman Association is a non-profit organization which operates Glenora Farm located at 4667 Waters Road, the Glenora General Store at 3630 Glenora Road and our weavery, at 3631 Glenora Road. Our mandate is to live and work with adults with developmental disabilities providing an environment in which those who are in need of special care, and those who provide it, can relate to each other as companions. We strive to maintain a healthy working and living situation for companions and co-workers alike.

We question whether a welding or metal fabrication shop, rental storage units and perhaps other businesses will have a negative impact for the residents of Glenora. We operate a biodynamic farm and there are other organic and biodynamic farms in Glenora as well. Is there a possibility that chemicals and other airborne residual from an industrial operation will present health hazards to our farming practices? The increase in industrial traffic will add fossil fuel pollutants as well. It is a proven fact that organic farms have had their certification revoked because of pollutants from several miles away.

Main Office (Glenora Farm)
4766 Waters Road

Duncan, BC V9L 6S9

Tel.: (250) 715-1559

Fax: (250) 715 1971

e-mail: itaweg@shaw.ca

Website: www.itawegmanassociation.org

Mailing Address:
Ita Wegman
Association
PO Box 463
Duncan, BC
V9L 3X8

000314

Another concern is safety. We encourage our companions to be as independent as possible and to be physically active. Many enjoy walking or jogging on Glenora Road and do not need to be accompanied by a co-worker. This would end if there was an increase in both customer traffic to the site, as well as industrial. This section of road is narrow with poor visibility and the potential for an accident with heavy traffic is a concern. We also have young children who are taken on walks in their strollers, or ride their bicycles along this stretch of road. We all enjoy the ability to be able to walk to the store and weavery for exercise. It would be irresponsible of us to allow this to continue under such circumstances. We are all only too aware of the increased traffic from the wineries and stables which leads us to wonder if the roads in Glenora are now utilized to their maximum capacity.

We acknowledge that at one time there was a sawmill at this location. It has not been in existence for several years, and since it's demise the area has continued to expand with vineyards, farms focused on food security, artists, the Trans-Canada trail, eco-tourism, equestrian centers, country B & B's, horse riding and walking trails. This is an area for outdoor activities therefore it is important for the beauty of Glenora to be preserved so that generations can continue to enjoy the rural and farming community.

On our own farm we are currently building more houses but we are striving to build with as little impact on the environment as possible. We are installing geo-thermal and passive solar, post and beam construction with salvaged logs milled at our farm, avoidance of material containing glues or other toxic substances. We are also exploring alternatives to exterior finishes rather than traditional siding and roofing. We do have a commitment to a healthy environment and are demonstrating this in our work and projects at Glenora Farm.

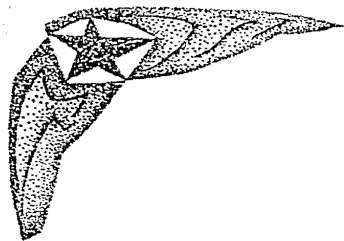
We need to protect the air, water and earth from pollution, and the residents from the noise and loss of privacy. We need to maintain the enjoyment of the country roads and to support the farmers, artisans, vintners, nature enthusiasts and other residents who have chosen to live in an area without industrial activity. We hope you will take our concerns into consideration during your deliberations.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Olaf Lampson".

Olaf Lampson



THE ITA WEGMAN ASSOCIATION
OF BRITISH COLUMBIA

*For Curative Education
And Social Therapy*

h. Duncan
C.V.R.D.
RECEIVED

NOV 29 2007

Oct. 10, 2007

The Cowichan Valley Regional District
Development Services
175 Ingram St.
Duncan, B.C.

Re: Development Permit Application by Russ Crawford
4887 Waters Road, Glenora, B.C.

To Whom It May Concern:

I am writing on behalf of the members of the Ita Wegman Association and the Glenora Farm community to express our concerns over the proposed industrial development at 4887 Waters Road.

The Ita Wegman Association is a non-profit organization which operates Glenora Farm located at 4667 Waters Road, the Glenora General Store at 3630 Glenora Road and our weavery, at 3631 Glenora Road. Our mandate is to live and work with adults with developmental disabilities providing an environment in which those who are in need of special care, and those who provide it, can relate to each other as companions. We strive to maintain a healthy working and living situation for companions and co-workers alike.

We question whether a welding or metal fabrication shop, rental storage units and perhaps other businesses will have a negative impact for the residents of Glenora. We operate a biodynamic farm and there are other organic and biodynamic farms in Glenora as well. Is there a possibility that chemicals and other airborne residual from an industrial operation will present health hazards to our farming practices? The increase in industrial traffic will add fossil fuel pollutants as well. It is a proven fact that organic farms have had their certification revoked because of pollutants from several miles away.

Main Office (Glenora Farm)
4766 Waters Road

Duncan, BC V9L 6S9
Tel.: (250) 715-1559
Fax: (250) 715 1971
e-mail: itaweg@shaw.ca

Website: www.itawegmanassociation.org

Original	Copy to
Served	
Communicated	
Disputed by	
File #	

DSD
D. R. Duncan
Dec 4/07

Mailing Address:
Ita Wegman
Association
PO Box 463
Duncan, BC
V9L 3X8

000316

Another concern is safety. We encourage our companions to be as independent as possible and to be physically active. Many enjoy walking or jogging on Glenora Road and do not need to be accompanied by a co-worker. This would end if there was an increase in both customer traffic to the site, as well as industrial. This section of road is narrow with poor visibility and the potential for an accident with heavy traffic is a concern. We also have young children who are taken on walks in their strollers, or ride their bicycles along this stretch of road. We all enjoy the ability to be able to walk to the store and weavery for exercise. It would be irresponsible of us to allow this to continue under such circumstances. We are all only too aware of the increased traffic from the wineries and stables which leads us to wonder if the roads in Glenora are now utilized to their maximum capacity.

We acknowledge that at one time there was a sawmill at this location. It has not been in existence for several years, and since it's demise the area has continued to expand with vineyards, farms focused on food security, artists, the Trans-Canada trail, eco-tourism, equestrian centers, country B & B's, horse riding and walking trails. This is an area for outdoor activities therefore it is important for the beauty of Glenora to be preserved so that generations can continue to enjoy the rural and farming community.

On our own farm we are currently building more houses but we are striving to build with as little impact on the environment as possible. We are installing geo-thermal and passive solar, post and beam construction with salvaged logs milled at our farm, avoidance of material containing glues or other toxic substances. We are also exploring alternatives to exterior finishes rather than traditional siding and roofing. We do have a commitment to a healthy environment and are demonstrating this in our work and projects at Glenora Farm.

We need to protect the air, water and earth from pollution, and the residents from the noise and loss of privacy. We need to maintain the enjoyment of the country roads and to support the farmers, artisans, vintners, nature enthusiasts and other residents who have chosen to live in an area without industrial activity. We hope you will take our concerns into consideration during your deliberations.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Olaf Lampson".

Olaf Lampson



NOV 29 2007

Oct. 10, 2007

The Cowichan Valley Regional District
Development Services
175 Ingram Street
Duncan, B.C.

Re: Development Permit Application by Russ Crawford
4887 Waters Road, Glenora, Area E

Dear Sir/Madam,

We are writing to express our concern regarding the application to build a welding shop and storage units at the former mill site located on 4887 Waters Road. The first issue we wish to address is the increase in industrial traffic. The visibility at the entrance to this site is very poor, it is hidden by a hill to the south therefore traffic coming from that direction do not see the entrance and traffic pulling out until they are upon it. This will be even more dangerous if large trucks are turning into or coming out of the site. It should also be noted that with increased road use by industrial traffic the roads and bridges which are old and expensive to maintain will be greatly impacted.

There are a number of other problems which can occur as a result of such a development. There will not only be increased industrial traffic, but customers to the site as well. Not only will their vehicular traffic be disruptive, so will the noise from the various businesses on the site. The area is surrounded by vineyards, farms, equestrian sites and the Trans-Canada Trail. The location of industrial development in this part of Glenora, or any part for that matter, is no longer acceptable. Glenora has always been a farming community, and yes it is true that at one time there was a sawmill on this property, but in recent years the sawmill has not existed and since then the community has continued to develop as an important part of the food security and eco tourism movement so valued today.

000318

There are also other obvious concerns such as water contamination, risk of fire from industrial activities and the seasonal water shortage in Glenora. Not only will there be noise, but neighbours will be exposed to a potential industrial park in their back yards. If we look at the long-term vision for this area of beautiful fields and forests, the Cowichan River and spawning streams, organic and biodynamic farms, hiking and horseback riding trails, wineries and B. & B's, is this the right location for an industrial park? We think not and urge you to support the concerns of Glenora residents by turning down this application for industrial development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Lindwall', written in a cursive style.

Ann Lindwall
4770 Waters Road
Duncan, B.C.

cc. Loren Duncan

L. Duncan
C.V.R.D.
RECEIVED

NOV 29 2007

Oct. 10, 2007

The Cowichan Valley Regional District
Development Services
175 Ingram Street
Duncan, B.C.

Re: Development Permit Application by Russ Crawford
4887 Waters Road, Glenora, Area E

Dear Sir/Madam,

We are writing to express our concern regarding the application to build a welding shop and storage units at the former mill site located on 4887 Waters Road. The first issue we wish to address is the increase in industrial traffic. The visibility at the entrance to this site is very poor, it is hidden by a hill to the south therefore traffic coming from that direction do not see the entrance and traffic pulling out until they are upon it. This will be even more dangerous if large trucks are turning into or coming out of the site. It should also be noted that with increased road use by industrial traffic the roads and bridges which are old and expensive to maintain will be greatly impacted.

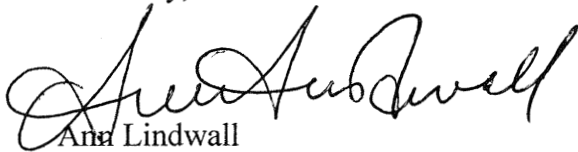
There are a number of other problems which can occur as a result of such a development. There will not only be increased industrial traffic, but customers to the site as well. Not only will their vehicular traffic be disruptive, so will the noise from the various businesses on the site. The area is surrounded by vineyards, farms, equestrian sites and the Trans-Canada Trail. The location of industrial development in this part of Glenora, or any part for that matter, is no longer acceptable. Glenora has always been a farming community, and yes it is true that at one time there was a sawmill on this property, but in recent years the sawmill has not existed and since then the community has continued to develop as an important part of the food security and eco tourism movement so valued today.

