



C·V·R·D

**NOTICE OF
ELECTORAL AREA SERVICES COMMITTEE MEETING**

**Tuesday,
August 3, 2010
Regional District Board Room
175 Ingram Street, Duncan, BC**

3:00 pm

A G E N D A

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		Tuesday, September 7, 2010	
13.	<u>ADJOURNMENT</u>		

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

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, July 6, 2010 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

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

CVRD STAFF

Mike Tippett, Acting General Manager
Rob Conway, Manager
Brian Farquhar, Manager
Jill Collinson, Planning Technician
Alison Garnett, Planning Technician
Katy Tompkins, Senior Planner
Warren Jones, Administrator
Dan Derby, General Manager
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding one listed item of new business plus five additional new business items.

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 June 15, 2010, EASC meeting, be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Freshwater

Delegates representing the Cowichan Green Community, were present to inform Directors about their Year Round Guide to Local Food in the Cowichan Valley. Each Director was presented with a *Buy Local, Buy Fresh* guide map. It was stated that the guide was created to help link local consumers and food producers; it included huge local farmer support; and the project was fully funded through a partnership program.

The project has been successful and they hope to get the guide online and the plan is to update the map every year.

The group is asking for continued support and requested that Directors encourage friends and neighbours to also support the project.

The Committee members commended the group for the product and thanked them for their efforts.

D2 - Hart

Jill Collinson, Planning Technician, presented Application No. 2-G-10DP (Hart), to permit construction of a single family dwelling on Gardner Road West in Saltair in accordance with the provisions of the Habitat Protection DPA in Bylaw No. 2500.

That applicant was not present.

It was Moved and Seconded

That Application No. 2-G-10DP be approved, and that a development permit be issued to Edward and Patricia Hart for Lot 12, District Lot 34, Oyster District, Plan 13071, subject to the following:

- Compliance with the recommendations for eagle nest noted in the May 4, 2010 report by Sally Leigh-Spencer of Ecologic Consulting;
- Maintain the existing forested buffer around the nest tree in its natural condition.

MOTION CARRIED

D3 – Morris

Alison Garnett, Planning Technician, presented Application No. 5-G-10DP (John Morris/Saltair Properties Ltd.) to allow a proposed boundary adjustment at 10860 and 10830 Chemainus Road in Saltair, within the Commercial Development Permit Area in Bylaw 2500.

John Morris, applicant, was present and provided further information to the application.

There were no questions to staff or the applicant.

It was Moved and Seconded

That Application No. 5-G-10DP be approved, and that a development permit be issued to Saltair Properties for Lot A, District Lot 31, Oyster District, Plan VIP 54245 and Lot 9, District Lot 31, Oyster District, Plan 4039 except part in plan 41287, to permit a boundary adjustment subdivision, subject to the following:

- development substantially complies with the plan of proposed subdivision;
- receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 125% of the landscape costs, to be refunded after two years only if the plantings identified on the Landscape Plan are successful and to the satisfaction of the CVRD.

MOTION CARRIED

D4 - McCulloch

Jill Collinson, Planning Technician, presented Application No. 8-E-09DP (Kelvin McCulloch/Buckerfield's Ltd.) to construct an addition to the existing Buckerfield's building located at 5410 Trans Canada Highway.

Kelvin McCulloch, applicant, was present and provided further information to the application.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Development Permit Application No. 8-E-09DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Buckerfield's Ltd. with respect to Lot 3, Section 14, Range 6, Quamichan District, Plan 15507 to allow for an addition to the existing building, subject to;

- a) The proposed "Buckerfield's" signage on the pergola being replaced with a "B" only;
- b) The proposed signage on the gable of the new addition being consistent with proposed warehouse signage and installation of a half-moon vent above the sign;
- c) The LED sign is static and follows design specifications as per attachment A10a;
- d) Provision of landscape security in the form of an irrevocable letter of credit, equal to 125% of the value of the landscaping;
- e) Oil interceptor installed for all parking lot drainage;
- f) Installation of green or black fencing in conjunction with attachment A4;
- g) Compliance with landscaping plan as per attachment A5;
- h) Wood fence posts be installed along the property front to mimic the look of the proposed pergola.

MOTION CARRIED

STAFF REPORTS

SR1 – Bylaws 3222, 3223 (Elkington)

Mike Tippett, Acting GM, presented Staff Report dated June 28, 2010, from Catherine Tompkins, Senior Planner, regarding OCP Bylaw No. 3222 and Zoning Bylaw No. 3223 (Elkington Estates/Macaroff/Gates).

Director Giles questioned if further authorization is required for the Chair to sign the required covenants. Warren Jones, Administrator, was requested to get this information.

It was Moved and Seconded

That discussion respecting Bylaws 3222 and 3223 be referred until further information is received from the Administrator.

MOTION CARRIED

Warren Jones reported that the Board authorized signing of the covenants at their March 25, 2009 meeting, therefore, no further motion is required.

The staff report was received as information.

SR2 – Per Diem, Fire Departments

Dan Derby, General Manager, presented staff report dated June 28, 2010, regarding training/conference per diem for fire department volunteers.

It was Moved and Seconded

That a \$100 per diem for CVRD Fire Department volunteers for training/conference purposes be implemented, and that the Vadim payroll system be used for payment of all per diems and stipends.

MOTION CARRIED

SR3 – Barnjum Road

Mike Tippett, Acting GM, presented staff report dated June 29, 2010, from Tom Anderson, General Manager, regarding Barnjum Road, Area E.

It was Moved and Seconded

That the Ministry of Transportation and Infrastructure be requested to place the upgrading and paving of Barnjum Road, Electoral Area E, West of Duncan, on their priority list.

MOTION CARRIED

SR4 – Operational Fuel Management

Brian Farquhar, Manager, presented staff report dated June 29, 2010, from Tanya Soroka, Parks and Trails Planner, regarding Grant Funding approval by the Ministry of Forests and Range for the Operational Fuel Management Project and the Fuel Management Prescription to take place in five community parks.

The report was received for information purposes.

SR5 – Polkey Road Park

Brian Farquhar, Manager, presented staff report dated June 30, 2010, regarding Polkey Road Park – Sh-hwuykweslu Restoration Project.

It was Moved and Seconded

That the proposal for habitat restoration work in Sh-hwuykweslu (Busy Place Creek) within Polkey Road Park in Electoral Area E be approved, with funding for the works to be provided by the Ministry of Transportation and Infrastructure, Living Rivers, the Pacific Salmon Foundation and in-kind contributions.

MOTION CARRIED

SR6 – Bylaw 3404

Mike Tippett, Acting GM, presented staff report dated June 28, 2010, regarding Referrals for Bylaw 3404.

It was Moved and Seconded

That Zoning Amendment Bylaw No. 3404 (Fisher Road I-1C Industrial Area), Area C, be referred to Cobble Hill Improvement District, Miller Water Supply, and Braithwaite Improvement District for comment; and that a three week reply period be allowed for.

MOTION CARRIED

SR7 – Accessory Building fixture

Rob Conway, Manager, presented staff report dated June 28, 2010, regarding accessory building fixture at 2163 Angus Road.

Brian Town, property owner, was present.

It was Moved and Seconded

That the request by Brian and Betty Town for a bathtub in addition to a sink and toilet within an accessory building on Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan 13231 (2163 Angus Road), be approved, subject to the land owner registering a covenant affirming that the structure will not be used as a dwelling.

MOTION CARRIED

**SR8 – Tower Fence
Products**

It was Moved and Seconded
That discussion respecting the Tower Ready-Mix Ltd. site on Owl Road, Shawnigan Lake, be referred to the next meeting when the Area B Director is present.

MOTION CARRIED

**APC
AP1, AP2 to AP8 -
Minutes**

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

- Minutes of Area D APC meeting of April 24, 2010
- Minutes of Area I APC meeting of May 4, 2010
- Minutes of Area I APC meeting of May 20, 2010
- Minutes of Area I APC meeting of April 6, 2010
- Minutes of Area I APC meeting of June 1, 2010
- Minutes of Area A APC meeting of June 15, 2010
- Minutes of Area E APC meeting of June 22, 2010

MOTION CARRIED

AP2 - Minutes

It was Moved and Seconded
That the minutes of the Area F APC meeting of May 11, 2010, be amended on Page 1 to change the name “Katie _____” to “Katy Tompkins”, and that the minutes as amended be received and filed.

MOTION CARRIED

**AP9 – Resignation
from the Area D APC**

It was Moved and Seconded
That the resignation of Gordon Rutherford from the Area D Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Gordon Rutherford.

MOTION CARRIED

PARKS

PK1 to PK4 - Minutes

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

- Minutes of Area D Parks Commission meeting of June 21, 2010
- Minutes of Area I Parks Commission meeting of March 9, 2010
- Minutes of Area I Parks Commission meeting of April 13, 2010
- Minutes of Area I Parks Commission meeting of May 11, 2010

MOTION CARRIED

INFORMATION

**IN1 – Fuel Burning
Appliance Regs.**

Intentions Paper dated May 2010, from the Ministry of Environment and Ministry of Healthy Living and Sport, regarding changes to the Solid Fuel Burning Domestic Application Regulations, was received as information.

NEW BUSINESS

**1 – Foreshore
Protection, Area A**

Director Harrison expressed concern that the character of Mill Bay is disappearing and in particular the foreshore requires protection. He noted that retaining walls are being built on crown land below the high water mark, and requested that staff be directed to draft bylaws that would protect the foreshore to get control over the situation.

Several other Directors expressed similar concerns in their areas.

Director Dorey noted that Saltair currently has an ocean front development permit area.

Director Giles noted that the Official Community Plan in the south end is currently being reviewed but it will be some time yet before it is adopted so feels that staff should proceed immediately to draft a bylaw and bring it back to the EASC for review by all interested Directors.

It was Moved and Seconded

That staff be directed to draft a bylaw providing guidelines for a Mill Bay Foreshore Protection Development Permit Area, and bring back to the EASC for review.

MOTION CARRIED

2 – Grants in Aid

It was Moved and Seconded

That a grant in aid (Area F) be given to Cowichan Lake and River Stewardship Committee in the amount of \$250 to assist with start up costs with forming a Society.

MOTION CARRIED

It was Moved and Seconded

That a grant in aid (Area I) be given to Cowichan Lake and River Stewardship Committee in the amount of \$250 to assist with start up costs with forming a Society.

MOTION CARRIED

3 – Water Surface Control Bylaw

Director Iannidinardo expressed concern regarding the eel grass situation in Cowichan Bay and suggested that staff prepare a water surface bylaw.

Mike Tippet advised that an ad-hoc committee has been established to address water surface issues in Cowichan Bay, including abandoned boats. He advised that mapping is needed to assist the ad-hoc committee but we require Committee support and direction to have our GIS Division produce the necessary maps.

It was Moved and Seconded

That staff be directed to determine costs associated with the GIS Division producing maps that would be required to prepare bylaws respecting water surface/eel grass control in Cowichan Bay.

MOTION CARRIED

4 – Boat Safety Regs

Director Kuhn expressed concern regarding the recent houseboat accident on Shuswap Lake and how there is a lack of enforcement of boats on BC lakes. It was suggested that the Chair write a letter to other Regional Districts to coordinate an approach regarding boat safety regulations on BC lakes.

It was Moved and Seconded

That the Board Chair write a letter to the Chairperson of other BC Regional Districts expressing interest in a Regional District coordinated approach regarding boat safety, enforcement, and regulations on BC lakes; and further, that submission of a resolution to UBCM be supported.

MOTION CARRIED

CLOSED SESSION

It was Moved and Seconded

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

MOTION CARRIED

The Committee moved into Closed Session at 5:00 pm.

RISE

The Committee rose and reported as follows:

It was Moved and Seconded

That the Mesachie Lake Tourism Pullout be constructed within Mesachie Lake Park between Bear Lake Road and the Mesachie Lake Skydome ballfield outfield fence, inclusive of flyball warning signage and additional net fencing to address the risk of potential errant flyballs landing within the information pullout area. [Section 90(1)(g)].

MOTION CARRIED

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:43 pm.

Chair

Recording Secretary



DI

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF AUGUST 3, 2010

DATE: July 28, 2010 **FILE NO:** 4-A-10DVP
FROM: Maddy Koch, Planning Assistant **BYLAW NO:** 2000
SUBJECT: Development Variance Permit Application No. 4-A-10DVP (Kuwert)

Recommendation:

That Development Variance Permit Application No. 4-A-10DVP by Eric Kuwert for a variance to Section 8.4.A(b)(3) of Zoning Bylaw No. 2000, to decrease the setback to the interior side parcel line from 3.0 metres to 0.2 metres on Lot 5, District Lot 47, Malahat District, Plan 6695 (PID 005-773-610), be approved, subject to a legal survey confirming compliance with approved setbacks.

Purpose:

To consider an application to vary the setback to the interior side parcel line by 2.8 metres (9.2 feet).

Background:

Location of Subject Property: 2473 Mill Bay Road

Legal Description: Lot 5, District Lot 47, Malahat District, Plan 6695 (PID 005-773-610)

Date Application and Complete Documentation Received: June 21, 2010

Owner: Eric Kuwert

Applicant: As above

Size of Parcel: ±0.086 ha. (±0.2 acre)

Zoning: R-3A (Urban Residential – Limited Height)

Setback permitted by zoning: 3.0 metre setback to the interior side parcel line

Existing Plan Designation: Urban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: Residential (R3-A Urban Residential Limited Height)
 South: Residential (R3-A Urban Residential Limited Height)
 East: Holford Road
 West: Mill Bay Road

Services:

Road Access: Mill Bay Road
Water: Mill Bay Waterworks
Sewage Disposal: On-site septic System

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: None Identified

Archaeological Site: None Identified

Proposal

An application has been made to: Section 8.4.A(b)(3) of Zoning Bylaw No. 2000, of Electoral Area A – Mill Bay/Malahat.

For the purpose of: Issuing a Development Variance Permit for construction of an addition 0.2 metres from the interior side parcel line.

Surrounding Property Owner Notification and Response:

A total of 17 letters were mailed-out or hand delivered, as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 3275. The notification letter described the purpose of this application and requested comments regarding this variance within a recommended time frame. One response letter, in opposition to the variance, was received to date. A copy of the letter is attached to this report.

Planning Division Comments:

The subject property is located at 2473 Mill Bay Road. It is 860 square metres (0.21 acres) in size and has a view of Mill Bay. The lot is terraced on the east side and is in the process of being landscaped. Lot 4, which is also owned by the applicant, is not separated from the applicant's lot. Without knowing where the parcel line is, one would assume they are both one lot. Lot 4 is undeveloped but has a number of fruit trees on it.

The house on the subject property originally encroached onto Lot 4, presumably because it was built prior to CVRD jurisdiction over the area. In April 2010 a building permit was issued to allow the applicant to demolish the portion of the house located on Lot 4. The house is now completely contained on Lot 5, with its closest point located only 0.2 metres from the interior side parcel line. In October, 2008, a Development Variance Permit was issued to bring the home into compliance with the Zoning Bylaw.

The applicant is now proposing to construct a ±360 square foot addition on the south-west side of the home. This addition would be two stories high with a bedroom on the top story and a garage on the lower level.

A Development Variance Permit is required as the applicants are requesting to vary the interior side parcel line setback from 3.0 metres to 0.2 metres. The proposed addition would be more or less flush with the portion of the existing house that is currently located 0.2 metres from the interior side parcel line. This variance would allow for the construction of a two story addition 0.2 metres away from the interior side parcel line at the closest point. This variance would ensure the applicant has sufficient turn around room to park in the proposed garage easily.

Staff is recommending approval of the requested variance. Since the existing house is already located 0.2 metres from the interior side parcel line at the closest point and the proposed height of the addition is in compliance with the zoning bylaw, construction of the addition will not further affect neighbours' views. Also, the lot which would be most affected by the variance is owned by Mr. Kuwert, who is obviously supportive of the variance.

Options:

1. That Development Variance Permit Application No. 4-A-10DVP by Eric Kuwert for a variance to Section 8.4.A(b)(3) of Zoning Bylaw No. 2000, to decrease the setback to the front parcel line from 3.0 metres to 0.2 metres Lot 5, District Lot 47, Malahat District, Plan 6695 (PID 005-773-610), be approved, subject to a legal survey confirming compliance with approved setbacks.

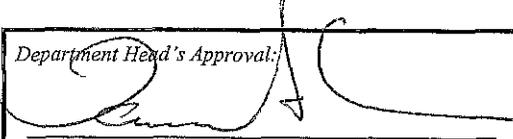
2. That Development Variance Permit Application No. 4-A-10DVP by Eric Kuwert for a variance to Section 8.4.A(b)(3) of Zoning Bylaw No. 2000, to decrease the setback to the front parcel line from 3.0 metres to 0.2 metres on Lot 5, District Lot 47, Malahat District, Plan 6695 (PID 002-706-849), be revised.

Option 1 is recommended.

Submitted by,

Maddy Koch

Maddy Koch,
Planning Assistant
Development Services
Planning and Development Department

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

MK/jah

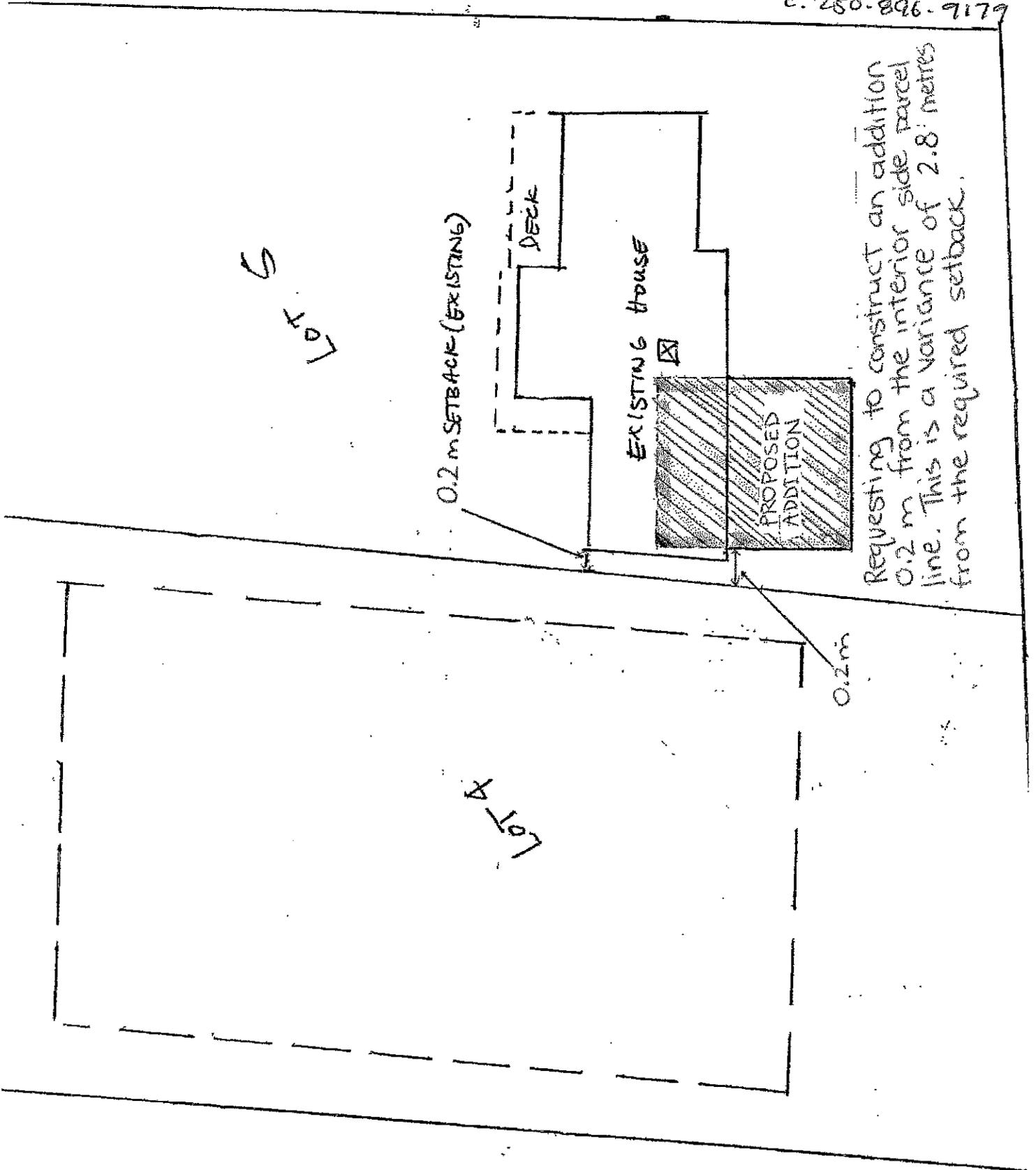
Attachments

2473 Mill Bay Road.

OWNER ERIC KIHWART 250.743.9

CONTRACTOR: BLUE BENNETFIELD.

c. 250.896.9179



Requesting to construct an addition 0.2 m from the interior side parcel line. This is a variance of 2.8 metres from the required setback.

8.4.A R-3A ZONE – URBAN RESIDENTIAL (LIMITED HEIGHT)

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations apply in the R-3A Zone:

(a) Permitted Uses

The following uses and no others are permitted in an R-3A Zone:

- (1) One single family dwelling;
- (2) Bed and breakfast accommodation;
- (3) Daycare, nursery school accessory to a residential use;
- (4) Home occupation;
- (5) Horticulture;
- (6) Secondary suite or small suite.

(b) Conditions of Use

For and parcel in an R-3A Zone:

- (1) The parcel coverage shall not exceed 25 percent for all buildings and structures;
- (2) The height of all buildings and structures shall not exceed 7.5 m, except accessory buildings, which shall not exceed a height of 6 m;
- (3) The following minimum setbacks apply:

COLUMN I Type of Parcel Line	COLUMN II Residential Buildings & Structures	COLUMN III Buildings and Structures Accessory to Residential Use
Front	7.5 metres	7.5 metres
Interior Side	3.0 metres	3.0 metres
Exterior Side	4.5 metres	4.5 metres
Rear	4.5 metres	3.0 metres

(c) Minimum Parcel Size

Subject to Part 13, the minimum parcel size in the R-3 Zone is:

- (1) 0.1675 ha for parcels served by community water and community sewer systems;
- (2) 0.2 ha for parcels served by a community water system only;
- (3) 1.0 ha for parcels served by neither a community water system nor community sewer system.



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.

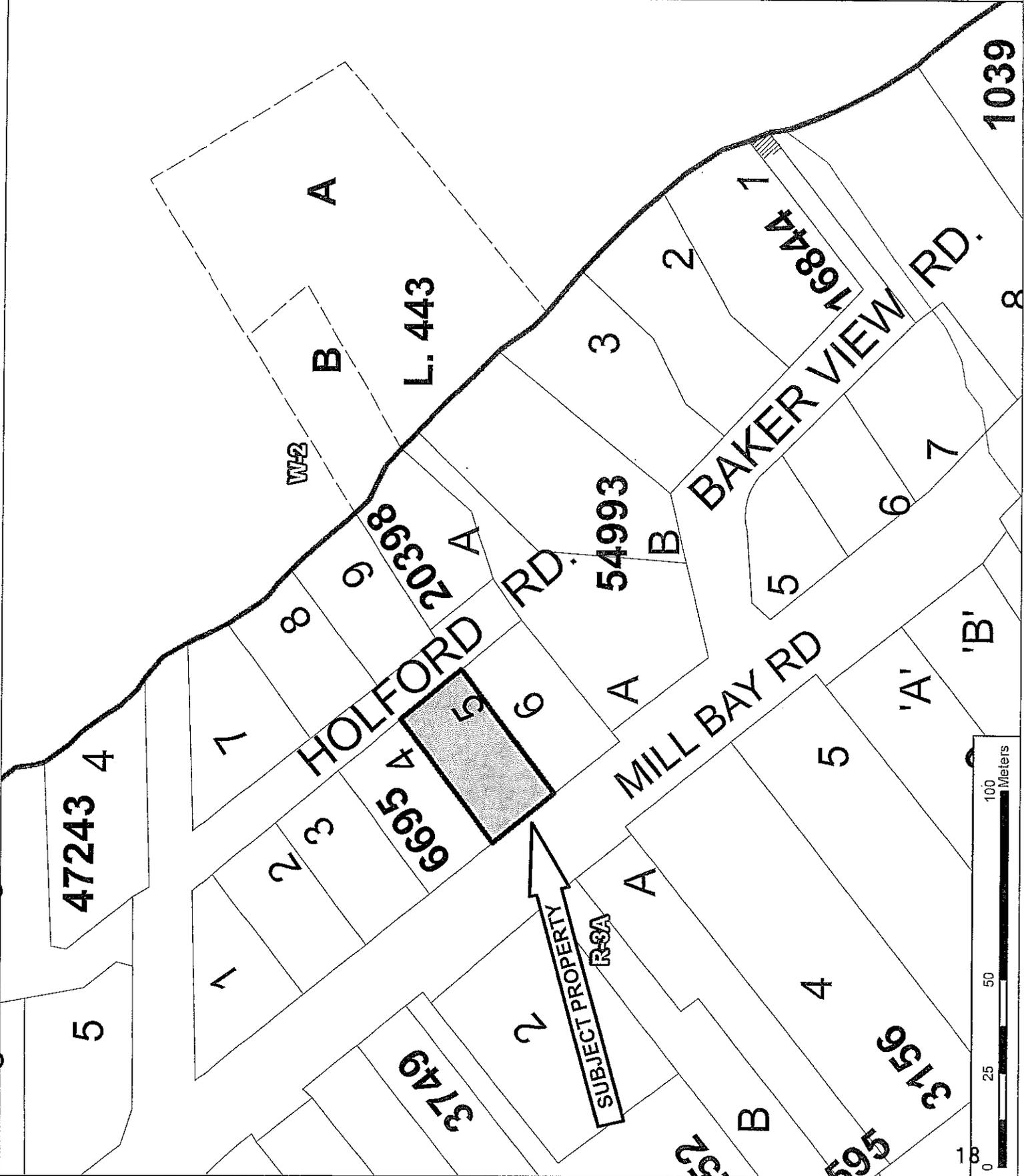
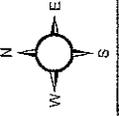
FILE: 4-A-10-DVP

ZONING

Legend



Subject Property
Zoning Electoral Area A



-----Original Message-----

From: sheila koch [mailto:stonestrow1@shaw.ca]
Sent: Sunday, July 25, 2010 3:15 PM
To: DS Email
Subject: file # 4-A-10DVP (KUWERT) Variance Application

FROM: Brian and Sheila Koch
2484 Mill Bay Road
Mill Bay V0R 2P4

RE: The Variance Application by Eric Kuwert for 2473 Mill Bay Road

We are against the granting of this application for several reasons:

1. He was already allowed a variance because the existing house was on both lots but was built many years ago, so part of his existing house will be only .2M from property line which will inconvenience the people that buy lot 4.
2. Allowing him to build a new structure that is only .2M from the property line sets a precedent for the entire neighborhood that could seriously affect the density factor here. If he can build a new structure that close to the neighboring property, then everyone around here that wants to build a bigger house and cash in on the market will ask to do the same thing.

Please reject this application as he has had more than enough dispensation already.

Regards,

Brian Koch

DRAFT



DRAFT

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

NO: 4-A-10DVP DRAFT

DATE: AUGUST XX, 2010

TO: ERIC KUWERT

ADDRESS: 2473 Mill Bay Road

MILL BAY, BC V0R 2P0

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below (legal description):

Lot 5, District Lot 47, Malahat District, Plan 6695 (PID: 005-773-610)

3. Zoning Bylaw No. 2000, applicable to Section 8.4A(b)(3), is varied as follows: The interior side parcel line setback for an accessory building is reduced from 4.5 metres to 0.2 metres.
4. A survey certificate from a BC Land Surveyor is required confirming compliance with the setback variance described in Section 3 of the Permit.
5. The following plans and specifications are attached to and form a part of this permit:
 - Schedule A – Site Plan
6. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Development Services Department.

AUTHORIZING RESOLUTION NO. XX-XXX (X) PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE 11th DAY OF AUGUST 2010.

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 ERIC KUWERT other than those contained in this Permit.

Signature of Owner/Agent

Witness

Print Name

Occupation

Date

Date

Services :

Road Access: March Road
 Water: Honeymoon Bay water system
 Sewage Disposal: On site

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: The subject property is located along Cowichan Lake, however as there is no proposed change to the existing foundation the Riparian Areas Regulations do not apply.

Archaeological Site: None have been identified.

The Proposal:

The subject property is zoned R-3 (Urban Residential 3) and is located on Cowichan Lake in Honeymoon Bay. Currently located on the lot is a one story 106 m² (1136 ft²) single family home and two small accessory buildings. The applicant intends to construct a second story addition to the existing home, and is applying for a Development Variance Permit in order to increase the height of the addition beyond that permitted by the Bylaw. The R-3 Zone has a maximum permitted height of 7.5 metres (24.6 ft) for principal buildings, and the applicant is requesting a variance of one metre to accommodate a maximum 8.5 metre (26.2 ft) building.

There is no change being proposed to the footprint of the existing home, therefore the proposed development is exempt from the Riparian Areas Regulation. The proposed addition would involve an approximately 64 m² (690 ft²) second floor addition. As shown on the attached site drawings, the renovations also involve a covered deck area on the main floor of the residence. The attached letter from the applicant describes that the variance is being requested for aesthetic reasons, as the owners would like the addition to have the same roof pitch as the existing building. Please note that two letters have been submitted by the applicant, and the most recent letter dated June 14, 2010 requests the 1 metre height variance.

Surrounding Property Owner Notification and Response:

A total of 16 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. 3275, which described the purpose of this application and requested comments on this variance within a specified time frame. One (1) letter of objection has been received from property owners directly across March Road (Lot 26), and is attached to this report. The objection is based on concerns that the increase in height will obstruct views of the Lake and mountains and will set an unwanted precedent in the neighbourhood.

Staff are of the opinion that there are other opportunities for additions on this lot that comply with the existing height regulations, and that concerns expressed about views should be respected. We recommend that this application for a one metre height variance not be approved. We note that alternate building plans involving an expansion of the building footprint will likely require a Riparian Areas Assessment and Development Permit, as the existing home is located within 30 metres of the High Water Mark of Cowichan Lake.

Options:

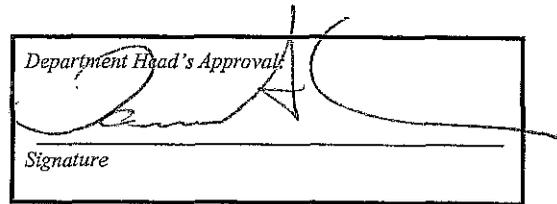
1. That Application No. 1-F-10DVP by Paul Tuit to increase the permitted height of a residence from 7.5 metres to 8.5 metres not be approved, respecting Lot 1, Section 34, Renfrew District Plan 42592.
2. That Application No. 1-F-10DVP by Paul Tuit be approved, and the height of the principal building on Lot 1, Section 34, Renfrew District, Plan 42592 be increased from 7.5 metres to 8.5 metres as shown on the attached plans, subject to a survey confirming compliance with the approved setback prior to issuance of building permit.

Option 1 is recommended.

Submitted by,



Alison Garnett,
Planner
Development Services Division
Planning and Development Department



AG/jah
Attachments

Cowichan Lake

W-1



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.

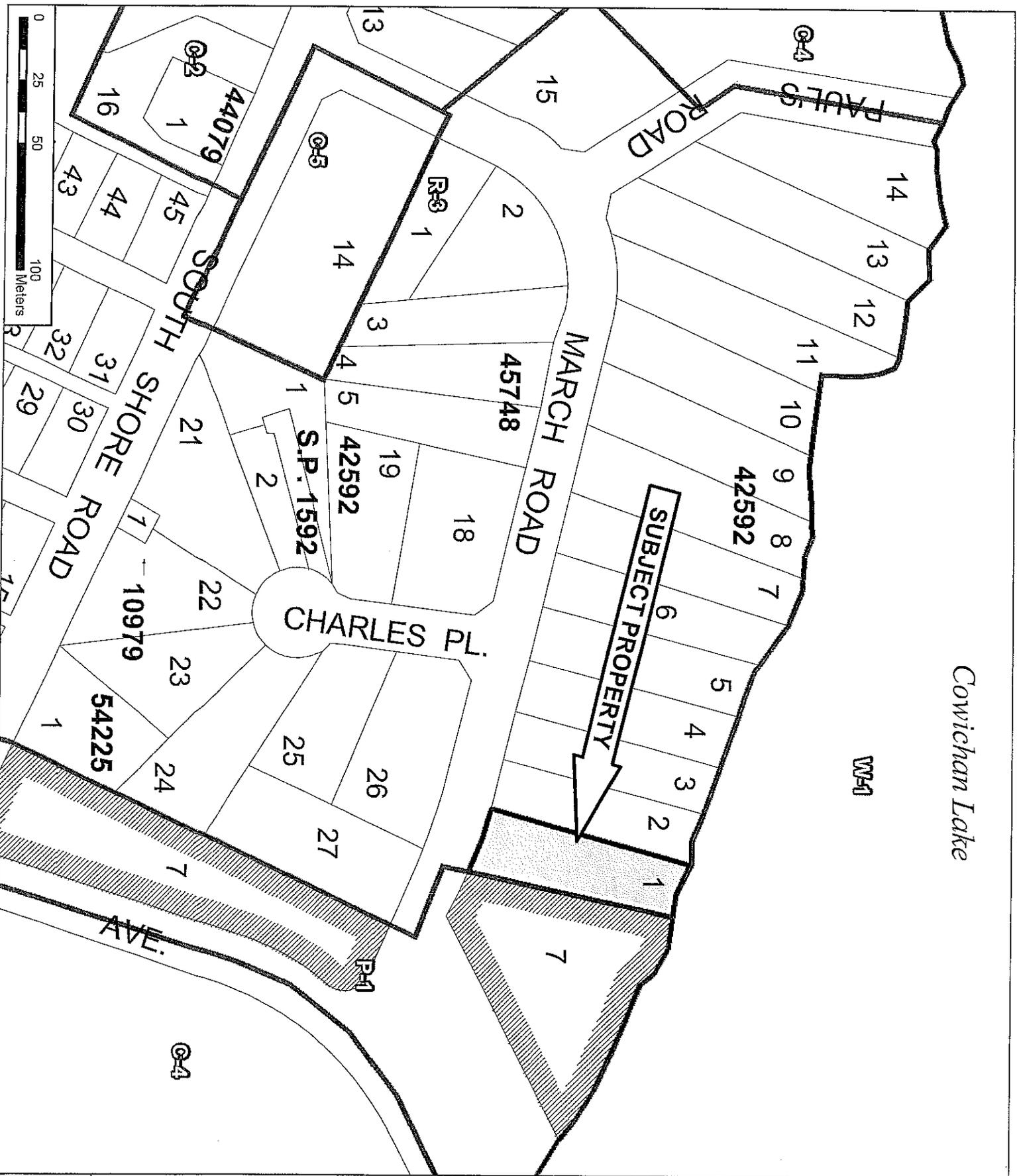
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 1-F-10
-DVP

ZONING

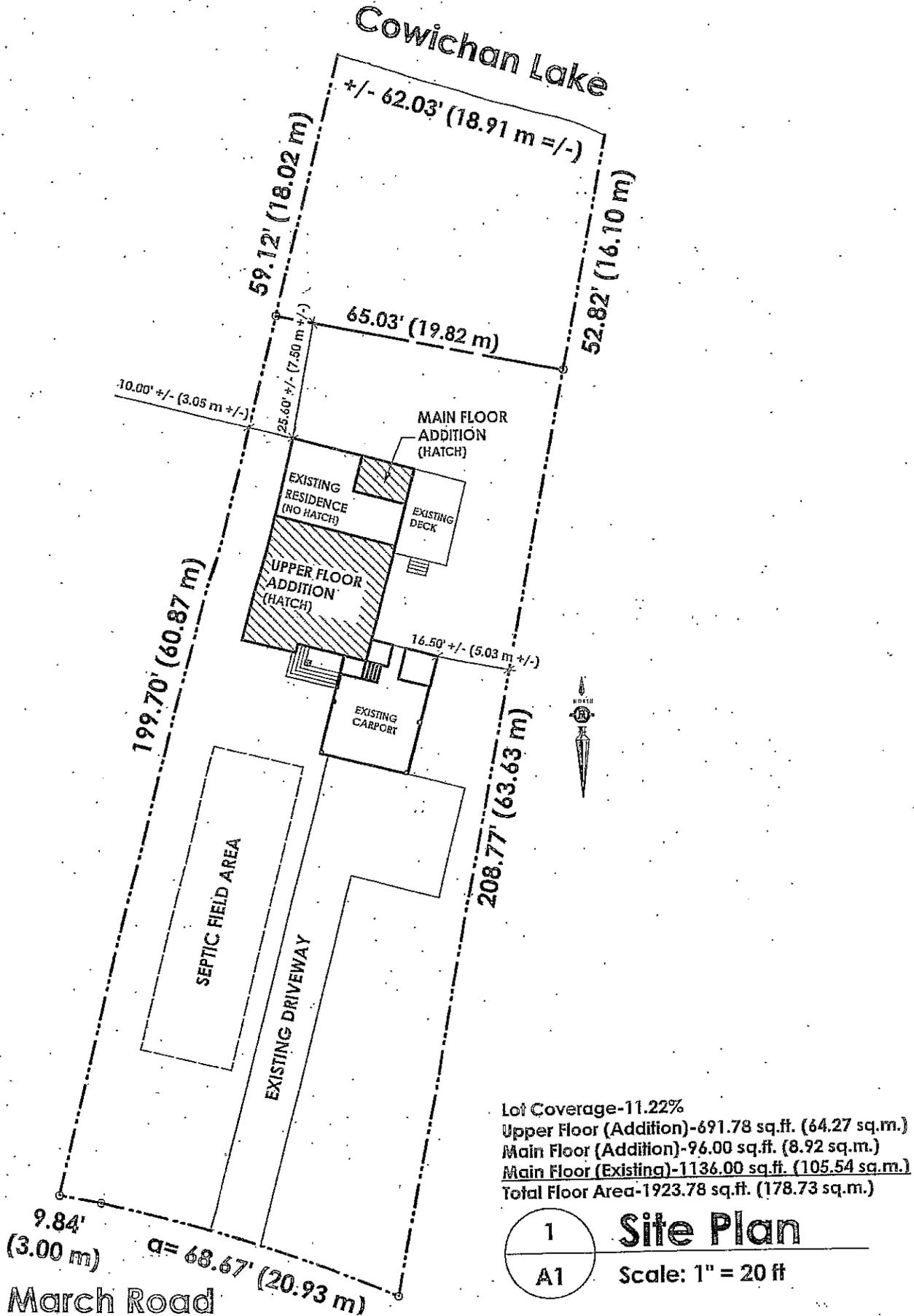
Legend

-  Subject Property
-  Zoning Electoral Area

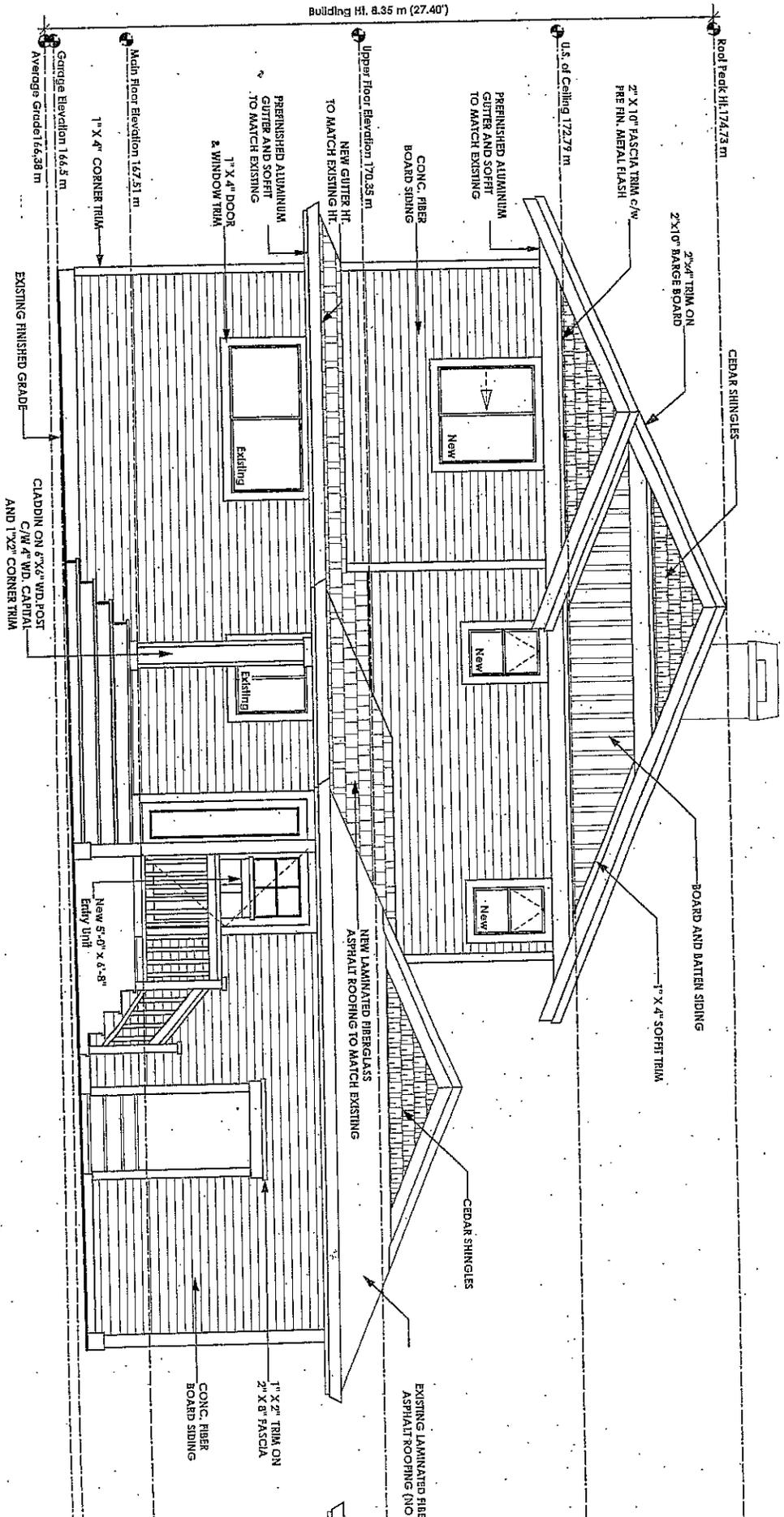


LEGAL DESCRIPTION:

Lot 1,
Section 34,
Renfrew District.



Date: 6/10/10
 Time: 3:02:58 PM



1
Front Elevation
 A2 Scale: 1/4" = 1'-0"

PAUL TUIT

9582 Creekside Road
Youbou, BC
Phone (250) 216-0262
Fax (250) 745-3799
Tuit_Construction@shaw.ca

June 14, 2010

CVRD
175 Ingram Street
Duncan, BC

To whom it may concern:

Re: Development Variance Permit Application for 9995 March Road, Honeymoon Bay, BC

On May 18, 2010 Application for Development Variance Permit was made. The Height restriction for this area is 7.5 metres to the highest point of the structure. I/we originally asked to vary the height by .6 metres to 8.1 metres. Since then I/we have had a survey done to obtain the correct average natural grade and now request to vary the height by 1 metre to 8.5 metres.

Sincerely,

Paul Tuit

16. Indicate the extent of the variance requested and the justification for the proposed variance.

I/we are requesting to vary the Height from 7.5 metres to approx 8.1 metres in order to accommodate a 2nd floor addition of 691.78 sq ft. The 2nd floor addition occupies approx 2/3's of the existing home. The Pitch on the existing roof is 5" in 12". Part of this roof will remain on the lower level and we would like to keep the pitch on the upper roof consistent with the existing roof in order to compliment the overall look of the home.

Other options included incorporating a flat top in order to limit the height but felt it would look funny with the peak of the roof chopped off on the 2nd Level.

Another option we looked at was putting on a flat roof but thought that it looked to modern and didn't suit the neighborhood.

The house currently has 1136 sq.ft. We felt that given our options in adding a 2nd floor addition to gain more sq. footage that submitting an application to vary the height is the most practical and will also be the best compliment to the neighborhood.

eckertm@shaw.ca

From: <eckertm@shaw.ca>
Date: Monday, July 12, 2010 7:57 AM
To: <ds@cprd.bc.ca>
Subject: File # I-F-10DVP(Tuit)

7/12/2010, Please reply

Hello Alison Garnet, & Ian Morrison

I thank you for the mailed out information and impute regarding PID: 001-910-256.

We live on Charles Pl. Lot 26 adjacent to the property in question. We are concerned and opposed to the height variance request for the following reasons.

- 1- The owners have recently upgraded the septic sewer systems costing (\$ 24,000) we believe for more capacity.
- 2-The owners do not live there as property taxes will or should show, via the homeowner grant claiming. Therefore a second residence
- 3-The residence is in fact income property that is rented out for profit and not used as a bed and breakfast.
- 4-There are several out buildings already that need to be justified for there uses. Secondary suite(s)

Our concerns are for more seasonal (weekly renters) not respecting the peace and quiet of others, by coming for a week or two and leaving, more traffic and noise/ partying to the area, more vehicles/ boats/bikes etc.

The variance if passed will directly block our Views of the mountains and lake. These are the reasons we that we purchased our home and moved here from Lake Cowichan after 52 yrs. of living there. The development regulations must be upheld as there are several properties for sale in the area, and if this property is given this variance it will create a presidency for anyone else to apply for non-compliances to the regulations.

Respectfully,
Michael and Marian Eckert
PO Box 1177 Lake Cowichan,
V8R 2G0

7/12/2010

30



D3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

DATE: July 27, 2010 **FILE NO:** 1-D-10DVP
FROM: Jill Collinson, Planning Technician **BYLAW NO:** 1015
SUBJECT: Development Variance Permit Application No. 1-D-10DVP
(Blue and Raina Bennefield)

Recommendation:

That Development Variance Permit Application No. 1-D-10DVP by Blue and Raina Bennefield for a variance to Section 8.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum rear parcel line setback from 4.5 metres to 2 metres for Lot 7, Section 4, Range 6, Cowichan District, Plan 24679, except part in Plans 39250 and VIP 60753, be approved subject to the applicant providing a survey confirming compliance with approved setbacks.

Purpose:

To consider a request for an application to vary the rear parcel line setback in the R-2 Zone of Cowichan Bay.

Background Information:

Location of Subject Property: 1415 Cherry Point Road Cowichan Bay

Legal Description:

Lot 7, Section 4, Range 6, Cowichan District, Plan 24679, except part in Plans 39250 and VIP 60753 (PID 002-802-651)

Owner/Applicant: Blue and Raina Bennefield

Size of Parcel: 0.75 acres

Existing Zoning: R-2 Suburban Residential

Minimum Lot Size Under Existing Zoning: 0.2 hectares (community water and sewer system);
0.4 hectares (community water system only)
0.8 hectares (for parcels not serviced by either a community water or sewer system).

Existing Plan Designation: Suburban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: Residential
 South: Agricultural (within the ALR)
 East: Residential
 West: Residential

Services:

Road Access: Cherry Point Road
Water: Lambourne Estates Water System
Sewage Disposal: On-site system

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

Environmentally Sensitive Areas: GIS does not indicate any sensitive areas on this parcel.

Archaeological Site: We do not have record of any archaeological sites on the subject property.

The Proposal:

An application has been made to: The Regional Board to vary Section 8.1(b)(3) of Zoning Bylaw No. 1015.

For the purpose of: reducing the minimum required setback for the rear parcel line to 2 metres.

Planning Division Comments:

The subject property is located at 1415 Cherry Point Road in Cowichan Bay. It is a flat, 0.75 acre lot with an existing home and garage. As the property is adjacent to both Cherry Point Road and Lanes Road, clarification of the front parcel line is necessary. The shortest parcel boundary contiguous with a road is specified in the Zoning Bylaw 1015 as the front parcel boundary. In this case, the boundary along Lanes Road is noted as the front parcel line, resulting in the most opposite parcel boundary defined as the rear parcel line.

The applicants, Blue and Raina Bennefield, are seeking a reduction of 2.5 metres from the 4.5 metre rear parcel line setback outlined within the Zoning Bylaw. The applicants have indicated that they would like to situate their new garage (accessory building) approximately 2 metres from the rear parcel line in the southeast portion of the subject property. The existing garage will be removed to allow for construction of the proposed new garage.

