

# **Municipality of North Cowichan**

## **Regular Council**

### **AGENDA**

Wednesday, October 2, 2019, 1:30 p.m.  
Municipal Hall - Council Chambers

**Pages**

**1. CALL TO ORDER**

This meeting is open to the public. All representations to Council form part of the public record. Proceedings will be streamed live and archived at northcowichan.ca.

**2. APPROVAL OF AGENDA**

Recommendation:

**That Council adopt the October 2, 2019 Regular Council agenda, as circulated [or as amended].**

**3. ADOPTION OF MINUTES**

**3.1 September 18, 2019 - Special Council**

**6 - 7**

Recommendation:

**That Council adopt the minutes of the Special Council meeting held September 18, 2019.**

**3.2 September 18, 2019 - Regular Council**

**8 - 16**

Recommendation:

**That Council adopt the minutes of the Regular Council meeting held September 18, 2019.**

**4. MAYOR'S REPORT**

**5. DELEGATIONS AND PRESENTATIONS**

**5.1 PRESENTATION: Tracey Thompson, Regional Harm Reduction Coordinator and Stacy Middlemiss, OER-Community Action Team Coordinator, Canadian Mental Health Association Re: Understanding the Take Home Naloxone Program (30 minutes)**

Purpose: Ms. Thompson to provide an overview of the Provincial Take Home Naloxone program, statistics, effectiveness, and how naloxone works. Ms. Middlemiss will discuss how to obtain a free kit and where to access naloxone nasal spray.

**6. PUBLIC INPUT**

Opportunity for brief verbal input from registered speakers regarding subsequent agenda items.

## 7. REPORTS

### 7.1 Housing Needs Grant Authorization 17 - 30

Purpose: To request that Council authorize the Cowichan Valley Regional District to apply for and administer grant funding from the Union of BC Municipalities to prepare a regional housing needs report on behalf of North Cowichan.

Recommendation:

**That Council authorize the Cowichan Valley Regional District to apply for and administer grant funding from the Union of BC Municipalities to prepare a regional housing needs report on behalf of the District of North Cowichan.**

### 7.2 Genoa Bay Road Watermain Extension 31 - 34

Purpose: To obtain direction from Council regarding the creation of a local area service (LAS) for the extension of approximately 480 metres of watermain from 6145 to 6009 Genoa Bay Road south of the Maple Bay Marina.

Recommendation:

**That Council direct staff to work with the residents to explain costs then create a petition that could be valid and sufficient per the *Local Government Act*.**

## 8. BYLAWS

### 8.1 Bylaw 3734 - "Delegation of Authority Bylaw, 2019" (adoption) 35 - 46

Purpose: To consider adopting "Delegation of Authority Bylaw, No. 3734, 2019"- a bylaw which provides for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees.

Note: Previous staff report attached as background information.

Recommendation:

**That Council adopt "Delegation of Authority Bylaw, No. 3734, 2019" – a bylaw to provide for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees.**

### 8.2 Bylaw 3759 - "South End Water Local Area Service Enlargement Bylaw, 2019" (adoption) 47 - 50

Purpose: To consider adopting "South End Water Local Area Service Enlargement Bylaw, 2019" No. 3759 - a bylaw to expand the boundaries of the South End Water Local Area Service to include a portion of Parcel A, DD63480I, Except Plan 9583 (3964 Cowichan Lake Road).

Note: Previous staff report attached as background information.

Recommendation:

**That Council adopt "South End Water Local Area Service Bylaw, No. 3759, 2019".**

**8.3 Bylaw 3762 - "Permissive Tax Exemption Amendment Bylaw, 2019" (adoption) 51 - 62**

Purpose: To consider adopting "Permissive Tax Exemption Amendment Bylaw, 2019" No. 3762 - a bylaw to approve the permissive tax exemptions received for the 2020 assessment roll.

Note: Previous staff report attached as background information.

Recommendation:

**That Council adopt "Permissive Tax Exemption Amendment Bylaw, No. 3762, 2019".**

**8.4 Bylaw 3764 - "Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019" (third reading and adoption) 63 - 65**

Purpose: To consider giving third reading and adoption to "Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019" - a bylaw to re-establish siting setback regulations for heat pumps and air conditioning units.

Note: Previous staff report attached as background information.

Recommendation:

**That Council give third reading to "Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019" No. 3764 a bylaw to re-establish siting setback regulations for heat pumps and air conditioning units.**

Recommendation:

**That Council adopt "Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019" - a bylaw to re-establish siting setback regulations for heat pumps and air conditioning units.**

**9. NOTICE OF MOTIONS**

**9.1 Environmental Advisory Committee**

Purpose: To consider Councillor Marsh's Notice of Motion from the August 21, 2019 Council meeting.

Recommendation:

**That Council reinstate its Environmental Advisory Committee;**

**And That the Committee recommence meetings in October and meet on a monthly basis.**

**9.2 Quamichan Watershed and Lake Phosphorus Loading**

Purpose: To consider Councillor Justice's Notice of Motion from the September 4, 2019 Regular Council meeting.

Recommendation:

Whereas it is one of Council's strategic priorities to take action on the water quality of Quamichan Lake;

And Whereas phosphorus deposition in Quamichan Lake is the result of land use practices including land clearing, agricultural practices, residential development, residential life in the watershed, as well as our methods for dealing with storm-water and septic disposal;

And Whereas some jurisdictions have come up with ideas to curtail and limit the deposition of phosphorus into watersheds and lakes using planning policy and land use regulations and engineering standards;

Be it Resolved that, within a time frame appropriate to its use in the OCP process, and the drafting of the new Zoning bylaw, staff present Council with a report on reducing both the deposition of phosphorus into the watershed and the flow of phosphorus into the lake which outlines options and recommendations for a) defining an appropriate target or goal and b) methods for achieving this target or goal including engineering standards, and land use planning policies and regulations.

## **10. UNFINISHED AND POSTPONED BUSINESS**

### **10.1 Chemainus Valley Cultural Arts Society**

66 - 96

Purpose: To consider the following requests from the Chemainus Valley Cultural Arts Society at the September 4, 2019 Council meeting:

- Appoint a Councillor as a liaison to the CVCAS Board;
- Provide a letter in support of the Society's proposal to build a multi-purpose arts centre on the old Fire Hall site; and
- Authorize staff to participate in interviews during the Feasibility Study;

### **10.2 Friends of the Cowichan Public Art Gallery Society**

97 - 97

Purpose: To consider the request from the Friends of the Cowichan Public Art Gallery Society at the September 4, 2019 Council meeting to receive a letter in support of the Society's initiative to bring a purpose-built art gallery building to the Cowichan Valley to host ongoing international, national and local art exhibitions.

## **11. NEW BUSINESS**

## **12. QUESTION PERIOD**

Public opportunity to ask brief questions regarding the business of this meeting.



13. CLOSED MEETING

Recommendation:

That Council close the October 2, 2019 Regular Council meeting to the public on the basis of the following sections of the *Community Charter*:

- 90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and
- 90(1)(c) - labour relations or other employee relations.

14. RISE AND REPORT

15. ADJOURNMENT

Recommendation:

That Council adjourn the October 2, 2019 Regular Council meeting at    p.m.

# **Municipality of North Cowichan Special Council MINUTES**

**September 18, 2019, 9:30 a.m.  
Municipal Hall - Maple Bay Meeting Room**

Members Present	Mayor Al Siebring Councillor Christopher Justice Councillor Tek Manhas Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Members Absent	Councillor Rob Douglas
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Ernie Mansueti, General Manager, Community Services Sarah Nixon, General Manager, Corporate Services David Conway, Director, Engineering Rob Conway, Director, Planning Natasha Horsman, Manager, Communication and Public Engagement Chris Hutton, Community Planning Coordinator Karen Robertson, Corporate Officer Nelda Richardson, Deputy Corporate Officer Mairi Bosomworth, Community Planner

## **1. CALL TO ORDER**

There being a quorum present, Mayor Siebring called the meeting to order at 9:30 a.m.

## **2. APPROVAL OF AGENDA**

It was moved and seconded:

**That Council approve the September 18, 2019 Special Council agenda as circulated.**

**CARRIED**

## **3. CLOSED SESSION**

It was moved and seconded:

**That Council close the September 18, 2019 Special Council meeting at 9:30 a.m. to the public on the basis of the following sections of the *Community Charter*:**

- **90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;**

- **(90(1)(e) - the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and**
- **(90(1)(k) - negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of Council, could reasonably be expected to harm the interests of the municipality if they were held in public.**

**CARRIED**

**4. RISE AND REPORT**

Council rose without report and adjourned the Special Council meeting at 12:15 p.m.

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Certified by Corporate Officer

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Signed by Mayor

# **Municipality of North Cowichan Regular Council MINUTES**

**September 18, 2019, 1:30 p.m.  
Municipal Hall - Council Chambers**

Members Present      Mayor Al Siebring  
                                 Councillor Rob Douglas  
                                 Councillor Christopher Justice  
                                 Councillor Tek Manhas  
                                 Councillor Kate Marsh  
                                 Councillor Rosalie Sawrie  
                                 Councillor Debra Toporowski

Staff Present            Ted Swabey, Chief Administrative Officer (CAO)  
                                 Mark Frame, General Manager, Financial and Protective Services  
                                 Ernie Mansueti, General Manager, Community Services  
                                 Sarah Nixon, General Manager, Corporate Services  
                                 David Conway, Director of Engineering  
                                 Rob Conway, Director of Planning  
                                 Natasha Horsman, Manager, Communications and Public Engagement  
                                 Karen Robertson, Corporate Officer  
                                 Nelda Richardson, Deputy Corporate Officer

## **1. CALL TO ORDER**

There being a quorum present, Mayor Siebring called the meeting to order at 1:30 p.m.

## **2. APPROVAL OF AGENDA**

It was moved and seconded:

**That Council adopt the September 18, 2019 Regular Council agenda as circulated.**

**CARRIED**

## **3. ADOPTION OF MINUTES**

### **3.1 September 4, 2019 - Special Council Minutes**

It was moved and seconded:

**That Council adopt the minutes of the Special Council meeting held September 4, 2019.**

**CARRIED**

### **3.2 September 4, 2019 - Regular Council Minutes**

It was moved and seconded:

**That Council adopt the minutes of the Regular Council meeting held September 4, 2019.**

**CARRIED**

## **4. MAYOR'S REPORT**

The Mayor gave a verbal report on meetings and activities he recently attended.

## **5. REMEDIAL ACTION REQUIREMENT**

### **5.1 Remedial Action Requirement - Request for Reconsideration for 9384 Cottonwood Drive**

The Corporate Officer noted that on September 9, 2019, Mr. Parker formally requested that Council reconsider the remedial action requirement (under Section 78 of the *Community Charter*) as imposed by Council at its September 4, 2019 meeting. She noted the order of proceedings for the reconsideration, prior to Council making its final determination on the resolution, would be as follows:

- Opportunity for the applicant to address Council;
- Opportunity for staff to respond; and
- Opportunity for adjacent or affected property landowners to provide comments.

After hearing from the applicant, staff, and affected adjacent property owners, Council can either confirm the resolution, impose conditions, or overturn the resolution that was passed at the September 4, 2019 Regular meeting.

The Mayor then invited the applicant to address Council.

Mr. Parker stated the following:

- He has been working on the property and there is currently no plumbing;
- He doesn't want the building but he doesn't want to waste it;
- The building is beautiful and not run down;
- He no longer wants to rent it;
- He would like to subdivide the property so that the accessory building is still on the property;
- He is prepared to go through the rezoning process; and
- He apologized for the inconvenience this has caused to Council and to the neighbours.

The Mayor then asked Rachel Hastings, Senior Bylaw Compliance Officer to respond to Mr. Parker's comments.

The Senior Bylaw Compliance Officer reiterated that the issues started in 2009 when Mr. Parker purchased the property. She stated that he is not in control of his property and based on the history of complaints and non-compliance, staff does not believe anything will change. He has already gone through the decommissioning process in the past and tenants still continued to occupy the building.

The Mayor then invited adjacent or affected landowners the opportunity to provide comments. The following individuals addressed Council:

The owner of 9395 Cottonwood Road stated that he has owned his property since 1985. He noted that he sees up to 35 cars a day come and go to the property and the area is zoned for single family residences. He conveyed that the owner goes to the property at least 5 days per week and spends a considerable amount of time on the property so he is aware of what is going on. The accessory building is set up with bedrooms, and a toilet which does not go to a septic system. The owner has had 10 years to straighten this out and he has done nothing.

The owner of 9356 Cottonwood Road stated that having to live in the neighbourhood with the open sewage and vermin is unacceptable. There has been a significant amount of staff time allocated to this property and none of us want this to go on. It has been 10 years and the recommendation that Council made on September 4, 2019 was excellent and is a decision that supports the neighbourhood.

The owner of 2878 Crozier Road spoke and stated that their property intersects Cottonwood Road and is 3 properties to the south. They've lived there for 21 years. When his children were younger, they could wander freely in the neighbourhood without fear. In the last 10 years, his grandchildren are now frightened to go to that same area because of the people that frequent the property and because the vehicular traffic has increased 100 fold. He stated that they get frequent visits to their property where individuals come claiming to be looking for their friend. A name is invented for their presence when they are found on our driveway. When we follow their vehicles, they head north to the subject property. We have had thefts and we find cigarette butts on our driveway which is potential for forest fires. They have been exposed to all sorts of risks since Mr. Parker took ownership. It's been 10 years of not just a nuisance, but unacceptable risk. He asked that Council hold up its September 4, 2019 decision.

A renter from two properties away spoke in support of Mr. Parker. She stated that she and her son have offered to enter into a five year lease with Mr. Parker and to look after his property. She felt that by doing so she would ensure the neighbours were safe as they would control the area. She stated that the youth in Chemainus are unfortunately more interested in things that go on at the end of Cottonwood Road and she would be prepared to look after the property.

The owner of 9376 Cottonwood Road expressed his appreciation for the action that Council is taking now, but believes it won't solve the problem completely. He said that it's difficult for his family to sleep and they have to deal with the noise.

The owner of 9364 Cottonwood Road expressed that Council has made a decision in the right direction and that if the building remains it will continue to attract floppers and renters.

After hearing from the owner, staff, and affected property owners, Council discussed the matter and concluded that it had not heard information that would cause them to change their mind.

It was moved and seconded:

**That Council confirm the following Council resolution that was passed at the September 4, 2019 Regular meeting:**

**Whereas Division 12 of Part 3 of the *Community Charter* authorizes Council to impose a remedial action requirement on the owner of a building or other structure, including a requirement to remove or demolish the building or structure where it contravenes a building bylaw; is a nuisance; or is so dilapidated or unclean as to be offensive to the community;**

**AND WHEREAS Webster Daniel Parker is the registered owner (the "Owner") of land with the civic address 9384 Cottonwood Road, North Cowichan, BC and legally described as PID: 010-529-331, [That part of Section 13, Range 5, Chemainus District, lying to the east of Fuller Lake and to the north of Parcel A (DD 89540I) shown outlined in red on Plan DD 7789F, Except part in Plan 33487] (the "Property"), upon which an accessory building unlawfully used for residential accommodation (the "Accessory Building") is located;**

**AND WHEREAS section 17 of the *Community Charter* provides that the authority of Council to require that something be done includes the authority to direct that, if a person subject to the requirement fails to take the required action, the Municipality may fulfill the requirement at the expense of the person;**

**NOW THEREFORE the Council of the Municipality of North Cowichan resolves as follows:**

- 1. THAT Council considers that the Accessory Building contravenes the requirements of Building Bylaw 2003, No. 3172;**
- 2. THAT Council hereby declares that the "Accessory Building" is a nuisance, within the meaning of Section 74 of the *Community Charter*, and so dilapidated and unclean as to be offensive to the community;**
- 3. THAT Council hereby requires the Owner to demolish the Accessory Building and remove the resulting debris within 30 days of receiving notice of this requirement under Section 77 of the *Community Charter* (the "Remedial Action Requirement");**
- 4. THAT the District shall provide notice of the Remedial Action Requirement to the persons entitled to notice under s. 77 of the *Community Charter*, including a copy of this resolution;**
- 5. THAT if any or all of the actions in paragraph 3 are not completed by the dates set out above, the District will undertake to remove the resulting debris without further notice to and at the expense of the Owner, and recover the costs of doing so in accordance with sections 17, 80, 258, and 259 of the *Community Charter*.**

**CARRIED**

**6. DELEGATIONS AND PRESENTATIONS**

**6.1 DELEGATION: Amy Trippe Brophy - Chemainus Valley Historical Society and Museum**

Amy Trippe Brophy, President of Chemainus Valley Historical Society and Museum provided Council with an overview and outline of the Chemainus Valley Historical Society and Museum. She highlighted the role that the Society plays in the community, including current operations as well as future plans.

**6.2 DELEGATION: Kurt Feltrin - Development Variance Permit at 8996 Chemainus Road**

Kurt Feltrin was in attendance to ask that Council reconsider the decision made at the June 20, 2018 meeting to impose a requirement to register a covenant on the title of his property at 8996 Chemainus Road that would restrict the number of dwelling units on each parcel. He noted that he has a sale pending on the property but it is subject to allowing 2 single family dwellings on the property.

The Mayor noted that Council is unable to reconsider a decision made from 2018 and that Mr. Feltrin would have to submit a new variance application.

The Director of Planning noted that registering the covenant is a condition of approving the subdivision; however, should Mr. Feltrin reapply for a variance, and Council approve it, the covenant could then be removed.

A discussion ensued about Council's commitment to following its Official Community Plan policies.

It was moved and seconded:

**That Council reaffirm the requirement for Mr. Feltrin to register a covenant on title that restricts the number of dwelling units on each parcel to one as a condition of the 2-lot subdivision as passed by resolution on June 20, 2018.**

(Opposed: Manhas)

**CARRIED**

**7. PUBLIC INPUT**

Council received no public input regarding agenda items from registered speakers.