Original: <i>DSO</i>	Copies to: <i>Dir Duncan</i>
Event:	
Comments:	
Disposal by: <i>SA</i>	Date: <i>Dec 4/07</i>
File #	

000320

There are also other obvious concerns such as water contamination, risk of fire from industrial activities and the seasonal water shortage in Glenora. Not only will there be noise, but neighbours will be exposed to a potential industrial park in their back yards. If we look at the long-term vision for this area of beautiful fields and forests, the Cowichan River and spawning streams, organic and biodynamic farms, hiking and horseback riding trails, wineries and B. & B's, is this the right location for an industrial park? We think not and urge you to support the concerns of Glenora residents by turning down this application for industrial development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anna Lindwall', written in a cursive style.

Anna Lindwall
4770 Waters Road
Duncan, B.C.

cc. Loren Duncan

000321

Rachelle Moreau

From: Dianne Kolenosky [dkolenosky@vtc.net]
Sent: Thursday, October 04, 2007 4:03 PM
To: Russ Crawford
Cc: Loren Duncan; Rachelle Moreau; John Salmen
Subject: GLENORA BUSINESS PARK CONCERNS

**CONCERNS ABOUT
DEVELOPMENT PERMIT APPLICATION
BY
RUSS CRAWFORD
FOR
GLENORA BUSINESS PARK
(FORMER KEN WILLIAMS' SAWMILL SITE)
4885 WATERS ROAD, GLENORA, AREA E
OCT. 4, 2007**

1. SAFETY:

- a) **Vehicle Access:** The entrance to the site off Waters Road is very dangerous since it is hidden from view by a large hill to the south and therefore invisible to traffic coming from that direction until they are almost upon it. Speeders would have no chance to stop. This danger would be acute for large trucks or semis that would take some time turning into or coming out of the site.
- b) **Fire:** One of the main activities in the metal shop would be welding which brings with it a heightened potential for fire. Water is limited on this site, as it is in most of the Glenora area, and not much would be available for fire suppression. Two fires have occurred on this site in the last 16 years, both of which destroyed the buildings on site. Fortunately, neither occurred in the dry summer season so they did not spread to neighbouring forests or houses, but the potential is there.
- c) **Accidents:** This industrial site will add additional traffic and particularly heavy trucks to Glenora's sub-standard roads and bridges and increase the potential for accidents as well as degrade the roads further. This would most likely affect Waters Rd. unless the proponent were to obtain permission to use the logging haul road, in which case the heavy traffic would be one more insult on the small bridges over Glenora Creek on the haul road and on Marshal Rd.
- d) **Theft:** The mini-storage units have the potential to attract to this part of Glenora a more transient population than currently exists here, increasing the potential for theft from the homes in the surrounding area.

2. WATER:

Most residents of this area have shallow wells that draw down quite low by the end of summer and water has to be managed very carefully in late summer until the fall rains start in late October. Some of the longer term residents have observed that water levels in and

000322

around this site have been generally declining over the past 15 years. Most attempts at drilling wells in this area has resulted in unacceptably high TDS or in sulphur water. One exception is a 35 ft. drilled well serving 4881 Waters Rd. but this well is quite close to the wetland. Other attempts at drilling on the old millsite by previous owners have not been successful at locating water and they have also reverted to a shallow well. How much water will this industrial site require and what impact will its water use have on the neighbouring wells and the limited water in this area that is currently being shared by just a few residential properties?

Conversely, in the winter, run-off from the rains has the potential to flood adjacent properties. How will this be managed to minimize the impact, given the fact that most of the industrial site is higher in elevation than the surrounding properties?

3. **SOUND:**

- a) Glenora is one of the few places in the Cowichan Valley that is truly a quiet place to live, especially since the Chalmers wood-chipper moved a few years ago. This will no longer be the case with a metal-working shop inserted in amongst 3 vineyards, world-class equestrian sites, an organic farm, a tourism destination farm, the Trans-Canada Trail, etc..
- b) Depending on the hours of operation for the mini-storage units, there is the potential for noisy activity on the site long beyond regular business hours.
- c) The noise from the business rental units is an unknown and will depend on the types of businesses locating there and their hours of operation.
- d) An effective noise by-law is needed here where industry is being located within a residential area.

4. **SIGHT BUFFERING:**

- a) **Trees:** Policy guidelines require a treed buffer of at least 8 metres in width between the industrial site use and adjoining residential parcels and that existing mature trees should be incorporated into the landscape design. These guidelines should be adhered to without variance. Many mature trees already exist within this buffer and should be maintained. Plantings should be fast-growing, native and deer resistant evergreens and plans for irrigation during the first 3 dry seasons should be required to make sure the plantings survive. If possible, they should be planted in amongst existing deciduous vegetation to protect the young trees from deer and heat while maintaining a vegetative screen when the leaves are out.
- b) **Chain Link Fence:** Existing vegetation in the buffer zone should not be removed to install a chain link fence. Instead the fence should be installed 8 metres from the property boundary at the inside of the buffer zone. The fence should be substantial enough in height to prevent access to **all** properties adjacent to the industrial site.
- c) **Elevation:** Because of all the sawdust buried on the site and the gravel brought in to cover it, the centre part of the site has a higher elevation than the surrounding properties. Attention needs to be paid to how the varying elevations of the buffer zones will grade into the main site.

000323

5. SMELL:

Business uses which create objectionable smell should not be permitted on the property including in the business rental units.

6. STORAGE UNITS:

- a) Since access to the storage units is on both sides, the driveway accessing them on the north side will only be separated from the residential neighbours by the vegetative buffer and a chain link fence. Storage units have the potential to be accessed 7 days a week and at all hours of the day and night with loud and possibly rowdy activities occurring there. This has the potential to be very disruptive to the residential neighbours. It is recommended that access to the storage units be only on the south side so that the units themselves provide a sight and sound barrier between the residential properties and the activities on the industrial site.
- b) Lighting for these units should be designed to eliminate glare to the adjacent properties.
- c) Evening hours of access should be no later than 9 p.m.

7. POND AND STREAM:

- a) Pond and stream should be buffered with no contaminated water running off into either of them or septic beds leaching into them.
- b) The stream volume should be maintained at its pre-development levels flowing through an adjacent property on its way to Glenora Creek, a salmon-bearing stream and a source of drinking water for many residents down-stream.
- c) Hay-field on adjacent property to the east should be protected from flooding.

8. UNDESIGNATED PLOT IN NE CORNER

It is understood that a development permit is required before any construction occurs in this area. It is requested that the proponent commit to making future development in this area consistent with the light industrial nature of the submitted proposal.

9. CONTAMINANTS:

- a) No deleterious materials should be discharged into the septic fields on the property.
- b) There is a high potential for contaminants to be buried on this site after more than 20 years of industrial use. These may be disturbed during land grading and released into the water courses or spread around the site, potentially impacting neighbouring residential and agricultural properties.

000324

A summary of neighbours concerns prepared by
Dianne Kolenosky
3790 Cavin Road

000325

Rachelle Moreau

From: Dianne Kolenosky [dkolenosky@vtc.net]
Sent: Thursday, October 04, 2007 4:02 PM
To: 'Russ Crawford'
Cc: Loren Duncan; Rachelle Moreau; John Salmen
Subject: Glenora Business Park

Hi Russ!

Thanks for your email! We enjoyed meeting you as well and appreciate your willingness to work with the community to come up with a design that keeps all of us happy. I apologize for not getting the summary of the neighbourhood's concerns off to you sooner. We have had a flurry of doctors' appointments recently and I have been rather distracted. However, I am forwarding that document to you in a separate email right after this one.

One of our appointments was in Victoria last Tuesday so we took the opportunity to drive down to Metchosin and dropped in to your place for a few minutes early in the afternoon. Unfortunately it was pouring rain and we didn't hear much going on or see anyone and we hadn't had lunch so we didn't get out of the car but headed back to the My Chosen Café. We will probably drop in again the next time we're in the city.

As I mentioned, most of the neighbourhood concerns are outlined in my second email. (Note to copy recipients: - some changes to section 2 concerning WATER and a new section 8 added). However, since that was put together, I have had another opportunity to look at your plot plan and a few other questions have come up so I am going to outline them here:

- 1) Would there be any other configuration of the main roadway that would move it farther away from the backyards of the houses on Cavin Rd.?
- 2) You mentioned that you would be willing to move the chain link fence to the interior edge of the 8-metre buffer zone. Will that be changed on your drawings or committed in writing? On the subject of chain link fence, will it be a total perimeter fence or just around certain areas? How high will this fence be?
- 3) We would like to see a vegetated buffer zone at the edge of our property rather than the septic field. This would assist in reducing the impact of noise from your metal plant heading in the direction of our property as well as providing a visual screen along the walking path that we use daily.
- 4) Your plot plan shows that the stream crossing the boundary between our properties is fairly close to the SE corner of your property. In reality it crosses approximately 1/3 of the distance from the SE corner along your eastern boundary and needs to be accommodated in your plan.
- 5) Will you be doing any sandblasting on the property?

Thank-you for maintaining an open dialogue with us on your proposal!

Kindest Regards!

Dianne & George Kolenosky

000326

Rachelle Moreau

From: Georg [georg.stratemeyer@shaw.ca]
Sent: Tuesday, October 02, 2007 7:47 PM
To: Rachelle Moreau
Cc: loren_duncan@telus.net; terrain@shaw.ca
Subject: Glenora Business Park - Development Permit Application by Russ Crawford

CVRD Development Services
Duncan, BC

To Whom It May Concern:

We have lived at 4876 Marshall Road for 17 years now. Compared to some of the other residents we still consider ourselves newcomers to the community. During this time, we have come to appreciate what makes Glenora a healthy, functioning neighbourhood. Relationships among neighbours, dialogue over community issues, lending a helping hand over the fence, a healthy and natural environment, access to community resources such as the Trans Canada Trail and the Cowichan River Trail, the Glenora Community Hall, local businesses owned and run by residents, the occasional conflict, and a slow and managed growth all contribute to what we appreciate about Glenora. This mix of community assets, tangible and intangible, and how they interact with each other have formed a healthy and sustainable neighbourhood system over time.