Located on the property to the immediate east is a cinderblock building for utility use for the Lambourne Estates Water System Service Establishment. This water utility building is built at the property line, with virtually a zero setback. The applicants originally applied for a 0.5 metre setback to the property line shared with the water utility building; however the Engineering and Environmental Services Department objected to this variance request as it would limit their rear access to the building. Engineering has indicated that they require 2 metres of space for full access to the building. The applicants have amended their variance request from 4 metres to 2.5 meters, resulting in a requested 2 metre rear parcel line setback.

The applicants are requesting this variance to the rear parcel line as abiding by the 4.5 metre setback would partially situate the proposed garage on top of the existing driveway. This location of the proposed garage also provides a visual barrier to the water utility building from the applicants existing home. There is an existing stand of trees along Cherry Point Road, adjacent to the proposed location of the garage, which will remain, though the applicant will be removing one maple tree to allow for construction.

Staff is recommending approval of the 2.5 metre variance to permit siting of the garage 2 metres from the rear parcel line as this allows enough access room to the water utility building and prevents the proposed garage from encroaching onto the existing driveway.

Surrounding Property Owner Notification and Response:

A total of sixteen (16) letters were mailed out or delivered, as required pursuant to CVRD Development Application Procedures and Fees Bylaw No. 3275. The notification letter described the purpose of this application and requested comments on this variance within a recommended time frame. Staff has received one letter opposed to the 4 metre variance, but in support of a 2.5 metre variance (attached).

Options:

1. That Development Variance Permit Application No. 1-D-10DVP by Blue and Raina Bennefield for a variance to Section 8.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum rear parcel line setback from 4.5 metres to 2 metres for Lot 7, Section 4, Range 6, Cowichan District, Plan 24679, except part in Plans 39250 and VIP 60753, be approved.
2. That Development Variance Permit Application No. 1-D-10DVP by Blue and Raina Bennefield for a variance to Section 8.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum rear parcel line setback from 4.5 metres to 2 metres for Lot 7, Section 4, Range 6, Cowichan District, Plan 24679, except part in Plans 39250 and VIP 60753, be revised.

Option 1 is recommended.

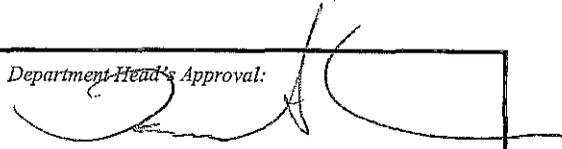
Submitted by,



Jill Collinson,
Planning Technician
Development Services Department
Planning and Development

JC/jah

Attachments

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

COPIED FROM
ZONING BYLAW
No. 1015

PART EIGHT

RESIDENTIAL ZONES

8.0 RESIDENTIAL ZONES

8.1 R-2 ZONE - SUBURBAN RESIDENTIAL

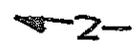
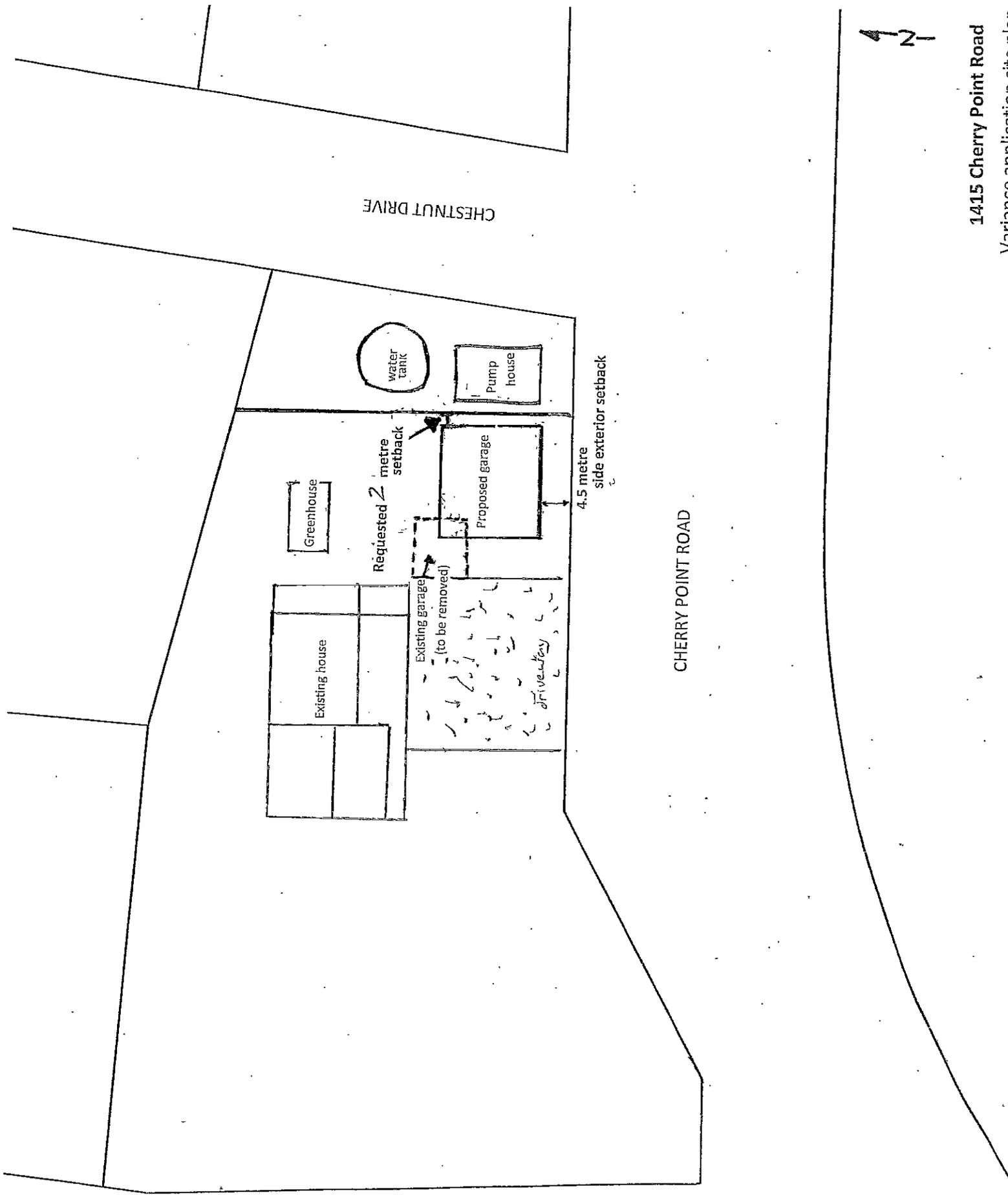
- (1) single family residential dwelling or mobile home;
- (2) agriculture, horticulture;
- (3) home craft;
- (4) bed and breakfast accommodation;
- (5) daycare, nursery school accessory to a residential use;
- (6) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-2 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres; and
- (3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column III and IV:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural and Accessory Use	COLUMN IV Accessory Res- idential Use
Front	7.5 metres	30 metres	7.5 metres
Side (Interior)	10% of the parcel width or 3 metres whichever is less	15 metres	10% of the parcel width or 3.0 metres, whichever is less, or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	4.5 metres





MEMORANDUM

DATE: July 22, 2010 **FILE NO:** 5600-30-LEW/01
TO: Jill Collinson, Planning Technician
FROM: Jeralyn Jackson, AScT., Project Engineer, Capital Projects
SUBJECT: Lot 7, Section 4, Range 6, Cowichan District, Plan 24679 –
Development Variance Application – Your File No. 1-D-10DVP

In response to your letter of June 28, 2010, the CVRD's Lambourn Water System Reservoir is situated on a Statutory Right-of-way on Lot 7, 1415 Cherry Point Road. The Engineering and Environmental Services Department objects to the Development Variance Permit application of 4.5 metres, as this variance will interfere with the required operation and maintenance of the reservoir, but we would agree to a variance that would provide at least 2. metres setback from the edge of the Statutory Right-of-way and the edge of the roof structure and/or building face that may be constructed.

Please give me a call if you have any questions in this regard.

Jeralyn Jackson, AScT., PMP
Project Engineer, Capital Projects

JHJ:jlb

Bath:\Water\Lambourn\Devvariancesapp-Response-Jul22-10.Docx



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

DRAFT

DRAFT

NO: 1-D-10DVP DRAFT

DATE: AUGUST XXTH, 2010

TO: BLUE & RAINA BENNEFIELD

ADDRESS: 1415 CHERRY POINT ROAD

COWICHAN BAY, BC V0R 1N2

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below (legal description):
Lot 7, Section 4, Range 6, Cowichan District, Plan 24679, except parts in Plans 39250 and VIP 60753 (PID 002-802-651)
3. Zoning Bylaw No. 1015, applicable to Section 8.1(b)(3) by;
 - 2.5 metres to allow construction of an accessory building 2 metres from the rear parcel line
4. A survey certificate from a BC Land Surveyor is required confirming compliance with the setback variance described in Section 3 of the Permit.
5. The following plans and specifications are attached to and form a part of this permit.
 - Schedule A – Site Plan
6. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Planning and Development Department.

AUTHORIZING RESOLUTION NO. XX-XXX (X) PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE 11TH DAY OF AUGUST 2010.

Toni 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 BLUE & RAINA BENNEFIELD other than those contained in this Permit.

Signature

Witness

Owner/Agent

Occupation

Date

Date



D4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

DATE: July 23, 2010 **FILE NO:** 3-G-10DVP
FROM: Jill Collinson, Planning Technician **BYLAW NO:** 2524
SUBJECT: Development Variance Permit Application No. 3-G-10DVP
(Lamont for Odell)

Recommendation:

That Development Variance Permit Application No. 3-G-10DVP by Kevin Lamont, on behalf of Stephen and Susan Odell, for a variance to Section 5.3(5) of Zoning Bylaw No. 2524, increasing the permitted height for an accessory building from 6 metres to 6.782 metres be approved, subject to the applicant providing a survey confirming compliance with approved height.

Purpose:

To consider an application to increase the maximum permitted height for an accessory building.

Background

Location of Subject Property: 10758 Guilbride Drive

Legal Description: Lot B, District Lot 27, Oyster District, Plan 43217 (PID 002-898-586)

Date Application and Complete Documentation Received: June 8, 2010

Owner: Stephen and Susan Odell

Applicant: Kevin Lamont

Size of Parcel: 2.65 acres (1.07 hectares)

Zoning: R-2

Height Permitted by Zoning: 6 metres

Proposed Height: 6.782 metres

Existing Plan Designation: Suburban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: Residential (R-2)
South: Residential (R-2)
East: Residential (R-2)
West: Residential (R-2)

Services:

Road Access: Guilbride Drive
Water: Saltair Water System Service
Sewage Disposal: Septic Field

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: None identified

Archaeological Site: None identified

The Proposal:

An application has been made to: vary Section 5.3(5) of Zoning Bylaw No. 2524 of Electoral Area G – Saltair.

For the purpose of: issuing a Development Variance Permit for construction of an accessory building located 6.782 metres in height.

Planning Division Comments:

The subject property is rectangular-shaped lot located at 10758 Guilbride Drive in Electoral Area G, Saltair. This 2.65 acre property is slightly elevated along the eastern parcel line, with the remainder being flat, and mature trees lining the north, west and southern parcel lines.

Currently there is a single family dwelling located on the subject property. The applicants are proposing to construct a new accessory building on the eastern portion of the lot. A Development Variance Permit is required as the applicants are requesting to increase the permitted height for an accessory building from 6 metres to 6.782 meters. There is an older existing shed in the north eastern corner of the lot which will be removed upon completion of the new garage space.

The applicants are requesting the variance to the maximum permitted height as abiding by the 6 metre height would restrict the vertical space needed for full size vehicle in the garage and an art studio on the second storey of this proposed accessory building. The applicants are abiding by all setbacks stipulated in Bylaw 2425. As it is a larger lot and treed around the perimeter, there is limited concern in relation to this height increase blocking views from neighbouring properties.

As the location of the garage is not impairing neighbouring views and is in a lower-lying portion of the lot, Staff is recommending approval of the 0.782 metre variance request to permit the maximum height of the garage to be 6.782 metres.

Surrounding Property Owner Notification and Response:

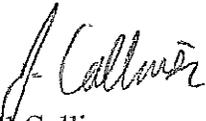
A total of seventeen (17) letters were mailed-out or hand delivered, as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 3275. The notification letter described the purpose of this application and requested comments regarding this variance. To date, we have received one letter opposed to this variance request.

Options:

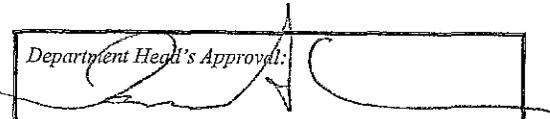
1. That Development Variance Permit Application No. 3-G-10DVP by Kevin Lamont, on behalf of Stephen and Susan Odell, for a variance to Section 5.3(5) of Zoning Bylaw No. 2524, increasing the permitted height for an accessory building from 6 metres to 6.782 metres be approved, subject to the applicant providing a survey confirming compliance with approved height.
2. That Development Variance Permit Application No. 3-G-10DVP by Kevin Lamont, on behalf of Stephen and Susan Odell, for a variance to Section 5.3(5) of Zoning Bylaw No. 2524, increasing the permitted height for an accessory building from 6 metres to 6.782 metres be denied.

Option 1 is recommended.

Submitted by,

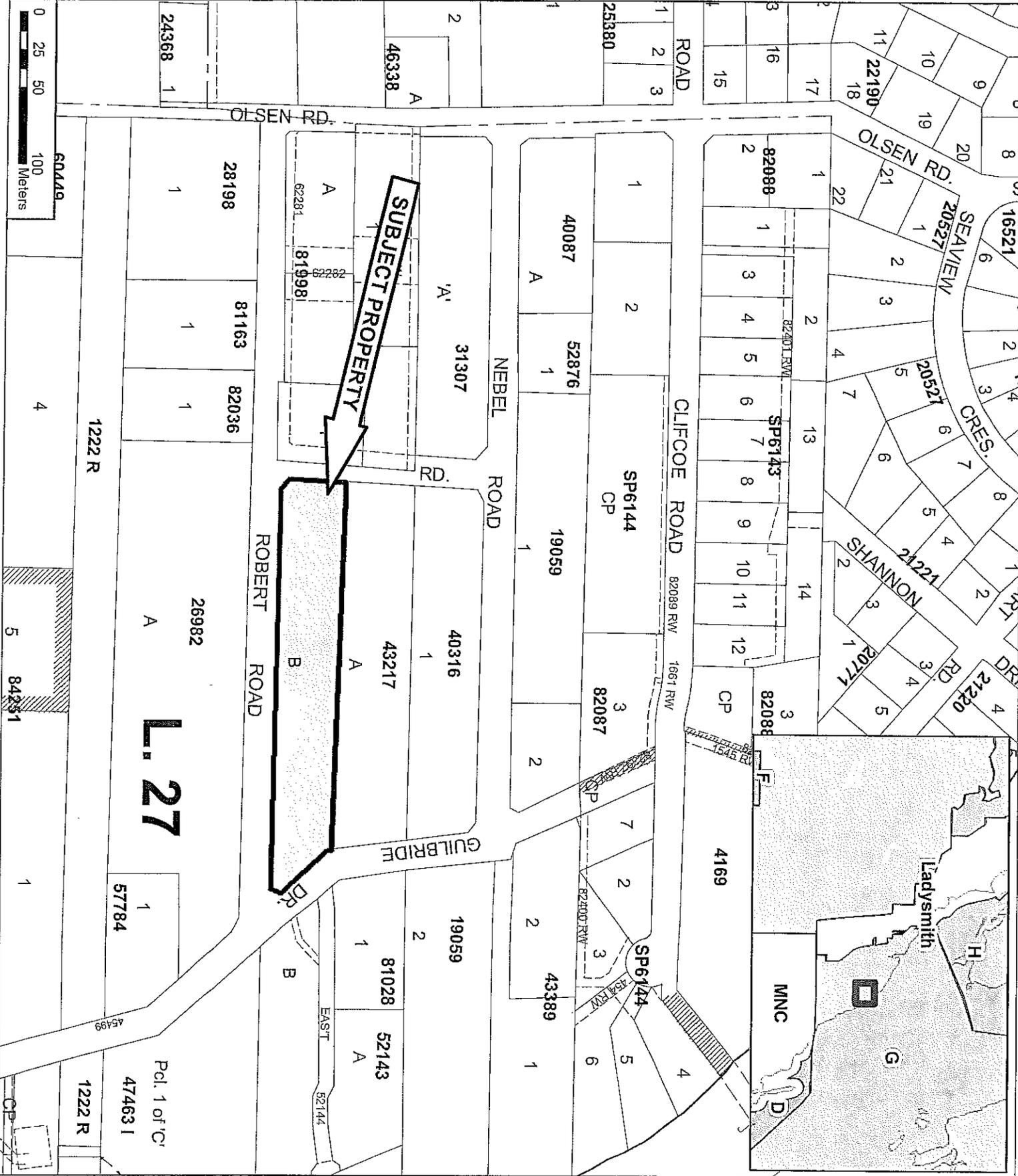


Jill Collinson,
Planning Technician
Development Services Division
Planning and Development Department

Department Head's Approval:	
Signature	_____

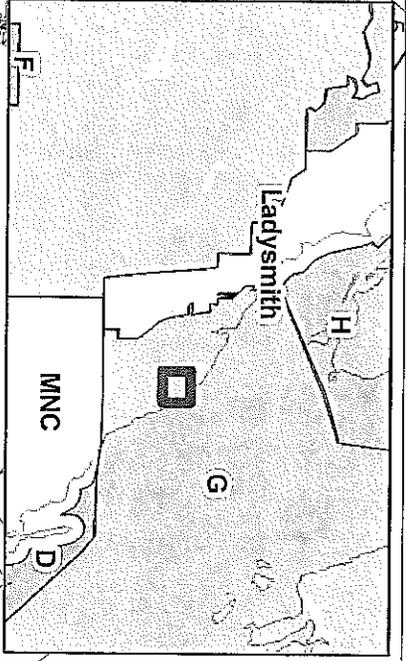
JC/jah

Attachments



SUBJECT PROPERTY

L. 27



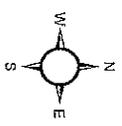
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The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

FILE: 3-G-10 -DVP

Legend
 Subject Property



5.3 R-2 SUBURBAN RESIDENTIAL 2 ZONE

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

1. Permitted Uses

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

(a) Single family dwelling;

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

(b) Restricted agriculture;

(c) Bed and breakfast accommodation;

(d) Home-based business;

(e) Secondary suite, on parcels 0.4 ha or larger in area;

(f) Residential day care centre;

(g) Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Size

The minimum parcel size in the R-2 Zone is 1 hectare for parcels not connected to a community sewer system, and 0.4 hectare for parcels connected to a community sewer system.

3. Number of Dwellings

Not more than one dwelling is permitted on a parcel under 0.4 hectare in area, that is zoned R-2. For parcels zoned R-2 that are 0.4 hectare in area or larger, one secondary suite is also permitted.

4. Setbacks

The following minimum setbacks apply in the R-2 Zone:

Type of Parcel Line	Principal and Accessory Residential Use	Restricted Agricultural Use
Front parcel line	7.5 metres	30 metres
Interior side parcel line	3.0 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	7.5 metres	15 metres

5. Height

In the R-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 6 metres, except in accordance with Section 3.8 of this Bylaw.

6. Parcel Coverage

The parcel coverage in the R-2 Zone shall not exceed 25 percent for all buildings and structures.

7. Parking

Off-street parking spaces in the R-2 Zone shall be provided in accordance with Section 3.13 of this Bylaw.



Cowichan
Valley
Regional
District

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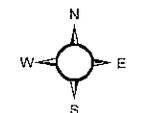
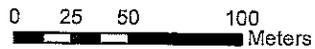
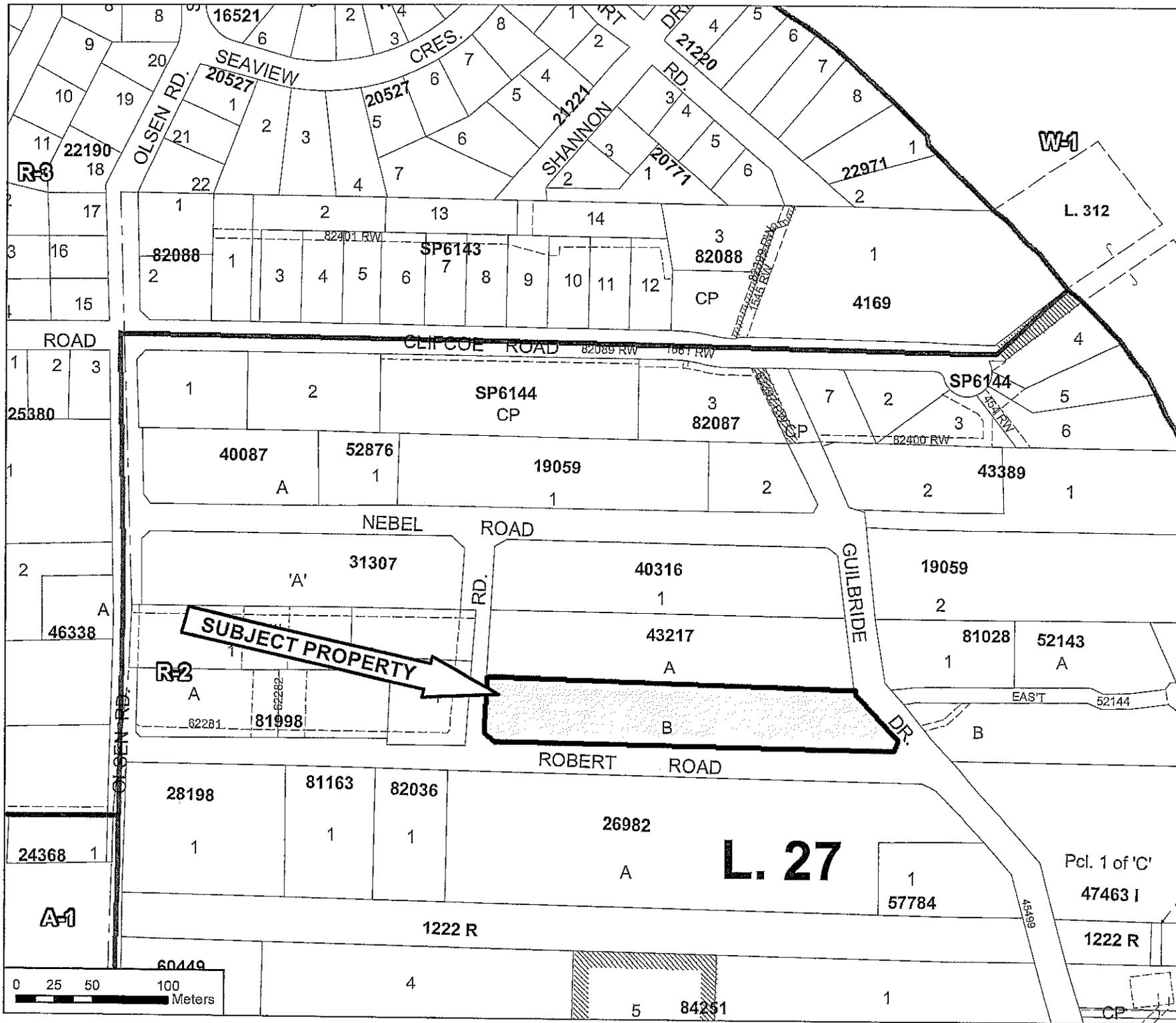
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

**FILE: 3-G-10
-DVP**

ZONING

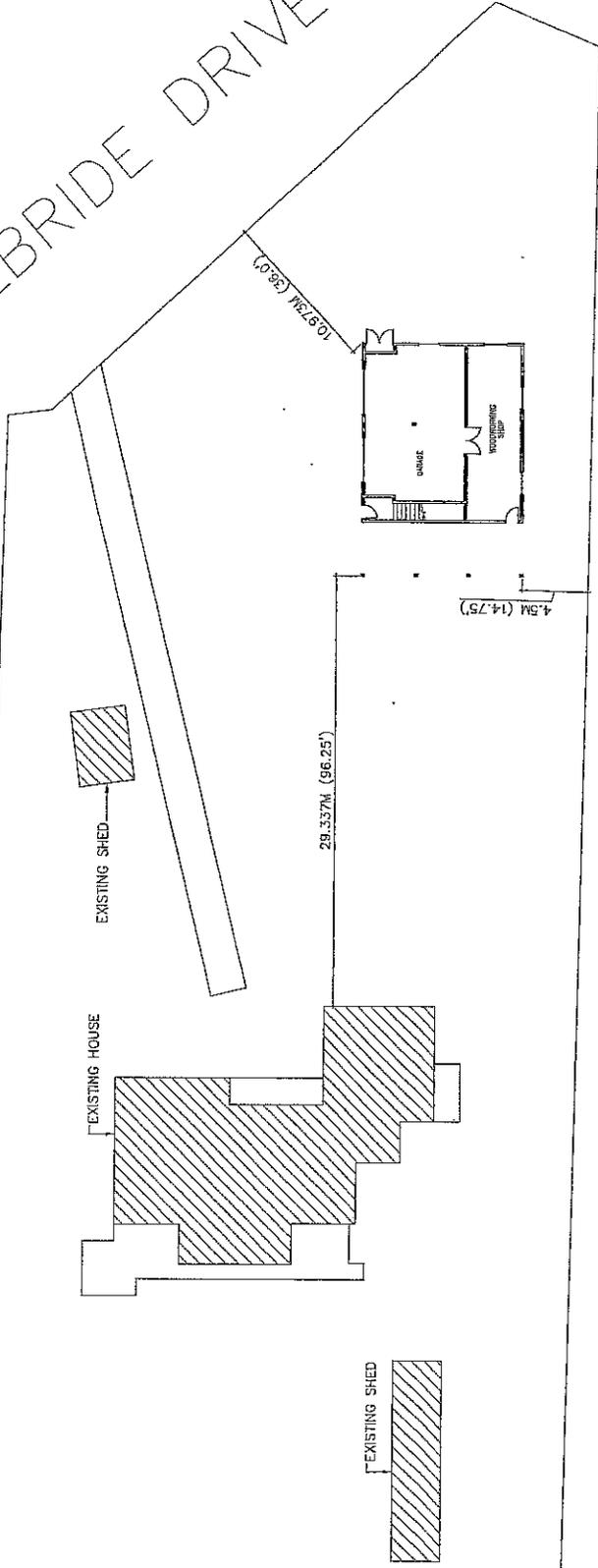
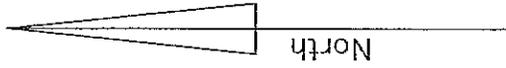
Legend

-  Subject Property
-  Zoning Electoral Area G



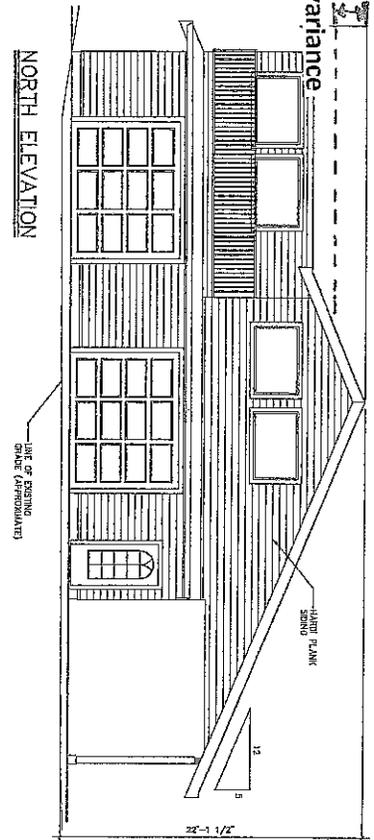
GUILBRIDE DRIVE

ROBERT ROAD

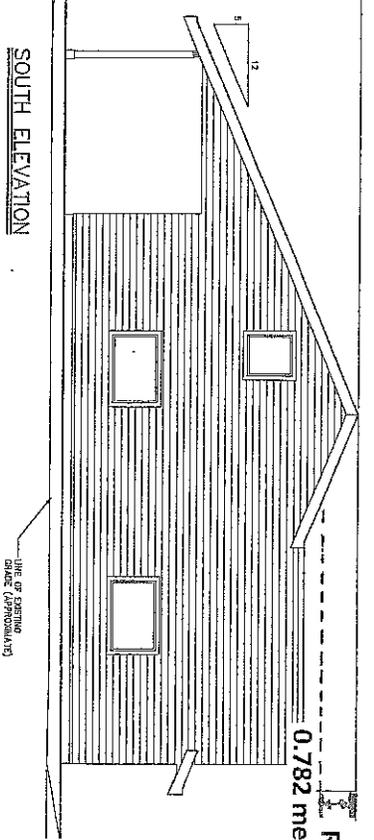


 KEVIN LAMONT BUILDING SPECIALIST LIVERMOUTH, B.C. PHONE: 250-410-8000	
PROJECT NAME:	
PROPOSED GARAGE THE ODELLS	
DRAWING NAME:	
PARTIAL SITE PLAN	
SCALE AS NOTED	PLANNING CODE:
DRAWN BY: K.L.L.	DRAWING NO.:
DATE: 04.06.2012	A3 of 3

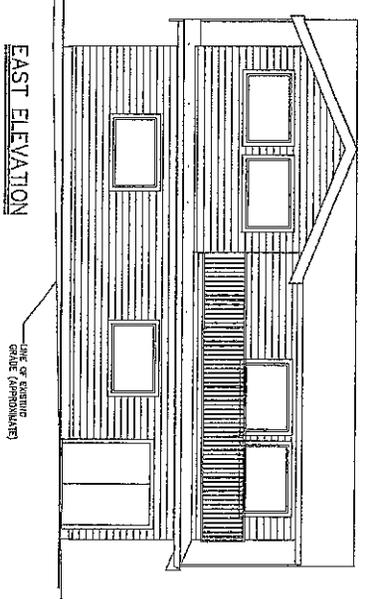
Requested
0.782 metre variance



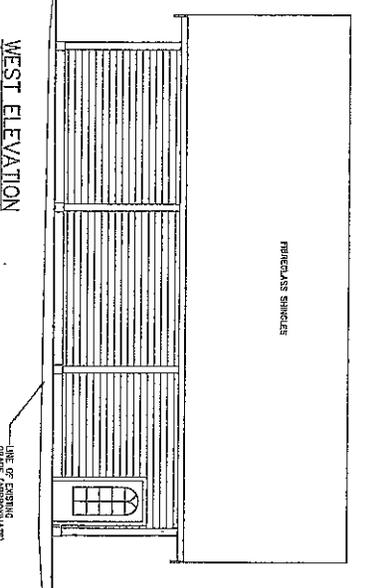
6.782 metres
22'-1 1/2"



Requested
0.782 metre varian



EAST ELEVATION
LINE OF EXISTING GRADE (APPROXIMATE)



WEST ELEVATION
PINECLAY'S SHINGLES
LINE OF EXISTING GRADE (APPROXIMATE)

 <p>KEVIN LAMONT PROJECT PROPONENT PHONE: 508-853-8500</p>	
<p>PROJECT NAME: PROPOSED GARAGE THE ODELL'S</p>	
<p>DRAWING NAME: ELEVATIONS</p>	<p>SCALE: 1/4" = 10' DRAWN BY: KAL DATE: APRIL 2010</p>
<p>DATE: APRIL 2010</p>	<p>DESIGNED BY: ODELL DRAWING NO.: A103</p>

RECEIVED

July 14, 2010

10755 BONBRIDE DR

CURD

JUL 19 2010

WADSVSMITH, B.C. CANADA

175 Ingram Street

V9G 2B3

Duncan, B.C. CANADA V9L 1N8

Dear Jill Collman

Re File No 3-6-10 DVP (LAMONT)

I have no problems with you permitting the Development Variance Permit for Green Land on behalf of Stephen and Susan Odell.

I do question your map of the area surrounding Hulbride Drive. Your map shows Robert Road joining Hulbride and Oyster Way. It also shows Hulbride and Oyster Way being connected. Which in both cases is in error and should be corrected.

Also Hulbride will never connect with Clifco as your map shows.

This new development should permit with future taxes you ability to pave Hulbride Drive the extra 100 ft. from Nichol. Also upgrade the fire hydrant stand pipe on Hulbride drive.

Yours truly,

Wayne + HARMINA

WAYNE + HARMINA RICHMOND



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

DRAFT

DRAFT

NO: 3-G-10 DVP (DRAFT)

DATE: AUGUST XXST, 2010

TO: STEPHEN & SUSAN ODELL
ADDRESS: 10758 GUILBRIDE DRIVE
SALTAIR BC V9G 2B3

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below (legal description):

Lot B, District Lot 27, Oyster District, Plan 43217 (PID 002-898-586)
3. Zoning Bylaw No. 2542, applicable to Section 5.3(5) is varied by increasing the height of an accessory building from 6.0 metres to 6.782 metres.
4. The following plans and specifications are attached to and form a part of this permit.
 - Schedule A – Site Plan
 - Schedule B - Elevation Plan
5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.

This Permit is NOT a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Development Services Department.
6. **AUTHORIZING RESOLUTION NO. XXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE 11th DAY OF AUGUST 2010.**

Tom Anderson, MCIP
General Manager, Planning and Development Department

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.

NOTE:

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 STEPHEN & SUSAN ODELL other than those contained in this Permit.

Signature

Witness

Owner/Agent

Occupation

Date

Date



D5

**ELECTORAL AREA SERVICES COMMITTEE
OF AUGUST 3, 2010**

DATE: July 23, 2010 **FILE NO:** 1-A-09 DP
FROM: Jill Collinson, Planning Technician **BYLAW NO:** 1890
SUBJECT: Development Permit Application No. 1-A-10DP
(Chris Urquhart, CCLC Holdings Ltd.)

Recommendation:

That Development Permit Application No. 1-A-09DP be approved, and that a Development Permit be issued to CCLC Holdings for Lot A, Section 2, Range 8, Shawnigan District, Plan VIP54860, for construction of an addition to a veterinary clinic.

Purpose

To consider the issuance of a Development Permit for the Mill Bay Vet Clinic, situated within the Mill Bay Development Permit Area and Trans Canada Highway Development Permit Area.

Background:

Location of Subject Property: 840 Deloume Road

Legal Description: Lot A, Section 2, Range 8, Shawnigan District, Plan VIP54860
(PID: 017-913-888)

Date Application and Complete Documentation Received: February 1, 2010

Owner: CCLC Holdings Ltd

Applicant: Chris Urquhart

Size of Parcel: 0.16 hectares (0.4 acres)

Existing Zoning: A-3

Minimum Lot Size Under Existing Zoning: 2 hectares

Existing Plan Designation: Agricultural

Existing Use of Property: Veterinary Clinic

Existing Use of Surrounding Properties:

North: Commercial (C-2 & C-3)
South: Residential (R-3) & Parks/Institutional (P-1)
East: Commercial (C-2 & C-3)
West: Residential (R-3) & Agricultural (A-4)

Services:

Road Access: Deloume Road
Water: Mill Bay Waterworks
Sewage Disposal: On-site septic

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

Environmentally Sensitive Areas: None identified

Archaeological Sites: None identified

The Proposal:

The applicant proposes to construct an approximate 3100 square foot addition onto the Mill Bay Vet Clinic.

Background:

Though the subject property is zoned agriculturally, the A-3 Zone allows veterinary clinics as a permitted use. As a veterinary clinic use is of a commercial nature, this application must meet the terms of the Trans Canada Highway Development Permit Area and Mill Bay Development Permit Area. It is CVRD policy that when Development Permit Areas (DPA) overlap, lands affected are required to fulfill the applicable requirements of each DPA under one Development Permit application.

Property Summary

The subject property is located at 840 Deloume Road on the west side of the Trans Canada Highway. It is situated within the Trans Canada Highway DPA and the Mill Bay DPA. These two overlapping Development Permit Areas have been established for the purpose of protecting the environment, ecosystems and biodiversity, and for establishing objectives and guidelines for the form and character of commercial, industrial and multi-family development. Accordingly, the application for a proposed addition to the Mill Bay Vet Clinic must conform to applicable guidelines of both the Trans Canada Highway DPA and the Mill Bay DPA as established in Official Community Plan Bylaw No. 1890.

Onsite there is currently a single storey building with 18 associated parking and loading spaces. This proposal is to construct a two-storey +3100 square foot addition onto the existing building. The main floor plan is currently 3083 square feet with plans for a 1950 square foot addition to the southeastern portion of the existing building. In the proposed additional main floor space will be dog runs, public and private washrooms, an examination room, comfort room, dental studio, radiology laboratory, as well as laundry facilities and storage space. The outside area to the east of the building will house a dog run to be enclosed by a six foot high chain link fence. The proposed upper floor addition plan is 1177 square feet and will house a staff room, two offices, bathroom, caregiver/sitting area and a bedroom.

Attached are floor plans and elevation drawings submitted by the applicant.

Policy Context

The applicant requires a Development Permit prior to proceeding onward with this proposal as the subject property falls within the Trans Canada Highway Development Permit Area and the Mill Bay Development Permit Area. Attached are the complete guidelines for both Development Permit Areas.

Mill Bay Development Permit Area

Highlighted below are the applicable Mill Bay Development Permit guidelines along with information on how the proposed development addresses the guidelines.

a) **Services and Utilities**

1. The applicant has an existing septic system that will be in use during construction and will undergo upgrades.
2. Stormwater for the proposed development will use existing outfalls located onsite.
3. The subject property is serviced by Mill Bay Waterworks and, as such, water will not be drawn from Shawnigan or Hollings Creeks.
4. No water laden land or unstable soil subject to degradation has been identified on the subject property.
5. Not applicable.

b) **Vehicular Access**

1. Vehicle access is from Deloume Road. The subject property is located within 800m of the Trans Canada Highway and the applicant has not proposed any new access points.
2. There are two existing site access points on site.
3. Not applicable.
4. Not applicable.

c) **Vehicular Parking**

Parking plans comply with CVRD Parking Bylaw No. 1001, as kennels/animal hospitals are required to have a minimum of 4 parking spaces. There are currently a total of 18 parking spaces on site; 7 bordering Deloume Road, 5 to the west of the building and 6 to the rear of the building. The parking spaces to the rear of the building will be lost due to the proposed addition, but will be replaced by 3 spaces northeast of the building and by 3 parallel parking spaces along the southwestern section of the building.

d) **Pedestrian Access**

A pedestrian sidewalk currently runs adjacent to the existing building. Upon completion of the new building, a similar walkway will be constructed along the east side of the building.

e) **Landscaping**

Refer to Trans Canada Highway DPA guidelines on page 5 of this report.

f) **Signage**

A sign permit is not necessary and is not part of this Development Permit Application as there is an existing sign in and no structural changes to the sign are proposed.

g) **Lighting**

There is existing pot lighting in the eaves surrounding the entire building as well as two lamps on posts in the front parking area which will remain during and post-construction. Proposed additional lighting is to be motion detector lights around doorways. The new front area will have lighting designed to provide a safe entrance space.

- h) Overhead Wiring
Service wiring is and will continue to be underground.
- i) Building Design
The proposed new addition to the building will use exterior finishing similar to what is currently on the existing structure (metal roof and vertical siding-see attached pictures). The applicant has yet to decide on a specific paint colour, but has indicated that a brown/tan colour will be used. Additional detail will be added to the front entrance area, including rock columns and naturally stained 8 inch fir beams.
- j) Development Adjacent to Environmentally Sensitive Areas and Hazardous Lands
The area of development is currently blacktop. No creeks, environmentally sensitive areas, or hazardous lands have been observed onsite.
- k) Timing of Development on Land
The Development Permit may specify the sequence and timing of development on the land. The applicant has indicated he would like to commence construction in the summer of 2010.
- l) Siting of Buildings and Structures
The proposed building conforms to setbacks specified in the A-3 zone.
- m) Riparian Areas Regulation Guidelines
Not applicable.

Trans Canada Highway Development Permit Area

The majority of the Trans Canada Highway Development Permit guidelines overlap with those in the Mill Bay Development Permit Area. Highlighted below is the applicable Trans Canada Highway Development Permit Area guideline that has not already been addressed in the Mill Bay DPA.

Landscaping

Presently, to the front of the subject property, there are raised beds acting as buffer along Deloume Road and providing a distinctive parking area. There is also a larger tree and surrounding raised bed in the northwestern corner of the lot. Along the front and eastern side of the building are low-height plants providing aesthetic benefits and visibility (crime prevention benefit). To the east of the building is existing shrubbery, some of which will be removed to allow for building expansion. Though DPA guidelines stipulate that landscaping shall provide a buffer of at least 6 metres between development and a public road, staff feels that the eastern section of the building is not applicable to this guideline as the neighbouring business effectively blocks this portion of the building from sightlines of the Trans Canada Highway.

As part of onsite landscaping, coinciding with the permanent blocking off access to the Shell Station from the Mill Bay Vet Clinic parking lot, the applicant is proposing a 32inch wide toned-faced cement wall (20 inches in height) with an approximately 18 inch boxwood hedge planted above (see attached).

All other guidelines in the Trans Canada Highway Development Permit Area appear to have been met and addressed within the Mill Bay Development Permit Area guidelines.

Advisory Planning Commission Comments:

The Electoral Area A Advisory Planning Commission met on May 11, 2010 and they discussed this application at that time. They indicated that it was desirable to have the Mill Bay Veterinary Clinic parking cordoned off from the Shell Station in order to improve the safety for both drivers and pedestrians. They submitted to us the following recommendation:

“APC unanimously recommends to the CVRD Board that Development Permit Application No.1-A-10DP be approved with the recommendation there is safe access/egress for pedestrian and drivers. A discussion between the applicant and the MoT may be needed.”

Additional Staff Comments

Staff referred this application to the Ministry of Transportation and Infrastructure (MOTI) in response to APC recommendations. MOTI indicated that the road shoulder on the opposite side of Deloume Road was widened in previous years to permit pedestrian traffic along the shoulder as the Mill Bay Veterinary side of the road was considered to be too constrictive. MOTI also indicated that is preferable to have the entire Mill Bay Vet parking lot blocked off from the Shell Station to cut down the amount of left turns into the Shell Station when individuals are actually travelling to the veterinary clinic. As a result, Mill Bay Vet has agreed to close off access through their property to the adjoining Shell Station. The applicants have incorporated landscaping into their plans for the blocking off of through access, as noted above.

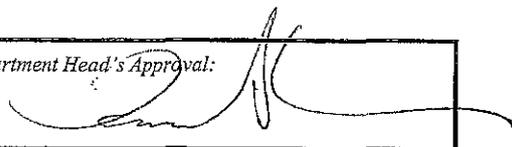
Options

1. That Development Permit Application No. 1-A-09DP be approved, and that a Development Permit be issued to CCLC Holdings for Lot A, Section 2, Range 8, Shawnigan District, Plan VIP54860 for construction of an addition.
2. That Development Permit Application No. 1-A-09 DP (CCLC Holdings Ltd.) be revised.

Submitted by,



Jill Collinson,
Planning Technician
Development Services Division
Planning and Development Department

Department Head's Approval: 
Signature

JC/jah

Attachments

DRAFT



DRAFT

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 1-A-10DP DRAFT

DATE: AUGUST XX, 2010

TO: CCLC HOLDINGS LTD
ADDRESS: 840 DELOUME ROAD
MILL BAY, BC V0R 2P0

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) for purposes of construction of an addition to Mill Bay Veterinary Clinic, located at:
Lot A, Section 2, Range 8, Shawnigan District, Plan VIP54860 (PID: 017-913-888)
3. Authorization is hereby given for the construction of an addition to the Mill Bay Veterinary Clinic in accordance with the Mill Bay Development Permit Area & Trans Canada Highway Development Permit Area guidelines, subject to the applicant providing security in the form of an irrevocable letter of credit equivalent to 125% of the estimated cost of landscaping.
4. 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.
5. The following Schedules are attached:
 - Schedule A – Site Plan
 - Schedule B – Building Drawings
 - Schedule C – Landscape Plan
 and form part of this Permit.
6. 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. XX-XXX(X) PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE 11TH DAY OF AUGUST 2010.

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 **CCLC HOLDINGS LTD** other than those contained in this Permit.

Signature of Owner/Agent

Witness

Print Name

Occupation

Date

Date

14.3 DEVELOPMENT PERMIT AREAS - GENERAL POLICIES

POLICY 14.3.1

Where development permit areas overlap, lands affected are required to fulfill the requirements of each development permit area, under one application.

14.4. TRANS CANADA HIGHWAY DEVELOPMENT PERMIT AREA

14.4.1 CATEGORY AND AREA

All lands zoned commercial, industrial or multi-family residential within 200 metres of the Trans Canada Highway Right of way are designated as the Trans Canada Highway Development Permit Area under Section 879(1)(a)(e), for the purpose of protecting the environment and establishing objectives and providing guidelines for the form and character of commercial, industrial, and multi-family development in the Development Permit Area.

14.4.2 JUSTIFICATION

- a) An objective of the Regional District is to ensure that development in the vicinity of the Trans Canada Highway is designed in such a way that the visual aesthetics of the highway corridor are not adversely affected.
- b) An objective of the Regional District is to ensure that development is attractive and that rigorous requirements are provided for the storage of materials, landscaping, lighting, signage, traffic mitigation, safety and environmental protection.
- c) An objective of the Regional District is to ensure that development does not impact negatively on the attractive character of any portion of the community or the natural environment, in particular the groundwater resource.
- d) An objective of the Regional District is to ensure that the construction of buildings and structures and the clearing of land does not create sedimentation problems which can adversely affect aquatic habitat. A number of watercourses are partially located within the Trans Canada Highway Development Permit Area. Shawnigan Creek and some others are important fish bearing streams and should be protected from indiscriminate development.

14.4.3 GUIDELINES

Prior to commencing any development , including construction or subdivision, on lands within the Trans Canada Highway Development Permit Area, the owner shall obtain a development permit which conforms to the following guidelines.

a) Vehicular Access

1. Vehicular access shall not be provided directly to the traveling surface of the Trans Canada Highway. All such points of access shall be located on secondary roads or frontage roads and approved by the Ministry of Transportation and Highways.
2. Unnecessary duplication of access points is discouraged. Where two or more commercial, industrial or multi family facilities abut one another, it is strongly encouraged that road access points be shared and internal parking areas and walkways be physically linked and protected by legal agreements, approved by the Ministry of Transportation and Highways.

b) Vehicle Parking

1. Parking surfaces, including curbs and gutters, shall be constructed of asphalt or concrete and shall be located a minimum of six metres from any parcel line fronting on the Trans Canada Highway or any major network road.
2. Parking areas shall be designed to physically separate pedestrian and vehicular traffic.
3. Parking areas shall have interior landscaping to break up large parking areas.
4. Parking areas shall be well lit and designed to provide for the safety of users.

c) Pedestrian Access

Within a development site, pedestrian routes shall be clearly defined by means of separate walkways, sidewalks or paths in order to encourage and accommodate safe pedestrian access on and off the site. Where public sidewalks, pedestrian routes, and crosswalks exist, the on-site walkways should tie in with these.

d) Landscaping

1. Landscaping shall be provided as a buffer of at least 6 metres between a development and a public road. Combinations of low shrubbery, berms, ornamental trees and flowering perennials are recommended.
2. Safety from crime should be considered in landscaping plans.

- ✳3. The intermittent use of landscaped berms and raised planter berms as a visual and noise barrier between a development and the Trans Canada Highway is strongly encouraged. Such raised features need not exceed 1.5 metres but should be at least 0.75 metres in height.
4. Landscaping may include lawn areas, however such areas should not exceed 50 percent of the total landscaping of the site.

e) Signage

1. Signage should be designed to reflect the architecture of the site and to be in harmony with the landscaping plans for the site.
2. Where multiple free standing signs are required on a site, the signs shall be consolidated into a single, comprehensive sign.
3. Free standing signage should be low and should not exceed 5 metres in height, except where a site is lower than the adjacent road surface. In these cases variations may be appropriate and should be considered on their own merit.
4. Facia or canopy signs may be considered provided that they are front-lit and designed in harmony with the architecture of the building or structure proposed. Back-lit signs are not permitted.
5. Projecting signs shall be discouraged since they tend to compete with one another and are difficult to harmonize with the architectural elements of the commercial or industrial building.
6. Where signs are illuminated, favorable consideration shall be given to external lighting sources or low intensity internal sources. High intensity panel signs shall be avoided.
7. Signs shall be designed so that they are not in contravention with provincial legislation and the Ministry of Transportation and Highway's policies.

f) Lighting

Parking areas and pedestrian routes on a site should be well lit, however lighting should be designed to illuminate the surface of the site without undue glare spill-over to adjacent parcels or to adjacent roads.

g) Overhead Wiring

Underground wiring shall be encouraged rather than onsite overhead wiring.

h) Building Design

Buildings and structures shall be designed in harmony with the aesthetics of the surrounding lands, on-site signage and landscaping plans. All plans and building designs should promote personal and public safety and should be referred to the Advisory Planning Commission for comment before being approved by the Regional Board.

i) Environmentally Sensitive Areas

1. Any foreshore development of a creek must be undertaken in full consultation and with written approval of the Ministry of Environment and the Federal Department of Fisheries and Oceans to ensure minimal impact and adequate habitat compensation, taking into consideration appropriate materials, methods of construction and timing of construction.
2. Any alteration, construction or development must not impact the water quality and quantity and be done in an environmentally sensitive manner resulting in no net loss of fisheries habitat (i.e.: earth piles must be covered and machinery must be maintained to prevent oil spills).
3. The shorelines and creek banks along the Saanich Inlet and fresh water streams shall be left as much as possible in a natural state using existing vegetation and slope as guidelines.
4. The filling of the foreshore below the break of land/top of bank or the maximum high water mark of a stream shall be prohibited. No deposit or removal of soil, rock, gravel or other such similar material shall occur unless written approval has been issued by the Federal Department of Fisheries and Oceans and/or the Ministry of Environment.
5. Adequate buffering and protection will be required for any sensitive native plant communities.