**8. REPORTS**

**8.1 Architectural and Managing Consultant Services for the New Integrated RCMP Detachment**

It was moved and seconded:

**That Council authorize the Mayor and Corporate Officer to enter into a contract with KMBR Architects Planners Inc. for \$1,053,000, plus GST, for Architectural and Managing Consultant Services for the new North Cowichan Integrated RCMP Detachment Project.**

**CARRIED**



It was moved and seconded:

**That Council authorize the Mayor and Corporate Officer to enter into a contract with Unitech Construction Ltd. For \$875,000, plus GST for Pre-Construction and Agent Construction Management Services for the New Integrated RCMP Detachment.**

**CARRIED**

**8.2 Proposed Objectives and Format for Fall 2019 Community Budget Meetings**

It was moved and seconded:

**That Council endorse the objectives and format for the fall 2019 community budget meetings as outlined in the Manager, Communications and Public Engagement's report of September 18, 2019.**

**CARRIED**

By consensus Council recessed the meeting at 3:30 p.m. for a short break.

The meeting resumed at 3:44 p.m.

**8.3 Bylaw 3734 - "Delegation of Authority Bylaw"**

It was moved and seconded:

**That Council give first three readings to "Delegation of Authority Bylaw, No. 3734, 2019" – a bylaw to provide for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees.**

**CARRIED**

**8.4 Bylaw 3759 - "South End Water Local Area Service Enlargement Bylaw, 2019"**

It was moved and seconded:

**That Council give first three readings to "South End Water Local Area Service Bylaw, 2019," Bylaw 3759.**

**CARRIED**

**8.5 Bylaw 3762 - "Permissive Tax Exemption Amendment Bylaw, 2019"**

It was moved and seconded:

**That Council support Permissive Tax Exemptions for the following applications:**

- **Franciscan Poor Claret Nuns for the property located at 2382 Calais Road;**
- **Sword Ministries Society for the property located at unit #101, 5855 York Road;**
- **Vancouver Island Vispassana Society for the improvements (building) located at 2359 Calais Road; and**
- **Vancouver Island Vispassana Society for the improvements (building) located on Wicks Road.**

**And That Council give first three readings to "Permissive Tax Exemption Amendment Bylaw, 2019 No. 3762."**

**CARRIED**

**8.6 Council's Strategic Plan - Strategic Priority Project Status**

It was moved and seconded:

**That Council accept the Chief Administrative Officer's report.**

**CARRIED**

**9. CORRESPONDENCE**

**9.1 Memorandum of Understanding - United Way and District of North Cowichan Re: Homelessness in the Cowichan Region**

It was moved and seconded:

**That the Mayor be authorized to sign the Memorandum of Understanding between the United Way and District of North Cowichan for the purposes of supporting the United Way's Federal funding application to the "Reaching Home" program.**

(Opposed: Manhas)

**CARRIED**

**10. NOTICE OF MOTIONS**

**10.1 Cannabis Production in the Agricultural Land Reserve**

It was moved and seconded:

**That staff be directed to prepare a report and draft zoning amendment bylaw to prohibit cannabis production in the Agricultural Land Reserve, unless it is grown in ways that preserve the productive capacity of agricultural land.**

It was moved and seconded:

**That the motion be referred to the October 16, 2019 Council meeting for consideration.**

(Opposed: Douglas; Justice; Toporowski)

**CARRIED**

**11. NEW BUSINESS**

**11.1 Bylaw 3764 - "Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019" - a bylaw to re-establish siting setback regulations for heat pumps and air conditioning units**

It was moved and seconded:

**That Council give first and second reading to "Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019" No. 3764 a bylaw to re-establish siting setback regulations for heat pumps and air conditioning units;**

**And That Council waive the requirements for holding a public hearing as per Section 464(2)(b) of the *Local Government Act*.**

**CARRIED**

By consensus Council recessed the meeting at 4:55 p.m.

The Mayor advised that the public hearing is scheduled for 6:00 p.m. and that the Council meeting would resume after the close of the public hearing.

## **12. PUBLIC HEARING**

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Rob Conway, Director of Planning Karen Robertson, Corporate Officer Nelda Richardson, Deputy Corporate Officer Glenn Morris, Development Planning Coordinator Caroline von Schilling, Development Planner

### **12.1 PUBLIC HEARING - Rezoning Application No. ZB000112 for Bylaw 3760 - "Zoning Amendment Bylaw (2372 Regina Drive), 2019"**

Mayor Siebring called the public hearing to order at 6:03 p.m. for Rezoning Application No. ZB000112 for Bylaw 3760 (2372 Regina Drive).

Mayor Siebring provided an explanation of the public hearing process and advised that no further verbal or written presentations could be reviewed by any member of Council following the closure of the public hearing. He also noted the location of the public hearing binder for the rezoning application.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received.

The Corporate Officer noted that no correspondence was received from the public regarding the application.

The Mayor provided an opportunity for the applicant to do a presentation. The applicant stated they had no presentation.

Mayor Siebring noted that there were no members of the public in attendance who wished to speak to the application so he closed the public hearing at 6:04 p.m.

The Council meeting resumed at 6:05 p.m.

## **13. PUBLIC MEETING**

### **13.1 PUBLIC MEETING - Development Variance Permit - 6032 Avondale Place**

The Mayor asked the Corporate Officer whether any correspondence was received from the public regarding the application.

The Corporate Officer noted that no correspondence was received.

The Mayor stated that as there were no members of the public in attendance, and due to the nature of the minor variance, it was not necessary for staff to do a presentation.

It was moved and seconded:

**That Council issue a development variance permit to Validus Custom Homes, for 6032 Avondale Place to vary 58(6) (a) of Zoning Bylaw 2950 by reducing the minimum permitted side yard setback for a principal building from 2m (6.56ft) to 1.94m (6.36ft).**

**CARRIED**

**14. BYLAWS**

**14.1 Bylaw 3760 - "Zoning Amendment Bylaw (2372 Regina Drive), 2019"**

It was moved and seconded:

**That Council give third reading to "Zoning Amendment Bylaw, 2019" No. 3760 to permit a detached second residence at 2372 Regina Drive (PID 000-368-393).**

**CARRIED**

It was moved and seconded:

**That Council adopt "Zoning Amendment Bylaw, 2091" No. 3760 to permit a detached second residence at 2372 Regina Drive (PID 000-368-393).**

**CARRIED**

**15. QUESTION PERIOD**

Council received no questions from the public regarding business considered at this meeting.

**16. ADJOURNMENT**

It was moved and seconded:

**That Council adjourn the September 18, 2019 Regular Council meeting at 6:09 p.m.**

**CARRIED**


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Certified by Corporate Officer

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Signed by Mayor

# Report

Date	October 2, 2019	File: 6530-20 2019.01
To	Council	
From	Chris Hutton, Community Planning Coordinator	Endorsed: 
Subject	Authorize CVRD to obtain funding and prepare a housing needs report	

## Purpose

To request that Council authorize the Cowichan Valley Regional District to apply for and administer grant funding from the Union of BC Municipalities to prepare a regional housing needs report on behalf of North Cowichan.

## Background

Legislation now requires that local governments in BC complete housing needs reports by April 2022 and every five years thereafter. A funding opportunity through the Union of BC Municipalities (UBCM) exists to cover costs associated with the project. Applications with Council and Board resolutions indicating support for the proposed projects are due by November 29, 2019.

At its September 11, 2019, meeting the CVRD Board resolved to invite the member municipalities to participate in a regionally based housing needs report grant from UBCM.

## Discussion

The CVRD has requested support, in the form of a resolution, by October 15 for the CVRD to apply for, receive and manage the grant funding and prepare a regional housing needs report on behalf of electoral areas and municipalities within the region.

The legislation and associated regulations specifies the following requirements for housing needs reports:

1. Information collection as a basis for determining current and projected housing needs: local governments are required to collect approximately 50 distinct kinds of data.
2. Report content is required to contain certain content which will be based on analysis of the information collected, and a standardized summary form.

## Relevance to OCP Rewrite

Local governments are required to consider a housing needs report in the development of Official Community Plans (*Local Government Act*, Section 473). These reports must include statistical information about current and projected population, household income, significant economic sectors, currently available housing units and housing units that are anticipated to be available, including information about types of housing units.

North Cowichan's current OCP project will benefit from the CVRD's recent work to produce projections of population, housing, and employment (to the year 2050), and this data will also form the basis of the housing need report. However, these projections do not meet all 50 distinct kinds of data required by the Province for the housing needs report.

This funding opportunity is available through the Union of BC Municipalities to assist with the costs associated with gathering final data and preparing a housing needs report for North Cowichan. Funding is allocated based on population, and up to \$150,000 is available for regional projects. Eligible costs include:

- Project management and coordination
- Data collection, compilation, and analysis
- Research specific to the development of housing needs reports
- Community engagement
- Consultant costs
- Incremental staff and administration costs

Cowichan Valley Regional District coordination of the project and grant management would offer benefits and efficiencies. The CVRD will contract for the collection of additional information requirements for the housing reports for the electoral areas and incorporated areas.

North Cowichan would be responsible for community engagement and research specific to the development of housing needs reports. North Cowichan could combine consultation on the housing needs report with the Official Community Plan project. CVRD's proposal includes distributing part of the funding to incorporated areas such as North Cowichan for the development of the standardized housing needs report including community-specific information.

## **Recommendation**

**That Council authorize the Cowichan Valley Regional District to apply for and administer grant funding from the Union of BC Municipalities to prepare a regional housing needs report on behalf of the District of North Cowichan.**

Attachment(s):

1. Letter from Cowichan Valley Regional District dated September 13, 2019
2. CVRD Housing Needs Report and Attachments



175 Ingram Street  
Duncan, BC V9L 1N8  
[www.cvr.bc.ca](http://www.cvr.bc.ca)

Office: 250.746.2500  
Fax: 250.746.2513  
Toll Free: 1.800.665.3955

September 13, 2019

File No.: 6520-02/DNC

Mayor Siebring and Council  
District of North Cowichan  
7030 Trans-Canada Highway  
**DUNCAN BC V9L 6A1**

via email: [council@northcowichan.ca](mailto:council@northcowichan.ca)

Dear Mayor and Council:

**Re: Housing Needs Report Grant Application: Invitation to Participate**

Local governments in BC are required by legislation to complete housing needs reports by April 2022 and every five years thereafter. A funding opportunity through the Union of BC Municipalities (UBCM) exists to cover costs associated with the project. Applications with Council and Board Resolutions indicating support for the proposed projects are due by November 29, 2019. One combined application for all Cowichan Valley local governments could realize potential benefits and efficiencies.

At its September 11, 2019 Regular Board meeting, the following resolution was passed:

***"That a letter be sent to the City of Duncan, Town of Ladysmith, Town of Lake Cowichan, and Municipality of North Cowichan Councils requesting support for the Cowichan Valley Regional District to apply for and administer grant funding from the Union of BC Municipalities to prepare a Regional Housing Needs Report on behalf of electoral areas and municipalities within the region."***

This coordinated approach is recommended on behalf of CVRD electoral and incorporated areas to maximize funding opportunities, and additionally provide consistent data collection to inform multiple areas of common concern. Further information is reflected in the attached September 4, 2019, Electoral Area Services Committee meeting Staff Report.

Please submit your resolution and/or any queries to Coralie Breen, Senior Planner – Strategic Initiatives at [coralie.breen@cvrd.bc.ca](mailto:coralie.breen@cvrd.bc.ca) or 250.746.2526 by October 15, 2019. Following receipt of your resolution, CVRD staff will report back to the Board to obtain overall direction prior to submission of the grant application. A joint Request for Proposals (RFP) will be co-developed by all participants.

On behalf of the Board, we look forward to your consideration and participation.

Yours truly,

Ian Morrison  
Chair

Attachment

CB/IM/lw



# STAFF REPORT TO COMMITTEE

**DATE OF REPORT** August 19, 2019

**MEETING TYPE & DATE** Electoral Area Services Committee Meeting of September 4, 2019

**FROM:** Community Planning Division  
Land Use Services Department

**SUBJECT:** Housing Needs Report Request for Resolution  
to Include Incorporated Areas

**FILE:** 6480 – 20 Official Community Plans  
6520 – 02 DUN Community Planning – Other Jurisdictions Duncan  
6520 – 02 DNC/OCP Community Planning – Other Jurisdictions  
District of North Cowichan  
6520 – 02 LADY Community Planning – Other Jurisdictions Ladysmith  
6520 – 02 LAK/OCP Community Planning – Other Jurisdictions Lake  
Cowichan Official Community Plan

## PURPOSE/INTRODUCTION

Local governments in BC are required by legislation to complete housing needs reports by April 2022 and every five years thereafter. A funding opportunity through the Union of BC Municipalities exists to cover costs associated with the project. Applications with Council and Board Resolutions indicating support for the proposed projects are due by November 29, 2019. One combined application for Cowichan Valley Regional District (CVRD) electoral areas and incorporated areas could offer potential benefits and efficiencies.

## RECOMMENDED RESOLUTIONS

That it be recommended to the Board that a letter be sent to the City of Duncan, Town of Ladysmith, Town of Lake Cowichan, and Municipality of North Cowichan Councils requesting support, in the form of a resolution, for the Cowichan Valley Regional District to apply for and administer grant funding from the Union of BC Municipalities to prepare a Regional Housing Needs Report on behalf of electoral areas and municipalities within the region.

## BACKGROUND

BC local governments are required to complete the housing needs reports by April 2022 under and every five years thereafter. The requirements related to housing needs reports are detailed in legislation and associated regulations: *Local Government Act* (Section 585.31) and Housing Needs Reports Regulation. Together, the housing needs reports legislation and regulations specify requirements for:

**Information Collection** - As a basis for determining current and projected housing needs, local governments are required to collect approximately 50 distinct kinds of data.

**Report Content** - All housing needs reports are required to contain certain content, based on analysis of the information collected, and a standardized summary form.

Local governments are required in the development of Official Community Plans (*Local Government Act*, Section 473) to consider a housing needs report including statistical information about current and projected population; household income, significant economic sectors, currently available



housing units and housing units that are anticipated to be available, including information about types of housing unit.

#### *Housing Needs Report – Requirements Data Met*

In order to assist efforts related to various long-range planning objectives, including the modernization of its harmonized Official Community Plan, the CVRD contracted rennie to produce projections of population, housing, and employment (to the year 2050) for the Cowichan Valley Regional District, as well as for individual census subdivisions (“CSDs”) within the region. These CSDs include nine electoral areas (A through I) and four incorporated municipalities (Duncan, Ladysmith, Lake Cowichan, and North Cowichan). Individual Indian Reserves (“IRs”), of which there are 16 throughout the region, have not been explicitly considered but have been implicitly accounted for, in aggregate, within the projection framework. Ryan Berlin, Senior Economist/Intelligence Division, rennie, provided a presentation on the interim long range projections population, employment and housing to Regional Services on June 26, 2019. These regional projections would form the basis of the CVRD electoral area and incorporated areas housing need report.

#### *Housing Needs Report – Requirements Data & Consultation Unmet*

The rennie projections do not meet all 50 distinct kinds of data required by the Province for the Housing Needs Report. Incorporated areas and CVRD electoral areas would be required to produce a housing report including a summary of the required data, housing policies in OCPs, community consultation, and consultation with First Nations, other local governments and agencies. See **Attachment A, Table 1.0**, attached to this staff report (August 19, 2019).

#### *Funding Opportunity Cowichan Valley Regional District Electoral Areas & Incorporated Areas*

A funding opportunity is available through the Union of BC Municipalities to assist with the costs associated with the project. Funding is allocated based on population, however up to \$150 000 is available for regional projects. Eligible costs include:

- Project management and coordination
- Data collection, compilation, and analysis
- Research specific to the development of housing needs reports
- Community engagement
- Consultant costs
- Incremental staff and administration costs

In order to apply for the funding, governments are required to submit the following documents:

- An application form detailing the plan for the project
- Council, Board, or Local Trust Committee Resolution indicating local government support for the proposed project and a willingness to provide overall grant management
- Detailed project budget
- For regional projects only: Council, Board, or Local Trust Committee Resolutions from each partnering local government indicating support for the primary applicant to apply for, receive, and manage the grant funding on their behalf

#### **ANALYSIS**

Cowichan Valley Regional District coordination of the project and grant management would offer benefits and efficiencies. The CVRD will contract for the collection of additional information requirements for the housing reports for the electoral areas and incorporated area. Community engagement and research specific to the development of housing needs reports would reside with each incorporated area. The CVRD will coordinate community engagement with the electoral areas

as part of the modernization of the electoral area Official Community Plan. Summary statements are required for each local governments including:

- Affordable housing
- Rental housing
- Special needs housing
- Housing for seniors
- Housing for families
- Key contextual information (e.g.: location, population, median age, unemployment rate, etc.)
- Summary of all the required content (tables above)
- Summary of housing policies in OCPs and RGSs (if available)
- Summary of community consultation, and consultation with First Nations, other local governments and agencies
- Other key housing issues or needs not identified in the required content
- Shelters for individuals experiencing homelessness and housing for individuals at risk of homelessness

Staff recommends Board approval of a partnership application on behalf of all CVRD electoral and incorporated areas to maximize benefits and efficiencies including consistent data collection to inform Official Community Plans and financial leverage through one data analyst.

#### **FINANCIAL CONSIDERATIONS**

The Provincial funds allocation for the Cowichan Valley Regional District are itemized in **Attachment B, Table 2.0**, attached to this staff report (August 19, 2019). If the CVRD application proceeds and is approved, part of these funds would be allocated towards the collection of the additional data requirements and the remaining portion would be distributed to respective incorporated areas for the development of the standardized Housing Needs Report including community-specific information. A quote for the additional data requirements is forthcoming and it is anticipated that there would be funding remaining from the CVRD allocation to support each incorporated area's completion of the community-specific information.

#### **COMMUNICATION CONSIDERATIONS**

The Housing Needs Report requires community consultation and consultation with First Nations, other local governments and agencies.

#### **STRATEGIC/BUSINESS PLAN CONSIDERATIONS**

The Housing Needs Report project is consistent with the Corporate Strategic (2014-2018) goals:  
Supporting sustainable and coordinated growth and development in the region.

Enhancing the capacity for OCP reviews and updates as well as harmonizing regulation for common land uses objectives and policies, where possible, while respecting the character and aspirations of each community.