In respect to the permit application, I am concerned about three broad areas: the economic, environmental and social sustainability of the project. I believe, and there is good evidence to support my belief, that a 'triple bottom line' approach for the short and long term will ease the integration of such a development with any community. A failed attempt on the other hand will only succeed in creating a short term economic benefit for the owners of the business. Within the CVRD we have examples of both successful, within Glenora there are three vineyards and Catalyst is actively involved with its community in Crofton, and failed integration, the Chambers chipper move to North Cowichan continues to cause conflict at its new location.

Economically, I am wondering if the Glenora Business Park project is pursuing a long term, viable strategy. We understand that the business model will generate revenues and income for its owners, however, what benefit will Glenora residents and the CVRD derive from the project beyond property taxes? For example, will the businesses located in the rental units be locally owned? Will employment opportunities be made available to residents? Additionally, how will the Glenora Business Park project manage growth within the limitations of the property and connecting infrastructure, such as roadways and bridges, or limited supplies of electricity and water, or lack of facilities to manage effluent? Neighbouring property values are directly dependent on how the Glenora Business Park will operate, making a concern about management a legitimate and fair question. How does it make economic sense to isolate industrial activities in a rural community away from transportation networks, water and sewer systems, and suppliers and clients of the business or businesses that will operate there?

Environmentally, I am wondering if the project is going to be LEED certified. It is my understanding that LEED certification according to the Canada Green Building Council is a voluntary commitment, however, a commitment on part of the builder of the project will greatly enhance the community's acceptance. It seems obvious that the storage units will be converted to industrial use as business expands, however, industrial use will place different demands on the property and the community compared to storage facilities. Certification would need to take the evolving use of the storage facilities in consideration.

I am also concerned how the project is going to deal with pollution that might exist on the property and what effluent and waste management practices and technologies the owner intends to employ. As a community dependent on ground water, we have a right to demand assurances that any project not connected to sewer systems will include wastewater treatment facilities and that any wastewater from industrial activities or runoff will meet standards for residential water use. We also have the right to know how the wastewater treatment systems will be managed for risk and accidental spills.

Socially, I am wondering how the Glenora Business Park will integrate within its neighbourhood. Glenora will change as a community in response to the increased demands placed on existing infrastructure in addition to the presence of active industrial use. We would like to know how the management of the project intends to involve the

community not just during the permit and building phases, but also after the project has been completed. How can the community contribute to the design and management of the project? What conflict resolution mechanism will be available? How will the Glenora Business Park contribute to existing community assets? What goals has the developer set for the Glenora Business Park?

Economic, environmental and social sustainability are clearly interdependent. Treating any one aspect as an independent variable from the others, given today's knowledge, makes any project unfeasible. The property was zoned for industrial use under a paradigm of unlimited economic growth and plentiful natural resources. We are learning that this paradigm has lead us to a situation where the cost of environmental damage and negative social impacts are reaching staggering proportions and that some may actually be irreversible. We have paid for unsustainable economic growth with environmental damage and an increasing negative social consequences. The property is an excellent example of this paradigm. It is in its current state it is in need of restoration before it can be used for residential or agricultural purposes. I respectfully suggest it is an antiquated concept to locate industrial activities next to natural resources such as the Trans Canada Trail simply because one can.

At this point, I don't have the information necessary to be supportive of the Glenora Business Park project and would like to express my opposition.

Best Regards

Georg Stratemeyer

Georg Stratemeyer
4876 Marshall Rd., Duncan, BC, V9L 6T3
250-715-3886

000328

10/3/2007



SRI

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF SEPTEMBER 15, 2009

DATE: August 27, 2009 **FILE No:**
FROM: Sybille Sanderson **BYLAW No:**
A/General Manager, Public Safety
SUBJECT: PUBLIC SAFETY MID-YEAR BUDGET STATUS REPORT

Purpose:

To provide the Committee with an interim report as of July 31 on the status of the Public Safety Department budgets which fall under the direct responsibility of the Electoral Area Services Committee.

Financial Implications:

Financial update only.

Interdepartmental/Agency Implications:

None.

Background:

Commitments were made earlier this year to bring interim reports to the various committees or commissions outlining the current status of the Departmental budgets. The following is a brief outline of key aspects of the following budgets.

Fire Protection North Oyster Budget (350)

Expenditures:

General expenditures for benefits and office administration are right in line with where they should be at this time of year. Repair and Maintenance of several of the fire trucks have gone significantly over budget but this is balanced out with other budget lines that are within or below year-to-date budget amounts. With the Fire Hall Project continuing to proceed, the budget for consultant's fees has been overspent. It is expected that other areas of the budget will need to be pared to cover this over-expenditure.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area and 87% of the budgeted Sale of Services.

000329

Fire Protection Mesachie Lake Budget (351)

Expenditures:

General expenditures for benefits and administration are right in line with where they should be at this time of year. Insurance rates for the fire trucks were higher than anticipated but this is balanced out with other costs that are within or below year-to-date budget amounts. The new fire truck has been purchased and came in at 71% of the anticipated cost which is great news for the department.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area as well as the M.F.A. Funding – Short Term.

Fire Protection Cowichan Lake Budget (352)

Expenditures:

This is a Contract for Service to the Town of Lake Cowichan Fire Department. 100 % of the Contract has now been paid. Additional expenditures are not anticipated.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area.

Fire Protection Saltair Budget (353)

Expenditures:

This budget comprises two Contracts for Service, one to the Town of Ladysmith Fire Department and the other to the North Cowichan Fire Department – Chemainus Hall. 100 % of the Contract has now been paid. Additional expenditures are not anticipated.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area.

Fire Protection Sahtlam Budget (354)

Expenditures:

General expenditures for benefits and administration are right in line with where they should be at this time of year. Repair and Maintenance of two of the fire trucks have gone slightly over budget but this is balanced out with other costs that are within or below year-to-date budget amounts. The funds budgeted for the new mobile water tender firefighting apparatus (\$133,000 Loan Authorization and the \$70,000 Transfer from Reserve) remain unspent, however the Alternate Approval Process has been passed and is now before the Board for approval to proceed.

Revenues:

Revenues from Sale of Services are at 104% of our budget expectations which slightly exceeded our anticipated revenue. We have received 100% of the budgeted Requisition for the Specified Area as well as for the Sale of Services Contract.

Fire Protection Malahat Budget (355)

Expenditures:

General expenditures for benefits and administration are right in line with where they should be at this time of year.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area and just received the Funds from the Capital Regional District in August.

Fire Protection Eagle Heights Budget (356)

Expenditures:

This is a Contract for Service to the City of Duncan Fire Department. 100 % of the Contract has now been paid. Additional expenditures are not anticipated.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area.

Fire Protection Honeymoon Bay Budget (357)

Expenditures:

General expenditures for benefits and administration are right in line with where they should be at this time of year.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area.

Fire Protection Youbou Budget (358)

Expenditures:

General expenditures for benefits and administration are right in line with where they should be at this time of year.

Revenues:

We have received 100% of the budgeted Requisition for the Specified Area.

Action:

This report is submitted for information purposes only.

Submitted by,

for *Sanderson*
Sybille Sanderson
A/General Manager
Public Safety Department

Financial Review Completed: *[Signature]*
Signature



SR2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF SEPTEMBER 15, 2009

DATE: September 1, 2009 **FILE NO:** 0540-20-EASC/07
FROM: Sybille Sanderson, Acting General Manager, Public Safety
SUBJECT: First Responder Agencies Consent and Indemnity Agreement

Recommendation:

That it be recommended to the Board that the Chair and Corporate Secretary be authorized to sign the First Responder Consent and Indemnity Agreement (attached).

Purpose:

To consider the approval of the proposed "Consent and Indemnity" agreement received from the Emergency and Health Services Commission.

Financial Implications:

n/a

Background:

The Emergency and Health Services Commission, in consultation with UBCM, Fire Service Representatives and MIA, undertook a review of the operating practices and responsibilities and liabilities associated with providing first responder services. The issues identified in the review were addressed by the attached Emergency and Health Services Commission agreements.

The six CVRD volunteer fire departments (Honeymoon Bay, Malahat, Mesachie Lake, North Oyster, Sahtlam and Youbou) are listed as parties to the agreement under the auspices of the Regional District. Both agreements are identical except that the Consent and Indemnity agreement also provides limited indemnity coverage.

Submitted by,

Sybille Sanderson

Sybille Sanderson
Acting General Manager, Public Safety

/bw

Attachments: August 10, 2009 Emergency and Health Services Commission Letter and Agreements

000333

August 10, 2009

File: 51050-20/FRCC
Cliff: 797757

All First Responder Agencies

Dear Members:

Please find enclosed the new Consent and Consent and Indemnity Agreements for your organization's signing authority signature. Depending on insurance coverage some First Responder Agencies may want to sign the 'consent only' agreement. However, all First Responder Agencies should review both agreements so as to ensure the best indemnification possible.

For your records, please find attached a copy of the authorization from Keith R. Gibson of the Municipal Insurance Association of BC and a letter from Ken Vance of the Union of BC Municipalities.

Please remember these agreements must be signed by an individual who has signing authority for the Municipality, Regional District, or Society. For many Fire Departments throughout the province, this may not be the Fire Chief but it may be the City Administrator or a similar position. Please take the time to find out who has the signing authority and have that person sign the new agreements. A finalized copy will be sent to their office for record keeping purposes.

I would like to thank you in advance for having the agreements signed and returned to my office.

Sincerely,



Randy Shaw
Director, First Responder Services



390 – 1050 Homer Street
Vancouver, BC V6B 2W9
Phone: 604 683 6266 Fax: 604 683 6244
www.miabc.org
kgibson@miabc.org

Cleve Molsberry
Vice President
Corporate Policy and Planning
Emergency Health Services Commission
PO Box 9600 Stn Prov Govt
Vitoria, B.C. V8W 9P1

sent via email Cleve.Molsberry@gov.bc.ca

Dear Cleve

Re: FR Working Group – Amended Indemnity

At the request of the Working Group this letter is to confirm the Municipal Insurance Association of British Columbia finds the amended indemnity, which was circulated by email on Wednesday, March 18, 2009, acceptable.