14.4.4 REQUIREMENTS

Prior to issuing a development permit on a parcel in the Trans Canada Highway Development Permit Area, the Regional District, in determining what conditions or requirements it will impose in the development permit, shall require the applicant to submit, at the applicants expense, a development permit application which shall include:

1. A brief text description of the proposed development;
2. Maps which include:
 - a) the location of the project,
 - b) a scale drawn site plan showing the general arrangement of land uses including parcel lines, existing and proposed buildings and structures, parking and loading areas, vehicular access points, pedestrian walkways and bike paths, and outdoor illumination design;
 - c) a scale drawn landscaping plan, identifying the existing and proposed plant species, and areas to be cleared or planted for all landscaped areas,
 - d) a Signage plan showing all existing and proposed signs or sign areas,
 - e) a preliminary building design including proposed roof and exterior finish details,
 - f) the location of all natural watercourses and water bodies,
 - g) the location of greenways or open space,

- h) setback distances from a watercourse for construction or the alteration of land,
- i) location of break of land at the top of bank, or the significant or regular break in slope which is a minimum of 15 metres wide away from the watercourse, pursuant to the document Land Development Guidelines for the protection of Aquatic Habitat (Ministry of Environment, Land and Parks and the Federal Department of Fisheries and Oceans, 1992),
- j) topographical contours,
- k) the location of all soil test sites and soil depths,
- l) the location of hazardous slopes exceeding 25 percent grade,
- m) existing and proposed roads, drainage/stormwater systems (including oil-water separators), electrical systems, septic tanks and other sewage systems, irrigation systems, and water supply systems,
- n) proposed erosion control works or alteration proposed, and
- o) areas of sensitive native plant communities.

3. In addition to the requirements in subsections 1 and 2, the Regional District may require the applicant to furnish, at the applicant's expense, a report certified by a professional engineer with experience in geotechnical engineering which shall include:

- a) a hydrogeological report/ environmental impact assessment assessing any impact of the project on water surfaces in the area,
- b) a report on the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition,
- c) a report regarding the safety of the proposed use and structures on-site and off-site or indicating that the land may be used safely for the use intended, and
- d) a report on the potential impact of the development on the groundwater resource.

14.4.5 EXEMPTIONS

The terms of the Trans Canada Highway Development Permit Area shall not apply to:

- a) construction or renovation of single family dwellings and accessory uses,
- b) interior renovations of existing buildings, or
- c) changes to the text or message on an existing sign that was permitted under an existing development permit.

14.4.6 VARIANCES

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

14.5 MILL BAY DEVELOPMENT PERMIT AREA

14.5.1 CATEGORY AND AREA

All lands located within the area highlighted in grey on Figure 7 are designated as the Mill Bay Development Permit Area. The Mill Bay Development Permit Area is proposed pursuant to the following sections of the Local Government Act:

- (a) Section 919.1(a) for protection of the natural environment, its ecosystems and biodiversity; 919(e) for the establishment of objectives for the form and character of intensive residential development, and 919.1(f) for the establishment of objectives for the form and character of commercial, industrial and multi-family residential development; and
- (b) Section 919(a) for protection of the natural environment, its ecosystems and biodiversity, for riparian assessment areas outlined in Section 14.5.2.

A development permit must be applied for, and issued by the Cowichan Valley Regional District, prior to:

- (c) commencement of the subdivision of land or any commercial, industrial, or multi-family or related development within the Mill Bay Development Permit Area, shown in Figure 7; and
- (d) For riparian assessment areas outlined in Section 14.5.2, any of the following activities occurring in the Mill Bay Development Permit Area, where such activities are directly or indirectly related to existing or proposed residential, commercial or industrial land uses in any Zone or Land Use Designation, subject to Section 14.5.1 (a) (b) and (c):
 - removal, alteration, disruption or destruction of vegetation;
 - disturbance of soils;
 - construction or erection of buildings and structures;
 - creation of nonstructural impervious or semi-impervious surfaces;
 - flood protection works;
 - construction of roads, trails, docks, wharves and bridges;
 - provision and maintenance of sewer and water services;
 - development of drainage systems;
 - development of utility corridors;
 - subdivision as defined in section 872 of the *Local Government Act*.

14.5.2 RIPARIAN ASSESSMENT AREAS

Additionally, Riparian Assessment Areas, as defined in the *Riparian Areas Regulation* that are within the area shown as Mill Bay Development Permit Area on Figure 7, are (as measured on the ground):

- a) for a stream, the 30 metre strip on both sides of the stream, measured from the high water mark;
- b) for a 3:1 (vertical/horizontal) ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank, and

- c) for a 3:1 (vertical/horizontal) ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank,

And within these areas, the Riparian Areas Regulation Guidelines below will also apply.

14.5.3 DEFINITIONS

For the purposes of this Development Permit Area, the terms used herein have the same meaning that they do under the *Riparian Areas Regulation* (BC Reg. 376/2004).

14.5.4 JUSTIFICATION

- a) An objective of the Regional District is to ensure that the design of any intensive residential, multi-family residential, commercial or industrial development is more stringently regulated than provided for in the zoning bylaw, in order to ensure that it is compatible with surrounding land uses.
- b) An objective of the Regional District is to ensure that intensive residential, multi-family residential, commercial and industrial activities are attractive, with rigorous requirements for the storage of materials, landscaping, traffic mitigation and environmental protection.
- c) An objective of the Regional District is to ensure that intensive residential, multi-family residential, commercial and industrial development does not impact negatively on the attractive character of any portion of the community, the livability of any residential neighbourhood, or the natural environment, in particular the groundwater resource.
- d) An objective of the Regional District is to ensure that intensive residential and multi-family residential development is designed to encourage affordability, safety, and accessibility, and is aesthetically landscaped and screened.
- e) Land uses within the development permit area may directly impact the Mill Bay Aquifer, the Saanich Inlet and/or freshwater streams, such as Shawnigan Creek, Hollings Creek or Handysen Creek, which flow into the Inlet. An objective of the Regional District is to ensure that the integrity of surface water and groundwater is protected from indiscriminate development. It is recognized that:
- a majority of residents in the Mill Bay Village area rely upon the Mill Bay aquifer for domestic water use, both in the form of drilled wells and the Mill Bay Waterworks Community Water System,
 - the Mill Bay Aquifer has a high vulnerability rating and a moderate productivity level, due to the depth to static water being shallow and, in many cases, the aquifer being unconfined (the aquifer flows north to northeast and has a mean depth of 7.2 metres (23 ft), a median depth of 6.7 metres(22 ft), with a total range of 0-38.1 metres (0-125 ft)),
 - the vulnerability of the Mill Bay Aquifer may be greatest in the upslope recharge areas and the northern area near Hollings Creek (the Mill Bay Aquifer is recharged through infiltration of precipitation along the upslope southern portion of the aquifer, groundwater flow is towards the

secondary roads or frontage roads, and shall be approved by the Ministry of Transportation and Highways.

2. Unnecessary duplication of access points is discouraged. Where two or more multi family, commercial or industrial facilities abut one another, it is strongly encouraged that road access points be shared and internal parking areas and walkways be physically linked and protected by legal agreements.
- ~~3. Roads shall be paved with curbs, gutters, and sidewalks or similarly dedicated walkways/bikeways. Paths and bikeways shall be encouraged to link the on-site uses together and to connect with off-site amenities and services.~~
4. The Regional Board may give favourable consideration to variances of the terms of its parking bylaw (as stated in Policy 14.5.6 VARIANCES), for intensive residential development that features extended care facilities for seniors, if the development is located within the Urban Containment Boundary and in the vicinity of a public transit route which connects with Mill Bay Centre.

c) Vehicular Parking

1. Parking surfaces shall be constructed of asphalt or concrete and should be located a minimum of three metres from any parcel line.
2. Parking areas shall be designed to physically separate pedestrian and vehicular traffic.
3. Parking areas shall have interior landscaping, to break up large parking areas.
4. Parking areas shall be well lit and designed to provide for the safety of users.

d) Pedestrian Access

Within a development site, pedestrian routes should be clearly defined by means of separate walkways, sidewalks or paths in order to encourage and accommodate safe pedestrian access on and off the site. Where public sidewalks, pedestrian routes and crosswalks exist, the on-site walkways should tie in with these.

e) Landscaping

1. Landscaping shall be provided as a minimum 6 metre visual buffer between a multi family, commercial or industrial use and neighbouring parcels and public roads. Combinations of low shrubbery, ornamental trees, and flowering perennials are recommended.
2. Safety from crime should be considered in landscaping plans.
3. The intermittent use of landscaped berms and raised planter berms as a visual and noise barrier between a multi family use and public roads is encouraged.
4. Landscaping may include lawn areas, however for commercial and industrial uses such areas should not exceed 50% of the total landscaping on the site, and for multi family uses such areas should not exceed 80% of the total landscaping on the site.

north and northeast, and the discharge zone is in the northern portion in the vicinity of Wheelbarrow Springs),

- significant areas along Shawnigan Creek and its tributaries may be subject to flooding, erosion and channel shifting,
 - provincial Fishery officials and the Federal Department of Fisheries and Oceans are concerned about the loss and degradation of trout and salmon spawning and rearing streams in the area,
 - the construction of buildings and structures and the clearing of land can create sedimentation problems which can adversely affect aquatic habitat, and
 - “Develop With Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia”, published by the Ministry of Environment requires that sensitive areas be left undisturbed wherever possible, with most development being preferably at least 30 metres away from the natural boundary of a watercourse.
- f) The province of British Columbia’s *Riparian Areas Regulation (RAR)*, under the *Fish Protection Act*, aims to protect fish habitat. This regulation requires that residential, commercial or industrial development as defined in the *RAR*, in a Riparian Assessment Area near freshwater features, be subject to an environmental review by a Qualified Environmental Professional (QEP).

14.5.5 GUIDELINES

Prior to commencing any development, including subdivision or construction, on lands within the Mill Bay Development Permit Area, the owner shall obtain a development permit which conforms to the following guidelines:

- a) Services and Utilities
1. All sewage disposal facilities shall be approved by the Vancouver Island Health Authority or the Ministry of Environment.
 2. Storm sewers should be designed to retain and delay storm water runoff in order to reduce peak storm flows and the possible negative impact of flash flooding on the creeks. A storm water retention plan is encouraged to be developed as part of any engineering work in the development permit area.
 3. Primary water sources for housing should not include Shawnigan or Hollings Creeks.
 4. In any area that has unstable soil or water laden land which is subject to degradation, no septic tank, drainage, irrigation or water system shall be constructed.
 5. Drainage facilities shall divert drainage away from hazardous lands. ✓
- b) Vehicular Access
1. Vehicular access shall not be provided directly to the traveling surface of the Trans Canada Highway. All such points of access shall be located on

5. The Development Permit may specify the amount and location of tree and vegetation cover to be planted or retained.

f) Signage

1. Signage should be designed to reflect the architecture of the site and to be in harmony with the landscaping plans for the site.
2. Where multiple free standing signs are required on a site, the signs shall be consolidated into a single, comprehensive sign.
3. Free standing Signage should be low and should not exceed 5 metres in height, except where a site is lower than the adjacent road surface. In these cases variations may be appropriate and should be considered on their own merit.
4. Facia or canopy signs may be considered provided that they are front-lit and designed in harmony with the architecture of the building or structure proposed.
5. Projecting signs shall be discouraged since they tend to compete with one another and are difficult to harmonize with the architectural elements of the commercial or industrial building.
6. Where signs are illuminated, favorable consideration shall be given to external lighting sources or low intensity internal sources. Signs shall be designed so that they are not in contravention with provincial legislation and the Ministry of Transportation and Highway's policies High intensity panel signs shall be avoided.
7. Signs shall be designed so that they are not in contravention with provincial legislation and the Ministry of Transportation and Highway's policies.

g) Lighting

Parking areas and pedestrian routes on a site should be well lit, however lighting should be designed to illuminate the surface of the site only without glare spill-over to adjacent parcels or to adjacent roads.

h) Overhead Wiring

Underground wiring shall be encouraged rather than overhead wiring.

i) Building Design (applies only to intensive or multiple family residential, commercial and industrial buildings)

Buildings and structures shall be designed in harmony with the aesthetics of the surrounding lands, on-site signage and landscaping plans. All plans and building designs should promote personal and public safety and should be referred to the Advisory Planning Commission for comment before being approved by the Regional Board.

j) Development Adjacent to Environmentally Sensitive Areas and Hazardous Lands

This section applies to intensive residential, multi-family residential, commercial and industrial uses:

1. such development shall be discouraged within 30 metres of any watercourse, including the Saanich Inlet, except as approved in writing by the Ministry of Environment and Fisheries and Oceans Canada, and a Development Permit under this Section.
2. Any alteration, construction or development must not impact water quality and quantity, and be done in an environmentally sensitive manner ~~resulting in no net loss of fisheries habitat.~~ For example, this means that post-development stormwater flows should equal pre-development stormwater flows, and earth piles must be covered during construction, and construction machinery must be maintained to prevent oil spills.
3. The ocean shorelines and creek banks shall be left as much as possible in a natural state using existing vegetation and slope as guidelines.
4. Adequate buffering and protection of any sensitive native plant communities shall be provided.

k) Timing of Development on Land

The development permit may impose conditions for the sequence and timing of development on land described in the permit.

l) Siting of Buildings and Structures

The regulations of the zoning bylaw will normally prevail, however since site conditions will vary, there may be a need to alter the siting in certain locations to create a more aesthetic setting, protect environmentally sensitive areas, protect amenities, enhance views or increase the functionality of the site design.

m) Riparian Areas Regulation Guidelines

Prior to undertaking any of the development activities listed in Section 14.5.1(d) above, an owner of property within the Mill Bay Development Permit Area shall apply to the CVRD for a development permit, and the application shall meet the following guidelines:

1. A qualified environmental professional (QEP) will be retained at the expense of the applicant, for the purpose of preparing a report pursuant to Section 4 of the *Riparian Areas Regulation*. The QEP must certify that the assessment report follows the assessment methodology described in the regulations, that the QEP is qualified to carry out the assessment and provides the professional opinion of the QEP that:
 - i) if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area; and
 - ii) the streamside protection and enhancement area (SPEA) that is identified in the report is protected from the development and there

- are measures identified to protect the integrity of those areas from the effects of development; and
- iii) the QEP has notified the Ministry of Environment and Fisheries and Oceans Canada, both of whom have confirmed that a report has been received for the CVRD; or
 - iv) confirmation is received from Fisheries and Oceans Canada that a ~~harmful alteration, disruption or destruction of natural features,~~ functions and conditions that support fish life processes in the riparian area has been authorised in relation to the development proposal.
2. Where the QEP report describes an area designated as Streamside Protection and Enhancement Area (SPEA), the development permit will not allow any development activities to take place therein, and the owner will be required to implement a plan for protecting the SPEA over the long term through measures to be implemented as a condition of the development permit, such as:
 - a dedication back to the Crown Provincial,
 - gifting to a nature protection organisation (tax receipts may be issued),
 - the registration of a restrictive covenant or conservation covenant over the SPEA confirming its long-term availability as a riparian buffer to remain free of development;
 - management/windthrow of hazard trees;
 - drip zone analysis;
 - erosion and stormwater runoff control measures;
 - slope stability enhancement.
 3. Where the QEP report describes an area as suitable for development with special mitigating measures, the development permit will only allow the development to occur in strict compliance with the measures described in the report. Monitoring and regular reporting by professionals paid for by the applicant may be required, as specified in a development permit;
 4. If the nature of a proposed project in a riparian assessment area evolves due to new information or some other change, a QEP will be required to submit an amendment report, to be filed on the notification system;
 5. Wherever possible, QEPs are encouraged to exceed the minimum standards set out in the *RAR* in their reports;
 6. The CVRD Board strongly encourages the QEP report to have regard for "Develop with Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia" published by the Ministry of Environment.

14.5.6 REQUIREMENTS

Prior to issuing a development permit on a parcel in the Mill Bay Development Permit Area, the Regional District, in determining what conditions or requirements

it will impose in the development permit, shall require the applicant to submit, at the applicant's expense, a development permit application which shall include:

- a) a brief text description of the proposed development,
- b) maps/elevation drawings which include:
 - 1. the location of the project,
 - 2. a scale drawn site plan showing the general arrangement of land uses including parcel lines, existing and proposed buildings and structures, parking and loading areas, vehicular access points, pedestrian walkways and bike paths, and outdoor illumination design,
 - 3. a scale drawn landscaping plan, identifying the existing and proposed plant species, and areas to be cleared or planted for all landscaped areas,
 - 4. a Signage plan showing all existing and proposed signs or sign areas,
 - 5. a preliminary building design including proposed roof and exterior finish details,
 - 6. the location of all natural watercourses and water bodies,
 - 7. the location of all greenways or open space,
 - 8. setback distances from a watercourse for construction or the alteration of land,
 - 9. location of break of land at the top of bank, or the significant or regular break in slope which is a minimum of 15 metres wide away from the watercourse, pursuant to the document "Develop with Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia" published by the Ministry of Environment,
 - 10. topographical contours,
 - 11. the location of all soil test sites and soil depths,
 - 12. the location of hazardous slopes exceeding 25 percent grade,
 - 13. the location of lands subject to periodic flooding,
 - 14. existing and proposed roads, drainage systems, septic tanks and other sewage systems, irrigation systems, and water supply systems,
 - 15. the location of the sewage treatment plant and disposal field, if applicable,
 - 16. proposed erosion control works or alteration proposed, and
 - 17. areas of sensitive native plant communities.
- c) For development in areas that are subject to Section 14.5(a), a report of a Qualified Environmental Professional pursuant to Section 14.5.4(m).
- d) In addition to the requirements in subsections (a), (b) and (c), the Regional District may require the applicant to furnish, at his/her own expense, a report certified by a professional engineer with experience in geotechnical engineering which shall include:
 - 1. a hydrogeological report/environmental impact assessment assessing any impact of the project on watercourses in the area,
 - 2. a report on the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition,

3. a report regarding the safety of the proposed use and structures on-site and off-site or indicating that the land may be used safely for the use intended,
4. a drainage and stormwater management plan, and
5. a report on the potential impact of the development on the groundwater resource.

14.5.7 EXEMPTIONS

The terms of the Mill Bay Development Permit Area do not apply to:

- a) construction or renovations of single family dwellings and accessory structures that lie outside of the area that is subject to Section 14.5(a);
- b) interior renovations to existing buildings;
- c) agriculture (except veterinary clinics) forestry, and parks;
- d) changes to the text or message on an existing sign that was permitted under an existing development permit.

14.5.8 VARIANCES

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

14.5.9 VIOLATION

Every person who:

- a) violates any provision of this Development Permit Area;
- b) causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
- c) neglects to do or refrains from doing any act or thing required under this Development Permit Area;
- d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
- e) fails to comply with an order, direction or notice given under this Development Permit Area; or
- f) prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;

commits an offence under this Bylaw.

Each day's continuance of an offence constitutes a new and distinct offence.

7.5 A-3 ZONE - VETERINARY

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations shall apply in the A-3 Zone:

(a) Permitted Uses

The following *uses* and no others are permitted in an A-3 zone:

- (1) Agriculture;
- (2) Veterinary clinic*;
- (3) Pet grooming and supplies*;
- (4) Facilities to provide overnight accommodation for animals in conjunction with the veterinary clinic, but excluding boarding or breeding kennel*;
- (5) One single *family dwelling* per parcel.

*use may require approval of Agricultural Land Commission

(b) Conditions of Use

For any *parcel* in the A-3 zone:

- (1) The *parcel coverage* shall not exceed 30 percent for all *buildings* and *structure*;
- (2) The *height* of all *buildings* and *structures* shall not exceed 10 m;
- (3) The following minimum *setbacks* shall apply:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Building & Structures	COLUMN III Agricultural Buildings & Structures
Front	7.5 metres	30 metres
Interior Side	3.0 metres	15 metres
Exterior Side	4.5 metres	15 metres
Rear	7.5 metres	15 metres

(c) Minimum Parcel Size

Subject to Part 13, the minimum *parcel* size in the A-3 zone shall be 2 ha.

building that it is within, nor shall a strata plan of any description under the *Strata Property Act* be registered thereon, and the owner shall enter into and register a restrictive covenant to this effect on the parcel in the Land Title Office;

- (j) A *secondary suite* shall not be permitted on *parcels* less than 0.4 ha in area;
- (k) A *secondary suite* shall not be located within 60 m of the *high water mark* of a *watercourse* or the sea.

5.15 Setback Exceptions

Except as otherwise provided in particular zones, the *setback* requirements of this bylaw do not apply with respect to:

- (a) *Pumphouse*;
- (b) Gutters, cornices, sills, belt courses, bay windows, chimneys, exterior finish, heating or ventilating equipment if the projections do not exceed 1 m measured horizontally;
- (c) Eaves, unenclosed stairwells, canopies and sunshades if the projections, measured horizontally, do not exceed:
 - (i) 2 m in the case of rear yard;
 - (ii) 1 m in the case of front yard, or
 - (iii) 0.6 m in the case of side yard;
- (d) Notwithstanding any other provision of this bylaw, the consent of the Ministry of Transportation and Highways is required to place any *building* or *structure* within 4.5 m from the property line adjacent to a *highway* right-of-way;
- (e) Signs;
- (f) *Fences*;

No other features may project into a required *setback* area.

5.16 Setback from a Watercourse

- (a) Notwithstanding any other provision of this bylaw, no *building* or *structure* shall be located within 15 m of the *high water mark* of any *watercourse*, or a lake, or the sea.

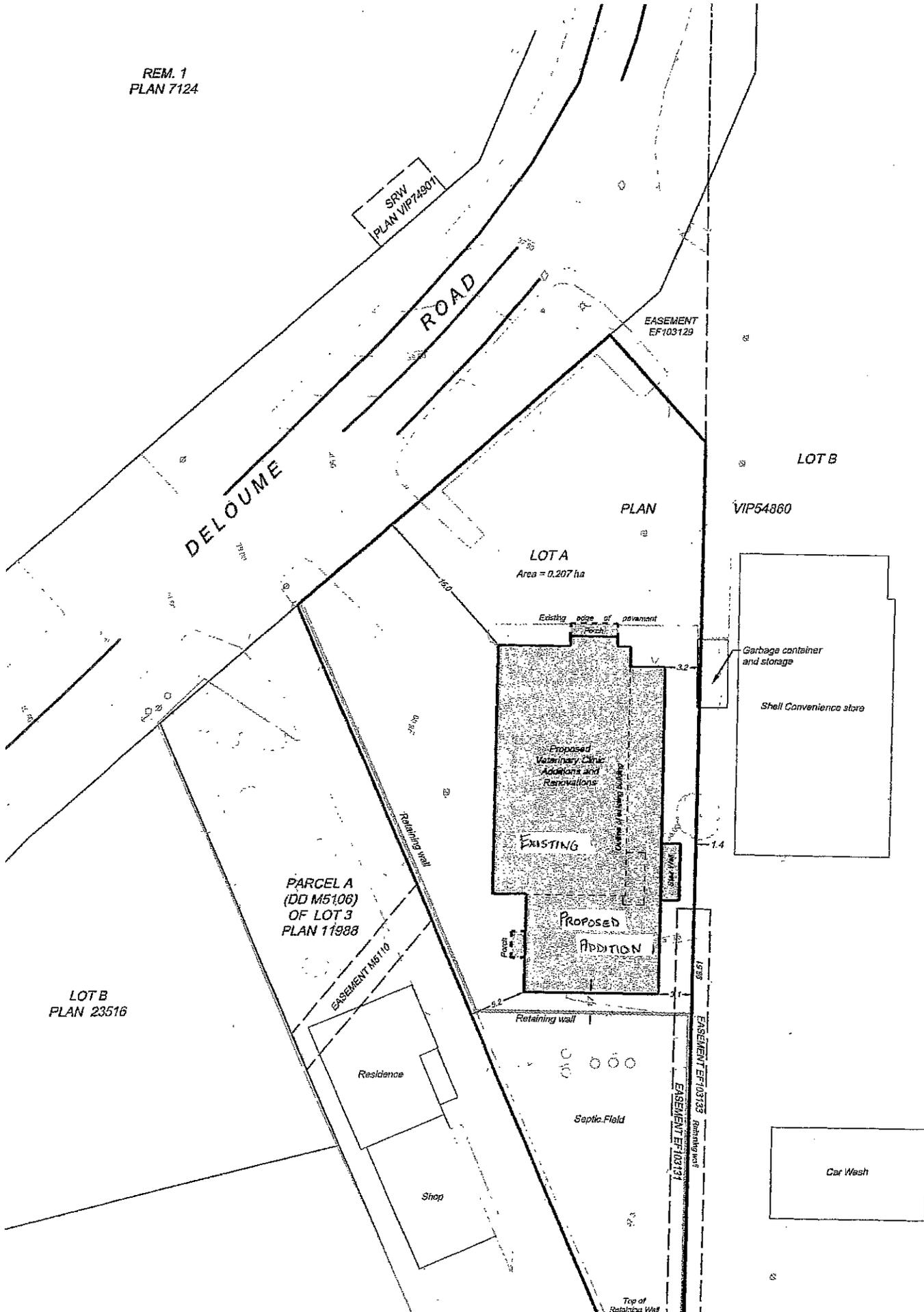
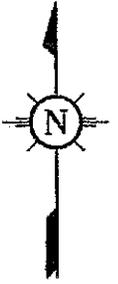
5.17 Sight Triangle

On a corner *parcel* contiguous to a *highway* intersection, no *building*, *structure*, *fence*, shrub, tree or bush shall be allowed at a *height* greater than 1.0 m above the established elevation of the centre point of intersecting *highways*, and within an area extending out from the corner of the *parcel* and bound by a line joining a point on each *parcel* line, a distance of 6 m from the corner of the *parcel*. For greater certainty, a diagram shown as part of this section and labelled "Figure A" depicts the area described in this section.

SKETCH PLAN TO ACCOMPANY DEVELOPMENT PERMIT APPLICATION OF
LOT A, SECTION 2, RANGE 8, SHAWNIGAN DISTRICT, PLAN VIP54860.

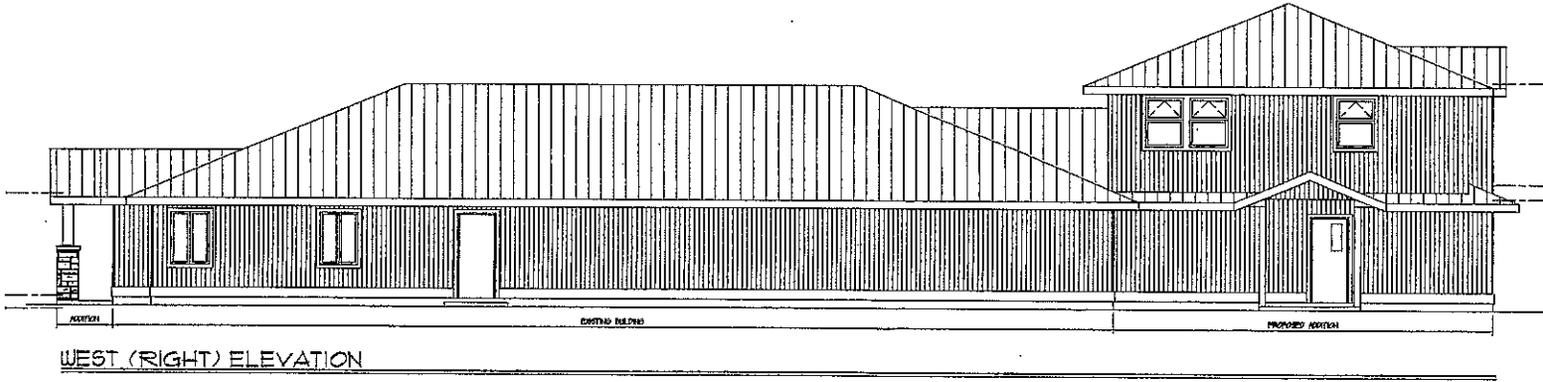
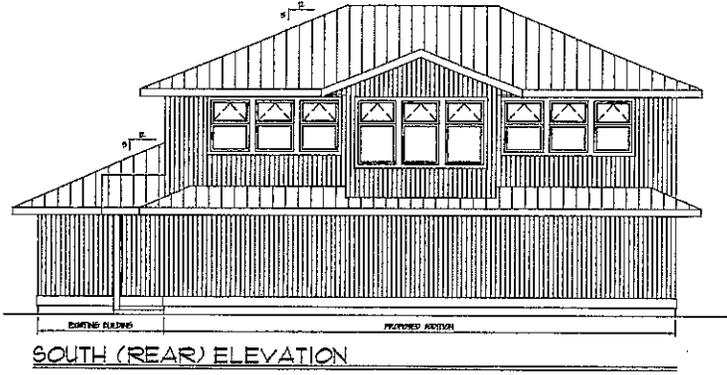
B.C.G.S. MAP SHEET 92B.063

REM. 1
PLAN 7124



DRAWING NOT FOR CONSTRUCTION

REVISED: JANUARY 2010

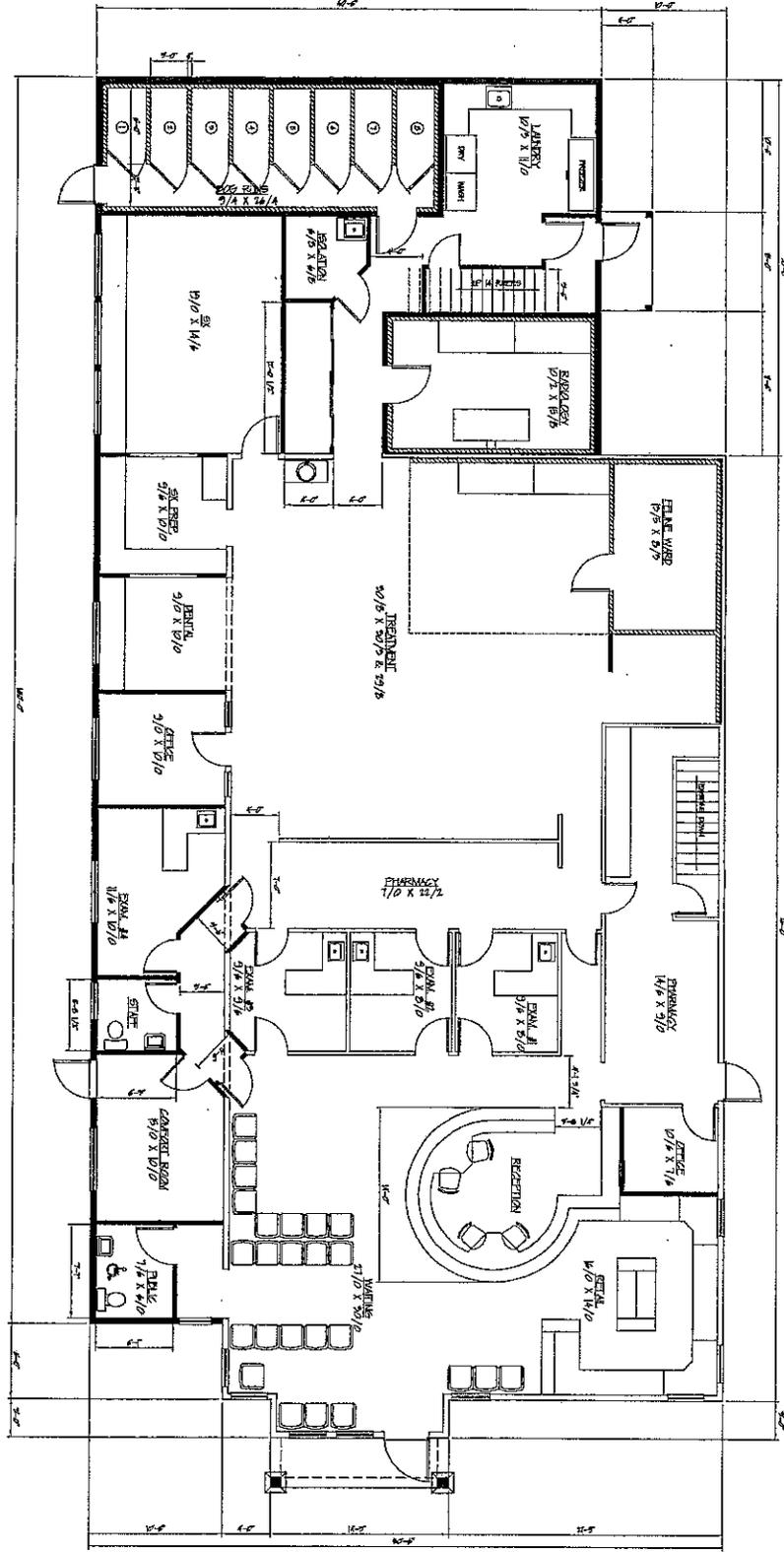


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 DATE: JANUARY 2010
 SCALE: 1/8" = 1'-0"
 PLAN NO. B5001
 SHEET NO. 2 OF 4
 BY: G.T. BURDGE DESIGNS, AEST

PROPOSED ADDITIONS + RENOVATIONS TO
 MILL BAY VETERINARY CLINIC

G.T. BURDGE DESIGNS
 ARCHITECTS
 1111 1/2 W. 10th Street, Suite 100
 Mill Bay, BC V9A 2K6

MAIN FLOOR PLAN 5033 sq.ft. (3083 sq.ft. EXISTING - 1950 sq.ft. ADDITION)



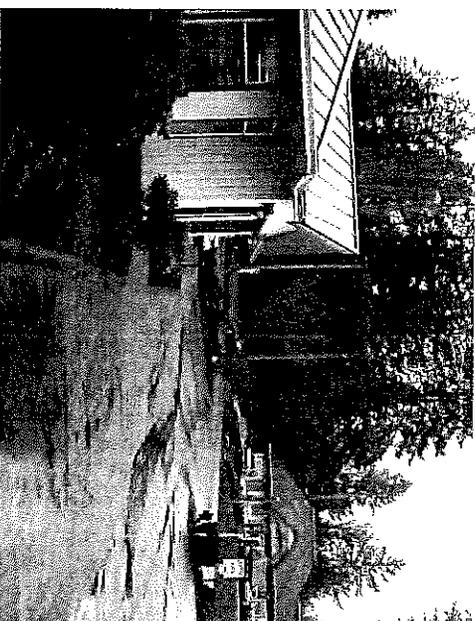
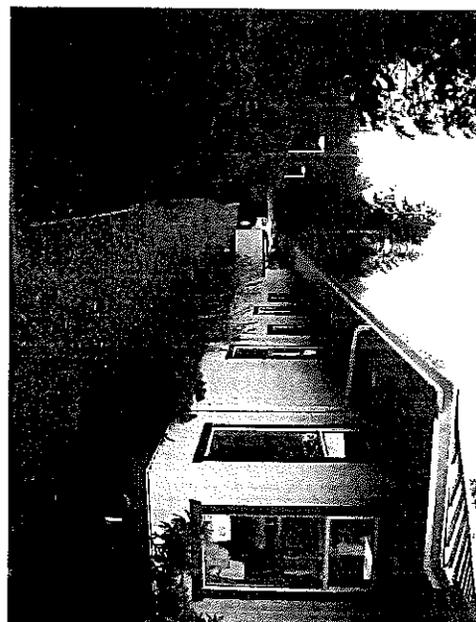
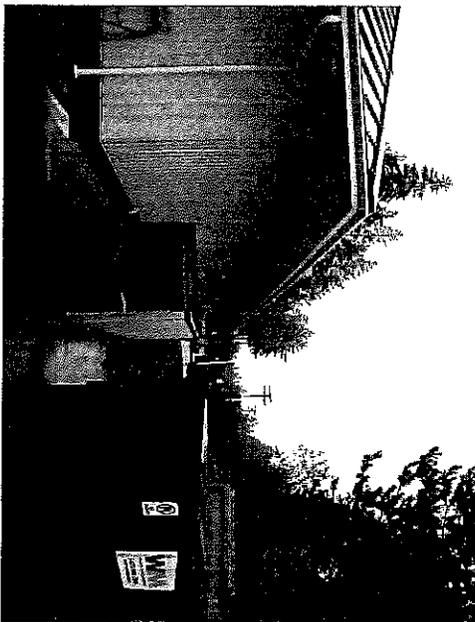
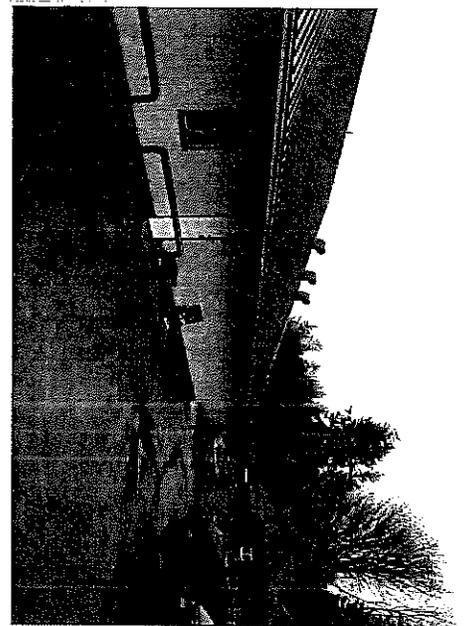
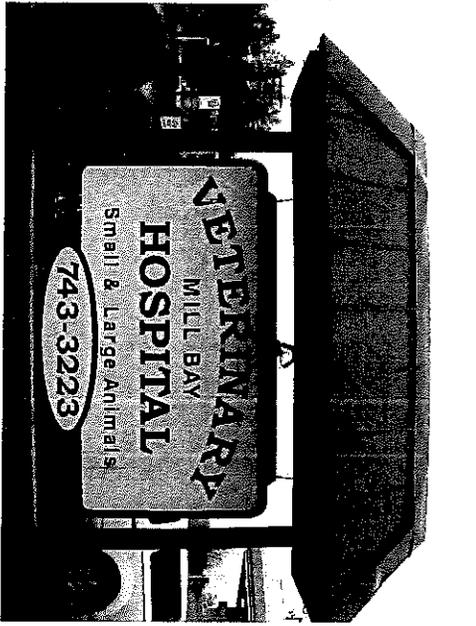
WALL LEGEND
 EXISTING WALLS
 PROPOSED WALLS

G. T. BURDGE DESIGNS
 ARCHITECTS
 1000 1/2 STREET, SUITE 100, MILL BAY, BC V2Y 1K1
 TEL: 250-733-1111 FAX: 250-733-1112

PROPOSED ADDITIONS + RENOVATIONS TO
MILL BAY VETERINARY CLINIC

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DATE: JANUARY 2010	PLAN NO.	SHEET NO.
SCALE: 1/4" = 1'-0"	B5001	3 OF 4
BY: G.T. BURDGE DESIGN, ARCHT		

<u>Class of Building</u>	<u>Required Parking Spaces</u>	<u>Required Loading Spaces</u>
Kennels/Animal Hospitals	4 parking spaces	
Laundromat	1 parking space per 3 washing machines	0 spaces
Laundry Plant, Drycleaning, etc.	2 parking spaces plus 1 parking space per 46 sq.m.	same as for "warehouse use"
Livestock/Poultry, Crop/Produce Auction	50 spaces	2 spaces
Manufacturing	1 space for every 100 sq.m. of gross floor area	same as for "warehouse use"
Marina	1 parking space per 2 boat stalls plus 1 space per 2 employees	1 space per 40 boat stalls to a maximum of 4 spaces
Motel/hotel	1.1 spaces per sleeping unit	1 bus passenger unloading space plus 1 loading space for each 900 sq.m. of gross floor area greater than 700 sq.m. area to a maximum of 4 spaces
Motor Vehicle Fuel Sales	1 space per 2 employees on duty plus two spaces approach storage per pump station	0 spaces
Motor Vehicle, marine machinery and equipment sales and rental	1 space per 2 employees plus 1 space per 70 sq.m. of gross floor area	2 spaces
Motor Vehicle Repair Facility	1 space per 2 employees plus 2 spaces per service bay	2 spaces
Neighbourhood Pub	1 space per 3 seats	1 space for every 200 sq.m. of gross floor area or fraction thereof
Nursery (commercial plant)	1 parking space per 15 sq.m. gross floor area of retail sales building plus one per 465 sq.m. of outside display	same as for "warehouse use"
Office (multi-tenant)	1 space per 30 sq.m. of gross floor area	1 space for every 2700 sq.m. of gross floor area
Office (single tenant)	1 space per 35 sq.m. of gross floor area	1 space
Post Office	4 spaces or 1 space per 2 employees (whichever is greater)	1 space
Recreation use (commercial and public)	1 space per 10.0 sq.m. of gross floor area or 1 space for each 3 seats whichever is greater	1 space for each 3000 sq.m. of gross floor area or a fraction thereof



Jill Collinson

From: Deveau, Ross TRAN:EX [Ross.Deveau@gov.bc.ca]
Sent: Thursday, June 03, 2010 1:38 PM
To: Jill Collinson
Subject: RE: 840 Deloume Road (Mill Bay Vet)

Hello Jill. When the mini-mall went in we widened the shoulder on that side all the way around the development so students could walk there. The other side is too constricted. Also my response to the Vet was that the entire lot was to be blocked off from the Shell Station and access and was to keep its own access in the present configuration. No vehicular access from the Vet to the Shell. This should cut down on left turns into the Shell when they are really going to the Vet. Regards Ross Deveau BC MOT

From: Jill Collinson [mailto:jcollinson@cvrld.bc.ca]
Sent: Friday, May 28, 2010 4:23 PM
To: Deveau, Ross TRAN:EX
Subject: 840 Deloume Road (Mill Bay Vet)

Ross,

I currently have a development permit application for 840 Deloume Road (it is the Mill Bay Vet). This application recently went to APC in which there was concern about safety factors regarding the Shell Service Station and the narrow road allowance that is used for a walkway. Some of the APC members felt that a pathway was needed along the boundary of Deloume Road and the Vet Clinic (at 840).

Essentially, it was recommended that there be a discussion between the applicant/CVRD/MOT in regards to safe access/egress for pedestrian and drivers.

What are your thoughts? Are you aware of this stretch being a safety concern?

Enjoy your weekend.

Jill Collinson
Planning Technician
Development Services Division
Planning and Development Department
Cowichan Valley Regional District
Phone: (250) 746-2620
Fax: (250) 746-2621
jcollinson@cvrld.bc.ca

If you are not the intended recipient of this e-mail and attachments please notify the sender by return e-mail and delete the e-mail and attachments immediately. This e-mail and attachments may be confidential and privileged. Confidentiality and privilege are not lost by this e-mail and attachments having been sent to the wrong person. Any use of this e-mail and attachments by an unintended recipient is prohibited.

New Business:

Development Permit Application No. 1-A-10DP (Chris Urquhart CCLC Holdings Ltd.)

Purpose: to consider the issuance of a Development Permit for the Mill Bay Veterinary Hospital Ltd.

Dr. Chris Forbes and Leo Hylkema answered questions from APC members.

APC Questions and Concerns:

- Dog run is a security measure to keep dogs from exiting the premises. e.g. a catchment area.
- There will not be a crematorium.
- Vehicle parking will not increase. Much of existing Mill Bay Vet Clinic parking is being used by Shell & A & W customers.
- Safety factor concern regarding the Shell Service Station and also the narrow road allowance used as a walkway. A pathway is needed along the boundary with Deloume Rd.
- Upstairs addition could be used if needed for caregiver to overnight.
- The current septic system is sufficient for the proposed addition.
- The adjacent property will not be used for the addition. The property will remain zoned residential.
- Mill Bay Veterinary Hospital was commended for their service to the community.
- It is desirable to have the Mill Bay Veterinary Clinic parking cordoned off from the Shell Station in order to improve the safety for both drivers and pedestrians.

APC Recommendation:

APC unanimously recommends to the CVRD Board that **Development Permit Application No. 1-A-10DP** be approved with the recommendation there is safe access/egress for pedestrians and drivers. A discussion between the applicant and the MoT may be needed.

Other:

SCOCP Meeting 13 May 2010: Update on meeting agenda and request for all APC commission members to attend.

Director Update:

- Mill Bay Marina's development permit has expired.
- Limona Group will try to use the present zoning on the Garnett property.

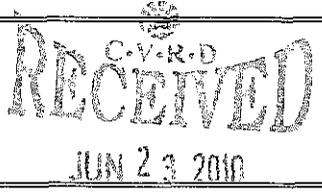
Meeting Adjournment:

It was moved and seconded the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:15 pm

Note: The next APC meeting is scheduled for 8 June 2010 at 6:30 at the Mill Bay Fire Hall

CVRD	COWICHAN VALLEY REGIONAL DISTRICT 175 Ingram Street, Duncan, B.C. V9L 1N8 Tel: 250-746-2620 Fax: 250-746-2621	 JUN 23 2010
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DEVELOPMENT PERMIT REFERRAL FORM	Date: June 14, 2010
	CVRD File No. 1-A-10DP (CCLC Holdings/Chris Urquhart)

We have received an application for a development permit for the purpose of construction an addition on the subject property. We are looking for your comments pertaining to the closing off of access to the Shell Station via the Mill Bay Veterinary property to prevent vehicular access from Deloume Road travelling through the Veterinary Clinic parking lot to the Shell Station.