#### **GENERAL MANAGER COMMENTS**


☐ Not Applicable

A coordinated approach to the preparation of a Regional Housing Needs Report will allow for the maximum leveraging of provincial grant funding, coordinated research and public consultation, and opportunity to produce a document for the shared benefit of the CVRD, member municipalities and housing providers.

Referred to (upon completion):


- ☐ Communications & Engagement
- ☐ Community Services *(Cowichan Community 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, Recycling & Waste Management, Water Management)*
- ☐ Land Use Services *(Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails)*

Prepared by:

  
Coralie Breen, PhD, MCIP, RPP  
Senior Planner - Special Projects

Reviewed by:

  
Mike Tippett, MCIP, RPP  
Manager

  
Ann Kjerulf, MCIP, RPP  
General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

☒ Manager, Legislative Services

Financial Considerations:

☒ Manager, Finance

**ATTACHMENTS:**

Attachment A – Table 1.0 – Housing Needs Report Data Requirements (Met/Not Met)  
and References

Attachment B – Table 2.0 – Provincial Funds Allocation to the Cowichan Valley Regional District

## Attachment A (Staff Report August 19, 2019)

Table 1.0 Housing Needs Report Data Requirements Met and Not Met

Population Time Frame: Previous 3 Census reports, except marked * Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Total Population	√	
Age – average		√
Age – median		√
Age – age group distribution (0-14, 15-19, 20-24, 25-64, 65-84, 85+) [# and %]	√	
Mobility – number of non-movers, non-migrants, migrants	√	
Number of individuals experiencing homelessness* (if available)		√
Number of students enrolled in post-secondary institutions* (if applicable)		√

Households Time Frame: Previous 3 Census reports Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Total number of households	√	
Average household size		√
Total number of households by size (1, 2, 3, 4, 5+ people) [# and %]		√
Renter and owner households [# and %]		√
Renter households in subsidized housing [# and %]		√

Anticipated Population Time Frame: Next 5 years Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Anticipated population	√	
Anticipated population growth [# and %]	√	
Anticipated age – average		√
Anticipated age – median		√
Anticipated age – age group distribution (0-14, 15-19, 20-24, 25-64, 65-84, 85+) [# and %]	√	

Anticipated Households Time Frame: For next 5 years Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Anticipated number of households	√	
Anticipated average household size (# of people)		√

Household Income Time Frame: Previous 3 Census reports Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Average and median household income (if available)		√
Households in specified income brackets [# and %] (if available)		√
Renter household income – average (if available)		√
Renter household income – median (if available)		√
Renter households in specified income brackets [# and %] (if available)		√
Owner household income – average (if available)		√
Owner household income – median (if available)		√
Owner households in specified income brackets [# and %] (if available)		√

Economic Sector & Labour Force Time Frame: Previous 3 Census reports. Except for * Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Total number of workers	√	
Number of workers by industry (North American Industry Classification System – NAICS)	√	
Unemployment rate		√
Participation rate		√
Commuting destination* (within census subdivision; to different census subdivision; to different census division; to another Province/Territory)	√	

Housing Units – Currently Occupied/Available Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Total number of housing units		√
Breakdown by structural type of units [# and %]		√
Breakdown by size – # of units with 0 bedrooms (bachelor); 1 bedroom; 2 bedrooms; 3+ bedrooms		√
Breakdown by date built (pre-1960; 1961-80; 1981-90; 1991-00; 2001-10; 2011-16; 2017) [# and %]		√
Number of housing units that are subsidized housing		√
Rental vacancy rate – overall and for each type of unit (if available)		√
Number of primary and secondary rental units (if available)		√
Number of short-term rental units (if available)		√
Number of units in cooperative housing (if applicable)		√
Number of Post-secondary housing (number of beds) (if applicable)		√
Shelter beds and housing units for people experiencing or at risk of homelessness (if applicable)		√

Housing Units – Change in housing stocks Time Frame: Past 10 years Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Demolished – overall and breakdown for each structural type and by tenure (if available)	<b>Not compiled</b>	
Substantially completed - overall and breakdown for each structural type and by tenure (if available)	<b>Not compiled</b>	
Registered new homes - overall and breakdown for each structural type and for purpose-built rental		√

Housing Values Time Frame: 2005 onward for the first report; past 10 years for subsequent reports Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Assessed values - Average and median for all units		√
Assessed values - Average and median by structural type (e.g. single detached, apartment, etc.)		√
Assessed values - Average and median by unit size (0, 1, 2, 3+ bedrooms)		√
Sale Prices – Average and median for all units and for each structural type		√
Sale Prices – Average and median by structural type (e.g. single detached, apartment, etc.)		√
Sale Prices - Average and median by unit size (0, 1, 2, 3+ bedrooms)		√
Rental Prices – Average and median for all units and for unit size (# of bedrooms) (if available)		√
Rental Prices - Average and median by unit size (0, 1, 2, 3+ bedrooms)		√

Households in Core Housing Need Time Frame: Previous 3 Census reports Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Affordability – households spending 30%+ of income on shelter costs (overall # and % of households)		√
Affordability – households spending 30%+ of income on shelter costs (# and % of renter and owner households)		√
Adequacy – households in dwellings requiring major repairs (overall # and % of households)		√
Adequacy – households in dwellings requiring major repairs (# and % of renter and owner households)		√
Suitability – households in overcrowded dwellings (overall # and % of households)		√
Suitability – households in overcrowded dwellings (# and % of renter and owner households)		√

*Required Analysis Based on Required Data Collection*

Housing Units Required Current and Anticipated (5 years) Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Number of units needed by “type” (unit size): 0 bedrooms (bachelor); 1 bedrooms; 2 bedrooms; and 3+ bedrooms		√

Households in Core Housing Need Time Frame: Previous 3 Census reports Data required for each Electoral Area and municipality individually.	Data Requirement Met?	
	Yes	No
Core housing need, overall and breakdown by tenure (# and %)		√
Extreme core housing need, overall and breakdown by tenure (# and %)		√

Statements About Key Areas of Local Need
<ul style="list-style-type: none"> <li>• Affordable housing</li> <li>• Rental housing</li> <li>• Special needs housing</li> <li>• Housing for seniors</li> <li>• Housing for families</li> <li>• Shelters for individuals experiencing homelessness and housing for individuals at risk of homelessness</li> </ul>

Summary Form (Fillable form to be provided by the Ministry of Municipal Affairs and Housing)
<ul style="list-style-type: none"> <li>• Key contextual information (e.g.: location, population, median age, unemployment rate, etc.)</li> <li>• Summary of all the required content (tables above)</li> <li>• Summary of housing policies in OCPs and RGSs (if available)</li> <li>• Summary of community consultation, and consultation with First nations, other local governments and agencies</li> <li>• Other key housing issues or needs not identified in the required content</li> </ul>

### *Methodology*

The following reports and files were reviewed in the context of the Housing Needs Report in order to complete a data gap analysis.

- Cowichan Attainable Housing Strategy Background Report (Cowichan Housing Association, 2019)
- Long-Range Projections of Population, Housing, and Employment in the Cowichan Valley Regional District report (rennie intelligence, 2019) were reviewed in the context of the Housing Needs Report in order to complete a data gap analysis.
- CVRD Building Register files
- CVRD Building Permit files

### *Data Sources*

The sources for the data that already meets the Provincial requirements are the rennie intelligence report and the CVRD files. The Cowichan Attainable Housing Strategy Background Report did not provide data that fully met the Housing Needs Report requirements, however there is valuable contextual information that can be used to inform the analysis section of the Housing Needs Report.

With the exception of Housing Units Demolished and Housing Units Substantially Completed (sourced from CVRD records), all of the already-collected data is from rennie's 2019 report.



## References

- Cowichan Housing Association & Social Planning Cowichan. (2019). *Background Report: Cowichan Attainable Housing Strategy*. Retrieved from [http://www.cowichanhousing.com/uploads/4/9/6/0/49605357/cowichan\\_region\\_housing\\_background\\_report\\_final\\_april\\_17\\_2019.pdf](http://www.cowichanhousing.com/uploads/4/9/6/0/49605357/cowichan_region_housing_background_report_final_april_17_2019.pdf). (August 19, 2019).
- Cowichan Valley Regional District. (2019). *Long-Range Projections of Population, Housing, and Employment in the Cowichan Valley Regional District* [PDF file]. Duncan, BC: rennie intelligence.
- Province of BC (2019). Housing Needs Report. Retrieve from <https://www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/policy-and-planning-tools-for-housing/housing-needs-reports> (August 19, 2019).
- For CVRD records, see Building Register and Building Permits files (accessible by request only).

## Attachment B (Staff Report, August 19, 2019)

**Table 2.0 Provincial Funds Allocation to the Cowichan Valley Regional District**

Planning Area	Net Population	Funding Maximum
Cowichan Valley A	4,733	\$15,000
Cowichan Valley B	8,558	\$20,000
Cowichan Valley C	5,019	\$20,000
Cowichan Valley D	3,243	\$15,000
Cowichan Valley E	4,121	\$15,000
Cowichan Valley F	1,629	\$15,000
Cowichan Valley G	1,936	\$15,000
Cowichan Valley H	2,446	\$15,000
Cowichan Valley I	1,206	\$15,000
Duncan, City of	4,944	\$15,000
Ladysmith, Town of	8,537	\$20,000
Lake Cowichan, Town of	3,226	\$15,000
North Cowichan, District of	29,676	\$30,000

# Report

Date October 2, 2019

File: 5630-50 GEN4

To Council

From David Conway, P.Eng., Director, Engineering | Approving Officer

Endorsed:



Subject Genoa Bay Road Watermain Extension

## Purpose

To obtain direction from Council regarding the creation of a local area service (LAS) for the extension of approximately 480 metres of watermain from 6145 to 6009 Genoa Bay Road south of the Maple Bay Marina.

## Background

On June 16, 2019, Mr. Thomas Horsfall, on the behalf of Genoa Bay residents, had written a letter petitioning for a watermain extension on Genoa Bay Road. See attachment 2 for the affected properties.

Due to the increase of sulphur in the existing wells, and hardness of the water supply, 7 landowners on Genoa Bay Road signed an informal petition requesting municipal water to be extended to service their homes. It would also give them fire hydrants for fire protection.

Staff are aware that the request to extend water to these properties has been made in the past but was not successful due to lack of support from the owners at the time.

## Discussion

It is estimated that the extension of the municipal water supply and the installation of hydrants will cost approximately \$500,000 (plus engineering and contingency). Archaeological investigation is also required for this area, and that cost is estimated \$50,000. These costs are consistent with the work tendered along Genoa Bay Road between the marina south entrance and the sewage treatment plant as well as work in the Chisholm Trail area of Maple Bay. Actual costs would not be known without a design and tender.

Municipal staff time would need to be directed towards completion of a design and tender, plus project management.

The relevant excerpt from the Official Community Plan to supply water outside the UCB (Urban Containment Boundary) is as follows:

"2.1.5.8 The Municipality will extend municipal services to rural areas only under exceptional circumstances. The Municipality may permit extensions of municipal water service to rural areas in accordance with the existing Municipal Water District studies for Chemainus, Crofton and the South End, but these extensions will not be used as the foundation for justifying additional density in rural areas. The Municipality is generally opposed to extensions beyond what is anticipated in the existing studies and associated water plans. Furthermore, the Municipality will use suitable mechanisms to ensure that these lands will not be subdivided on the basis of being hooked up to municipal water services."

A future suitable mechanism to ensure these lands will not be subdivided could be the use of covenants on the parcels. However, the physical nature of the parcels would make subdividing a challenge. These parcels of land are zoned A3 (minimum 1.98 acres) although many are smaller. Some lots are divided by Genoa Bay Road with a small waterfront segment and a larger upland portion of the property characterized by steep slopes very unlikely to be suited for access, sewage disposal or building sites precluding future development.

The proposed service area is outside the south end water area contemplated in the south end water study, but improvements to the system and piping on Genoa Bay Road cause no negative impact on the system if it were to extend to this area.

## Options

### **Option 1 (Recommended)**

That Council direct staff to work with the residents to explain costs then create a petition that could be valid and sufficient per the *Local Government Act*.

## Implications

If a petition were successful, the extension of the municipal water would ensure safe, quality water supply to the homes along Genoa Bay Road in the area of Bird's Eye Cove for the future. Fire protection would be extended.

The residents served would pay 90% of the costs while the municipality would cover 10% through our reserve fund. Finance has indicated that funds are available to finance the project with the residents paying back their portion plus interest into the reserve fund.

## Recommendation

**That Council direct staff to work with the residents to explain costs then create a petition that could be valid and sufficient per the *Local Government Act*.**

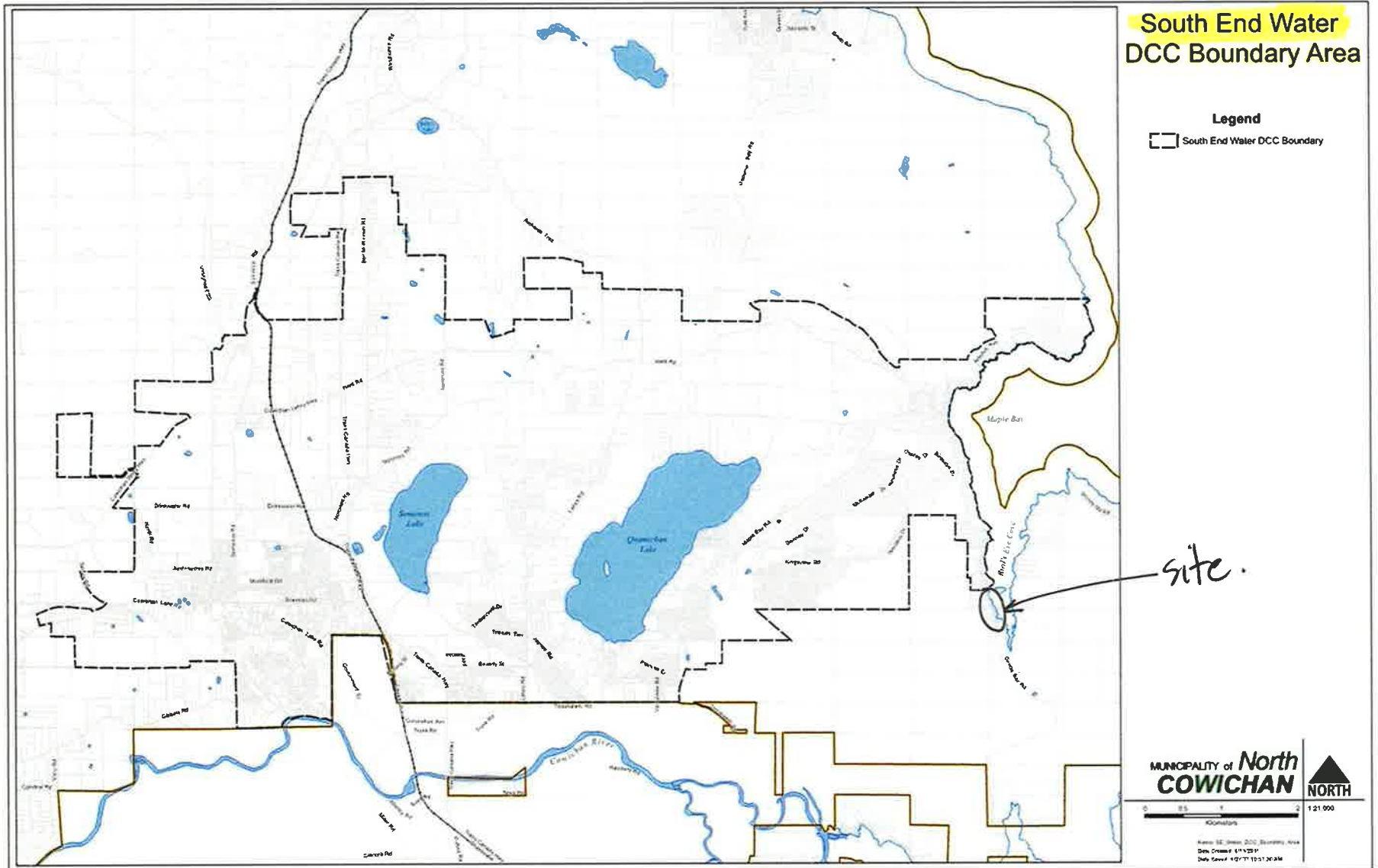
### Attachment(s):