Yours truly

Keith R. Gibson, CRM
Risk Manager

000335

UNIVERSITY
OF
BRITISH
COLUMBIA
MUNICIPALITIES

Suite 401
10001 Shelbridge Way
Richmond
British Columbia
Canada V6X 2Y9
604.270.8228
Fax 604.270.9110
Email: ubcm@vicer.bccm

PRESIDENT
ROBERT JOHNSON

EXECUTIVE DIRECTOR
CARYN ISAAC

June 24, 2009

Chief Steve Gamble
Fire Chiefs' Association of B.C.
Unit 9 - 715 Barrera Road
Kelowna, BC
V1W 3C9

Dear Chief Gamble:


Re: First Responder Agreements

UBCM has reviewed the agreements developed by the Emergency and Health Services Commission for the delivery of first responder services. The review was done as a result of a decision by the Commission to require formal agreements be signed prior to first responder services being undertaken.

UBCM undertook the review in cooperation with fire service representatives and the Municipal Insurance Association. A number of issues were identified regarding operating practices and regional district responsibility and liability associated with providing first responder services. All of the issues identified in the review were addressed by the Emergency and Health Services Commission in the final draft of the agreement.

I hope this information is of assistance in dealing with the First Responder Agreements.

Yours truly


Ken Vance
Senior Policy Advisor

000336

FIRST RESPONDER AGREEMENT (CONSENT AND INDEMNITY)

THIS AGREEMENT dated for reference the 28th day of August 2009

BETWEEN:

Her Majesty the Queen in Right of the Province of British Columbia,
represented by the Emergency and Health Services Commission
continued under the provisions of the *Emergency and Health
Services Act*, R.S.B.C. 1996, c. 182

(the "Commission")

AND: The Cowichan Valley Regional District

- Honeymoon Bay Volunteer Fire Rescue
- Malahat Volunteer Fire Rescue
- Mesachie Lake Volunteer Fire Rescue
- North Oyster Volunteer Fire Rescue
- Sahtlam Volunteer Fire Rescue
- Youbou Volunteer Fire Rescue

(the "Agency")

(together the "Parties")

WHEREAS:

A. Under the provisions of the *Emergency and Health Services Act*, R.S.B.C. 1996, c. 182, the Commission has the power and authority to:

- (a) provide emergency health services in British Columbia; and
- (b) to assist hospitals, other health institutions and agencies, municipalities and other organizations and persons, to provide emergency health services and to train personnel to provide services, and to enter into agreements or arrangements for that purpose;

and no person may do anything that the Commission is given the power to do except with the written consent of the Commission, and on terms it may specify.

- B. The Agency has employees or volunteer members who are licensed as EMA FR under the provisions of the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004.

NOW THEREFORE, in consideration of the premises, and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by each of the Parties), the Parties agree as follows:

1.0 INTERPRETATION

- 1.1 "EMA FR" has the same meaning as in the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004;

"Emergency Health Service" has the same meaning as in the *Emergency and Health Services Act*;

"Emergency Medical Assistant" has the same meaning as in the *Emergency and Health Services Act*;

"First Nation" has the same meaning as in the *Community Charter*, S.B.C. 2003, c. 26;

"First Responder" means an individual who is licensed as an EMA FR in British Columbia;

"Local Authority" has the same meaning as in the *Community Charter*, S.B.C. 2003, c. 26.

2.0 TERM

- 2.1 This Agreement will continue until it is terminated in accordance with section 16.1.

3.0 CONSENT

- 3.1 The Commission consents to the Agency:
- (a) providing Emergency Health Services in British Columbia by way of its First Responders; and
 - (b) training personnel to provide Emergency Health Services and entering into agreements or arrangements for that purpose;

(collectively “the Services”), subject to the terms and conditions contained in this Agreement.

4.0 REQUIREMENT TO BE A LEGAL ENTITY

- 4.1 The Agency must be a Local Authority or First Nation, or be a non-profit corporation.
- 4.2 An Agency which is not a Local Authority or First Nation must provide the Commission with:
 - (a) a certificate of incorporation issued under the British Columbia *Society Act*, R.S.B.C. 1996, c. 433; or
 - (b) Letters Patent granted under the Federal *Canada Corporations Act*, Part 2, R.S.C. 1970, c. C-32.

5.0 DISPATCH

- 5.1 The Agency will only provide Emergency Health Services at the request of the Commission through the Commission’s Emergency Medical Dispatch System.

6.0 SERVICES

- 6.1 It is a condition of this Agreement that an Agency will only allow a First Responder to provide Emergency Health Services:
 - (a) for which the First Responder has been trained; and
 - (b) with respect to which the First Responder is licensed and holds a proper licence endorsement under the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004.

7.0 DIRECTION

- 7.1 Subject to section 7.2, the Agency will require its First Responders to accept direction from an Emergency Medical Assistant employed by the Commission who has been dispatched by the British Columbia Ambulance Service to the scene of a medical emergency when:

- (a) both a First Responder and an Emergency Medical Assistant are in attendance;
- (b) the direction provided by the Emergency Medical Assistant is directly related to the provision of Emergency Health Services;
- (c) the direction provided by the Emergency Medical Assistant does not require the First Responder to provide any Emergency Health Services for which the First Responder is not licensed or does not hold a proper license endorsement under the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004; and
- (d) the Agency has received the consent of the Commission under this Agreement to provide the Emergency Health Services for which direction is being given by the Emergency Medical Assistant.

7.2 First Responders may, at their discretion, accept direction or assistance from an off-duty Emergency Medical Assistant employed by the Commission if the First Responder believes that the direction is in the best interests of the patient.

8.0 **INDEMNITY**

- 8.1 To the extent that the Agency is not indemnified under a valid and collectible policy of insurance, the Commission will indemnify and save harmless the Agency, against and from, all claims which may be brought or made by any person against the Agency or its First Responders in consequence of providing the Services in British Columbia in accordance with this Agreement, and whether sustained or incurred by reason of negligence or default, including legal fees and disbursements.
- 8.2 Despite section 8.1, the Commission will not indemnify or save harmless the Agency against claims which are the result of:
- (a) the gross negligence or willful, wanton or reckless conduct of a First Responder in providing the Services;
 - (b) a First Responder providing Services for which they have not been trained and for which they are neither licensed nor hold a proper license endorsement under the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004;
 - (c) a First Responder traveling to or from a location for the purposes of providing the Services;

- (d) a First Responder sustaining bodily injury or death as a result of providing the Services;
- (e) the Agency or a First Responder failing to comply with the terms of this Agreement.

9.0 **DEFENCE**

9.1 For the purpose of this part:

"Action" means any action in which a Claim is brought, made or advanced against the Agency;

"Claim" means any Claim contemplated by section 8.1;

"Judgment" means an award of damages or other monetary compensation made in an Action which the Agency is ordered to pay by any court having proper jurisdiction, as a result of any Claim brought made or advanced against the Agency; and

"Settlement" means an agreement to compromise a Claim or an Action.

9.2 Upon the Agency becoming aware of any pending or threatened Claim or Action, written notice must be given by or on behalf of the Agency to the Commission within ten business days.

9.3 The Commission will investigate each Action or Claim as the Commission considers necessary, and must pay the costs of any investigation.

9.4 If the Commission has reasonable grounds for believing that any of the circumstances described in section 8.2 applies to the Action, the Commission may refuse to defend the Action. Such refusal will not relieve the Commission from its obligations to indemnify the Agency if it is subsequently determined that section 8.2 does not apply to the Action.

9.5 If the Commission obtains the written consent of the Agency (which the Agency agrees not to unreasonably withhold), the Commission may make a Settlement, provided that the Agency or its First Responders will not be required as part of the Settlement to admit liability.

9.6 If the Agency fails to give consent to the terms of a proposed Settlement under section 9.5, the Commission may require the Agency to negotiate or defend the Action independently of the Commission. In this case, any amount in excess of the Settlement negotiated by the Commission will not be recoverable under this Indemnity, and the Commission will only be

responsible for legal fees and costs up to the time when the Settlement could have been made.

- 9.7 In respect of any claim or action which is founded upon any of the acts specified in section 8.2, the Agency will defend or negotiate a settlement and pay any compensation or other payment under any such settlement or any judgment.

10.0 COMMUNICATIONS

- 10.1 The Agency must provide the Commission with one of the following:

- (a) a telephone number which allows the Commission to communicate with the Agency; or
- (b) proof that the First Responders can be efficiently dispatched by the Commission.

11.0 RELATIONSHIP

- 11.1 No partnership, joint venture, agency or other legal entity will be created by or will be deemed to be created by this Agreement or any actions of the Parties pursuant to this Agreement.

12.0 MONEY

- 12.1 The Agency will not in any manner whatsoever commit or purport to commit the Commission to the payment of money to any person, firm or corporation.

13.0 ASSIGNMENT

- 13.1 The Agency will not assign, directly or indirectly, this Agreement or any right under this Agreement.
- 13.2 The Agency will not sub-contract the provision of the Services.

14.0 NON-WAIVER

- 14.1 No term or condition of this Agreement and no breach by the Agency of any such term or condition will be deemed to have been waived unless such waiver is in writing signed by the Commission.
- 14.2 The written waiver by the Commission of any breach by the Agency of any term or condition of this Agreement will not be deemed to be a waiver of any other provision or any subsequent breach of the same or any other provision of this Agreement.

15.0 APPROVALS

- 15.1 This Agreement does not operate as a permit, license, approval or other statutory authority which the Agency may be required to obtain from the Province of British Columbia or any of its agencies in order to provide the Services.
- 15.2 Nothing in this Agreement is to be construed as interfering with the exercise by the Province of British Columbia or its agencies of any statutory power or duty.

16.0 TERMINATION

- 16.1 The Commission may terminate this Agreement immediately on giving written notice of termination to the Agency for the Agency's failure to comply with the terms and conditions of this Agreement; and both Parties may terminate the Agreement on giving thirty (30) days' written notice of termination to the other Party.

17.0 NOTICES

- 17.1 Any written communication must be mailed, personally delivered or faxed to the following address:

if to the Commission:

Director, First Responder Services
Emergency and Health Services Commission
302 – 2955 Virtual Way
Vancouver BC V5M 4X6
Fax: (604) 660-6702

if to the Agency:

Name: _____

Title: _____

Address: _____

Fax Number: _____

17.2 Any written communication from a Party will be deemed to have been received by the other Party on the third business day after mailing in British Columbia; on the date of personal delivery if personally delivered; or on the date of transmission if faxed.

17.3 Any Party may, from time to time, notify the other Party in writing of a change of address and, following the receipt of such notice, the new address will, for the purposes of section 17.1 of this Agreement, be deemed to be the mailing address of the Party giving notice.

18.0 EXECUTION

18.1 The Director, First Responder Services, is authorized to enter into and execute this Agreement on behalf of the Commission.

