



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DATE: Wednesday, November 29, 2017

**TIME: REGULAR SESSION
1:30 PM**

PLACE: BOARD ROOM

175 INGRAM STREET

A handwritten signature in black ink, appearing to read 'Joe Barry', is written above a horizontal line.

**Joe Barry
Corporate Secretary**



REGULAR BOARD MEETING AGENDA
WEDNESDAY, NOVEMBER 29, 2017
1:30 PM - CVRD BOARD ROOM

	PAGE
1. <u>APPROVAL OF AGENDA</u>	
2. <u>ADOPTION OF MINUTES</u>	
M1 Regular Board Meeting of November 8, 2017	1
Recommendation That the minutes of the Regular Board meeting of October 25, 2017 be adopted.	
3. <u>BUSINESS ARISING FROM THE MINUTES</u>	
4. <u>PUBLIC INPUT PERIOD</u>	
5. <u>DELEGATIONS</u>	
D1 Morne Van Niekerk, President, Board of Directors and Caro Martino, Director of Operations - Cowichan Valley Intercultural and Immigrant Aid Society Re: Society Activity Update and Capital Campaign	9
D2 Patricia Dawn, Red Willow Aboriginal Womyn's Family Society Re: Presentation of Organizational Mandate and Advocacy Services	21
6. <u>REPORT OF THE CHAIRPERSON</u>	
RC1 Standing Committee Appointments	To Be Distributed
RC2 Commission Appointments	To Be Distributed
RC3 Other Appointments	To Be Distributed
7. <u>CORRESPONDENCE</u>	
8. <u>INFORMATION</u>	

9. COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendations of the Regional Services Committee Meeting of October 25, 2017 - Director Iannidinardo 23

Recommendation That the CVRD Administrative and Recovery Fees Policy be amended to exempt the Municipal Regional District Tax (MRDT) revenue that is transferred to Tourism Cowichan Society.

CR2 Report and Recommendations of the Island Savings Centre Commission Meeting of November 9, 2017 - Director Jackson 25

Recommendation That Function 420 – ISC - Events and Services 2018 Lobby Washroom Upgrade be authorized to proceed prior to final 2018 Budget approval.

CR3 Report and Recommendations of the Electoral Area Services Committee Meeting of November 15, 2017 - Director Morrison 27

Recommendation

1. That a Grant-in-Aid, Electoral Area B - Shawnigan Lake, in the amount of \$600 be provided to the Shawnigan Lake Community Association to support the Christmas light up in Elsie Miles Park.
2. That a Grant-in-Aid, Electoral Area I - Youbou/Meade Creek, in the amount of \$1,000 be provided to the Youbou Community Association, to support the New Year's Dance.
3. That a Grant-in-Aid, Electoral Area I - Youbou/Meade Creek, in the amount of \$4,000 be provided to the Youbou Community Church Society to support upgrades and repairs to the Youbou Community Church.
4. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$250 be provided to the Honeymoon Bay Community Society to support the community's annual "Pot Lick Dimmer" and to defray the cost of providing a small gift to each child from Santa.
5. That the Fireworks Discharge Permit for the Ladysmith Harbour Christmas Lights Cruise event located at/near Ladysmith Harbour on December 9, 2017, be approved.

Electoral Area Directors only vote on the following under Part 14 - Planning and Land Use Management of the Local Government Act:

6. That Development Variance Permit Application No. 02-H-16DVP (4821 Yellow Point Road) to vary Section 10.2(b)(3) of Zoning Bylaw No. 1020 be approved.

CR4 Report and Recommendations of the August 4, 2017 Final Report and Summary of the Grant-in-Aid Select Committee - Director Nicholson 29

Recommendation 1. That the Regional Grant-in-Aid Policy and Evaluation Criteria attached to the November 23, 2017 Chief Administrative Officer's report be approved for the 2018 Regional Grant-in-Aid process.

2. That a bylaw be prepared to establish a new Regional Grant-in-Aid service with a maximum requisition of \$150,000 and with the service area consisting of all thirteen jurisdictions.

CR5 Report and Recommendations of the Regional Services Committee Meeting of November 29, 2017 - Director Iannidinardo To Be Distributed

10. **DIRECTOR REPORTS**

11. **STAFF REPORTS**

SR1 Staff Report from the Parks & Trails Division Re: Replacement of the Saltair Community Centre Roof System 37

Recommendation 1. That emergency capital replacement of the roofing system and interior repairs at the Saltair Community Centre be approved, with estimated costs not to exceed \$300,000 funded first by \$130,000 Community Works Gas Tax, \$33,000 from Operating Reserves with the remainder funded through a maximum of \$137,000 in Short Term Borrowing;
2. That a maximum of \$137,000 in short term borrowing for the emergency replacement of the roofing system and interior repairs at the Saltair Community Centre be approved, and that the loan be paid back over five years pursuant to Liabilities under Agreements Section 175 of the *Community Charter*; and
3. That a contract be awarded to Top Line Roofing Ltd. in the amount of \$154,649 (excluding taxes) for emergency replacement

of the roof system on the Saltair Community Centre based on their quote received dated November 7, 2017.

12. PUBLIC HEARINGS

- PH1 Public Hearing Report and Minutes Re: "CVRD Bylaw No. 4141 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (PID:008-477-043), 2017" and "CVRD Bylaw No. 4142 - Electoral Area H - North Oyster/Diamond Zoning Amendment Bylaw (PID:008-477-043), 2017" 41

Recommendation That Public Hearing Report and Minutes Re: "CVRD Bylaw No. 4141 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (PID:008-477-043), 2017" and "CVRD Bylaw No. 4142 - Electoral Area H - North Oyster/Diamond Zoning Amendment Bylaw (PID:008-477-043), 2017", be received.

13. BYLAWS

- B1 "CVRD Bylaw No. 4147 - Soil Deposit Bylaw, 2017", be granted 1st and 2nd reading. 51
- B2 "CVRD Bylaw No. 4151 - Mesachie Lake Sewer System Loan Authorization (Phase 1 - \$251,226) Bylaw, 2017", be adopted. 69
- B3 "CVRD Bylaw No. 4152 - Mesachie Lake Sewer System Service Amendment (Boundary Reduction - Name Change) Bylaw, 2017", be adopted. 73
- B4 "CVRD Bylaw No. 4166 – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading. 77

14. BYLAWS - ELECTORAL AREA DIRECTORS

- BEA1 "CVRD Bylaw No. 4141 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (PID:008-477-043), 2017", be granted 3rd reading. 79
- BEA2 "CVRD Bylaw No. 4142 - Electoral Area H - North Oyster/Diamond Zoning Amendment Bylaw (PID:008-477-043), 2017", be granted 3rd reading. 91
- BEA3 "CVRD Bylaw No. 4154 - Electoral Areas A & C - South Cowichan Zoning Amendment Bylaw (PID: 024-611-859), 2017", be granted 1st and 2nd reading. 95
- BEA4 "CVRD Bylaw No. 4155 - Electoral Area E and Part of F - Cowichan Koksilah Official Community Plan Amendment Bylaw (4681 Sahtlam Estates Road), 2017", be granted 1st and 2nd reading. 97

BEA5 "CVRD Bylaw No. 4156 - Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (4681 Sahtlam Estates Road), 2017", be granted 1st and 2nd reading. 101

15. **RESOLUTIONS**

16. **UNFINISHED BUSINESS**

17. **NOTICE OF MOTION**

18. **NEW BUSINESS**

19. **QUESTION PERIOD**

20. **CLOSED SESSION**

Motion that the Closed Session Agenda be approved, and that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

CS M1 - Closed Session Minutes of November 8, 2017

CS CR1 - Report and Recommendation of the Closed Session Cowichan 2018 BC Summer Games Nominating Subcommittee Re: Appointment - Sub {1}(a)}

CS CR2 - Report and Recommendations of the Closed Session Electoral Area Services Committee Meeting of November 15, 2017 - Director Morrison

1. Law Enforcement {Sub (1)(f)};
2. Legal Opinion {Sub (1)(l)}; and
3. Potential Litigation {Sub (1)(g)}.

CS CR3 - Report and Recommendations of the Closed Session Regional Services Committee Meeting of November 29, 2017 - Director Iannidinaro

1. Service Update {Sub (1)(j)} Information that is prohibited, or information that if presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*; and
2. Regional Parkland Acquisition {Sub (1)(e)}.

CS SR1 - Staff Report from Parks and Trails Division Re: Regional Parkland Acquisition {Sub (1)(e)}

CS SR2 - Verbal Report from the Chief Administrative Officer Re: Litigation {Sub (1)(g)}

CS SR3 - Verbal Report from the Manager, Human Resources Re: Labour Negotiations {Sub (1)(c)}

- CS SR4 - Verbal Report from the Chief Administrative Officer Re: Employee Relations Update {Sub (1)(c)}

- CS RES1 - Resolution Report from Director Davis Re: Electoral Area A - Mill Bay/Malahat Advisory Planning Commission Appointments - Sub {(1)(a)}

- CS RES2 - Resolution Report from Director Clement Re: Electoral Area C - Cobble Hill Advisory Planning Commission Appointments - Sub {(1)(a)}

21. ADJOURNMENT

The next Regular Board meeting will be held Wednesday, December 13, 2017 at 6:30 PM, in the Board Room, 175 Ingram Street, Duncan, BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan BC, on Wednesday, November 8, 2017 at 6:34 PM.

PRESENT Chair J. Lefebure
 Director S. Acton
 Director M. Clement
 Director B. Day
 Director K. Davis
 Director M. Dorey
 Director L. Iannidinardo
 Director S. Jackson <until 10:02 PM>
 Director K. Kuhn
 Director M. Marcotte
 Director K. Marsh <until 8:33 PM>
 Director I. Morrison
 Director A. Nicholson
 Director A. Stone
 Director T. Walker

ALSO PRESENT B. Carruthers, Chief Administrative Officer
 J. Barry, Corporate Secretary
 R. Blackwell, General Manager, Land Use Services
 J. Elzinga, General Manager, Community Services
 C. Cowan, Manager, Public Safety
 B. Mohan, Manager, Human Resources
 J. Wakeham, Manager, Facilities & Transit Management
 S. Carlow, Legislative Assistant

CALL TO ORDER The Corporate Secretary called the meeting to order at 6:34 pm.

ELECTION

E1 Election Procedure for Chair and Vice-Chair

The Corporate Secretary outlined the election procedure for Chair and Vice-Chair.

NOMINATIONS FOR CHAIR The Corporate Secretary called for nominations for Chair and noted that, by previous resolution of the Board, the Regional District Board Chair and Hospital Board Chair are held by one Director, elected by majority vote from among the members of the Board.

Director Ian Morrison was duly nominated and accepted the nomination.

Director Jon Lefebure was duly nominated and accepted the nomination.

Director Bob Day was duly nominated and accepted the nomination.

**NOMINEES
ADDRESS TO
THE BOARD**

There being no further nominations for Chair, nominations were declared closed and Directors Morrison, Lefebure, and Day addressed the Board in support of their candidacy.

**NOMINEES
QUESTION
PERIOD**

The Directors asked questions of each of the nominees for the position of Chair.

**VOTING FOR
CHAIR**

The Directors voted for the three Chair candidates using the electronic voting tabulator and the Corporate Secretary announced that Director Morrison received seven votes, Director Lefebure five votes, and Director Day three votes.

Since no candidate received the required majority of eight or more votes, it was necessary to conduct an additional round of voting between the two candidates that received the most votes.

The Directors voted for the two remaining candidates and the Corporate Secretary announced that Director Lefebure received eight votes and Director Morrison received seven votes.

**DECLARATION
OF CHAIR**

Director Lefebure was declared elected as Chair of the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Boards for the next 12 months.

**NOMINATIONS
FOR VICE-
CHAIR**

The Corporate Secretary called for nominations for Vice-Chair.

Director Bob Day was duly nominated and accepted the nomination.

Director Ian Morrison was duly nominated and accepted the nomination.

**NOMINEES
ADDRESS TO
THE BOARD**

There being no further nominations for Vice-Chair, nominations were declared closed and Directors Morrison and Day addressed the Board in support of their candidacy.

**NOMINEES
QUESTION
PERIOD**

There were no questions asked of the nominees for the position of Vice-Chair.

VOTING

The Directors voted for the two Vice-Chair candidates using the electronic voting tabulator and the Corporate Secretary announced that Director Morrison received eight votes and Director Day seven votes.

**DECLARATION
OF VICE-
CHAIR**

Director Morrison was declared elected as Vice-Chair of the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Boards for the next 12 months.

ASSUMPTION OF CHAIR Director Lefebure assumed the Chair and thanked the Board for their support.

APPROVAL OF AGENDA

17-431 It was moved and seconded that the agenda be amended with the addition of one New Business Closed Session item:

CSNB1 Verbal Report from the Manager, Human Resources Re: Labour Relations {Sub (1)(c)} and;

that the agenda, as amended, be approved.

MOTION CARRIED**ADOPTION OF MINUTES**

M1 Regular Board Meeting of October 25, 2017

17-432 It was moved and seconded that the minutes of the Regular Board meeting of October 25, 2017 be adopted.

MOTION CARRIED**DELEGATIONS**

D1 Summer Goulden, Social Planning Cowichan Re: Community Snapshots Exploring Social Health Determinants in the Region

Carla Bortoletto, Chair, and Emma Edmunds, Vice-Chair, Social Planning Cowichan, provided a PowerPoint presentation highlighting a "Brief Look Through Time", for information.

D2 Gretchen Hartley, Executive Director, introduced Christa Fox, Hospice House Chair and Susan Barr, Hospice House Co-Chair, Cowichan Hospice Re: Presentation and Update - Hospice House Project

17-452 It was moved and seconded that the time allotment for delegation D2 be extended to 20 minutes.

MOTION CARRIED

Christa Fox, Hospice House Chair and Dr. Susan Barr, Hospice House Co-Chair, provided a PowerPoint presentation on the necessity for a dedicated local 10 bed hospice.

17-453 It was moved and seconded that a report be prepared for the November 29 Cowichan Valley Regional Hospital District (CVRHD) meeting providing a series of options, for the consideration of the Board, for the CVRHD to participate in the capital funding needed to build a dedicated, palliative care hospice facility.

MOTION CARRIED

8:33 PM The Board agreed by consensus to take a five minute recess at 8:33 PM.

8:33 PM Director Marsh left the meeting at 8:33 PM.

8:43 PM The meeting resumed at 8:43 PM.

At the direction of the Chair, the agenda was varied by moving up Item SR1 so as to accommodate the guests making the presentation.

SR1 PowerPoint Presentation from the General Manager, Community Services Re: BC Summer Games Update

John Elzinga, General Manager, Community Services, introduced Jen Woike, President, and Mona Kaiser, Vice-President, BC Summer Games, who provided a PowerPoint presentation on the upcoming games, for information.

REPORT OF THE CHAIRPERSON

The Chair advised that he had recently toured the Saltair Community Centre (former Mt. Brenton Elementary School), noting that volunteers have done an amazing job of minor renovations and are moving ahead with viable and varied usage.

CORRESPONDENCE

C1 Correspondence from Lynne Smith Re: Saltair Residents Delegation and Petition to October 18, 2017 Electoral Area Services Committee Meeting, was received for information.

COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendation of the Island Savings Centre Commission Meeting of October 12, 2017

17-454 **It was moved and seconded that the amendments to the Island Savings Centre Facility Rental Agreement and Rider with the Cowichan Valley Arts Council from November 1, 2014 to October 31, 2019 for the use of the Arbutus Gallery be approved.**

MOTION CARRIED

CR2 Report and Recommendations of the Electoral Area Services Committee Meeting of November 1, 2017

17-455 **It was moved and seconded:**

1. **1. That two streetlights be installed across from 850 and 856 Deloume Road in Mill Bay as part of the Mill Bay/Malahat Critical Street Lighting Service Area; and**
- 2. That the operational costs associated with funding these**

streetlights be included in the 2018 budget for Function 557.

MOTION CARRIED

17-456

It was moved and seconded:

2. That Application No. 01-G-17DVP (Lot 10, Skye Road) to vary Section 5.7.4 of Zoning Bylaw No. 2524 to eliminate the 1.5 metre setback from the required landscaped buffer, be denied.
3. That Development Variance Permit Application No. 03-B-17DVP (2700 Worthington Road) to vary Section 8.6(b)(2) of Zoning Bylaw No. 985 be denied.
4.
 1. That Development Permit Application No. 06-E-17DP (4994 Polkey Road) for the extension of a gravel parking area and removal of vegetation be authorized; and
 2. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 1490.
5.
 1. That Development Permit with Variance Application No. 03-C-17DP/VAR (1480 Heigh Street) be approved;
 2. That Zoning Bylaw No. 3520 Section 12.7.4 (Setbacks) be varied for the west parcel line from 6 m to 0.3 m; and that Section 5.3.1.c.ii (Setback Exceptions) be varied to permit a canopy projection from 1 m to 1.91 m; and
 3. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3510.
6.
 1. That Development Permit Application No. 07-B-17DP be approved; and
 2. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3510.
7.
 1. That it be recommended to the Board that Zoning and Official Community Plan Amendment Bylaws be drafted for Application No. 01-1-16RS; and
 2. That the draft amendment bylaws be referred to the Electoral Area Services Committee for consideration.

