

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, August 21, 2019, 1:30 p.m.
Ramada Duncan - Ballroom
140 Trans-Canada Highway
Duncan, BC

Pages

1. CALL TO ORDER

This meeting is open to the public. All representations to Council form part of the public record. Please note, as the meeting is being conducted off-site, live-streaming will be unavailable. An audio recording of the meeting, including the public hearing, will be posted on North Cowichan's website at www.northcowichan.ca as soon as possible after the meeting.

2. APPROVAL OF AGENDA

Recommendation:

That Council adopt the agenda, as presented, by reordering the agenda to:

- receive public input on items 6.1 and 6.2 prior to consideration of those staff reports; and
- consider staff report items 6.1 and 6.2 prior to hearing the delegations in order to accommodate the flight schedule for Dr. Stephen Sheppard who will be in attendance to respond to questions from Council on the reports.

3. ADOPTION OF MINUTES

3.1 July 17, 2019 Regular Council Minutes

9 - 22

Recommendation:

That Council adopt the July 17, 2019 Regular Council minutes, as presented.

3.2 July 30, 2019 Committee of the Whole Minutes

23 - 32

Recommendation:

That Council adopt the July 30, 2019 Committee of the Whole minutes, as presented.

4. MAYOR'S REPORT

5. PUBLIC INPUT (for agenda items 6.1 and 6.2 only)

6. STAFF REPORTS

- 6.1 **Request for Proposal and Proposed Selection Process for an Engagement Consultant on the Municipal Forest Reserve** 33 - 42

Purpose: To seek confirmation from Council on the proposed deliverables and selection process to obtain an engagement consultant to assist North Cowichan in undertaking community engagement about the future of the Municipal Forest Reserve.

Recommendation:

That Council endorse: 1) the engagement RFP deliverables in Appendix 1; and 2) the engagement consultant selection process in Table 1, as outlined in the August 21, 2019 report by the Manager, Communication and Public Engagement.

- 6.2 **UBC Proposed Framework to Complete the Multi-Objective, Landscape-Scale Scenario Analysis & Forest Carbon Project Evaluation** 43 - 52

Purpose: To seek endorsement from Council on the proposed framework to evaluate and complete the multi-objective forest management strategies and options for the North Cowichan Municipal Forest towards the development of interim and long-term sustainable forest management plans.

Recommendation:

That Council endorse moving forward with the UBC partnership proposal as outlined on Appendix A to the August 21, 2019 report by the General Manager of Community Services;

And That Council waive the Municipality's Procurement Policy to enable the project to be sole sourced to the UBC Partnership group.

7. DELEGATIONS AND PRESENTATIONS

- 7.1 **DELEGATION: Susan Beaubier from the Chemainus Health Care Auxiliary** 53 - 53

Purpose: To present the nature of the work done by the Chemainus Health Care Auxiliary and its significance to the needs and health care of the residents of North Cowichan.

- 7.2 **DELEGATION: Mark Holland, Consulting Planner to VIMC Re: Overview of the Rezoning Application for a Comprehensive Development Zone at 4063 Cowichan Valley Highway** 54 - 63

Purpose: To provide an overview of VIMC's rezoning application which includes: information on the site, history and current status of the VIMC, reasons for the application, changes made based on community input, environmental initiatives being undertaken, community benefits being offered, and community relations.

8. PUBLIC INPUT

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

9. STAFF REPORTS CONT:

- 9.1 Bylaw 3761 - "Zoning Amendment Bylaw (Comprehensive Development Zone - 4063 Cowichan Valley Highway), 2019" (first and second reading) 64 - 92

Purpose: To provide Council with information, analysis and a recommendation regarding an application to rezone three properties at Cowichan Valley Highway and Drinkwater Road to a new comprehensive development zone.