General Property Location: **840 Deloume Road, Mill Bay.**

Legal Description: **Lot A, Section 2, Range 8, Shawnigan Distrist, Plan VIP 54860 (PID: 017-913-888)**

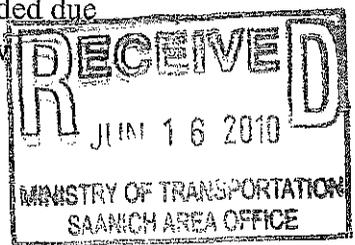
You are requested to comment on this proposal for potential effect on your agency's interests. We would appreciate your response by ***Friday, July 2nd, 2010***. If no response is received within that time, it will be assumed that your agency's interests are unaffected. **If you require more time to respond, please contact Jill Collinson, Planning Technician, Development Services, at 250-746-2620.**

Comments:

<input type="checkbox"/> Approval recommended for reasons outlined below	<input type="checkbox"/> Interests unaffected
<input checked="" type="checkbox"/> Approval recommended subject to conditions below	<input type="checkbox"/> Approval not recommended due to reasons outlined below

① *The Veterinary parking is to be permanently blocked off from the Shell parking and access. Their access is to be 90i's wide and applied for to the dept.*

Signature *Koushewan* Title *DA Tech* Contact No *2010-03268*
(sign and print)



This referral has been sent to the following agencies:

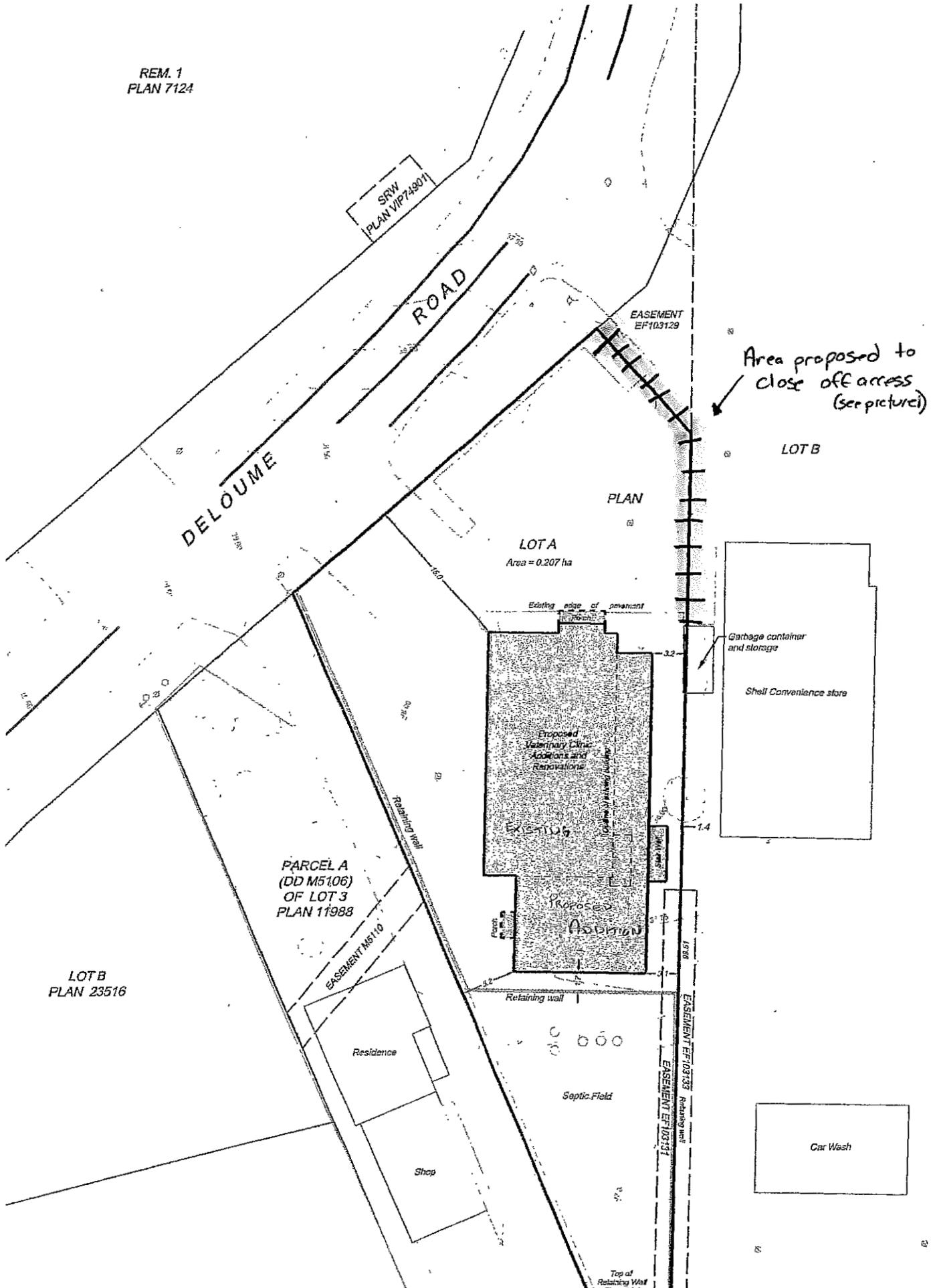
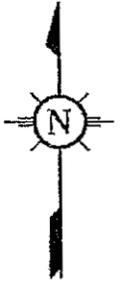
Ministry of Transportation
 Mill Bay Volunteer Fire Department

JC/lag

SKETCH PLAN TO ACCOMPANY DEVELOPMENT PERMIT APPLICATION OF
LOT A, SECTION 2, RANGE 8, SHAWNIGAN DISTRICT, PLAN VIP54860.

B.C.G.S. MAP SHEET 92B.063

REM. 1
PLAN 7124



SKETCH PLAN TO ACCOMPANY DEVELOPMENT PERMIT APPLICATION OF
 LOT A, SECTION 2, RANGE 8, SHAWNIGAN DISTRICT, PLAN VPS4860.

R.C.G.S. MAP SHEET 428.033

22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

All distances and measurements in metres and
 Abbreviations, unless otherwise noted.

The intended use of this plan is to be
 in accordance with the provisions of the
 Planning Act, R.S.O. 1990, c. 30 (2nd Sess.)
 unless otherwise stated.

LEGEND

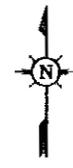
- ▣ Area to be built
- Area to be cleared
- Area to be planted
- Area to be paved
- Area to be graded
- Area to be excavated
- Area to be filled
- Area to be removed

NOTE

Proposed building as shown on SHEET PLAN 2014
 January 2014, O.T. 1. BOUNDARY SURVEY

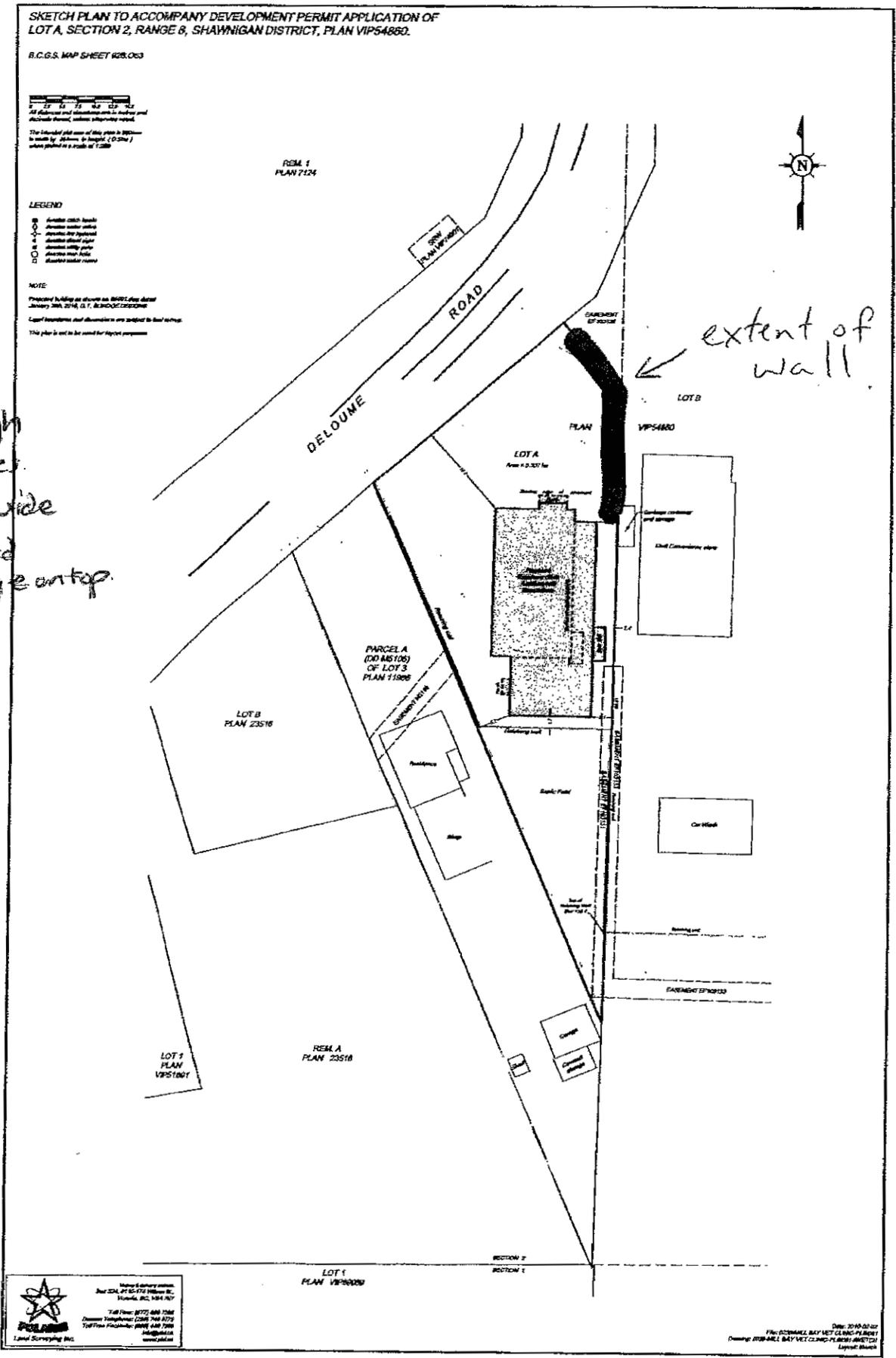
Legal boundaries and dimensions are subject to field review.

This plan is not to be used for other purposes.



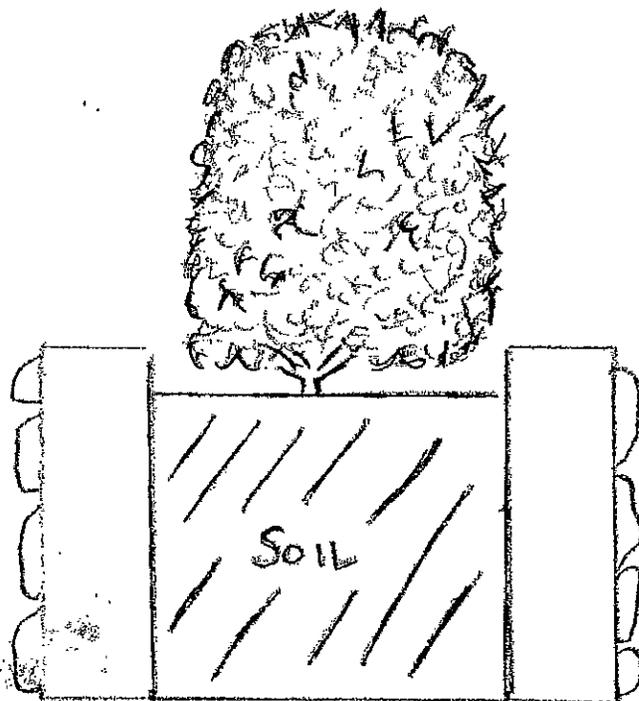
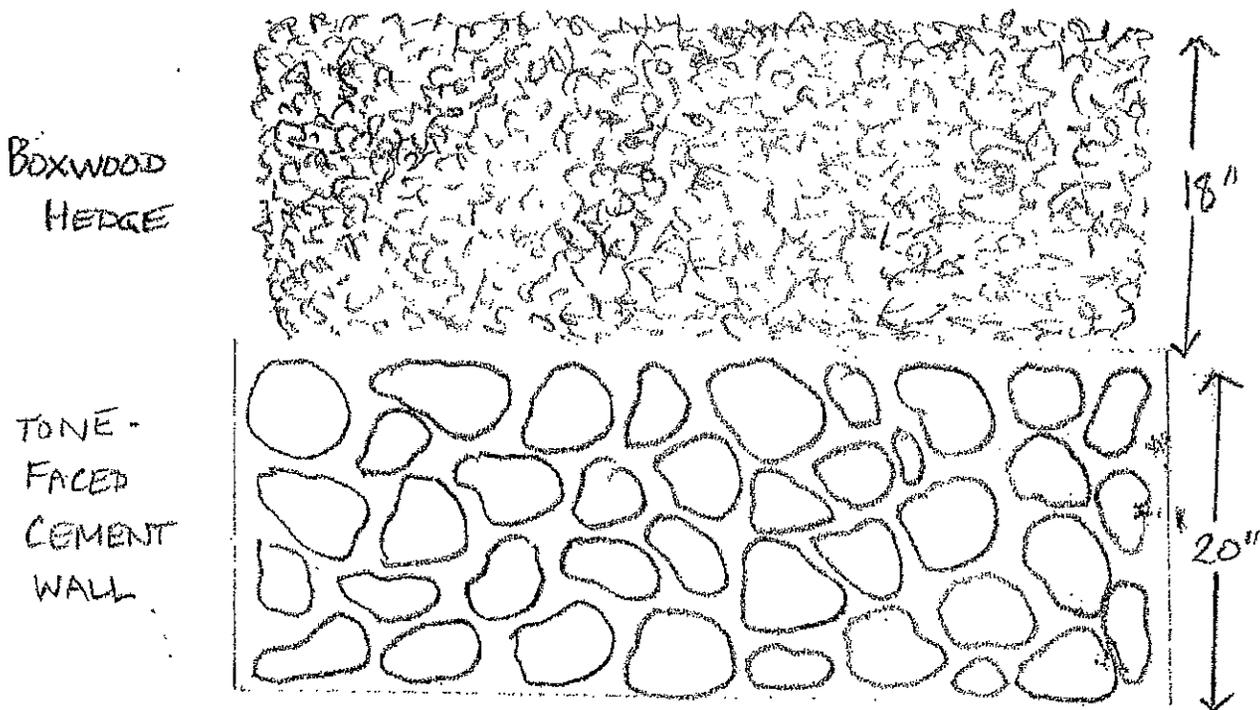
20' high
 two sides
 3 feet wide
 boxwood
 hedge on top

← extent of wall



Land Surveying Inc.
 1000 Lakeshore Blvd. W., Suite 204, Mississauga, ON L4W 1A7
 Tel: (905) 872-8888
 Fax: (905) 872-8888
 Email: info@landsurveying.com

DATE: 2014-02-12
 DRAWING: 2014-02-12
 DRAWING: 2014-02-12



← 6" → ← 20" → ← 6" →

Cross sectional view. Two cement walls with stone facings that create a planter for a boxwood hedge.



D6

**ELECTORAL AREA SERVICES COMMITTEE
OF AUGUST 3, 2010**

DATE: July 22, 2010 **FILE NO:** 1-G-10DP
FROM: Jill Collinson, Planning Technician **BYLAW NO:** 1890
SUBJECT: Development Permit Application No. 1-G-10DP
(John Merrett c/o J.E. Anderson and Associates)

Recommendation:

That Application No. 1-G-10DP be approved, and that a development permit be issued to John Merrett for Strata Lot 5, District Lot 27, Oyster District, Strata Plan VIS6144, to permit removal of 1 tree, construction of a 50 metre trail and building of a riprap retaining wall, subject to:

- Compliance with the recommendations noted in the December 18th, 2009 report by C.N. Ryzuk and Associates Ltd;
- Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 125% 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;
- Receipt of a stormwater management plan by a professional engineer prior to the issuance of a building permit.

Purpose:

To consider an application to remove a tree, construct a 50 metre trail and build a retaining wall within the Ocean Shoreline Development Permit Area.

Background:

Location of Subject Property: Strata Lots, Clifcoe Road

Legal Description: Strata Lot 5, District Lot 27, Oyster District, Plan VIS6144 (PID: 026-874-504)

Date Application and Complete Documentation Received: February 1, 2010

Owner: John Merrett

Applicant: David Wallace for J.E. Anderson and Associates

Size of Parcel: SL 5 is 0.297 ha (0.73 acres)

Existing Zoning: R-2 (Suburban Residential)

Minimum Lot Size Under Existing Zoning: 1 ha for parcels not connected to community sewer
0.4 ha for parcels connected to a community sewer

Existing Plan Designation: Suburban Residential

Existing Use of Property: Vacant lot

Existing Use of Surrounding Properties:

North: Residential
South: Residential
East: Ocean
West: Residential

Services:

Road Access: Clifcoe Road
Water: Saltair Community Water System
Sewage Disposal: On-site system (strata sewer system)

Agricultural Land Reserve Status: Property is not located within the ALR

Environmentally Sensitive Areas: The CVRD Environmental Planning Atlas does not identify any sensitive features, although the subject property is located within the Ocean Shoreline Development Permit Area.

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

The Proposal:

An application has been made to the Regional Board to issue a Development Permit, pursuant to Electoral Area G- Saltair Official Community Plan Bylaw No. 2500, for the purpose of removing a tree, constructing a ±50 metre trail and building a rip-rap retaining wall within the Ocean Shoreline Development Permit Area.

Planning Division Comments:

The subject property is at the end of Clifcoe Road, adjacent to Stuart Channel in Electoral Area G- Saltair. This oceanfront property is situated within the Ocean Shoreline Development Permit Area, which is intended to protect the sensitive environment of the ocean shoreline and foreshore bluffs, and to protect development from hazardous conditions.

The subject property is a bare land strata lot, and part of a larger 6-lot bare land strata subdivision completed in 2006. This lot is currently vacant though zoning (R-2 Suburban Residential) permits a single-family dwelling. There is an approximate 10-12 metre vertical elevation drop from the top of bank of the bluffs down to the beach. There are mature trees along the top of bank, but the gradually sloped lot has been cleared of trees and shrubbery. It appears as if the bank has also been cleared in recent years, prior to the current owner purchasing the property.

A restrictive covenant was registered on the subject property at the time of subdivision, which prohibits the construction of buildings, the cutting of trees and the alteration of land for the area of the lots extending from 15 metres west of the top of the bank, except as specifically approved by development permit. There is a second restrictive covenant which prohibits building, habitation and vegetation removal within 15 metres of the natural boundary of the Strait of Georgia.

This application proposes removal of one (1) mature tree, and construction of a \pm 50 metre long trail and a 1.0-1.2 metre tall retaining wall.

In compliance with the Ocean Shoreline Development Permit Area Guidelines, a report was completed December 18th, 2009, by Isabelle Maltais, EIT, of C.N. Ryzuk & Associates Ltd. relating primarily to the construction of the trails and retaining wall.

The assessment of the foreshore slope report discusses construction of the foreshore access trail with respect to cut slopes, soil conditions, fill placement, retaining wall specifications and drainage issues. The report also addresses the removal of the identified tree at the crest of the slope and speaks to general bank stability. Additionally, the report makes general recommendations for minimizing disturbance to the slope.

The applicant has submitted a site plan of the subject property, dated April 2010, which details the specific tree proposed for removal, the proposed location of the trail, the area of slope cuts and the areas of fill placement. The site plan also delineates the covenants registered to the subject property.

Attached is a copy of the relevant supporting material associated with the application, including maps, a site plan, and the report completed by C.N. Ryzuk & Associates Ltd. Also attached are the Ocean Shoreline Development Permit Area Guidelines from Electoral Area G OCP Bylaw No. 2500. Guidelines (c), (f), (g), (h), (i), (j), (k), and (m) within Section 20.3.4 are applicable to this application as they relate specifically to establishment of footpaths, retaining walls and steep slope within this Development Permit Area.

Advisory Planning Commission Comments:

This application was referred to the Electoral Area G Advisory Planning Commission, who provided the following recommendations at their meeting held on June 4, 2010:

“That the Advisory Planning Commission recommends approval of the application subject to the following conditions;

- 1. That the recommendations of the geotechnical report be adhered to with respect to the slope and gradient of the proposed path, design of retaining walls, topsoil removal, choice of construction materials and drainage;*
- 2. That a remedial landscaping plan be prepared and implemented to help ensure slope stability.”*

The APC also recommended that at the time of full site development that a storm water management plan be prepared prior to issuance of a building permit.

Final Comments

The applicant has provided a landscape remediation plan as well as correspondence agreeing to the undertaking of a stormwater management plan at the time of building (attached).

Options:

1. That Application No. 1-G-10DP be approved, and that a development permit be issued to John Merrett for Strata Lot 5, District Lot 27, Oyster District, Strata Plan VIS6144, to permit removal of 1 tree , construction of a 50 metre trail and building of a riprap retaining wall, subject to:
 - Compliance with the recommendations noted in the December 18, 2009 report by C.N. Ryzuk and Associates Ltd;
 - Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 125% 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;
 - Receipt of a stormwater management plan by a professional engineer prior to the issuance of a building permit.

2. That Application No. 1-G-09DP not be approved in its current form, and that the applicant be directed to revise the proposal.

Option 1 is recommended.

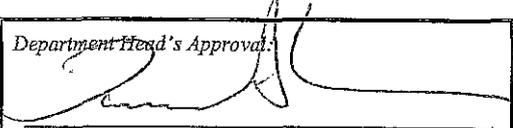
Submitted by,

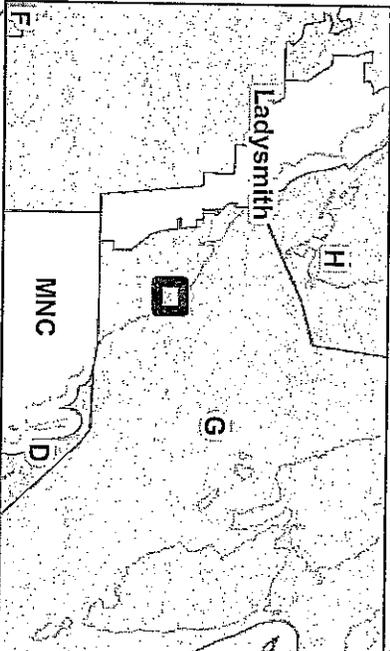


Jill Collinson,
Planning Technician
Development Services Division
Planning and Development Department

JC/jah

Attachments

Department Head's Approval:

Signature



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

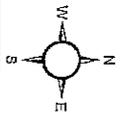
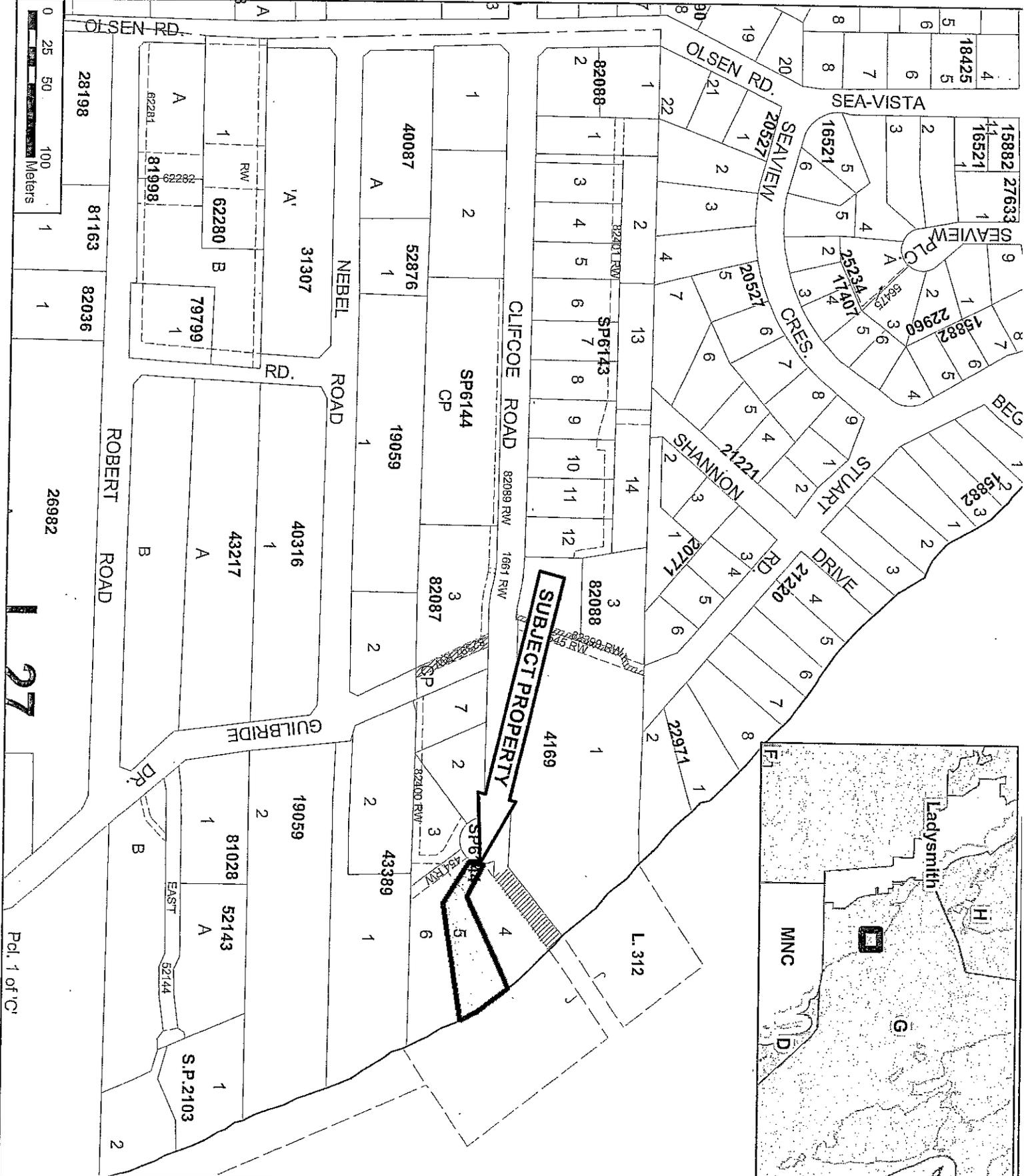
The Regional District does not warrant the accuracy.

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

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

FILE: 1-G-10-DP

Legend
 Subject Property



5.3 R-2 SUBURBAN RESIDENTIAL 2 ZONE

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

1. Permitted Uses

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

- (a) Single family dwelling;

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

- (b) Restricted agriculture;
- (c) Bed and breakfast accommodation;
- (d) Home-based business;
- (e) Secondary suite, on parcels 0.4 ha or larger in area;
- (f) Residential day care centre;
- (g) Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Size

The minimum parcel size in the R-2 Zone is 1 hectare for parcels not connected to a community sewer system, and 0.4 hectare for parcels connected to a community sewer system.

3. Number of Dwellings

Not more than one dwelling is permitted on a parcel under 0.4 hectare in area, that is zoned R-2. For parcels zoned R-2 that are 0.4 hectare in area or larger, one secondary suite is also permitted.

4. Setbacks

The following minimum setbacks apply in the R-2 Zone:

Type of Parcel Line	Principal and Accessory Residential Use	Restricted Agricultural Use
Front parcel line	7.5 metres	30 metres
Interior side parcel line	3.0 metres	15 metres
Exterior side parcel line	4.5 metres	15 metres
Rear parcel line	7.5 metres	15 metres

5. Height

In the R-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres, and the height of all accessory buildings shall not exceed 6 metres, except in accordance with Section 3.8 of this Bylaw.

6. Parcel Coverage

The parcel coverage in the R-2 Zone shall not exceed 25 percent for all buildings and structures.

7. Parking

Off-street parking spaces in the R-2 Zone shall be provided in accordance with Section 3.13 of this Bylaw.

SECTION 20.3 – OCEAN SHORELINE DEVELOPMENT PERMIT AREA

20.3.1 CATEGORY

The **Ocean Shoreline Development Permit Area** is designated pursuant to Section 919(1)(a) and (b) of the *Local Government Act*, to protect the natural environment, its ecosystems and biological diversity, and for the protection of development from hazardous conditions.

20.3.2 AREA OF APPLICATION

The **Ocean Shoreline Development Permit Area** applies to all parcels with frontage on the ocean shoreline, as shown on **Map 9: Ocean Shoreline Development Permit Area Map**.

20.3.3 JUSTIFICATION

Pursuant to Section 919 of the *Local Government Act*, the **Ocean Shoreline Development Permit Area** is established to address the following:

- (a) There are over 140 parcels fronting on the ocean shoreline in Saltair. The cumulative impact of careless development on these parcels would have a detrimental impact on the sensitive ocean shoreline.
- (b) Davis Lagoon consists of an accretion beach, sheltered marshlands and surrounding uplands that support a diversity of plant and animal life and should be maintained for such purposes. The lagoon acts as a valuable staging area for waterfowl and birds. Salmon use it to enter Stocking Creek, and the freshwater it discharges into Ladysmith Harbour supports some productive oyster beds. This is an area of high biotic capability that should be protected. It is one of the few remaining lagoons on southeastern Vancouver Island.
- (c) An aquatic buffer, or riparian zone, consisting of natural vegetation, rocks, trees, or fallen trees can help protect land by protecting the bank from slumping or being washed away. Roots of plants and trees act to reinforce soil and sand and help hold them together, while the leaves of plants reduce the energy of wind and the force of falling rain, increase the evaporation rate and slow water runoff (further information can be obtained at the CVRD Development Services Department).
- (d) Research into watershed hydrology and environmental resilience has demonstrated that once certain thresholds of impervious surfaces (total area of roofs, paving, concrete slabs, accessory buildings and other hard surfaces) are exceeded, irretrievable harm may be done to aquatic life. Many of the developed areas of the OCP area already exceed this threshold of imperviousness (for further information, contact the Development Services Department).
- (e) While many oceanfront parcels in Saltair have already developed extensive hard surfaces and clearings in close proximity to the shoreline, there is increasing evidence that buffer areas are critical in protecting natural values, even where existing development does not allow them to be as wide as a conventional 30 to 100 metre strip.
- (f) Parcels along the shoreline of Saltair slope down to the ocean. They require special attention because they are on the receiving end of drainage and seepage from uphill and may have wetter soils which are more easily compacted and damaged than upland soils. They have the tendency to erode because of both slope and the action of water and wind over exposed stretches of water.

- (g) Surface water is quickly and directly affected by pollution from sources such as poorly placed and maintained septic systems, fertilizer (nitrates, phosphates), driveway runoff, and lawn and garden pesticides. A vegetated buffer can filter pollutants out of runoff from roads, yards, and septic systems before they reach the ocean. Conversely, hard surfaces and reduced vegetation increase runoff and erosion potential and decrease absorption by the soil.
- (h) On a property with substantial native vegetation, the use of fertilizers and pesticides can be avoided, as these substances are not required to grow native plants.
- (i) The marine foreshore bluffs in Saltair consist of steep slopes and complex topography generally unsuitable for urban development. The bluffs have been created by wave action eroding away at the glacial material of the backshore. There is limited beach material protecting the bluffs. The bluff and foreshore is low in gravel and high in silt and clay. Particularly when vegetation is removed at the edge of bank, it is susceptible to further wave action which may result in land slippage, sloughing or soil creep. The placement of buildings and structures and the clearing of vegetation near the edge of the Saltair Bluffs could increase the rate of erosion and add to the risk of land slides.

20.3.4 GUIDELINES

Within the **Ocean Shoreline Development Permit Area**, no person shall:

- subdivide land;
- alter land, including the removal of trees or vegetation and removal/deposit of soil;
- construct a road, bridge or driveway; or
- construct a building or structure

prior to the owner of land applying for and receiving a development permit from the CVRD, which shall sufficiently address the following guidelines:

- (a) Trees and shrubs in the riparian buffer area should be carefully pruned, where necessary to enhance views, rather than removed;
- (b) Roads and driveways should be located as far as possible from the edge of a bluff or from the ocean shoreline, so as to keep sand, gravel, leady oils and fuels, and road salt out of runoff. Driveways should be angled across the hill's gradient, where possible, and be composed of porous materials such as road mulch, small modular pavers or pre-cast concrete lattice, to keep runoff to a minimum. For driveways that are already paved, a portion of the runoff can be diverted by the use of speed bumps in regular intervals. Settling pools can be installed in runoff ditches that slope to water;
- (c) Footpaths to the shoreline should be planned to avoid erosion, using slope contours rather than a straight downhill line, and be narrow to minimize impacts on drainage patterns. Impacts to a slope can be minimized by elevating stairs above the natural vegetation;
- (d) Site preparation should be carried out in a manner which minimizes the need for vegetation clearing. In order to control erosion and to protect the environment, the development permit may specify the amount and location of tree and vegetative cover to be planted or retained;

- (e) Figures for total imperviousness on sites within this development permit area should be calculated by the proponent and submitted at the time of development permit application. The Board may specify maximum site imperviousness or effective imperviousness in a development permit;
- (f) Public access along the marine waterfront is important to Saltair residents and should not be affected by any obstructions;
- (g) Retaining walls along the marine shoreline will be limited to areas above the high water mark, and to areas of active erosion, rather than along the entire shoreline frontage. Backfilling behind the wall, to extend the existing edge of the slope, is not permitted unless it can be clearly demonstrated that the fill is necessary to prevent further erosion or sloughing of the bank;
- (h) Where possible, steep, bare slopes should be cut back, and soft erosion control methods should be used. In cases where hard armouring, such as using solid concrete or heavy rocks or rock in wire cages, is necessary, the planting of native vegetation should be done to soften its impact, and the base of the wall should be constructed to be habitat friendly;
- (i) Retaining walls along the marine shoreline should be faced with natural materials such as wood and stone, particularly darker colours that blend in with the natural shoreline and are less obtrusive when seen from the water. Large, fortress like, uniform walls should not be permitted unless composed of pervious materials and stepped or softened to provide for water absorption;
- (j) Deep rooted vegetation should be planted along the retaining wall on the steps or along the top, to help filter runoff before it enters the beach;
- (k) Retaining walls or sea walls should not utilize unsightly construction debris like broken concrete, blocks or bricks;
- (l) Where a fence is constructed on, or in conjunction with, a uniform retaining wall or the highest uniform section of a retaining wall, the retaining wall or portion thereof should be considered to be an integral part of the fence for the purpose of determining height;
- (m) The latest Best Management Practices for land development of the Ministry of Water Land and Air Protection and Fisheries and Oceans Canada, should be respected.

20.3.5 EXEMPTIONS

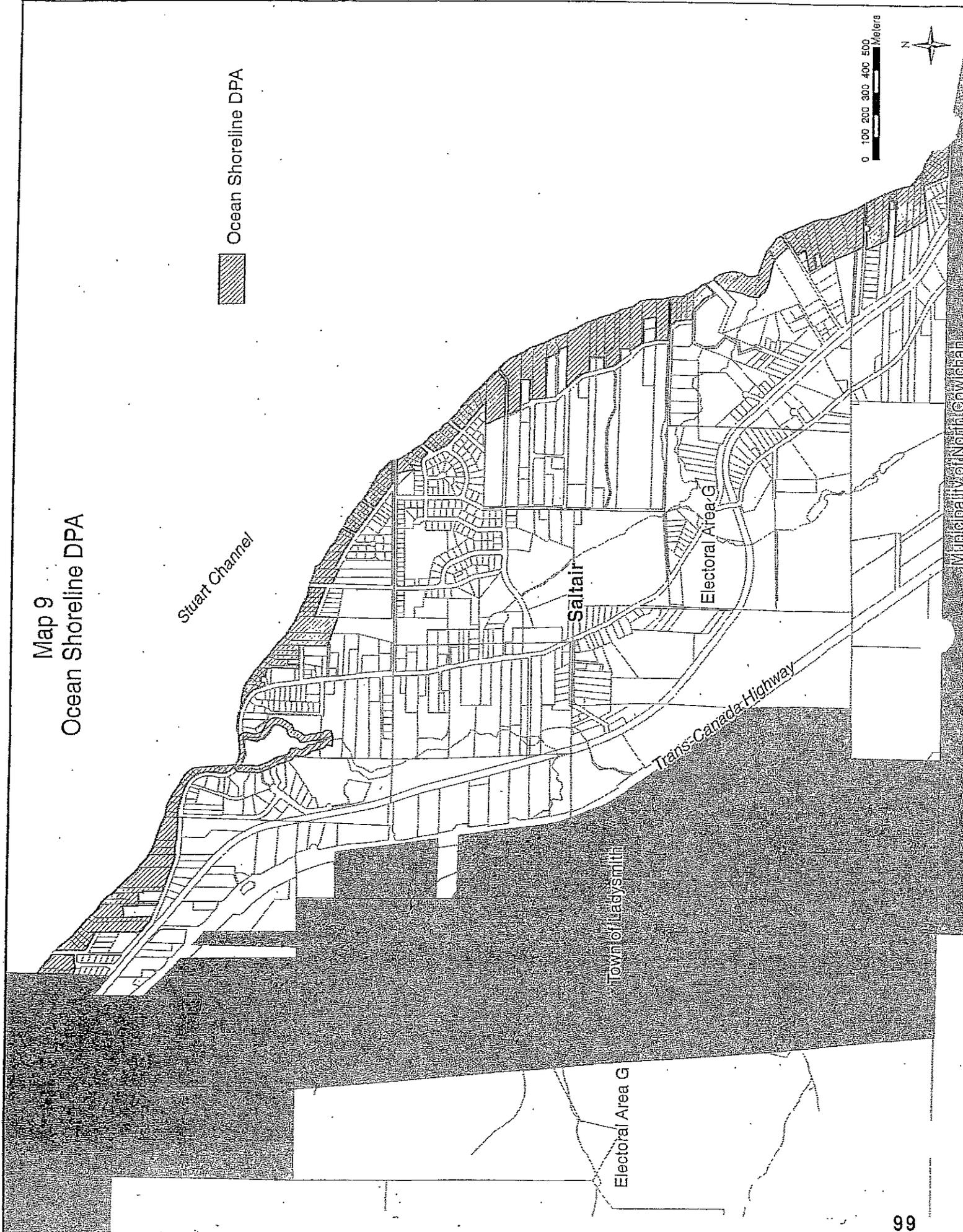
The following will be exempted from the requirement of obtaining a development permit in the **Ocean Shoreline Development Permit Area**:

- (a) Retaining walls that are more than 2 metres from the high tide mark, and are under 0.7 metres in height;
- (b) Buildings and structures located more than 30 metres from the high water mark of the ocean;
- (c) Removal of hazardous trees;
- (d) Interior renovations and minor exterior renovations of existing buildings.

20.3.6 APPLICATION REQUIREMENTS

- (a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the **Ocean Shoreline Development Permit Area**, the applicant must submit a development permit application, which at a minimum includes:
1. a written description of the proposed project;
 2. reports or information as listed in the relevant Development Permit Guidelines;
 3. information in the form of one or more maps, as follows:
 - location/extent of proposed work;
 - location of ocean high tide mark;
 - location of other watercourses;
 - topographical contours;
 - location of slopes exceeding 25 percent grade;
 - location of lands subject to periodic flooding;
 - percentage of existing and proposed impervious surfaces;
 - existing tree cover and proposed areas to be cleared;
 - areas of known sensitive or rare native plant communities;
 - existing and proposed buildings;
 - existing and proposed property parcel lines;
 - existing and proposed roads, vehicular access points, driveways, and parking areas;
 - existing and proposed trails;
 - existing and proposed stormwater management works, including retention areas and drainage pipes or ditches;
 - existing and proposed erosion mitigation and bank alterations;
 - existing and proposed septic tanks, treatment systems and fields;
 - existing and proposed water lines and well sites;
- (b) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense, a report certified by a professional engineer with experience in geotechnical engineering which includes:
1. a hydrogeological report, which includes an assessment of the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition;
 2. a report on the safety of the proposed use and structures on-site and off-site, indicating that the land may be used safely for the use intended; and/or
 3. a stormwater management plan, which includes an assessment of the potential impact of the development on the groundwater resource.
- (c) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense, an environmental impact assessment, certified by a registered professional biologist, assessing any impacts of the project on watercourses and lands in the area.

Map 9
Ocean Shoreline DPA



BARE LAND STRATA PLAN OF LOT 4, DISTRICT
LOT 27, OYSTER DISTRICT, PLAN VIP 2, D. B. 7.

B.C.O.S. 028 032



STRATA PLAN **VIS 6144**
Deposited in the Land Title Office at Victoria
on the 4th day of November, 2008
C. Johnston per CB
Registrar

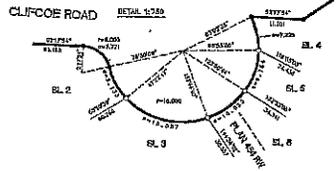
FA13281

LEGEND

- Found Placed
- Standard Iron Post
 - Non-Standard Round Iron Post
 - ⊕ Standard Post
 - SL Boundary Strata Lot
 - CP Devote common property

All distances are shown in metres
Sightings are approximately derived
from Plan VP52472

GRID ADDRESS
3940 CLIFCOE ROAD, SALTAR, B.C.



Mortgage: ROYAL BANK OF CANADA

Authorized Signatory: _____
(Print name here) _____

Authorized Signatory: _____
(Print name here) _____

Witness: _____
(Print name here) _____

Address: _____

Occupation: _____

Mortgage: COAST CAPITAL SAVINGS CREDIT UNION

Authorized Signatory: _____
(Print name here) _____

Authorized Signatory: _____
(Print name here) _____

Witness: _____
(Print name here) _____

Address: 420-615 YIP RD.

Occupation: BARBER

Deed: SEARCHÉ WHOLESALE LTD. INC. 072763

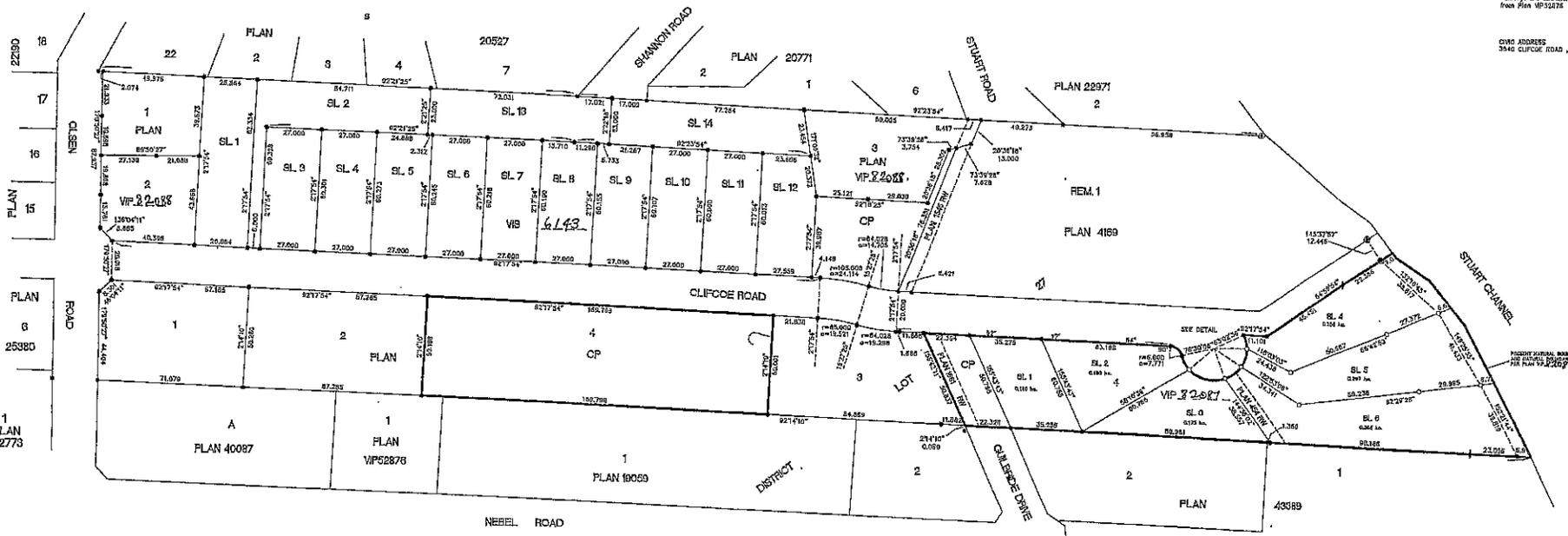
Authorized Signatory: _____
(Print name here) _____

Authorized Signatory: _____
(Print name here) _____

Witness: _____
(Print name here) _____

Address: 402-702 FORT ST. VICTORIA B.C.

Occupation: SURVEYOR



Approved pursuant to the Strata Property Act, this
7 day of Nov 2008.

Registrar
Ministry of Transportation

THIS PLAN LIES WITHIN THE COMCHAM VALLEY REGIONAL DISTRICT
AND THE NANAIMO COMCHAM ASSESSMENT AREA

J.E. ANDERSON & ASSOCIATES
B.C. Land Surveyors - Consulting Engineers
Victoria-Whistler-Ferndale, B.C.
File # 95915 - 85612

I, D.A. Wilson, a British Columbia Land Surveyor,
of Victoria, British Columbia, certify that I was present
at and personally supervised the survey represented by
this plan, and that the survey and plan are correct.
The field survey was completed on the
4th day of October, 2008.
The plan was completed and checked, and the checklist filed
under # 35582, on the 4th day of October, 2008.

D.A. Wilson
B.C.L.S.

J. E. Anderson and Associates

SURVEYORS ENGINEERS
VICTORIA NANAIMO

SKETCH PLAN

CLIFCOE ROAD

DRAWN BY: EA	PROJECT SURVEYOR: DCW
SCALE: AS SHOWN	DATE: APRIL 21 2009

OUR FILE: 89386	REVISION: JULY 9 2009
-----------------	-----------------------

Scale 1:500



LEGEND

ALL MEASUREMENTS ARE IN METRES
ELEVATIONS ARE ASSUMED
SURVEY INFORMATION SHOWN IS
FROM OLD SURVEYS AND SHOULD BE
USED WITH CAUTION AS IT MAY
NOT REPRESENT CURRENT SITE CONDITIONS

SUBJECT TO CHARGES SHOWN ON
TITLE NO FA133385 PID 026-874-504

REM. 1
PLAN 4169

SL 4
PLAN

STUART CHANNEL

CLIFCOE
ROAD

SL 5

SL 3

PLAN 454 RW

PLAN 43389

SL 6

1

30 M SETBACK FROM TOP OF BANK

15 M SETBACK FROM TOP OF BANK

ALL DIMENSIONS ARE IN METRES

ELEVATIONS ARE ASSUMED BASED ON BENCH MARK SHOWN

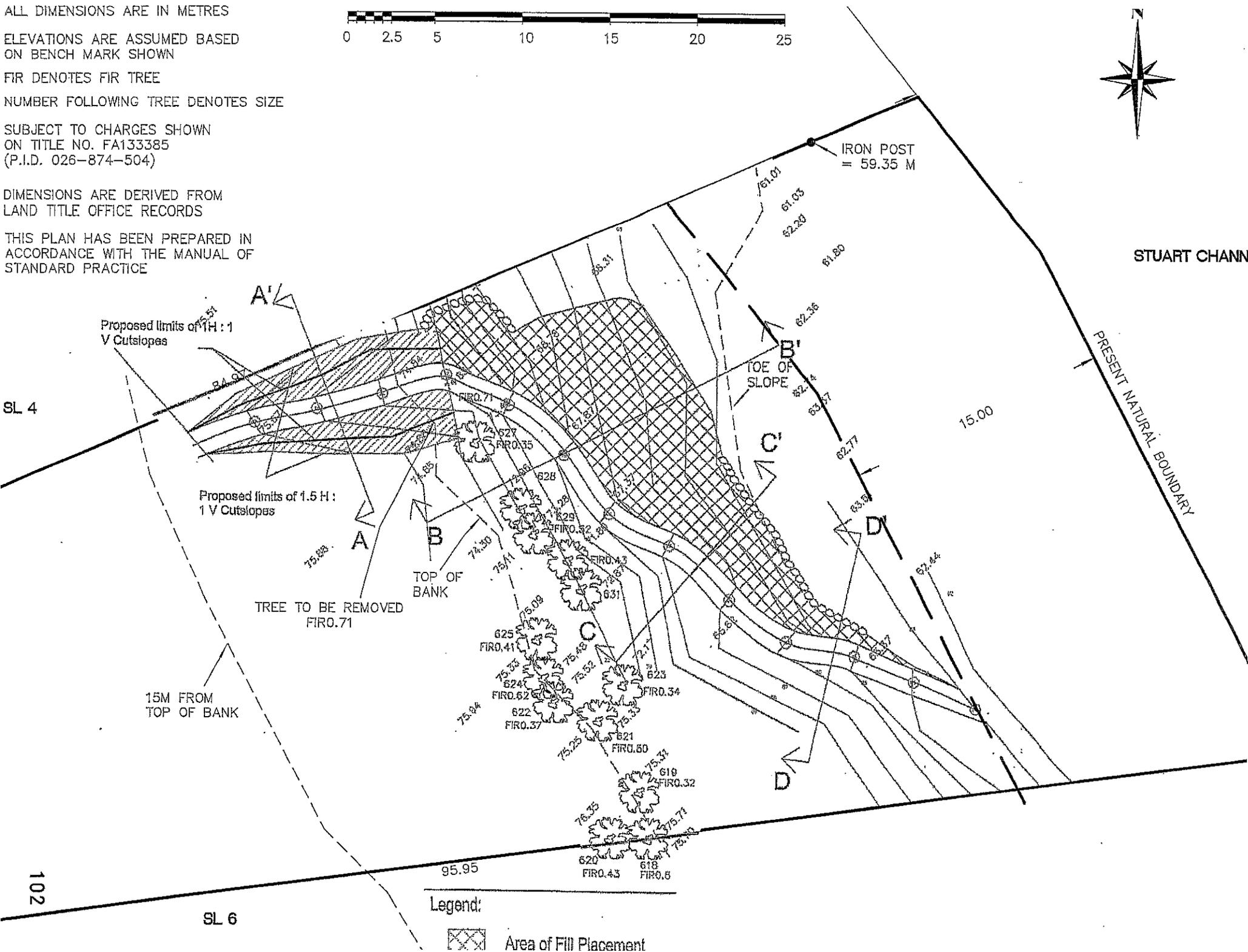
FIR DENOTES FIR TREE

NUMBER FOLLOWING TREE DENOTES SIZE

SUBJECT TO CHARGES SHOWN ON TITLE NO. FA133385 (P.I.D. 026-874-504)

DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE



STUART CHANN

PRESENT NATURAL BOUNDARY

IRON POST = 59.35 M

15.00

SL 4

Proposed limits of 1.5 H : 1 V Cutslopes

Proposed limits of 1H : 1 V Cutslopes

15M FROM TOP OF BANK

SL 6

TREE TO BE REMOVED FIR0.71

TOP OF BANK

TOE OF SLOPE

Legend:

Area of Fill Placement

102

95.95

FIR0.43 FIR0.6

FIR0.60

FIR0.41

FIR0.62

FIR0.34

FIR0.45

FIR0.5

FIR0.52

FIR0.35

FIR0.71

D

C

B

A'

A

B'

D'

Minutes of the Electoral Area G (Saltair)
Advisory Planning Commission
June 4, 2010

In attendance: Ted Brown, Ruth Blake, David Thomas, Gary Dykema, Director
Mel Dorey

The Meeting was called to order at 7:00 p.m. by Chairman Ted Brown.