MOTION CARRIED

CR3

Report and Recommendations of the Transit Committee meeting of November 8, 2017

17-457**It was moved and seconded:**

- 1. That the amendment to the Annual Operating Agreement with BC Transit to include the service expansion hours and associated costs for Route 44 Saturday service operating between Duncan and Victoria commencing October 14, 2017, be approved.**
- 2. That the \$145.35 outstanding debt of Bruce Brothers Foods Limited be written off.**
- 3. 1. That BC Transit's GradPASS program which offers Grade 12 students in the CVRD region day passes to ride the local bus service for two free days in June 2018, be approved.**
 - 2. That the School's Out Transit Special offering free transit to all youth in the K-12 system in Cowichan Valley between March 17 and March 24, 2018, be approved.**
 - 3. That the complimentary bus pass program for refugees be updated for 2018 to provide up to 20 complimentary monthly passes per month for new-entry refugees settling in the Cowichan Valley between January 1 to December 31, 2018, be approved.**

MOTION CARRIED**STAFF REPORTS****SR1**

Items SR1 was dealt with earlier in the meeting.

SR2Staff Report from the Recycling & Waste Management Division
Re: Cancellation of the Drywall Program at CVRD Recycling Centres**17-458****It was moved and seconded that CVRD Bylaw No. 2108 - Solid Waste Management Charges and Regulations Bylaw, 2000 be amended to remove drywall as an accepted material at CVRD Recycling Centres.****MOTION CARRIED****SR3**

Staff Report from the Public Safety Division Re: Community Emergency Preparedness Fund Grant Application

17-459**It was moved and seconded that an Emergency Social Services grant application be submitted to the Union of British Columbia Municipalities for the purchase of group lodging equipment under the Community Emergency Preparedness Fund Initiative.****MOTION CARRIED**

BYLAWS

**B1
17-460** It was moved and seconded that "CVRD Bylaw No. 4146 - Arbutus Ridge Sewer System Service Loan Authorization (\$2,475,000) Bylaw, 2017", be adopted.

MOTION CARRIED

**B2
17-461** It was moved and seconded that "CVRD Bylaw No. 4157 - Wilmot Road Street Lighting Service Amendment Bylaw, 2017", be adopted.

MOTION CARRIED

B3 It was moved and seconded that "CVRD Bylaw No. 4165 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B3
17-462** It was moved and seconded that "CVRD Bylaw No. 4165 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2017", be adopted.

MOTION CARRIED**CLOSED SESSION**

**17-463
9:26 PM** 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) (a) Community Safety Advisory Commission appointment; (2)(b) Information Held in Confidence Relating to Negotiations with a Provincial / Federal Government and/or Third Party; (1)(c) Labour Relations; and adoption of the October 25, 2107 Closed Session Board minutes.

MOTION CARRIED

10:02 PM Director Jackson left the meeting at 10:02 PM.

**17-467
10:16 PM** It was moved and seconded that the Board rise with report on Item CSCR1, and return to the Open portion of the meeting.

MOTION CARRIED

17-465 It was moved and seconded that Kendra Hill be appointed to the Community Safety Advisory Commission as a Public Representative, for a term ending December 2018.

MOTION CARRIED

ADJOURNMENT

17-468 **It was moved and seconded that the meeting be adjourned.**
10:16 PM

MOTION CARRIED

The meeting adjourned at 10:16 PM.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

From: noreply@civicplus.com
To: [Shannon Carlow](#); [Tara Daly](#)
Subject: Online Form Submittal: Regular Board Meeting
Date: Friday, October 20, 2017 8:56:21 AM

Regular Board Meeting

Request to Appear as a Delegation at the Board

Board meetings start at 6:30 p.m. on the second Wednesday and at 1:30 p.m. on the fourth Wednesday of the month. Please note the correct time for the meeting you have applied to attend.

Please Note: Contact information supplied by you and submitted with this form will become part of the public record and will be published in a meeting agenda that is posted online when this matter is before the Board. If you do not wish this contact information disclosed, please contact the FOI Coordinator at 250.746.2507 or 1.800.665.3955 to advise.

Meeting Date	11/29/2017
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Contact Information

Contact Name	Brian Siff
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Representing	Cowichan Valley Intercultural and Immigrant Aid Society
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Number Attending	3
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Address	Suite 205, 394 Duncan Street
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City	Duncan
------	--------

Province	British Columbia
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Postal Code	V9L 3W4
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Telephone Number	2507483112
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Reply Email	brian@cis-iwc.org
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Presentation Topic and Nature of Request

The Cowichan Intercultural Society would like the opportunity to update the CVRD Board of Directors on our last year of activities by showing a new four minute promotional film we made over the summer. In addition, we would like to present about our capital campaign & progress in acquiring property for a new "home." Our presentation is planned for 8 minutes, with 2 minutes for questions: I. Introduction of presenter & organization (30 seconds) II. 2016-2017 Highlights Snapshot (1 minute) III. New Promotional Film (4 minutes) IV. 2018 Upcoming Highlights a. Our progress in acquiring property for a new Intercultural

Welcome Centre (2 minutes) b. One World Festival 2018 (30 seconds) c. Youth Action Day 2018, Winter Celebration, other events (1 minute) V. Questions (2 minutes) The promotional film we'd like to show is uploaded to YouTube, and can be shown that way, or we can provide a USB/disc. Film url: <https://youtu.be/AVFvMAvSaL0> Kind Regards, Brian Siff, Development Coordinator

Do you have a PowerPoint presentation?

No

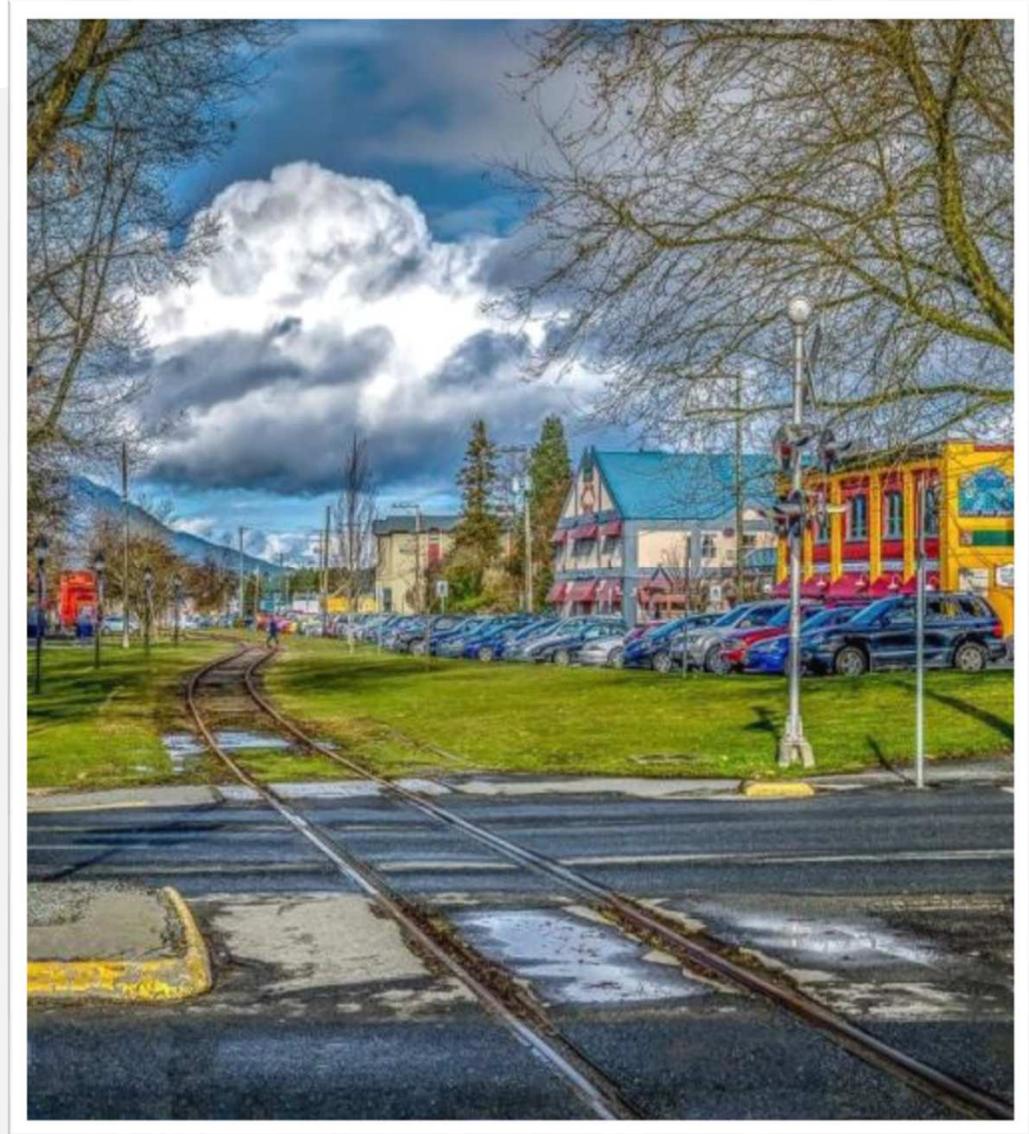
Email not displaying correctly? [View it in your browser.](#)

where cultures connect

Cowichan Intercultural Society

11

Supporting Newcomers in the Cowichan Valley



COWICHAN
INTERCULTURAL
SOCIETY

IMMIGRANT
WELCOME CENTRE
OF COWICHAN

Our Service Area



Since 1981

We have worked to be leaders in building inclusive and welcoming communities, where every person feels valued and has a sense of belonging



COWICHAN
INTERCULTURAL
SOCIETY

IMMIGRANT
WELCOME CENTRE
OF COWICHAN

PROGRAMAS AND SERVICES

- Settlement Services including SWIS (Settlement Worker in Schools)
- Language Instruction for Newcomers to Canada (with limited Childminding)
- Employment Assistance
- Men, Women, Children, Youth and Elders Groups
- Community Connections including Bridging, Tutoring and Mentoring Programs
- Community Outreach
- Sponsorship Agreement Holder
- One World Festival



COWICHAN
INTERCULTURAL
SOCIETY

IMMIGRANT
WELCOME CENTRE
OF COWICHAN

STAFF AND VOLUNTEERS

25 Full Time/Part Time and
Contract Staff speaking more
than 10 languages

+ 120
Volunteers

Our Clients

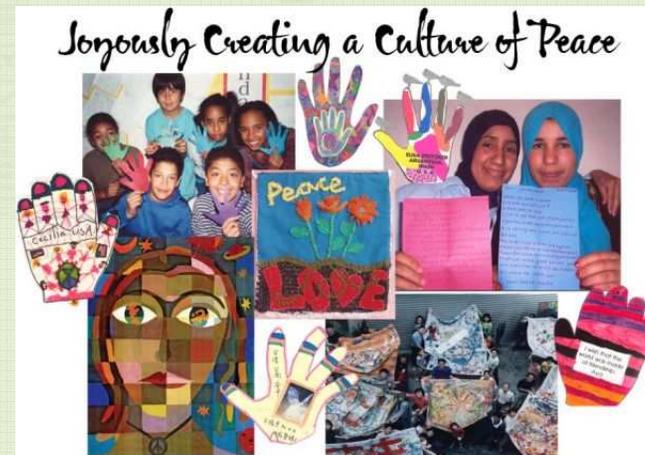
- 275 IRCC Eligible Clients
- 130 BC Eligible Clients (TFWs, Naturalized Citizens, International Students etc,)
- 25 other (e.g. mothers and children without status, children of naturalized citizens etc.)
- 75 Clients registered in our LINC programs



Programs and Services Funded by IRCC, the BC Government, Targeted Grant Funding, Social Enterprise, Donations, Fundraising and Memberships

Since December 2015 CIS has welcomed 77 Syrian refugees including

- 7 Government Assisted Refugee Families
- 4 Privately Sponsored Refugee Families
- 4 Blended Visa office Referred Families
- 32 Adults
- 45 Children
 - 31 School Age Children
 - 14 Under 5's



where cultures connect

Building & Property Committee & Capital Campaign Update

17



- A CIS Building Committee was formed two years ago, when the search for a new home began, and the committee continues to meet monthly.
- Our Capital Campaign was launched in May 2017 when we hosted a Dance-a-thon Fundraiser which featured over 15 cultural dance performances, vending, children's' activities & more.



COWICHAN
INTERCULTURAL
SOCIETY

IMMIGRANT
WELCOME CENTRE
OF COWICHAN

Capital Campaign Next Steps

- Monthly Donor Re-Launch
- Multi-Year Pledges
- Major Donor Campaign
- Corporate Sponsors
- 3rd Party Fundraising
- Grant Opportunities
- Naming Opportunities

Inquire Today About Assisting with the Capital Campaign!

where cultures connect

19

2016-2017 Highlights



- One World Festival
- Winter Celebration 2016
- Chinese New Year
- Founders Tea
- Youth Action Day
- Summer Students



From: noreply@civicplus.com
To: [Shannon Carlow](#); [Tara Daly](#)
Subject: Online Form Submittal: Regular Board Meeting
Date: Friday, November 10, 2017 4:39:02 PM

Regular Board Meeting

Request to Appear as a Delegation at the Board

Board meetings start at 6:30 p.m. on the second Wednesday and at 1:30 p.m. on the fourth Wednesday of the month. Please note the correct time for the meeting you have applied to attend.

Please Note: Contact information supplied by you and submitted with this form will become part of the public record and will be published in a meeting agenda that is posted online when this matter is before the Board. If you do not wish this contact information disclosed, please contact the FOI Coordinator at 250.746.2507 or 1.800.665.3955 to advise.

Meeting Date	11/29/2017
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Contact Information

Contact Name	Patricia Dawn
--------------	---------------

Representing	Red Willow Aboriginal Womyn's Family Society
--------------	--

Number Attending	2
------------------	---

Address	2610 Beverly Street
---------	---------------------

City	Duncan
------	--------

Province	BC
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Postal Code	V9L 5C7
-------------	---------

Telephone Number	2509291199
------------------	------------

Reply Email	redwillowsociety@gmail.com
-------------	--

Presentation Topic and Nature of Request	<p>Red Willow Womy'ns Family Society is a grassroots registered non profit organization. We would like to present our organization and our mandate for advocacy services within the Cowichan Valley. We support Aboriginal womyn and their families navigating the child apprehension process. This circumstance has risin to epidemic proportions within our community. We would offer our perspective regarding what we have experienced and event we held last December in listening to the families and their journeys. Through educating our community we seek to include and educate with the opportunity to engage all levels of</p>
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community in regards to what we are learning and have recognized as potential solutions for the well being of the families in the Cowichan Valley. thank you so much for this chance. enjoy your day patricia dawn

Do you have a PowerPoint presentation?

No

Email not displaying correctly? [View it in your browser.](#)



**REGIONAL SERVICES COMMITTEE REPORT
OF MEETING HELD OCTOBER 25, 2017**

DATE: November 29, 2017

To: Chairperson and Directors of the Board

Your Regional Services Committee reports and recommends as follows:

That the CVRD Administrative and Recovery Fees Policy be amended to exempt the Municipal Regional District Tax (MRDT) revenue that is transferred to Tourism Cowichan Society.



ISLAND SAVINGS CENTRE COMMISSION REPORT

OF MEETING HELD THURSDAY, NOVEMBER 9, 2017

DATE: November 9, 2017

To: Chairperson and Directors of the Board

Your Island Savings Centre Commission reports and recommends as follows:

That Function 420 – ISC - Events and Services 2018 Lobby Washroom Upgrade be authorized to proceed prior to final 2018 Budget approval.



ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD NOVEMBER 15, 2017

DATE: November 16, 2017

To: Board of Directors

1. That a Grant-in-Aid, Electoral Area B - Shawnigan Lake, in the amount of \$600 be provided to the Shawnigan Lake Community Association to support the Christmas light up in Elsie Miles Park.
2. That a Grant-in-Aid, Electoral Area I - Youbou/Meade Creek, in the amount of \$1,000 be provided to the Youbou Community Association, to support the New Year's Dance.
3. That a Grant-in-Aid, Electoral Area I - Youbou/Meade Creek, in the amount of \$4,000 be provided to the Youbou Community Church Society to support upgrades and repairs to the Youbou Community Church.
4. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$250 be provided to the Honeymoon Bay Community Society to support the community's annual "Pot Lick Dimmer" and to defray the cost of providing a small gift to each child from Santa.
5. That the Fireworks Discharge Permit for the Ladysmith Harbour Christmas Lights Cruise event located at/near Ladysmith Harbour on December 9, 2017, be approved.

Electoral Area Directors only vote on the following under Part 14 - Planning and Land Use Management of the Local Government Act:

6. That Development Variance Permit Application No. 02-H-16DVP (4821 Yellow Point Road) to vary Section 10.2(b)(3) of Zoning Bylaw No. 1020 be approved.



**GRANT-IN-AID SELECT COMMITTEE FINAL REPORT
OF MEETING HELD NOVEMBER 23, 2017**

DATE: November 24, 2017

To: Chairperson and Directors of the Board

Your Grant-in-Aid Select Committee reports and recommends as follows:

1. That the Regional Grant-in-Aid Policy and Evaluation Criteria attached to the November 23, 2017 Chief Administrative Officer's report be approved for the 2018 Regional Grant-in-Aid process.
2. That a bylaw be prepared to establish a new Regional Grant-in-Aid service with a maximum requisition of \$150,000 and with the service area consisting of all thirteen jurisdictions.



STAFF REPORT TO COMMITTEE

DATE OF REPORT November 23, 2017
MEETING TYPE & DATE Grant in Aid Select Committee of September 13, 2017
FROM: Office of the CAO
SUBJECT: Recommendations of the Grant in Aid Select Committee
FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to provide the results of the work undertaken by the Grant in Aid Select Committee (GIASC).

RECOMMENDED RESOLUTION

For direction.