1. SE Water DCC Boundary Area
2. Location Map

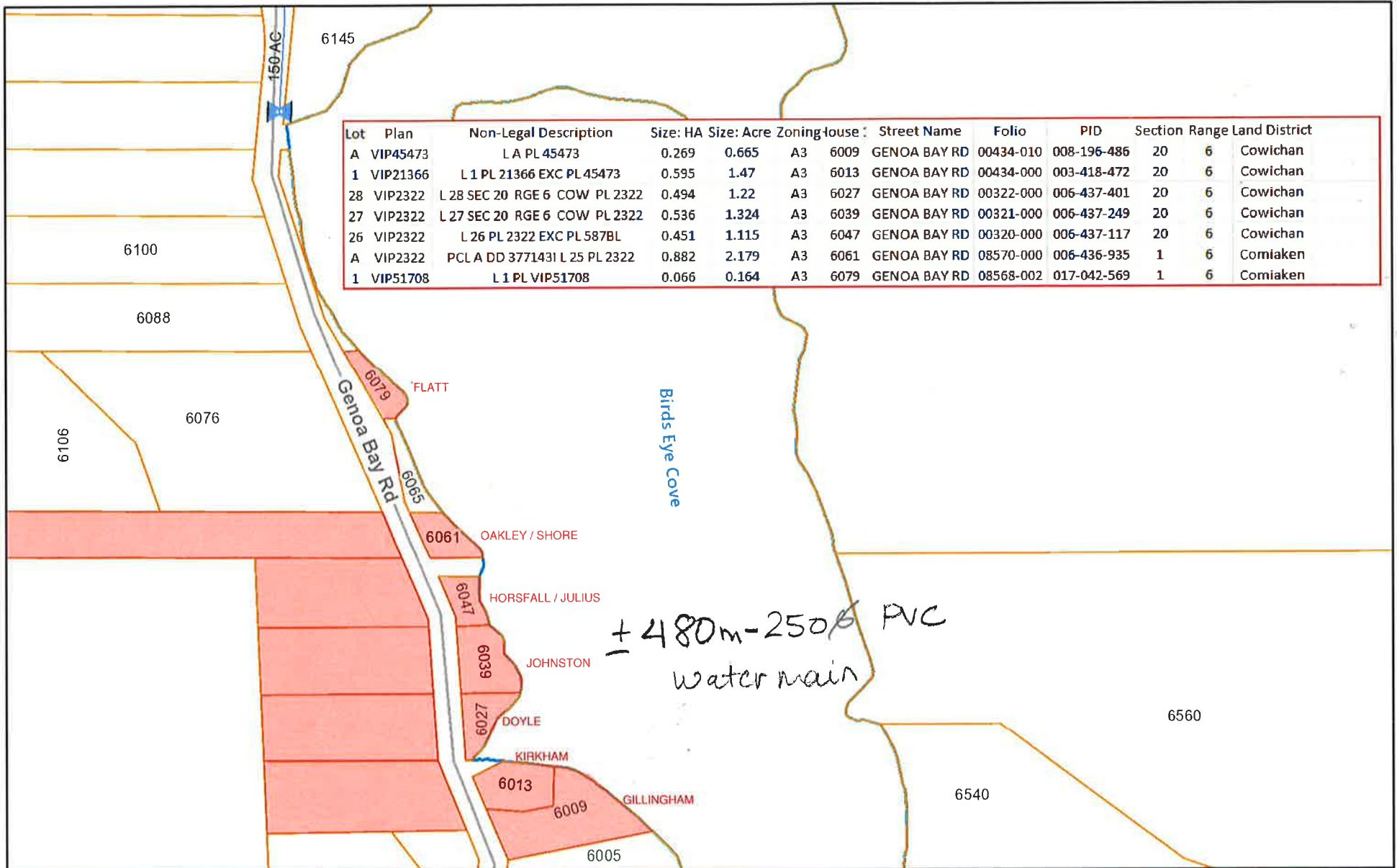
# South End Water DCC Boundary Area

## Legend

 South End Water DCC Boundary



# North Cowichan Webmap



6/19/2019, 9:32:04 AM

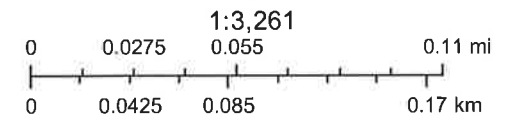
Hydrant Label

Water Valves Label

Water Mains Label

Water Facilities Label

Water Storage Tanks Label





The Corporation of the District of North Cowichan

**Delegation of Authority Bylaw**

Bylaw 3734

A bylaw to provide for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees

*Contents*

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<b>30</b>	Repeal
<b>31</b>	Title

WHEREAS Division 6 of Part 5 of the *Community Charter* empowers a municipal council, by bylaw, to delegate its powers, duties and functions, including those specifically established by an enactment, to the extent provided;

AND WHEREAS Council considers that there are a number of circumstances where delegation of certain of its powers, duties and functions would foster good government;

NOW THEREFORE, the Council of The Corporation of the District of North Cowichan enacts as follows:

## **Interpretation**

**1** (1) In this bylaw:

**"Approving Officer"** means the person so appointed under section 77 [*Appointment of municipal approving officers*] of the *Land Title Act*;

**"Audit Committee"** means the standing committee of Council established under section 170 [*Audit committee*] of the *Community Charter*;

**"Chief Administrative Officer"** means the municipal officer appointed under section 147 [*Chief administrative officer*] of the *Community Charter*;

**"Corporate Officer"** means the municipal officer appointed under section 148 [*Corporate officer*] of the *Community Charter*;

**"Department Head"** means the persons appointed by the Chief Administrative Officer as the Corporate Officer, the Deputy Corporate Officer, the Information Management Officer, the Municipal Forester, the Senior Manager of Engineering, and the Manager of Engineering Development and Capital Projects, and the persons appointed by the Chief Administrative Officer as a director, senior manager, or manager who reports directly to the Chief Administrative Officer or to the General Manager, Community Services, the General Manager, Development and Engineering Services, the General Manager, Financial and Protective Services, or the General Manager, Corporate Services.

**"Director of Engineering"** means the person so appointed by the Chief Administrative Officer;

**"Director of Information Technology and GIS"** means the person so appointed by the Chief Administrative Officer;

**"Director of Parks and Recreation"** means the person so appointed by the Chief Administrative Officer;

**"Director of Planning and Building"** means the person so appointed by the Chief Administrative Officer;

**"General Manager, Community Services"** means the person so appointed by the Chief Administrative Officer;

**"General Manager, Development and Engineering Services"** means the person so appointed by the Chief Administrative Officer;

**"General Manager, Financial and Protective Services"** means the municipal officer appointed under section 149 [*Financial officer*] of the *Community Charter*;



**"General Manager, Corporate Services"** means the person so appointed by the Chief Administrative Officer;

**"Local Assistant to the Fire Commissioner"** means a person authorized to exercise the powers of a local assistant under the *Fire Services Act*;

**"Manager, Fire and Bylaw Services"** means the person so appointed by the Chief Administrative Officer;

**"Management Staff"** means the persons appointed by the Chief Administrative Officer as the Fire Chief or Deputy Fire Chief of a municipal fire hall, the Chief Building Inspector, the Technical Services Specialist, the Business Applications Coordinator, the Senior Bylaw Compliance Officer, the Senior Environmental Specialist, the Community Planning Coordinator, the Development Planning Coordinator, the Human Resources Advisor, the Health, Safety and Disability Management Advisor, the Human Resources Coordinator, the Payroll Coordinator, the Executive Assistant, the Records and Information Management Assistant, the Administrative Assistant, the Communications and Public Engagement Coordinator, the Administrative Supervisor, the Assistant Manager of Operations, a Foreperson, the Facilities Supervisor, and all managers who report directly to a Department Head.

**"Municipal Forester"** means the person so appointed by the Chief Administrative Officer.

- (2) Where this bylaw delegates a power, duty or function of Council to a named position, the delegation is to the person who holds the position, and to any person who is the deputy of, or who is authorized to act for, that person.
- (3) Unless a power, duty or function of Council has been expressly delegated by this bylaw or another municipal bylaw, the powers, duties and functions of Council remain with Council.
- (4) A person to whom a power, duty or function has been delegated under this bylaw, or another bylaw, has no authority to further delegate to another person any power, duty or function that has been delegated to them by this bylaw.

### **Committee of the whole**

- 2 Council delegates its powers to give direction to staff on matters being considered by the committee of the whole to the committee of the whole.

### **Municipal audit**

- 3 Council delegates its powers, duties and functions under Division 2 of Part 6 of the *Community Charter* to the Audit Committee.

### **Parcel tax roll review panel**

- 4 Council delegates its duty under section 204 (2) [*Parcel tax roll review panel*] of the *Community Charter* to the General Manager, Financial and Protective Services.

### **Notices**

- 5 (1) Council delegates its duty to give notice under the following sections of the *Community Charter* to the Corporate Officer:

- (a) Section 26 (1) *[Notice of proposed property disposition]*;
  - (b) Section 40 (3) *[Permanent closure and removal of highway dedication]*;
  - (c) Section 59 (2) *[Powers to require and prohibit]*; and
  - (d) Section 127 (1) (b) *[Notice of council meetings]*.
- (2) Council delegates its duty to give notice under the following sections of the *Community Charter* to the General Manager, Financial and Protective Services:
- (a) Section 99 (3) *[Annual meeting on report]*; and
  - (b) Section 227 (1) *[Notice of permissive tax exemptions]*.
- (3) Council delegates its duty to give and file notices under the following sections of the *Local Government Act* to the Director of Planning and Building:
- (a) Section 466 (1) *[Notice of public hearing]*;
  - (b) Section 467 (1) *[Notice if public hearing waived]*;
  - (c) Section 494 (1) *[Public notice and hearing requirements]*;
  - (d) Section 499 (1) *[Notice to affected property owners and tenants]*;
  - (e) Section 503 (1) and (3) *[Notice of permit on land title]*; and
  - (f) Section 594 (1) *[Notice on land titles]*.

### **Business licenses**

- 6** Council delegates its powers, duties and functions under sections 8(6), 15 and 60 of the *Community Charter* to grant, refuse, suspend, or cancel a business license to the General Manager, Financial and Protective Services.

### **Business licenses - reconsideration**

- 7**
- (1) A business license applicant or holder that is subject to a decision made under the delegated authority under section 6 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.
  - (2) Where a business license applicant or holder wishes to have Council reconsider a decision made under the delegated authority under section 6 of this bylaw:
    - (a) The business license applicant or holder must, within 30 days of the decision having been communicated to the business license applicant or holder, make an application in writing to the Corporate Officer, which application must include the following:
      - (i) A description of the decision sought to be reconsidered by Council;
      - (ii) The date of the decision;
      - (iii) The name of the delegate who made the decision;
      - (iv) The grounds on which reconsideration is being requested; and,
      - (v) A copy of any materials that the business license applicant or holder wishes Council to take into account when reconsidering the decision.

- (b) Council must reconsider the decision at a regular meeting of Council held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer.
- (c) The Corporate Officer must:
  - (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council in accordance with paragraph (b) above; and,
  - (iii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the business license applicant or holder to the Corporate Officer as part of the application for reconsideration.
- (d) In reconsidering the decision the Council must consider all the material before it.
- (e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to the decision itself, and will then hear from the business license applicant or holder. Council may then hear from staff in relation to any new information raised by the business license applicant or holder in its submissions to Council.
- (f) Council is entitled to adjourn the reconsideration of the decision; and,
- (g) After hearing from staff and the business license applicant or holder, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council.

### **Outdoor burning ban**

- 8 Council delegates its powers under section 8(3)(g) of the *Community Charter* to ban outdoor burning in all or part of the municipality to the Local Assistant to the Fire Commissioner, subject to a fire hazard existing, the ban being for not more than 90 days, and the public promptly being notified of the ban.

### **Personnel administration**

- 9
  - (1) Council delegates its powers to appoint an acting Chief Administrative Officer to temporarily act on behalf of the Chief Administrative Officer in the Chief Administrative Officer's absence to the Chief Administrative Officer.
  - (2) Council delegates its powers to appoint, promote, and discipline officers (other than the Chief Administrative Officer) and employees to the Chief Administrative Officer.
  - (3) Council delegates its power to approve compensation for officers (other than the Chief Administrative Officer) and employees to the Chief Administrative Officer, subject to sufficient funds having been allocated and approved by Council under the financial plan bylaw.
  - (4) Council delegates its powers to terminate the employment of employees for cause to the Chief Administrative Officer.
  - (5) Council delegates its powers to terminate the employment of employees without cause to the Chief Administrative Officer, subject to any severance paid to the employee being in accordance with the notice provisions of any applicable employment agreement or

the common law principles applicable to payments in lieu of notice on termination of employment, and sufficient funds having been allocated and approved by Council under the financial plan bylaw.

- (6) Council delegates its powers to settle labour grievances or disputes to the Chief Administrative Officer, subject to the settlement being in accordance with common law principles and sufficient funds having been allocated and approved by Council under the financial plan bylaw to satisfy the settlement.

#### **Agreements - procurement**

- 10** (1) Council delegates its powers to enter into agreements for the purchase of works, services, or chattels having a value of not more than \$500,000.00 to the Chief Administrative Officer.
- (2) Council delegates its powers to enter into agreements for the purchase of works, services, or chattels having a value of not more than \$200,000.00 to the General Manager, Corporate Services, the General Manager, Financial and Protective Services, the General Manager, Community Services, the General Manager, Development and Engineering Services, the Director of Planning and Building, the Director of Engineering, the Director of Parks and Recreation, and the Director of Information Technology and GIS.
- (3) Council delegates its powers to enter into agreements for the purchase of works, services, or chattels having a value of not more than \$75,000.00 to Department Heads.
- (4) Council delegates its powers to enter into agreements for the purchase of works, services, or chattels having a value of not more than \$10,000.00 to Management Staff.
- (5) For the purpose of subsections (1) to (4) above, the delegated authority to enter into an agreement is subject to the agreement not requiring the approval or consent of the electors and sufficient funds having been allocated and approved by Council under the financial plan bylaw, and, without limiting the substance of the discretion delegated therein, such discretion is subject to the delegate adhering to the procurement processes endorsed by Council from time to time.

#### **Agreements - miscellaneous**

- 11** (1) Council delegates the power to enter into agreements in relation to grant monies for approved projects to the General Manager, Financial and Protective Services.
- (2) Council delegates its powers to enter into agreements for information sharing to the General Manager, Corporate Services.
- (3) Council delegates its powers to enter into agreements for boat moorage at municipally-owned or operated wharves to the General Manager, Community Services.
- (4) Council delegates its powers to enter into agreements for authorizing encroachments caused by road widening to the Director of Engineering.
- (5) Council delegates its powers to enter into agreements for the following purposes to the Director of Parks and Recreation:
  - (a) Facility use or rental agreements for municipal recreation facilities;
  - (b) Rental agreements for parks and municipal forest reserve lands, subject to the agreement being for a term of not more than 3 months; and

- (c) Health promotion and rehabilitation service agreements, subject to sufficient funds having been allocated and approved by Council under the financial plan bylaw.
- (6) Council delegates its powers to amend, renew, extend or suspend agreements previously approved and authorized by Council or under a delegated authority under this bylaw to the Chief Administrative Officer.

### **Settlement of claims**

- 12** Council delegates its powers to settle claims, whether legal proceedings have been commenced or not, to the Chief Administrative Officer, subject to the settlement being for not more than \$50,000.00 and sufficient funds having been allocated and approved by Council under the financial plan bylaw to satisfy the settlement.

### **Bylaw enforcement**

- 13** (1) Council delegates its powers to commence and prosecute bylaw enforcement proceedings under section 274 [*Actions by municipality*] of the *Community Charter* to the General Manager, Financial and Protective Services, subject to there being urgency in the commencement of the proceedings, and the Chief Administrative Officer reporting to Council, as soon as reasonably practicable, at a regular meeting of Council as to the commencement of the proceedings, the urgency necessitating commencement of the proceedings, and the status of the proceedings.
- (2) Council delegates its duty under section 269 (1) [*Hearing of disputes*] of the *Community Charter* to refer disputed tickets to the Provincial Court for a hearing to the General Manager, Financial and Protective Services.

### **Land sales**

- 14** Council delegates its powers to dispose of municipal land, or an interest in municipal land, to the Chief Administrative Officer, subject to Council having first passed a resolution authorizing the disposition of the land or interest in it, and the disposition being for a price that is not less than 95% of the value set by Council in its resolution authorizing the disposition of the land or interest in it.

### **Land purchases**

- 15** Council delegates its powers to acquire land, or interests in land, to the Chief Administrative Officer, subject to the purchase being for a municipal project approved by Council and sufficient funds having been allocated and approved by Council under the financial plan bylaw.

### **Registration of statutory rights-of-way and covenants**

- 16** Council delegates its powers to authorize the registration of statutory rights-of-way and covenants over municipal lands that are under development to the Approving Officer.

### **Builders liens**

- 17** Council delegates its powers to file and discharge notices of interest under the *Builders Lien Act* to the General Manager, Corporate Services.

### **Discharge of obsolete charges**

- 18** Council delegates its powers to discharge obsolete charges and legal notations from the title to real property to the Approving Officer.

## **Encroachments within road rights of way**

- 19** Council delegates its powers to authorize encroachments within road rights-of-way to the Chief Administrative Officer.

## **Temporary municipal land and street use**

- 20**
- (1) Council delegates its powers to issue licenses of occupation for non-exclusive uses of municipal land to the Chief Administrative Officer, subject to the license being for a term of not more than 12 months.
  - (2) Council delegates its powers to authorize sub-leases or sub-licenses of municipal property, and to assign municipal leases and licenses, to the Chief Administrative Officer.
  - (3) Council delegates its powers to issue special event permits for temporary, non-exclusive uses of municipal land, including temporary private uses of municipal streets for parades, walk-a-thons, fundraisers, races and similar events to the General Manager, Community Services, subject to the permit being for a term of not more than 72 hours.
  - (4) Council delegates its powers to authorize the installation of additional equipment on existing telecommunications towers on municipal property to the Chief Administrative Officer.
  - (5) For the purpose of subsections (1) to (4) above, the Chief Administrative Officer or Director of Engineering may set conditions, including conditions relating to compensation, indemnification, insurance, security, machinery, equipment, times of use, and compliance with applicable laws and any restrictions on title to property to which the license or permit relates.

## **Municipal Forest Reserve closure**

- 21** Council delegates its powers to close or restrict use of all or part of the Municipal Forest Reserve, or lands managed for forestry purposes, to the Municipal Forester, subject to the closure or restriction as to use being for not more than 30 days, the closure or restriction as to use being during active forestry operations or being necessary to protect against a danger of fire or another danger, and the public being promptly notified of the closure or restriction.

## **Land use approvals**

- 22**
- (1) Council delegates its powers, duties and functions under sections 490 [*Development permits*] and 491 [*Development permits: specific authorities*] of the *Local Government Act*, to the Director of Planning and Building, subject to there being no variances of municipal bylaws involved.
  - (2) Council delegates its powers under section 493(1)(a) [*Temporary use permits for designated and other areas*] of the *Local Government Act* to:
    - (i) Approve temporary use permits in order to allow property owners to continue to occupy an existing dwelling while a replacement dwelling is under construction; and
    - (ii) Sign temporary use permits approved by Council, to the Director of Planning and Building.
  - (3) Council delegates its powers to require security under section 502 [*Requirement for security as a condition of land use permit*] of the *Local Government Act* in respect of

matters delegated under subsections (1) and (2) above to the Director of Planning and Building.