Recommendation:

1. That Council approve first and second reading of Zoning Amendment Bylaw No. 3761 to rezone three properties at Cowichan Valley Highway and Drinkwater Road (PIDs 009-751-297, 029-201-675 & 014, 104-067) from I2 and C8 to a new CD21 zone;
2. That referrals be sent to the City of Duncan, the Cowichan Valley Regional District, Cowichan Tribes and the Sahtlam Neighbourhood Association and referral agencies be given a minimum of 30 calendar days to provide a response before a public hearing is held; and
3. That a Public Hearing be scheduled for Zoning Amendment Bylaw No. 3761 and notification issued in accordance with the requirements of the *Local Government Act*.

- 9.2 Bylaw 3760- "Zoning Amendment Bylaw (2372 Regina Drive), 2019" (first and second reading) 93 - 111

Purpose: To provide Council with information, analysis and a recommendation regarding a site specific zoning amendment application to permit a detached second dwelling at 2372 Regina Drive.

Recommendation:

That Council approve first and second reading of "Zoning Amendment Bylaw, 2019" No. 3760 to permit a detached second residence at 2372 Regina Drive (PID 000-368-393); and

That a Public Hearing be scheduled and notification be issued according to the *Local Government Act*.

- 9.3 Community Safety Plan Implementation 112 - 123

Purpose: To provide an update on the implementation of the Community Safety Plan and seek Council's approval for contracting Community Safety Ambassadors, leasing office space, and constructing leasehold improvements, and to enter into a 50/50 cost sharing arrangement with the City of Duncan.

Recommendation:

That Council authorize the Mayor and Corporate Officer to enter into a lease with Duncan Music Ltd. for the premises at 490 Trans Canada Hwy, for a period of two (2) years, with options for two (1 year) extensions, at a rate of \$15.00 per square foot, per year, plus property taxes and expenses;

And That Council approve leasehold improvements at 490 Trans Canada Hwy of up to \$30,000;

And That Council authorize the District of North Cowichan to enter into a 50/50 cost sharing arrangement with the City of Duncan for the costs associated with the lease and leasehold improvements for operation of a Community Safety Office at 490 Trans Canada Hwy;

And That Council approve the District of North Cowichan entering into a 50/50 cost sharing arrangement with the City of Duncan, at a cost of approximately \$70,000, for funding the Community Safety Ambassadors;

And Further That Council approve, in principle, the proposed Community Safety Implementation Plan, as outlined in the August 21, 2019 report by the General Manager Financial and Protective Services.

9.4 Coastal Communities Social Procurement Initiative 124 - 125

Purpose: To report on the implications, costs, and value of pursuing membership in the Coastal Communities Social Procurement Initiative.

Recommendation:

That Council defer pursuing membership in Coastal Communities Social Procurement Initiative until such time as North Cowichan has adequate procurement resources to implement social procurement as a long term sustainable initiative.

9.5 One-Time Payment - Gas Tax Agreement Community Works Fund 126 - 128

Purpose: To recommend putting the 2019 one-time Gas Tax - Community Works Fund payment into a capital reserve for allocation in the 2020-2023 Capital Expenditure Program.

Recommendation:

That Council approve transferring the one-time Community Works Fund payment of \$1,327,987 into a capital reserve for allocation in the 2020 - 2023 Capital Expenditure Program.

10. PUBLIC HEARINGS (6:00 p.m.)

Mayor Siebring to provide an explanation of the public hearing process and to advise members of the public that no further verbal or written presentations can be received by any member of Council following the closure of each public hearing.