BACKGROUND

At the May 11, 2016 Board meeting it was resolved that a grant-in-aid committee be established to consider the following eight items and report back to the Board:

- Creating a separate function for Regional Grants-in-Aid (RGIA);
- Creating sub-regional Grant-in-Aid functions;
- Doing away with Regional Grants-in-Aid altogether;
- Timing for when applications need to be submitted;
- Timing and process for approval;
- Separate categories for grants (i.e. Social, Environmental, Recreation);
- Participatory budgeting; and
- Social procurement

The Committee undertook its work through a series of workshops held in August, October, January and February. Information was provided to the Committee to assist with their deliberations including the current Grant in Aid Policy, recent history of grants in aid provided by member municipalities and recent history of grants in aid provided by the CVRD.

In support of the Committee's work, staff met with municipal CAO's to discuss opportunities for collaborative grant in aid programs and surveyed previous Regional Grant in Aid recipients with respect to the value of the program and possible impacts if the program was to be eliminated or significantly changed.

In conducting its work, the Committee examined four key questions/themes:

1. What is the Board attempting to achieve through Regional Grant in Aid, what is the purpose?
2. What are the principles that should guide the issuance of grants?
3. How can there be more accountability for the issuance of grants and the use of grants by recipients?
4. How should grants be provided in terms of structure of the program?

Additionally, the Committee considered two primary questions:

- Should the CVRD continue with the Regional Grant in Aid program, and if so;
- Should the Grant in Aid program be formalized through a service establishment bylaw?

ANALYSIS

As a result of their deliberations, the GIASC is recommending the RGIA program, as outlined in attachments A and B, continue through 2018 and that electoral assent by referendum be sought in the 2018 election for ongoing program delivery . General recommendations to consider include:

Policy

- Establish and articulate principles of the RGIA program.
- Core operating activities of an organization are not eligible for grants.
- Allow multi-year applications (three year maximum) to pilot new ongoing service initiatives.
- Remove limitations on number of times an organization can receive funding (currently three).
- Establish a regular committee of the Board (Regional Services) would evaluate applications and recommend grant awards at a regular meeting dedicated to this task.
- Better define the purpose for RGIA in the policy.
- Provide a definition of 'regional' - *Benefits should be regional in scope. In other words, grants should support projects or initiatives that serve or benefit residents throughout the regional district or in multiple electoral areas and municipalities. As a minimum six Electoral Areas and two Municipalities.*
- Establish funding limits: capital projects - \$50K, events/services - \$10K.
- Publicly advertise once per year for grant applications.
- Establish clear evaluation criteria and ensure application documents are structured to align with the evaluation criteria

Process

- Emphasize the 'regional' nature of the RGIA program in all ads and application forms and encourage other sources of local government grants for localized initiatives (municipal and electoral area grant in aid programs).
- Provide RGIA through a service establishment bylaw with a maximum requisition of \$150K annually and with elector assent by referendum in 2018 as part of the election.
- Consider a 'strategic investment' allocation of \$150K in the General Government budget to allow the Board to respond to emergent strategic issues or opportunities as they arise.

FINANCIAL CONSIDERATIONS

The financial implications will vary depending on the decisions made. The combined total of \$300,000 is approximately, what is currently funded through General Government.

COMMUNICATION CONSIDERATIONS

Any RGIA program that is approved by the Board should require an annual advertisement for potential recipients.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

The review of the RGIA program by the committee is part of sound fiscal management, specifically service delivery review to ensure the effective use of resources.

Referred to (upon completion):

- Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Legislative Services, Procurement, Information Technology*)
- Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)
- Land Use Services (*Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

Prepared by:

Reviewed by:



Brian Carruthers
Chief Administrative Officer

Not Applicable
Not Applicable

Not Applicable
Not Applicable

ATTACHMENTS:

Attachment A – Draft Regional Grant in Aid Policy

Attachment B – Draft Evaluation Criteria

Purpose

To provide guidelines and structure for the evaluation, award and communicating of regional grants in aid.

Authority

Section 263(1)(c) of the *Local Government Act* provides authority for local governments to provide assistance for the purpose of benefiting the community or any aspect of the community.

Regional Grants-in-Aid Purpose

To invest in community led projects and programs which fall outside regular service functions and that are important for building a vibrant, resilient and livable region.

Principles

The following principles should guide applications for, and issuance of regional grants in aid:

- Benefits should be regional in scope. Grants should support projects or initiatives that serve or benefit residents throughout the regional district or in multiple electoral areas and municipalities.
- The issuance of grants should be transparent in terms of awareness of, and access to the program.
- Recipients of grants must be accountable for the use of funds in accordance with their application.
- Grants should support and encourage innovation in the delivery of services or benefits.
- Applicants should demonstrate their intent to become self-sustainable, in the absence of CVRD grants, in future years.
- Grant should allow the Board to be flexible and responsive to emerging needs or unique opportunities.

Eligibility

- Only non-profit, registered societies are eligible for grants.
- No grants will be provided to individuals or private business.
- The applicant will not give grants to individuals, families or businesses.
- The organization will not receive taxes or requisition funds from local governments on annual basis.
- Project types may include special events (one time or recurring), establishment of new or enhanced programs and services, or capital projects for public-use facilities.

Financial

- The Annual Grant in Aid budget is limited to \$150K.
- Annual individual grants are limited to \$50K for capital projects and \$10K for events/services

Application process:

- An open call for applications will be advertised
- Applications must be submitted on electronic forms
- There will be an application deadline of November 30, late applications will not be considered
- Multi-year projects (up to 3 years) will submit a project renewal request annually by November 30th that includes an interim progress report.
- The CVRD will redirect grant-in-aid applicants/applications that are not regional in nature to the more appropriate jurisdiction for consideration.

Approval Process:

- The Assistant Manager, Finance will review all applications for eligibility.
- Eligible applications will be forwarded to the Regional Services Committee (RSC) for evaluation using the following criteria:
 - New, Incremental Initiatives
 - Community Need
 - Geographic Scope
 - Community Development
 - Cost Effectiveness
- The RSC will forward recommended applications to the CVRD Board for approval.
- Presentations will be made by applicants at the Boards discretion.

Communication:

- The Assistant Manager, Finance will advise successful applicants of their grant amount.
- Grants will be released upon adoption of the annual budget.
- Successful applicants will be required to submit a report by February 28 which includes the following:
 - Annual financial statements
 - Report on how the funds were spent, achievements and outcomes that support application

Regional Grant in Aid Select Committee Proposed Evaluation Criteria – November 2017

(Rankings 1 to 5 with 5 being highest value/quality)

1. New, Incremental Initiatives (1 being program/event/project already available in the community and/or operational in nature and 5 being a completely new initiative that does not require funding support for operational/administrative functions.)
 - Project provides for a new event/program/service/infrastructure in the community.
 - Project funding does not support core operational/administrative functions.
 - Multi-year (3 year maximum) projects test new or enhanced capacity or services and are designed to be sustainable over time.

2. Community Need (1 being narrow benefits and 5 being broad)
 - Is the scope/reach of the service/project narrow or broad?
 - Is there a clear and sound rationale for the project?
 - Are the anticipated project benefits clear and significant?
 - Is there good value for the funds requested?
 - Are there other agencies providing the service/project?
 - What are the impacts of not delivering the service or completing the project?

3. Geographic Scope {1 being more local in nature (serving up to 9 jurisdictions) and 5 being fully regional (serving all 13 jurisdictions)}
 - Who does the project serve – residents in a local area, sub-region or entire region?
 - To be considered regional, projects should serve residents in a minimum of 9 of the 13 jurisdictions

4. Community Development (1 being minimal community development benefit and 5 being significant benefit)
 - Project builds capacity in the community to address needs
 - Projects encourages, supports, strengthens volunteerism
 - Project brings leveraged funds into the community (e.g., grant funding, tourism dollars) and/or creates jobs and/or results in cost avoidance or cost mitigation (crime prevention)
 - Project has innovative characteristics

5. Cost Effectiveness (1 being low and 5 high)
 - Project has a low ratio of grant requested to project cost (Note that higher ratios may be acceptable for lower cost projects (<\$5000))
 - Capital grants not to exceed \$50,000
 - Project budget is realistic for proposed activities
 - Joint funding arrangements are in place
 - Significant effort has been made to keep project costs to a minimum.

Project Category¹:

Social – projects that support the health, well-being and diversity of individuals and communities

Environmental – projects that enhance or protect, enhance or restore environmental values

Sport/Recreation – projects related to the provision of sports or recreation activities, tournaments or events

Arts/Culture – projects that enhance the provision and availability of arts and culture services and amenities

Heritage – projects that protect and interpret the region's heritage values

Economic Development – projects related to creating or enhancing economic opportunities

¹ Need to add an explanation for how projects, that should be referred to regular service function grant programs, will be identified e.g., Arts & Culture or Economic Development - Sports Tourism etc.



STAFF REPORT TO THE BOARD

DATE OF REPORT November 24, 2017

MEETING TYPE & DATE Board Meeting of November 29, 2017

FROM: Parks & Trails Division
Land Use Services Department

SUBJECT: Replacement of Saltair Community Centre Roof System

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to request approval to proceed with emergency replacement of the failing roof system and interior repairs at the Saltair Community Centre.

RECOMMENDED RESOLUTION

1. That emergency capital replacement of the roofing system and interior repairs at the Saltair Community Centre be approved, with estimated costs not to exceed \$300,000 funded first by \$130,000 Community Works Gas Tax, \$33,000 from Operating Reserves with the remainder funded through a maximum of \$137,000 in Short Term Borrowing;
2. That a maximum of \$137,000 in short term borrowing for the emergency replacement of the roofing system and interior repairs at the Saltair Community Centre be approved, and that the loan be paid back over five years pursuant to Liabilities under Agreements Section 175 of the *Community Charter*, and
3. That a contract be awarded to Top Line Roofing Ltd. in the amount of \$154,649 (excluding taxes) for emergency replacement of the roof system on the Saltair Community Centre based on their quote received dated November 7, 2017.

BACKGROUND

The CVRD purchased the Saltair Community Centre (formerly Mount Brenton School) in 2014 and currently leases the building to the Saltair Community Society for operation as a community centre for the Saltair area. The Society has also entered into a recreation services agreement with the Regional District to receive funds to assist with operation of the community centre. The building was constructed in 1950 as an elementary school. Prior to the CVRD's acquisition an inspection of the roof was completed by an independent contractor that determined the overall condition of the roof system had reached the end of its serviceable life expectancy. Over the past few years, the building's roof has experienced localized minor leaks that emergency repair work was able to address.

As part of CVRD's development of a Corporate Asset Management Plan, McQuaig and Associates Engineering Ltd. (McQuaig) was contracted earlier this year to conduct a Facility Condition Assessment for the Saltair Community Centre. A Facility Condition Assessment is a comprehensive inventory of all building components with an estimate of the costs associated with renewal, repair, and code compliance issues, to determine both the immediate and long-term cost liabilities for building component lifecycle renewal, deferred maintenance, and functional inadequacies, based on industry-standard cost databases. The condition assessment report and a presentation on the report's findings by McQuaig and Associates Engineering Ltd. was provided at the August 16, 2017, Electoral Area Services Committee meeting. The assessment noted that the community centre's roofing system was in "*poor condition with many outstanding deficiencies*" and that the roof should be replaced as soon as possible.

At the September 21, 2017, meeting, the Board passed the following resolution:

“That the Cowichan Valley Regional District proceed with a phased approach over time to improve the Saltair Community Centre building prevent degradation and loss.”

ANALYSIS

The Saltair Community Society has advised the roof system is now leaking in several places and in need of immediate replacement based on a visual assessment by several roofing contractors contacted by the Society. Funds could be expended to patch the roof in the areas of the leaks, however the contractors have advised that undertaking such patchwork could not be guaranteed to stop all leaks or prevent additional leaks from forming, given the age and poor condition of the roof system. A total of 14 roofing contractors were contacted by the Society, of which six submitted the following quotations for removal and replacement of the entire roof system on the Saltair Community Centre building:

Company	Total Price (excluding taxes)
High Definition	\$219,583
Top Line	\$154,649
Wess Marrs	\$213,525
Ram Roofing	\$157,720
G & G Roofing	\$276,820
Aurura Roofing	\$183,675

The Saltair Community Society has forwarded the quotes received with a request the Regional District proceed to issue a contract for replacement of the roof system as quickly as possible to minimize water damage to the interior of the building. At present, interior water damage appears to be minimal in the areas of the leaks (peeling paint and ceiling drywall), however concerns are that an extended period of leaking would result in major interior damage, adding significant repair costs or otherwise having a catastrophic impact on the building's structural integrity.

Following CVRD's purchasing policy, award of a contract would be to the lowest qualified bidder, which upon review of the bids received by the Society is Top Line Roofing Ltd with their bid of \$154,649. It is anticipated that upon award of a contract for the roofing work, it would be at least 30 days before the work could commence due to scheduling, mobilization and weather conditions (i.e. work likely would commence the beginning of January 2018 at earliest). Due to uncertainty of the condition of the sub-roof structure, it would be appropriate to include such provisional funding to address any additional such costs that arise. Therefore, it is recommended that proceeding with this project should have available funding up to \$300,000, in order to cover any unforeseen costs and interior restoration work due to water leak damage.

For the Board to consider award of a contract to replace the roof system at the Saltair Community Centre, funds would need to be included in the 2018 budget for Function 456 – Recreation Saltair. Community Works Gas Tax Funding of \$130,000 is available as approved by the Board on December 9, 2015, for re-roofing and heating improvements at the Saltair Community Centre. These funds are based on a \$450,000 project cost, with Gas Tax Funding contributing 29% to the total project. Given the bids now received for re-doing the roof system are less than what was projected with the Gas Tax Funding allocation, this contribution ratio should not be applied.

Function 456 – Recreation Saltair has \$33,681 in Operating Reserves as of May 31, 2017. Short Term Borrowing of up to \$137,000 would have no impact to the annual requisition proposed in the 2018 – 2022 Five Year Financial Plan for Function 456 – Recreation Saltair. These funding sources

are available for consideration to approve for the emergency capital replacement of the roof and interior repairs at the Saltair Community Centre:

Community Works Gas Tax Funding	\$130,000
Function 456 – Recreation Saltair Operating Reserves	\$ 33,000
Short Term Borrowing (Function 456)	<u>\$137,000</u>
	\$300,000

FINANCIAL CONSIDERATIONS

The proposed 2018 budget requisition for Function 456 – Recreation Saltair is \$45,790, which remains unchanged from the approved 2017 budget requisition for this function. The existing outstanding loan for the purchase of the Saltair Community Centre property will be paid out under Function 456 – Recreation Saltair in 2018, with an interest/principal payment of \$36,272. In 2019, this will provide for \$36,000 being available with no change in requisition over the previous year. The following five year interest and principal payment schedule provides for the Short Term Borrowing of up to \$137,000, with an interest only repayment in 2018 and interest/principal repayments in the years 2019-2022:

	Budget			
	Principal	Interest	Total Payments	Balance
	\$ (137,000)			\$ 137,000
2018	\$ -	\$ 3,111	\$ 3,111	\$ 137,000
2019	\$ 33,412	\$ 2,860	\$ 36,272	\$ 103,588
2020	\$ 34,169	\$ 2,103	\$ 36,272	\$ 69,419
2021	\$ 34,944	\$ 1,328	\$ 36,272	\$ 34,475
2022	\$ 34,475	\$ 536	\$ 36,272	\$ -

The current Operating Reserves for Function 456 – Recreation Saltair is \$33,681 as of May 31, 2017.

If the emergency roof replacement and interior restoration work capital project is approved to proceed, the following revenues would need to be included in the 2018 budget for Function 456 – Recreation Saltair and \$300,000 added to Capital – Building Improvements:

- Debt Proceeds \$137,000
- Transfer from Gas Tax Reserve \$130,000
- Transfer from Operating Reserve \$33,000

COMMUNICATION CONSIDERATIONS

The Saltair Community Society would need to be notified in advance of emergency roof replacement work schedule so that public notification signage can be posted to inform building tenants and users of the community centre of works taking place and appropriate precautions taken in regard entry/exit of the building and parking access.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

N/A

- Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- Engineering Services (*Environmental Services, Water Management, Recycling & Waste Management*)
- Land Use Services (*Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

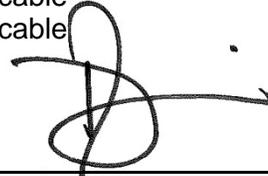
Prepared by:

Reviewed by:



Brian Farquhar
Manager

Not Applicable
Not Applicable



Ross Blackwell, MCIP, RPP, A.Ag.
General Manager

Reviewed for Form and Content and Approved for Submission to the Board:

Chief Administrative Officer's Comments / Concurrence



Brian Carruthers
Chief Administrative Officer

ATTACHMENTS:
N/A



PUBLIC HEARING REPORT

Bylaw Nos 4141 and 4142

The following is a summary of the proceedings of the Public Hearing to consider Official Community Plan Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142 (PID: 008-477-043 Trans Canada Highway) – applicable to Electoral Area H – North Oyster/Diamond, held on Thursday, October 26, 2017, at North Oyster Community Centre, Room 201, 13467 Cedar Road, Ladysmith, BC

INTRODUCTIONS

7:00 p.m.

Director M. Marcotte, Electoral Area H – North Oyster/Diamond opened the meeting at 7:00 p.m. Introduced the Regional Board delegates and CVRD staff present.