18.2 The Agency represents and warrants that it has authorized the signatory who has signed this Agreement on its behalf to enter into and execute this Agreement on its behalf without affixing the Agency's common seal.

19.0 MISCELLANEOUS

19.1 All of the provisions of this Agreement in favour of the Commission, either at law or in equity, will survive any expiration or sooner termination of this Agreement.

19.2 This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia.

19.3 No amendment or modification to this Agreement will be effective unless it is in writing and duly executed by the Parties.

- 19.4 If any provision of this Agreement or the application to any person or circumstance is invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to any other person or circumstance will not be affected or impaired thereby, and will be enforceable to the extent permitted by law.
- 19.5 Each of the Parties will, upon the reasonable request of the other, make, do, execute or cause to be made, done or executed all further and other lawful acts, deeds, things, devices, documents, instruments and assurances whatsoever for the better or more perfect and absolute performance of the terms and conditions of this Agreement.
- 19.6 Time will be of the essence in this Agreement.
- 19.7 The headings appearing in this Agreement have been inserted for reference and as a matter of convenience and in no way define, limit or enlarge the scope of any provision of this Agreement.
- 19.8 Any reference to a statute in this Agreement, whether or not that statute has been defined, includes all regulations at any time made under or pursuant to that statute and any amendments to that statute.
- 19.9 In this Agreement, wherever the singular or neuter is used it will be construed as if the plural or masculine or feminine, as the case may be, had been used where the context so requires.
- 19.10 This Agreement will enure to the benefit of and be binding upon the Parties and their successors and permitted assigns.
- 19.11 This Agreement constitutes the entire agreement between the Parties with respect to the subject matter of this Agreement.

19.12 This Agreement may be executed in counterpart, which when taken together will constitute one and the same Agreement. This Agreement may be executed by the exchange of signed counterparts by facsimile transmission or electronically in PDF or similar secure format.

IN WITNESS WHEREOF the Parties hereto have executed this Agreement the day and year first written.

Director, First Responder Services
THE EMERGENCY AND HEALTH
SERVICES COMMISSION

)
)
)
)
)
)

Name: _____

Title: Director, First Responder
Services

Duly Authorized Signature of
THE AGENCY

)
)
)
)
)
)

Name: _____

Title: _____



SR3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF SEPTEMBER 15, 2009

DATE: September 8, 2009 **FILE NO:** 5-REG-09BE
FROM: Nino Morano, Bylaw Enforcement Officer **BYLAW NO:** 3209
SUBJECT: Ticket Information Authorization Bylaw Amendments

Recommendation:

That the Ticket Information Authorization Bylaw No. 3209 be amended to include the attached new Schedules.

Purpose:

To amend the existing Ticket Information Authorization Bylaw No. 3209.

Financial Implications:

n/a

Interdepartmental/Agency Implications:

Engineering & Environmental Services, Parks, Planning & Development, RCMP, SPCA

Background:

Since the passing of the Ticketing Authorization Bylaw No. 3209 on October 8, 2008 there have been changes to applicable bylaws, staff titles and the desire to include more bylaws for ticket utilization. The following changes are a combination of housekeeping (staff titles and additional "officers"), changes to existing bylaws (fireworks, Area "F" Zoning, solid waste, waste stream, Cherry Point Estates & Honeymoon Bay & Mesachie Lake & Shawnigan Lake North & Saltair water systems and Eagle Heights/Allenby Road/Koksilah sewer system) and additional bylaws (Landclearing, Arbutus Mountain Estates & Lambourn Estates water & sewer systems, Cobble Hill sewer system, Arbutus Mountain Estates & Lanes Road & Cobble Hill drainage systems).

Submitted by,

Nino Morano
Bylaw Enforcement Officer
Planning and Development Department

Department Head's Approval:

Signature

SCHEDULE 1
CVRD BYLAW NO. 3209

Column I

Column II

Regional District Building Bylaw No. 143, 1974	<ul style="list-style-type: none"> -Bylaw Enforcement Official -Building Inspector -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
CVRD Bylaw No. 3032 - Dog Regulation and Impounding Bylaw, 2007	<ul style="list-style-type: none"> -Bylaw Enforcement Official -Domestic Animal Protection Officer -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Cowichan Valley Regional District Bylaw No. 39 – Fireworks Sale and Discharge Regulation Bylaw, 1970	<ul style="list-style-type: none"> -Bylaw Enforcement Official -Royal Canadian Mounted Police -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Cowichan Valley Regional District Noise Control Bylaw No. 1060, 1987	<ul style="list-style-type: none"> -Bylaw Enforcement Official -Domestic Animal Protection Officer -Royal Canadian Mounted Police -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Cowichan Valley Regional District Sign Bylaw No. 1095, 1987	<ul style="list-style-type: none"> -Bylaw Enforcement Official -Building Inspector -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Cowichan Valley Regional District Parks Bylaw No. 738, 1983	<ul style="list-style-type: none"> -Bylaw Enforcement Official -Manager, Parks and Trails Division -Parks Superintendent -Parks Planning Coordinator -Domestic Animal Protection Officer -Royal Canadian Mounted Police
Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, 1991	<ul style="list-style-type: none"> -Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division

Column I**Column II**

CVRD Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000, 1999	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Electoral Area “B” Zoning By-law No. 985 1986	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Electoral Area “C” Zoning By-law, 1991	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
Electoral Area D Zoning By-law No. 1015, 1986	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
CVRD Electoral Area “E” – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840, 1998	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
CVRD Zoning Bylaw No. 2600, 2005, Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
CVRD Zoning Bylaw No. 2524, 2005, Electoral Area G – Saltair/Gulf Islands	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
the Cowichan Valley Regional District Electoral Area “H” Zoning Bylaw No. 1020, 1986	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division
CVRD Zoning Bylaw No. 2465, 2004, Electoral Area I – Youbou/Meade Creek	-Bylaw Enforcement Official -General Manager, Planning and Development Department -Manager, Community and Regional Planning Division -Manager, Development Services Division

Column I**Column II**

CVRD Bylaw No. 1958 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Bylaw, 1999.	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Recycling and Waste Management Division -Environmental Technologist
CVRD Bylaw No. 2108 – Solid Waste Management Charges and Regulations Bylaw, 2000	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Recycling and Waste Management Division -Environmental Technologist
CVRD Bylaw No. 2570, Waste Stream Management Licencing Bylaw, 2004	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Recycling and Waste Management Division -Environmental Technologist
CVRD Bylaw No. 1690 – Cherry Point Estates Water System Management Bylaw, 1995	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1607 – Honeymoon Bay Water System Management Bylaw, 1994	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2527 – Kerry Village Water System Management Bylaw, 2004	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1971 – Mesachie Lake Water System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1967 – Shawnigan Lake North Water System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2817 – Satellite Park Water System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1763 – Saltair Water System Management Bylaw, 1996	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division

Column I**Column II**

CVRD Bylaw No. 2946 – Youbou Water System Management Bylaw, 2007	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2996 – Fern Ridge Water System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2830 – Sentinel Ridge Sewer System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2476 – Cowichan Bay Sewer System Management Bylaw, 2003	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2560 – Creekside Resort Sewer System Management Bylaw, 2005	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1926 – Eagle Heights/Allenby Road/Koksilah Community Sewer System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2526 – Kerry Village Sewer System Bylaw, 2004	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1748 – Maple Hills Sewer System Management Bylaw, 1996	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1970 – Mesachie Lake Community Sewerage System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 1966 – Shawnigan Beach Estates Sewer System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2947 – Twin Cedars Sewer System Management Bylaw, 2007	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division

Column I**Column II**

CVRD Bylaw No. 2879 – Sentinel Ridge Drainage System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2880 – Wilmot Road Drainage System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2948 – Twin Cedars Drainage System Management Bylaw, 2007	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2020 – Landclearing Management Regulation Bylaw, 2009	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Recycling and Waste Management Division -Environmental Technologist
CVRD Bylaw No. 2998 – Arbutus Mountain Estates Water System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 3099 – Lambourn Estates Water System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2997 – Arbutus Mountain Estates Sewer System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 3098 – Lambourn Estates Sewer System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 3122 – Cobble Hill Sewer System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 2999 – Arbutus Mountain Estates Drainage System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 3100 – Lanes Road Drainage System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division
CVRD Bylaw No. 3123 – Cobble Hill Village Drainage #2 System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division

SCHEDULE 4
CVRD BYLAW NO. 3209

**Cowichan Valley Regional District Bylaw No. 39 – Fireworks Sale and Discharge
Regulation Bylaw, 1970**

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Sale of fireworks	3(a)	\$500
Discharge of fireworks	3(b)	\$100

SCHEDULE 14
CVRD BYLAW NO. 3209

CVRD Zoning Bylaw No. 2600, 2005, Applicable to Electoral Area F
– Cowichan Lake South/Skutz Falls

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Prohibited use	2.3(1)	\$100
Accessory building prohibited	3.2(1)	\$100
Accessory building used as a dwelling unit	3.2(2)	\$100
Bed and breakfast – too many rooms	3.4(2)	\$100
Over height fence	3.6(2)	\$100
Home-based business disturbance	3.10(4)	\$100
Home-based business – exterior storage	3.10(6)	\$100
Home-based business – oversized floor area	3.10(7)	\$100
Home-based business – overweight vehicle	3.10(12)	\$100
More than one kitchen in a dwelling unit	3.17(3)	\$100
Secondary suite prohibited	3.19(9)	\$100
Over height – corner sight triangle	3.23	\$100
Junkyard prohibited	3.24	\$100
Residential use of tent/trailer/motor vehicle	3.26	\$100
Recreational vehicle parking – over limit	3.28	\$100
Accessory building improperly sited	5.1(4), 5.2(2), 5.3(4), 5.4(4), 5.5(4), 5.6(4), 5.7(3), 5.8(4), 5.9(4), 5.10(4), 5.11(4), 5.12(4), 5.14(4), 5.15(4), 5.16(4), 5.17(4), 5.18(5), 5.19(4), 5.20(4) or 5.21(4)	\$100
Structure prohibited on a dock	5.27(2)(a)	\$100