**1. Application for a property line adjustment by Saltair Properties Limited
(Development Permit Application No. 5-G-10DP)**

John Morris, on behalf of Saltair Properties Limited, was present for this item. Mr. Morris noted that the purpose of the application was to segregate the mini storage facility on the site from the mobile home park located adjacent to Byron's Grocery store on Chemainus Road. This application would have several significant benefits for the mobile home residents including the relocation of access to the storage facility to the redefined adjacent lot. This would result in a significant reduction of traffic through the residential area. In addition, the realignment of the southerly property boundary would create "back yard" space for those units paralleling the property line. Mr. Morris also noted that health approvals had been secured for the sewage treatment facilities required for both of the redefined lots.

The APC suggested that a landscaped buffer be created along the south property line to separate the residential area from the commercial area and Mr. Morris undertook to do this.

Following discussion of the application, the following motion was made:

That the Advisory Planning Commission recommend approval of the proposed property line adjustment.

Carried Unanimously

**2. Application to remove a tree, construct a path and build a retaining wall
(Development Permit Application No. 1-G-10DP)**

Mr. Ken Bosma appeared on behalf of the applicant, John Merrett. The subject land is a waterfront property within the Ocean Shoreline Development Permit Area located at the foot of Clifcoe Road. Mr. Bosma stated that the purpose of the application is to provide beach access for this lot. He noted that there had been a previous Development Application for this site made by the developer

that would have led to the removal of a significant number of trees from the site and that the property owner did not support this application. Mr. Bosma drew attention to the geotechnical assessment that had been prepared as part of the application and, in particular, the finding that the proposed pathway will help improve slope stability.

A concern over the removal of the single tree proposed by the application was voiced by one APC member. In this regard, it was noted that the construction of the path would compromise the root system for this tree thus creating a potential hazard and that, in terms of retaining trees on the site, the current application was a significant improvement over the previous proposal which would have led to the removal of a significant number of the trees on the site.

Following discussion of the application, the following motion was made:

“That the Advisory Planning Commission recommend approval of the application subject to the following conditions:

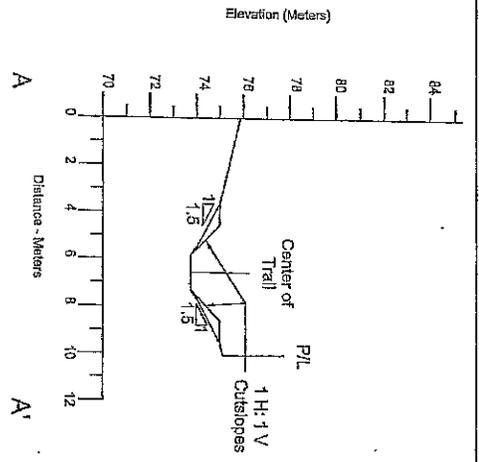
- 1. that the recommendations of the geotechnical report be adhered to with respect to the slope and gradient of the proposed path, design of retaining walls, topsoil removal, choice of construction materials and drainage;*
- 2. that a remedial landscaping plan be prepared and implemented to help ensure slope stability.”*

Carried Unanimously

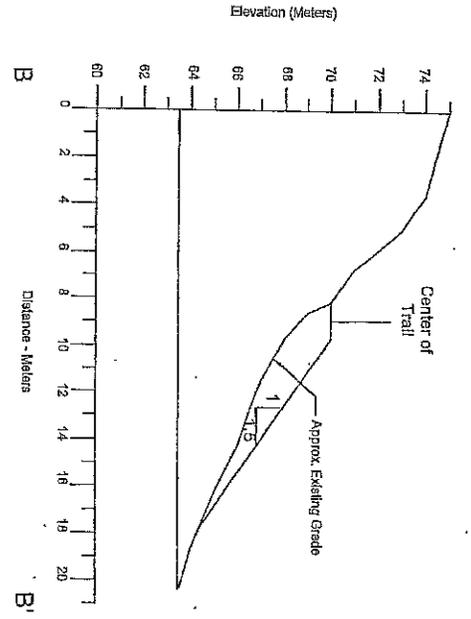
The APC also recommended that, at the time of full site development, a storm water management plan be prepared for the site and that the Building Inspector ensure that this plan is implemented. The concern in this regard is that, in terms of the waterfront properties along the Salfair bluffs, the danger of land slumpage often results from the lands above the top of the bank becoming saturated during heavy rainfalls as opposed to erosion from wave action at the foot of the bank.

3. Application to construct a single family dwelling (Development Permit Application No. 2-G-10DP)

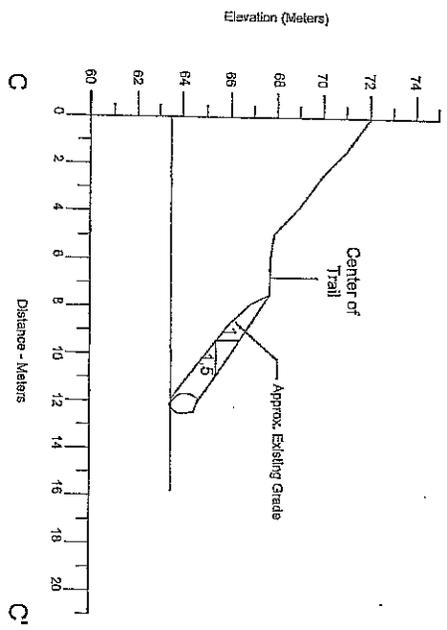
This application, which is located on Gardner Road West, is to permit the construction of a single family dwelling within the Habitat Protection Development Permit Area. In particular, the subject site lies within 60 metres of an eagle nesting tree. The applicants, who currently reside in Banff, were unable to be present for the meeting, although the APC Chair did discuss the application with them by telephone.



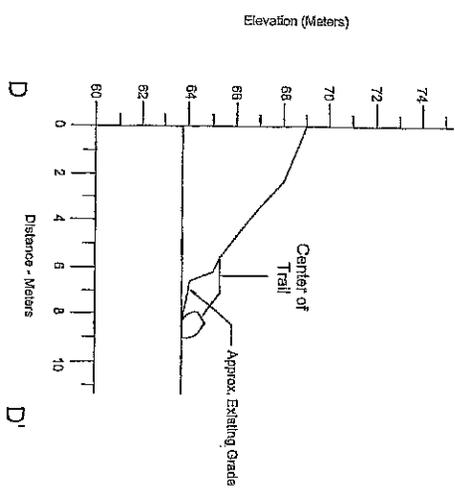
1:200



1:200



1:200



Not to Scale

Notes:
See drawing 8-965-2-1 for section locations

Mr. John Merritt		DATE	MDM
SECTIONS		APPROVED	December, 2009
Strata Lot 5, Cliffcoe Road		SCALE	As Noted
C.N. RYZUK & ASSOCIATES LTD, Geotechnical Engineering		DRAWING NO.	8-965-2-2

C.N. RYZUK & ASSOCIATES LTD.
Geotechnical/Materials Engineering

28 Crease Avenue Victoria, B.C. V8Z 1S3 Tel: (250) 475-3131 Fax: (250) 475-3611

December 18, 2009
File No: 8-965-2

Mr. John Merrett
c/o FMC Bankers Court
15th Floor, 850 – 2nd Street SW
Calgary, Alberta
T2P 0R8

Personal and Confidential

Re: Assessment of Foreshore Slope
Strata Lot 5, Clifcoe Road – Saltair, B.C.

Dear Sir,

As requested, we have undertaken a geotechnical assessment of the existing foreshore slope conditions and subsequently prepared design drawings regarding the proposed construction of a foreshore access trail. The following summarizes our observations and associated recommendations relating to Ocean Shoreline Development permit Area, of the Saltair Community Plan as outlined under Cowichan Valley Regional District Bylaw 2500. Our work has been undertaken in accordance with, and is subject to, the attached Statement of Terms of Engagement.

The proposed foreshore access is to be located commencing near the northern limit of the upland plateau, extending to the south to the toe of the slope, as shown on the attached Site Plan, drawing No. 8-965-2-1. The proposed access will be approximately 1.5 m wide upon completion, and will be inclined at approximately 4 H: 1 V (Horizontal: Vertical) for safe pedestrian access. We recommend sloping the cutslopes at approximately 1.5 H: 1 V for long term stability, however, we understand that due to logistical limitations, you proposed sloping the cutslopes at 1 H: 1 V. Based on the soil conditions, believed to be sandy gravelly clay (till), we expect that slopes cut at 1 H: 1 V will remain stable over time in terms of large-scale instability. However, it should be noted that localized surficial instability may occur, that vegetation may be difficult to maintain on such slopes, and periodic maintenance will likely be required to clear the trail and/or drainage channels beside it.

In addition, the portion of the trail which will require fill should be configured to a grade of not more than 1.5 H: 1 V for long term stability, using rock fill. It should be noted, however, that such steep slopes may be prone to minor localized raveling over time and may take longer to revegetate. In this respect, to minimize the embankment fill and achieve the desired final grade of 1.5 H: 1 V, construction of a rock retaining wall at the base of the fill slope will be necessary. The retaining wall will be approximately 1.0 m in height, as shown of the Typical Sections drawing 8-965-2-2 and should consist of one row of boulders varying between 1.0 to 1.2 m in size. The wall should be keyed into native soil and boulders should be placed in a manner to limit the size of the interstitial void

C.N. Ryzuk & Associates Ltd.

C.N. RYZUK & ASSOCIATES LTD.

Assessment of Foreshore Slope
Strata Lot 5, Cliffoe Road – Saltair, B.C.

December 18, 2009

between the boulders. We recommend using 10 kg class rip-rap as the fill material for the embankment fill, as specified in the attached Material Recommendations. We expect that the volume will be approximately 155 m³ and 15 m³ for the 10 kg rock fill material and the boulders (retaining wall) respectively. The material excavated from the upper cutslopes (native soil clean of topsoil material) may be used as backfill at the toe of the slope against the proposed retaining wall if suitably compacted. The fill footprint should be stripped of the topsoil material covering the existing slope prior to any fill placement. The topsoil may be saved and used to topdress the rock for landscaping purposes.

We do not expect that the proposed foreshore access will negatively impact the natural surficial runoff stormwater regime, and although the runoff water will certainly be channelized on the upper portion of the trail, it will then percolate and disperse through the rock fill. To minimize the erosion associated with the runoff water accumulated at the entry of the trail, we would suggest to top dress the mineral soil exposed within the trail with 300 mm of granular material. A "French drain" type arrangement may also be warranted and will be further evaluated at the time of construction.

Considering the above, we expect that the overall stability conditions of the slope will not be adversely affected by construction of the access and such may indeed improve the stability, provided that the final fill slopes are at 1.5 H: 1 V and that the slope is landscaped as soon as possible after completion of the work. It will be necessary to remove one of the coniferous trees situated to the north of the crest of the slope. We do not, however, anticipate that the removal of the tree at the crest of slope will increase the risk of slope instability.

We hope that the preceding is suitable for your purposes at present. If you have any questions please contact us.

Yours very truly,
C.N. Ryzuk & Associates Ltd.

Isabelle Maltais

Isabelle Maltais, EIT
Project Engineer
SWM/

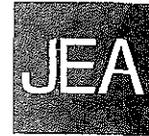


S. W. Moore
S. W. Moore, P. Geo.
Geoscientist

- Attachment – Statement of Terms of Engagement
- Site Plan 8-965-2-1
 - Typical Sections 8-965-2-2
 - Material Recommendation

LEGAL SURVEYS
MUNICIPAL ENGINEERING
LAND DEVELOPMENT AND MANAGEMENT

RECEIVED
JUN 28 2010



J.E. ANDERSON
& ASSOCIATES
SURVEYORS - ENGINEERS

June 24, 2010

File No.: 86842

✓ Cowichan Valley Regional District
Development Services Division
175 Ingram Street
Duncan, BC
V9L 1N8

E-MAILED
June 24/10

Attention: Jill Collinson, Planning Technician

Re: Development Permit Application No 1-G-10DP

Further to the minutes of the Advisory Planning Commission meeting of June 4, 2010, please be advised that the owner of the property confirms he will comply with the recommendations regarding storm water management. We note that this is only a recommendation and does not form part of the development permit.

We have been advised that the owner will undertake a storm water management plan complying with any applicable bylaws of the Cowichan Valley Regional District and good engineering practice. This plan will be completed at the time of full site development and submitted with the building permit application.

We trust you will find this satisfactory. If you have any questions in this regard, please contact the undersigned.

Yours truly,

J.E. Anderson and Associates

David G. Wallace, BCLS

DGW/ac
Enclosures
cc: John Merrett
Ken Bosma

✓ 1A - 3411 Shenton Road
Nanaimo, BC V9T 2H1
Phone 250-758-4631
Fax 250-758-4660

□ 4212 Glanford Avenue
Victoria, BC V8Z 4B7
Phone 250-727-2214
Fax 250-727-3395

□ 170 Morison Ave, PO Box 247
Parksville, BC V9P 2G4
Phone 250-248-5755
Fax 250-248-6199



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

DRAFT

DRAFT

NO: 1-G-10 DP DRAFT

DATE: August XX, 2010

TO: JOHN MERRETT
ADDRESS: 4020 VARDELL ROAD N.W.
CALGARY, ALBERTA T3A 0C4

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):
Strata Lot 5, District Lot 27, Oyster District, VIS6144, Together with an interest in the common property in proportion to the unit entitlement of the strata lo as shown on form V (PID 026-874-504)
3. Authorization is hereby given for the removal of one tree, construction of a 50 metre trail and building of a riprap retaining wall, as noted on revised site plan dated April 13, 2010 in accordance with the conditions listed in Section 4, below.
4. The development shall be carried out subject to the following condition:
 - 1) Compliance with the recommendations noted in the December 18th, 2009 report by C.N. Ryzuk and Associates Ltd
 - 2) Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 125% 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.
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:
 - Site Plan (revision) dated April 13th, 2010
 - Landscape Plan dated June 24th, 2010
 - C.N. Ryzuk & Associates Report dated December 18th, 2009
 - J.E. Anderson & Associates Stormwater Management undertaking letter dated June 24th, 2010
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 11th DAY OF AUGUST, 2010.

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 JOHN MERRETT other than those contained in this Permit.

Signature

Witness

Owner/Agent

Occupation

Date

Date



D7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

Date: July 23, 2010 File No: 1-B-09RS
FROM: Rob Conway, Manager BYLAW NO: 985 & 1010
Development Services Division
SUBJECT: Rezoning Application No. 1-B-09RS (Partridge)

Recommendation:

That Rezoning Application No. 1-B-09RS (Partridge) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Purpose:

To consider an application to amend Official Community Plan Bylaw No. 1010 and CVRD Zoning Bylaw No. 985, applicable to Electoral Area B – Shawnigan Lake to permit a four lot subdivision.

Background:

Location of Subject Property: 2868 and 2872 Renfrew Road, Shawnigan Lake

Legal Description: Lot 10, District Lot 15, Helmcken District, Plan 2210, Except Parts in Plan 47997 and VIP76565, (PID: 006-410-022)

Date Application and Complete Documentation Received: December, 2009

Owners: Craig Partridge and Ron Sharpe

Parcel Size: 33.67 ha. (83.2 ac.)

Applicant: Craig Partridge

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: Rural Residential (zoned R-1) and Suburban Residential (zoned R-2)
South: Forestry (zoned F-1)
East: Forestry (zoned F-1)
West: Forestry (zoned F-1)

Existing OCP Designation: Forestry
Proposed OCP Designation: Forestry (no change proposed)
Existing Zoning: Primary Forestry (F-1)
Proposed Zoning: A new forestry zone
Minimum Lot Size Under Existing Zoning: 80 hectares (197.68 ac.)
Minimum Lot Size Under Proposed Zoning: 8.0 hectares (19.77 ac.)

Services:

<u>Road Access:</u>	Proposed access from Renfrew Road
<u>Water:</u>	Wells
<u>Sewage Disposal:</u>	On-site disposal

Agricultural Land Reserve Status: Out

Contaminated Sites Regulation: Declaration pursuant to the *Waste Management Act* signed by the property owner. No “Schedule 2” uses noted.

Environmentally Sensitive Areas: The CVRD Environmental Planning Atlas (2000) identifies a stream planning area with possible fish presence on the property.

Archaeological Site: None identified.

Property Context:

The subject property is located at 2868 and 2872 Renfrew Road in Area B, between West Shawnigan Lake Road and the Koksilah River Park. The property is approximately 33.67 hectares (± 83.2 acres) in size and is immediately south of the Trans Canada Trail corridor. The site is moderately sloped and partially forested. There are presently two single family dwellings located on the property, at the north west corner of the property near Renfrew Road.

Lands to the west, east and south of the subject property are predominantly zoned F-1, with typical lot sizes of between 14 and 40 hectares. Lands to the north, on the opposite side of Renfrew Road have a mix of suburban, rural residential and forestry zoning designations, with lot sizes of between 1.0 and 4.0 hectares.

Although the Glen Eagles subdivision and other residential land uses are in proximity to the subject property, the area is rural in character and is primarily designated for forestry use.

The Proposal:

This application proposes to maintain the existing Forestry OCP designation and rezone the property to a new forestry zone that has a minimum parcel size of 8.0 hectares. If the zoning amendment application is successful, the applicant intends to subdivide the property into four 8 hectare lots. The applicant has also requested that the new zone include provision for a secondary suite or second dwelling on the proposed new lots. A conceptual subdivision has been provided to illustrate the applicant’s preferred subdivision layout (see attached).

Site Access

The subject property has direct access to Renfrew Road, which is adjacent to the parcel's northern property boundary. The applicant has indicated that Renfrew Road will be used to access the proposed lots if the rezoning application is approved. Staff have contacted officials from the Ministry of Transportation and Infrastructure regarding this proposal and have been advised that they have concerns about the panhandle accesses and sight distances on Renfrew Road. It should be noted that subdivision plan that has been submitted is only a concept at this stage, and the lot configuration and number of lots that may be possible would be determined through the subdivision review process.

Parcel Frontage

Three of the four proposed lots do not appear to meet the frontage requirement in Section 13.7 of the Zoning Bylaw. The applicant has informed CVRD staff that he will be applying to MoTI to have the frontage requirement waived at the time of subdivision.

Water and Sewer Servicing

Presently the property is serviced by an existing well and septic system and proposed new lots are also proposed to be serviced with wells and on-site sewage disposal. There is no community sewer and water system within proximity to the subject property.

Fire Protection

The subject property is located within the Shawnigan Lake Fire Protection Area and Shawnigan Lake Volunteer Fire Department provides fire protection for this property.

Parks and Trails

As the proposed lots are over 2 hectares in size, park dedication or cash-in-lieu during the subdivision process under Section 941 of the *Local Government Act* would not be required. However parks and trails may be considered during rezoning. The Area B Parks Commission has reviewed this application and have recommended a 7.0 metre wide trail corridor around the perimeter of the property, on the east, south and west boundaries. A 10 metre wide buffer area is also requested along the northern property boundary, adjacent to the Trans Canada Trail. The applicant has indicated verbally that he is agreeable to this arrangement, but staff are awaiting written confirmation.

Sensitive Areas

The CVRD Environmental Planning Atlas (2000) identifies a stream planning area with possible fish presence on the northern portion of the property along Renfrew Road. CVRD staff conducted a site visit of the property and saw evidence of a watercourse adjacent to Renfrew Road. Because there is a watercourse onsite the applicant is required to obtain an approved development permit and undertake a riparian area assessment from the CVRD prior to the subdivision of land.

Policy Context:

Official Community Plan:

Electoral Area B Official Community Plan Bylaw No. 1010 (p. 5) states that the overriding goal of the Plan is, "to accept a reasonable share of Vancouver Island growth while protecting and enhancing Electoral Area B recreational, scenic, and forest resources." Among specific plan objectives are "to provide a variety of residential accommodation and different lifestyles while preserving the rural character of Shawnigan" (p.5), "to permit Shawnigan to develop as a unique

rural community, distinct from the nearby communities of Cobble Hill and Mill Bay” (p.6), and “to conserve agricultural, recreational, and resource lands” (p.6). The plan contains policies specific to forest lands, and the forestry policies that relate to the application include:

Policy 2.1: Forestry related uses shall be given priority on lands designated Forestry in the Plan, however, the following subordinate uses may be permitted in the Electoral Area B Zoning Bylaw:

- a) Mineral and aggregate extraction and processing;*
- b) Outdoor recreational activities, not involving permanent structures;*
- c) Residential, agricultural and horticultural uses.*

Policy 2.6: It is the Board’s Policy that further residential development should be discouraged in the areas designated Forestry. Furthermore, linear residential growth along Renfrew Road, Koksilah River, and other natural waterways shall be discouraged in order to preserve the wilderness features of these areas.

Although the application is not specifically for Secondary Forestry (F-2) uses, the new forestry zone the applicant is proposing is similar to the F-2 Zone in that it is more of a mixed residential/forestry zone, therefore, OCP Policy 2.10 should be mentioned

Policy 2.10: The primary purpose of the F-2 (Secondary Forest) Zone, with a minimum parcel size of 4 hectares is to provide a buffer between large forestry parcels and residential land designations, as a means of limiting the potential for land-use conflicts. In considering applications for rezoning of Primary Forestry (F-1) to Secondary Forestry (F-2), the Regional Board will give preference to proposals that meet the following criteria:

- a) The subject lands are designated for forestry use in the Official Community Plan;*
- b) The subject lands are adjacent to residentially-designated lands or between forestry land and residentially-designated lands;*
- c) A very substantial dedication of public park and/or community forest (a public amenity) is a component of the application, and the proposed dedication is in a location and of a character considered by the Board to be beneficial to the community and region.*

Zoning:

Electoral Area B Zoning Bylaw No. 985 zones the property F-1 (Forest Resource 1). The F-1 zone has a minimum parcel size of 80 hectares and it permits the following uses:

- (1) Management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry-land log sorting operations;
- (2) Extraction crushing milling concentration for shipment of mineral resources or aggregate minerals, excluding all manufacturing;
- (3) Single-family residential dwelling or mobile home;
- (4) Agriculture, silviculture, horticulture;
- (5) Home occupation – domestic industry;
- (6) Bed and breakfast accommodation;
- (7) Secondary suite or small suite on parcels that are less than 10.0 hectares in area; and
- (8) Secondary suite or a second single-family dwelling on parcels that are 10.0 hectares or more in area.

In order for the property to be subdivided, a Zoning Bylaw amendment is required. As mentioned previously, the applicant is proposing that the property be rezoned to a new forestry zone that would permit the following uses:

- (1) Management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) Single-family residential dwelling or mobile home;
- (3) Two single-family residential dwellings on parcels 8.0 ha or larger
- (4) Agriculture, silviculture, horticulture;
- (5) Home occupation – domestic industry; and
- (6) Bed and breakfast accommodation

The key difference between the new forestry zone that the applicant is proposing and the F-2 Zone already in the zoning bylaw is the minimum parcel size. The F-2 Zone has a minimum parcel size of 4.0 ha (10 ac) and the minimum parcel size of the new forestry zone the applicant is proposing is 8.0 ha (20 ac), or twice that of the F-2 Zone.

In the F-2 Zone, two single family residential dwellings are permitted on parcels that are 10.0 ha or larger. The applicant is specifically requesting as part of this new zone that two single family residential dwellings be permitted on parcels that are 8.0 ha or larger so that each of the four parcels are permitted to have two single family residential dwellings on them. The proposed new zone would therefore permit up to eight dwellings on the property, whereas two are permitted by the current zoning. A copy of the F-1 and F-2 zoning extracts have been attached to this report for your reference.

Advisory Planning Commission Comments:

The Area B Advisory Planning Commission reviewed this application on May 5, 2010 where the following motion was passed:

“APC recommends that consideration of Application No 1-B-09RS be delayed until the OCP has been completed.”

In addition to the APC recommendation, the Area B APC Chair has written a letter the Chair of the Electoral Area Services Committee regarding the subject application and the APC’s desire to see the Renfrew Road area considered explicitly in the new OCP. The May 5, 2010 meeting minutes and letter from the APC Chair are attached to this report.

Referral Agency Comments:

This application was referred to government agencies on April 23, 2010. The following is a list of agencies that were contacted and the comments received.

- Ministry of Transportation and Infrastructure – *No written comments received to date. Verbal comments indicated concern about the lot configuration and sight distances, but noted these could be addressed at subdivision stage.*
- Vancouver Island Health Authority – *Interests unaffected. The applicant will be required to meet the Vancouver Island Subdivision Standards at the subdivision stage.*
- Ministry of Forests – *No comments received.*
- Ministry of Environment – *No comments received.*

- Malahat First Nation – *No comments received.*
- Cowichan Tribes – *No comments received.*
- School District 79 – *No comments received.*
- CVRD Parks and Trails Division – *Comments pending*
- CVRD Public Safety Department – *Recommended that a “Wildland Urban Interface Assessment” be conducted (see attached memo).*

Neighbourhood Response:

To date, staff have received one letter from a local resident objecting to the rezoning application. Since this letter contains personal information, it is not attached to this report. The main concern expressed in the letter is that the application is contrary to the 80 hectare minimum parcel size in the F-1 Zone that has been in effect since 2006.

No formal notification process has taken place regarding this application yet, but this would occur if staff is directed to prepare bylaws and a public hearing is scheduled.

Development Services Division Comments:

Policy 2.6 of the Area B OCP clearly discourages further residential development along Renfrew Road that are designated for forestry use. Although this application proposes to maintain the property within the forestry designation and to create a secondary forestry type zone for the property, it would result in increased residential density and the future lots would likely be used for residential purposes rather than for forestry. Approval of this application will likely encourage similar proposals on other F-1 zoned parcels along Renfrew Road.

The proposed 8 ha. lot size is relatively large, and is consistent with many of the existing parcels in the west Renfrew Road area, so it could be argued the application is compatible with the surrounding land use pattern. It could also be argued the F-1 Zone is intended more for commercial forestry lands, and may not be entirely appropriate for what has become more of a rural residential area. The Area B APC has advised that the existing OCP policies and land use designations for the Renfrew Road area should be reviewed, and has by implication suggested the existing policies may not accurately reflect community expectations.

The APC’s recommendation is essentially that this application be tabled until the South Cowichan OCP has been adopted. Staff have discussed this option with the applicant and he has advised that his preference is to have the application proceed in advance of the OCP review. Staff also favours a decision on the application prior to conclusion of the OCP review, because it is not known when a new OCP will be adopted and whether or not the forthcoming OCP will provide clear direction regarding the current application.

Because the OCP specifically discourages further residential use on forestry zoned lands on Renfrew Road, staff are obliged to recommend that the application be denied. If the application be denied and the OCP review results in policies that are supportive of the subject application, the owners could re-apply at a later date.

Should the Committee and Board decide that the application proceed to the bylaw preparation stage, staff recommend a wildland urban interface assessment be undertaken and commitments with respect to park land dedication be confirmed prior to draft bylaws being brought back to the Committee for review.

Options:

Option A:

That Rezoning Application No. 1-B-09RS (Partridge) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Option B:

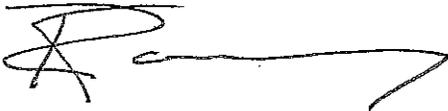
That Rezoning Application No. 1-B-09RS (Partridge) be tabled pending the outcome of the South Cowichan OCP Review.

Option C:

1. That the applicant provides a wildland urban interface assessment and confirm commitments with respect to park land dedication;
2. That application referrals to the Ministry of Transportation and Infrastructure, the Central Vancouver Island Health Authority, the Ministry of Environment, Ministry of Forests; Malahat First Nations, Cowichan Tribes and School District 79 be accepted;
3. That draft bylaws be prepared and presented at a future EASC meeting for review.

Option A is recommended.

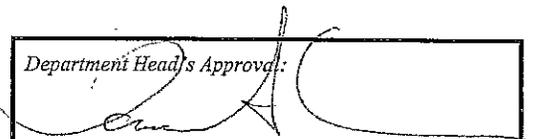
Submitted by,

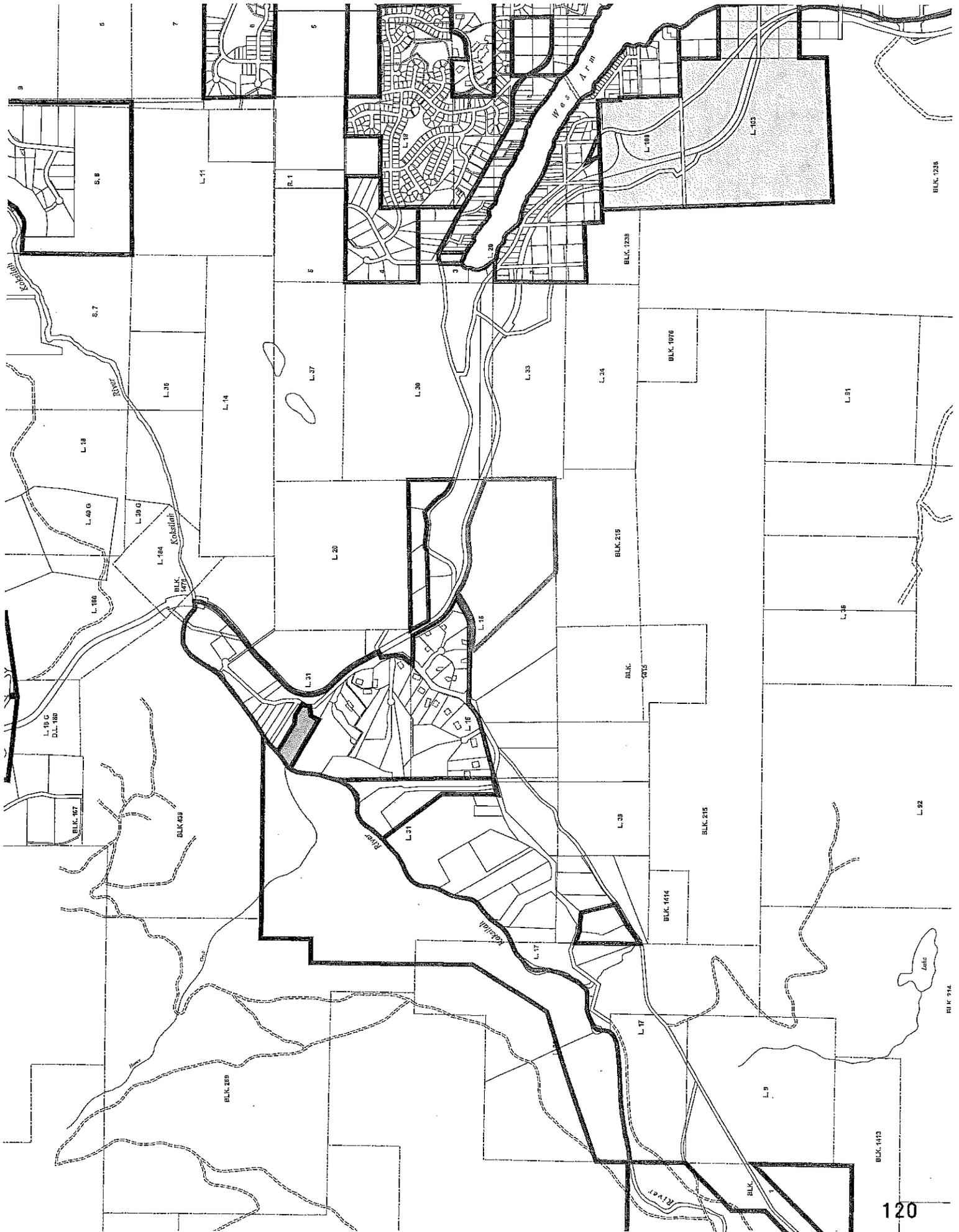


Rob Conway, MCIP
Manager, Development Services Division
Planning and Development Department

RC/

Attachments

Department Head/s Approval: 
Signature





Cowichan
Valley
Regional
District

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

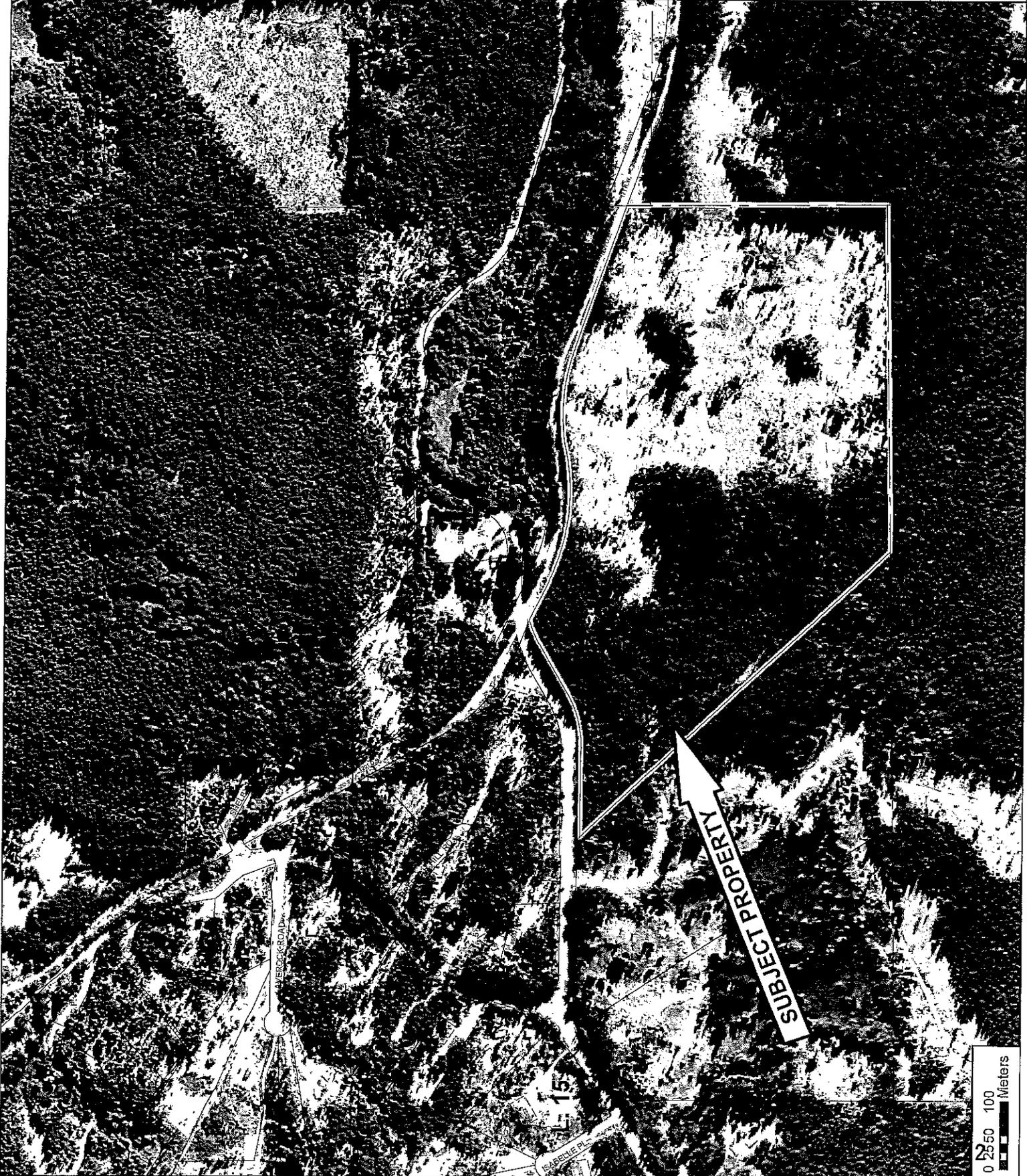
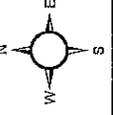
The Regional District does not warrant the accuracy.

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: 1-B-09-RS

Orthophoto (2002)



0 25 50 100 Meters

BLOCK 215

89°50'05"

353.0m

150.2m

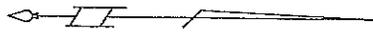
111.1m

REM. LOT 10
PLAN 2210

REM. LOT 11
PLAN 2210

632.2m

137°02'03"



247.88m

107°05'46"

PLAN 1201 O.S.

625 m ±

49.81m 49.81m 2.11m

98°27'22"

88°05'44"

TRANS - CANADA - TRAIL

129.09m

115°38'58"

RENFREW ROAD

PLAN 47997

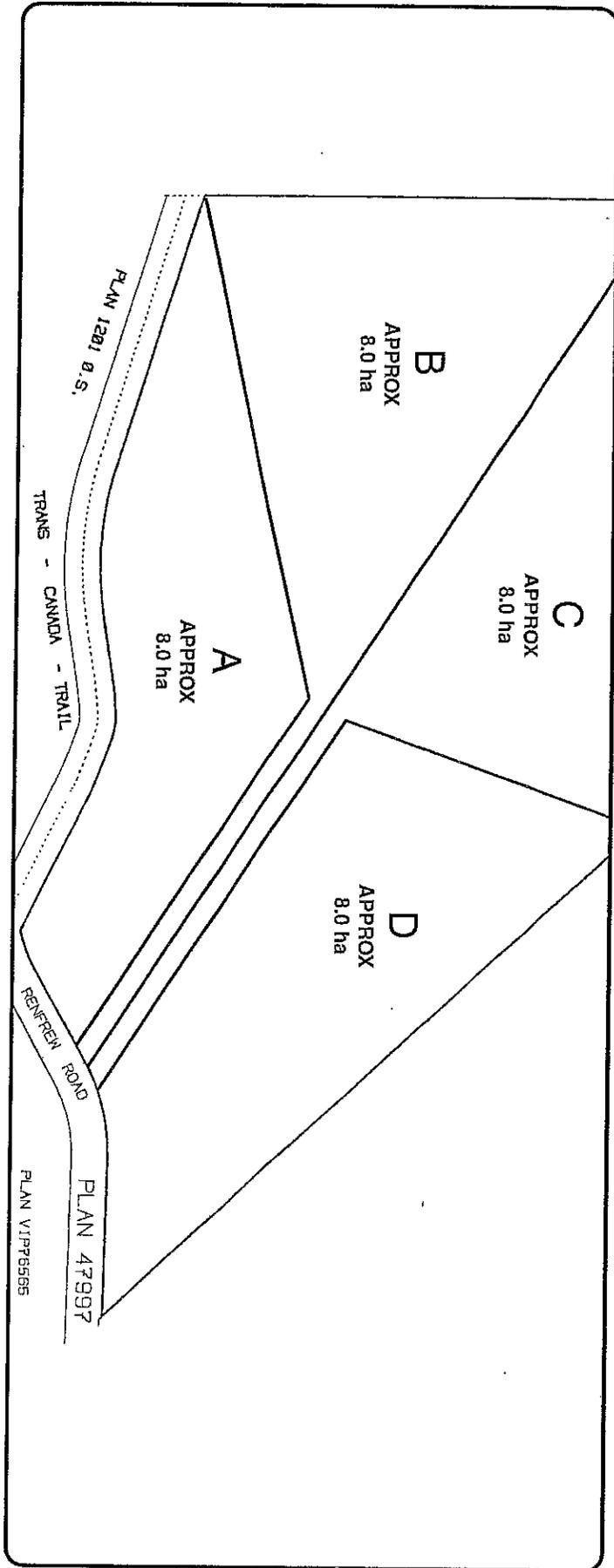
205

78.12.45"

181.5m

PLAN VIP76565

277.9m



May 5th, 2010
7:30 p.m.

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

Present:

APC members: Chair Graham Ross-Smith, Carol Lane, recording secretary Cynara de Goutiere, John Clark, Rod MacIntosh

Absent: Roger Painter ,Vice-Chair Sara Middleton,

Delegation: Craig Partridge and Ron Sharpe

ORDER OF BUSINESS

1) Introductions.

2) Craig Partridge and Ron Sharpe presented Application No 1-B-09RS. This application proposes rezoning the Renfrew Road Property of 33.67 ha from F1 to another Forestry zoning to allow for subdivision into 4 lots that would allow 8 dwellings. Property was purchased in 2009 with the prospect. Applicants are aware that the OCP is in review.

3) Minutes.

Motion to accept minutes of May 2010 meeting. **Motion seconded and carried.**

4) Discussion of Application No 1-B-09RS.

Roger Painter's email communication (nay say) included in the discussion.

APC reluctant to proceed with infill in the Renfrew Road area while OCP is in review.

Motion APC recommends that consideration of Application No 1-B-09RS be delayed until the OCP has been completed. **Motion seconded and carried.**

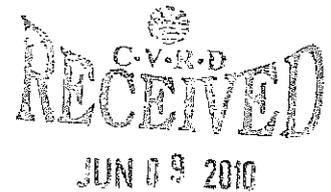
Motion that Chairman write letter to ES with comments giving special attention Policy 2.6 in the OCP review. **Motion seconded and carried.**

5) Roger Painter has been absent from APC meetings since January 2009. Chair will bring this to Ken Cossey's attention, as commitment is needed from members.

6) Sara Middleton will set up next meeting as Graham will be away.

7) Motion to adjourn meeting. **Motion seconded and carried.**

Next meeting June 3rd



Area B (Shawnigan) Advisory Planning Commission
c/o 2410 Barton Place
Shawnigan Lake, B.C.
V0R 2W2

June 1, 2010

Mr. Brian Harrison, Chairperson
Electoral Areas Services Committee
CVRD
175 Ingram St.
Duncan, B.C.
V9L 1N8

Dear Mr. Harrison

Re: Application #1-B-09RS of Craig Partridge and Ron Sharpe to re-zone primary forestry (F-1) land to a new forest zone at 2868 and 2872 Renfrew Road.

At its May meeting the Shawnigan APC considered the above captioned application and was somewhat sympathetic to the case made by the applicants but recommended to the CVRD via the Electoral Area Services Committee that any decision about the application be delayed until the area's new Official Community Plan has been approved by the Province and adopted by a by-law of the CVRD.

My fellow commissioners have asked me to write to the EASC about this particular area as the commission is uncertain about the relevance of the current OCP policies to this part of Area B given the zoning changes and amount of development that have taken place there since the OCP was adopted in 1987. There is a current OCP policy which is quite specific to this area, namely Policy 2.6 *"It is the Board's policy that further residential development should be discouraged in the areas designated Forestry. Furthermore, linear growth along Renfrew Road, Kokisilah River, and other natural waterways shall be discouraged in order to preserve the wilderness features of these areas."*

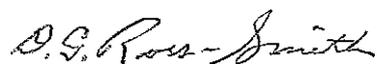
Given the changes in land use and increase in the number of homes in this area since 1987, dealing with applications for this area had become problematic for the APC by 2004 leading to a mini planning exercise in late 2004 with Katie Johnny of the Development Services Department. It continues to be problematic.

Original:	1A	Copies to:	
Board:			
Committee(s):			
Directed by:		Date:	June 10/10
File #			

Handwritten signatures and notes: COSSEY, K. TOMPKINS, June 10/10

On behalf of the Area B Advisory Planning Commission, I ask that you bring to the attention of those involved in reviewing the current OCP and writing a replacement OCP of the need to pay special attention to the Renfrew Road/Glen Eagle area and to the work done by the APC with Katie Johnny in 2004 so that the new APC policies for this area will adequately reflect the values and aspirations of residents there and throughout the Shawnigan area as to how this part of the community should be dealt with in the years to come.

Yours truly,

A handwritten signature in cursive script that reads "D. G. Ross-Smith".

D. Graham Ross-Smith
Chair, Area B APC

cc: Ken Cossey, Area B Director (via e-mail)
Enclosed: Copy of APC minutes of May 2010 meeting



MEMORANDUM

DATE: May 3, 2010 **FILE NO:** 1-B-09RS
TO: Dana Leitch, Planner, Development Services Division
FROM: Daniel Derby, General Manager, Public Safety
SUBJECT: Rezoning Application No. 1-B-09RS – Public Safety Application Review

In review of the Rezoning Application No. 1-B-09RS the following comments affect the delivery of emergency services within the proposed area:

- ✓ Proposal is within the Shawnigan Lake Fire Improvement District.
- ✓ Proposal is within the Shawnigan Lake RCMP Detachment area.
- ✓ Proposal is within British Columbia Ambulance (Station 137) Mill Bay response area.
- ✓ Proposal is within the boundaries of the CVRD Regional Emergency Program.
- ✓ The Community Wildfire Protection Plan has identified this area as a **high risk for wildfire.**
- ✓ It is recommended that a “Wildland Urban Interface Assessment” conducted by a qualified RPF or RFT with relevant applicable experience be required. The objective of the assessment is to review the potential wildfire risk associated with the proposed development and to provide recommended actions to reduce the risk of wildfire.

It does not appear that this rezoning proposal has been forwarded to the Shawnigan Lake Fire Improvement District for comment.

7.4 F-1 ZONE – PRIMARY FORESTRY

(a) Permitted Uses

The following uses and no others are permitted in an F-1 zone:

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) extraction crushing milling concentration for shipment of mineral resources or aggregate materials excluding all manufacturing;
- (3) single family residential dwelling or mobile home;
- (4) agriculture silviculture horticulture;
- (5) home occupation – domestic industry;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite on parcels that are less than 10.0 hectares in area;
- (8) secondary suite or a second single family dwelling on parcels that are 10.0 hectares or more in area.

(b) Conditions of Use

For any parcel in an F-1 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural & Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

7.6 F-2 ZONE - SECONDARY FORESTRY

(a) Permitted Uses

The following uses and no others are permitted in an F-2 Zone:

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) single family residential dwelling or mobile home;
- (3) two single family residential dwellings on parcels 10.0 ha. or larger
- (4) agriculture silviculture horticulture;
- (5) home occupation – domestic industry;
- (6) bed and breakfast accommodation;
- (7) secondary suite or small suite.

(b) Conditions of Use

For any parcel in an F-2 zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 15 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

PART THIRTEEN

AREA SHAPE AND DIMENSIONS OF PARCELS

13.1 With respect to the zones identified in Column I of Section 6.1 and briefly described in Column II the minimum parcel size shall except to the extent as varied by the provisions of Sections 13.2 13.11 and 13.12 be in accordance with the following table based on the method of sewage disposal and water supply:

Zoning Classification Under Zoning Bylaw	Parcels Served by Community Water and Sewer Systems	Parcels Served by Community Water System Only	Parcels Neither Served By Community Water or Sewer
A-1 Primary Agricultural	12 ha	12 ha	12 ha
A-1A Modified Primary Agricultural	12 ha	12ha	12 ha
A-2 Secondary Agricultural	2 ha	2 ha	2 ha
F-1 Primary Forestry	80 ha	80 ha	80 ha
F-1A Primary Forestry – Kennel	20 ha	20 ha	20 ha
F-2 Secondary Forestry	4.0 ha	4.0 ha	4.0 ha
R-1 Rural Residential	2 ha	2 ha	2 ha
R-1A Limited Rural Residential	2 ha.	2 ha.	2 ha.
R-2 Suburban Residential	0.4 ha	0.4 ha	1.0 ha
R-2A Limited Suburban Residential	1.0 ha	1.0 ha	1.0 ha
R-3 Urban Residential	0.2 ha	0.2 ha	1.0 ha
R-4 Rural Community Residential	8 ha.	8 ha.	8 ha.
R-6 Urban Residential (Mobile Home)	0.8 ha	0.8 ha	1.0 ha
MP-1 Mobile Home Park	2 ha ¹	2 ha ¹	2 ha ¹
C-1 Village Commercial	1100 sq.m.	1675 sq.m.	1.0 ha.
C-2A Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-2B Local Commercial	1100 sq. m.	1675 sq. m.	0.8 ha.
C-2 Local Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-3 Service Commercial	1100 sq.m	1675 sq. m	0.8 ha
C-4 Tourist Recreation Commercial	0.8 ha	0.8 ha	0.8 ha
C-5 Neighbourhood Pub	1100 sq. m.	1675 sq. m	0.8 ha
P-1 Parks and Institutional	0.2 ha	0.4 ha	1.0 ha
P-2 Parks and Recreation	20 ha	20 ha	20 ha
I-1 Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1A Light Industrial	0.2 ha	0.4 ha	0.8 ha
I-1B (Sawmilling)	1.0 ha	1.0 ha	1.0 ha
I-1C (Light Industrial)	0.2 ha	0.4 ha	0.8 ha
I-3 Medium Industrial	0.2 ha	0.4 ha	1.0 ha
I-5 Eco-Industrial	1 ha	1 ha	1 ha



D8

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF AUGUST 3, 2010

DATE: July 22, 2010 **FILE NO:** 5280-06
FROM: Rachelle Moreau, Environmental Analyst
SUBJECT: Municipal Green Building Leaders – Project Update

Recommendation:

That the CVRD continue with Phase 2 of the Municipal Green Building Leaders project to develop policies that would achieve increased energy efficiency and renewable energy requirements in buildings by:

- 1) Working with existing local government tools;
- 2) Working with the provincial government to obtain clearer local government jurisdiction; and
- 3) Working with the provincial government to advance provincial policies.