HEARING DELEGATES

Director M. Marcotte, Electoral Area H – North Oyster/Diamond
Director K. Davis, Electoral Area A – Mill Bay/Malahat

ABSENT

Director M. Dorey, Electoral Area G – Saltair/Gulf Islands

CVRD STAFF PRESENT

R. Rondeau, Planner II, Land Use Services Department
M.A. McAdam, Recording Secretary, Land Use Services Department
K. Madge, Development Officer, Land Use Services Department

Also Present:

Applicants, Dick Deschamps and Panayiota Giannikos, and two members of the public.

EXPLANATION OF PROPOSED REZONING APPLICATION & BYLAWS

Ms. Rondeau explained that this Public Hearing has been organized to give the public an opportunity to provide input on proposed Official Community Plan Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142 (applicable to Electoral Area H – North Oyster/Diamond).

PowerPoint presentation by Rachelle Rondeau (Exhibit 1). Outline of the subject properties and proposed Official Community Plan Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142 (applicable to Electoral Area H – North Oyster/Diamond).

Ortho

This is a rezoning and Official Community Plan amendment application for a property at the north end of the CVRD adjacent to the Trans Canada Highway. The property is approximately 0.4 ha (1 acre), zoned R-2 (Suburban Residential).

The intention with this rezoning is to allow commercial uses to increase the economic viability of the property, and be a more suitable set of uses for the property than the currently permitted single family dwelling.

Zoning/OCP

The application proposes to rezone the properties to a commercial zone similar to the C-2 Local Commercial zone.

The property would be designated commercial in the Official Community Plan and there would be a new Development Permit Area applied to the subject property to guide the form and character and appearance of development.

Zoning detail

If approved, the property would be zoned C-2A, which includes all the permitted uses of the C-2 zone, as well as “artist studio” and “Commercial recreation and entertainment”.

***Artist studio:** means the use of a building or portion thereof, used for the creation, display or sale of arts and crafts.”*

For example, this would allow tenants on the property to create products on site and sell them.

***Commercial recreation and entertainment:** means the use of land, buildings or structures for the purpose of operating a commercial recreation and entertainment business, including bowling alleys, arcades, indoor and outdoor rock climbing facilities, dance halls, pools, skating rinks, mini-golf, and includes uses of a similar nature.*

For example, this would not only allow outdoor activities such as mini golf, but also indoor recreation-related uses.

Development Permit Area

Because the application involves a rezoning and official community amendment for commercial development, and the property has high visibility from the Trans Canada highway, staff recommended establishing a new Development Permit area that would apply to the subject property if the rezoning application were approved.

The intent is that this would guide the form and character of development, making sure that new buildings are attractive. It also specifies guidelines for landscaping, screening, rainwater management, signage, lighting and parking.

Correspondence

The following items are attached to the Minutes as Exhibits:
CVRD Power Point Presentation (EXHIBIT 1)
No other items of correspondence were received.

**APPLICANT
Dick Deschamps**

Spoke about his dissatisfaction with the timeliness of the application processing, and his opposition to inclusion in a Development Permit Area.

**QUESTION and
ANSWER SESSION**

A question and answer session was carried out.

Break

There was no break.

**CALL TO ORDER
7:16 p.m.**

Chair Marcotte, Electoral Area H – North Oyster/Diamond, called the Public Hearing to order at 7:16 p.m.

Location of the File

Chair Marcotte stated that the information binder is available for review on the side table, along with copies of the proposed Amendment Bylaws. She advised that any letters or submissions that are to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing. She further advised that all correspondence submitted to the CVRD in response to this Notice would form part of the public record and will be published in a meeting agenda that is posted online when this matter is before the Board or a Committee of the Board.

The CVRD considers the author's address relevant to the Board's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information to be disclosed.

Rachelle Rondeau

**EXPLANATION OF
PROPOSED BYLAW
AMENDMENTS**

This Public Hearing is convened pursuant to Section 466 of the *Local Government Act* in order to consider Official Community Plan Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142.

The Notice of Public Hearing was advertised in two consecutive issues of the *Nanaimo Bulletin* (Tuesday, October 17, 2017, and Thursday, October 19, 2017). Letters were also sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

The purpose of Official Community Plan (OCP) Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142 is to rezone the property from a residential designation and zone to a commercial designation and zone. A new Development Permit Area to establish guidelines for the form and character of commercial development is also proposed.

OCP Amendment Bylaw No. 4141 proposes to amend the North Oyster/Diamond OCP Bylaw by re-designating the property from Suburban Residential (S) to Commercial (C). Zoning Amendment Bylaw No. 4142 proposes to rezone the subject property from R-2 Zone (Suburban Residential) to a new C-2A Zone (Local Commercial A).

The subject property is legally described as: The South 10 Chains of the West 10 Chains of District Lot 9, Oyster District, Except Part in Plan 8911, and Except That Part Lying to the East of the Easterly Boundary of Plan 1157RW, and Except Part in Plan 50653 (PID: 008-477-043).

No letters of response were received at the CVRD office from the date the advertising was placed within the local newspaper to the close of the CVRD office today (October 26, 2017) at 4:30 p.m.

Director Mary Marcotte

Opened the formal portion of the Public Hearing to hear from members of the public who deem themselves affected by the proposed Bylaws. Asked those wishing to comment to please state their name and address for the record prior to comments being made.

Noted that the file and any letters or submissions are available for review at the adjacent table.

Any letters or submissions must be received at the front table prior to the close of the Public Hearing.

PUBLIC COMMENTS

The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Marcotte reminded the public that the Information Binder was available for viewing on the back table along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.

Mary Marcotte

Asked twice if there were any comments or submissions regarding OCP Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142.

**Panayiota Giannikos
1570 Carmichael Rd.**

Would like to propose that no development permit area be applied to this property.

**Frederick Deschamps
1570 Carmichael Rd.**

Requested that no development permit area be required for this rezoning.

**Howard Davis
13110 Code Rd**

Owns property near the applicant's property. His property is also on the aquifer. Based on the zoning of the subject property, he does not think a new development permit area should be necessary. This [requirement] seems rather foolish.

**Frederik Deschamps
1570 Carmichael Rd.**

Thanked staff for the opportunity to speak.

**Mike Fall
13065 Cameron Rd**

Rezoning makes sense. This is a commercial area and the property up for rezoning is not suited for residential use.

**ADJOURNMENT
7:28 p.m.**

Chair Marcotte asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 4141 and Zoning Amendment Bylaw No. 4142.

Chair Marcotte declared the Public Hearing closed at 7:28 p.m.

CERTIFICATION:

We attended the Public Hearing on Thursday, October 26, 2017, and hereby certify that this is a fair and accurate report of the Public Hearing.

M. Marcotte
Director M. Marcotte, Chair

Date Nov. 20, 2017

K. Davis
Director K. Davis

Date Nov. 15, 2017

R. Rondeau
R. Rondeau, Planner II

Date Nov. 15, 2017

M. A. McAdam
Mary Anne McAdam, Recording Secretary

Date November 15, 2017



Celebrating 50 years of Serving our Community
1967 - 2017





47



- Subject property – Approximately 0.4 ha (1 acre)
- Adjacent to Trans-Canada Highway
- Zoned Residential, propose commercial



49



Development Permit Area

Would apply to subject property:

- Building Design;
- Landscaping;
- Parking;
- Lighting



Questions:

50 Rachelle Rondeau, RPP, Planner II

Development Services Division

Land Use Services



COWICHAN VALLEY REGIONAL DISTRICT BYLAW No. 4147

A Bylaw to Regulate the Deposit of Soil on Lands Within CVRD Electoral Areas

WHEREAS the Board of the Cowichan Valley Regional District established the service of Removal and Deposit of Soil under the provisions of Bylaw No. 3947, cited as "CVRD Bylaw No. 3947 – Removal and Deposit of Soil Service Establishment Bylaw, 2015";

AND WHEREAS Section 327 of the *Local Government Act* authorizes a Regional District to regulate or prohibit the removal of soil, including sand, gravel, and rock, and the deposit of soil and other materials on any land within the electoral areas, to make different regulations and prohibitions for different areas, and to require permits and impose fees;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to regulate the deposit of soil and other materials within its Electoral Areas;

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

1.0 CITATION

This bylaw may be cited as "**CVRD Bylaw No. 4147 – Soil Deposit Bylaw, 2017**".

2.0 DEFINITIONS

In this bylaw, the following definitions apply:

“Active Floodplain” means an area of land that supports floodplain plant species and is:

- i. adjacent to a stream that may be subject to temporary, frequent or seasonal inundation, or
- ii. within a boundary that is indicated by the visible high-water mark.

“Agent” means a person who has been authorized in writing by an owner to apply for a permit on the owner's behalf.

“Aggregate” means rock, sand, gravel or other similar material, or a combination of one or more of the foregoing, that is extracted from a mine and is not mixed with any other material.

“Applicant” means an owner, or their agent, who has completed the permit application and has paid the prescribed fee.

“Application” means an application for a permit to deposit soil, in the form provided by the General Manager.

“Authorized Person” has the same meaning as under the Province of British Columbia *Sewerage System Regulation*.

“**Board**” means the Cowichan Valley Regional District Board.

“**Building Official**” means a Registered Building Official employed by the Cowichan Valley Regional District to administer and enforce CVRD Bylaw No. 3422 – Building Regulation Bylaw, 2011, as amended or replaced from time to time.

“**Building Permit**” means a permit issued under authority of CVRD Bylaw No. 3422 – Building Regulation Bylaw, 2011, as amended or replace from time to time.

“**Bylaw Enforcement Official**” means a person designated by the Board to administer and enforce bylaws within the Cowichan Valley Regional District.

“**Compost**” means a product which is:

- i. a stabilized earthy matter having the properties and structure of humus;
- ii. beneficial to plant growth when used as a soil amendment;
- iii. produced by composting; and
- iv. primarily derived from organic matter.

“**Contaminated Sites Regulation**” means the Province of British Columbia’s *Contaminated Sites Regulation* as amended from time to time.

“**Contaminated Soil**” means the presence in soil of hazardous waste or another prescribed substance in quantities or concentrations that would, if deposited on land, exceed the allowable standards under the *Contaminated Sites Regulation*.

“**Deposit**” means the placement, storage, filling, spilling or releasing, directly or indirectly, of soil or other material on a parcel in an Electoral Area where the soil or other material was not previously located.

“**CVRD**” means the Cowichan Valley Regional District.

“**Electoral Area**” means Electoral Areas A, B, C, D, E, F, G, H and I of the Cowichan Valley Regional District, either singularly or in any combination, as the context requires.

“**Electoral Area Services Committee**” means the standing committee of the CVRD Board of that name.

“**General Manager**” means the General Manager, Land Use Services Department, Cowichan Valley Regional District, or a person authorized to act on his or her behalf.

“**High Water Mark**” means the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.

“**Holiday**” means:

- i. Sunday;
- ii. Christmas Day, Good Friday and Easter Monday;
- iii. Canada Day, Victoria Day, British Columbia Day, Labour Day, Thanksgiving Day, Remembrance Day, Family Day and New Year's Day;
- iv. December 26; and
- v. a day set by the Parliament of Canada or by the Legislature, or appointed by proclamation of the Governor General or the Lieutenant Governor, to be observed as a

day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday.

“**Industry**” includes, but is not limited to, businesses that import soil, sand or gravel for the purposes of commercial resale, blending or other purpose.

“**Industry Permit**” means a permit authorizing the repeated or continual deposit of soil on a parcel for a period of more than 12 months, where the volume of soil to be deposited exceeds 500 m³ per year.

“**Landscaping Material**” means gravel, rock, stone, sand, bark mulch, top soil, compost, and similar materials used for landscaping purposes, which are free from contaminants and invasive species.

“**Mine**” means a mine operating under the authorization of a permit issued under the *Mines Act* (British Columbia).

“**Natural Boundary**” means the visible high-water mark of a watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

“**Other Material**” includes, but is not limited to:

- i. construction, reconstruction, renovation, building, demolition and road works wastes of any nature;
- ii. hog fuel, edgings, or other wood waste which results from the manufacturing process of lumber or other wood products;
- iii. land clearing wood waste, consisting of stumps, brush, and logs or any other material derived from land clearing activity;
- iv. waste material derived from any commercial or industrial activity;
- v. yard and garden waste;
- vi. top soil, gravel, sand, rock, silt, clay, peat, sediment and other natural substances containing any invasive species; and
- vii. topsoil, gravel, sand, rock, silt, clay, peat, sediment and other natural substances containing contaminants from a Schedule 2 activity, as set out in the Contaminated Sites Regulation.

“**Organic Waste**” means biodegradable, compostable waste of plant or animal origin from domestic or industrial sources.

“**Parcel**” means a lot, block or other area in which real property is held or into which real property is subdivided, and without limitation includes a strata lot created under the Province of British Columbia *Bare Land Strata Regulations*.

“**Permit**” means the written authority issued by the General Manager under this Bylaw for the deposit of soil on any parcel in an Electoral Area.

“**Permit Area**” means the area of land over which the soil deposit occurs, or is proposed to occur, within the subject parcel.

“**Province**” means the Province of British Columbia.

“Registered Professional” means an engineer, geoscientist, agrologist, environmental consultant, soil scientist, biologist or land surveyor who is registered with a professional association that is regulated by a statute, appointed and qualified to act in the capacities described in the sections of this bylaw requiring a report, certification or estimate of a registered professional.

“Riparian Assessment Area” means:

- i. for a stream, the 30 metre strip on both sides of the stream, measured from the high water mark;
- ii. for a 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
- iii. for a 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.

“Security Deposit” means a cash deposit, certified cheque or irrevocable letter of credit provided by the applicant to ensure all soil deposit will be carried out in compliance with the conditions of this bylaw and a permit under this bylaw.

“Soil” includes:

- i. unconsolidated mineral or organic material;
- ii. rock;
- iii. fill; and
- iv. sediment deposited on land;

but does not include the following, when applied to land for a beneficial purpose in compliance with the *Organic Matter Recycling Regulation* or an authorization given under the *Environmental Management Act*:

- v. sewage sludge;
- vi. composted organic materials; and
- vii. products derived from the materials described in sub-paragraph (v) or (vi).

“Stockpile” means a man-made accumulation of soil or other material held in reserve for future use, distribution or removal.

“Stream” includes any of the following that provides fish habitat:

- i. a watercourse, whether it usually contains water or not;
- ii. a pond, lake, river, creek or brook; and
- iii. a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (i) or (ii).

“Unsuitable Material” means any rubbish, derelict vehicle, metals, demolition wastes, garbage or waste materials, including containers, packages, bottles, cans or parts thereof; or any abandoned or discarded article, product or goods of manufacture, other than minor amounts of concrete, asphalt and pipe that are removed as part of an excavation process and cannot be screened or removed from the excavated soil by any commercially reasonable method.

“**Watercourse**” means a permanent or non-permanent (containing water at least six months of the year) source of water supply that is natural or man-made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well-defined banks and a bed of 0.6 m or more below the surrounding land serving to give direction to or containing a current of water but does not include a man-made pond that does not connect to a stream.

“**Wood Waste**” means wood residue in mechanically shredded form and includes sawdust, hog fuel, bark, chips, slabs, shavings, trimmings, edgings, or other such waste which is the result of any manufacturing process involved in the production of lumber or other wood products.

3.0 PURPOSE

3.1 This bylaw has been enacted for the purpose of regulating the deposit of soil within all Electoral Areas of the Cowichan Valley Regional District in the general public interest. This bylaw regulates the deposit of soil that originates internally within the CVRD, and soil being deposited from external sources.

3.2 The purpose of this bylaw does not extend:

- a) to the protection of owners, occupiers or persons involved in the deposit of soil from economic loss;
- b) to the assumption of the Cowichan Valley Regional District or any officer or employee of the Cowichan Valley Regional District of any responsibility for ensuring compliance by a person involved in the deposit of soil on land, his or her representatives, or any employees, contractors, or agents with this bylaw, or any other enactments applicable to the deposit of soil or the development of land;
- c) to providing any person with a warranty that any deposit of soil will not violate this bylaw, any other enactment or create any nuisance of any type; and
- d) to relieve any person of the responsibility for removing any soil that has been deposited contrary to this bylaw or a permit issued under this bylaw.

4.0 APPLICATION

This bylaw applies within Electoral Areas A, B, C, D, E, F, G, H and I of the Cowichan Valley Regional District.

5.0 SEVERABILITY

If any section, subsection, sentence, paragraph, or schedule forming part of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the section, subsection, paragraph, or schedule may be severed from the bylaw without affecting the validity of the bylaw or any portion of the bylaw or remaining schedules.

6.0 INCORPORATION OF SCHEDULES

Schedule "A" attached hereto is hereby made a part of this bylaw.

7.0 PROHIBITIONS

7.1 No person shall do any of the following anywhere in an Electoral Area:

- a) unless an exemption under Section 8.1 or Section 9.1 applies, cause or permit the deposit of soil or other material on any parcel, unless a permit allowing the deposit has first been obtained under Section 10 of this bylaw;
- b) cause or permit the deposit of unsuitable material or contaminated soil on any parcel, except where this bylaw expressly authorizes the deposit of unsuitable material or contaminated soil. For certainty, a provision of this bylaw authorizing the deposit of "soil", without any additional reference to unsuitable material or contaminated soil, shall not be construed as authorizing the deposit of unsuitable material or contaminated soil.

7.2 No person shall deposit soil within a riparian assessment area unless the deposit is:

- a) authorized under a development permit issued by the Cowichan Valley Regional District;
- b) where required by law, authorized under the terms of permit or approval issued by the Province; and
- c) authorized under a permit issued pursuant to Section 10 of this bylaw.