### **Land use approvals – reconsideration**

- 23** (1) The owner of land who is subject to a decision made under the delegated authority under section 22 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.
- (2) Where the owner wishes to have Council reconsider a decision made under the delegated authority under section 22 of this bylaw:
- (a) The owner must, within 30 days of the decision having been communicated to the owner, make an application in writing to the Corporate Officer, which application must include the following:
    - (i) A description of the decision sought to be reconsidered by Council;
    - (ii) The date of the decision;
    - (iii) The name of the delegate who made the decision;
    - (iv) The grounds on which reconsideration is being requested; and,
    - (v) A copy of any materials that the owner wishes Council to take into account when reconsidering the decision.
  - (b) Council must reconsider the decision at a regular meeting of Council held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer.
  - (c) The Corporate Officer must:
    - (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council in accordance with paragraph (b) above;
    - (ii) Give notice of reconsideration of the decision in accordance with any notice requirements applicable to the original decision; and,
    - (iii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the business license applicant or holder to the Corporate Officer as part of the application for reconsideration.
  - (d) In reconsidering the decision the Council must consider all the material before it.
  - (e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to the decision itself, and will then hear from the owner. Council may then hear from staff in relation to any new information raised by the owner in its submissions to Council.
  - (f) Council is entitled to adjourn the reconsideration of the decision; and,
  - (g) After hearing from staff and the owner, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council.

### **Parcel frontage exemptions**

- 24** Council delegates its powers to exempt a parcel from the minimum amount of frontage on a highway required under section 512 (2) *[Minimum parcel frontage on highway]* of the *Local Government Act* to the Approving Officer.

### **Strata conversions**

- 25** Council delegates its powers under section 242(10)(a) *[Approval for conversion of previously occupied buildings]* of the *Strata Property Act* to approve strata conversions to the Approving Officer, subject to the conversion being in relation to a two-family residential building.

### **Works and services agreements**

- 26** Council delegates its powers to enter into agreements for works and services under section 5 of the Works and Services Bylaw 1986, as amended or replaced from time to time, to the Director of Engineering.

### **Excess or extended services**

- 27** Council delegates its powers, duties and functions under sections 507 *[Requirements for excess or extended services]* and 508 *[Latecomer charges and cost recovery for excess or extended services]* of the *Local Government Act* to the Director of Engineering.

### **Petitions for local area services**

- 28** Council delegates its powers to require that petitions for local area services include information in addition to that which is required under section 212 (2) *[Petition for local area service]* of the *Community Charter* to the Director of Engineering.

### **Severability**

- 29** If any provision of this bylaw is, for any reason, found invalid by a court of competent jurisdiction, the provision must be severed and the remainder of the bylaw left enforceable and in effect.

### **Repeal**

- 30** Bylaw 3616, "Delegation of Authority Bylaw" is repealed.

### **Title**

- 31** This bylaw may be cited as "Delegation of Authority Bylaw No. 3734, 2019".

READ a first time on September 18, 2019

READ a second time on September 18, 2019

READ a third time on September 18, 2019

ADOPTED on

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CORPORATE OFFICER

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PRESIDING MEMBER



# Report

Date September 18, 2019  
To Council  
From Karen Robertson, Corporate Officer  
Subject Delegation of Authority Bylaw

File:

Endorsed:



## Purpose

To introduce a new "Delegation of Authority Bylaw, No. 3734, 2019" (a bylaw which provides for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees) to reflect the organizational restructure that occurred in the fall of 2018.

## Background

On September 19, 2018, Council unanimously endorsed a new organizational structure following recommendations from the organizational services review conducted by Innova Strategy Group. As a result, the existing "Delegation of Authority Bylaw No. 3616, 2016" needed to be updated to reference the current titles and to ensure the delegated authority was given to the appropriate staff with the expertise in making the operational decisions on behalf of the District.

## Discussion

Section 154 of the *Community Charter* empowers Council, by bylaw, to delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees. The proposed "Delegation of Authority Bylaw, No. 3734, 2019" (see attached) provides delegated powers, duties and functions for operational matters that are consistent with what other local governments delegate to their officers and employees, thereby giving Council the ability to focus on the broader and longer-term needs of the municipality, increasing efficiency of service delivery, giving greater responsiveness to the public, and providing for improved functioning of Council's business.

To a large degree, the proposed bylaw is a soft rewrite of the existing bylaw, with employee titles now reflecting the present-day organizational structure, procurement figures updated to be consistent with other local governments, and authority granted to the Chief Administrative Officer to deal with employee matters.

There are specific limitations under the *Community Charter* on the delegation of power and certain decisions cannot be delegated such as a power or duty that can only be exercised by bylaw, establishment by legislation that Council gives its approval or consent to, makes recommendations on, appointing or suspending a municipal officer, issuance of a development variance permit, or to impose a remedial action requirement under the *Community Charter*.

The broad authority to delegate is balanced with accountability to the public by having specific limitations on delegation and, in certain cases, reconsideration mechanisms for those decisions made by a delegated person or body such as business licenses (Section 7 in the bylaw) and land use approvals (see Section 23).

This soft rewrite of the existing bylaw has received legal review. As part of that review, our legal counsel has recommended that staff also return to Council in due course to remove matters addressed in this bylaw that are better addressed by way of administrative policy. This would eventually allow our bylaw to become more consistent with what other local governments delegate to their officers and employees once appropriate administrative policies are developed.

## Options

### Option 1 (Recommended):

That Council give three readings to “Delegation of Authority Bylaw, No. 3734, 2019” as presented.

### Option 2:

That Council make the following amendments (insert amendments here) and give three readings to “Delegation of Authority Bylaw, No. 3734, 2019.”

## Recommendation

**That Council give first three readings to “Delegation of Authority Bylaw, No. 3734, 2019” – a bylaw to provide for the delegation of certain powers, duties and functions, including those specifically established by an enactment, to its officers and employees.**

Attachment: Delegation of Authority Bylaw No. 3734, 2019



The Corporation of the District of North Cowichan  
**South End Water Local Area Service Enlargement Bylaw, 2019**

BYLAW 3759

WHEREAS section 218 of the *Community Charter* authorizes Council, by bylaw, to enlarge the boundaries of a local area service;

AND WHEREAS Council has received a petition to enlarge the boundaries of the South End Water local area service established by Bylaw No. 1104, being the "South End Waterworks District Bylaw 1966";

AND WHEREAS the corporate officer has certified the sufficiency and validity of a petition to accordingly enlarge the said local area service;

NOW THEREFORE the Council of The Corporation of the District of North Cowichan enacts as follows:

The boundaries of the South End Water local area service, as amended, are further enlarged to include 3964 Cowichan Lake Rd, legally described as Parcel A (DD 63480I), section 20, range 1, Quamichan District, Except those parts in plans 9583 and VIP69177 (Parcel Identifier 001-516-884).

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READ a first time on September 18, 2019  
READ a second time on September 18, 2019  
READ a third time on September 18, 2019  
ADOPTED on


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CORPORATE OFFICER

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PRESIDING MEMBER

# Report

Date	August 30, 2019	File: 5630-40
To	Council	Folio: 00170-000
From	David Conway, P.Eng., Director, Engineering   Approving Officer	Endorsed: 
Subject	South End Water Inclusion – 3964 Cowichan Lake Road	

## Purpose

To recommend that Council expand the boundaries of the South End Water Local Area Service to include a portion of Parcel A, DD63480I, Except Plan 9583 (3964 Cowichan Lake Road).

## Background

The owners of the referenced property have submitted a valid petition dated July 16, 2019.

## Discussion

There is an existing watermain along the frontage of this property that enables an easy connection similar to other properties along this portion of Cowichan Lake Road.

## Options

1. Begin the bylaw process of inclusion in the South End Water Local Area Service. This is the recommended option. Some points to consider are noted below.
  - a. The watermain is along the frontage and more users will increase flow which ensures turnover of the water in the watermain;
  - b. Based on the agreement, this option is cost neutral except the annual fees that would be charged to the landowner;
  - c. The property is outside the Urban Containment Boundary (UCB) and zoned A2 in the Agricultural Land Reserve (ALR). Future development is considered unlikely. Other adjacent lands are in the ALR and also connected.
2. Deny the request.

## Implications

There are no known negative environmental or social implications related to either option.

## Recommendation

That Council read for a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> time, South End Water Local Area Service Bylaw, 2019, Bylaw 3759.

Attachments:

1. Petition
2. Map
3. BL3759 South End Water LAS Enlargement Bylaw, 2019

**Petition**MUNICIPALITY of **North  
COWICHAN**




Date July 16, 2019 Folio:  
 To North Cowichan Municipal Council  
 From Property Owners 3964 COWICHAN LAKE RD  
 Subject Petition to Enlarge a Local Area Service

We, the undersigned property owners, petition the North Cowichan Municipal Council, to enlarge the legal boundary established by bylaw of the South end local area service, to include our property located at 3964 COWICHAN LAKE RD, and to adjust the boundaries of the local area service accordingly.

We agree to assume the responsibilities of a user of the local area service, and to pay North Cowichan the following:

- (a) \$ N/A to extend the main along our full property frontage;
- (b) ~~\$ 3,195.00~~ to connect our property to the service; *(waiver requested)*
- (c) ~~\$ 2,501.00~~ as a capital cost contribution; *(waiver requested)*
- (d) \$ 191.00 per year for the local service (parcel) taxes; and
- (e) \$ 168.00 per year for use of the service.

We understand the above fees and taxes are estimates and are subject to change.

Owners Names	Owners Signatures	Date Signed
TRUDY FIEGE		16/7/19
LARRY FIEGE		16/7/19
GARY FIEGE		16/7/19

Note: A majority of the owners of the property must sign.

**OFFICE USE ONLY***Certificate of Sufficiency and Validity of Petition*

I hereby certify that this is a valid and sufficient petition, pursuant to section 212 of the *Community Charter*.

  
 KAREN ROBERTSON Corporate Officer

July 27/2019  
 Date

Box 278, 7030 Trans Canada Highway, Duncan, BC, V9L 3X4  
 Ph: 250-746-3100 Fax: 250-746-3133 www.northcowichan.ca

3955

3975

Cowichan Lake Rd

250 DI

25

3964

This side of property  
not to be included in  
Southend water

New water service, inclusion  
of 3394 Cowichan Lake Rd.  
only on Southeast side of  
Cowichan Lake Rd.

3994



The Corporation of the District of North Cowichan  
**Permissive Tax Exemption Amendment Bylaw, 2019**  
Bylaw 3762

The Council of The Corporation of the District of North Cowichan enacts as follows:

**1 The Schedule to "Permissive Tax Exemption Bylaw," No. 3519, is amended**

**(a) by repealing items 63 - 65, and**

**(b) by adding the following:**

Item	Column 1 Owner or Occupant	Column 2 Roll #	Column 3 Location	Column 4 Extent	Column 5 Period	Column 6 Conditions
65	Franciscan Poor Clare Nuns	6038.000	2382 Calais Rd	All land & improvements	2020-2023	
135.1	The Sword Ministries Society	1313.000	101-5855 York Rd	Leased Area	2020-2023	
140.1	Vancouver Island Vipassana Association	6474.000	2359 Calais Rd	Improvements Only	2020-2023	
140.2	Vancouver Island Vipassana Association	6355.000	Wicks Rd	Improvements Only	2020-2023	

Read a first time on September 18, 2019

Read a second time on September 18, 2019

Read a third time on September 18, 2019

Notice of intention to proceed with this bylaw was published in the 25<sup>th</sup> day of September, 2019 and the 2<sup>nd</sup> day of October, 2019 issues of the Citizen, pursuant to Section 94 of the *Community Charter*.


Adopted on

CORPORATE OFFICER

PRESIDING MEMBER



# Report

Date	September 18, 2019	File:
To	Council	
From	M. Frame, General Manager of Financial and Protective Services	Endorsed: 
Subject	2020 Permissive Tax Exemptions	

## Purpose

The purpose of this report is to provide a summary of permissive tax exemptions received for the 2020 assessment roll.

## Background

North Cowichan has a permissive tax exemptions bylaw and policy. The policy is attached for Council's information. The current Permissive Tax Exemption Bylaw exempts 154 properties and expires in 2023. In 2018, municipal tax revenue forgone as a result of permissive tax exemptions was \$461,200. In order to be granted a tax exemption for 2020, a property must be included in the District's Permissive Tax Exemption Bylaw and provided to BC Assessment before October 31, 2019

## Discussion

North Cowichan received three new applications for permissive tax exemptions. Two of the applications relate to owners purchasing properties that were previously exempted.

- Franciscan Poor Clare Nuns are applying for a permissive tax exemption for 2382 Calais Rd. They have moved their convent from 2359 Calais Rd to 2382 Calais Rd (previously exempt and occupied by The Franciscan Friars of Western Canada).
- The Sword Ministries Society is applying for a permissive tax exemption for unit # 101 5855 York Road (previously exempt). The exemption would only apply to the unit rented by The Sword Ministries.
- Vancouver Island Vipassana Society is applying for a permissive tax exemption for 2359 Calais Road and Wicks Road. The land and improvements (buildings) were previously owned by the Franciscan Poor Clare Nuns and were therefore exempt. Under the new ownership, staff is recommending that that only the buildings be considered for a permissive tax exemption. For improvements only, the total would be \$3,300. Should Council wish to consider the property and improvements the total permissive tax exemption would be \$11,900 per year.



## Options

- (Recommended) That Council give first three readings to "Permissive Tax Exemption Amendment Bylaw, 2019 No. 3762" as presented. This amendment would include the applications received from the Franciscan Poor Clare Nuns (all land and improvements), Sword Ministries Society (leased area), and the Vancouver Island Vipassana Society (improvements only).
- To provide direction on the applications that Council would like to see included in the bylaw and then give first three readings to "Permissive Tax Exemption Amendment Bylaw, 2019 No. 3762" based on that direction.

## Implications

The estimated municipal tax revenue forgone for the Franciscan Poor Clare Nuns property at 2382 Calais Rd. is \$3,200 per year.

The estimated municipal tax revenue forgone for the Sword Ministries Society property at unit # 101 5855 York Rd. is \$600 per year.

The estimated municipal tax revenue forgone for the Vancouver Island Vipassana Society for improvements only on 2359 Calais Rd. is \$3,250 and \$50.00 for Wicks Road per year.

## Recommendation

**That Council support Permissive Tax Exemptions for the following applications:**

- **Franciscan Poor Clare Nuns for the property located at 2382 Calais Road;**
- **Sword Ministries Society for the property located at unit #101, 5855 York Road; and**
- **Vancouver Island Vipassana Society for the improvements (building) located at 2359 Calais Road**
- **Vancouver Island Vipassana Society for the improvements (building) located on Wicks Road**

**And That Council give first three readings to "Permissive Tax Exemption Amendment Bylaw, 2019 No. 3762."**

### Attachments:

Permissive Tax Exemption Amendment Bylaw 2019 No. 3762  
2020 Permissive Tax Exemption Applications  
Permissive Tax Exemption Policy

**PERMISSIVE TAX EXEMPTION APPLICATION**

**SECTION 1 – APPLICANT INFORMATION**

Organization Name: Franciscan Poor Clare Nuns	
Are you registered under the BC Societies Act?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are you a registered charity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailing Address: 2382 Calais Road Duncan BC V9L 5V5	
Contact Person: Sr Dawn Kling	
Email Address: info@poorclares.ca	Phone Number: 2507482232
Name and Phone number of two other officials in the organization	
Name: Sr Monique Simpson	Name: Sr Wylie Aaron
Title Vice President	Title Financial Officer
Phone Home: (250) 748-2232	Phone Home: (250) 748-2232
Phone Work: (250) 748-2232	Phone Work: (250) 748-2232

**SECTION 2 – ORGANIZATION INFORMATION**

Please provide a brief description of the goals and objectives of the organization:
Our main function is to be a praying presence in and for the community. We try to maintain a sacred space, caring for the property to promote a healing, healthy, peaceful environment.
What charitable, philanthropic, athletic or recreational service does your organization provide to the community?
Space for prayer/reflection in the front garden. Occasional days of prayer/reflection to small groups. Some spiritual guidance on an individual basis. Support Food Bank. Warmlands & others.

**SECTION 3 – PROPERTY INFORMATION (REGISTRATION, PRINCIPAL USE)**

The lands are registered in the name of:
Franciscan Poor Clare Nuns
What is the principal use of the property (including all buildings and/or land)
Living, working and praying area for the religious community of women.

**SCANNED**

LF.  
B.  
54

Please provide details of all other activities on your property including: 1) who uses your facilities or services; 2) whether fees are charged to users; and 3) the percent of time your property is used for each type of use.

There are no fees charged for any services we provide, although donations are accepted.

Is any part of the building or of the property used or rented by commercial or private individuals or by any group other than your organization? If so, please specify the occupant and use.

No

To what extent are the buildings or property accessible to the public?

There is a front peace garden that is always accesible and available for someone to come and use for prayer, reflection or times of quiet space.

#### SECTION 4 – OTHER INFORMATION

Other information which may be pertinent to your application

We had an exemption at our previous property (2359 Calais Rd), located across the street from our new current location. Our current address (2382 Calais Rd) had an exemption from when the Franciscan Friars of Western Canada lived here before they sold it to us in 2018.


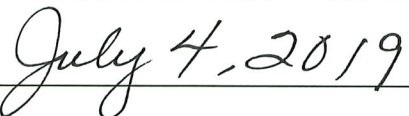
#### SECTION 5 SUPPORTING DOCUMENTATION CHECK LIST (ATTACHE COPIES TO APPLICATION

Please attach the following:

most recent annual financial statement	copy of property title
constitution	site sketch plan showing buildings & uses

#### SECTION 6 – DECLARATION

I hereby certify that I have read the Municipality of North Cowichan's Permissive Tax Exemption Policy (available at on our website <http://www.northcowichan.ca/EN/main/departments/finance.html>), that the application complies with its requirements, and hat the information contained in the application is complete and correct. **If there is a change in the status of your organization the Municipality of North Cowichan must be notified.**

Signature: 	Date: 
Name (please print): Sr. Dawn Kling	Date: Jul 4, 2019

Print Form

**NOTE:** In accordance with Municipal Council's July 3, 2013, policy, application forms must be received by North Cowichan before August 1<sup>st</sup>.