Purpose: To secure the CVRD's support for Phase 2 of the Municipal Green Building Leaders project, and update the Committee on the energy and greenhouse gas (GHG) emission modelling results provided by the Pembina Institute for the CVRD Electoral Areas (attached).

Financial Implications: There is no cost to continue this ongoing partnership with the Pembina Institute and other local governments. Depending on the level of engagement and community-specific work by the Pembina Institute, there may be a requirement to provide some funds.

Interdepartmental/Agency Implications: Staff from the Engineering and Environmental Services Department have been collaborating with, and updating, planning departments of member municipalities and the CVRD to keep them informed of the project status. The Town of Ladysmith has been an active participant providing data and participating in discussions. In addition, partnership with the Pembina Institute and other partnering agencies will continue to occur.

Background:

As committee members are aware, the CVRD is currently working on a Regional Energy Plan for the Cowichan region, and has partnered with the Pembina Institute in the Municipal Green Building Leaders project (GBL) to support this work. The purpose of the project is to assist local governments to develop and implement policies that will result in reduced GHG emissions through increased energy efficiency or renewable energy requirements in buildings.

.../2

CVRD involvement in the GBL project also supports a number of actions and initiatives that are being reviewed through the environmental lens implementation process and the draft CVRD strategic plan. Specifically:

- Develop a green building strategy/policy that supports environmentally friendly building practices;
- Pursue incentives and other financial instruments to encourage positive environmental practices in development; and
- Develop a regional energy strategy to identify regional sources of green energy.

Some benefits arising from participation within the GBL project include the specialized expertise within the Pembina Institute and the collaboration with other local governments.

The GBL project is broken down into the following three phases:

- Phase 1: Research, data modelling, and engagement of local government staff – **Now Complete;**
- Phase 2: Identification of potential policy options, and engagement with colleagues, elected officials, development industry, and other community stakeholders (format to be determined in collaboration with the Pembina Institute and partnering local governments) – **Next Phase;**
- Phase 3: Pembina Institute and local government work to implement new policies in the manner decided upon.

CVRD and the Town of Ladysmith provided building and sales data for the year 2009 to the Pembina Institute, which was used to provide preliminary estimates of potential GHG emission and energy consumption reductions resulting from a series of potential new policies.

For a complete summary of the result, please see the attached report prepared by Pembina.

Policy considerations

Moving into Phase 2 of the GBL project, local government partners are being asked to provide direction regarding their respective involvement in future phases with specific emphasis on the following options:

- 1) Work with existing local government tools to adopt a new policy that would achieve reductions in GHG emissions;
- 2) Work with the provincial government to obtain clearer local government jurisdiction; and/or
- 3) Work with provincial government to advance provincial policies.

There are limitations to the types of policies that local governments can currently adopt with regards to buildings. Therefore, choosing a particular policy direction and tool will require more refined modelling as well as a detailed review of the benefits and costs.

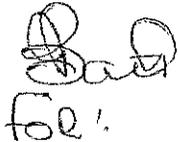
Moving into the next phase of the project, the following goals and objectives are recommended to guide the direction and focus of potential policies as these are consistent with the intentions of the energy plan project:

- Increased use of renewable energy within buildings;
- Development of a clean technology employment sector based on energy efficient products and renewable energy technology;
- Increased energy efficiency and reduce operating costs/energy bills
- Engage and educate different stakeholders e.g. public, development industry,
- Ensure buildings meet high standard for liveability (well-constructed and long-lasting).

With recent and proposed amendments to the BC Building Code, more emphasis is being placed on energy efficiency and inclusion of renewable energy sources recognizing that these provide benefits to homeowners and occupants.

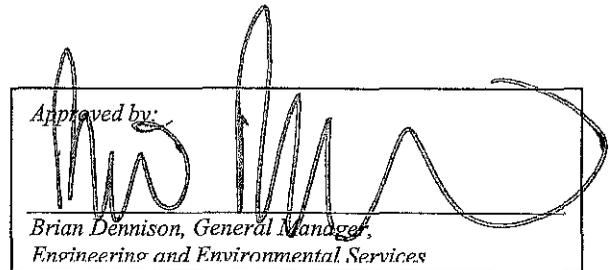
Pembina is currently examining the potential policy opportunities, and will come forward with a plan for Phase 2, which will permit local governments to be involved through high level information sharing, or more community-specific involvement. At this time, it is recommended that CVRD renew its commitment to the project and its objectives. .

Submitted by,



Rachelle Moreau
Environmental Analyst
Regional Environmental Policy Division

Approved by:



Brian Dennison, General Manager,
Engineering and Environmental Services

RM:jlb

Green Building Leaders Phase 1 Partner Meeting

Decision-Making for Phase 2

Prepared for the Cowichan Valley Regional District

Compiled by Claire Beckstead

June 2010



Green Building Leaders Phase 1 Partner Meeting

Decision-Making for Phase 2

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1. Introduction

1.1 Project Background

The Green Building Leaders Project (GBL) brings together municipalities, developers, home owners, real estate agents, contractors, utilities, environmental organizations, and the provincial government to work collaboratively on the design and implementation of new green building policies. We have defined “green buildings” as buildings that use less energy.

Historically, federal, provincial and municipal governments have mostly used grants and incentives to encourage greener buildings. While grants and incentives are important tools in the toolbox, new tools are needed to ensure that our homes and buildings meet or exceed the province’s commitment to reduce greenhouse gas emissions. As part of this project, we have explored three broad policy areas:

1. Energy performance standards for homes and buildings that are for sale or undergoing major renovations.
2. Renewable energy requirements for new homes and buildings.
3. Higher energy performance standards for new homes and buildings.

These three policy areas represent the ‘next steps’ on green buildings after the basic energy-saving policies (such as voluntary labelling or building checklists) have been implemented. This project is designed to help the leading B.C. municipalities move forward on implementing green building policies. It is important to note that these three policy areas are not a comprehensive list of all actions that a municipality can take to reduce energy consumption in buildings. Land-use planning is a very effective way to plan communities with buildings that use less energy. However, the GBL project scope is limited to policies that impact the buildings themselves. Similarly, the scope of the GBL project excludes projects on the neighbourhood scale (such as district heating).

The GBL project has three distinct phases. Please see Figure 1 below.

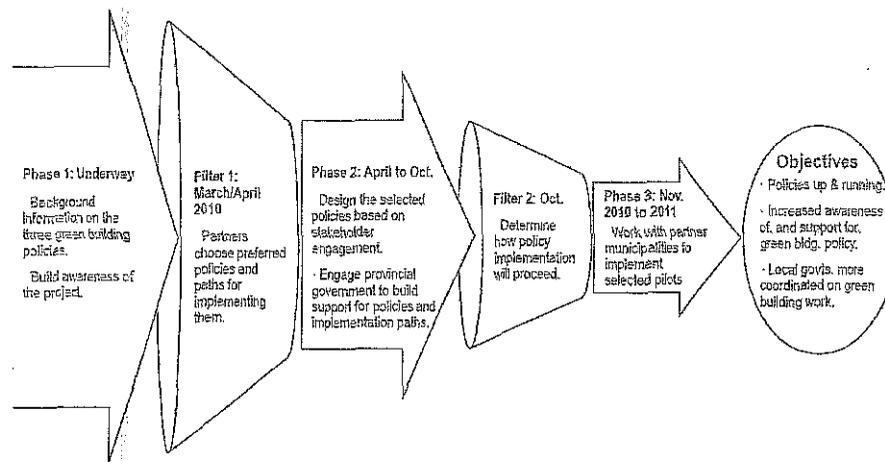


Figure 1 - Three Phases of the Green Building Leaders Project

As a local government partner in the GBL project, we are now asking you to decide on next steps for your community. Phase I (research and engagement of municipal staff) is winding down. Phase II of the project is intended to engage a wider audience – your colleagues, elected officials, development industry and other community stakeholders. This one-on-one meeting is designed to help you decide how to proceed into Phase 2.

1.2 Meeting Objectives

In Phase 1 of the GBL project, Pembina and other project partners have worked to assemble key pieces of information that will assist partner municipalities in deciding what policy to move forward on towards implementation, including:

1. Background papers on each area of building policies
2. Modelling reports identifying the projected energy and greenhouse gas savings from each policy
3. Economic costs and benefits of selected energy efficiency and renewable energy technology options.
4. Legal analysis outlining the current jurisdiction and tools of B.C. municipalities to implement each green building policy

Pembina has also collected feedback from:

5. BC Hydro and Teracen Gas
6. BC provincial ministries (including MEMPR, HSD, MCD)

This one-on-one partner meeting is intended to help you evaluate each of the potential policies, and to determine the preferred policy and implementation path forward for each GBL partner municipality. This means we also will ask you to consider your own municipal objectives as well. Please see Figure 2 for a visual representation of this process.

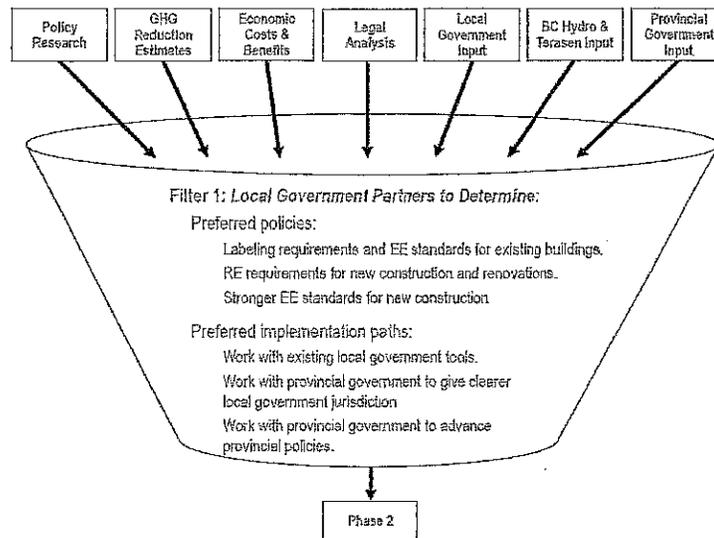


Figure 2 - Phase 1 Filter for Municipal Partners

Each of the boxes in Figure 2 is a specific lens to help you evaluate each of the green building policies. In the subsequent sections of this package we will consider each lens individually to simplify the process of evaluating each policy.

Once we have used each lens to evaluate the policy options, we will then ask you to consider the potential implementation options. Two main implementation options that we have identified are the “existing tools” approach, which essentially means using existing municipal tools to implement the policy options. The second broad option is working with the provincial government to either get clearer municipal jurisdiction to implement the policies, or working with the provincial government to achieve policy implementation at the provincial scale. Your municipality can choose to participate in the second path by either being involved in the “nuts and bolts” development of the proposed policies with the provincial government, or by participating in the higher level communication activities (e.g., signing on to GBL letters to government). It is important to note that the two broad implementation options are not mutually-exclusive, and your municipality can choose to pursue policy implementation using both options.

The ultimate objective of this meeting is for your municipality to decide on what policy you would like to move towards implementation, and to decide what approach you are going to take to get there.

All GBL partner municipalities are going through the same decision-making process. Once all municipalities have determined their preferred policies and preferred implementation path, Pembina will use this feedback determine the most effective way forward for the GBL project. The value of the GBL approach is having a group of municipalities pooling resources and coordinating efforts on moving particular policy pieces forward.

2. Policy Background Papers

2.1 Energy Labelling and Energy Efficiency for Existing Buildings

The theory behind energy labelling is that providing better information about a building's efficiency will facilitate owners and occupants to make decisions that reduce energy consumption. Energy costs can be more easily factored into purchasing decisions, and over time the demand for energy efficiency homes and buildings will become a stronger market driver. Energy labelling can be voluntary or mandatory. Even if energy labels are mandatory, the labels themselves only provide information and help justify or encourage energy efficiency investments if potential buyers care about the information. To ensure greater levels of investment in energy efficiency, some jurisdictions have decided to impose energy efficiency requirements for existing buildings, at either point of sale or at point of major renovation. In effect, these are similar to the way new building codes apply to new construction.

The complete background paper can be found here:
[Energy Labelling and Energy Efficiency for Existing Buildings](#)

Please see Table 1 for descriptions and key conclusions about energy labelling and energy efficiency requirements for existing buildings.

	Description	Key Conclusions
Voluntary Labelling	<p><i>How it works</i>: Rating system allows owner to assess and communicate the efficiency of their home / building.</p> <p><i>Theory</i>: Better information about energy allows owners and tenants to make Better decisions.</p> <p><i>Examples</i>: EnerGuide, BC labelling pilots.</p> <p><i>How it works</i>: Requires owner to have an updated energy assessment and label at the time of sale / major renovation.</p> <p><i>Theory</i>: Having clear information about every building's energy performance will allow buyers/renters to differentiate buildings based on energy/climate performance.</p> <p><i>Examples</i>: Denmark, Australia.</p>	<ul style="list-style-type: none"> Limited evidence that they lead to efficiency improvements. Can support a transition to mandatory systems.
Mandatory Energy Labelling	<p><i>How it works</i>: Mandates a selection of energy efficient upgrades at the point of sale / major retrofit. Also some movement towards performance based standards.</p> <p><i>Theory</i>: Even with good information, many affordable opportunities are overlooked, so they should be mandated.</p> <p><i>Examples</i>: Berkeley, San Francisco.</p>	<ul style="list-style-type: none"> Mixed evidence about degree of success. High degree of compliance and visibility leads to greater levels of success, but more information needed to understand the reasons for success.
Mandatory Energy Retrofit Requirements	<p><i>How it works</i>: Mandates a selection of energy efficient upgrades at the point of sale / major retrofit. Also some movement towards performance based standards.</p> <p><i>Theory</i>: Even with good information, many affordable opportunities are overlooked, so they should be mandated.</p> <p><i>Examples</i>: Berkeley, San Francisco.</p>	<ul style="list-style-type: none"> Based on Berkeley and San Francisco models, prescriptive approaches have been successful. In 30 years, 30% of Berkeley's housing stock has undergone retrofits with 10% energy savings on average. Need to better understand performance based systems.
Cross-cutting conclusions		<ul style="list-style-type: none"> Many prescriptive examples to learn from, but far less experience with performance-based approaches. Integration between labelling requirements and retrofit programs leads to greater success.

Table 1 - Key Conclusions for Energy Labelling and Efficiency Requirements for Existing Buildings

2.2 Minimum Renewable Energy Requirements for New Buildings

This policy area requires minimum on-site renewable energy generation for homes and buildings. Performance-based approaches require a minimum percentage of a building's energy needs to be met using any renewable technology, leaving the choice to the developers. Prescriptive approaches require a specific technology be used, such as solar thermal. Evaluations of these policies indicate that they have been successful, and significant growth in building-scale renewable energy technologies has been observed. A recent study found that the implementation of this policy achieved up to a 26% reduction in greenhouse gas emissions for new developments. The same evaluation also found that a significant percentage of those savings came from energy efficiency improvements that developers decided to pursue in lieu of more costly renewable energy opportunities.

The complete background paper can be found here:

[Minimum Renewable Energy Requirements for New Buildings](#)

Please see Table 2 for descriptions and key conclusions about energy labelling and energy efficiency requirements for existing buildings.

	Description	Key Conclusions
Performance-based Renewable Energy Requirements	<p><i>How it works:</i></p> <ul style="list-style-type: none"> - Developers are required to use on-site renewable energy to reduce their building's anticipated greenhouse gas emissions by a specified percentage (e.g. 10%). - Applicable to new construction and major renovations. - Provides a high degree of flexibility in how a developer wants to meet the requirement (different types of renewable energy, energy efficiency, district heating systems). <p><i>Examples:</i> Merton, London</p>	<p>Costs have been much lower than anticipated and the perceived risks of renewable energy have been reduced.</p> <p>While they were designed to spur renewable energy, the biggest effect has been to encourage energy efficiency and district heating.</p> <p>Combined impact of London's policy has been a 26% reduction in greenhouse gas emissions - even though the policy only requires a 10% reduction.</p>
Prescriptive Renewable Energy Requirements	<p><i>How it works:</i></p> <ul style="list-style-type: none"> - Developers are required to install a certain capacity or meet a certain amount of a building's demand with a specified type of on-site renewable energy. - Most frequently used for solar energy. - Often applies developments of all sizes. <p><i>Examples:</i> Spain, Israel</p>	<p>Requirements have been set as high as 70% of domestic hot water demand needing to be met by solar.</p> <p>Evidence that regulations applying to new construction have also enabled a viable market in existing stock.</p>

Table 2 - Key Conclusions for Minimum Renewable Energy Requirements for New Buildings

2.3 Higher Energy Performance Standards for New Buildings

This paper area examined how to require higher energy efficiency standards for new buildings through local government or provincial regulation.

The complete policy paper can be found here:

[Requiring Higher Levels of Energy Efficiency for New Homes and Buildings](#)

Table 3 below summarizes a variety of code improvements, their application in B.C., the types of buildings this policy pertains to, and the scope of the code improvement.

Table 3 - Options for Higher Energy Performance Standards for New Buildings

Code	General Application			Application in B.C.	Other Notable Applications	Type of Buildings		Scope	
	Baseline Code	Push Code	Rating System			Residential	Commercial	Energy *	Green Buildings
Model National Energy Code for Buildings, Homes	✓				Used primarily as benchmark in federal funding programs (e.g. 25% better than MNECB).	✓	✓	✓	
ASHRAE 90.1	✓			2004 version is minimum requirement in building code.	Seattle plans to require 20% improvement compared to ASHRAE 90.1-2004. Vancouver uses the 2007 version.		✓	✓	
ASHRAE 189.1		✓			Seattle has stated intent to integrate in local building code.		✓		✓
IECC	✓				Residential & Commercial codes (2006 or 2009) are used in a majority of US States.	✓	✓	✓	

Code	General Application				Application in B.C.	Other Notable Applications	Type of Buildings		Scope
	Baseline Code	Push Code	Rating System				Residential	Commercial	
EnergyStar for New Homes	✓	✓			East Gwillimbury – Minimum performance requirement for new homes	✓		✓	
R-2000		✓				✓		✓	
GreenPoint Checklist		✓			California - Voluntary. Integrated in some local programs.	✓			✓
LEED (various certifications)		✓			LEED Gold required for new public buildings. LEED Gold required for East Gwillimbury, Ontario and Palo Alto, California require LEED silver for all new commercial.	✓	✓	✓	
BOMA BEST		✓			National voluntary program in Canada			✓	✓
GreenGlobes		✓			National voluntary program in Canada			✓	✓
EnergyGuide for Homes			✓		Code's prescriptive and performance paths are intended to achieve EnergyGuide 77. Currently used in Ontario, Nova Scotia (E80), Vancouver (E80), Quebec, New Brunswick, and PBI to implement by 2012.	✓		✓	

3. GHG Modelling Results

Background

The following report summarizes the expected greenhouse gas (GHG) emissions reductions from five green building policy designs that could be implemented in your community. The five policy designs are specific examples of the three general policy approaches explored by the Green Building Leaders project:

- renewable energy requirements for buildings (2 policy design options),
- stronger energy efficiency requirements for new buildings (1 policy design option), and
- energy efficiency requirements for existing buildings (2 policy design options).

The estimates are preliminary, and further refinement will occur in Phases 2 and 3 of the project to reflect specific policy design choices and more accurate information.

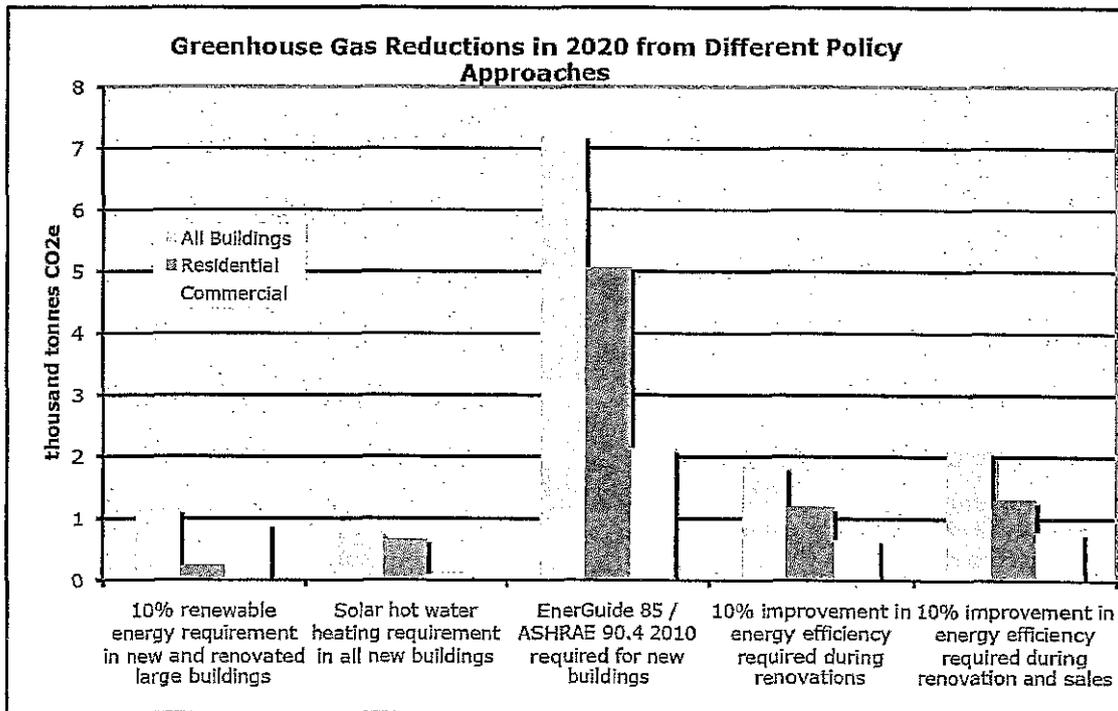
Objectives

The modeling results are being provided to:

- Increase understanding of how different policy design options impact the estimated GHG emissions reductions in new and existing homes and buildings.
- Help inform community's decisions about their participation in Phase 2 of the Green Building Leaders project.

Estimates for Cowichan Valley Electoral Areas

The following chart shows the GHG emissions reductions in 2020 compared to a scenario without the policies. All of the policies reduce GHG emissions, with the reductions ranging from 800 to 7,200 tonnes. By 2030, the range of GHG reductions is 1,600 to 21,100 tonnes (see chart on page 8). The ranges of GHG emissions reductions occurs because the different policy designs target different segments of the building stock (e.g. new residential homes) and have different stringencies (e.g. % energy saved per building).



GHG Modelling Results

Greenhouse gas emissions are expected to remain relatively constant between 2010 and 2030 without any new building policies; the population and business growth are balanced by moderate increases in existing policies, such as the BC building code and utility DSM programs, and less GHG emissions from electricity. Emissions are expected to grow from 2020 to 2030. The policies considered in this analysis all lead to reductions in emissions compared to this reference case.

The largest GHG reductions are achieved by the policy design that sets energy efficiency requirements for new buildings (including new construction following tear downs). The specific requirements are that by 2011 all new homes would reach EnerGuide 85 and all new commercial buildings would reach ASHRAE 90.4 2010. The energy efficiency requirements then increase over time, so that energy consumption in new buildings decreases by 4% each subsequent year. These targets are similar to goals from

Architecture 2030 and less stringent than the goals proposed by initiatives such as City of Vancouver's Greenest City plan. These requirements for energy efficiency in new buildings would decrease emissions in 2020 to 13% below 2010 levels. Note that energy efficiency requirements for new buildings could be combined with versions of the other policies to provide a larger decrease in GHG emissions.

Energy efficiency policy designs focused on existing buildings provide the next largest estimated GHG reductions. The policy designs required existing buildings to reduce greenhouse gas emissions by 10%. One policy design assumes that this requirement would be applied to all renovations, while the second assumed that the requirements would be applied to both renovations and sales. The required reductions per building are based on examples in other jurisdictions (City of Vancouver (proposed) and City of Berkeley). When the policy is applied to buildings at point of renovation (but not sales), the model projects a 3.2% reduction in GHGs in 2020, relative to 2010. When applied to both renovations and sales, the emissions savings are 3.7% in 2020, relative to 2010.

The renewable energy policy designs achieve slightly lower GHG emissions reductions - between 1.3% and 2% reductions in 2020, compared to 2010. The first policy design requires enough on-site renewable energy in new and significantly renovated buildings (over 10,000 sq feet) to reduce GHG emissions by 10%. The second design requires that solar hot water systems large enough to meet 50% of water heating energy demands be added to new buildings. In both cases, the specific policy designs were based on policies in other jurisdictions.

Primary Data Sources

The building stock estimates are based on the information that staff supplied (on number of homes and buildings and typical numbers of annual sales, renovations and teardowns). Per building energy consumption estimates are derived from a number of sources including the BC Hydro and Terasen Gas Conservation Potential Reviews.

Key Caveats

- The model is based estimated total buildings stock in Cowichan Valley Electoral Areas, based on Vancouver Island averages adjusted for the population.
- For other communities, we have compared the 2007 results of this modelling work with the CEEI energy and emissions information. For the Cowichan Valley Electoral Areas, the CEEI information was not yet available.

4. Economic Costs and Benefits

This section provides information on the costs and savings of potential renewable energy and energy efficiency retrofits. Typical costs include upfront (capital) cost and costs for operating and maintaining the equipment. The savings are from lower energy bills. The costs and savings are in comparison to a building that does not have the specific green building equipment or service.

We have summarized the findings of the numerous options that were considered for this analysis into three categories corresponding to the Green Building Leaders policy approaches; energy efficiency for existing buildings (retrofits), renewable energy for new buildings, and energy efficiency for new buildings. Since the findings for each category correspond to a large number of individual options, the values in Table 4 are presented as ranges. The ranges represent differences in costs and savings for different options in each group and differences in energy savings due to different climates in the province. Details are provided in the original report.

Economic Costs and Benefits

Table 4 - Estimate Annual Payback Periods and Annual Energy Savings for Groups of Green Building Options

Green Building Options grouped by Policy Approach			
	Energy Efficiency for Existing Homes and Buildings	Renewable Energy for New Homes and Buildings and Major Retrofits	Energy Efficiency for New Buildings
Residential buildings			
Cost (as a percentage of overall building cost)	The City of Vancouver proposed Green Renovation By-Law uses packages of measures, depending on the cost of the renovation. Package costs are expected to be between 3% and 9% of the cost of renovation, for most renovations.	The cost of integrating renewable energy technologies was 2-4% of the total building cost for some technologies, but up to 8-15% for technologies that are more capital intensive such as ground-source heating and solar PV.	All options considered had a cost of less than 5% of the total building cost.
Average Energy Cost Savings per Year	Energy efficiency retrofits result in savings from \$10 per year for small measures up to \$1,000 per year for larger initiatives.	\$300-\$700 per year for heat pumps (23% to 45% of total energy costs); \$110 to \$220 per year for solar technologies (6% to 19% of total energy costs).	The energy efficiency upgrades savings range from \$300 per year up to \$700 per year (19% to 30% of total energy costs).
Commercial buildings			
Cost (as a percentage of overall building cost)	Not available.	The cost of integrating renewable energy technologies was 1-3% of the total building cost.	The costs for improved energy efficiency range from no incremental cost up to 9% of the total building cost.
Average Energy Cost Savings per Year	Not available.	\$20,000-\$35,000 per year for heat pumps for the buildings modeled (43% to 63% of total energy costs); \$1,500 to \$6,000 per year for solar technologies installed (3% to 12% of total energy costs).	\$30,000-\$40,000 per year for the buildings modeled (31% to 35% of total energy costs).

5. Legal Analysis

As part of the Phase 1 GBL analysis, Deborah Curran completed a legal jurisdictional options analysis. For each of the three policy areas, this paper analyses B.C. municipalities' jurisdiction to implement each policy using existing municipal tools.

The complete legal analysis can be found here:

[Legal Discussion Paper](#)

It is important to stress that this legal analysis is not exhaustive of *all* potential municipal tools for reducing GHGs from buildings. As mentioned, the GBL project scope is limited to policies that impact the building envelope. The legal paper specifically explored three potential paths to policy change.

1. Using existing municipal jurisdiction implement each of the three policy options.
2. Reform at the provincial level to provide clear municipal jurisdiction to implement the policies
3. Reform to implement the policies directly at the provincial level.

Please see Table 5 below for a summary of the conclusions each of the three potential paths to policy change.

		Energy Efficiency Standards for Existing Buildings	Labelling	Renewable energy requirements	Energy Efficiency Standards for New Buildings
Paths to Policy Change	Work with existing local government tools.	No	No	Yes, but with limitations	Yes, but with limitations
	Work with provincial government to give clearer local government jurisdiction.	Yes, but not in line with province's current legislative framework.	Yes	Yes	Yes
	Work with provincial government to advance provincial policies.	Yes, but not in line with province's current legislative framework.	Yes	Yes	Yes

Table 5 - Summary of Legal Analysis: Paths to Policy Change

Legal Analysis

As mentioned, the legal paper specifically analyzed the jurisdiction of municipalities to use existing tools to implement the three GBL policy options. The specific municipal tools evaluated for the three policy options include:

- Development Information (permit applications)
- Zoning and Amenity bonus
- Phased Development Agreements
- Development Permit Areas
- Covenants

The paper also evaluates fiscal tools, such as:

- Local Area Service Charges
- Development Cost Charges
- Revitalization tax exemption

Pembina has summarized the findings of the legal analysis in Table 6 below. It is important to note that Table 6 below only outlines existing municipal jurisdiction. In other words, what can municipalities do now? As outlined in Table 5 above, there are two other implementation options which involve working with the provincial government to either clarify municipal jurisdiction, or to implement policy reform province-wide.

6. Evaluating the Options

6.1 Municipal Objectives

This section is designed to help you think about your municipal objectives with green buildings. We've listed some potential answers but please fill out this section as appropriate for your municipality.

What are your municipal objectives with green buildings?

Potential Objective
Demonstrating leadership on green building technologies in BC
Ensuring buildings meet high standards for liveability
Increase use of renewable energy technologies in buildings
Promote green jobs in community
Reduce GHG emissions
Encourage energy efficiency
Reduce energy bills
Demonstrate municipal leadership on sustainability
Others?

What is your experience with green buildings?

Potential Experience
Experience implementing innovative policies in municipality
Engagement with council on green buildings
Engagement with development industry on green buildings
Engagement with development industry on regulation
Engagement with public on green buildings
Engagement with provincial government
Others?

Table 6 - Summary of Legal Analysis: Existing Jurisdiction

Opportunity		Description		Evaluation of Tools / Opportunities													
Scope of application	Degree of participation	Ease of implementation	Energy Efficiency Standards for existing buildings (point of sale)	Energy Standards for existing buildings (renovations)	Renewable energy requirements	Energy Efficiency Standards for New Buildings	Applies to a subset of the municipality		Applies to the entire municipality		Partial municipal implementation is possible with existing jurisdiction.		Municipal implementation clearly possible with existing jurisdiction.				
							Significant	Minor	Significant	Minor	Significant	Minor	Significant	Minor			
Ability to require applicants for development to supply information and studies regarding the proposed development	only applies to new or substantially renovated buildings	mandatory	minor change to existing local government practices	cannot require release to other parties	no	no	no	no	no	no	no	no	no	no			
					Development information applicants for	only applies to new or substantially renovated buildings	mandatory	minor change to existing local government practices	cannot require release to other parties	no	no	no	no	no	no		
					Development information and studies regarding the proposed development	only applies to new or substantially renovated buildings	mandatory	minor change to existing local government practices	cannot require release to other parties	no	no	no	no	no	no	no	
					Establish use, density, and other regulations on each parcel of land.	only applies to existing zoning bylaws	mandatory	minor change to existing local government practices	cannot require release to other parties	no	no	no	no	no	no	no	no
					Allows voluntary increase in density in return for landowner providing amenities	only applies to existing zoning bylaws	mandatory	minor change to existing local government practices	cannot require release to other parties	no	no	no	no	no	no	no	no
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	only applies to existing zoning bylaws	mandatory	minor change to existing local government practices	cannot require release to other parties	no	no	no	no	no	no	no	no
Phased Development Agreements	Agreements for specific zoning & other projects that freeze requirements for up to ten years	voluntary	applicable to the development	cannot require release to other parties	no	no	no	no	no	no	no	no	no				
					Development zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Establish use, density, and other regulations on each parcel of land.	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Allows voluntary increase in density in return for landowner providing amenities	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					
Zoning and Amenity Bonus	Establish use, density, and other regulations on each parcel of land. Allows voluntary increase in density in return for landowner providing amenities	voluntary	applicable to the development	cannot require release to other parties	no	no	no	no	no	no	no	no	no				
					Development zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Establish use, density, and other regulations on each parcel of land.	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Allows voluntary increase in density in return for landowner providing amenities	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					
Development Areas	Overlay zones based on geography or type of development that set additional standards	mandatory	need to establish and enforce guidelines	cannot require release to other parties	no	no	no	no	no	no	no	no	no				
					Development geography or type of development that set additional standards	need to establish and enforce guidelines	cannot require release to other parties	no	no	no	no	no					
					Overlay zones based on geography or type of development that set additional standards	need to establish and enforce guidelines	cannot require release to other parties	no	no	no	no	no					
					Establish use, density, and other regulations on each parcel of land.	need to establish and enforce guidelines	cannot require release to other parties	no	no	no	no	no					
					Allows voluntary increase in density in return for landowner providing amenities	need to establish and enforce guidelines	cannot require release to other parties	no	no	no	no	no					
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	need to establish and enforce guidelines	cannot require release to other parties	no	no	no	no	no					
Covenants	Charges registered on the title to land restricting or requiring activities or maintenance of the property in a certain way	voluntary	applicable to the development	cannot require release to other parties	no	no	no	no	no	no	no	no	no				
					Development title to land restricting or requiring activities or maintenance of the property in a certain way	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Charges registered on the title to land restricting or requiring activities or maintenance of the property in a certain way	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Establish use, density, and other regulations on each parcel of land.	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Allows voluntary increase in density in return for landowner providing amenities	applicable to the development	cannot require release to other parties	no	no	no	no	no					
					Agreements for specific zoning & other projects that freeze requirements for up to ten years	applicable to the development	cannot require release to other parties	no	no	no	no	no					

6.2 Decision-Making Matrix

We are now asking you to consider each of the pieces of information we have provided you with during Phase 1 of the GBL project. As mentioned, we will ask you to consider: the policy background papers, your own municipal objectives, your individual policy modelling results, the economic costs and benefits, and finally the legal analysis. The tables below are designed to help you evaluate the three policy approaches, the implementation paths, and how your municipality would like to be involved in Phase 2 of the GBL project. Pembina's conclusions are outlined in the tables below (where appropriate). Please see Table 7 below for the definition of Pembina's colour coding in Table 8, Table 9, and Table 10 below.

<p>There are significant concerns that require significant resources to overcome. Implementation may still be appropriate for some communities.</p>
<p>There are some concerns with implementation and may not be appropriate for all communities.</p>
<p>Policy implementation is straightforward. All communities could proceed.</p>

Table 7 - Legend for Pembina Colour Coding

There is space in each table for your own assessment of the information we have provided. We encourage you to consider the information we provided and to note the relative importance of this information to your municipality to assist in your decision-making process..

By completing these matrices, it should become clear which policies your municipality is interested in moving forward towards implementation, and also which implementation path you would like to pursue for each policy. It is important to note that the implementation paths are not mutually exclusive; both approaches can be pursued in parallel.

Table 8 will help you evaluate three policy areas, and to consider how effective they may be in your particular municipality. Table 9 will help you think about what implementation path your municipality would like to take to achieve the implementation of your chosen policy. Table 10 will help you think about how you would like to be involved in the GBL project going forward.

Evaluating the Options

What other issues should you consider?

Example Issues
Financial risk acceptance
Desire to work-alone vs join with other municipalities
Limited resources to apply to green buildings
Others?

Evaluating the Options

			Policy Approaches			
			Energy Efficiency Labelling for Existing Buildings	Energy Efficiency Requirements for Existing Buildings	Renewable Energy Requirements for New Buildings	Energy Efficiency Requirements for New Buildings
Questions to evaluate the implementation paths	Could partner communities work with existing local government tools to advance a given policy approach?	Pembina Assessment	No	No	Yes, but with significant limitations	Yes, but with significant limitations
		Partner Assessment				
	Could partner communities work with the provincial government to set clearer local government jurisdiction for a given policy approach?	Pembina Assessment	Yes	Yes, but not in line with province's current legislation	Yes	Yes
		Partner Assessment				
	Could partner communities work with the provincial government to advance a given policy approach on a province-wide basis?	Pembina Assessment	Yes	Yes, but not in line with province's current legislation	Yes	Yes
		Partner Assessment				

Table 9 - Evaluation of Implementation Path

Evaluating the Options

			Policy Approaches			
			Energy Efficiency Labelling for Existing Buildings	Energy Efficiency Requirements for Existing Buildings	Renewable Energy Requirements for New Buildings	Energy Efficiency Requirements for New Buildings
Questions to evaluate the policy approaches	Has the policy approach been used successfully in other jurisdictions to reduce greenhouse gas emissions?	Pembina Assessment	Yes, if packaged effectively with other initiatives	Yes	Yes	Yes
		Partner Assessment				
	Could the policy approach reduce greenhouse gas emissions in my community?	Pembina Assessment	N/A	Yes	Yes	Yes
		Partner Assessment				
	Will the policy approach result in reasonable costs and paybacks for home and building owners and occupants?	Pembina Assessment	Yes (low costs)	Yes (costs are less than 9% of total renovation cost with short term paybacks)	Yes (costs are between 2-15% of total building cost and have medium to long term paybacks)	Yes (costs are less than 5% of total building cost and have medium term paybacks)
		Partner Assessment				

Table 8 - Evaluation of Policy Approaches

Evaluating the Options

		Policy Approaches			
		Energy Efficiency Labelling for Existing Buildings	Energy Efficiency Requirements for Existing Buildings	Renewable Energy Requirements for New Buildings	Energy Efficiency Requirements for New Buildings
Questions about involvement in phase 2	Would your community like to be involved in working through the details of how a given policy approach could work in BC? Could include consultations, workshops, additional policy analysis, etc.	Partner Assessment			
	Would your community like to work collaboratively to help the provincial government implement a given policy approach? Could include meetings, joint letters, UBCM resolutions, etc.	Partner Assessment			

Table 10 - Evaluation of Municipal Involvement in Phase 2



SRI

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING AUGUST 3, 2010

DATE: July 27, 2010 **FILE NO:** 0540-20-EASC/07
FROM: Sybille Sanderson, Acting General Manager, Public Safety
SUBJECT: Malahat Fire Protection Service Area Expansion – Elkington Estates

Recommendations:

1. That the *Certificate of Sufficiency* confirming that the petitions for inclusion in the Malahat Fire Protection Service Area are sufficient, be received.
2. That CVRD Bylaw No. 2414 be amended to extend the boundaries of the Malahat Fire Protection Service Area to include the following five properties:
 - Block 270, Malahat Land District (PID 009-395-156);
 - District Lot 201, Malahat Land District (PID 009-395-130);
 - Block 281, Malahat Land District (PID 009-395-172);
 - That part of Block 201, Malahat Land District including part of amended Parcel A (DD189674I) of said Block, shown outlined in red on Plan 1522R (PID 009-395-075); and
 - Lot 26, Block 201, Plan VIP78459, Malahat Land District, PID: 026-226-537.
3. That the Malahat Fire Protection Service Area amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

Purpose:

To extend the boundaries of the Malahat Fire Protection Service Area to include five additional properties known as Elkington Estates.

Financial Implications:

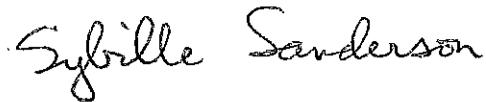
The developers have committed, through restrictive covenants, to provide land for and build a satellite fire hall; and partial funding for an additional fire truck in the amount of \$150,000 (three payments of \$50,000 as the development progresses) to provide the fire protection capacity required due to the significant size of this development. As a result, the CVRD will incur additional annual expenditures for maintenance and operating costs for this new satellite fire hall. We anticipate that these expenditures will be off-set through the increased revenue received due to the increased property assessment created by the extension of the boundaries and the size of the Elkington Estates Development. The residential tax rate for 2010 is 1.0556 / \$1,000 net

taxable value within the existing Malahat Fire service area and therefore a residential property assessed at \$100,000 currently pays approximately \$105.56 annually.

Background:

The developers have worked closely with CVRD staff to review and revise the proposal prior to zoning and development application approval. Although the initial phases will not adjoin the service area, the latter phases will eventually be contiguous to the current Malahat Fire Protection Service Area. Adding these five properties at this time, will provide significant benefit to the community and allow the developers that have so diligently committed to these extensive fire service amenities to proceed. Therefore, both the Malahat Fire Chief and I recommend approving this fire service expansion area now.

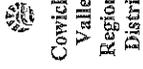
Submitted by,



Sybille Sanderson
Acting General Manager, Public Safety

/bw

Attachment: Map detailing Malahat Fire Protection Service Area
Certificate of Sufficiency



The map is compiled from various sources for information and is not intended for legal purposes. The Regional District does not warrant the accuracy.

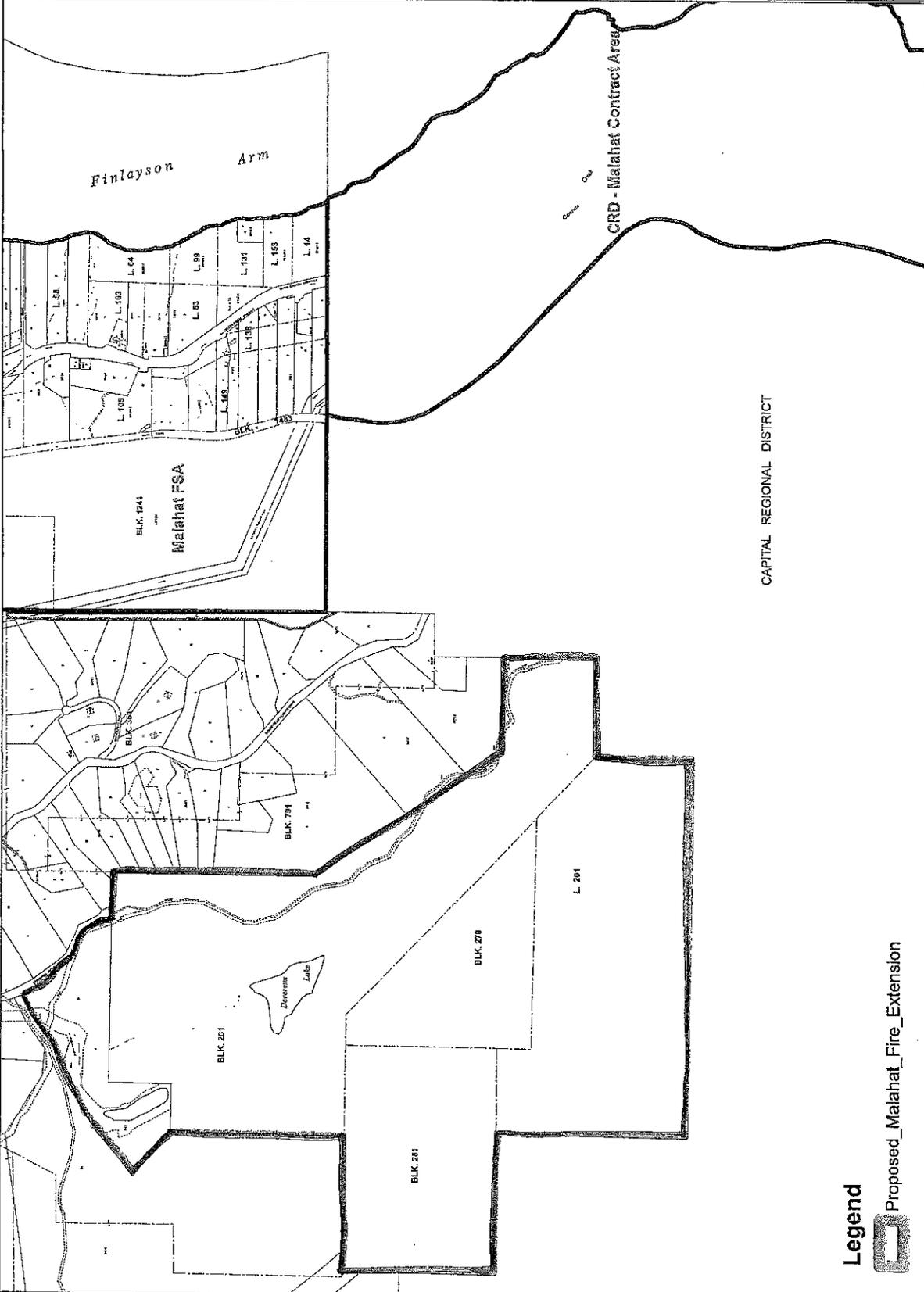
All persons making use of this compilation are advised that the boundaries shown are for informational purposes only and that boundaries are representational.

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

Printed: July 27, 2010



Scale: 1:14,797



Legend



Proposed Malahat Fire Extension



CERTIFICATE OF SUFFICIENCY

I hereby certify that the petition for inclusion in the *Malahat Fire Protection Service Area* is sufficient, pursuant to section 797.4 of the *Local Government Act*.

DATED at Duncan, British Columbia)
this 27th day of July, 2010)
)
)



J. E. Barry, Corporate Secretary

Malahat Fire Protection Service Area

Total Number of Parcels requesting inclusion in the Service Area:	5
Net Taxable Value of All Land and Improvements of new Parcels:	\$4,383,000.00
Number of Valid Petitions Received:	5
Net Taxable Value of Petitions Received (Land and Improvements):	\$4,383,000.00



SR2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF TUESDAY, AUGUST 3, 2010

DATE: July 27, 2010 **FILE NO:** 5330-30-DRW
FROM: Dave Leitch, ASCT, Manager, Water Management Division
SUBJECT: Dogwood Ridge Capital Works Upgrades

Recommendation: Director Duncan, Electoral Area E, has requested that an additional \$100,000 of Community Works funding be allocated for upgrades to the Dogwood Ridge Water System to reduce the annual costs charged to customers of the system. Direction is requested regarding Director Duncan's request.

Purpose: At the June 15, 2010 Electoral Area Services Committee meeting, it was resolved "that staff be directed to investigate what exact amount of Community Works funding would be required for upgrades to the Dogwood Ridge Water System, and advise where the funds would be derived from, and that the information be brought back to the next Electoral Area Services Committee meeting".

Financial Implications: The total estimated capital costs to upgrade the Dogwood Ridge water system is \$522,000. These upgrades include a new reservoir, water treatment plant, land purchase, water main improvements and further development of the 2 existing well sources. As the new operator of the water system, the CVRD has discovered that the well supply is insufficient to keep up with the demand and on numerous occasions during the summer, the system has run out of water. Therefore it is a critical component of the capital upgrades to look at rejuvenating and/or redeveloping the systems source of supply.

Based on these estimates, with contributions from the Provincial grant of \$267,000 and the Community Works Fund of \$100,000, the remaining debt to the system users would be \$155,000. The total value of existing infrastructure grant funding is approximately \$11,000 for each of the 33 homes in the system. Due to the limited amount of users on the system and the significant debt burden, the annual operating cost of the system to its users will be \$1,300/year, of which 46% is directly attributed to the debt repayment. Although petitions from residents have been received that authorize the CVRD to borrow the necessary money, the operating cost for Dogwood Ridge would be approximately \$500.00/year more than the next highest utility operated by the CVRD.

In order to reduce the debt and bring the annual operating costs in line with that of other CVRD water systems of similar size, a total capital contribution of \$200,000.00 from the Community Works Funds would be required.

If additional Community Works Funds are to be allocated to the Dogwood Ridge water system, then funds from the attached list of approved Community Works projects will need to be modified.

.../2

Interdepartmental/Agency Implications: not applicable at this time.

Background:

The Dogwood Ridge Improvement District services a 33-lot subdivision, three kilometres south of Duncan, in Area E.

In February, 2008, the Dogwood Ridge Improvement District received approval-in-principle for the CVRD to takeover ownership of the water system and to conduct a feasibility assessment of the water system.