8.0 PERMIT EXEMPTIONS

8.1 A person may deposit soil onto a parcel without a permit provided that at least one of the following applies:

- a) All of the soil to be deposited is not contaminated soil and is necessary for the construction of basements, footings and foundations, or for the installation of works and services including septic fields and driveways, in conjunction with a construction project for which a building permit has been issued and remains in force;
- b) All of the soil to be deposited is, in the written opinion of an Authorized Person, required for the maintenance, repair or replacement of a septic tank or field and associated works and is free from contamination;
- c) The total quantity of soil deposited for any purpose on the parcel is less than 10 m³ in any calendar year;
- d) The deposit of soil is authorized under a Contaminated Soils Relocation Agreement, under the *Contaminated Sites Regulation*, between the person depositing the soil and the Province, provided that the person depositing the soil provides the Cowichan Valley Regional District with the following before depositing the soil:
 - i. a copy of the Contaminated Soils Relocation Agreement;
 - ii. all relevant documentation confirming the source of the soil and the nature and extent of contamination including trucking manifests, soil analysis reports, and reports of Registered Professionals;
 - iii. the written assurance of the person depositing the soil that the terms and conditions of the Contaminated Soils Relocation Agreement and all other

applicable statutes and regulations will be complied with.

- e) The deposit is required for the construction or repair of works, roads, highways or services by or on behalf of the Cowichan Valley Regional District, its member municipalities or the Ministry of Transportation and Infrastructure, and the deposit is onto a parcel owned or leased by one of those authorities;
 - f) The deposit is to a parcel owned or leased by the government of Canada or the Province, excluding in all cases the deposit onto a parcel that is leased or licensed by the Province to a third party;
 - g) The soil is being relocated within the boundaries of the parcel from which it originates;
 - h) The soil is not contaminated soil and is deposited on land used for a commercial landscape supply, horticultural or nursery operation, where the use is permitted under the applicable Cowichan Valley District Zoning Bylaw, and where applicable under the *Agricultural Land Commission Act* and Regulations under that *Act*, and such deposit to create a stockpile for re-sale or is otherwise necessary as part of the routine business operations of a landscape supply, horticultural or nursery operation;
 - i) The soil is being deposited as part of the reclamation of a mine, as authorized under the *Mines Act* (British Columbia);
 - j) The importation of aggregate that is free of contamination to a mine, where permitted under the terms of a permit under the *Mines Act* (British Columbia); or
 - k) The deposit or importation of aggregate that is sourced from a mine, and that is free of contamination, in connection with the operation of a farm, golf course, horse stable, or other agricultural use, and where applicable, the deposit is in compliance with the *Agricultural Land Commission Act*, and Regulations under that *Act*.
- 8.2 Where either the Building Official or the General Manager has reason to believe that soil being deposited, or to be deposited, under Section 8.1(a) of this bylaw may be Contaminated Soil, either the Building Official or the General Manager may order the immediate cessation of soil deposit until a report of a Registered Professional, or other evidence satisfactory to the Building Official or General Manager, is provided demonstrating that the soil to be deposited is free from contamination.
- 8.3 Where the Building Official is of the opinion that soil being deposited, or to be deposited, under Section 8.1(a) of this bylaw is not necessary for the construction of basements, footings and foundations, or for the installation of works and services including septic fields and driveways, either the Building Officer or the General Manager may order the immediate cessation of soil deposit until a permit has been applied for and issued under Section 10 of this bylaw.
- 8.4 The person undertaking the deposit of soil in reliance on an exemption under Section 8.1 must provide to the General Manager, on request, sufficient documentation to confirm that the person meets the conditions for an exemption under Section 8.1.

9.0 Landscaping**(a) Exemption From Permit Requirement for Certain Deposits**

- 9.1 The deposit of up to 20 m³ of landscaping material on a parcel in any calendar year, for landscaping on that parcel, is exempt from the requirement for a permit under this bylaw, provided the landscaping material has been purchased or otherwise sourced from a commercial landscape supply company, a commercial nursery, or a commercial soil supplier.
- 9.2 The person undertaking the deposit of soil in reliance on the exemption under Section 9.1 must provide to the General Manager, on request, sufficient documentation to confirm that the person meets the conditions for an exemption under Section 9.1.

(b) Conditions for Deposit of Landscaping Material

- 9.3 The following conditions apply, in addition to any terms and conditions contained in a permit issued under this bylaw, to the deposit of from 20 to 100 m³ of landscaping material on a parcel in any calendar year, for landscaping on that parcel:
- a) the slope or any part of an exposed face of the landscaping material deposited must not be greater than the angle of repose necessary for stability of the material;
 - b) the deposited landscaping material, must not, in any way, interfere with the hydrological function and established above or below ground drainage pattern or capacity of any adjoining or reasonably adjacent properties and must not cause the groundwater table to rise on the parcel where the deposit occurs or adjoining or reasonably adjacent properties so as to cause flooding of those properties or malfunctioning of any private sewage disposal system;
 - c) the deposited landscaping material must be graded in such a manner that positive gravity drainage is assured throughout, and a drainage system must be installed which is of sufficient capacity and extent to ensure that groundwater and surface run-off will not drain onto adjoining properties at greater rates after commencement of the deposit operation than prior to the commencement of the deposit operation;
 - d) where landscaping material is deposited within six (6) metres of a property line, the deposited landscaping material must be graded in such a manner so that the slope of the deposit closest to the property line is not steeper than one (1) metre vertical to five (5) metres horizontal;
 - e) no landscaping material may be deposited within three (3) metres of a property line;
 - f) no landscaping material may be deposited over any dedicated highway or registered statutory right-of-way without first obtaining the approval, in writing, of the authority having jurisdiction over such highway or right-of-way, and a copy of such written approval must be provided to the General Manager;
 - g) no soil or other material may be deposited in the immediate vicinity of any utilities or services which may be damaged by any settlement resulting from such deposit, without first obtaining the approval, in writing, of the authority having jurisdiction over such utility or service, and a copy of such written approval must be provided to the General Manager; and

- h) no soil or other material may be deposited over wells or private sewage disposal systems.
- 9.4 The conditions under Section 9.3 may be varied where the permit application includes a report from a Registered Professional confirming that a variation of those conditions is reasonable or advisable given local conditions.
- 9.5 The deposit of landscaping material in excess of 100 m³ on a parcel in any calendar year, for landscaping on that parcel, shall be subject to the terms and conditions of a permit issued under Section 11 of this bylaw.

10.0 PERMIT APPLICATION REQUIREMENTS

- 10.1 Every applicant for a permit must file with their application the following information about the parcel on which the permit area is located:
- a) the civic address and legal description of the parcel;
 - b) a title search obtained no more than thirty days prior to the application, together with copies of all registered encumbrances;
 - c) copies of any water licences appurtenant to the parcel;
 - d) the name of the registered owner;
 - e) the signature of the applicant,
 - f) if the applicant is not the owner of the parcel, a signed letter from the owner of the parcel authorizing the applicant to carry out the deposit of soil on behalf of the owner;
 - g) the applicable security deposit and permit fees in accordance with Schedule "A" to this bylaw;
 - h) a plan of the property showing the location of any structures, the area where soil is to be deposited, and the access points to and from the property;
 - i) the volume of soil to be deposited;
 - j) the location (including legal description and street address where required by the General Manager) of the site from which the soil originates;
 - k) the proposed completion dates for stages of soil deposit, if applicable;
 - l) except for soil deposits of 10 m³ or less:
 - i. a detailed description of the source of the soil and the composition of the soil;
 - ii. unless an exemption under Section 10.4 applies, a report certified by a Registered Professional that the soil is not contaminated soil, and which report includes the other information referred to in Section 10.3 of this bylaw;
 - m) the distance from the permit area to the nearest watercourse, and the name of watercourse or waterbody;

- n) a report prepared by a Registered Professional as to the soils underlying the permit area: whether permeable, or whether a water restricting layer like hardpan or bedrock is present;
 - o) a vegetation remediation plan prepared by a Registered Professional for the management or remediation of the permit area in the event that any invasive species are introduced to the permit area as a result of the deposit of soil.
- 10.2 In addition to the requirements of Section 10.1, every applicant for a permit who intends to deposit 10 m³ or more of soil on a parcel within a calendar year must provide with their application the report of a Registered Professional and a site remediation plan, which report and site remediation plan must include the following:
- a) plans, drawn to a scale of not less than 1:1000, showing the existing contours with contour intervals of not more than 0.5 metres; and the location of buildings or structures; watercourses, tree cover, wells, known aquifers; sewage disposal fields, public utilities; the proposed permit area; driveways; and ingress and egress points from the proposed permit area to a highway;
 - b) a topographical survey of the parcel prepared by a British Columbia Land Surveyor, if in the opinion of the General Manager, the nature or type of deposit requires accurate topographic information or the determination of the location of natural features, structures, services and property lines;
 - c) the recommended contours of the parcel in its final state upon completion of the permit activities with contour intervals of not more than 0.5 metres;
 - d) the recommended slopes, which will be maintained upon completion of the deposit;
 - e) the method recommended to control the erosion of the banks of the soil;
 - f) the recommended completion dates for stages of deposit, if applicable;
 - g) the recommended methods to control: dust, noise, odour, smoke, vibration and visual impacts caused by the deposit on adjacent parcels, and the tracking of soil or other material onto highways;
 - h) plans to ensure that no silt seeps or flows into any watercourse, well or aquifer on, under or flowing through the parcel by means of a sediment and erosion control plan;
 - i) the recommended methods of drainage control and protection of connecting or nearby watercourses, wells or aquifers during the proposed deposit; and
 - j) recommended methods to stabilize the slopes of the soil, including any re-vegetation upon completion of the deposit.

- 10.3 The report of a Registered Professional provided under Section 10.1(n) must identify the source site that the soil originates from, and the composition of the soil to be deposited, and must be accompanied by a preliminary site investigation report for the source site prepared in accordance with the *Contaminated Sites Regulation* as follows:
- a) for applications to deposit from 10 m³ to 500 m³ of soil, a Stage 1 preliminary site investigation report; and
 - b) for applications to deposit more than 500 m³ of soil, a Stage 2 preliminary site investigation report, unless the General Manager is satisfied that in all the circumstances a Stage 1 preliminary site investigation report provides sufficient confirmation in combination with the other information in the Registered Professional's report that the soil to be deposited is not contaminated.
- 10.4 The report of a Registered Professional under Section 10.1(n) is not required where the soil to be deposited consists entirely of:
- a) aggregate that is sourced from a mine, and is not mixed with other materials; or
 - b) landscaping material that has been purchased or otherwise sourced from a commercial landscape supply company, a commercial nursery or a commercial soil supplier.

11.0 AUTHORITY TO ISSUE THE PERMIT

- 11.1 The Board hereby delegates to the General Manager the authority to issue a permit for the deposit of soil under this bylaw, in an amount up to and including 500 m³ on a parcel in a calendar year.
- 11.2 At the discretion of the General Manager, an application for a permit may be referred to the Electoral Area Services Committee for consideration and recommendation to the Board.
- 11.3 The General Manager or the Board, as applicable, may refuse to issue a permit where the applicant has not provided to the Cowichan Valley Regional District sufficient evidence that the deposit of soil can be carried out without creating a hazard to persons or property, damage to the environment, or irreparable damage to highways or other public property.
- 11.4 A person who has been refused a permit by the General Manager may submit an application for reconsideration by the Board, by giving notice in writing to the CVRD's Corporate Secretary within fourteen (14) days of the refusal.

12.0 COMMUNITY INVOLVEMENT

- 12.1 The General Manager may provide notice in writing, by regular mail, to the owner of a parcel that abuts a parcel or parcels where soil is proposed to be deposited, of the CVRD's receipt of a soil deposit application, at least ten (10) days prior to a decision on the permit application.
- 12.2 The General Manager may provide notice in writing of the CVRD's receipt of a soil deposit application to another local government within the CVRD, where the General Manager considers that the other local government may be affected by the proposed soil deposit.

- 12.3 The General Manager may call for and receive public comment about any permit application or permit renewal application, if the General Manager considers that the application may affect land other than the parcel that is the subject of the application. If the General Manager decides that the community should have an opportunity to comment, then the General Manager may:
- a) require that a public meeting be held with respect to the proposed soil deposit;
 - b) publish notice of the time and place where the public meeting is to be held in two consecutive newspaper publications, paid for at the applicant's expense;
 - c) refer the application to the Electoral Area Services Committee for its consideration and recommendation to the Board following the public meeting, for permits other than those within the authority of the General Manager under Section 11.1.
- 12.4 The General Manager may provide notice in writing to the owner of a parcel that abuts a parcel where the deposit of soil has been authorized by permit, when the CVRD receives a request for a renewal of a soil deposit permit, at least ten (10) days prior to a decision on the permit renewal.
- 12.5 The General Manager may make a decision regarding the renewal of a permit if he or she is satisfied that reasonable efforts to provide notice in accordance with Section 12.3 have been made.

13.0 PERMIT CONDITIONS

- 13.1 A permit may include one or more conditions pertaining to the regulations under this bylaw.
- 13.2 A permit may be issued on condition that the permit holder provide the CVRD with a pre-deposit report before the deposit of any soil commences, prepared by a Registered Professional, to ensure compliance with the permit conditions, including confirmation of:
- a) the location of where the soil is coming from;
 - b) the location on the parcel where the soil is to be deposited;
 - c) the content and composition of the soils and any significant differences in soil composition from that identified in the permit application.
- 13.3 No person shall engage in the deposit of soil:
- a) on a Sunday or Holiday; or
 - b) before 6:00 a.m. or after 7:00 p.m. on any day not referred to in Subsection 13.3 (a).
- 13.4 The issuance of a permit does not relieve the permit holder from compliance with any other statute or regulation, including but not limited to any applicable CVRD bylaw regulating noise or nuisances.
- 13.5 A permit constitutes written authority under this bylaw to conduct only those activities described in the permit.

- 13.6 All plans, specifications and Registered Professional's reports forming part of an application in respect of which a permit is issued shall form part of and be incorporated in the permit unless otherwise specified by the General Manager and, without limiting the foregoing, a permit issued shall specify the maximum volume of soil that is to be deposited.
- 13.7 A permit shall not be issued if the Board or General Manager, as applicable, considers that such deposit would conflict with the policies and guidelines established in the Official Community Plan and/or the permitted uses pertaining to the parcel established by the applicable CVRD zoning bylaw.
- 13.8 A permit shall not be issued if the Board or General Manager, as applicable, considers that such deposit would conflict with the regulations, policies and guidelines established under CVRD solid waste bylaws.
- 13.9 The holder of the permit shall post a clear and legible sign, in English, indicating the duration and extent of the soil deposit authorized by the permit, at the point of entry to the parcel from the main road, before any soil deposit commences. The sign is to be, at a minimum, 1 metre x 1 metre square and must include the permit number on it, and must be maintained in place until the expiry of the permit.
- 13.10 The holder of the permit shall be responsible to contact the Ministry of Transportation and Infrastructure and to comply with that Ministry's requirements for road maintenance and clean up during and after the period of time when soil deposit occurs.
- 13.11 The holder of the permit shall be responsible to contact the Ministry of Environment, Ministry of Mines and the Agricultural Land Commission in order to determine the requirements of those agencies in relation to any soil deposit undertaken under the authority of a permit issued under this bylaw, and the permit holder shall be responsible to comply with those requirements.
- 13.12 The General Manager may require a post-deposit report prepared by a Registered Professional confirming that the soil was deposited in compliance with the permit conditions.

14.0 ADMINISTRATION

- 14.1 Every permit issued under this bylaw expires upon the earlier of:
- a) the deposit of the total amount of soil authorized to be deposited by the permit has occurred;
 - b) the expiry date expressly stated in the permit;
 - c) one (1) year after the date of permit issuance; or
 - d) for an industry permit, the expiry date expressly stated in the permit, which shall be no more than ten (10) years from the date of permit issuance.
- 14.2 If the deposit authorized in a permit is not completed before the permit expires under Section 14.1, the General Manager may renew the permit provided that:
- a) the applicant makes a written request to the General Manager for a renewal or extension a minimum of one (1) month prior to the expiry date;
 - b) the applicant has paid the required renewal fee and provided the required security

- deposit;
- c) the soil deposit has been carried out in compliance with the terms and conditions of the original permit, including any conditions of a Registered Professional's report which may apply;
 - d) there is no change in scope from the original application;
 - e) adjacent land owners have been notified in advance as provided for in Section 12.3; and
 - f) an industry permit may not be renewed.
- 14.3 There is no limit to the number of times a person may apply for renewal of a permit, but no person has a vested right to the renewal of a permit.
- 14.4 The General Manager may vary, alter or add to the permit terms and conditions that apply during the renewal period of a permit, as are necessary to ensure compliance with this bylaw or to mitigate any harm to the environment or to adjoining property owners, and a permit holder is not entitled to the issuance of a renewal permit on the same terms and conditions that applied under the expiring permit.
- 14.5 An application for renewal of a permit which includes a material change in the scope of proposed soil deposit from that under the original application may be refused, and in that case a new permit application, with applicable permit fee and security deposit, must be submitted.
- 14.6 The General Manager may establish the form of application and permit to be used under this bylaw.
- 15.0 PERMIT SUSPENSION, CANCELLATION AND AMENDMENT**
- 15.1 If there is a contravention of any term or condition of the permit, or the permit was issued on the basis of statements made in an application for a permit, report, declaration or record required under this bylaw that were false or misleading with respect to a material fact, or that omitted to state a material fact, the omission of which made the statement false or misleading, the General Manager may:
- a) suspend in whole or in part the rights of the applicant under the permit;
 - b) revoke the permit;
 - c) amend the permit;
 - d) attach new conditions to a permit, without the consent of the applicant; or
 - e) order that the permit holder carry out remedial work to correct the contravention.
- 15.2 The General Manager may authorize an amendment to a permit, where requested by the permit holder. For any proposed material changes to the permit, the General Manager may require:
- a) the submission of further, amended, or new information referred to in Section 10.1, 10.2 or 10.3;

- b) further community consultation in accordance with Section 12; and
- c) the submission of a new permit application, along with applicable permit fees and security deposit.