*Note: Personal information is collected by the Municipality of North Cowichan under the authority of section 26 (a) & (c) of the Freedom of Information and Protection of Privacy Act for the purpose of processing and administering property tax exemption requests. Should you have any questions about the collection of this personal information, please contact the Deputy Director of Corporate Services, (250) 746-3100; 7030 Trans Canada Highway, Duncan, BC V9L 6A1.*



**CERTIFIED COPY**  
Of a document filed with the  
Province of British Columbia  
Registrar of Companies

CAROL PREST

## CONSTITUTION

BC Society • Societies Act

NAME OF SOCIETY: **FRANCISCAN POOR CLARE NUNS**

Incorporation Number: S0000352

Business Number: 11893 0437 BC0001

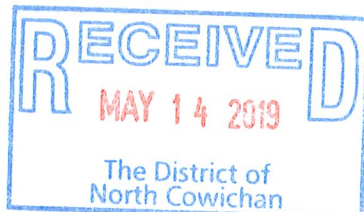
Filed Date and Time: June 13, 2017 10:46 AM Pacific Time

The name of the Society is FRANCISCAN POOR CLARE NUNS

The purposes of the Society are:

The purpose of the Society is to allow the sisters to serve God and all of God's people through a life of prayer and contemplation in the Church and to live together in simplicity of life at Saint Clare's Monastery.





**PERMISSIVE TAX EXEMPTION APPLICATION**

**SECTION 1 – APPLICANT INFORMATION**

Organization Name: <u>The Sword Ministries Society</u>	
Are you registered under the BC Societies Act?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are you a registered charity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailing Address: <u>405-2548 Lewis Str., DUNCAN, BC, V9L 5A2</u>	
Contact Person: <u>Francois Blouin</u>	
Email Address: <u>THESWORD@shaw.ca</u>	Phone Number: <u>250-886-9673</u>
Name and Phone number of two other officials in the organization	
Name: <u>Sylvie Blouin</u>	Name: <u>John Veuger</u>
Title: <u>Board member</u>	Title: <u>Board member</u>
Phone Home: <u>250-597-7706</u>	Phone Home: <u>250-748-6770</u>
Phone Work: <u>—</u>	Phone Work: <u>—</u>

**SECTION 2 – ORGANIZATION INFORMATION**

Please provide a brief description of the goals and objectives of the organization:
<u>Teaching and preaching Bible.</u>
What charitable, philanthropic, athletic or recreational service does your organization provide to the community?
<u>Bible studies, church-like activities</u>

**SECTION 3 – PROPERTY INFORMATION (REGISTRATION, PRINCIPAL USE)**

The lands are registered in the name of:
<u>Terry Wilkins 0708058 BC LTD.</u> <u>250-510-5600</u>
What is the principal use of the property (including all buildings and/or land)
<u>Rent</u>

Please provide details of all other activities on your property including: 1) who uses your facilities or services; 2) whether fees are charged to users; and 3) the percent of time your property is used for each type of use.

- 1) TSM only
- 2) No charges, all classes are free
- 3) few hours daily

Is any part of the building or of the property used or rented by commercial or private individuals or by any group other than your organization? If so, please specify the occupant and use.

Yes.

- 1) The Red Cross - charity, medical equipment rental
- 2) McHollan Engineers - business
- 3) Sanders Germaine - private

To what extent are the buildings or property accessible to the public?

To the tenants and their customers.

#### SECTION 4 - OTHER INFORMATION

Other information which may be pertinent to your application

✓ enclosed are leases for the Sword Ministries & the Red Cross.

#### SECTION 5 SUPPORTING DOCUMENTATION CHECK LIST (ATTACHE COPIES TO APPLICATION)

Please attach the following:

<input checked="" type="checkbox"/> most recent annual financial statement	<input checked="" type="checkbox"/> copy of property title
<input checked="" type="checkbox"/> constitution	<input checked="" type="checkbox"/> site sketch plan showing buildings & uses

#### SECTION 6 - DECLARATION

I hereby certify that I have read the Municipality of North Cowichan's Permissive Tax Exemption Policy (available at on our website <http://www.northcowichan.ca/EN/main/departments/finance.html>), that the application complies with its requirements, and that the information contained in the application is complete and correct. If there is a change in the status of your organization the Municipality of North Cowichan must be notified.

Signature:



Date:

May 02, 2019

Name (please print):

Olga Blouin

Date:

May 02, 2019

Print Form

**NOTE:** In accordance with Municipal Council's July 3, 2013, policy, application forms must be received by North Cowichan before August 1<sup>st</sup>.

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BRITISH  
COLUMBIA

The Best Place on Earth

NUMBER: S-56174

***SOCIETY ACT***

**CERTIFICATE OF INCORPORATION**

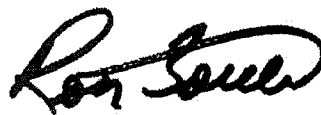
*I Hereby Certify that*

**THE SWORD MINISTRIES SOCIETY**

has this day been incorporated under the *Society Act*

*Issued under my hand at Victoria, British Columbia*

*on January 13, 2010*



RON TOWNSHEND

Registrar of Companies

PROVINCE OF BRITISH COLUMBIA



### PERMISSIVE TAX EXEMPTION APPLICATION

#### SECTION 1 – APPLICANT INFORMATION

Organization Name: Vancouver Island Vipassana Association (VIVA)	
Are you registered under the BC Societies Act?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are you a registered charity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailing Address: 2359 Calais Road, Duncan, V9L 5V5	
Contact Person: Lynn Tonkin (lynn.tonkin@dhamma.org) (cell: 778-872-3517)	
Email Address: info@modana.dhamma.org	Phone Number: 250-749-4499
Name and Phone number of two other officials in the organization	
Name: Steven Armstrong	Name: Robert Baker
Title Member, Center Teacher	Title Director, Treasurer
Phone Home: 250-508-6059	Phone Home: (250) 386-2338
Phone Work:	Phone Work:

#### SECTION 2 – ORGANIZATION INFORMATION

Please provide a brief description of the goals and objectives of the organization:
The technique is taught at ten-day residential courses during which participants follow a prescribed Code of Discipline, learn the basics of the method, and practice sufficiently to experience its beneficial results.
The course requires hard, serious work. There are three steps to the training. The first step is, for the period of the course, to abstain
What charitable, philanthropic, athletic or recreational service does your organization provide to the community?
All sincere people are welcome to join a Vipassana course to see for themselves how the technique works and to measure the benefits.

#### SECTION 3 – PROPERTY INFORMATION (REGISTRATION, PRINCIPAL USE)

The lands are registered in the name of:
Vancouver Island Vipassana Association
What is the principal use of the property (including all buildings and/or land)
The sole purpose is to provide all the necessary means, teaching materials, environment, basic care for students to comfortably complete a 10-day residential course. VIVA is holding 1 10-day course a month in 2019 with the plan to hold 2 10-day courses a month in 2020. There are approximately 18- 24 students attending per course.

SCANNED  
LF B



Please provide details of all other activities on your property including: 1) who uses your facilities or services; 2) whether fees are charged to users; and 3) the percent of time your property is used for each type of use.

There are no fees charged at the center.

Anyone wishing to attend a course can apply on-line.

The entire property is solely used for holding 10-day residential courses.

There are no other activities on the properties.

Is any part of the building or of the property used or rented by commercial or private individuals or by any group other than your organization? If so, please specify the occupant and use.

No.

To what extent are the buildings or property accessible to the public?

The public are welcome to enter and see the property during non-course periods, contact information and course dates are available of the website (<https://modana.dhamma.org/vipassana/>).

#### SECTION 4 – OTHER INFORMATION

Other information which may be pertinent to your application

The courses are taught throughout the world and there are over 50 languages available to participants for these courses.

We are happy to receive any municipality personnel to come and visit the site and find out more about what is happening at the center.

We have met and are in good relations with all of our direct neighbours and plan to have an open house for the public in the next


#### SECTION 5 SUPPORTING DOCUMENTATION CHECK LIST (ATTACHE COPIES TO APPLICATION)

Please attach the following:

✓	most recent annual financial statement	✓	copy of property title
✓	constitution	✓	site sketch plan showing buildings & uses

#### SECTION 6 – DECLARATION

I hereby certify that I have read the Municipality of North Cowichan's Permissive Tax Exemption Policy (available at on our website <http://www.northcowichan.ca/EN/main/departments/finance.html>), that the application complies with its requirements, and that the information contained in the application is complete and correct. **If there is a change in the status of your organization the Municipality of North Cowichan must be notified.**

Signature: 	Date: July 10 / 2019
Name (please print): Steven Armstrong	Date:

Print Form

**NOTE:** In accordance with Municipal Council's July 3, 2013, policy, application forms must be received by North Cowichan before August 1<sup>st</sup>.

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Canada Revenue  
Agency

Agence du revenu  
du Canada

RECEIVED FEB - 4 2008

Ms. Margaret H. Mason  
Bull, Housser & Tupper LLP  
3000 Royal Centre, PO Box 11130  
1055 West Georgia Street  
Vancouver BC V6E 3R3

Your file Votre référence

**07-2971**

Our file Notre référence

**3033894**

January 29, 2008

**SUBJECT: NOTIFICATION OF REGISTRATION**  
**Vancouver Island Vipassana Association**

Dear Ms. Mason:

We are pleased to inform you that, based on the information supplied, and assuming that the activities will be as stated in the application, we have determined that the organization qualifies for tax-exempt status as a registered charity under paragraph 149(1)(f) of the *Income Tax Act* (the *Act*).

**Reason for Registration**

Vancouver Island Vipassana Association has been registered as a charity because:

- It advances religion by establishing, maintaining and supporting a house of worship with services conducted in accordance with Theravadan Buddhist faith; and
- It advances education by teaching members of the public the teachings of Buddha, as taught by Mr. S. N. Goenka in the tradition of Sayagyi U Ba Khim.

**REGISTRATION INFORMATION**

- the charity's **Business Number** is **84166 1127 RR0001**;
- the charity is **registered effective January 1<sup>st</sup>, 2008**;
- the charity is **designated** as a **Charitable Organization**;
- the charity's **fiscal year end** has been established as **December 31**;
- the charity will have to **file** its first **annual return** on or before **June 30, 2009**, for the fiscal period ending **December 31, 2008**.



The Corporation of the District of North Cowichan  
**Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019**  
**Bylaw 3764**

The Council of The Corporation of The District of North Cowichan enacts as follows:

**1      *Section 35(3) [Projections into Required Yards/Setbacks] is amended by adding the following at the end of subsection (3):***

*" , a heat pump or an air conditioner."*

---

READ a first time on September 18, 2019

READ a second time on September 18, 2019

Public Hearing waved by Council September 18, 2019

APPROVED by Ministry of Transportation and Infrastructure on September 27, 2019

READ a third time on

ADOPTED on

---

CORPORATE OFFICER

---

PRESIDING MEMBER

# Report

Date September 18, 2019

Prospero No. SPP00065

To Council

From Rob Conway, Director of Planning

Endorsed:



Subject Regulation for Heat Pump and Air Conditioning Setbacks

---

## Purpose

To do a housekeeping amendment for Zoning Bylaw 1997, No. 2950 in order to re-establish the original siting setback regulations for heat pumps and air conditioning units that existed in the Zoning Bylaw prior to the June 19, 2019 amendment that inadvertently removed that wording.

## Background

Through discussion over proposed Zoning Bylaw Amendments for the placement of heat pumps, generators, and air conditioning units at regular Council on June 19, 2019, Council did not support the proposed amendment to reduce the siting setback requirements governing heat pumps and air conditioners and passed a motion to delete that proposed amendment from the bylaw.

The effect of not supporting the proposed amendment to reduce the siting setback requirements inadvertently removed the words from Section 35(3) "a heat pump or air conditioner" but the present setbacks regulating the siting of generators still remained at 4.5m.

Staff believe it was Council's intent (by not supporting the proposed amendment on June 19, 2019) to maintain the 4.5 metre setback for heat pumps and air conditioners that existed in the Zoning Bylaw prior to the June 19, 2019 amendment. As such, a housekeeping amendment to put those words back in the bylaw needs to be done by bylaw.

## Discussion

Presently, the default setback for the placement of heat pumps or generators is the relevant lot line setback for principal buildings described in a given zone. For example, should a heat pump be placed in a side yard the, setback requirement would be the equivalent side yard setback for the principal building.

Staff recommend the re-instatement of the existing setback requirement which was 4.5m from any property line by adding heat pumps and air conditioners into section 35 (3) of the Zoning Bylaw.

As this is a housekeeping amendment to correct an administrative error, staff recommend that Council exercise its authority under Section 464(2) of the *Local Government Act* to waive the holding of a public hearing. The wording of this section states that "*a local government may waive the holding of a public hearing on a proposed zoning if (b) the bylaw is consistent with the official community plan.*"

Notice provisions for advertising in the local newspaper would still apply.

**Recommendation**

**That Council give first and second reading to “Zoning Amendment Bylaw (Housekeeping Amendment No. 2), 2019” No. 3764;**

**And That Council waive the requirements for holding a public hearing as per Section 464(2)(b) of the *Local Government Act*.**

Attachments:

Draft Zoning Amendment Bylaw No. 3764

# CVCAS

## Chemainus Valley Cultural Arts Society



## Delegation to the Municipality of North Cowichan Council

**August 21, 2019**

# **Fostering the Arts & Culture in North Cowichan (and beyond) for over 20 years**

- **Early 1980s. CVCAS grew from a group of local musicians who wanted to perform for the community**
- **2001. Formally registered as non–profit Society**

---

**Thank you so much to North Cowichan for granting stewardship of the Waterwheel Park Bandshell to the CVCAS for the benefit of our community and the region.**

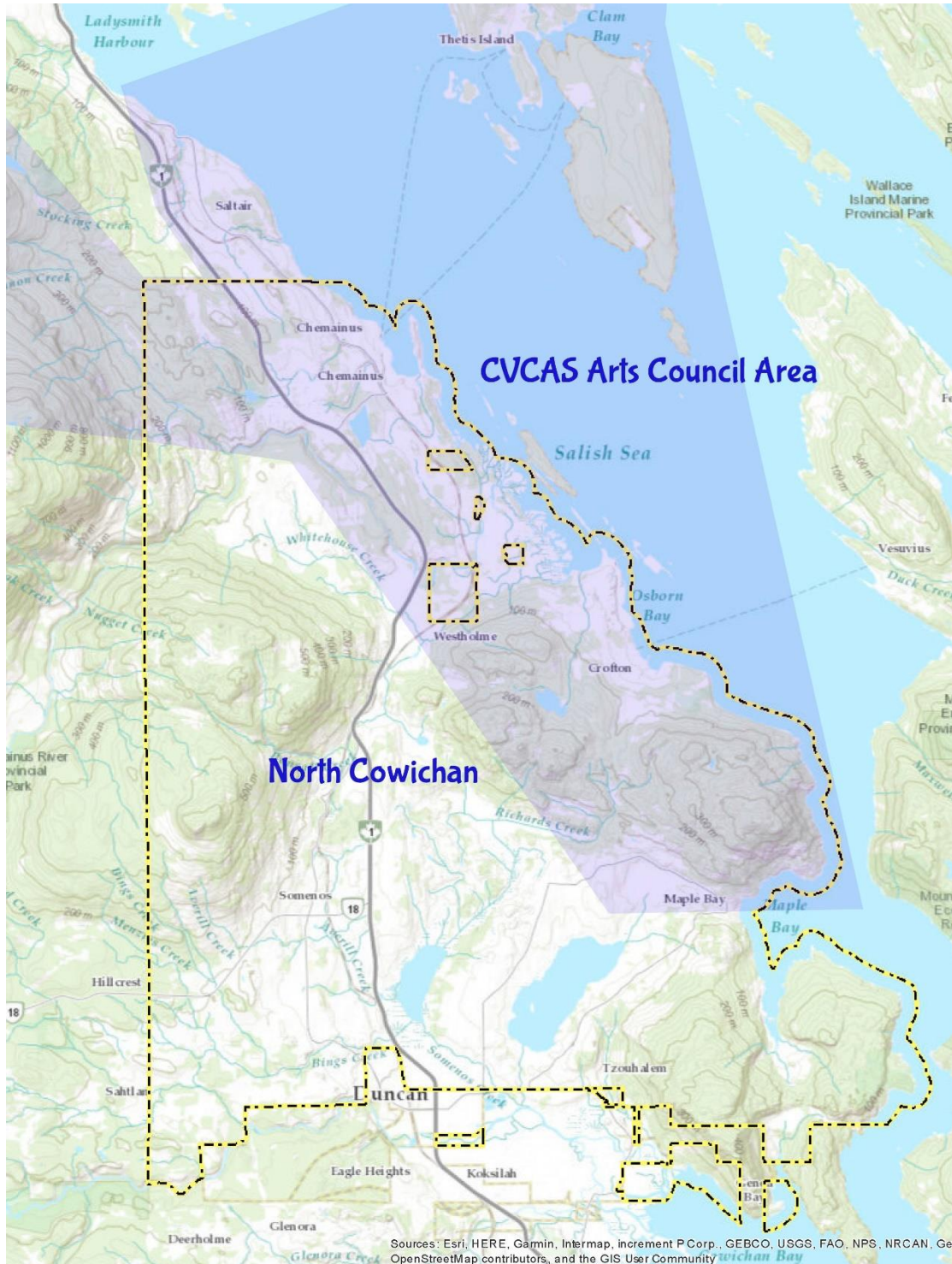
---

- **2015. Recognized by CVRD as one of 5 local Arts Councils**



# CVCAS Arts Council Area

- One of Five Arts Councils in CVRD (based on taxation)





# What have we been up to for 20 years?

- Tartan Days
- Fair Weather Concerts
- Accordion Days
- Fiddle Fest
- Jazz Festival
- Rockabilly Festival
- Bluegrass Festival
- Arts and Ethnic Fest
- Blues Festival
- Open mic events
- Yee' Yutul – A Celebration of Coast Salish Arts and Culture
- Waterwheel Park Accessibility Project
- Children's Arts Festival
- Aboriginal Day Celebration
- Music in the Park Series

## Other Initiatives

- Art Beat Street Festival
- The Polka Dot Trail (Chemainus Valley Studio Tour)
- Lady Day at Emerson's Bar and Grill
- Pat's House of Jazz (September to June in Crofton)
- Rainforest Arts Gallery (open every day 11am to 4pm since 2016)

## How well are we doing?

- CVCAS is producing **7 music festivals** in summer 2019 attracting 1,000s of visitors
- Music in the Park Series recently had an estimated **400+ audience** at the Waterwheel Bandshell for a single show The Def Aids, August 6, 2019
- Rainforest Arts Gallery showcases **60+ artists** from Cowichan and all over Vancouver Island and the Gulf Islands
  - **July 2019 sales were 3x those in July 2018**
- Membership: **150**
  - Not just from Chemainus Valley
  - We have members from **Victoria** to **Bowser, Youbou** to **Gabriola**

**We're on—track to  
distribute over  
\$60K back to  
artists this year\***

\*12 months ending Aug 31, 2019

# What are we working on now?

- Partnering with Coast Salish Tribes to erect three Totem Poles in Chemainus
- Partnering with Coast Salish Tribes to present arts and cultural events in the carving shed at Waterwheel Park
- Working with First Nations Artist Liaison to get them greater representation at Rainforest Arts
- Looking to expand Rainforest Arts who has quickly outgrown our 485 sq. foot space – need for more sq. footage, washroom facilities, storage and office space.