At the July 2007 Board meeting, a list of Community Works Funds capital projects was accepted by the CVRD Board that included \$140,000.00 in capital works upgrades to the Dogwood Ridge Water System. This estimate was made prior to a feasibility study being done and was based on preliminary staff estimates of possible upgrades.

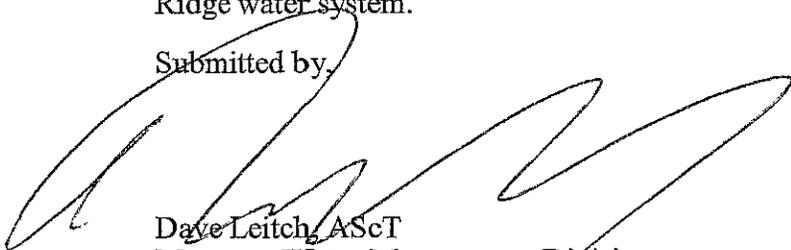
In January 2007, the Provincial Government announced a grant program to provide funding assistance to regionally significant projects that provided for cleaner drinking water. As a result of the timing of the application process, the CVRD had yet to complete the feasibility study and therefore an application was submitted to the Province based on preliminary estimates. The application was subsequently successful and secured \$267,000.00 in provincial funding toward the project upgrades. As a result of obtaining these Provincial funds, the Community Works Funds, previously committed to Dogwood Ridge, were reallocated to other water and sewer utility projects in the CVRD.

In 2008, the Joint Feasibility Study was completed by UMA Engineering to identify the costs of upgrading the Dogwood Ridge Water System in partnership with Cowichan Tribes to a municipal standard where the CVRD could take over operation and ownership of the system. The study was jointly funded 50/50 between Cowichan Tribes and the CVRD. The notion of the partnership was that each party would pay their appropriate portion of the capital upgrades outlined in the study and the CVRD would establish a service area/function to operate the system as a single utility upon completion of the upgrades. The advantage to this would be that both the Dogwood Ridge community and Cowichan Tribes would benefit in the savings of building the works together and having the CVRD operate the system, once complete

At the completion of the study, CVRD staff met with representatives from Cowichan Tribes who informed us that they were not successful in obtaining funds from INAC and at this time they could not move forward with any of the capital works. As a result of this, the only remaining options to the Dogwood Ridge Improvement District was to abandon the upgrades and try to continue to manage and operate the system on their own, or request that the CVRD borrow the necessary funds on their behalf, while pursuing possible grant options to try and reduce the debt that would be incurred by the system

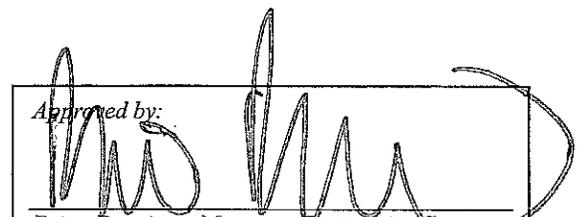
At this time, the CVRD has secured a Provincial grant in the amount of \$267,000.00 and committed \$100,000.00 from the Community Works Fund towards the upgrades of the Dogwood Ridge water system.

Submitted by,



Dave Leitch, AScT
Manager, Water Management Division

Approved by:



Brian Dennison, Manager, Engineering Services

<u>Community Works Fund Projects</u>		<u>CWT</u> <u>Cost Est.</u>	<u>Project</u> <u>Cost Est.</u>
2010-2011 PROJECTS	Shawnigan Lake North Watery System Metering	\$400,000	\$600,000
	Shawnigan Lake North Water System Well Tie-in	\$67,000	\$100,000
	Shawnigan Beach Estates Sewer System UV Unit	\$50,000	\$75,000
	Shawnigan Beach Estates Sewer System Pumpstation	\$133,000	\$200,000
	Dogwood Ridge Water Reservoir/Treatment Building	\$100,000	\$150,000
	Shellwood Water Reservoir/Treatment Building	\$100,000	\$150,000
	Carlton Water Reservoir/Treatment Building	\$100,000	\$150,000
	Douglas & Moth Treatment Building	\$100,000	\$150,000
	Honeymoon Bay Water Metering/Sutton Creek Water Connection	\$133,000	\$200,000
	Bright Angel Park Washroom Upgrade	\$60,000	\$180,000
	South Sector Liquid Waste Management Plan Ammendment	\$100,000	\$100,000
	Kerry Park Sewer & Water Upgrade	\$166,000	\$250,000
	Satellite Park Water Treatment Plant/Reservoir Upgrades, (additional contribution)	\$50,000	N/A
	Estimated Sub Total	\$1,559,000	\$2,305,000
FUTURE PRIORITIES	Saltair Water Main Upgrade/Looping	\$133,000	\$200,000
	Saltair PRV - South Watts/Power Generation	\$166,000	\$250,000
	Youbou Well #4 Development	\$67,000	\$100,000
	Youbou Arnold PRV/Booster	\$67,000	\$100,000
	Mesachie Lake Sewer Upgrades	\$350,000	\$525,000
	Cobble Hill Sewer System Effluent Re-use	\$100,000	\$150,000
	Electoral Areas Curbside Program (3Trucks, Organic, Garbage & Recycling Bins)	\$1,100,000	\$1,650,000
	Busy Place Creek Study	\$100,000	\$100,000
Alternative Energy Project(s)	\$340,000	TBD	
Sub Total	\$2,423,000	\$3,075,000	
(\$3,716,000 CWF available)	ESTIMATED TOTAL	\$3,982,000	\$5,380,000



SR3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

DATE: July 28, 2010

FILE NO:

FROM: Tom R. Anderson, General Manager

BYLAW NO:

SUBJECT: Agricultural Advisory Committee

Action:

Direction from the Committee is requested.

Purpose:

To obtain direction on the attached draft Terms of Reference for the proposed Regional District Agricultural Advisory Committee.

Financial Implications:

Staff costs.

Interdepartmental/Agency Implications:

Unknown.

Background:

The Economic Development Cowichan recently completed the Cowichan Region Area Agricultural Plan. The report was presented to the Electoral Area Services Committee on May 4, 2010, where the following motion was passed and subsequently approved by the Regional Board on May 12, 2010:

“That the Regional District Board establish an Agricultural Advisory Committee comprised of government, community, farmers and other stakeholders to address the issues and actions identified in the Area Agricultural Plan; and to advise the Board on issues of importance to the agricultural community, and on ALR exclusion applications as well as other matters referred to it.”

The attached draft Terms of Reference for the Committee establish the mandate, membership and operating principles for the Committee.

To review a copy of the Agricultural Plan and background reports, please visit the EDC website which can be accessed by going through the main CVRD website.

Submitted by,

A handwritten signature in black ink, appearing to read 'Tom R. Anderson', with a long horizontal flourish extending to the right.

Tom R. Anderson,
General Manager
Planning & Development Department

TRA/jah

Attachments



AGRICULTURAL ADVISORY COMMITTEE

TERMS OF REFERENCE

GOAL

The goal of the Agricultural Advisory Committee (AAC) is to increase awareness of agricultural issues in the Cowichan Valley Regional District (CVRD) and provide leadership in the promotion of agriculture as an important economic driver in the region.

MANDATE

The mandate of the Agricultural Advisory Committee is to:

1. Implement the CVRD Area Agricultural Plan and the recommendations contained in that Plan. More specifically to:
 - Review all 78 recommendations;
 - Identify those activities already underway and identify the groups and organizations undertaking those activities;
 - Ensure that sufficient resources are available to accomplish activities and if required, identify the additional resources needed;
 - Prioritize activities to be undertaken;
 - Identify the activities that have not been addressed and prioritized;
 - Identify the necessary resources to complete those activities; and
 - Make recommendations to the CVRD to allocate resources to accomplish those activities.
2. Advise the Board on issues of importance to the agricultural community, and on ALR exclusion applications as well as any other matters referred to it.

MEMBERSHIP

The ACC will consist of the following representation:

- One representative from each of the three Farmers Institutes (Cedar; Cowichan Agricultural Society; Cobble Hill/Shawnigan Lake)
- Ministry of Agriculture, Regional Agrologist
- Duncan Farmers' Market
- CVRD Environment Commission
- CVRD Chair or his/her designate
- District of North Cowichan
- Three Electoral Area Directors

APPOINTMENT PROCESS & TERM

Appointments to the AAC shall be by resolution of the Regional Board.

Appointments are for a three (3) year term and shall be consistent with the terms of the elected representatives of the Regional Board.

REMUNERATION

AAC members will serve without remuneration, but may be paid reasonable and necessary expenses directly arising from the performance of their duties. Reimbursement of expenses will be consistent with the policies of the Regional Board, as amended from time to time.

VACANCIES

The Regional Board may, at any time, terminate the appointment of a member.

Committee members who are absent for three (3) consecutive meetings shall forfeit their appointment, unless such absences are authorized by resolution of the Committee.

A member of the Committee may resign at any time upon sending written notice to the Chair of the CVRD.

If a vacancy occurs on the AAC, the Regional Board may appoint a new Commission member to fill the vacancy for the unexpired term.

DECISION MAKING

Committee recommendations to the Regional Board on agricultural issues will be made by consensus whenever possible. If necessary, votes may be taken and results identified within the minutes of the meeting.

AAC meetings will be open to the public as per the CVRD Board, Committee and Commission Procedures Bylaw.

CHAIRPERSON

The Chair will be one of the CVRD Board members appointed to the Committee in order to provide a direct link between the ACC and the Regional Board.

MINUTES

Minutes will be recorded for each meeting and a copy submitted to the Regional Board for consideration.



SR4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

DATE: July 23, 2010 **FILE NO:** OCP Area A
FROM: Mike Tippett, Manager **BYLAW NO:** 1890
SUBJECT: Ocean Shoreline Development Permit Area

Recommendation:

The direction of the Committee with respect to implementing this Development Permit Area in Mill Bay/Malahat is requested.

Purpose:

To respond to Committee direction regarding the preparation of a draft bylaw for ocean shoreline protection in Mill Bay/Malahat.

Financial Implications:

Usual procedural costs (hearing and advertisement), as well as ongoing legacy costs related to processing development permits that at present are not required.

Interdepartmental/Agency Implications:

Since Fisheries and Oceans Canada is not overly aggressive at enforcing its authority in situations where ocean shorelines are modified, the CVRD can enter the field and perhaps influence in a positive way the stewardship of public shorelines.

Background:

At the Electoral Area Services Committee meeting of July 6, 2010, the Committee directed staff to prepare a draft Ocean Shoreline Development Permit Area for Electoral Area A. This has now been done and the draft is presented for the consideration of the Committee.

Although it is likely that the revision of the OCP in the southern 3 electoral areas will result in a similar Development Permit Area (DPA), there appears to be some urgency in the matter due to recent events on the Mill Bay waterfront. Therefore it is worth considering enacting a DPA sooner than would be possible through the OCP review process.

As with all new development permit areas, there is a resourcing and workload consequence to new processes. In the case of this particular proposed DPA, we believe that it may not bring a large additional workload, perhaps more so to Bylaw Enforcement at first, with ultimately an estimated 3-5 development permit applications per year being added to the Development Services Division workload.

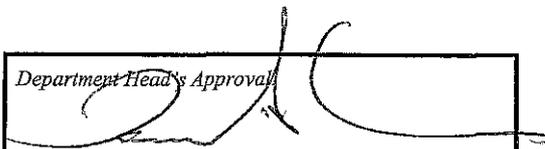
Options:

1. That the proposed amendment to the Mill Bay/Malahat Official Community Plan that would introduce an Ocean Shoreline Development Permit Area be approved, and that staff be instructed to refer the proposed bylaw to Fisheries and Oceans Canada, School District 79, Capital Regional District and the Malahat First Nation, in the form of a written referral only with a 3 week response period, and that Directors Harrison, Giles and Duncan be appointed as hearing delegates.
2. That the proposed amendment to the Mill Bay/Malahat Official Community Plan that would introduce an Ocean Shoreline Development Permit Area not be pursued at this time, and that the matter be entrusted to the South Cowichan Official Community Plan Steering Committee.

Submitted by,



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

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

<i>Signature</i>

MT/jah

Attachment



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3XXX

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 1890, Applicable To Electoral Area A – Mill Bay/Malahat

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area A – Mill Bay/Malahat, that being Official Community Plan Bylaw No. 1890;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1890;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Official Community Plan Amendment Bylaw No. 3xxx, 2010, Area A – Mill Bay/Malahat (Ocean Shoreline DPA), Amendment to CVRD Bylaw No. 1890**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

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

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

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

I hereby certify this to be a true and correct copy of Bylaw No. 3xxx as given Third Reading on the _____ day of _____, 2010.

Secretary

Date

APPROVED BY THE MINISTER OF RURAL AND COMMUNITY DEVELOPMENT UNDER SECTION 913(1) OF THE LOCAL GOVERNMENT ACT this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3xxx

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. That Section 14.10: "OCEAN SHORELINE DEVELOPMENT PERMIT AREA" be added after Section 14.9, as follows:

14.10 OCEAN SHORELINE DEVELOPMENT PERMIT AREA

Category

The **Ocean Shoreline Development Permit Area** is designated pursuant to Section 919.1(1)(a) and (b) of the *Local Government Act*, to protect the natural environment, its ecosystems and biological diversity, and for the protection of development from hazardous conditions.

Area of Application

The **Ocean Shoreline Development Permit Area** applies to all lands within 30 metres of the ocean high water mark within Electoral Area A (Mill Bay/Malahat), as shown on **Figure 13: Ocean Shoreline Development Permit Area**.

Justification

Pursuant to Section 919 of the *Local Government Act*, the **Ocean Shoreline Development Permit Area** is established to address the following:

- (a) Mill Bay/Malahat has several kilometres of marine shoreline along Saanich Inlet, ranging from high rocky ridges to beaches. The marine shoreline and coastal waters offer valuable fisheries resources that should not be negatively impacted. The cumulative impact of careless development on waterfront parcels would have a detrimental impact on aquatic habitat along the sensitive ocean shoreline, and interrupt natural beach processes of longshore drift.
- (b) The marine shoreline is a valuable public resource, and the CVRD wishes to enhance the physical, recreational, visual and natural values of the area without fragmenting the natural shoreline area.
- (c) An aquatic buffer, or riparian zone, consisting of natural vegetation, rocks, trees, and fallen trees can help protect land by dissipating wave energy and thereby protecting the bank to some degree from slumping or being washed away. Roots of plants and trees act to reinforce soil and sand and help hold them together, while the leaves of plants reduce the energy of wind and the force of falling rain, increase the evaporation rate and slow water runoff.

- (d) Research into watershed hydrology and environmental resilience has demonstrated that once certain thresholds of impervious surfaces (total area of roofs, paving, concrete slabs, accessory buildings and other hard surfaces) are exceeded, irretrievable harm may be done to aquatic life. This threshold is around 12% across a typical watershed in this region.
- (e) Hard surfaces and reduced vegetation can cause surface water to be quickly and directly affected by pollution from sources such as poorly placed and maintained septic systems, fertilizer (nitrates, phosphates), and household or garden chemicals. A vegetated buffer can filter pollutants out of runoff from roads, yards, and septic systems before they reach the ocean.

Guidelines

Within the **Ocean Shoreline Development Permit Area**, no person shall:

- subdivide land;
- alter land, including the removal of trees or vegetation and removal/deposit of soil;
- construct a road, bridge or driveway;
- construct a seawall, retaining wall, dock abutment or other structure; or
- construct a building or structure

prior to the owner of land applying for and receiving a development permit from the CVRD, which shall sufficiently address the following guidelines:

- (a) Roads and driveways should be located as far as possible from the edge of a bluff or from the ocean shoreline, to keep sand, gravel, oils, fuel and road salt out of runoff. Driveways should be angled across any slope's gradient, where possible, and be composed of porous materials such as road mulch or **grass-crete**, to keep runoff to a minimum. For driveways that are already paved, a portion of the runoff can be diverted by the use of transverse channels or small berms in regular intervals. Settling pools can be installed in runoff ditches that slope to water;
- (b) Recommendations in the Ministry of Water Land and Air Protection's Best Management Practices (*Storm Water Planning – A Guidebook for British Columbia*) should be applied, to reduce areas of impervious surfaces and increase natural groundwater infiltration. On-site rainwater management techniques that do not impact surrounding lands, should be used, rather than the culverting or ditching of water runoff. Increased soil depth is one proven method for achieving reduced rainwater runoff; raingardens are another.
- (c) Footpaths to the shoreline should be planned to avoid erosion, using slope contours rather than a straight downhill line, and be narrow to minimize impacts on drainage patterns. Impacts to a slope can be minimized by elevating stairs above the natural vegetation; Trees and shrubs in the riparian buffer area should be carefully pruned, where necessary to enhance views, rather than removed;

- (d) Site preparation should be carried out in a manner that minimizes the need for vegetation clearing. In order to control erosion and to protect the environment, the development permit may specify the amount and location of tree and vegetative cover to be planted or retained;
- (e) Figures for total imperviousness on sites within this development permit area will be calculated by the proponent and submitted at the time of development permit application. The Board may specify maximum site imperviousness or effective imperviousness in a development permit;
- (f) Public access along the marine waterfront is important to Mill Bay/Malahat residents and should not be prevented or impeded;
- (g) Retaining walls along the marine shoreline will be designed by an Engineer or professional Geoscientist and be limited to areas above the high water mark, and to areas of slope failure, rather than along the entire shoreline frontage. Backfilling behind the wall, to extend the existing edge of the slope, is not permitted unless it can be clearly demonstrated that the fill is necessary to prevent further erosion or sloughing of the bank that would potentially endanger existing buildings;
- (h) Retaining walls near the marine shoreline will be faced with natural materials such as wood and stone, particularly in darker colours that blend in with the natural shoreline and are less obtrusive when seen from the water. Large, fortress like, uniform walls will not be permitted unless composed of pervious materials and stepped or softened to provide for water absorption;
- (i) Deep rooted vegetation should be planted along any retaining wall on the terraces or along the top, to help filter runoff before it enters the beach;
- (j) Retaining walls or sea walls will not be composed of unsightly construction debris like broken concrete, blocks or bricks;
- (k) Where a fence is constructed on, or in conjunction with, a uniform retaining wall or the highest uniform section of a retaining wall, the retaining wall or portion thereof should be considered to be an integral part of the fence for the purpose of determining height;
- (l) The Ministry of Environment's *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia (2004)* should be respected.

Variations

Where a proposed development plan is consistent with the guidelines of a development permit area, the CVRD may give favorable consideration to variations of the regulations of its zoning, sign, parking and other bylaws, where such variations are believed to have no significant impact on adjacent parcels, and would enhance the function or aesthetics of the site in question. Such variations would be incorporated into the development permit.

Exemptions

The following will be exempted from the requirement of obtaining a development permit in the **Ocean Shoreline Development Permit Area**:

- (a) Retaining walls that are set back more than 2 metres from the high water mark, or are under 0.7 metres in height;
- (b) Development located more than 30 metres from the high water mark of the ocean;
- (c) Interior renovations and minor exterior renovations of buildings within 30 metres of the high water mark (an example being re-roofing).
- (d) Construction, repair and maintenance of works, stream repair and fish and habitat restoration or enhancement by agents or contractors or with the approval of Fisheries and Oceans Canada, the Ministry of Environment, or the CVRD;
- (e) A trail, provided that:
 1. No motorized vehicles are permitted;
 2. The trail is a maximum of 1.5 metres in width; and
 3. No trees greater than 5 metres in height and 10 centimeters in diameter at breast height are removed;
- (f) The planting of trees, shrubs or other native species groundcover for the purpose of enhancing habitat values and /or soil stability, provided that the planting is carried out in accordance with the guidelines provided in the *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia (2004)* or subsequent publications of the federal Department of Fisheries and Oceans and/or the provincial Ministry of Environment;
- (g) The non-toxic removal of invasive plants or noxious weeds, including but not limited to English Ivy, Scotch broom, Gorse, Himalayan Blackberry, morning glory and purple loosestrife, provided that erosion protection measures are taken, where necessary, to avoid sediment or debris being discharged into the watercourse and the plants are replaced with native vegetation;
- (h) Parks and public works undertaken by a government agency;
- (i) Emergency works to prevent, control or reduce flooding, erosion, or other immediate threats to life and property, provided that emergency actions are reported to the Regional District and applicable provincial ministry to secure exemptions. Such emergency procedures include:
 1. Clearing of an obstruction from a bridge, culvert or drainage flow;
 2. Repairs to bridges and safety fences;
 3. The removal of hazardous trees that present an immediate danger to the safety of persons or are likely to damage public or private

property; and

4. Emergency flood or erosion protection works.

- (j) Within the ALR, activities designated as farm use in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* and those which fall under the definition of Farm Operation under the *Farm Practices Protection (Right to Farm) Act*.

Violation

- (a) Every person who:
1. violates any provision of this Development Permit Area;
 2. causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
 3. neglects to do or refrains from doing any act or thing required under this Development Permit Area;
 4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
 5. fails to comply with an order, direction or notice given under this Development Permit Area; or
 6. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;
commits an offence under this Bylaw.
- (b) Each day's continuance of an offence under Section 2.4.1 constitutes a new and distinct offence.

Penalty

A person who commits an offence against this Bylaw is liable, upon conviction in a prosecution under the *Offence Act*, to the maximum penalties prescribed under the *Community Charter* for each offence committed by that person.

Severability

If any section, sentence, clause, phrase, word or schedule of this Development Permit Area is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Development Permit Area.

Application Requirements

- (a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the **Ocean Shoreline Development Permit Area**, the applicant must submit a development permit application, which, at a minimum, includes:
1. A written description of the proposed project;
 2. Reports or information addressing each of the Development Permit Guidelines;

-
3. Information in the form of one or more maps, as follows:
- location/extent of proposed work;
 - location of ocean high tide mark;
 - location of other watercourses;
 - topographical contours;
 - location of slopes exceeding 25 percent grade;
 - location of lands subject to periodic flooding;
 - percentage of existing and proposed impervious surfaces;
 - existing tree cover and proposed areas to be cleared;
 - areas of known sensitive or rare native plant communities;
 - existing and proposed buildings;
 - existing and proposed property parcel lines;
 - location of roads, vehicular access points, driveways, and parking areas;
 - location of trails;
 - location of stormwater management works, including retention areas and drainage pipes or ditches;
 - proposed erosion mitigation and bank alterations;
 - location of septic tanks, treatment systems and fields;
 - location of water lines and well sites.
- (b) In addition to the requirements listed above, where a retaining wall or seawall is proposed and in some other cases, the applicant may be required to furnish, at the applicant's expense, a report certified by a professional engineer or geoscientist with experience in geotechnical engineering which includes an assessment of the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition, and an assessment on the safety of the proposed use and structures on-site and off-site, indicating that the land may be used safely for the use intended;
- (c) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense, an environmental impact assessment, certified by a registered professional biologist, assessing any potential environmental impacts of the project, and the means by which any such impacts may be mitigated.



SR5

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

DATE: July 23, 2010 **FILE NO:** 04-A-06RS
FROM: Mike Tippett, Manager,
Community & Regional Planning Division
and
Rob Conway, Manager,
Development Services Division **BYLAW NO:**
SUBJECT: Update on Bamberton Bylaw Preparation Process

Recommendation:

This report is provided for information purposes only.

Purpose:

To provide the Committee with an update on the progress made to date in the preparation of draft bylaws for the Bamberton application.

Financial Implications:

None apparent.

Interdepartmental/Agency Implications:

Once draft bylaws are completed, we can commence detailed consultations with the affected agencies.

Background:

At the Electoral Area Services Committee meeting of November 3, 2009 the following resolution was passed:

"It was Moved and Seconded

That Application No. 4-A-06RS (Bamberton) proceed as follows:

- a. That detailed consultations with the Malahat First Nation, Ministry of Transportation and Infrastructure, and other agencies as appropriate, commence on the topic of the Bamberton application and that other local first nations on the original referral list plus Cowichan Tribes also be contacted regarding this application;*
- b. That a draft Official Community Plan amendment, Zoning amendment and Phased Development Agreement (PDA) be prepared in accordance with advice from the APC, staff and CVRD legal counsel over the coming months, and discussions with the applicants regarding proposed amenities be concluded in order to develop the PDA to draft stage;*

- c. *That the draft documents and an accompanying detailed staff report including referral agency comments be brought before a future Electoral Area Services Committee with a recommendation as to whether it is appropriate to proceed with the amendments to the public meeting/public hearing stage.*

MOTION CARRIED”

Since that resolution was made, nearly 9 months have passed, so staff believes that a progress report to the Committee is appropriate.

Zoning Bylaw

The approach taken with the Bamberton report to Committee in November 2009 was different than with some other recent applications, notably Woodland Shores and Youbou Lands, where in both cases the specific structure of the proposed zoning was well understood prior to the Committee stage, in part because these were simpler applications. In the case of Bamberton, the only specific approach discussed in the staff report was that the site would be rezoned; however we recognized that most of the detailed site planning work needed to support a pre-zoning approach was not in place last November. Since that time, staff and Bamberton have met many times in order to advance the preliminary work needed to develop zoning. This effort is ongoing and Bamberton is ultimately supplying the information we will need for the zoning bylaw.

Aside from this work, staff will be exploring the opportunity to incorporate zoning for amenity provisions using Section 904 of the *Local Government Act*. We expect that this approach will be followed, and this will provide additional assurance that amenities related to the project will be provided, even beyond the maximum 20 year scope of the Phased Development Agreement. This is because failure to deliver amenities will result in a considerable decrease in permitted density, thereby providing an incentive to deliver amenities as proposed. The draft zoning bylaw for this site will be separate from Zoning Bylaw No. 2000, 1999.

OCP Amendment and Development Permit Areas

Similarly, the development permit area guidelines that will be required to ensure not only that the proposed development would be built as stated, but remain manageable in the long-term have to be developed. The CVRD is dependent upon the applicants to prepare draft guidelines in order to give expression to the architectural and site planning themes proposed in the various neighbourhoods. These guidelines are presently in preparation by a consultant working for Bamberton and we would expect to have clearer idea of how much further work may be required shortly before the August 3rd Committee meeting, which is when these drafts will reportedly be supplied to the CVRD.

Phased Development Agreement

With the proposed Phased Development Agreement, Bamberton have begun to prepare a series of charts that indicate the various amenities that would be provided in the development for each neighbourhood. These charts are being developed to a point where they could become the basis for the draft PDA. As a test case, we are using the Upper Northlands residential area, and once the format is developed adequately we would expect that the other neighbourhoods would follow this format. Considerable work with various CVRD Divisions will be required to prepare PDA content.

Subdivision Servicing Bylaw

One unique aspect of the Bamberton proposal that may prove challenging is the sustainable development features the applicants intend to incorporate into the development. When the APC reviewed the application, the low impact approach was supported and it was recommended that this part of the proposal needed to be secured in the development approvals if the project is to proceed.

To some extent, zoning for density bonuses, the development permit area guidelines and the phased development agreement can secure low impact development features. However, as these documents are not highly specific and normally do not include construction and subdivision standards, staff believe an additional regulatory tool may be appropriate for securing low impact development features.

The Electoral Area Service Committee previously reviewed a draft subdivision servicing bylaw that incorporates alternative, low impact development standards into the subdivision and land development process. It has yet to be determined if the Board supports this bylaw in its current form and if other agencies such as the Ministry of Transportation and Infrastructure will support it. One option for dealing with many of the sustainable development features proposed with Bamberton is a subdivision servicing bylaw that applies only to Bamberton. The advantage of this approach is that many of the sustainable development features proposed in Bamberton could be incorporated into the bylaw and potential conflict between development standards in the existing subdivision servicing bylaw and what is proposed in the Bamberton application would be avoided.

Once the other draft documents are completed, staff will have a better understanding as to how commitments for sustainable development features can be secured and if a subdivision servicing bylaw for Bamberton application is recommended.

Summary:

Staff is actively working on the Official Community Plan and Zoning Amendment Bylaws and the Phased Development Agreement for the Bamberton proposal. In order to complete these documents so that they may be brought back to the EASC for review, detailed information about the site and proposed development is required. Staff is working with representatives of Three Point Properties to obtain the necessary information but the scale and complexity of the project make this a significant and challenging task. We believe good progress is being made, but draft bylaws likely won't be available until early or mid fall. Once the draft documents are available, they will return to the Committee for review along with a comprehensive staff report.

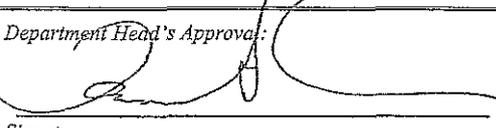
Submitted by,



Mike Tippett, MCIP
Manager
Community and Regional Planning Division



Rob Conway, MCIP
Manager
Development Services Division

Department Head's Approval: 
Signature



SR6

**ELECTORAL AREA SERVICES COMMITTEE MEETING
OF AUGUST 3, 2010**

DATE: July 21, 2010 **FILE NO:**
FROM: Alison Garnett, Planner **BYLAW NO:** Area D, G, H
and I OCPs
SUBJECT: Bill 27 Requirement to Introduce Greenhouse Gas Emission Reduction Targets
into all CVRD Official Community Plans

Recommendation:

1. That the Bill 27 Bylaws for Electoral Areas D, G, H and I proceed to the Board for 1st and 2nd Reading;
2. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Area D with Directors Iannidinardo, Duncan and Giles appointed as delegates;
3. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Area I with Directors Morrison, Kuhn and Marcotte appointed as delegates;
4. That a Public Hearing be scheduled for the Amending Bylaws in Electoral Areas G and H, with Directors Marcotte, Dorey and Morrison appointed as delegates;
5. That the Bill 27 Bylaws for Electoral Areas D, G, H and I be referred to the City of Duncan, Town of Lake Cowichan, District of North Cowichan, Town of Ladysmith, Nanaimo Regional District, Cowichan Tribes, Chemainus First Nation, Ministry of Community and Rural Development, School Districts No. 68 and 79 for comment.

Purpose: Bylaw Amendments for Official Community Plans in Electoral Areas D, G, H and I, in compliance with Bill 27, respecting reduced greenhouse gas emissions. Similar OCP amendments in Electoral Areas E and F are still in progress. Electoral Area A, B and C OCPs will address Bill 27 requirements in the new OCP.

Financial Implications: Individual Hearing costs, which could be offset by combining Hearings in some areas.

Interdepartmental / Agency Implications: Local Governments are required by Bill 27 to introduce into existing and new OCPs a policy framework for green house gas emissions reduction targets. The Provincial deadline for amending OCPs was May 31, 2010.

Background:

The Provincial Government has mandated that Local Governments reduce greenhouse gas (GHG) emissions. All Official Community/Settlement Plans must be amended to include emission targets, as well as policies and actions to attain those targets. The implementation date set by the Province was May 31st, 2010.

At the EASC meeting June 1, 2010, the Committee was presented with draft OCP Amendment Bylaws for Electoral Areas D, E, F, G, H and I. Committee direction from that meeting was to refer the amendments to the respective Advisory Planning Commissions for review. Since June, staff have attended APC meetings in Areas D, G, F and I, and have incorporated comments from these meetings into these revised bylaw amendments. Electoral Area H APC reviewed the amendments without staff and has provided specific feedback.

With respect to the other Electoral Areas, it is intended that areas A, B and C will meet Bill 27 requirements through the OCP review project that is currently underway. Electoral Area F APC has requested a second review of the Bylaw Amendments, and Electoral Area E Amendments are still in progress.

The focus of the Amendments is on strengthening good land use planning principles. Estimates on greenhouse gas emissions show that transportation is the largest contributor of emissions in the region. Land use decisions made by Local Governments that preserve resource land and concentrate residential growth within well defined residential areas are directly linked to efficient use of the land base and reduced transportation based emissions.

The draft Bylaw Amendments include an entirely new section for each OCP/OSP, titled *Climate, Land, Resources and Energy Efficiency (Bill 27)*. The introduction of this new section is similar in each OCP/OSP, but the policies vary to reflect differences in the Plan areas. GHG reduction targets are included in this section, which mimic those set by the Province: to reduce total greenhouse gas (GHG) emissions by 33% from current levels by 2020, and by 80% from current levels by 2050. Staff are also proposing modifications to existing sections in Electoral Area G, H and I OCP's.

Advisory Planning Commission:

The Saltair APC made the following motion at their July 7th, 2010 meeting:

"That the Advisory Planning Commission recommend approval of the addition of greenhouse gas provisions to the Official Community Plan as amended by the Commission."

The North Oyster/Diamond APC reviewed the proposed bylaw amendments first at an APC workshop held April 15, 2010 and provided staff with specific recommendations.

The Cowichan Bay APC reviewed the Bill 27 amendments at their May 19, 2010 meeting, and were supportive of a strategy to include modest amendments to the existing OSP and leave the bulk of the work to the new OCP process.

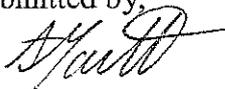
The Youbou/Meade Creek APC met May 11, 2010 and based on that meeting the Bylaw Amendments were significantly rewritten to incorporate the APC's comments.

Options

1.

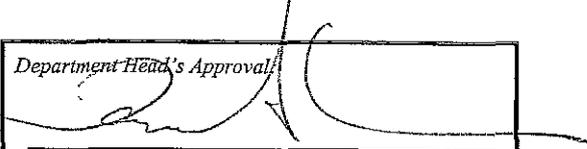
1. That the Bill 27 Bylaws for Electoral Areas D, G, H and I proceed to the Board for 1st and 2nd Reading,
2. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Area D with Directors Iannidinardo, Duncan and Giles appointed as delegates,
3. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Area I with Directors Morrison, Kuhn and Marcotte appointed as delegates,
4. That a Public Hearing be scheduled for the Amending Bylaws in Electoral Areas G and H, with Directors Marcotte, Dorey and Morrison appointed as delegates.

Submitted by,



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

AG/jah
Attachments

Department Head's Approval

Signature



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO 35XX

A Bylaw For The Purpose Of Amending Official Settlement Plan Bylaw No. 925, Applicable To Electoral Area – D Cowichan Bay

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

AND WHEREAS the Regional District has adopted an official settlement plan bylaw for Electoral Area D – Cowichan Bay, that being Official Settlement Plan Bylaw No. 925;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 925;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 35XX - Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Bill 27), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Settlement Plan Bylaw No. 925, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

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

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

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

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

Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT* this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Secretary



SCHEDULE "A"

To CVRD Bylaw No. 35XX

Schedule A to Official Settlement Plan Bylaw No. 925, is hereby amended as follows:

- 1) The following is inserted in Part 4, Section 14 Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents. The remaining section is renumbered accordingly.

14. Land, Resources, and Energy Efficiency (Bill 27)

Background

Bill 27, the *Local Government Statutes Amendments Act* (2008), requires that all local governments establish targets for reducing greenhouse gas emissions. In addition, all Official Community/Settlement Plans (OCP/OSP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced fossil fuel consumption and efficient use of energy, land and resources. Increased efficiency has a positive impact on improved health and quality of life for the region's residents, and overall environmental sustainability.

Vehicle related transportation is by far the largest contributor to overall emissions in this region. It represented an estimated 82.9% of the GHG emissions produced in 2007¹, as a result of driving to work, schools, and other daily activities. The distribution of land uses, which means the location of homes, workplaces, schools and recreational opportunities, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into the decisions on land use is another.

The CVRD realizes the urgent need to respond to climate change, and has set targets for emission reductions. To move towards the established targets, the first proposed action is to undertake a climate change action plan throughout the CVRD as a whole, a process involving comprehensive community engagement and aggressive policies. A climate change action plan that is fully integrated into the OCP/OSP could take the region a step beyond emission reductions, to prepare mitigation measures for the anticipated consequences associated with climate change.

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

OBJECTIVES

- a. To reduce total greenhouse gas (GHG) emissions in the Plan area by 33% from current levels by 2020, and by 80% from current levels by 2050; and
- b. To reduce overall energy consumption in the region, encourage an efficient use of the land base and other resources, and promote a healthy and high quality of life for residents.

POLICIES**Policy 14.1:**

To meet the GHG reduction targets of 33% by 2020, and 80% by 2050, the CVRD Board will endeavour to adopt a climate change action plan, which would provide a more comprehensive set of targets, indicators, policies and actions specific to the Plan area.

Policy 14.2:

The CVRD Board will ensure that the greenhouse gas emissions targets noted in this Plan are a fundamental consideration in future land use change decisions.

Policy 14.3:

The CVRD recognizes the importance of the agricultural land base to the economic viability, ecology and rural character of the region, as well as to food security. Local agricultural opportunities, community gardens, farmers markets and food processing facilities will be encouraged in appropriate locations in the Plan area.

Policy 14.4:

The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions, as public transit is a critical component in reducing the area's GHG contribution. Furthermore, the CVRD will continue to pursue opportunities to make the Cowichan Valley Regional Transit System a viable transportation option in the region.

Policy 14.5:

Connectivity is highly encouraged within the Plan area, to encourage non-motorized transportation between neighbourhoods, community services and facilities, urban centres and other community nodes. Opportunities to build and improve dedicated cycling lanes will be pursued, in collaboration with Ministry of Transportation and Infrastructure and adjacent jurisdictions.

Policy 14.6:

Continued community engagement and education surrounding climate change and GHG reduction is strongly encouraged, with the goal of developing policies and actions for attaining the GHG targets, and measuring the Plan area's progress.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 35XX

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 2500, Applicable To Electoral Area G- Saltair/Gulf Islands

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area G- Saltair/Gulf Islands, that being Official Community Plan Bylaw No. 2500;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 2500;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 35XX - - Area G - Official Community Plan Amendment Bylaw (Bill 27), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 2500, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

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

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

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

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

Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT* this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 35XX

Schedule A to Official Community Plan Bylaw No. 2500, is hereby amended as follows:

- 1) The following is inserted as Section 22- Climate, Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents. The remaining section is renumbered accordingly.

Section 22- Climate, Land, Resources, and Energy Efficiency (Bill 27)

Background

Bill 27, the *Local Government Statutes Amendments Act* (2008), requires that all local governments establish targets for reducing greenhouse gas emissions. In addition, all Official Community Plans (OCP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced fossil fuel consumption and efficient use of energy, land and resources. Increased efficiency has a positive impact on improved health and quality of life for the region's residents, and overall environmental sustainability.

Vehicle related transportation is by far the largest contributor to overall emissions in this region. It represented an estimated 82.9% of the GHG emissions produced in 2007¹, as a result of driving to work, schools, and other daily activities. The distribution of land uses, which means the location of homes, workplaces, schools and recreational opportunities, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into the decisions on land use is another.

The CVRD realizes the urgent need to respond to climate change, and has set targets to reduce emissions. To move towards the established targets, the first proposed action is to undertake a climate change action plan throughout the CVRD as a whole, a process involving comprehensive community engagement and aggressive policies. A climate change action plan that is fully integrated into the OCP could take the region a step beyond emission reductions, to prepare mitigation measures for the anticipated consequences associated with climate change.

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

This OCP acknowledges that the provincial government regulates many high emission producing sectors that are outside of the scope of an OCP. Through the review process involved in Bill 27, the CVRD has identified many long term projects that would contribute greatly to an overall reduction in emissions and energy use. Many of these projects are dependent on complementary action from the provincial government if we are to reach the targets. As such, the CVRD Board strongly recommends senior governments consider and support the following initiatives in three key areas:

- a) Transportation is the largest contributor to climate change related emissions in the region, therefore the CVRD urges the provincial government to invest in commuter rail service between the CVRD, Greater Victoria and other urban centres on Vancouver Island. Furthermore, the CVRD requests improved traffic flows along roads in the CVRD, with emphasis on the Island Highway, to reduce the acceleration, deceleration and idling of vehicles at intersections.
- b) The Cowichan Valley faces large scale deforestation, which if left unforested, has the deleterious effects of large scale carbon production *and* the removal of natural carbon sequestration. As a mitigation measure, the CVRD is exploring the idea of a regional carbon trust, where forested land could be purchased and actively managed for maximum carbon sequestration. To implement a regional carbon trust, local governments require the authority to generate funds for land purchase, either by fees, amenity contributions and means other than property taxes. The CVRD's ability to achieve the emissions reduction targets is largely dependent on innovation and support from senior levels of government.
- c) Encourage the province of BC to explore opportunities for alternative energy technology in this electoral area, as the potential benefits are numerous: the reduction of energy use by the implementation of alternative energy technology in buildings, the economic opportunity presented by a growing industry, and the desire for energy self-sufficiency on Vancouver Island. Senior governments should provide incentives to encourage private and public investment into alternative energy technology.

OBJECTIVES

- a. To reduce, on a regional basis, total green house gas (GHG) emissions in the plan area by 33% from current levels by 2020, and by 80% from current levels by 2050;
- b. To reduce overall energy consumption in the region, encourage an efficient use of the land base and other resources, and promote a healthy and high quality of life for residents.

POLICIES

Policy 22.1: This OCP will strive to contribute to the CVRD GHG reduction targets of 33% by 2020, and 80% by 2050, by ensuring that the CVRD will consider adopting a climate change action plan, to provide a more comprehensive set of targets, indicators, policies and actions specific to this Plan area.

Policy 22.2: In the context of reducing GHG emissions, policies related to land use and density are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to identifying a village containment area, to encourage the following goals:
 - i. To preserve the agricultural and forestry land base of the plan area, and allow no net loss of these resource lands;
 - ii. To delineate an area where mixed residential, commercial and institutional land uses will be focused, to create a complete, healthy and liveable community;
- b. Until such time as a village containment boundary is established, future residential growth needs will generally be accommodated by focusing most population growth in presently designated residential areas. Concentrated residential settlement patterns allow us to retain the rural character of the region;
- c. To protect the rural character of Saltair, more intensive/higher density development should be encouraged to be located in the established urban communities (i.e., Chemainus and Ladysmith);
- d. The CVRD Board may initiate projects to identify potential infill sites within existing areas of higher commercial and residential densities;
- e. The provincial government has jurisdiction over logging practices and should ensure that forestry occurs in a sustainable manner that offsets GHG emissions. The CVRD will ensure that forest lands are maintained as such, to ensure sustainable forestry practices can occur to offset local emissions.

Policy 22.3 In the context of reducing GHG emissions, policies related to transportation are as follows:

- a. The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions. Future transit infrastructure will be designated within appropriate residential areas, and in other highway corridor locations where appropriate;
- b. The planning and development of cycling and walking trails is encouraged, to promote healthy living and alternative transportation methods throughout the community;
- c. The establishments and improvement of commuter, car-share and car-coop programs is strongly supported;
- d. This OCP recognizes the value and benefit of rail services in the reduction of GHGs, and supports the Island Corridor Foundation initiative to re-establish and implement rail commuter service on Southern Vancouver Island;
- e. This OCP very strongly encourages the Ministry of Transportation and Infrastructure to accommodate pedestrian and cycling requirements into road design, as road improvements and upgrades take place.

Policy 22.4 In the context of reducing GHG emissions, policies related to building design, siting and landscaping are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to the following:
 - i. Establishing development permit areas that will include design guidelines for energy efficient buildings, siting and landscaping;

- ii. Reducing lot coverage and establishing floor area limits of residential and commercial buildings within certain zones to reduce the impact of development;
- b. A sustainability checklist will be established, for development applications in developable areas;
- c. The CVRD may provide educational resources to homeowners, to promote do-it-yourself projects that decrease residential and commercial building energy consumption and reduce the impact of residential and commercial development on the natural environment;

Policy 22.5 In the context of GHG emissions, policies related to food and agriculture are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to the following:
 - i. To encourage local agricultural production and consumption, lands may be designated for community gardens, farmers markets and food processing facilities to support agriculture in the region;
 - ii. Appropriate areas are designated for urban agriculture to promote food production on a family level;
 - iii. Incentives are provided to include additional farmland in the Agricultural Land Reserve (ALR) for long term preservation;
- b. The CVRD recognizes the importance of the agricultural land base to the economic viability and ecology of the region, as well as to food security. Development applications that threaten the region's agricultural land will be considered in light of the CVRD's objectives noted within this Plan.

2) The following policy 3.13 is added to the Natural Environment Policies:

Policy 3.13 The community of Saltair encourages the process of Greenmapping where significant features, both natural and historical, are identified and preserved. This helps to reduce greenhouse gas emissions and preserves the integrity of the community.

3) The following policy 5.12 is added to the Agricultural Resource Designation Policies:

Policy 5.12 The CVRD Board strongly supports the retention of large tracts of agricultural land as it functions to limit residential sprawl and preserves valuable resource land. Preservation of agricultural land ensures our capacity to provide locally produced food at the present and into the future.

4) The following policies 6.9 and 6.10 are added to the Forestry/Natural Resource Designation Policies:

Policy 6.9 The Regional Board supports the retention of Forestry/Natural Resource lands for the long term, and recognizes that forestry land provides limits to residential growth which in turn supports compact settlement patterns.

Policy 6.10 The Regional Board supports sustainable forestry practices, and recognizes the capacity of healthy forests to naturally sequester carbon dioxide.

5) The following policy 7.11 is added to the Suburban Residential Designation Policies:

Policy 7.11 The CVRD Board wishes to retain the rural areas and the working resource land base of this plan, therefore the Board discourages the conversion of forestry or agricultural resource land to any residential uses.

6) The following policy 8.10 is added to the General Residential Designation Policies:

Policy 8.10 If the plan area faces an increased demand for residential development in the future, the CVRD Board will prioritize infill projects within existing residential areas rather than extending residential development into the rural areas.

7) The following policy 14.23 is added to the Parks and Trails Policies:

Policy 14.23 Opportunities to add additional lands to Saltair's open space system should be actively pursued. This will add to the community's quality of life, help reduce greenhouse gas emissions by reducing vehicle trips to take advantage of open space opportunities, and increase natural carbon sequestration potential by preserving wetlands and forested ecosystems.

8) The following policy 16.5 is added to the Railway Transportation Designation Policies:

Policy 16.5 The Regional Board recognizes the potential of the existing railway as a transportation corridor that can encourage alternative transportation methods, minimizing our reliance on road vehicles as the primary means of traveling throughout the community.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 35XX

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 1497,
Applicable To Electoral Area H – North Oyster/Diamond

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area H- North Oyster/Diamond, that being Official Community Plan Bylaw No. 1497;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1497;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 35XX - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (Bill 27), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1497, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

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

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

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

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

Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT* this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 35XX

Schedule A to Official Community Plan Bylaw No. 1497, is hereby amended as follows:

- 1) The following is inserted as Part Fourteen Climate, Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents. The remaining sections are renumbered accordingly.

Part Fourteen- Policies: Climate, Land, Resources, and Energy Efficiency (Bill 27)

Bill 27, the *Local Government Statutes Amendments Act* (2008), requires that all local governments establish targets for reducing greenhouse gas emissions. In addition, all Official Community Plans (OCP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced fossil fuel consumption and efficient use of energy, land and resources. Increased efficiency has a positive impact on improved health and quality of life for the region's residents, and overall environmental sustainability.

In a rural area such as the CVRD, local governments are well situated to respond to climate change. Vehicle related transportation is by far the largest contributor to overall emissions in this region. It represented an estimated 82.9% of the GHG emissions produced in 2007¹, as a result of driving to work, schools, and other daily activities. The distribution of land uses, which means the location of homes, workplaces, schools and recreational opportunities, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into the decisions on land use is another.

The CVRD realizes the urgent need to respond to climate change, and has set targets for emission reductions. To move towards the established targets, the first proposed action is to undertake a climate change action plan, a process involving comprehensive community engagement. This OCP also acknowledges that the provincial government regulates many high emission producing sectors. These matters are outside of the scope of an OCP. Through the

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

review process involved in Bill 27, the CVRD has identified many long term projects that would contribute greatly to an overall reduction in emissions and energy use. Many of these projects are dependent on complementary action from the provincial government if we are to reach the targets. As such, the CVRD Board strongly recommends senior governments consider and support the following initiatives in three key areas:

- a) Transportation is the largest contributor to climate change related emissions in the region, therefore the CVRD urges the provincial government to invest in commuter rail service between the CVRD, Greater Victoria and other urban centres on Vancouver Island. Furthermore, the CVRD requests improved traffic flows along roads in the CVRD, with emphasis on the Island Highway, to reduce the acceleration, deceleration and idling of vehicles.
- b) The Cowichan Valley faces large scale deforestation, which if left unforested, has the deleterious effects of large scale carbon production *and* the removal of natural carbon sequestration. As a mitigation measure, the CVRD is exploring the idea of a regional carbon trust, where forested land could be purchased and actively managed for maximum carbon sequestration. Furthermore, the CVRD is interested in providing tax incentives to encourage tree farm production and tax penalties to discourage removal of land from tree farm licensing. The CVRD's ability to achieve the emissions reduction targets is completely dependent on innovation and financial support from senior levels of government.
- c) The opportunities for alternative energy technology are well known in this region, and the potential benefits are numerous: the reduction of energy use by the implementation of alternative energy technology in buildings, the economic opportunity presented by a growing industry, and the desire for energy self-sufficiency on Vancouver Island. Senior governments must provide incentives to encourage private and public investment into alternative energy technology.