000354

SCHEDULE 19
CVRD BYLAW NO. 3209

CVRD Bylaw No. 2108 – Solid Waste Management Charges and Regulations Bylaw, 2000

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Deposit of prohibited waste	3(c)	\$250
Improper disposal of controlled waste	3(d)(i) or (ii)	\$125
Improper disposal of recyclable materials	3(j)	\$125
Load not secure	Sch. A. 1(d)	\$100
Failure to drive on designated roads	Sch. A. 3(a)	\$100
Deposit contrary to direction	Sch. A. 3(c)	\$100
Removal of deposited solid waste	Sch. A. 3(e)	\$100
Loitering	Sch. A. 3(f)	\$100
Smoking	Sch. A. 4(c)	\$100

SCHEDULE 20
CVRD BYLAW NO. 3209

CVRD Bylaw No. 2570, Waste Stream Management Licencing Bylaw, 2004

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Operating facility without licence	4.1	\$500
Failure to install and maintain locking gate	6.1(a)	\$250
Failure to install and maintain barrier	6.1(c)	\$250
No functioning communication equipment	6.1(d)	\$250
Litter outside facility	6.1(e)	\$250
Leachate from containment system	6.1(f)	\$500
Employee not present	6.1(g)	\$250
Failure to inspect load	6.1(h)	\$250
Failure to maintain records	6.1(i)	\$250
Failure to confirm waste appropriately removed	6.1(j)	\$500
Burning	6.1(k)	\$500
Failure to comply with operating plan	6.1(l)	\$250
Failure to notify fire department	6.1(o)	\$250
Fail to deliver waste or recyclable to licenced facility	8.2	\$500
Failure to remove waste	8.3	\$500
Failure to document compliance	8.4	\$500
Failure to replenish security	10.7	\$500
Failure to pay annual fee	12.3	\$250
Failure to submit monthly statements	12.4	\$250
Failure to maintain records	12.6	\$250
Failure to report waste discharge	13.1	\$250
Failure to report deviation	13.2	\$250
Failure to take all reasonable measures	13.3	\$250
Failure to notify of ownership change	18.1	\$250

000356

SCHEDULE 21
CVRD BYLAW NO. 3209

CVRD Bylaw No. 1690 – Cherry Point Estates Water System Management Bylaw, 1995

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	11(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(d)	\$1000
Alter water meter or bypass to alter water register	11(1)(f)	\$500
Illegal connection to water system	11(1)(g)	\$1000
Establish connection allowing cross-connection	11(1)(i)	\$500
Water use contrary to restrictions	11(1)(k)	\$100

000357

SCHEDULE 22
CVRD BYLAW NO. 3209

CVRD Bylaw No. 1607– Honeymoon Bay Water System Management Bylaw, 1994

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	10(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	10(1)(d)	\$1000
Alter water meter or bypass to alter water register	10(1)(f)	\$500
Illegal connection to water system	10(1)(g)	\$1000
Establish connection allowing cross-connection	10(1)(i)	\$500
Water use contrary to restrictions	10(1)(k)	\$100

SCHEDULE 24
CVRD BYLAW NO. 3209

CVRD Bylaw No. 1971 – Mesachie Lake Water System Management Bylaw, 1999

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	11(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(d)	\$1000
Alter water meter or bypass to alter water register	11(1)(f)	\$500
Illegal connection to water system	11(1)(g)	\$1000
Establish connection allowing cross-connection	11(1)(i)	\$500
Water use contrary to restrictions	11(1)(k)	\$100

SCHEDULE 25
CVRD BYLAW NO. 3209

CVRD Bylaw No. 1967 – Shawnigan Lake North Water System Management Bylaw, 1999

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	10(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	10(1)(d)	\$1000
Alter water meter or bypass to alter water register	10(1)(f)	\$500
Illegal connection to water system	10(1)(g)	\$1000
Establish connection allowing cross-connection	10(1)(i)	\$500
Water use contrary to restrictions	10(1)(k)	\$100

000360

SCHEDULE 27
CVRD BYLAW NO. 3209

CVRD Bylaw No. 1763 – Saltair Water System Management Bylaw, 1996

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	11(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(d)	\$1000
Alter water meter or bypass to alter water register	11(1)(f)	\$500
Illegal connection to water system	11(1)(g)	\$1000
Establish connection allowing cross-connection	11(1)(i)	\$500
Water use contrary to restrictions	11(1)(k)	\$100

000361

SCHEDULE 33
CVRD BYLAW NO. 3209

CVRD Bylaw No. 1926 – Eagle Heights/Allenby Road/Koksilah Community Sewer System Management Bylaw, 1999

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

000362

SCHEDULE 42
CVRD BYLAW NO. 3209

CVRD Bylaw No. 2020 – Landclearing Management Regulation Bylaw, 2009

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Failure to use air curtain burner	4(1)(a)	\$1000
Failure to register burn	4(1)(b)	\$250
Operator not certified	4(1)(c)	\$250
Burning prohibited materials	4(1)(d)	\$1000
Failure to extinguish burning	5(2)(a)	\$500
Adding material to fire	5(2)(b)	\$250
Burning while under suspension	5(2)(c)	\$500

000363

SCHEDULE 43
CVRD BYLAW NO. 3209

CVRD Bylaw No. 2998 – Arbutus Mountain Estates Water System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	11(1)(iii)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(iv)	\$1000
Alter water meter or bypass to alter water register	11(1)(vi)	\$500
Illegal connection to water system	11(1)(vii)	\$1000
Establish connection allowing cross-connection	11(1)(ix)	\$500
Water use contrary to restrictions	11(1)(xi)	\$100

000364

SCHEDULE 44
CVRD BYLAW NO. 3209

CVRD Bylaw No. 3099 – Lambourn Estates Water System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Occupant supplies water elsewhere without authority	11(1)(iii)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(iv)	\$1000
Alter water meter or bypass to alter water register	11(1)(vi)	\$500
Illegal connection to water system	11(1)(vii)	\$1000
Establish connection allowing cross-connection	11(1)(ix)	\$500
Water use contrary to restrictions	11(1)(xi)	\$100

SCHEDULE 45
CVRD BYLAW NO. 3209

**CVRD Bylaw No. 2997 – Arbutus Mountain Estates Sewer System Management Bylaw,
2008**

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

000366

SCHEDULE 46
CVRD BYLAW NO. 3209

CVRD Bylaw No. 3098 – Lambourn Estates Sewer System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

000367

SCHEDULE 47
CVRD BYLAW NO. 3209

CVRD Bylaw No. 3122 – Cobble Hill Sewer System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

SCHEDULE 48
CVRD BYLAW NO. 3209

CVRD Bylaw No. 2999 – Arbutus Mountain Estates Drainage System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Discharge domestic or other prohibited waste	3.0(1)	\$200
Alter regional district drainage system	4.0(1)(a)	\$200
Obstruct watercourse	6.0(1)	\$200

SCHEDULE 49
CVRD BYLAW NO. 3209

CVRD Bylaw No. 3100 – Lanes Road Drainage System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Discharge domestic or other prohibited waste	3.0(I)	\$200
Alter regional district drainage system	4.0(1)(a)	\$200
Obstruct watercourse	6.0(1)	\$200

000370

SCHEDULE 50
CVRD BYLAW NO. 3209

CVRD Bylaw No. 3123 – Cobble Hill Village Drainage #2 System Management Bylaw, 2008

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Discharge domestic or other prohibited waste	3.0(1)	\$200
Alter regional district drainage system	4.0(1)(a)	\$200
Obstruct watercourse	6.0(1)	\$200

000371



SR4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF SEPTEMBER 15, 2009

DATE: September 9, 2009
FROM: Brian Duncan, Chief Building Inspector
SUBJECT: Building Permit Construction Value Schedule

FILE No:
BYLAW No:

Recommendation:

That the Building Permit Construction Value Schedule dated September 9, 2009 be approved.

Purpose:

To amend the Construction Value Schedule to better reflect the actual value of construction.

Financial Implications:

This adjustment would increase the current permit fees on new homes by about 10%.

Interdepartmental/Agency Implications:

N/A

Background:

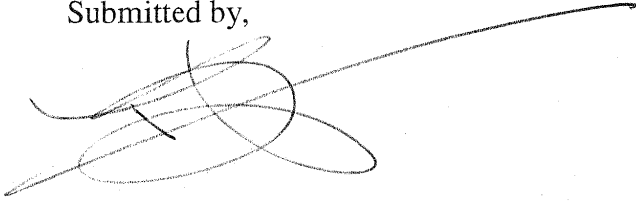
In June of 2008, we did a similar increase because the Permit Fee Construction Schedule had not been amended since 1995. At that time, it was decided to amend the Fee Schedule periodically to reflect the current value of new home construction. However, there was a downturn in the world economy and April/May of this year was not an appropriate time to increase fees. This downturn did not seem to affect the Cowichan Valley as it did other areas.

We currently calculate a new single family dwelling with a full basement at \$85.00 per square foot, a rancher with crawlspace at \$75.00 per square foot. Take for example a 2250 square foot home with garage and deck in Twin Cedars on Hutchinson Road. This home would sell for \$425,000. In discussion with Swanson Appraisals and Astro Appraisals, new homes are being built for \$150 to \$175 per square foot. Under our existing schedule (see attached Appendix I), the permit fee would be \$1760. Our new Schedule (see attached Appendix II) will enable us to calculate new homes with full basement at \$100.00 per square foot and ranchers with crawlspace at \$90.00 per square foot, still well below actual construction value. Using our new Schedule, the permit fee would be \$1960. A permit for a similar home would be \$4000 in many other areas of Southern Vancouver Island.

000372

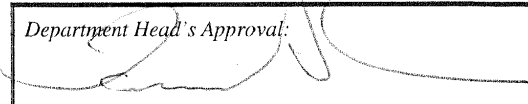
To amend the Construction Value Schedule it is not required to amend to our Building Bylaw, only a Board resolution.

Submitted by,



Brian Duncan,
Chief Building Inspector
Planning and Development Department

BD/ca
attachments

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

APPENDIX I

EXISTING CONSTRUCTION VALUE SCHEDULE (May 27, 2008)

	VALUE (\$)
Main floor with full basement	85.00
Main floor with crawlspace	75.00
Main floor slab on grade	75.00
Second floor	50.00
Moved/Relocated building	50.00
Garage (finished)	30.00
Garage (unfinished)	25.00
Carport	20.00
Deck	15.00
Finished basement	35.00

000374

APPENDIX II

PROPOSED CONSTRUCTION VALUE SCHEDULE (SEPTEMBER 9, 2009)

	VALUE (\$)
Main floor with full basement	100.00
Main floor with crawlspace	90.00
Main floor slab on grade	90.00
Second floor	60.00
Moved/Relocated building	50.00
Garage (finished)	30.00
Garage (unfinished)	25.00
Carport	20.00
Deck	20.00
Finished basement	40.00

000375

COBBLE HILL ADVISORY PLANNING COMMISSION MINUTES

7:00p.m., Tuesday, August 25th, 2009
Cobble Hill Hall Dining Room, Cobble Hill

Present: Rod de Paiva, Chair; Rosemary Allen; Al Cavanaugh; Jerry Tomiljenovic, Jens Liebgott, Robin Brett; Brenda Krug

Also present: Gerry Giles, Area 'C' Regional Director

Guests: Bill and Bertha Cameron

Regrets: David Hart; John Bertagnolli, Dave Thomson, John Krug

Chair de Paiva called the meeting to order at 7:02 p.m.