16.0 FEES AND SECURITY DEPOSITS

- 16.1 The applicant for a permit or permit renewal must pay the permit fee prescribed under Schedule “A” at the time the application is submitted.
- 16.2 The volumetric fee prescribed under Schedule “A” shall be determined based on the volume of soil that is proposed to be deposited, and must be paid at the time the application is submitted. There shall be no refund of any portion of the permit fee where the volume of soil deposited is less than that proposed under the permit application.
- 16.3 A person who deposits soil without a permit issued under this bylaw, and who subsequently applies for a permit to authorize the deposit, shall be required to pay double the applicable permit fee.
- 16.4 As security for the due and proper compliance with all the requirements and conditions of this bylaw, the applicant for a permit shall, before receiving a permit for the deposit of soil, provide a cash deposit, certified cheque, or irrevocable letter of credit drawn upon a chartered bank or credit union, in the amount set out in Schedule “A”, to be determined based upon the permit area designated for soil deposit. The security deposit provided under this section must remain valid from the date of issuance of a permit to a date that is not less than six (6) months after the expiration date of the permit.
- 16.5 Should the holder of a permit not comply with the conditions of the permit, the Cowichan Valley Regional District may undertake any necessary remedial action on the permit area at the cost of the permit holder, and may utilize the security deposit for that purpose.
- 16.6 An industry permit may be issued for a period of more than 12 months, to a maximum term of ten years, provided the applicant:
 - a) pays the base permit fee prescribed under Schedule “A”;
 - b) provides the CVRD with a security deposit, determined in accordance with Schedule “A”, for payment of the volumetric permit fee prescribed under Schedule “A”;
 - c) submits with the permit application the other application information required under Section 10.1, 10.2 and 10.3 of this bylaw, as applicable;
 - d) provides the CVRD with a security deposit in the amount equal to the anticipated cost of any site remediation or clean up that may be required at the expiry of the permit, as estimated by a Registered Professional;
 - e) submits to the General Manager a copy of each annual report submitted to the Ministry of Mines detailing the volume of soil deposited in the permit area each year; together with payment of the volumetric permit fee payable in respect of that year, as determined in accordance with Schedule “A”.

17.0 VIOLATIONS AND PENALTIES

- 17.1 Any person who contravenes any provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits or neglects to fulfil, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 per offence.
- 17.2 A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.
- 17.3 The penalties imposed under Subsection 17.1 and 17.2 hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw or any other statute, law or regulation including but not limited to an application to the Supreme Court of British Columbia by the Regional District to a court, for a mandatory injunction for the enforcement of this bylaw, including an order for the removal of any soil, contaminated soil, other material or unsuitable material deposited contrary to the provisions of this bylaw.

18.0 INDEMNIFICATION

- 18.1 The holder of the permit is at all times responsible for compliance with the provisions of this bylaw and any other applicable enactment and for any claim, demand, damage, loss, costs, expense, fees or fine that may arise from a deposit of soil.
- 18.2 The holder of a permit shall save harmless, indemnify and keep indemnified the Cowichan Valley Regional District, its officers, employees, contractors and elected officials from any and all claims, demands, damages, losses, costs, expenses, fees, fines, actions, proceedings whatsoever brought by any person arising from the issuance of a permit under this bylaw with respect to the deposit of soil authorized under a permit.

READ A FIRST TIME this _____ day of _____, 2017.

READ A SECOND TIME this _____ day of _____, 2017.

APPROVED BY THE MINISTER OF ENVIRONMENT this _____ day of _____, 2017.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary

SCHEDULE “A”
Permit Fees and Security Deposits

SOIL QUANTITY (1)	PERMIT FEE (2)	SECURITY DEPOSIT (3)	RENEWAL FEE (4)
less than 10 m ³	none	none	N/A
10 - 500 m ³ or greater	\$500 base fee	\$10,000 for the first hectare of permit area (or portion thereof) plus \$3,000 for each additional hectare or portion thereof of permit area	\$200
500 m ³ or greater	\$500 base fee plus \$1.00 for every additional 100 m ³ above 500 m ³	\$10,000 for the first hectare of permit area (or portion thereof) plus \$3,000 for each additional hectare or portion thereof of permit area	\$200
Industry Permit	\$500 base fee plus \$1.00 for every additional 100 m ³ above 500 m ³	Security for permit compliance and remediation in an amount equivalent to the cost of remediation or site cleanup required at the expiry of the permit, as estimated by a Registered Professional. Security for payment of the volumetric permit fee shall be \$1.00 for every additional 100 m ³ of soil above 500 m ³ proposed to be deposited in each year.	N/A

- (1) Except for an industry permit, the entire permit fee must be provided prior to the issuance of the permit. For an industry permit, the volumetric fee prescribed in the above table may be paid annually based on actual volumes deposited as reported to the Ministry of Mines.
- (2) The security deposit is required prior to issuance of a permit and must be renewed and in effect prior to renewal of any permit. The security deposit will continue in effect for six (6) months after the permit has expired.
- (3) The renewal fee must be paid prior to the permit renewal being authorized.



COWICHAN VALLEY REGIONAL DISTRICT

Bylaw No. 4151

A Bylaw to Authorize the Borrowing of Funds to Assist With Costs Associated With Capital Improvements (Phase 1) to the Mesachie Lake Sewer System

WHEREAS on March 12, 1969, the Board established the *Mesachie Lake Sewer System* as a Service under the provisions of Bylaw No. 15, cited as "Mesachie Lake Sewerage Special Service Area Bylaw No. 15", as amended;

AND WHEREAS the Board wishes to borrow money to assist with the costs associated with capital improvements (Phase 1) to the Mesachie Lake Sewer System;

AND WHEREAS the estimated total cost for Phase 1 capital improvements to the Mesachie Lake Sewer System, including expenses incidental thereto, is One Million Four Hundred Seventy-Seven Thousand Seven Hundred and Ninety-Three Dollars (\$1,477,793);

AND WHEREAS the sum to be borrowed is not to exceed Two Hundred Fifty-One Thousand Two Hundred and Twenty-Six Dollars (\$251,226), which is the amount of debt to be created by this bylaw;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which it is adopted;

AND WHEREAS the Board of the Cowichan Valley Regional District has received a sufficient petition from the service area electors in accordance with the *Local Government Act* and *Community Charter*;

AND WHEREAS the Board has obtained approval of the Inspector of Municipalities in accordance with the *Local Government Act* and the *Community Charter*

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 4151 – Mesachie Lake Sewer System Loan Authorization (Phase 1 - \$251,226) Bylaw, 2017**".

.../2

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to carry out capital improvements to the Mesachie Lake Sewer System in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing, to borrow upon the credit of the Regional District a sum not exceeding Two Hundred Fifty-One Thousand Two Hundred and Twenty-Six Dollars (\$251,226).

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 25 years.

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

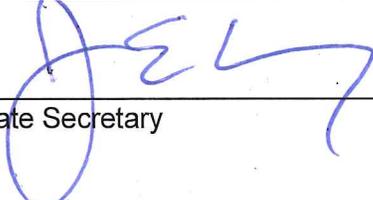
This bylaw relates to the *Mesachie Lake Sewer System Service Area* established pursuant to Bylaw No. 15, cited as "Mesachie Lake Sewerage Special Service Area Bylaw No. 15".

READ A FIRST TIME this 11th day of October, 2017.

READ A SECOND TIME this 11th day of October, 2017.

READ A THIRD TIME this 11th day of October, 2017.

I hereby certify this to be a true and correct copy of Bylaw No. 4151 as given Third Reading on the 11th day of October, 2017.



Corporate Secretary

OCTOBER 12, 2017

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 9th day of November, 2017.

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



Statutory Approval

Under the provisions of section _____ 403

of the _____ *Local Government Act* _____ *and*

of section _____ 179 *of the* _____ *Community Charter*

I hereby approve Bylaw No. _____ 4151

of the _____ Cowichan Valley Regional District _____ ,

a copy of which is attached hereto.

Dated this _____ 09 *day*

of _____ November _____ , 2017

Deputy Inspector of Municipalities



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4152

A Bylaw to Amend the Boundaries and Change the Name of the Mesachie Lake Sewer System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Mesachie Lake Sewer System Service Area* under the provisions of Bylaw No. 15, cited as "Mesachie Lake Sewerage Special Service Area Bylaw No. 15";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to reduce the boundaries of the service area to reflect those properties that are connected and change the name of the service to "Mesachie Lake Sewer System Service";

AND WHEREAS the owners of the properties connected to the service have petitioned the Regional District to reduce the boundary to reflect those properties and change the name to update the bylaw;

AND WHEREAS the Board has obtained approval of the Inspector of Municipalities in accordance with the *Local Government Act* and the *Community Charter*;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 4152 – Mesachie Lake Sewer System Service Amendment (Boundary Reduction – Name Change) Bylaw, 2017**".

2. **AMENDMENTS**

1. That Bylaw No. 15 be amended by deleting the existing Schedule A and replacing it with the Schedule A attached to this bylaw.

2. That Section 4 – Citation be deleted and replaced with:

"4. This bylaw may be cited for all purposes as "CVRD Bylaw No. 15 – Mesachie Lake Sewer System Service Establishment Bylaw, 1969"

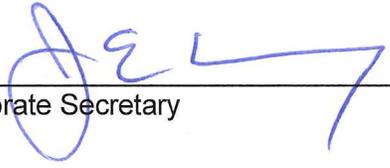
.../2

READ A FIRST TIME this 11th day of October, 2017.

READ A SECOND TIME this 11th day of October, 2017.

READ A THIRD TIME this 11th day of October, 2017.

I hereby certify this to be a true and correct copy of Bylaw No. 4152 as given Third Reading on the 11th day of October, 2017.


Corporate Secretary

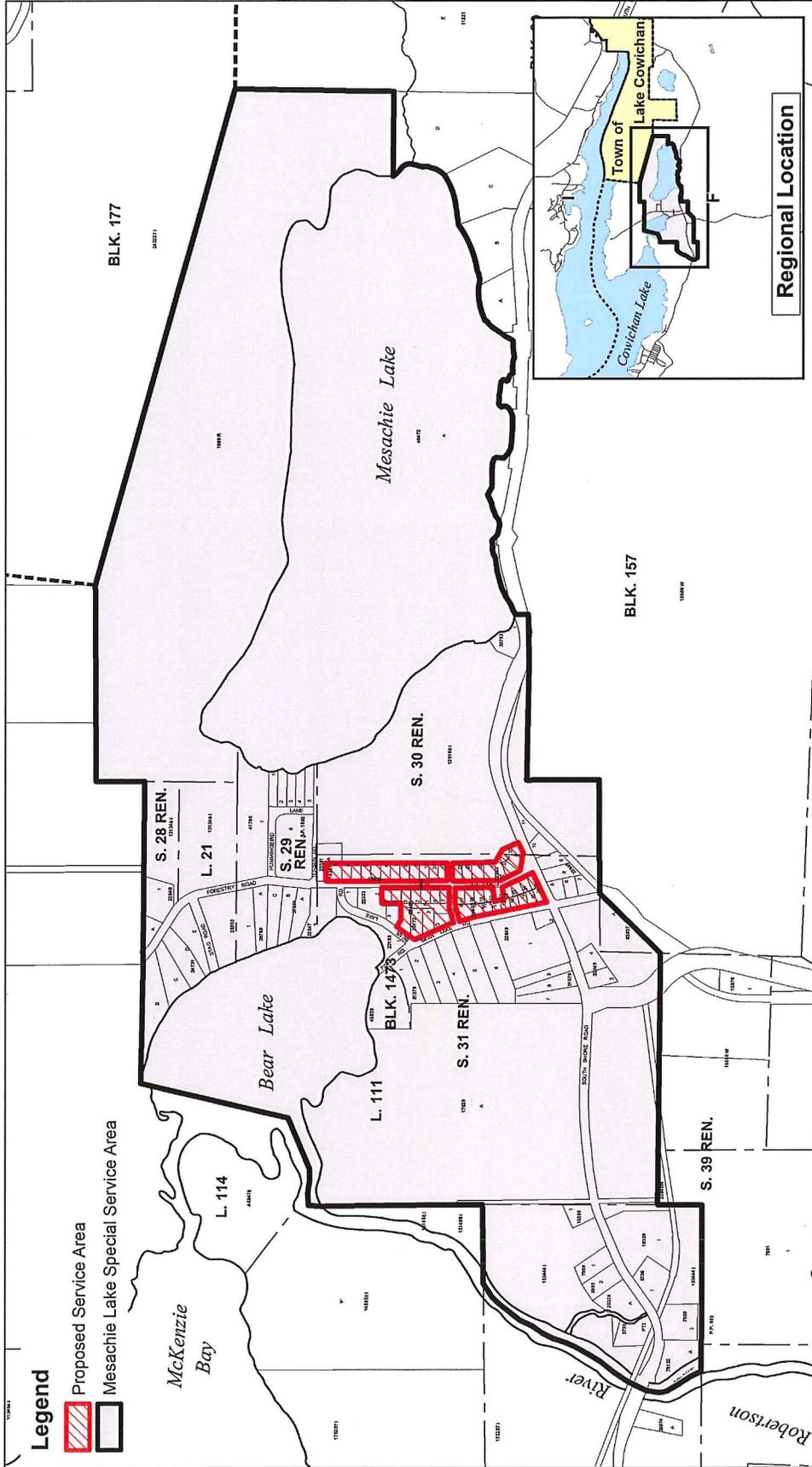
OCTOBER 12, 2017
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 9th day of November, 2017.

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No. 15 – Mesachie Lake Sewer System Service Establishment Bylaw, 1969. As amended by Bylaw No. 4152. Adopted _____, 2017.



Statutory Approval

Under the provisions of section _____ 349 _____

of the _____ Local Government Act _____

I hereby approve Bylaw No. _____ 4152 _____

of the _____ Cowichan Valley Regional District _____,

a copy of which is attached hereto.

Dated this _____ 09 _____ *day*

of _____ November _____, 2017

Deputy Inspector of Municipalities



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4166

A Bylaw to Amend Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Establishment Bylaw No. 4, 1991

WHEREAS the Board of the Cowichan Valley Regional District established the *Shawnigan Lake (Electoral Area B) Community Hall Local Service Area* under the provisions of Bylaw No. 1355, cited as "CVRD – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Establishment Bylaw No. 4, 1991", as amended, for the purpose of providing a community hall within the boundaries of Electoral Area B – Shawnigan Lake and offering services and programs, both on and off site;

AND WHEREAS the Regional District wishes to amend Bylaw No. 1355 by increasing the maximum annual requisition limit from \$719,000 to \$898,750;

AND WHEREAS the Director for Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 4166 – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Amendment Bylaw, 2017**".

2. **AMENDMENT:**

That Bylaw No. 1355, cited as "CVRD – Shawnigan Lake (Electoral Area B) Local Service (Community Hall) Establishment Bylaw No. 4, 1991", be amended by deleting "\$0.46213/\$1,000" between the words "of" and "of" in the third line of the Section 3 - Maximum Requisition text and replacing it with "\$0.47803/\$1,000" and deleting the figure "\$719,000" and replacing it with "\$898,750".

READ A FIRST TIME this _____ day of _____, 2017.

READ A SECOND TIME this _____ day of _____, 2017.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4141

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 "**CVRD Bylaw No. 4141 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (PID: 008-477-043), 2017**".

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.

.../2

4. FORCE AND EFFECT

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

READ A FIRST TIME this 23rd day of August , 2017.
READ A SECOND TIME this 23rd day of August , 2017.
READ A THIRD TIME this _____ day of _____, 2017.
ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



SCHEDULE "A"

To CVRD Bylaw No. 4141

Schedule A to Official Community Plan Bylaw No. 1497, is hereby amended as follows:

1. That new "Part 11 – Policies: Commercial/Industrial Development Permit Area" be inserted, and subsequent Parts re-numbered.

Part 11 – Commercial/Industrial Development Permit Area

11.1 Category

The Commercial/Industrial Development Permit Area (DPA) is designated pursuant to Section 488 of the *Local Government Act* for the establishment of objectives for the form and character of commercial and industrial development.

11.2 Scope

The Commercial/Industrial DPA applies to land designated on Figure 12, "Commercial/Industrial Development Permit Area Map".

11.3 Justification

The North Oyster/Diamond community's rural character is influenced by the agricultural and rural landscape. The design of any commercial/industrial developments should be in keeping with the community's expectations for visual quality, and should be appropriately screened and landscaped so that it is compatible with surrounding land uses.

The OCP aims to ensure that the integrity of surface water and groundwater is protected from inappropriate development in areas where land uses may directly impact surface and groundwater resources.

The Commercial/Industrial DPA provides guidelines to ensure that development reflects the community's rural character, complements the natural environment and natural processes, and is safe for intended uses.

11.4 Guidelines

Unless otherwise exempt, prior to undertaking any construction, an owner of land will apply for and obtain a development permit, in accordance with the guidelines of the Commercial/Industrial Development Permit guidelines:

GENERAL:

1. Sites will be designed to protect significant features such as streams, wetlands, riparian areas, marine riparian areas, natural drainage features, native vegetation, nest trees, steep slopes, and archaeological and heritage resources. Clustering development, including buildings, structures, parking, and amenity areas will help protect such features, reduce infrastructure costs and minimize the amount of impervious areas.
2. Low-impact development measures incorporating native vegetation and soils such as naturalized ponds, bioswales or rain gardens, should be used to manage rainwater and prevent surface runoff to adjoining lands.
3. Measures will be taken during site preparation and development to retain all eroded soil, protect natural features, control surface runoff, prevent the release of deleterious substances, stabilize disturbed slopes, and restore disturbed areas upon development completion.
4. Significant natural features such as mature trees should be protected during construction through the use of protective fencing.