TARGETS

- a. To reduce total green house gas (GHG) emissions in the plan area by 33% by 2020, and by 80% by 2050 from 2007 levels;
- b. To reduce overall energy consumption in the region, encourage an efficient use of the land base, and promote a healthy and high quality of life for residents.

POLICIES

Policy 14.1:

To meet the CVRD GHG reduction targets of 33% by 2020, and 80% by 2050, the CVRD Board will consider adopting a climate change action plan, which would provide a more comprehensive set of targets, indicators, policies and actions.

Policy 14.2:

In the context of reducing GHG emissions, policies related to land use and density are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to identifying village containment areas, to encourage the following goals:

- i. To preserve the agricultural and forestry land base of the Plan area, and allow no net loss of these resource lands;
 - ii. To encourage a solid economic base within reasonable walking distance to properly zoned existing residential areas;
 - iii. To delineate areas where mixed residential, commercial and institutional land uses may be focused, to create complete, healthy and liveable communities;
- b. If appropriate and acceptable to the local community, the CVRD Board may initiate projects to identify potential infill sites within existing areas of higher commercial and residential densities.

Policy 14.3:

In the context of reducing GHG emissions, policies related to transportation are as follows:

- a. The CVRD Board may consider existing and future transit infrastructure in all land use planning decisions;
- b. The planning and development of cycling and walking trails is encouraged, to promote healthy living and alternative transportation methods throughout the community;
- c. This OCP very strongly encourages the Ministry of Transportation and Infrastructure to accommodate pedestrian and cycling requirements into road design, as road improvements and upgrades take place.

Policy 14.4:

In the context of GHG emissions, policies related to food and agriculture are as follows:

- a. In a future OCP review, the CVRD Board and local community may give consideration to the following:
 - i. To encourage local agricultural production and consumption, lands may be designated for community gardens and farmers markets;
 - ii. Incentives may be provided to include additional farmland in the Agricultural Land Reserve (ALR) for long term preservation;
- b. The CVRD recognizes the importance of the agricultural land base to the economic viability and ecology of the area, as well as to food security. Development applications that threaten the area's agricultural land will be considered in light of the CVRD's objectives noted within this Plan.

2) The following Policies 6.1.13 and 6.1.14 are added to the Forestry Policies:

Policy 6.1.13:

The Regional Board supports the retention of Forestry designated lands for productive forestry uses.

Policy 6.1.14:

Forestry lands are valued for their capacity to naturally sequester carbon dioxide, and for this reason the CVRD Board strongly encourages sustainable forestry practices on all designated forestry lands.

3) The following policy 8.1.8 is added to the General Residential Policies:

Policy 8.1.8:

The CVRD wishes to retain the rural areas and working resource land base of this Plan, therefore the Board discourages the conversion of forestry or agricultural resource land to any other use.

4) The following policy 12.1.12 is added to the Transportation Policies:

Policy 12.1.12:

The creation of a network of walking and cycling paths may be identified in a future OCP review.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 35XX

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 2650, Applicable To Electoral Area I – Youbou/Meade Creek

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

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

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 2650;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 35XX - Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Bill 27), 2010**".

2. **AMENDMENTS**

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

3. **CAPITAL EXPENDITURE PROGRAM**

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

... /2

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

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

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

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

Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT
UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT*
this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 35xx

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

- 1) The following is inserted as Section 17 Climate, Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents. The remaining section is renumbered accordingly.

17. Climate, Land, Resources and Energy Efficiency (Bill 27)

The vexing problem of the gradual warming of the global climate is complex. There are technical, political, economic and social reasons for this problem. The following sections explore these matters in greater depth and propose some actions to minimise the impact that changes in global climate may have on this area.

17.1 Background: Bill 27

Bill 27, the Local Government Statutes Amendments Act (2008), requires that all local governments establish targets for reducing greenhouse gas emissions by May 31, 2010. In addition, all Official Community Plans (OCP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity for the CVRD to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced consumption and efficient use of energy, land and resources.

17.2 Background: Greenhouse Gases

A number of compounds are "greenhouse gases", including water vapour, carbon dioxide, nitrous oxides, chlorofluorocarbons (CFCs: R-12 refrigerant), hydrofluorocarbons (HFCs: R-134A refrigerant), among others. All of these compounds have the effect of blocking the escape solar heat from our earth's atmosphere. Throughout the history of human civilization, there has been – until recently – a relatively constant level of total greenhouse gases in the atmosphere. This historical level has been about 280 parts per million (PPM). In the past century, the concentration of CO₂ (the principal greenhouse gas) has risen by over 100 PPM. Some of the other greenhouse gases (notably CFCs and HFCs) are synthetic chemicals that did not exist before refrigeration was invented. How did the CO₂ levels increase so much? And what is the significance of this rise? The following paragraphs explain this.

Historical climate research has indicated that during the ice ages, CO₂ concentrations were lower than 280 PPM. Other, far warmer, eras in the earth's history indicate evidence that CO₂ concentrations were substantially higher than 280 PPM. Atmospheric research today not only indicates that CO₂ levels are rising, but also that the global average temperature is also rising. There is believed to be a cause-and-effect relationship between greenhouse gas concentrations in the atmosphere and global average temperature.

There is a natural carbon cycle that consists of atmospheric carbon dioxide (CO₂) being converted by plants – land-based or ocean-based – into carbohydrates, which are then eaten by animals or decompose, giving off CO₂ to the atmosphere, and so on. In other words, the carbon in this cycle is either part of a plant or animal, or part of the atmosphere. This is a simplification, because some CO₂ also dissolves in ocean and lake water. But there are other potential sources of CO₂ and the one that modern society relies most on is carbon-based minerals (coal) and liquids (oil). In both these cases, these pools of carbon are naturally tied up in geological strata and do not normally participate in the natural carbon cycle that is happening on and above the surface of the earth. But when oil or coal is extracted by humans and burned, the resulting gases from that combustion are water vapour and CO₂. This represents the introduction of additional carbon into the natural cycle. Estimates of the total amount of mineral-source carbon that has been added to the atmosphere since about 1850 equates with the increase in atmospheric CO₂ concentrations, acknowledging that about 60% of the additional CO₂ has been absorbed by plants or mineral processes.

Since a warming climate is likely to create a number of problems, including a rising sea level, changed weather patterns, redistribution of animal and plant life and diseases around the world and more extreme weather events, it is in the public interest to attempt to limit our use of mineral carbon sources. This means reducing dependency upon automobiles powered by mineral-source carbon, conserving energy wherever possible, developing a global trade pattern that is less dependent upon oil and to some degree changing how we live in our communities, be they rural or urban.

17.3 The Greenhouse Gas (GHG) Challenge

In addressing the intent of Bill 27, it is incumbent upon the local government to be realistic in assessing its prospects for achieving the Provincial targets of greenhouse gas reduction through Official Community Plan policies and the implementation of these alone. These prospects are slim. The reality is that even the most aggressive policies that could be put into a community plan to combat the growth of GHG emissions in absolute terms, such as a population growth cap, requiring all newly built infrastructure to be carbon neutral in absolute terms (*i.e.* no “offsets”) would not be effective in achieving the Provincial targets. But significant improvements in efficiency are definitely possible, especially if senior governments team up with local governments in this challenge.

17.4 Measuring Carbon Dioxide

There is a rate at which the natural global systems can assimilate and sequester carbon in non CO₂ forms, so it may not be necessary to totally eliminate the use of mineral carbon sources in the long term. But the science behind this is not well-developed, and balancing the use of mineral carbon sources with the marginal assimilative capacity of the earth will be a global challenge, particularly in light of the desire to decrease atmospheric CO₂ levels to under 300 PPM from the present level of 380 PPM. Given the ever-growing world population and on top of that, the accelerating rate at which the developing countries are becoming more like our own in terms of consumption of materials and energy dependent lifestyles, the challenge becomes even more intense, involving geopolitical tensions, global wealth distribution and a host of related social and political issues. Clearly addressing these will be one of the main challenges of the 21st century and beyond.

The Province has been targeting extremely ambitious reductions of GHG, yet the parameters for carbon accounting and measuring progress have not been well developed. To expect local governments to step into the void and present legitimate measures to resolve this problem is a tall order, since this matter is more properly dealt with on an international level. Until that happens, local government approaches to this will be a patchwork of varying methods.

17.5 Reducing CO₂

The only solution to the problem of reducing present atmospheric CO₂ concentrations is to reduce and strive to virtually eliminate the use of minerals and energy sources that add to atmospheric CO₂.

Some companies and local governments, as part of a strategy of reducing GHG emissions, participate in “carbon credit” programs in which they pay the holders of a “carbon sink” (such as a forest or sewage heat recovery plant) a sum of money to retain that area as a carbon sink. Some think this allows them to claim carbon reductions or even carbon neutrality, when their actual practises in land use management may be carrying on exactly as before. Even if they are undertaking other measures in land use that would counteract GHG production, the incremental amount they attribute to carbon credits or offsets is misleading at best.

All standing forests and other forms of carbon sequestration in living things is already required to maintain a dynamic equilibrium of carbon, even if there were no additional mineral-based carbon additions occurring. Therefore, at worst, the use of carbon credits/offsets can be used as a rationalization to excuse the persistence of mineral carbon dependency – extensive air travel, energy-intensive activities and lifestyles – because it is double-counting the beneficial effect of biomass that ties up (sequesters) carbon in a non-gaseous form. If this practice were to continue for long, eventually these sinks would be triple, quadruple counted and even more, while atmospheric CO₂ would continue to rise.

17.6 Social and Geopolitical Considerations of Carbon Trading

The kind of carbon credit system described above can become a new form of colonialism, where rich countries’ carbon trusts buy up cheap lands in other countries, which alienates the local inhabitants from their land base. This has already happened on a small scale in northeastern British Columbia, where European carbon trusts are buying up and re-foresting rangelands in the Agricultural Land Reserve, thereby removing these lands from range use. As carbon trading becomes common, this problem will worsen, especially in poor countries. Transferring money does not make the carbon problem go away or even help in any direct way to reduce it.

Some economists may promote carbon credits/offsets as a means of transitioning to less carbon-intensive lifestyles, but there are far more effective tools available to do this than creating an artificial market. For these reasons, the CVRD will consider creating and participating in carbon offsets and trusts only within our own region and adjacent regions, not internationally. The root problem needs to be addressed. Addressing it will require drastic action by senior governments and all citizens. Some suggestions for senior governments, and for local government are suggested in the objectives in Section 17.9.

17.7 GHGs in Youbou/Meade Creek

According to the Provincial Community Emissions and Energy Inventory¹, in Youbou/Meade Creek, vehicle related transportation is by far the largest contributor to overall emissions. Regionally, it represents an estimated 82.9% of the GHG emissions, as a result of driving to work, school and other daily activities.

If the boundaries of this electoral area are examined, the predominance of forestry land use designation is obvious. Conversely, the present population of the electoral area is small. With the Youbou Lands site now identified as a significant infill area, it is anticipated that eventually the present population of about 1200 will rise above 3000 year-round residents. Compared to municipalities like the City of Vancouver and others that are strictly urban, the net carbon footprint of this electoral area – looked at in isolation – is very small, even with an allowance for the projected growth in the population. Large cities that are all urban cannot ever be truly carbon neutral without resorting to the dubious practise of “offsetting”, even though they can be a lot more efficient at housing and moving people within their boundaries than a rural area can. Urban areas rely upon rural areas for food production and recreation, among other things, so a typical urban area on its own is not sustainable. Urban areas depend upon rural areas and the converse is true as well, to some degree.

Two final notes about the importance of the Province in reducing the impact of government actions: The Province in Area I set back the GHG emissions problem in Youbou by permitting in 2002 the closure of the Youbou Sawmill, made possible by delinking the Tree Farm License in the area from the necessity of operating a mill in the community. This took away the electoral area’s principal employer and left residents who remained with a choice of moving out or commuting long distances to new jobs (typically 40+ km as opposed to under 5 km to the mill). This serves to highlight the fact that Provincial resource management decisions can be much more influential over GHG emissions than the local government ever could be.

Also, the extent to which the fleet of vehicles present in Youbou/Meade Creek is fuel efficient depends upon appropriate fossil fuel pricing and taxation of vehicles at the time of sale and annually for license fees. None of these measures are available to the Cowichan Valley Regional District, nor do we wish them to be. If appropriate taxation measures (both incentive-based and disincentive-based) were implemented, it is conceivable that the efficiency of this vehicle fleet could be greatly improved in the short- to medium-term, and vehicle use could also greatly decline. We note that a tax credit scheme for fuel efficient automobiles was recently terminated by the Province (with the advent of the HST) and biodiesel lost its tax-free status. Again, decisions like this undermine efforts to reduce the use of mineral-based carbon fuels.

17.8 The CVRD Role in GHG Reduction

The distribution of land uses, which means the location of homes, workplaces and schools, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into our decisions on land use is another. On the

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

other hand, even within an electoral area that has an employment base and population that are in sync, personal freedoms we all enjoy may mean that a large number of local residents will commute out of the area by their own choice. However, providing the opportunity for a balanced population and number of employment opportunities is an important step in moving towards a more sustainable community.

The CVRD understands the importance of responding to this Provincial climate change initiative, and has set emission reduction targets intended to be aspirational in nature. To move towards the established targets, the first proposed action is to undertake a climate change action plan throughout the CVRD as a whole, a process that would allow for comprehensive community engagement, and more aggressive policies to reduce energy consumption may result. A climate change action plan could take the region a step beyond emissions reductions, to prepare mitigation measures for the anticipated consequences to developed areas that will be associated with climate change.

17.9 OBJECTIVES

This OCP acknowledges that the Provincial government directly or indirectly regulates many of the high emission-producing sectors. These matters are outside of the scope of an OCP. Through the review process involved in the Bill 27, the CVRD has identified many long term projects that would contribute greatly to an overall reduction in emissions and energy use. Many of these projects are dependent on complementary action from the Provincial government if we are to reach the reduction targets. As such, the CVRD Board supports the following objectives for both itself and senior governments:

1. To encourage the Province of British Columbia to assist the CVRD in developing a regional carbon trust, where forested land could be purchased and managed for maximum marginal (*i.e.* additional, or above normal) carbon sequestration. To implement a regional carbon trust, local governments require the authority to generate funds for land purchase, either by fees, amenity contributions and means other than property taxes. The CVRD's ability to achieve the emissions reductions targets is largely dependent on support from the Province.
2. To encourage the Province of British Columbia to explore opportunities for alternative energy technology in this electoral area. The potential benefits are numerous: the reduction of energy use by the implementation of alternative energy technology in buildings, the economic opportunity presented by a growing industry, and the desire for energy self-sufficiency on Vancouver Island. Senior governments should provide incentives to encourage private and public investment into alternative energy technology.
3. To do our part as a local government in supporting the Province of British Columbia in achieving its stated goal of reducing greenhouse gas contributions from this Province by 33% from 2007 levels at 2020 and achieving a reduction of 80% from 2007 levels by 2050.

4. To encourage the Province of British Columbia to manage forest lands in a fashion consistent with maximizing their ability to sequester carbon, both in the living biomass and in the wood products derived from harvesting.
5. To encourage senior governments to enact measures to tax mineral carbon fuels appropriately, to mandate very substantial improvements in corporate fleet fuel economy of new automobiles and trucks and to encourage the turnover of the present automobile and truck fleet in favour of more fuel-efficient and electric vehicles.

17.10 POLICIES

Policy 17.10.1 The CVRD encourages community residents to take individual responsibility for making their own personal contribution towards reducing the use of mineral carbon fuels.

Policy 17.10.2 The CVRD encourages improvements in the efficiency with which all energy sources are used, with the goal of lowering per capita energy consumption in the region.

Policy 17.10.3 To encourage efficient management and use of the land base, and to promote a healthy and high quality of life for CVRD residents.

Policy 17.10.4 The CVRD Board supports the integrity of the urban containment boundary (UCB), which has the following intent:

- i. To preserve the resource land base of the plan area, and allow no net loss of these resource lands, which will maximise the efficiency of land use;
- ii. To encourage appropriate community amenities and services within the UCB, with commercial areas within a walking distance of most residential areas;
- iii. To delineate areas where mixed residential, commercial and institutional land uses will be focused, to create complete, healthy and liveable communities.

Policy 17.10.5 The CVRD Board may identify potential infill sites within existing areas of higher commercial and residential densities.

Policy 17.10.6 Sufficient lands have been designated commercial, light industrial and institutional in the plan area, to ensure that local employment opportunities, shopping areas, and social and recreational areas are provided, and residents can shop, work and enjoy recreation in their own community.

Policy 17.10.7 The CVRD will ensure that forested lands remain designated for resource management purposes, and will encourage the Province and landowners to carefully manage these areas in a fashion that is consistent with maximum carbon sequestration.

Policy 17.10.8 In order to reduce GHG emissions, the Board supports the following transportation policies:

- a. The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions. Future transit infrastructure will be designated within appropriate

- residential areas, and in other highway corridor locations where appropriate, and the support of BC Transit in this will be required;
- b. The planning and development of cycling and walking paths is encouraged, to promote healthy living and alternative transportation methods throughout the community;
 - c. The establishment and improvement of commuter, car-share and car-coop programs is strongly supported;
 - d. This OCP recognizes the value and benefit of rail services in the reduction of GHGs, and supports the Island Corridor Foundation initiative to re-establish and implement rail commuter service on Southern Vancouver Island, even though it does not pass through or come near this Plan area;
 - e. This OCP very strongly encourages the Ministry of Transportation and Infrastructure to accommodate pedestrian and cycling requirements into road design and maintenance programs, as road improvements and upgrades take place and in new development;
 - f. The CVRD will pursue opportunities to make the Cowichan Valley Regional Transit system a viable transportation option for most people living in this electoral area.

Policy 17.10.9 In order to reduce GHG emissions, policies related to building design, siting and landscaping are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to the following:
 - i. Establishing development permit areas that will include design guidelines for energy efficient buildings, siting and landscaping;
 - ii. Reducing lot coverage and establishing floor area limits of residential and commercial buildings within certain zones to reduce the impact of development;
- b. A sustainability checklist has been established, for consideration of development applications in developable areas;
- c. The CVRD may provide educational resources to homeowners, to promote do-it-yourself projects that decrease residential and commercial building energy consumption and reduce the impact of residential and commercial development on the natural environment.

Policy 17.10.10 With the aim of reducing GHG emissions, policies related to food and agriculture are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to the following:
 - i. To encourage local agricultural production and consumption, lands may be designated for community gardens, farmers markets and food processing facilities to support agriculture in the region;
 - ii. Appropriate areas are designated for urban agriculture to promote food production on a family level.

2) The following policies 4.15 and 4.16 are added to the Section 4 Residential Policies:

Policy 4.15: The Regional Board is committed to reducing community wide energy consumption, and recognizes that compact settlement patterns are more efficient and affordable than sprawl. Therefore amendments to the Urban Containment Boundary (UCB) will be very strongly discouraged.

Policy 4.16: If the plan area faces residential development pressure in the future, the CVRD will strongly encourage investment in a community sewer system in the UCB, to accommodate increased density within the existing Urban Residential designation.

3) The following policies 9.11 and 9.12 are added to the Section 9 Greenways Policies:

Policy 9.11: In light of the CVRD Board's goal of creating energy efficient communities, the Greenways Vision Plan is identified as a priority for supporting alternative transportation options within the community.

Policy 9.12: The Greenways program should give special consideration to linking schools, community places, residential, commercial, and recreational areas, to support the CVRD's efforts to reduce reliance on single occupancy vehicles.

4) The following policy 10.11 is added to the Section 10 Transportation Policies:

Policy 10.11: This Plan encourages investment in transit programs, to better connect this plan area with Duncan and Lake Cowichan and help reduce transportation based carbon emissions and energy use.

5) The following policy 11.10 is added to the Section 11 Servicing Policies- Liquid Waste:

Policy 11.10: The CVRD acknowledges that increasing residential densities in urban areas creates more energy efficient, financially affordable, and healthy and livable communities. Community sewer systems will be necessary within the UCB to accommodate future residential and commercial growth pressure. To help realize our shared goals, the CVRD encourages investment from the provincial government to assist the CVRD in constructing and operating community sewer systems.



SR7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF AUGUST 3, 2010

DATE: July 28, 2010 **FILE No:** 5-G-10BE
FROM: Nino Morano, Bylaw Enforcement Officer **BYLAW No:**
SUBJECT: 10519 Knight Road – Saltair Pub

Recommendation:

That the CVRD not object to the temporary change to the existing liquor licence request of the Saltair Pub located at 10519 Knight Road for live outdoor music entertainment and seating on the following dates and occupancy limit:

- Aug. 13, 2010, Aug. 14, 2010, Sept. 11, 2010, June 4, 2011, June 25, 2011 & July 16, 2011. Hours: 5pm to 11pm
- Sundays: June 12, 2011 & July 24, 2011. Hours: 2pm to 8pm
- Occupancy maximum of 175 persons

Purpose:

To have the EASC consider significant temporary changes to the existing liquor licence for the Saltair Pub.

Financial Implications:

N/A

Interdepartmental/Agency Implications:

N/A

Background:

A request has been made by the owner of Saltair Pub located at 10519 Knight Road to make a temporary change to the existing liquor licence. As you may know, events (total of 5) have been occurring over the past year at this location under a previous temporary change to the liquor licence. The events consist of outdoor live music with seating. During this time this office has received only one complaint with the complainant not living on Knight Road. The existing temporary change includes the following parameters:

- Aug. 8, 2009, Sept. 12, 2009, May 15, 2010, June 19, 2010 & July 17, 2010
- Hours: 5:30pm to 11pm for all above dates
- Temporary extension of the pub to the front lawn
- Occupancy maximum of 150 persons

The current one (1) year request is as follows:

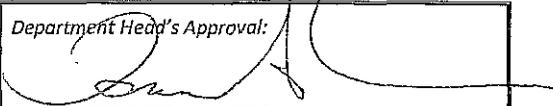
- Aug. 13, 2010, Aug. 14, 2010, Sept. 11, 2010, June 4, 2011, June 25, 2011 & July 16, 2011. Hours: 5pm to 11pm
- Sundays: June 12, 2011 & July 24, 2011. Hours: 2pm to 8pm
- Occupancy maximum of 175 persons

This latest request has increased somewhat in additional days (one more regular event and two on Sundays), extended hours (by half an hour per event) and occupancy load. Considering the low level of disturbance on the neighborhood over the past year, these changes may still be acceptable to the neighborhood. There has been positive feedback with the view that these events are good for the community.

Submitted by



Nino Morano,
Bylaw Enforcement Officer
Planning and Development Department

Department Head's Approval: 
Signature

NM/jah

RECEIVED

JUL 16 2010

Minutes of the Electoral Area G (Saltair)
Advisory Planning Commission
July 7, 2010

API

In attendance: Ted Brown, Ruth Blake, David Thomas, Director Mel Dorey

The Meeting was called to order at 7:00 p.m. by Chairman Ted Brown.

1. Proposed OCP and Zoning Bylaw Amendments to permit a second dwelling at 11170 Branksome Road (OCP and Rezoning Application No. 1-G-09RS (Paisley))

The applicants, Cory and Caroline Paisley, were present for this item.

The applicants provided the Commission with background information with respect to the application, including the following points:

- Approval of the construction of a new house on the parcel included a requirement that the existing dwelling be decommissioned. This was agreed to by the applicants.
- Upon completion of the new house, the applicants tried to sell the existing dwelling which, given that it was a manufactured home, would be easy to move. This, to date, has not been successful even though the applicants undertook renovations to the building.
- An effort by the applicants to purchase a lot from the Town of Ladysmith to enable the relocation of the house was also unsuccessful as the house was judged to be too old by the Town.
- The rental of the original dwelling led to a complaint from a neighbour which resulted in the CVRD taking enforcement action and the subsequent decommissioning of the dwelling. This led to the filing of the current rezoning request. Efforts to sell the house were suspended once the rezoning was applied for.
- The applicants do not want to tear the building down and there is no other practical use for it. Furthermore, the applicants feel that conversion of the house to an accessory use, such as a workshop, would be more detrimental to the neighbourhood than using it as a dwelling.

- The cost of moving the house without a purchaser is prohibitive as the applications would have to pay approximately \$8,000 to \$20,000 for this and receive nothing in return.
- The applicants acknowledge that request is a spot zoning but are of the view that the result would not be detrimental to the overall quality of the area.

Following questioning of the applicants by APC, members of the Commission discussed the rezoning request and raised the following points:

- Within the Saltair Zoning Bylaw the R-2 District (the current zoning) has a minimum parcel size of 0.4 hectares for lots connected to a community water system. The R-3 District's minimum parcel size is 0.4 hectares for parcels connected to a community water system and 0.2 hectares for parcels connected to both a community water system and a community sewer system (which does not exist at present). Given that the existing parcel size is 0.64 hectares, even a rezoning from R-2 to R-3 would not permit the retention of the original dwelling on the parcel.
- Lowering of the parcel size for the R-3 District or the creation of a new district with a smaller parcel size is not considered desirable concerning the implications such an action would have for the entire community and the precedent such an action would represent.
- Particular concerns relating to this include changing the rural character of Saltair, which was a major concern voiced at the time the OCP was prepared, as well as the ability to provide water services to the community should increased densities be allowed.
- It was felt that land use decisions of this scope should be considered in the context of a review of the OCP for the entire community rather than through individual rezoning requests.
- The introduction of an R-3 or similar zoning into the R-2, or rural portion of Saltair was also a concern.
- The Commission also discussed OCP policies regarding secondary suites in Saltair but was again of the view that consideration of any changes to these policies should only take place as part of an overall review of the OCP given the large number of additional dwellings that could result from any change in policy.

Following questioning of the applicants and discussion, the following motion was made:

That the Advisory Planning Commission recommend:

1. *that the application to amend the Official Community Plan and Zoning Bylaw not be approved; and*
2. *that at the time the OCP for Saltair is next reviewed the question of detached secondary suites be examined.*

Carried Unanimously

2. Official Community Plan Amendments respecting greenhouse gas emissions

The Commission considered amendments to the OCP proposed by CVRD staff. The need to amend the OCP in this regard stems from changes to the Local Government Act which require local governments to address this matter in their official community plans. The APC identified a number of changes to the staff amendments to reflect the Saltair/Area G situation.

The following motion was made in this regard:

That the Advisory Planning Commission recommend approval of the addition of greenhouse gas provisions to the Official Community Plan as amended by the Commission.

Carried Unanimously

Ted Brown
Chairman
Saltair Advisory Planning Commission

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

RECEIVED
JUL 27 2010
PKI

DATE: June 8, 2010

TIME: 7:00pm

MINUTES of the Electoral Area I Parks Commission Meeting held on the above noted date and time at Youbou Lanes, Youbou, BC. Called to order by chair at 7:10pm.

PRESENT:

- Chairperson: Marcia Stewart
- Vice-chairperson:
- Members: Dan Nickel, Gerald Thom

ALSO PRESENT:

- Director: Klaus Kuhn
- Alternate Director:
- Secretary: Tara Daly

REGRETS: Dave Charney, Shenyn Gregory, Wayne Palliser

ACCEPTANCE OF AGENDA

*It was Moved and Seconded to accept the agenda with additions:
 Old Business ~ Bench/table from Ben Wingo
 New Business ~ invasive plants in parks*

MOTION CARRIED

ACCEPTANCE OF MINUTES

*It was Moved and Seconded that the minutes of May 11, 2010 be accepted with corrections:
 page 2 ~ transmission 'tour' should be transmission 'tower'*

MOTION CARRIED

BUSINESS ARISING

- postponing park development in Youbou Lands development ~ Director Kuhn has spoken with Brian Farquhar who seems to be okay with the process

CORRESPONDENCE

- none

DIRECTOR'S REPORT

- Town Clean-up ~ at a recent APC meeting it was suggested an article in the local paper encouraging residents to clean-up their properties in conjunction with the upcoming development at Youbou Lands
- By-laws west of Youbou haven't been enforced resulting in the raping of the shoreline and riparian areas; residents and interested parties are encouraged to write letters of concern in care of Tom Anderson, manager, Planning and Development Department at CVRD
- items of interest/concerns that could be put in the paper article are: watch for elk; be aware of bears in the area; unmuffled boats are illegal on the lake; garbage should be put out the morning of collection, not the night before

COWICHAN LAKE RECREATION

- June 12th is Lake Days Dance with 'Whole Lotta Led' headlining and 'Joint Chiefs' opening
- June 11th is a Youth Dance

- the roof on the arena will be finished for these events
- the Summer Playbook will be out on June 2nd
- work is progressing on the kitchen in the upper hall at Youbou, cupboards are being taken out along the windows on the west side being replaced with stainless and commercial sink area
- August 14th is Youbou Regatta; Director Kuhn will call L. Backlund to check on electrical upgrades at Arbutus Park

CHAIRPERSON'S REPORT

- called Roger Wiles about the selection of the park name, have not reached George deLure yet
- M. Stewart and S. Gregory walked the Bald Mountain trail and were impressed with their condition, the grass still isn't very good in the park area
- M. Stewart or Director Kuhn will contact Jack Casey of the Scout Camp to obtain a letter of intent from them indicating they will maintain the trail system

COWICHAN VALLEY REGIONAL DISTRICT – Ryan Dias

- **trees in Swordfern Park** marked by 'danger tree assessor' will be removed; Commission suggested that Redwood, a local firm, could be used in future
- **slab for bench** including labour would be \$300; it was noted there is an existing slab; G. Thom will get metal bench brackets from R. Dias and will make the bench
- **Little League Park** ~ proposal by Ross Rivers is completed at no cost; due diligence is necessary to avoid liability concerns, signage will be installed
- **Font Board** platform ~ G. Thom will think about the design allowing easier access to change the information, CVRD carpenter can build to suit
- **Names for Parks** ~ M. Stewart told R. Dias that the Commission felt it was important that all items be complete before the hold back funds are returned to the developer
- **Daily washroom cleaning** ~ starts on June 21st with staff not being available before that time; it's important that ball teams inform the Commission or CVRD staff of any sanitary issues; possibility of hiring a local person to clean washrooms at the parks and remove that items from the contract
- **September meeting** ~ R. Dias and Maintenance Contractor will attend the meeting to discuss improvements in the contract before renewal
- **Transmission Tower** tree removal was done by a grant through Ministry of Forests implemented by Dan Derby, manager of Public Safety for CVRD

COWICHAN VALLEY REGIONAL DISTRICT – Tanya Soroka

- **Signs** ~ will be cedar with colour; trail sign will be installed on the north side of the road in the parking lot with a map of trail system; the history board is \$600 therefore the Commission decided not to do it at this time
- **trail brochure/signage on trails** ~ a summer student will be doing a map of the trail
- M. Stewart will investigate the cost of pamphlets showing the history of the two family names (Stoker and Denninger) chosen for the parks

OLD BUSINESS

- **Gate opening** ~ G. Thom to contact R. Lendrum for payment for opening and closing the gate at Mile 77 Park

NEW BUSINESS

- **Picnic** on July 24th for park opening should be on Font Board by July 14
- **July 1st** celebrations should go on Font Board

- **garbage pick-up** at Hard Hat Shack is not being done/ will be
- **Nantree Park** bridge across ditch is missing
- **Yellow Flag Iris** is in the lawn at Nantree Park; seed can get into the lake, float down river, plug up spawning grounds; if left alone then seed heads must be cut, removal is preferable – G. Thom volunteered to remove
- **potted fir and cedar trees** at W. Palliser's home; no one has time right now to plant, will do in the future
- **Arbutus Park** Canada Day celebrations at 11am in Arbutus Park

ADJOURNMENT

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

MOTION CARRIED

NEXT MEETING

July 13, 2010
7pm at Youbou Lanes

/s/ Tara Daly
Secretary

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

RECEIVED
C.V.R.D.
JUL 27 2010
PK2

DATE: July 13, 2010

TIME: 7:00pm

MINUTES of the Electoral Area I Parks Commission Meeting held on the above noted date and time at Youbou Lanes, Youbou, BC. Called to order by chair at 7:07pm.

PRESENT:

Chairperson: Marcia Stewart

Vice-chairperson:

Members: Dave Charney (7:14), Dan Nickel, Gerald Thom

ALSO PRESENT:

Director: Klaus Kuhn (7:14)

Alternate Director:

Secretary: Tara Daly

REGRETS: Sheny Gregory, Wayne Palliser

GUESTS: Maggie Bray

ACCEPTANCE OF AGENDA

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

Old Business ~ Nantree Park bridge

New Business ~ Little League Park bench

MOTION CARRIED

ACCEPTANCE OF MINUTES

It was Moved and Seconded that the minutes of June 8, 2010 be accepted.

MOTION CARRIED

BUSINESS ARISING

- power at Arbutus Park – Linda Blatchford will have the Cotton Candy stand on the far side of the park and will also look into if any improvements have been done
- danger trees have been removed in Swordfern Park; they were dead or dying from root rot

CORRESPONDENCE

- none

DIRECTOR'S REPORT

- the recent houseboat/speed boat accident on Shushwap Lake encouraged Director Kuhn to contact representatives from East Kootenays, Okanagan, and Fraser Valley to collectively formulate a two-prong approach 1) speak to provincial government about problems with lake traffic and 2) publicity; the recommendation has gone through EASC with the chair going to write a letter
- Youbou Lands are completing the rest of the clean-up; it will probably be sometime in 2011 before development starts
- Mann property (5-acre lots) – question as to what happened with the exchange of land which would allow access to Area I (Youbou/Meade Creek) parkland – Director Kuhn will investigate

COWICHAN LAKE RECREATION

- the kitchen in the upper Youbou Hall is complete
- the bottom half of the main Youbou Hall is being painted
- Utility Water Works has disbanded and has donated \$1 700 to the Youbou Hall; L. Blatchford has suggested moving the stove in the kitchen to the bar area in the lower hall and putting the monies towards an electric commercial stove for the kitchen
- swimming lessons and day camps starting slow but are now doing well
- Regatta on August 14th with Gerald and wife, Caroline, Shen, Marcia, and Maggie (frying onions) volunteering time and Dave and Dan volunteering their time and trucks

CHAIRPERSON'S REPORT

- Canada Day sponsored by Me 'n' You-Nites was successful even though only the flag raising and singing of 'O Canada' happened at Arbutus Park (because the weather was so miserable) with the barbeque, entertainment, and games and the Youbou Church
- Mile 77 Park – Ryan Dias will look into the platform for the font board
- Mile 77 Park and Hard Hat Shack trees have been weed-whacked again; Ryan Dias has spoken with Easy Living
- Hard Hat Shack – there's a dead tree with a memorial plaque that M. Stewart will look into further

COWICHAN VALLEY REGIONAL DISTRICT – Ryan Dias

- **danger trees at Miracle Close** ~ will be a cost of \$2 000 - \$ 2 500; the policy is to remove any danger trees
- **Redwood Tree Company** ~ G. Thom will send contact information for this local company to Ryan Dias
- **Price Park bridge** ~ has been removed, was very rotten; concrete will be poured on Thursday or Friday of this week and will set for 3-4 days then the railings will be installed, the Student Crew has been assisting, completion the end of the following week
- **Creekside Trail** ~ the Commission noted that the Easy Living is responsible for the maintenance of the trail but that they (Commission) had budgeted for the Student Crew to do it; for future reference when determining what Student Crew should do
- **Woodland Shores** ~ the park has been over-seeded and top-dressed again; Easy Living (at its expense) will fertilize and maintain to make sure the grass is doing well; when park is signed of Area I (Youbou/Meade Creek) Parks will be responsible for weekly cutting (if needed), watering, and electricity; possible walkabout on Wednesday or Thursday
- **Park Opening/Dedication** ~ Tanya Soroka reports the Denninger Trail sign is complete and the Stoker Park sign is being made; pamphlets will not be ready
- **New Staff/Position** ~ Tanya Soroka is now a Parks & Trails Planner (master planner of parks and trails) and Graham Giddon is the new Parks Planning Technician

OLD BUSINESS

- **Bear Proofing** ~ reminder will be put on font board; there should be a fine for anyone who puts their garbage out the night before collection day
- **Creekside Trail** ~ discussion around maintenance of trail with the Commission adamant about maintaining it with future plans to have walking trails from Youbou to Lake Cowichan
- **Maintenance Contract** ~ 1) remove washroom cleaning at Arbutus Park, Little League Park, Mile 77 Park, and Stoker Park adding that responsibility to gate opening/closing and garbage removal and contract out to a local person; timeline would be from May 24th weekend to after Labour Day; G. Thom has a person in mind and will contact, 2) email M. Stewart with any

other concerns with the contract, 3) Commission didn't feel it was necessary to have staff and the contractor attend the September 14th meeting

- **Picnic** ~ will be postponed until September 26th at 1pm; cake and coffee to be provided

NEW BUSINESS

- **Mile 77 Park** ~ sprinkler heads need adjusting
- **Price Park** ~ trails could use some brushing out
- **Nantree Park bridge** ~ should be replaced or a 5 foot culvert installed to allow access over the ditch
- **Arbutus Park** ~ yard light is out again, the sand at the end of the ramp is really low and should be considered a potential hazard
- **Financial Statement** ~ pretty well on track
- **Little League Park** ~ R. Lendrum and M. Stewart were at park; liability signs will be installed this week, blackberries are taking over the access road to the north of the park and need to be removed, doggie bag dispensers or at least a sign needs to be installed along the east fence; lawn looks great – thanks to Easy Living; Slow Pitch Ball Tournament on July 17th
- **Mile 77 Park** ~ consider cutting back on grass watering at park next season
- **Font Board** ~ bear proof garbage, un-muffled boats prohibited, respect lake, environment & each other, watch for elk – all suggestions
- **Little League Park Bench** ~ posts are cemented in the back with the seat being put in place this coming week; thanks to G. Thom for his work

ADJOURNMENT

It was Moved and Seconded that the meeting be adjourned at 9:30pm.

MOTION CARRIED

NEXT MEETING

September 14, 2010
7pm at Youbou Lanes

/s/ Tara Daly
Secretary

DON'T FORGET THE YOUBOU REGATTA ON AUGUST 14TH



INI



Office of the Premier

DATE: July 13, 2010

TO: Chair Giles and Board Members, Cowichan Valley Regional District

FROM: Carling Dick, UBCM Meeting Request Coordinator

RE: **2010 UBCM Convention**

Please find attached a letter from Premier Gordon Campbell regarding this year's 2010 UBCM Convention. The letter also contains instructions for booking meetings with Cabinet Ministers.

Should you have any questions, please don't hesitate to contact me directly at 604-775-1600.

Original: <i>file</i>	Copies to:
Board: <i>[initials]</i>	<i>RS</i>
Comptroller: <i>[initials]</i>	<i>WJ</i>
Directed by: <i>[initials]</i>	<i>EADi</i>
Date: <i>July 14/10</i>	
File #	



July 13, 2010

Chair Giles and Board Members
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC, V9L 1N8

Dear Chair Giles and Board Members:

What a great theme for the 2010 UBCM Convention: *Forging Gold Medal Standards.*

Our province is moving ahead with our goals and objectives as a strong and thriving place to live. Employment is up, construction starts are up, and the world is noticing us more and more -- thanks to the incredible performance of the 2010 Olympic and Paralympic Winter Games. Many economists expect BC to lead Canada in economic growth this year. If we follow the lessons of the Olympics, we will be leading Canada for years to come.

In spite of that, there are areas in British Columbia that continue to feel the impact of the global economic downturn. Difficult times are ripe with opportunities as well as problems. Your convention will help us all grasp those opportunities for the years ahead. By working together with communities and building partnerships, we will both set and exceed *gold medal standards.*

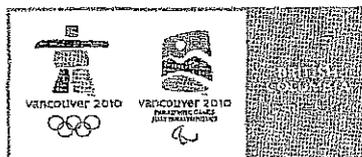
The government caucus and cabinet look forward to seeing you at your Convention. We value your input on the issues that impact your community and want to discuss those issues with you. If you would like to request a meeting with me or a Cabinet Minister on a specific issue this year, please fill out the on-line form at www.corporate.gov.bc.ca/UBCM/. The invitation code is **MeetingRequest2010**. If you have any questions, please contact my UBCM Meeting Request Coordinator, Carling Dick, at 604-775-1600.

I look forward to seeing you at the 2010 UBCM Convention.

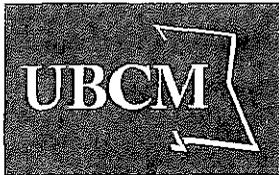
Sincerely,

Gordon Campbell
Premier

ps: Please join us at the annual Provincial Government Reception in the evening of Wednesday, September 29th at the Westin Resort & Spa.



IN2



MEMBER RELEASE

July 26, 2010

TO: Regional District Chairs & Electoral Area Directors
FROM: Chair Al Richmond, UBCM Electoral Area Representative
RE: **Discussion Topics for Electoral Area Director's Forum**

With the 2010 UBCM Convention quickly approaching, we would like to get your feedback on issues for discussion at the Electoral Area Director's Forum, which will be held on Tuesday, September 28 from 9am to 12noon.

We are currently considering 2 topics for the Forum: Rural Transit and Dams.

Please let us know if you are in support of these topics or if you would like to discuss other issues. You can fill in the attached form and fax it back to the UBCM office at (604) 270-9116, or email your ideas to Marylyn Chiang, Policy Analyst, at mchiang@ubcm.ca by **August 14, 2010**.

Also, please note that some issues of interest to RD Chairs and EA Directors will be addressed at other Convention sessions, instead of during the Electoral Area Director's Forum. These include:

- Rural Resource Roads- Tuesday morning clinic (7:30 am – 8:30 am)
- RCMP Contract- Tuesday afternoon workshop (3:15 pm – 4:45 pm)
- Water Act – Monday pre-conference session on Sustainability Planning & Practices
- Regional Hospital Districts- Monday evening session

Electoral Area Directors Forum UBCM Convention

Tuesday, September 28, 2010
Whistler, British Columbia

Soliciting Issues for DISCUSSION

We would like to talk about:

ISSUE #1 (EXPLAIN):

REASON FOR DISCUSSING ISSUE

- GET IDEAS
- GET HELP
- SHARE OUR EXPERIENCE

ISSUE #2 (EXPLAIN):

REASON FOR DISCUSSING ISSUE

- GET IDEAS
- GET HELP
- SHARE OUR EXPERIENCE

ISSUE #3 (EXPLAIN):

REASON FOR DISCUSSING ISSUE

- GET IDEAS
- GET HELP
- SHARE OUR EXPERIENCE

Thank you very much for your input.

NAME: _____

REGIONAL DISTRICT: _____

PHONE: _____ FAX: _____

E-MAIL: _____

Please fax back to UBCM office at (604) 270-9116 or e-mail mchiang@ubcm.ca by August 14, 2010

www.ubcm.ca



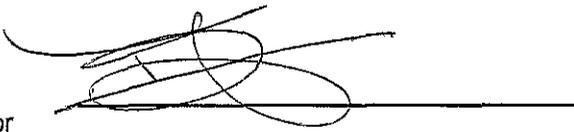
MEMORANDUM

DATE: July 14, 2010
TO: Tom R. Anderson, General Manager, Planning and Development Department
FROM: Brian Duncan, Chief Building Inspector
SUBJECT: BUILDING REPORT FOR THE MONTH OF JUNE, 2010

There were 66 Building Permits and 0 Demolition Permit(s) issued during the month of June, 2010 with a total value of \$ 7,974,940

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"				1,228,520	39,140	100,000	9	51	1,367,660	5,606,255
"B"				1,738,150	115,440		19	86	1,853,590	8,791,295
"C"				279,560	675,330		7	56	954,890	7,606,459
"D"				640,590	26,760	150,000	5	25	817,350	4,430,740
"E"	17,500			569,450	474,200		7	31	1,061,150	3,777,140
"F"					65,120		3	12	65,120	778,186
"G"				906,650	211,010		9	22	1,117,660	2,426,340
"H"				308,600	58,560		4	10	367,160	786,342
"I"				360,360	10,000		3	14	370,360	1,445,783
Total	\$ 17,500	\$ -	\$ -	\$ 6,031,880	\$ 1,675,560	\$ 250,000	66	307	\$ 7,974,940	\$ 35,648,540

B. Duncan, RBO
 Chief Building Inspector
 BD/db



INS

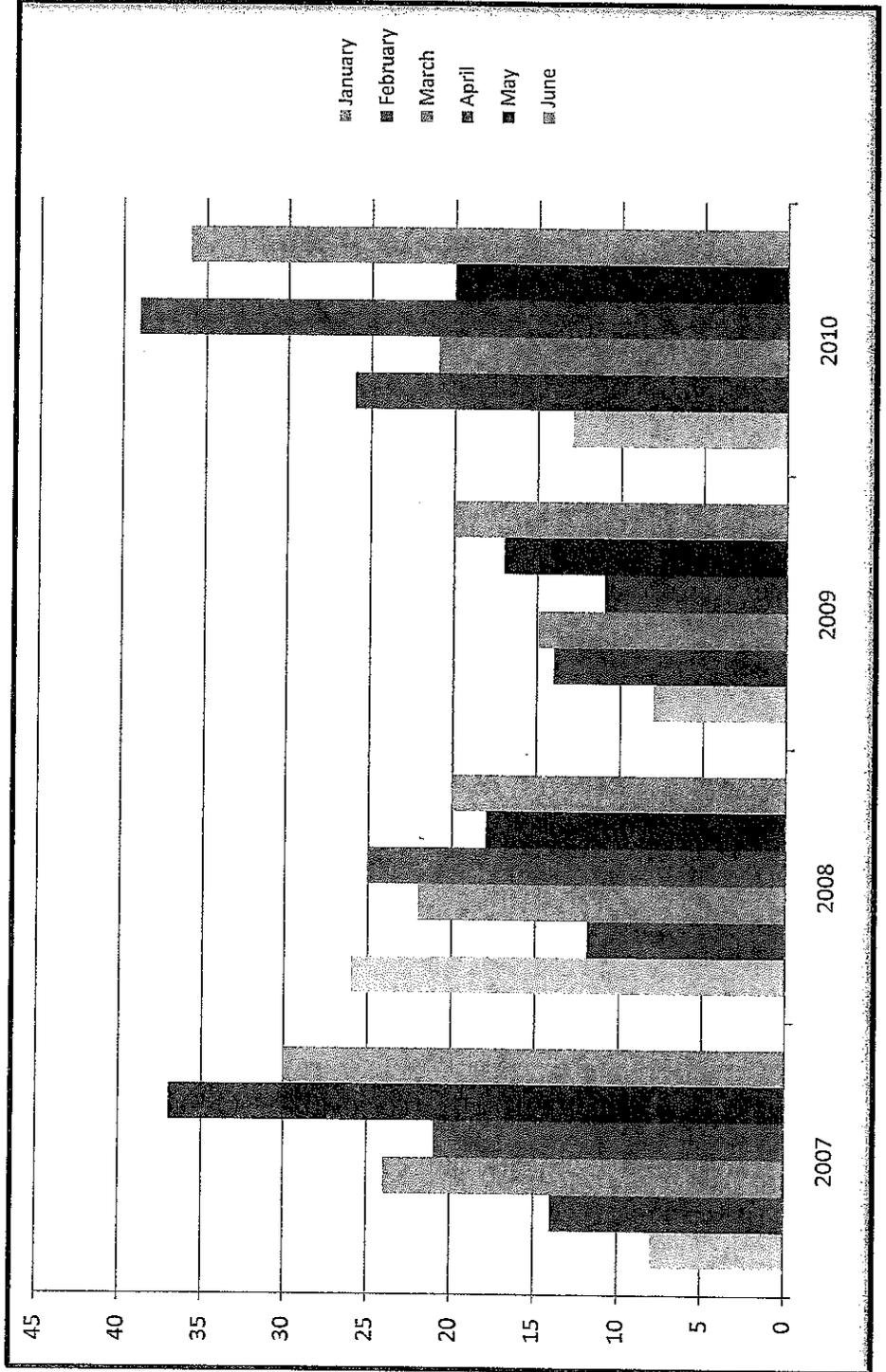
NOTE: For a comparison of New Housing Starts from 2007 to 2010, see page 2
 For a comparison of Total Number of Building Permits from 2007 to 2010, see page 3



CVRD

Total of New Housing Starts

	2007	2008	2009	2010
January	8	26	8	13
February	14	12	14	26
March	24	22	15	21
April	21	25	11	39
May	37	18	17	20
June	30	20	20	36
YTD Totals	104	103	65	119





C·V·R·D

Total Building Permits Issued

	2007	2008	2009	2010
January	26	50	23	35
February	28	30	32	44
March	24	48	36	54
April	54	63	34	67
May	70	50	48	41
June	58	55	55	66
YTD Totals	260	296	228	307