Agenda: *Moved/seconded that the agenda be adopted as circulated. Carried*

Minutes: *Moved/seconded that the minutes of the March 9th, 2009 meeting be adopted as circulated. Carried*

New Business:

1. Cameron Application CVRD File No: 1-C-09ALR Pursuant to Section 20(3) of the *Agricultural Land commission Act*, for approval to construct a second residence on the subject property 3501 Telegraph Road.

Moved/seconded that the APC support the application.

Discussion: There were concerns regarding two houses on the one piece of land and of future use of this parcel and the overuse of infrastructure in the future. The site has a poor land classification for agriculture, the proposal was not in conflict with the zoning regarding a second dwelling, not inappropriate for the area and was not setting a precedent were all considered.

Motion carried unanimously.

2. Covenant Discharge Referral: Chair de Paiva asked Director Giles to outline the history of this referral.

Director Giles described a request from the owner of the Blue Rose property in 2006 asking for a release from the covenant on their property at 1300 Fisher Road. She affirmed that the APC of the time had reviewed the request and had recommended discharge of this covenant. She also explained that this request was made when the new RONA store was under construction and would be

including a garden centre rendering the Blue Rose unable to sustain itself against a large discount competitor. In 2006 the APC believed the property in question was limited to garden sales by the covenant which is not the case: The covenant prohibits drive through restaurants, service stations and building supply sales with all other uses under the present C-2 zoning still permitted. It is with this understanding that the present APC is revisiting this current referral from the Ministry of Transportation and Infrastructure.

Moved/seconded that whereas the uses prohibited in the present covenant are inappropriate for this site, therefore be it resolved the APC for area "C", Cobble Hill, recommends the covenant not be removed.

Discussion: There were concerns relating to the traffic patterns being extremely poor for the high volume that would be generated by any of the prohibited applications and that the area would be negatively impacted by them. The permitted uses offer a wide range of acceptable commercial activities that are applicable to the situation of this site.

Motion carried unanimously.

Other Business:

Director's Report: Director Giles reported on the following:

1. In the month end building report for June from the CVRD, the number of permits had increase with Cobble Hill having the third highest.
2. The summer has been quiet:
 - o The Gervais application was granted by the ALR
 - o The Victoria Truss application will be approved once the landscaping is completed
 - o Mr. William Motherwell will do the required landscaping on both his Island Highway mini storage and Fisher Road properties and is required to fit the stored motor and marine vehicles on his Fisher Road property with appropriate protection against any fluid leakage.
 - o Mr. Craig Little has been sent a letter requesting his compliance regarding encroaching on Ministry of Highways property, or face the loss of his deposit.
 - o The Cenotaph project is completed and the memorial will be rededicated on Saturday, August 29th at 11:00 a. m.
 - o The next project will be the Greenway proposed for the Cobble Hill train station area.

Bamberton Discussion: Director Giles offered that this is a difficult application for the Area "A", Mill Bay APC and that comments on it would be appreciated. Some Area "C" members have noted that as the site is on the side of a hill, having part of it covered by buildings and roads will change the ability of the land to absorb water and the excess will run off into Saanich Inlet.

Water availability is another crucial concern. Director Giles noted anecdotal information from First Nations residents who use the creeks in the area for water supply and cultural purposes and that two of these creeks are now dry due to the unusually hot, dry weather of the past months. This is without the added pressure that a new community will place on the resource.

Director Giles asked the APC to consider additional comments and report them to her.

Next meeting of the Area 'C' APC will be Thursday, September 10th, 2009.

Adjournment: The meeting adjourned at 8:30 p.m.

submitted by Brenda Krug



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

DATE: September 2, 2009

TIME: 7:00pm

MINUTES of the Electoral Area I Planning Commission meeting held on the above noted date and time at the Youbou Upper Community Hall, Youbou, BC. Called to order by Vice-Chairperson George deLure at 7:00pm.

G. deLure welcomed everyone and had the guests introduce themselves.

PRESENT:

Chairperson:

Vice-Chairperson: George deLure

Members: Jeff Abbott, Shawn Carlow, Erica Griffith, Gerald Thom, Pat Weaver

ALSO PRESENT:

Director: Klaus Kuhn

Alternate Director:

Recording Secretary: Tara Daly

REGRETS: Kim Windecker, chairperson

GUESTS: Gerald Stenberg, Ian Points

AGENDA:

It was moved and seconded to adopt the Agenda with additions

New Business ~ buoys on lake

New Business ~ derelict vehicles on highway property

CARRIED

MINUTES:

It was moved and seconded that the minutes of May 5, 2009 be adopted as circulated.

CARRIED

Development Permit 5-I-09DP (Gerald and Florenda Stenberg)

- * G. deLure asked if anyone had walked the property in question and although no one had, a couple of members acknowledged knowing the property
- * septic system is 5 years old with infiltration system pumped uphill
- * the original A-frame building is not being used as living quarters; the lower floor is storage for boat, car, and tools with the upper floor being used as media/ studio
- * the proposed building is within the requirements of land coverage
- * the proponent hopes for completion before run-off if approved

It was moved and seconded by Area I (Youbou/Meade Creek) Area Planning Commission that Development Permit 5-I-09DP (Gerald and Florenda Stenberg be approved.

CARRIED

000379

Development Permit 3-I-09DP/RAR (Goat Island Holdings LTD)

- * it was noted that an application brought forward July 30, 2007 by the previous owner was turned down
- * concerns by commission members included there is driftwood in all areas, the land is below the 200-year flood plain, clearing could be a problem with wind, septic, oil storage
- * proponent noted the house level will be at 2.3 metres above ground level putting it above the 200-year flood plain, the structure will be 1590 square feet plus a deck consisting of two bedrooms and two bathrooms; it will not be near the water and he doesn't wish to clear a beach area
- * VIHA issued a permit for septic which was going to expire so the proponent installed a type 3 sewer treatment plant with a field constructed of allan blocks and the tank is weighted on ground level; it was engineered (OSI Eagle Engineering) and approved
- * heating in the house will be a masonry heater with no auxiliary heating
- * proponent has no interest in altering the perimeter of the island wishing to construct the building quickly and properly if approved

It was moved and seconded by Area I (Youbou/ Meade Creek) Area Planning Commission that Development Permit 3-I-09DP/RAR (Goat Island Holdings LTD) be approved with the proviso that a letter from the applicant be registered against the title stating that only wood, solar, or propane be used on the island.

CARRIED

BUSINESS ARISING FROM THE MINUTES:

- * *Watch for Elk* signs haven't been put up, Director Kuhn will be speaking with Highways so will ask about them as well as having the *No Passing* sign at Meade Creek straight stretch and *Traffic Pattern Change* sign at Creekside removed

REPORTS:

- * G. Thom reported the Cowichan Valley Fish and Game Club is currently conducting a 3-year survey of fishermen on Cowichan Lake, it is done by volunteers, if interested or wish more information contact him at 250.749.7203
- * G. Thom reported on the newly formed Lake Stewardship Committee noting there are several sub-committees including water quality/ fisheries, river clean-up, promotion/ education, boat traffic, and water access/ riparian zone

DIRECTOR'S REPORT:

- * Director Kuhn will be looking into a property on Youbou Road closer to Lake Cowichan which seems to have a illegal access and also the pedestrian crossing that has been opened and being used by vehicles at Beaver Road
- * Director Kuhn noted that the Rule Curve is being followed to the letter to help alleviate backlash from the public as displayed at the last meeting discussing the raising of the weir; because of the low snow levels and lack of summer rains it may not have been the best idea; a *rule band*, which would allow more flexibility, has been proposed as an alternative but has not been received favourably

000380

OLD BUSINESS:

NONE

NEW BUSINESS:

- * the Town of Lake Cowichan has installed six (6) buoys in the South Arm of Cowichan Lake designating the swimming areas and it was asked if Area I (Youbou/ Meade Creek) would be installing more; Director Kuhn explained it is a huge area and the buoys are \$500 each making it quite cost prohibitive and enforcement is not a given; at this year's UBCM (Union of BC Municipalities) convention he hopes to have a meeting with the Solicitor General discussing the police presence, or lack thereof on the lake expressing the need for increased membership during the summer months
- * derelict vehicles are becoming a major eyesore within the area; **current by-laws need to be enforced concerning vehicles (boats, campers, unlicensed vehicles) which sit on highways' property**

ANNOUNCEMENTS:

- items for next meeting to include: Cowan Road, Coon Creek public access, Poker Run, and chickens
- Next Meeting October 6, 2009 at 7pm in the Youbou Upper Hall

ADJOURNMENT:

The meeting was adjourned at 9:20pm

/s/ Tara Daly
Secretary

000381

Jennifer Hughes

AP3

From: Lori Iannidinardo [lianni@shaw.ca]
Sent: Tuesday, September 08, 2009 2:25 PM
To: Jennifer Hughes
Subject: APC Resignation

Hi Jennifer,

I would like to report that I received a phone call in July from Lillian Talbot with her resignation from Area D APC.
Thanks Lori



IN

MEMORANDUM

DATE: September 9, 2009

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

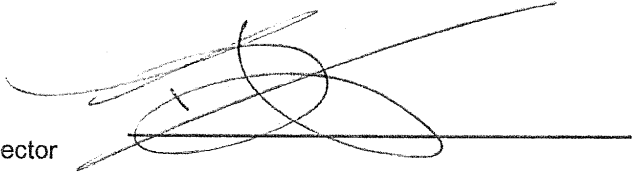
FROM: Brian Duncan, Chief Building Inspector

SUBJECT: BUILDING REPORT FOR THE MONTH OF AUGUST, 2009

There were 45 building Permits and 0 Demolition Permit(s) issued during the month of August, 2009 with a total value of \$ 5,120,170