BUILDING DESIGN - SCALE & MASSING:

5. Buildings should incorporate design elements, materials and colours that enhance the neighbourhood, rural landscape and environment.
6. New development should be designed so all building faces are treated equally through the application of materials, colours and finishes; the use of a variety of complementary colours as accents is encouraged to provide visual interest.
7. Building facades should be three-dimensional, incorporating a high degree of relief through the use of recesses, projections, and other architectural elements. Building facades should be broken up into smaller components. Special measures should be used to reinforce a rhythm and scale that gives the appearance of individual units along the street (e.g. recess the building every 8 m with recesses that are 2 m in width and 2 m in depth).
8. The appearance of sheer, blank walls will be avoided by varying street edge treatment with the use of strategically placed landscaped areas along the length of each wall, staggered or varied building setbacks and other techniques.
9. The apparent mass of a building will be reduced by:
 - a. Using materials and colours in a manner which defines individual storeys (i.e. distinct top, middle and base);
 - b. Using trim, intense colour accents, secondary roof elements and building recesses to articulate façades;
 - c. Using recessed balconies rather than large projecting balconies along public roadways which emphasize bulk;
 - d. Stepping buildings back from public roadways as they increase in height in order to emphasize the ground floor and downplay height; and
 - e. Blending rooflines and roof angles.

10. Building indentations to accommodate landscaped pedestrian areas are encouraged. These areas should be carefully designed to accommodate native vegetation, outdoor seating, bicycle parking and garbage/recycling receptacles.
11. Where commercial uses are located on the ground floor of a building, a maximum amount of glazing should be provided on the ground level of the façade facing a public roadway to create visual interest for pedestrians.
12. Buildings should be designed with protective overhangs over pedestrian and outdoor seating areas. Permanent, structural canopies are preferred and temporary structures or covers such as tarps are discouraged.
13. Building entries should be emphasized and made as inviting and sheltered as possible through the use of structural canopies and entry porticos.
14. Blank facades are discouraged. Where firewalls are necessary, they should be architecturally finished to provide visual interest and coordinate with other building walls, or incorporate high quality, durable murals which complement the neighbourhood.
15. Special attention should be paid to façades to create visual interest for pedestrians. The use of projections and recesses is encouraged to provide visual interest and building façade articulation and avoid long continuous walls. The ground level of a building should be given special consideration in terms of its appearance, function and durability, to enhance the pedestrian experience.
16. Particularly where they abut residential areas, commercial and industrial development should be designed carefully to prevent shading, loss of privacy, air quality or noise pollution impacts on neighbouring properties. Landscaping and screening should be incorporated adjacent to residential areas.
17. Windows and doors should be arranged and detailed to reflect the style of the building and character of the neighbourhood.
18. South-facing windows are encouraged to maximize winter solar gain and natural light.
19. Window overhangs and/or fixed operable shading devices should be used to control solar gain by blocking high-angle summer sun and allowing entry of low-angle winter sun.
20. Duplicate, mirror-image or repetitive, monotonous building designs are discouraged.

BUILDING DESIGN - MATERIALS & COLOURS:

21. Materials should be durable and weather-resistant. Natural materials such as timber and stone are preferred. Textured or corrugated metal or cement fibre-board may be acceptable accent materials in combination with predominantly natural materials. Vinyl siding, flat metal siding, plain concrete block, unfinished cement and unfinished plywood are discouraged.
22. Materials should be reused and recycled where possible for the redevelopment of buildings and structures.

23. Where trim is used on the exterior surface of buildings, wood is preferred.
24. Garage doors should, where possible, not face public roadways. If this is impractical, garage doors widths should be minimized and not exceed 50% of the width of the building.
25. Roof materials should be non-combustible and non- reflective. Metal roofs will have a matte finish.
26. Rooftop mechanical equipment should be incorporated into the building envelope and hidden from view; chimneys should be boxed-in and exposed flues are discouraged.
27. New buildings and structures should be compatible in form, character, exterior design and finish with existing historic buildings or structures. This does not imply that buildings need to be designed to look “old” but should, rather, be in harmony with historic buildings or structures.

LANDSCAPING:

28. A landscape plan prepared by a member of the BCSCLA (BC Society of Landscape Architects) or BCNTA (BC Nursery Trades Association) in accordance with BCSCLA or BCNTA standards shall be submitted to the CVRD in support of the development permit application.
29. A minimum landscaped buffer of 3 m, including a mix of shrubs and trees suited to local conditions, should be provided for development adjacent to the Trans-Canada Highway or frontage roads running parallel to the Trans-Canada Highway.
30. Landscaped berms should be used as a visual and noise barrier separating differing uses and public roadways. Berms should not exceed 1.5 m in height.
31. Landscaping shall be integrated with the development to create a seamless transition with the natural environment.
32. Native plants are preferred to non-native varieties as they are adapted to regional climatic and soil conditions. Gardening with Native Plants, prepared by the Habitat Acquisition Trust, should be used to guide plant selection.
33. To replicate natural “layered” plant communities and encourage biodiversity, a mixture of native deciduous and evergreen species of varying ages and heights should be planted. Smaller shrubs, perennials and groundcovers should be planted beneath taller trees and shrubs.
34. All plants will be planted in a good quality topsoil mix of a type and amount recommended by the BCSLA or BCNTA.
35. All landscaping will be provided with a method of irrigation suitable to ensure the continued maintenance of planted materials.
36. Landscaping will occur in accordance with the plan, described above, and be installed under the supervision of a member of the BCSLA or BCNTA.

SITE DESIGN & CIRCULATION:

37. Outside storage and display areas, if permitted:
- (i) Will not be located in a front yard;
 - (ii) Will be adequately screened and landscaped;
 - (iii) Will not encroach into required setbacks; and
 - (iv) Will occupy an area not in excess of that of the total area of the principal building(s) on the site.
38. On corner sites, the primary mass of the building should not be placed on an angle to the corner and the principal building entry should be oriented toward adjoining streets. Buildings on corner sites should be sited to:
- (i) Coordinate with adjacent buildings;
 - (ii) Create additional pedestrian space;
 - (iii) Maintain sight lines for vehicles and pedestrians; and
 - (iv) Coordinate with landscaping and pathways.
39. Spaces between buildings should be designed for an identified use (e.g. native landscaping, recreation, outdoor seating, or food production) to provide amenity space for users of the development.
40. Development should be designed to promote personal and public safety, including appropriate lighting and clear sightlines for pedestrians through the use of Crime Prevention Through Environmental Design (CPTED) criteria. BC Housing's Design and Construction Standards for CPTED and performance standards checklist should be used as a guide.
41. Landscaped pedestrian walkways should be provided to connect buildings with parking areas, pathways, and adjoining lands.
42. Walkways should be accessible to persons with disabilities, bicycles, scooters and strollers, with even, non-slip surfaces and grades less than 5%.
43. Roadside pathways should be constructed across public road frontages. Where approved by the Ministry of Transportation and Infrastructure, the pathway may be within the road allowance.
44. Siting of pedestrian pathways along property lines that abut neighbouring private properties, should be avoided unless sufficient landscaped buffers are provided to prevent privacy and noise impacts.

ACCESS, PARKING & STORAGE:

45. Direct vehicular access to the Trans-Canada Highway is not supported.
46. Vehicular access driveways should be combined wherever possible to minimize impervious surfaces.

47. Drainage from all impervious surfaces and areas where vehicles are parked should be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator or other engineered solution, designed by a Professional Engineer to the satisfaction of the CVRD. The Professional Engineer should recommend an appropriate maintenance schedule, which should be included as a condition of the development permit.
48. Internal roadways and drive aisles will be designed to accommodate emergency vehicles.
49. Where appropriate, bus shelters, pullouts and turnaround areas should be incorporated into the site to facilitate alternative modes of transportation.
50. Parking, storage, solid waste and recycling, and service areas should be located in the least visible area of the site, screened from public view and public roadways by fencing and/or landscape screening, and incorporate low-impact design features. These areas should be setback a minimum of 1 m from a property line and in no case should they be closer than 3 m to a public roadway, in order to accommodate a landscape buffer.
51. Parking areas will be designed to encourage safe pedestrian travel between parking areas, building entrances, outdoor amenity areas, and pedestrian pathways; separation will be provided between parking and pedestrian areas through the use of raised or landscaped features and smooth, level, and even surfaces.
52. Utility wiring should be installed below grade. Overhead wiring is strongly discouraged.
53. New major development requiring four or more parking stalls should include an on-site electrical car charging station and designated bicycle parking.

EXTERIOR LIGHTING:

54. An exterior lighting plan will be submitted, indicating how building entrances, roadways, servicing and parking areas, outdoor amenity areas, and pedestrian walkways will be illuminated.
55. Exterior lighting will enhance the overall architectural, heritage and design character of development with true colour rendition, while preserving the ability to view the night sky. Special attention will be paid to coordinating lighting with adjacent properties to maintain even light levels and avoid harsh transitions from over-lit to unlit spaces.
56. Exterior lighting will be designed for pedestrian safety and comfort, without causing excessive illumination of the night sky, glare or light trespass onto adjacent properties and roadways.
57. Exterior lighting will be fully shielded to direct light below the horizontal plane towards the ground.
58. Post-mounted or wall mounted fixtures should be kept to the minimum possible height.
59. Energy-efficient (i.e. solar powered, timer or sensor controlled) light fixtures should be used for the illumination of exterior walkways, driveways, entryways and general exterior

lighting.

SIGNAGE:

60. Signs should complement and be coordinated with overall site and building design in terms of location, scale, materials, finishes and colours.
61. Sign materials should be durable and weather-resistant. Natural materials including wood and stone are preferred. Plastic and vinyl are generally unacceptable.
62. Signs will be kept to the minimum size and number needed to inform and direct pedestrian and vehicular traffic.
63. Individual mounted, raised or recessed letters, symbols, border and framing are encouraged.
64. Signs should be low profile, kept to pedestrian level and in no case should exceed 5 m in height.
65. Freestanding signs should be mounted on a heavy stone or exposed aggregate base and/or framed with heavy timber rather than post-mounted. Where lighting is included, it should be fully-shielded and directed to illuminate the sign only. Freestanding signs should incorporate decorative landscaping to enhance the quality of development.
66. Multiple freestanding signs should be consolidated into a multi-tenant sign located at the main driveway entrance.
67. Sign lighting should be minimized and directed at the sign only, to prevent excessive illumination, glare and light trespass.
68. Flashing signs or signs incorporating scrolling LED lighting or strip lighting are discouraged because they detract from the rural aesthetic character, contribute to light pollution and pose a risk to public and vehicular safety.
69. Mounting hardware and wiring shall be concealed.
70. Interpretative signage and plaques to commemorate heritage sites, buildings and features, are encouraged.

11.5 Exemptions

A Development Permit is not required for any of the following:

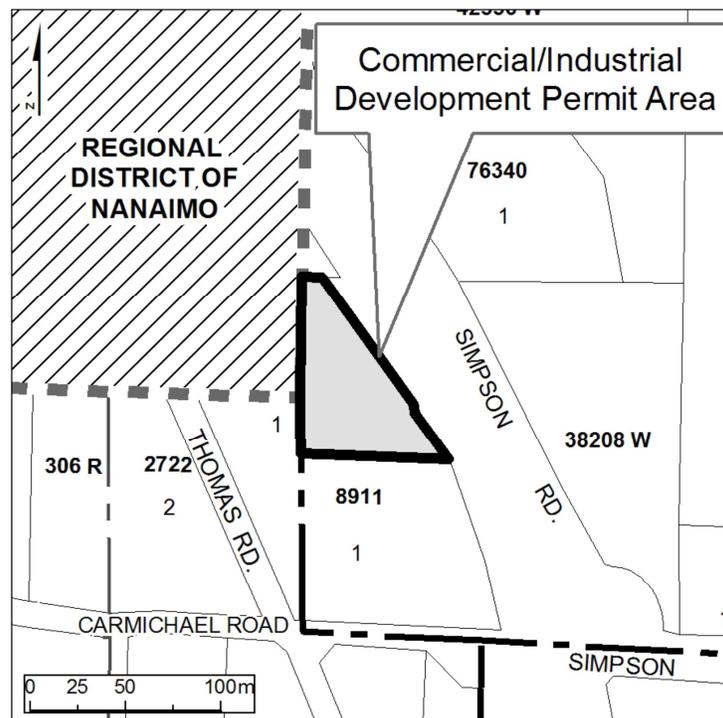
1. Subdivision of land;
2. Interior renovations to existing buildings;
3. Changes to the text or message on an existing sign allowed by a previous Development Permit, provided that the net illuminated area is equal or less than what was previously approved;
4. Minor exterior renovations and additions that do not exceed 50 m²; and
5. Single family dwellings and residential accessory buildings.

11.6 Application Requirements

In support of the Development Permit application, professional drawings and reports shall be submitted to the CVRD in order to determine compliance with the Commercial/Industrial Development Permit Area guidelines including:

1. Site plan showing all proposed building locations, setbacks, parking areas, amenity areas, and significant natural features;
 2. Landscape Plan prepared by a member of the BCSCLA (BC Society of Landscape Architects) or BCNTA (BC Nursery Trades Association) in accordance with BCSCLA or BCNTA standards;
 3. Rainwater Management Plan prepared by a registered professional with relevant civil, geotechnical, and hydrological engineering experience;
 4. Building elevations and cross-sections including a detailed materials list;
 5. Lighting plan; and
 6. Signage plan, indicating size and type of sign, colours and lighting detail.
2. That (The South 10 Chains of the West 10 Chains of District Lot 9 Oyster District Except Part in Plan 8911 and Except That Part Lying To The East of the Easterly Boundary of Plan 1157 RW and Except Part in Plan 50653 (PID: 008-477-043), as shown outlined in a solid black line on Plan number Z-4141 attached hereto and forming Schedule B of this bylaw, be redesignated from Suburban Residential (S) to Commercial (C); and that Schedule B to Official Community Plan Bylaw No. 1497 be amended accordingly.
 3. That new Figure 12 be amended to add new map, "Commercial/Industrial Development Permit Area", and subsequent Figures be re-numbered.

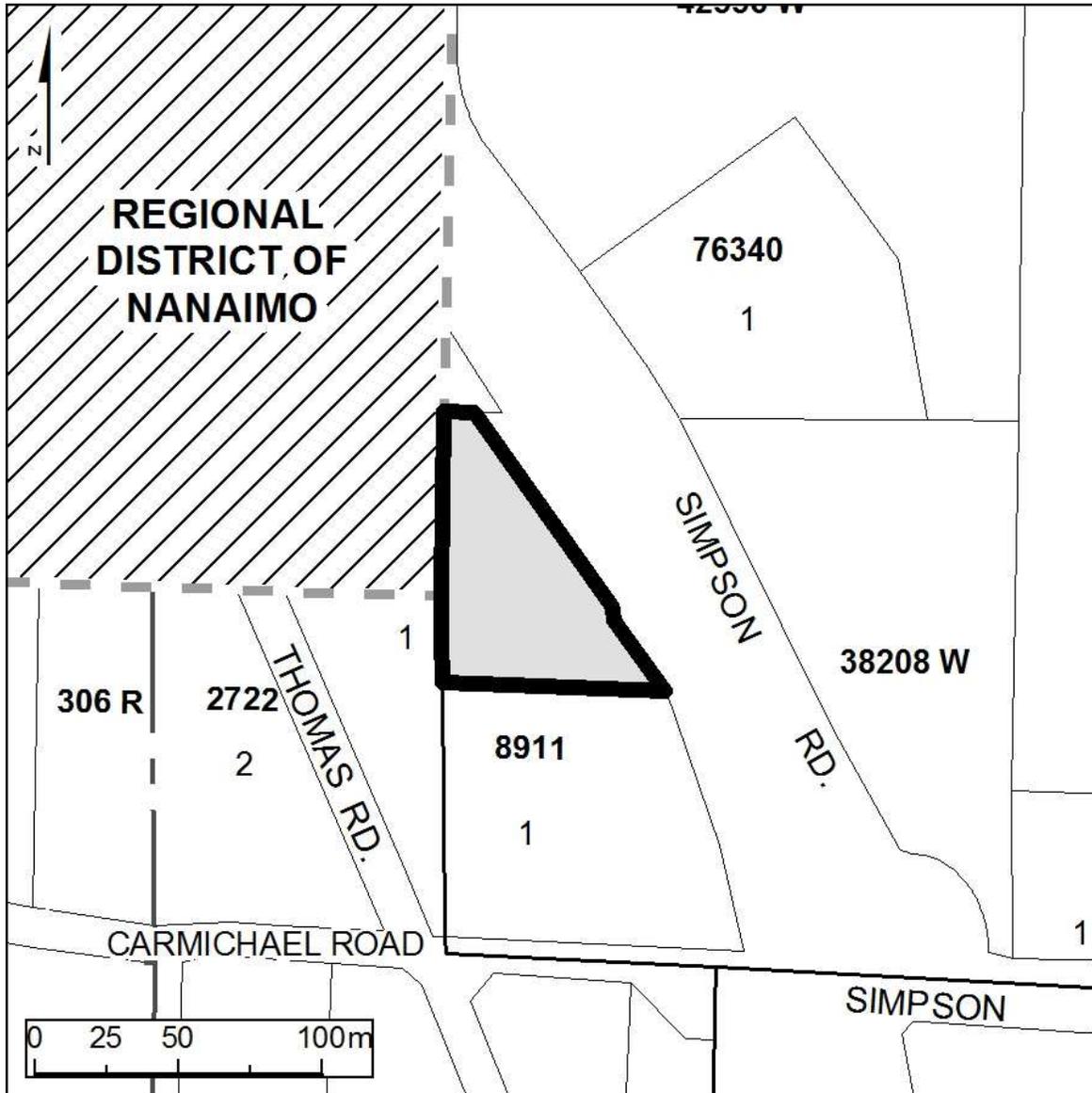
FIGURE 12



PLAN NO. Z-4141

SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT

 4141



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

 Suburban Residential (S) TO

 Commercial (C) APPLICABLE

TO ELECTORAL AREA H



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4142

A Bylaw for the Purpose of Amending Zoning Bylaw No. 1020 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 zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area H – North Oyster/Diamond that being Zoning Bylaw No. 1020;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1020;

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. 4142 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (PID: 008-477-043), 2017**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 1020, as amended from time to time, is hereby amended in the following manner:

a) Part 3.1 is amended by adding the following new definitions:

"Artist studio" means the use of a building or portion thereof, used for the creation, display or sale of arts and crafts.