## Did you know?

Rainforest Arts is self-funded from operations, pays rent,\* receives no grants and was **profitable** after its first year!

\*Rainforest Arts pays a subsidized rent to the CCCU whom we thank so much for their support of the arts & culture in North Cowichan!

CVCAS is the 2<sup>nd</sup> oldest Arts Council in the region...

Yet, it has no street address, no office, ...  
...and no permanent year-round facility!

**Imagine what we could do if we had one!**

# Where are we heading?

- We have **so many ideas** and **very few physical facilities** in which to produce them.
- We need to **expand!**
- Rainforest Arts has **only 485 sq. ft.** of floor space.
- The Bandshell is **only useable 2 – 3 months** of the year.
- Our local artists, photographers, writers, dancers, musicians and more are looking to their Arts Council to provide more support service.
- The population is growing.
- Tourism is projected to grow significantly.
- Which leads us to the...

*Help us  
build it!*

# The CVCAS Community Arts Centre



- The “A–Team” committee was formed to develop an Arts Centre strategy and implementation plan for CVCAS

*Arts* TEAM

- Please read attached “Strategic Plan” (5 pages)
  - Includes vision, rationale, mission statement and 1–page business plan
- Please read attached “What if?” FAQ flyer (2 pages)

# Community Arts Centre

- It will be an Art Gallery, Performance Hall and much more
- All within an arts–oriented **Community Centre** to serve the public interest:
  - To enhance the cultural productivity and diversity of North Cowichan and CVRD, including First Nations
  - To support & foster all art forms with exhibition space, education/training space, performance space, etc.
  - To reinforce the “Arts & Culture Destination” brand of Cowichan and Chemainus in particular
  - To help rise to the challenge of the significant projected growth in arts & cultural tourism to our region
  - To support community building, emergency response and regional economic development initiatives through the arts & culture
- Our goal is 85% of the resources will support & foster local arts & culture
  - 15% will focus on curated external exhibitions and events with environmentally–controlled exhibition space and performance space.



# Doing our homework

- We believe the Community Arts Centre is needed and will work! Many artists, tourism groups, management consultants, financial consultants and citizens have told us.
- They have also told us we need to confirm our belief through an independent Feasibility Study.
- **MUST DO THE PROPER HOMEWORK!**
- To do a proper needs assessment and establish the proper size & scale of the development.
- We have found the **most qualified consultant** to do the Feasibility Study.
  - **Rick Schick**, Senior Consultant with RWDI – Theatre Planning Design & Management group in Victoria
  - Rick is in Shawnigan Lake
  - He has developed or work on 100s of theaters and arts centres around the world

## Our Pledge Drive

- To demonstrate community support
- To help raise funds for the Feasibility Study
- Started on July 1, 2019

**Over \$6,400** has been pledged!

- From residents & visitors as far as Ladysmith, Nanaimo, Victoria and even Texas!!
- Plus North Cowichan residents
- Writers, artists, B&B operators, etc.
- And of course the CVCAS

## Letters of Support

- See attached package of Letters of Support

## **Our “Ask” of North Cowichan**

- **Provide a Letter of Support for the CVCAS Community Arts Centre.**
- **Appoint a council member liaison to the CVCAS board.**
- **Include a CVCAS A–Team member on the OCP Advisory Group.**
  - **Peter Collum has applied.**
  - **Peter represents both the CVCAS A–Team and the Chemainus Festival of Murals Society.**
- **Participate in interviews with our consultant during the Feasibility Study.**

# Attachments

- **CVCAS Community Arts Centre Strategic Plan (5 pages)**
- **CVCAS Community Arts Centre “What if?” flyer (2 pages)**
- **CVCAS Community Arts Centre Letters of Support (9 pages)**



# CVCAS COMMUNITY ARTS CENTRE

## Strategic Plan

June 2019, v1.5

### Abstract

Presents the vision, rationale, mission statement and high-level business plan for a world-class, regional community arts centre

CVCAS Community Arts Centre Committee | [www.cvcas.com](http://www.cvcas.com)



## What if ...

... **there was a place that entertained, informed, amused, educated,** gathered, inspired, connected, supported, played, housed, brought people together and contributed to the local economy?

This is the vision for the CVCAS Community Arts Centre—a world-class, regional community arts centre in Chemainus (or vicinity), serving the citizens and the economy of North Cowichan and the Cowichan Region.

## Background

According to Minister Lisa Beare, Minister of Tourism, Arts and Culture for BC, the creative sector of BC continues to be a key driver of the economy contributing over \$6 billion in 2018 with no projected slowing for 2019. Hill Strategies reports indicate that the cultural industries significantly outpace the economic contribution of accommodation and food services, utilities, agriculture, forestry, fishing and hunting and sports industries.

The Chemainus Valley Cultural Arts Society has identified several key market opportunities that we believe can contribute significantly to the economic and cultural prosperity of Chemainus, North Cowichan and the Cowichan Region, if they are leveraged through a community arts centre. It is crucial that we qualify and pursue these opportunities while they are still actionable.

Conceptually, there are three primary market opportunities:

- Travelling art exhibitions need environmentally controlled exhibition facilities and none exist in central Vancouver Island, hence these exhibits do not come to central Vancouver Island.
- Many music, drama, dance, speaking, etc. performance acts are too small to be accommodated at the Island Savings Centre in Duncan or The Port Theatre in Nanaimo. There is a lack of suitably-sized, professional-quality venues in the region to be commercially attractive. **These acts don't even explore the option of coming here.**
- The population growth and shifting demographics of the region, represented in large part by an influx of younger families, requiring greater support for community development.

Leveraging these market opportunities would generate revenue that would in turn help fund other cultural activities in the community.

## Mission

To contribute to the economic and social prosperity and community development of the Cowichan region through the arts & culture, providing artists, patrons and the community a location to realize the ultimate experience in artistic development and performances.

## What will it be?

The CVCAS Community Arts Centre will be a facility to:

- Provide professional exhibition and performance space with foyer, ticket office, etc.
- Support local artists, First Nations and invited artists and other curated programs.
- Support small- to medium-sized performances including music, dance and community theatre that have no venues in the region of appropriate size, year-round availability and affordability with the features and quality that foster professional level productions.
- Provide art exhibition and performance space for dance troupes, spoken-word, speakers/lecturers, TED talks, children-oriented interactivity themes, etc.
- Provide a hub for group activities, social gatherings, family activities, public information, emergency response and other community purposes.
- Host small to medium-sized travelling art exhibitions that need an environmentally-controlled space.
- Support a broad range of art forms as part of a community arts & culture plan.
- Provide an expanded space for the Rainforest Arts retail gallery.
- Provide related classroom space (and support services) for arts education and training.
- Include hospitality, retail and residential space.

## Where will it be located?

We believe the needs of Chemainus, North Cowichan and the CVRD would be best served if the CVCAS Community Arts Centre is situated in or near Chemainus. However, it is important to first develop a credible marketing and business plan through an independent feasibility study and then work with the community and the Municipality to find the most suitable property to fulfill that plan.

## What are the benefits?

The CVCAS Community Arts Centre will provide regional economic and social benefits in several ways.

- First, expanding cultural facilities is key to attracting a wider range of businesses, their employees and their families to our region.
- Second, the CVCAS Community Arts Centre will attract more visitors which will boost the local retail and hospitality economy.
- Third, this increase in arts & culture visitors will boost the market exposure and retail opportunities for our local artists.
- Not to mention, there will more music, art, classes and related events for the local population to experience and enjoy.

- It would move the needle on branding North Cowichan, specifically Chemainus, as Western Canada's Arts & Culture Capital.

### Who will pay for it?

We are exploring several options **including a “Community Service Cooperative” model** to raise part of the initial capital. We are studying successful initiatives such as the Chemainus Festival Theatre model, and Drayton Entertainment in Ontario, which does not receive funding from any level of government for its annual operations.

The objective is to operate under a self-sustaining revenue-based business model for delivering arts & culture events, programs and services.



## The One-Page Business Plan

### **What are we selling?**

Access to curated arts & cultural events and exhibits.

Access to performance, exhibition, retail and classroom space and support services.

### **Who will buy it?**

General public will buy tickets to curated arts & cultural events and exhibits.

Retail and/or food services businesses will lease space.

Local artists and other groups will rent exhibition space with support services.

Local arts education content creators and other educators will rent classroom space with support services.

### **How will our facility help people?**

It will support the CVRD economic development goals of attracting a wider range of businesses, their employees and their families to our region.

It will attract more visitors which will boost the local retail and hospitality economy.

It will boost the market exposure and retail opportunities for our local artists, which will foster more artistic activity.

It will provide more frequent and higher quality music, art, classes and related events for the local population to experience and enjoy, which will contribute to a happier, more productive community.

### **What will we charge? How will we get paid?**

Tickets, lease, rentals and sponsorship rates are TBD. The facility will operate like any other similar facility in terms of handling ticket sales, etc.

Revenue will come from ticket sales, leases, and rents; additional funding will come from sponsorships, donations and grants.

### **How will customers learn about the facility?**

The facility will undertake its own regional promotional initiatives and work with all levels of tourism destination marketing groups, etc. It will leverage partner promotional opportunities. It will leverage electronic media (website, social networking, etc.). It will endeavour to expand its marketing reach to the Pacific Northwest.

### **What metrics will indicate the project is successful?**

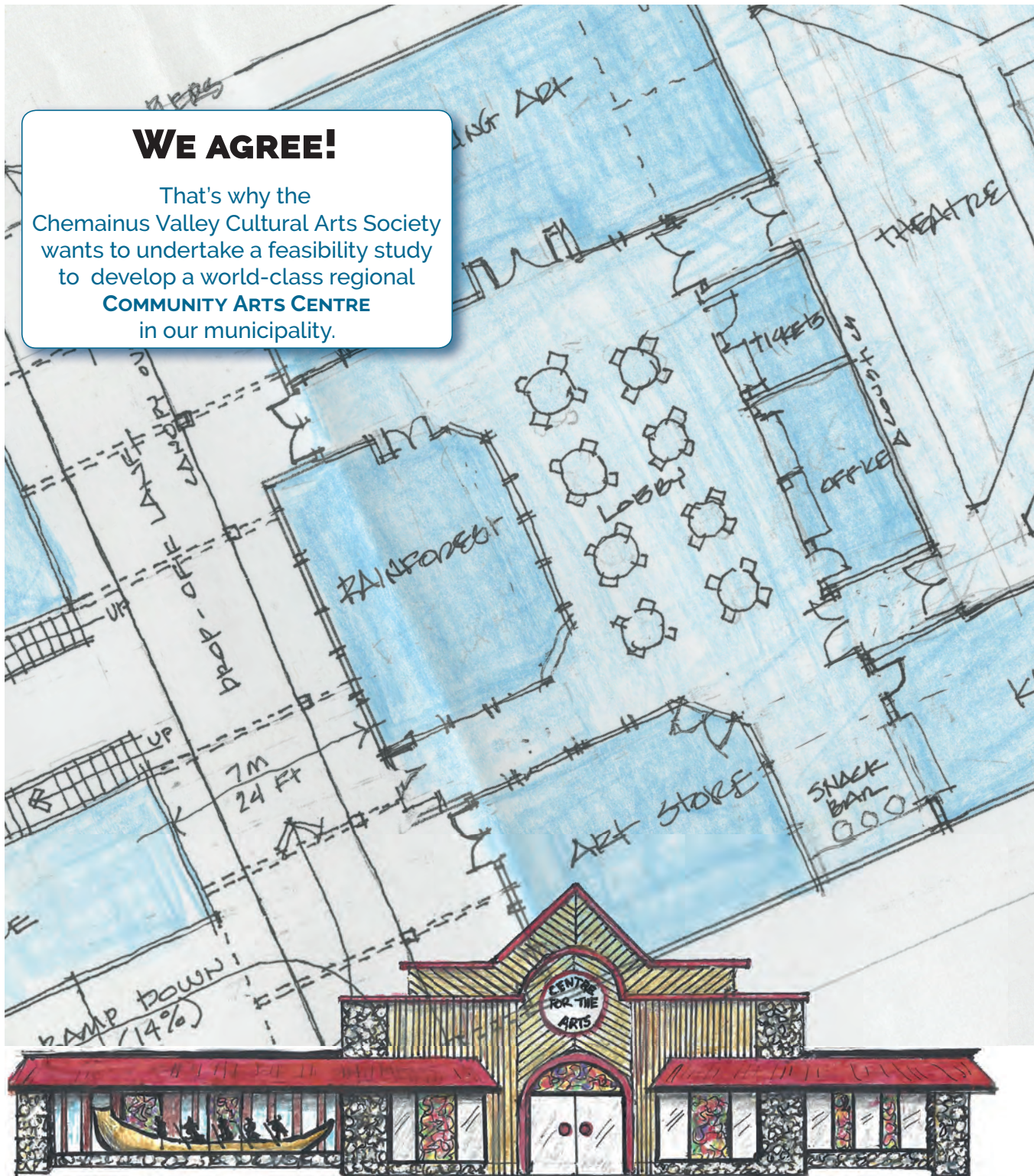
- Revenues (ticket sales, leases and rentals) to cover 70% or more of operating costs within five years of operation.
- Sustained program of at least one event per week and continuous art exhibitions (both curated and rented), year-round.
- All retail spaces leased.

### **Obstacles/ Challenges / Open Questions?**

- Viability of the market opportunities? Are they real and how much revenue can be realized? These questions must be answered first.

## WE AGREE!

That's why the  
Chemainus Valley Cultural Arts Society  
wants to undertake a feasibility study  
to develop a world-class regional  
**COMMUNITY ARTS CENTRE**  
in our municipality.



## WHAT IF?

THERE WAS A PLACE THAT

**Entertained**  
**Informed**  
**Amused**  
**Educated**  
**Gathered**  
**Inspired**  
**Connected**  
**Supported**  
**Contributed**  
**Played**  
**Housed**

Could you use such  
a place in **YOUR**  
community?





### WHAT WILL IT BE?

The **CVCAS COMMUNITY ARTS CENTRE** is envisioned as an arts and cultural community centre that will:

- o Provide professional exhibition and performance space with foyer, ticket office, etc.
- o Support local artists, First Nations and invited artists and other curated programs.
- o Support small- to medium-sized performances for music, dance, drama, literary events, TED talks, etc. that have no other suitably-sized, professional-quality venues in the region.
- o Provide a hub for group activities, social gatherings, family activities, public information, emergency response and other community purposes.
- o Host small to medium-sized travelling art exhibitions in an environmentally-controlled space.
- o Support a broad range of art forms as part of a community arts & culture plan.
- o Provide an expanded space for the Rainforest Arts retail gallery.
- o Provide related classroom space for arts education and training.
- o Include hospitality, retail and residential space.

### WHERE WILL IT BE LOCATED?

We want the **COMMUNITY ARTS CENTRE** to be a part of Chemainus or immediate vicinity. The most suitable property will depend on the results of an **INDEPENDENT FEASIBILITY STUDY**.

### WHY SHOULD I SUPPORT IT?

The **COMMUNITY ARTS CENTRE** will provide regional economic and community benefits as part of our goal of creating social, cultural and artistic vibrancy in the community. First, expanding cultural facilities is key to attracting a new businesses, their employees and their families to our community. Second,

## Frequently Asked Questions

the **COMMUNITY ARTS CENTRE** will attract more visitors which will boost the local retail and hospitality economy. This in turn will boost the market exposure and retail opportunities for our local artists. Finally, the facility will address the need for year-round arts, cultural and community events, exhibits, classes and common space for residents.

### DOES IT COMPETE WITH THE CHEMAINUS THEATRE?

No. The Chemainus Theatre is a great asset in our community that does a wonderful job producing professional live theatre. The Chemainus Theatre actually proves that folks will travel to Chemainus for the arts. The proposed **COMMUNITY ARTS CENTRE** will support the other visual and performing arts. It will complement and augment what the Chemainus Theatre is doing, not compete with it, while also serving the role of community centre.

### WHO WILL PAY FOR IT?

We are exploring several options including a "Community Service Cooperative" model. We are studying successful initiatives such as the Chemainus Theatre model, and Drayton Entertainment in Ontario, which does not receive funding from any level of government for its annual operations.

### WHAT IS THE A-TEAM?

The A-Team (Arts-Team) was formed in March 2018 as a committee of the Chemainus Valley Cultural Arts Society to establish the viability of a **COMMUNITY ARTS CENTRE** project and then manage its development. The A-Team currently consists of Lori Frankson

(ED, Chemainus Chamber), Peggy Grigor (CVCAS), Tom Andrews (Murals Society, Rotary), Peter Collum (Murals Society), Wendy Lambert (CCSA), Chrissy Kemppi (CNHA), Josh James (Penelakut Econ. Dev.) and Brad Grigor (Graphic Artist).