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"				485,670	87,840		6	46	573,510	7,325,237
"B"		918,375		1,575,190	170,740		18	96	2,664,305	8,906,366
"C"				813,195	91,575		8	57	904,770	5,226,410
"D"				497,880			3	23	497,880	1,402,215
"E"				80,955		20,000	2	23	100,955	1,130,755
"F"				81,000	202,070		5	23	283,070	779,790
"G"							0	13	0	1,663,575
"H"					2,000		1	23	2,000	1,724,730
"I"				85,680	8,000		2	30	93,680	2,895,995
Total	\$ -	\$ 918,375	\$ -	\$ 3,619,570	\$ 562,225	\$ 20,000	45	334	\$5,120,170	\$ 31,055,073

B. Duncan, RBO
Chief Building Inspector
BD/db



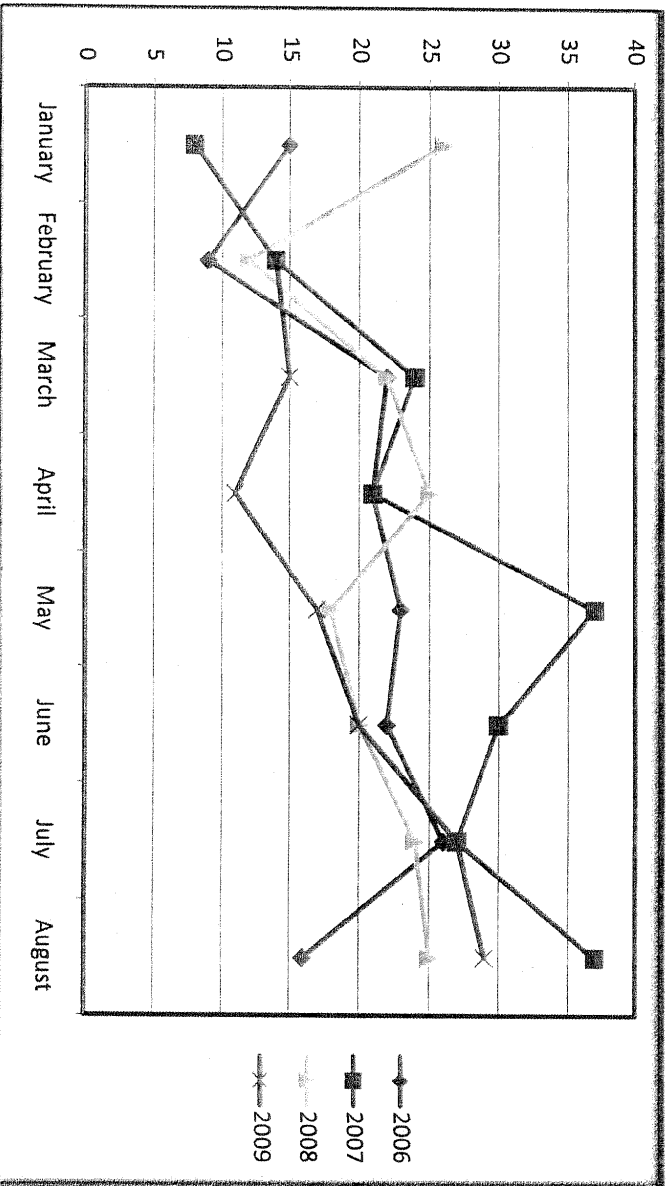
NOTE: For a comparison of New Housing Starts from 2006 to 2009, see page 2
For a comparison of Total Number of Buildig Permits from 2006 to 2009, see page 3



CVRD

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
June	22	30	20	20
July	26	27	24	27
August	16	37	25	29

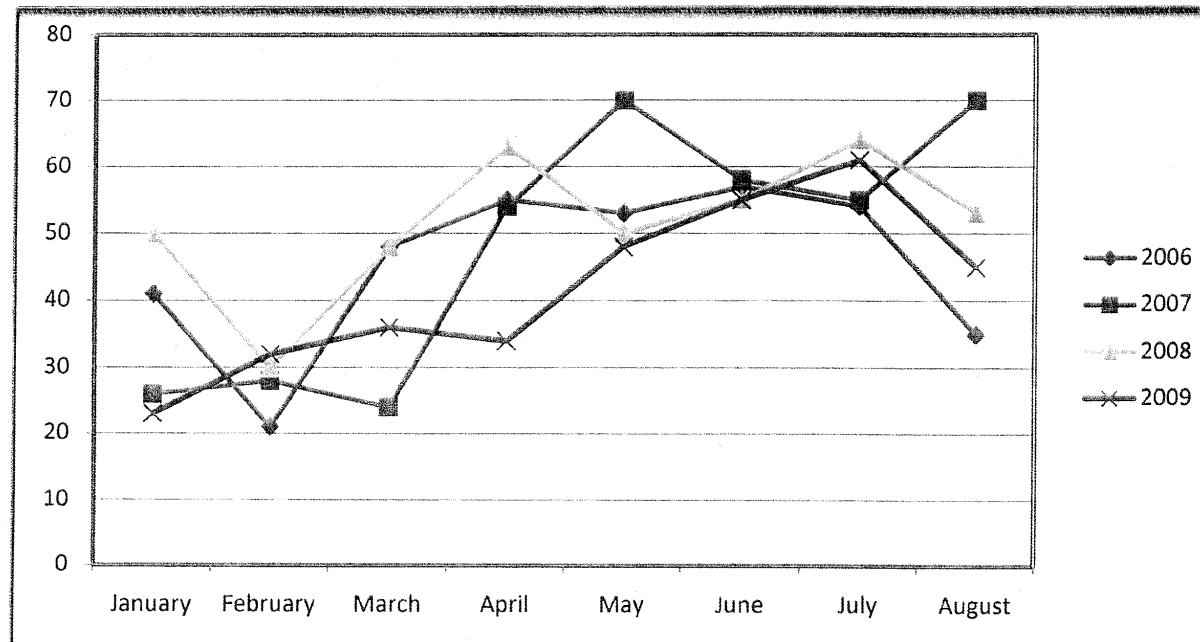




000385

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
June	57	58	55	55
July	54	55	64	61
August	35	70	53	45





**Cowichan
Valley
Regional
District**

This map is compiled from various sources for internal use and is designed for reference purposes only. The Regional District does not warrant the accuracy.

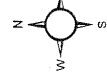
All persons making use of this map should be aware that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for a complete list of Bylaws and other information of the District.

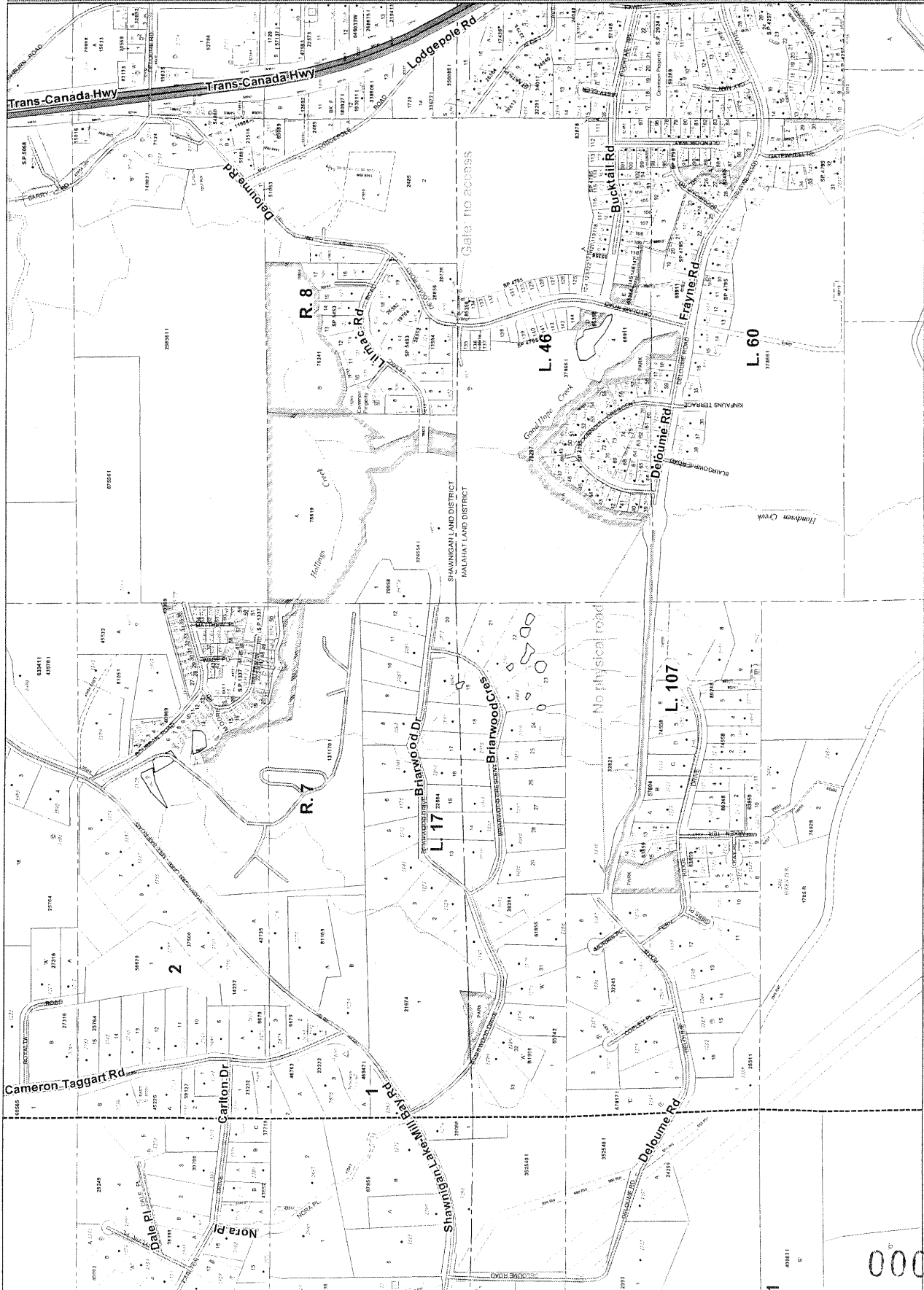
Printed August 27, 2008

Deloume Road

Mill Springs Area



NB 1



000386