"Commercial recreation and entertainment" means the use of land, buildings or structures for the purpose of operating a commercial recreation and entertainment business including bowling alleys, arcades, indoor and outdoor rock climbing facilities, dance halls, pools, skating rinks, mini-golf, and includes uses of a similar nature.

b) New Section 9.2 C-2A (Local Commercial A) Zone is established and subsequent sections are re-numbered.

9.2 C2A – Local Commercial A Zone

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

(a) Permitted Uses

The following uses and no others are permitted in a C-2A Zone:

1. Artist Studio;
2. Bakeshop or confectionary whose products of which are retailed on the premises;
3. Barbershop, beauty parlour, shoe repair shop, electric and electronic shop;
4. Commercial recreation and entertainment;
5. Restaurant, excluding drive in;
6. Retail sales, excluding storage yard;
7. One single family residential dwelling per parcel accessory to and in addition to any of the above uses, provided that no portion of the first storey of a building used for commercial purposes may be used for residential purposes except in the case of a separate residential entrance or separate residential dwelling; and
8. Separate or secondary suite.

(b) Conditions of Use

For any parcel in a C-2A Zone:

1. The parcel coverage shall not exceed 50 percent for all buildings and structures;
2. The setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

Column I Type of Parcel Line	Column II Buildings and Structures
Front	7.5 metres
Side (Exterior or Interior)	6.0 metres
Rear	6.0 metres where there is no rear lane and 6 metres from the centre line of the lane where a lane exists

- c) That Schedule B (Zoning Map) to Electoral Area H – North Oyster/Diamond Zoning Bylaw No. 1020 is further amended by rezoning (The South 10 Chains of the West 10 Chains of District Lot 9 Oyster District Except Part in Plan 8911 and Except That Part Lying to the East of the Easterly Boundary of Plan 1157 RW and Except Part in Plan 50653 as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-4142, from R-2 to C-2A.

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 23rd day of August, 2017.

READ A SECOND TIME this 23rd day of August, 2017.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

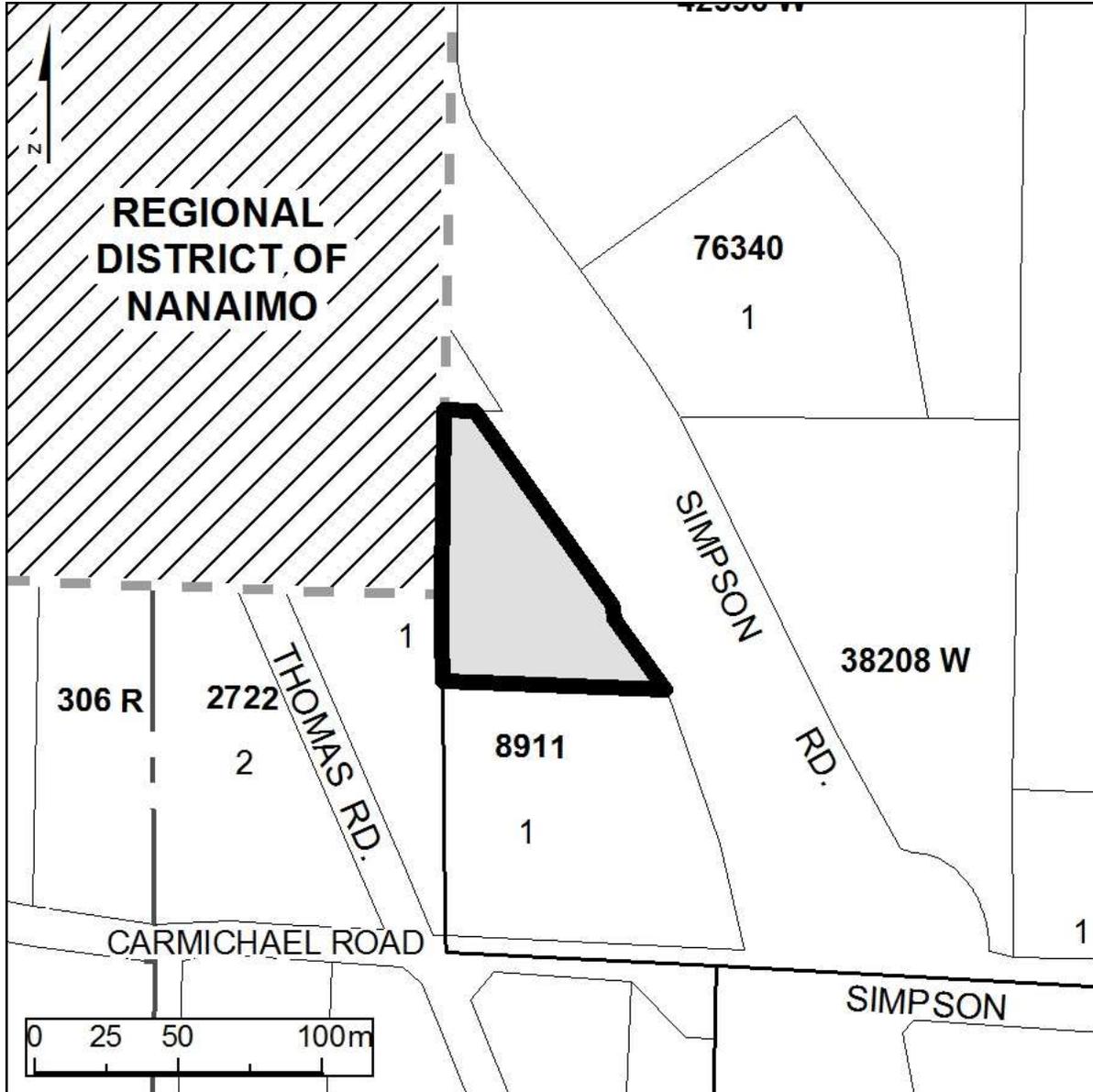
Chairperson

Corporate Secretary

PLAN NO. Z-4142

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT

 4142



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

 R-2 (Suburban Residential) TO

 C-2A (Local Commercial A Zone) APPLICABLE

TO ELECTORAL AREA H



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4154

A Bylaw for the Purpose of Amending Zoning Bylaw No. 3520 Applicable to Electoral Areas A & C – South Cowichan

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Areas A & C – South Cowichan that being Zoning Bylaw No. 3520;

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

AND WHEREAS after the close of the notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend Zoning Bylaw No. 3520;

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. 4154 – Electoral Areas A & C – South Cowichan Zoning Amendment Bylaw (PID: 024-611-859), 2017**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 3520, as amended from time to time, is hereby amended in the following manner:

The following is added to the list of permitted accessory uses in Section 9.1 – Agricultural Resource 1 Zone:

- j. *'Secondary dwelling units in areas upon land which a secondary dwelling unit was legally authorized at the date of December 11, 2013.'*

3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2017.

READ A SECOND TIME this _____ day of _____, 2017.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4155

A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1490, Applicable to Electoral Area E and Part of F – Cowichan-Koksilah

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 E and Part of F, that being Cowichan-Koksilah Official Community Plan Bylaw No. 1490;

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. 1490;

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. 4155 – Electoral Area E and Part of F – Cowichan-Koksilah Official Community Plan Amendment Bylaw (4681 Sahtlam Estates Road), 2017**".

2. AMENDMENTS

Cowichan Valley Regional District Official Community Plan Bylaw No. 1490, 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 _____, 2017.
READ A SECOND TIME this _____ day of _____, 2017.
READ A THIRD TIME this _____ day of _____, 2017.
ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary

**SCHEDULE "A"****To CVRD Bylaw No. 4155**

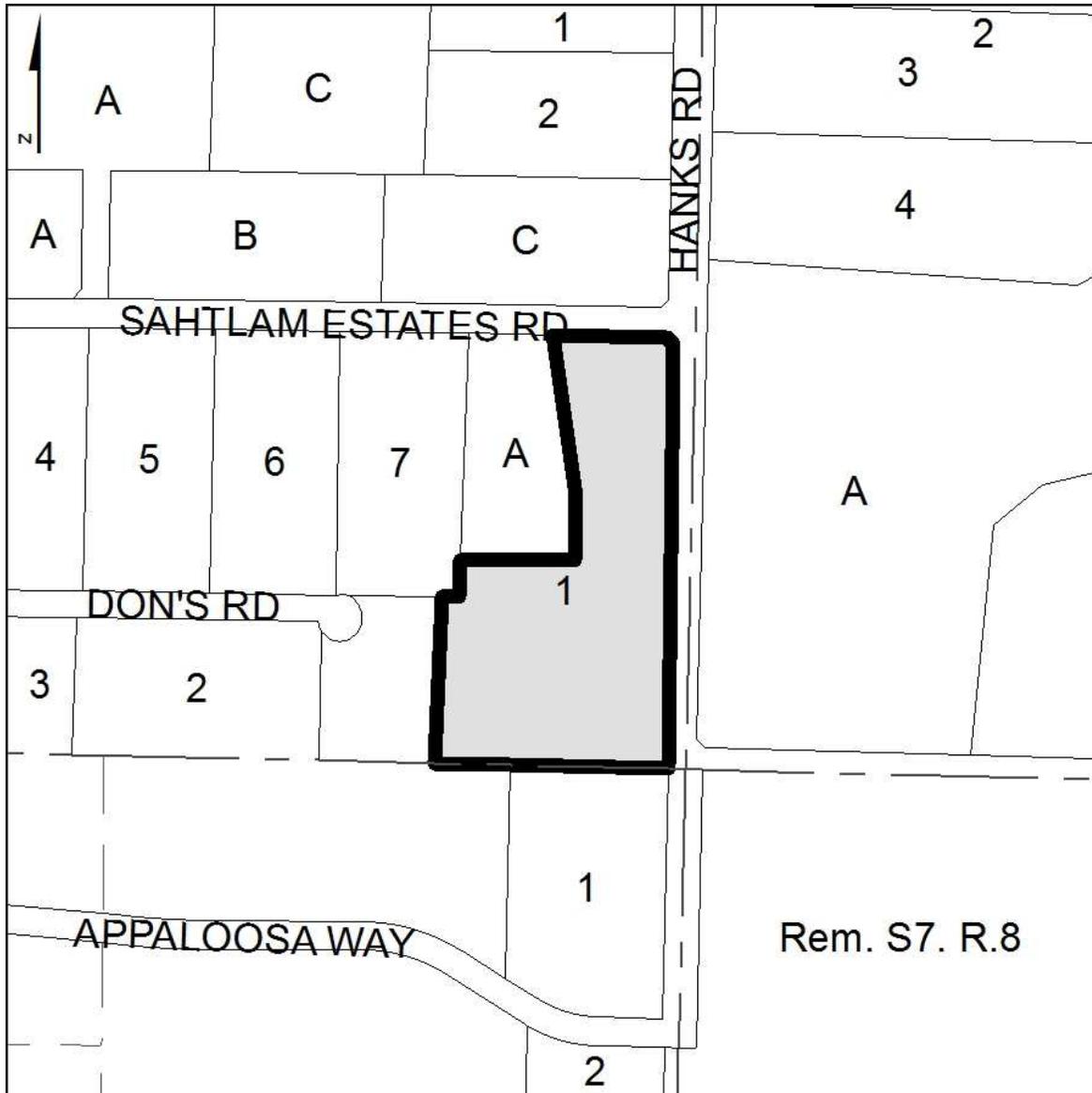
Schedule A to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

1. That the subject property Lot 1, Section 8, Range 7, Sahtlam District, Plan 41219, Except Part in Plan VIP58822 (PID: 000-528-064), as shown outlined in a solid black line on Plan number Z-4155 attached hereto and forming Schedule B of this bylaw, be redesignated from Suburban Residential (S) to Rural Residential/Forestry Conservation (RR/FC); and that Schedule B to Official Community Plan Bylaw No. 1490 be amended accordingly.

PLAN NO. Z-4155

SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO. OF THE COWICHAN VALLEY REGIONAL DISTRICT

4155



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Suburban Residential (S) TO APPLICABLE

Rural Residential/Forestry Conservation (RR/FC)

TO ELECTORAL AREA E and Part of F



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4156

A Bylaw for the Purpose of Amending Zoning Bylaw No. 1840 Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora that being Zoning Bylaw No. 1840;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1840;

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. 4156 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (4681 Sahtlam Estates Road), 2017**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 1840, as amended from time to time, is hereby amended in the following manner:

- a) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by rezoning the subject property Lot 1, Section 8, Range 7, Sahtlam District, Plan 41219, Except Part in Plan VIP58822 (PID: 000-528-064) as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-4156, from R-2 to RF 50/50.

.../2

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this _____ day of _____, 2017.

READ A SECOND TIME this _____ day of _____, 2017.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

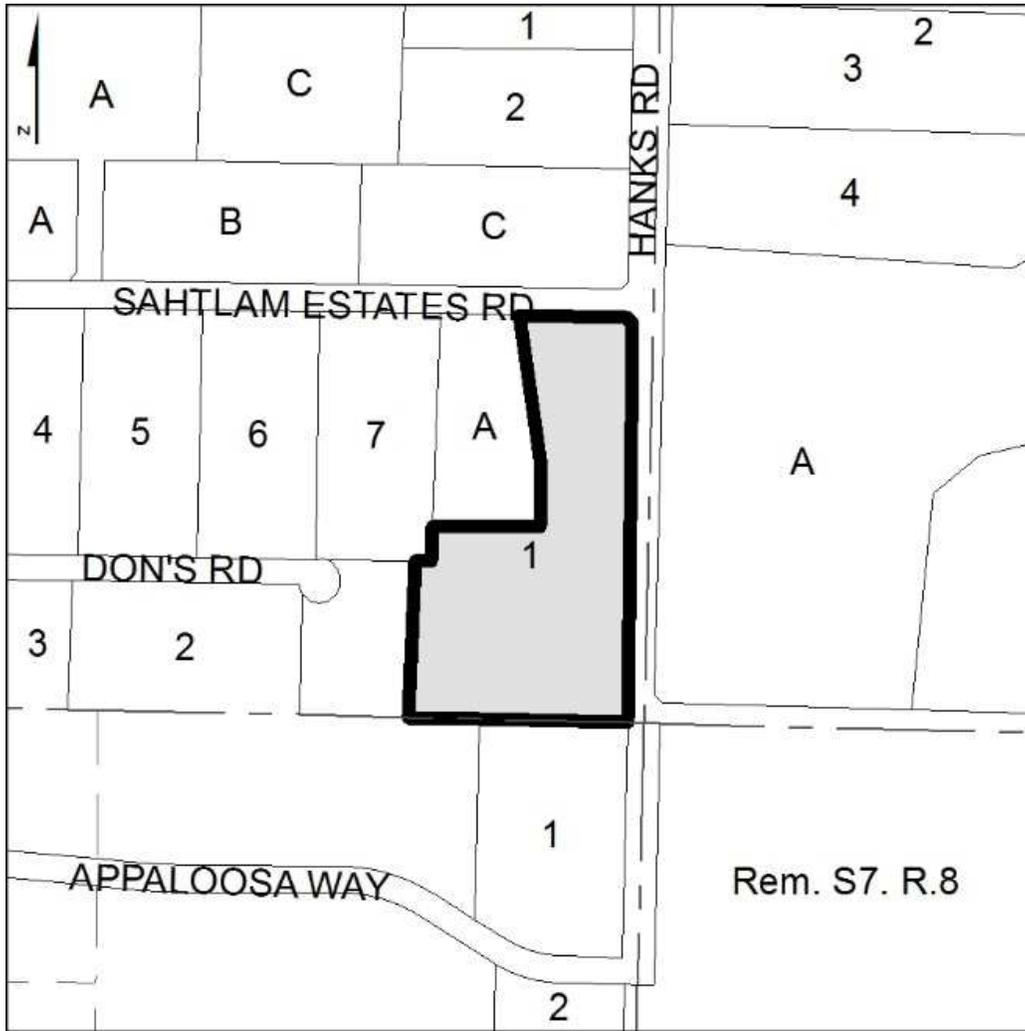
Chairperson

Corporate Secretary

PLAN NO. Z-4156

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. OF THE COWICHAN VALLEY REGIONAL DISTRICT

 4156



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

 R-2 TO

 RF 50/50 APPLICABLE

TO ELECTORAL AREA E