### WHAT IS THE NEXT STEP?

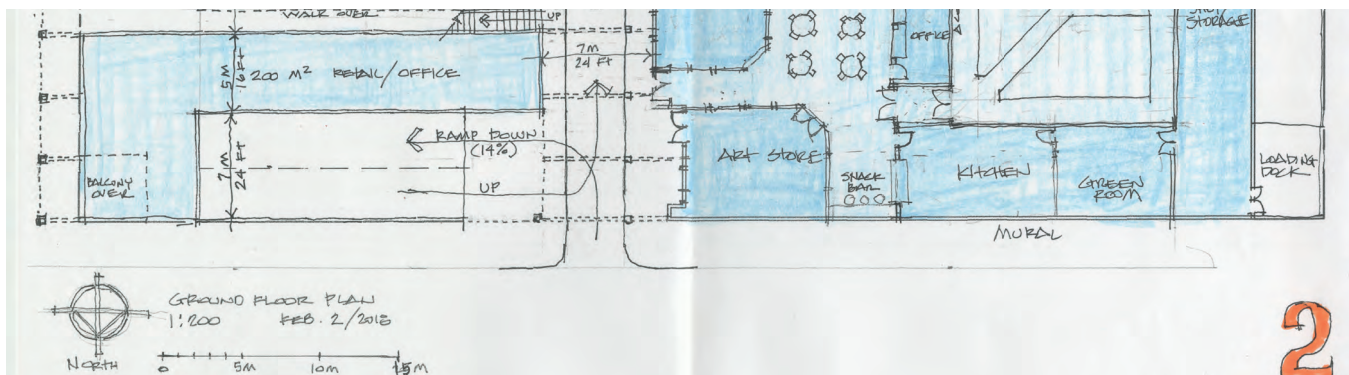
This is a major undertaking, so we need to do our home work in the form of an **INDEPENDENT FEASIBILITY STUDY** which will assess the need, the viability, economic potential and proper scope and scale of a **COMMUNITY ARTS CENTRE** that will best serve Chemainus and the region. We have conducted an extensive RFP process to select Rick Schick of RWDI in Victoria as the most qualified and cost-effective consultant to do the feasibility study. Now all we need is the money! In total, the feasibility study will cost \$27,000, which will come in part from the CVCAS itself, grants, sponsorships and public donations.

### HOW CAN I HELP?

If you support the **CVCAS COMMUNITY ARTS CENTRE** vision, please consider supporting the A-Team in any of these ways:

- 1 Join the A-Team. If you have experience in community development projects, then we need you!
- 2 Join our mailing list and receive a copy of the Strategic Plan.
- 3 Pledge your financial support for the feasibility study. Your support, however small, is a vote for social, cultural and economic prosperity for Chemainus and our region.

Help us make the CVCAS Community Arts Centre a reality! Please pledge your financial support today.



2

**Arts TEAM**

CHEMAINUS VALLEY  
**ARTS**  
CULTURAL SOCIETY  
WWW.CVCAS.COM

Valerie N. Bob PhD (c)  
8333 Tsussie Road, Chemainus, BC V0R 1K5 [ynb@sfu.ca](mailto:ynb@sfu.ca)

Dear Sir or Madam:

This letter is in reference to the request made by the Chemainus Valley Cultural Arts Society to build a new Arts Center. Chemainus is built within the traditional Coast Salish Territory of the Hul'q'umi'num' people. An auditorium and arts gallery that is being proposed is a tremendous vision for the future in not only building diversity and social economic opportunities to Chemainus but to show the world what Chemainus is all about.

The Chemainus Valley Cultural Arts Society has worked tirelessly supporting the June 21<sup>st</sup>, 2016 Aboriginal Day and the Truth and Reconciliation awareness in our First Nation community. They have expressed that they would like to continue to support our efforts annually to bring about any assistance in future events.

Please consider their request as one that will benefit our whole community. After discussions with the several of the Chiefs in the Chemainus Valley, we believe their enthusiasm and creative energies will provide many more opportunities for future partnerships.

Sincerely,

*Valerie Bob*

Valerie N. Bob PhD (c)



2687 James Street  
Duncan, BC V9L 2X5  
[www.cowichanpac.ca](http://www.cowichanpac.ca)

Office: 250.748.7529  
Fax: 250.748.0054  
[www.cvrld.bc.ca](http://www.cvrld.bc.ca)

November 28, 2016

**RE: Support for the Chemainus Valley Cultural Arts Society**

To whom it may concern,

As Manager of the Arts and Culture Division of the Cowichan Valley Regional District for the past six years, I have partnered with the Chemainus Valley Cultural Art Society (CVCAS) on important regional cultural development projects. The biggest and most important of which has been the recent establishment of the province's only fully regional arts and culture function, which was implemented in January 2016. This fully regional arts function now provides much needed annual support for CVCAS, as well as for the other sub-regional arts councils and other arts and cultural organisations in the Region.

I have witnessed the tremendous growth of CVCAS's programs over the past six years from mainly music events to include multiple artistic genres throughout the year. CVCAS is listening to the needs of their community and responding to increasing demands for more cultural programming. The issue is the lack of professionally equipped, purpose-built, programming space to meet the community needs. Therefore, I am in support of granting CVCAS space on the Old Fire Hall site to build an Arts Centre, which would include an art gallery, a small performance hall, and a multi-purpose room for arts education courses. These new programming venues would be shared with other community services groups that want to offer arts related events, projects, exhibitions or courses.

Currently there is no public art gallery in the Cowichan Region, despite the fact that we have a reportedly higher than average per capita rate of artists living and working here. Because of the lack of a professionally managed and publicly funded art gallery, any touring exhibitions travelling across the country skip the Cowichan Region. School children are not receiving the same arts education here that they do in other better equipped municipalities because of the lack of a public art gallery with specialised programming. Local professional artists don't have a technically equipped, professionally curated public art gallery in which to exhibit their works.

We are in desperate need of a public art gallery, and I am in full support of a multi-use Arts Centre in Chemainus.

Sincerely,

Kirsten Schrader

Arts and Cultural Division, Manager  
Cowichan Valley Regional District  
[kschrader@cvrd.bc.ca](mailto:kschrader@cvrd.bc.ca)  
250-746-3425



## Peggy Grigor

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**From:** Beverly Knight <bevgeko3125@gmail.com>  
**Sent:** December 4, 2016 1:10 PM  
**To:** PEGGY  
**Subject:** Fwd: CVCAS presentation to council Dec 07 1:30 pm.

Received this today

----- Forwarded message -----

From: "[brush.stroke@shaw.ca](mailto:brush.stroke@shaw.ca)" <[brush.stroke@shaw.ca](mailto:brush.stroke@shaw.ca)>  
Date: Dec 4, 2016 12:45 PM  
Subject: CVCAS presentation to council Dec 07 1:30 pm.  
To: <[council@northcowichan.ca](mailto:council@northcowichan.ca)>  
Cc: <[barry@barrystrasbourghthompson.com](mailto:barry@barrystrasbourghthompson.com)>

Dear your Honor and Council Members,

I am writing to support the CVCAS proposal for a new arts building on the site of the old firehall to be presented to you on Dec.07.2016 at 1:30 pm.

I am a professional full time visual artist and art teacher who teaches adults and elementary school children through the Toronto Dominion Canada Trust TD Artists in the Classroom program and through the Artstarts program across Vancouver Island. I also teach the childrens art program through the Ladysmith Waterfront Gallery classroom program and through my own Chemainus studio. All these programs are very busy and we need more venues to serve our NORTH COWICHAN population. Please approve the CVCAS proposal and meet the needs of our citizens to become creative decision makers during the challenging future thst faced us all.

I am currently recovering from surgery otherwise I would be there in person. Also I would be available as a resource or volunteer to assist the Council in this matter.

Yours in Service

Barry Strasbourg-Thompson BFA  
Strasbourg-Thompson Studio & Art Instruction.  
9839 Fir Street  
Chemainus  
[2502102237](tel:2502102237)  
[www.strasbourghthompsonstudio.ca](http://www.strasbourghthompsonstudio.ca)  
[Barry@barrystrasbourghthompson.com](mailto:Barry@barrystrasbourghthompson.com)



### Chemainus Arts Center Letter of Support

Name of your Organization: CHEMAINUS RESIDENTS ASSOCIATION

Your Title/Position: CHAIR

Date: 12/8/2017 Contact Information: 324 3307

BJISLANDER@SHAW.CA

Please check off all boxes that apply:

☒ Yes, our organization supports the establishment of an Arts Center in Chemainus

#### Intent to Use the Space.

- ☒ Meeting Room
- ☒ Auditorium
- ☐ Exhibition Gallery
- ☐ Kitchen Facilities
- ☐ Classroom
- ☐ Retail/Social Enterprise Business

Please use this space to expand on how the Arts Center would benefit your organization:

In a general way, an arts centre would help with CRA's goal of achieving "a healthy, livable community" for culture is an essential ingredient of community. More specifically, an arts centre that would have both meeting rooms and an auditorium would provide space for small group meetings, such as board or committee meetings, as well as space for larger group events, such as our all-candidate meetings that draw several hundreds of residents.

☐ I am interested in working with the Arts Center Committee

Please submit this form:

Drop off: Rainforest Arts, attention Peggy Grigor, Chair, CVCAS  
Mail: CVCAS, Box 196, Chemainus BC, V0R 1K0 – attention Peggy Grigor  
Email: [Admin@rainforestarts.ca](mailto:Admin@rainforestarts.ca)

Questions? Call Peggy Grigor at 250-416-1411 or email [admin@rainforestarts.ca](mailto:admin@rainforestarts.ca)



## Chemainus Residents Association

*for a livable and healthy community*

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December 11, 2017

To Whom It May Concern,

The board of the Chemainus Residents Association is pleased to endorse the efforts of the Chemainus Valley Cultural Arts Society to establish an arts centre in Chemainus.

We regard culture as an essential ingredient of a healthy community: culture helps us see who we are, what we value, what moves us. CVCAS has over the years provided that ingredient through an ever-expanding palette of performing and visual arts.

The organization's dream of a multi-purpose arts centre would allow it and the whole community enhanced opportunities to participate in and consume even more community arts and culture.

Chemainus Residents Association's goal of promoting "a healthy, livable community" would be forwarded by the addition of a centre with both small and large spaces. For CRA, small spaces could provide a venue for our board and committee meetings, while an auditorium-size space could house the hundreds of residents we draw for our general and all-candidates meetings.

We wish CVCAS the best as it pursues its goal of an arts centre; CRA will be glad to help where we can.

Sincerely,

  
Bernie Jones, Ph.D.  
Chair





## Chemainus Arts Center Letter of Support

Name of your Organization: Chemainus Business Improvement Association

Your Title/Position: Chemainus BIA Board of Directors

Date: Dec 27, 2017 Contact Information: Krystal Adams 250-216-4239

### Please check off all boxes that apply:

☒ Yes, our organization supports the establishment of an Arts Center in Chemainus

### Intent to Use the Space.

- ☒ Meeting Room
- ☒ Auditorium
- ☒ Exhibition Gallery
- ☒ Kitchen Facilities
- ☒ Classroom
- ☒ Retail/Social Enterprise Business

Please use this space to expand on how the Arts Center would benefit your organization:

The Chemainus BIA sees immense value in an arts centre for many reasons. Above the economic draw that a centre like this would bring; we would also be apt to use the community available space for our organizational meetings. The arts are beyond important in our community as the town's image centres on being an artistic hub. We can not live up to that promise without a centre like this.

We are large supporters of CVCAS and have the utmost confidence in their ability to manage the centre.

☒ I am interested in working with the Arts Center Committee

Please submit this form:

Drop off: Rainforest Arts, attention Peggy Grigor, Chair, CVCAS  
Mail: CVCAS, Box 196, Chemainus BC, V0R 1K0 – attention Peggy Grigor  
Email: [Admin@rainforestarts.ca](mailto:Admin@rainforestarts.ca)

Questions? Call Peggy Grigor at 250-416-1411 or email [admin@rainforestarts.ca](mailto:admin@rainforestarts.ca)



### Chemainus Arts Center Letter of Support

Name of your Organization: The Chemainus Writers  
Your Title/Position: Representative (Bernice Ramsdell)  
Date: Feb. 23rd/18 Contact Information: harsend@shaw.ca

**Please check off all boxes that apply:**

☒ Yes, our organization supports the establishment of an Arts Center in Chemainus

**Intent to Use the Space.**

- ☒ Meeting Room  
☐ Auditorium  
☐ Exhibition Gallery  
☐ Kitchen Facilities  
☐ Classroom  
☐ Retail/Social Enterprise Business

Please use this space to expand on how the Arts Center would benefit your organization:

As writers it would be important  
for us to have a venue for readings,  
perhaps a writer's festival and workshops.  
Ted talks sound a great idea.

☒ I am interested in working with the Arts Center Committee

Please submit this form:

Drop off: Rainforest Arts, attention Peggy Grigor, Chair, CVCAS  
Mail: CVCAS, Box 196, Chemainus BC, V0R 1K0 – attention Peggy Grigor  
Email: [Admin@rainforestarts.ca](mailto:Admin@rainforestarts.ca)

Questions? Call Peggy Grigor at 250-416-1411 or email [admin@rainforestarts.ca](mailto:admin@rainforestarts.ca)



### Chemainus Arts Center Letter of Support

Name of your Organization: Rotary Chemainus

Your Title/Position: Secretary

Date: Feb 27/18 Contact Information: 250-246-0311

**Please check off all boxes that apply:**

☒ Yes, our organization supports the establishment of an Arts Center in Chemainus

#### Intent to Use the Space.

- ☒ Meeting Room
- ☒ Auditorium
- ☐ Exhibition Gallery
- ☒ Kitchen Facilities
- ☒ Classroom
- ☐ Retail/Social Enterprise Business

Please use this space to expand on how the Arts Center would benefit your organization:

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☒ I am interested in working with the Arts Center Committee

Please submit this form:

Drop off: Rainforest Arts, attention Peggy Grigor, Chair, CVCAS  
Mail: CVCAS, Box 196, Chemainus BC, V0R 1K0 – attention Peggy Grigor  
Email: [Admin@rainforestarts.ca](mailto:Admin@rainforestarts.ca)

Questions? Call Peggy Grigor at 250-416-1411 or email [admin@rainforestarts.ca](mailto:admin@rainforestarts.ca)



## Arts Centre

I am writing on behalf of Chemainus Rotary.

We have been asked to give you our thoughts concerning a new Arts Centre.  
We are in full support.

Our community needs a space to pursue the arts.  
Right now our choices for venues is limited. The acoustics are a problem in the Legion Hall. Stages available in Church Halls are for short term set ups and teardowns. They do not have lighting and sound available and no proper rigging. Dressing rooms are non-existent and back stage is small. Things like scene changes are difficult because of scarcity of space. They have poor sight lines and seating is usually uncomfortable and temporary.

There is nowhere to conduct classes in the arts such as art, music, dance and drama. Teachers of music and dance have to go to different towns to put on recitals. Classes are usually held out of town as well.

There are many people in our community that have expertise in the arts. Many of us have taught and performed at a professional level. Given the opportunity we are willing to participate in the effort to create an Arts Centre. Hands on volunteer work and fund raising are available.

This facility would enhance the community and be an asset to the professional theatre our town is famous for. Rather than act as a competitor it encourages new and on-going interest in the arts.

Our town is on the map with the murals and professional theatre. Let us pursue growth in the arts.

A venue in Chemainus would bring people into the business area. Restaurants and stores would benefit this area financially.

The Chemainus Rotary endorses this endeavour and will actively help in fund raising.



Susan Martin BFA, BFAED  
Secretary of the Chemainus Rotary Club

February 27, 2018

The Cowichan Valley Public Art Gallery (Officially: Friends of the Cowichan Public Art Gallery Society)  
Jock Hildebrand, President.

The Cowichan Valley Public Art Gallery is a not-for-profit society that boasts 70 members and 22 people working on the board and 6 different committees. Our goal is to raise 35 million dollars to build a contemporary purpose built gallery to serve the needs of the Cowichan valley and Vancouver Island. The organization is already hosting art exhibitions in various venues in order to qualify for ongoing Canada Council operating grants. Our champion and Honorary Chairperson is former MP Jean Crowder. We would like to inform local government of our project. For more information, please go to our website: [www.cvpublicartgallery.ca](http://www.cvpublicartgallery.ca)

There is no cost to the City and no funding is being requested at this time.

We are a not-for-profit society that has been formed in pursuit of bringing a purpose built Public Art Gallery to the Cowichan Valley. Local artists and artists from other regions would have many exhibition opportunities. To this end, we will be fundraising for the next several years to realize our project; an Arts Centre for exhibitions, and arts programming. Until we have our permanent home; we will be hosting exhibitions in rented space.

The need is obvious. Considering the size of our community, this lack of a facility that houses a public art gallery is very unusual. There is no building that serves that function, and our group has recognized that need. We want to raise funds and set in place a strategy for creating a purpose built public art gallery for the Cowichan Valley.

Under our mandate, we will build an "A" list gallery. This is a gallery that can meet the conditions, such as providing the correct environmental requirements needed for holding top international and national exhibitions. The gallery would supply arts programming for the valley population. And as well, would provide exposure for local artists in terms of curated exhibitions.

As a starting place, our group has formed a not-for-profit organization with the purpose of promoting the concept around the eventual building and operating of the gallery. As well we will continue ongoing exhibitions throughout the year. Currently we have 70 Members in our organization, and around 150 people who get our monthly newsletter.

Our board currently consists of 9 people, leaders in the arts and business world. We have 6 working committees with 23 people on those committees.

With former MP, Jean Crowder, we have an honorary chairperson and champion. We have support from our MP and MLA and many letters of support from local politicians.

The gallery is to serve the citizens of Cowichan Valley in Particular and Vancouver Island generally. We are at present delivering exhibitions to the Cowichan valley. We are in year one of actual operations.

We anticipate 5 to eight years to complete funding of a purpose building public art gallery. This program is unique in the valley. There are a number of art councils which have galleries; they are rental spaces for local artists. We have letters of support from local art councils, MP Alister McGregor, MLA Sonia Furstineau and many other local politicians.