- 10.1 Rezoning Application No. ZB000109 for Bylaw 3752 (Retail Cannabis Sales - 110, 2951 Green Road) - Costa Canna Corp. Operated Retail Cannabis Store .** 129 - 151
- Mayor Siebring to call the Public Hearing to order for Rezoning Application No. ZB000109,
 - Corporate Officer to provide a summary of the correspondence received as well as acceptance of any petitions or late correspondence,
 - Glen Morris, Development Planning Coordinator to introduce the application (note previous staff report attached as background information),
 - Presentation by the Applicant,
 - Call for submissions from the public on the proposed site specific zoning amendment to permit retail cannabis sales at unit 110, 2951 Green Road,
 - Final call for submissions by the public (Mayor Siebring will ask 3 times),
 - Adjournment of the Public Hearing for Rezoning Application No. ZB000109 for Bylaw 3752 (Retail Cannabis Sales - 110, 2951 Green Road).
- 10.2 Rezoning Application No. ZB000102 for Bylaw 3748 (Retail Cannabis Sales – 2900 Drinkwater Road) - Liquor Distribution Branch Operated Retail Cannabis Store** 152 - 188
- Mayor Siebring to call the Public Hearing to order for Rezoning Application No. ZB000102,
 - Corporate Officer to provide a summary of the correspondence received as well as acceptance of any petitions or late correspondence,
 - Caroline von Schilling, Development Planner to introduce the application (note previous staff report attached as background information),
 - Presentation by the Applicant,
 - Call for submissions from the public on the proposed site specific zoning amendment to permit retail cannabis sales at 2900 Drinkwater Road,
 - Final call for submissions by the public (Mayor Siebring will ask 3 times),
 - Adjournment of the Public Hearing for Rezoning Application No. ZB000102 for Bylaw 3748 (Retail Cannabis Sales - 2900 Drinkwater Road).

10.3 **Rezoning Application No. ZB000105 for Bylaw 3757 (A2 to A3) to accommodate a lot line adjustment at 3248 Gibbins Road and to permit the construction of two detached dwellings at 3248 Gibbins Road**

189 - 206

- Mayor Siebring to call the Public Hearing to order for Rezoning Application No. ZB000105,
- Corporate Officer to provide a summary of the correspondence received as well as acceptance of any petitions or late correspondence,
- Caroline von Schilling, Development Planner to introduce the application (note previous staff report attached as background information),
- Presentation by the Applicant,
- Call for submissions from the public on the proposed zoning amendment to amend a portion of the existing Rural Zone (A2) to Rural Restricted Zone (A3) Zone to accommodate a lot line adjustment; and further, to amend the A3 zone to permit the construction of two detached dwellings at 3248 Gibbins Road,
- Final call for submissions by the public (Mayor Siebring will ask 3 times),
- Adjournment of the Public Hearing for Rezoning Application No. ZB000105 for Bylaw 3757 (A2 to A3) to accommodate a lot line adjustment at 3248 Gibbins Road and to permit the construction of two detached dwellings at 3248 Gibbins Road.

11. **BYLAWS**

11.1 **Bylaw 3752 - "Zoning Amendment Bylaw (Cannabis Sales - 110, 2951 Green Road), 2019" (third reading)**

207 - 207

Purpose: To consider giving third reading to Bylaw 3752 - "Zoning Amendment Bylaw (Cannabis Sales - 2951 - Green Road), 2019" - a proposed site specific zoning amendment bylaw to permit retail cannabis sales at 2951 Green Road (Cowichan Commons).

Recommendation:

That "Zoning Amendment Bylaw (Cannabis Sales - 2951 Green Road), 2019" No. 3752 - a bylaw to permit retail cannabis sales at unit 110, 2951 Green Road be given third reading.

11.2 **Bylaw 3748 - "Zoning Amendment Bylaw (Cannabis Sales - 2900 Drinkwater Road), 2019" (third reading)**

208 - 208

Purpose: To consider giving third reading to Bylaw 3748 - "Zoning Amendment Bylaw (Cannabis Sales - 2900 Drinkwater Road), 2019" - a proposed site specific zoning amendment bylaw to permit retail cannabis sales at 2900 Drinkwater Road.

Recommendation:

That "Zoning Amendment Bylaw (Cannabis Sales - 2900 Drinkwater Road), 2019" No. 3748 - a bylaw to permit cannabis retail sales be given third reading.

- 11.3 **Bylaw 3757 - "Zoning Amendment Bylaw (3248 Gibbins Road), 2019" (third reading and adoption)** 209 - 210

Purpose: To consider giving third reading to "Zoning Amendment Bylaw No. 3757, 2019" - a bylaw to amend the zone at 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3) and to permit a second residence at 3248 Gibbins Road.

Recommendation:

That "Zoning Amendment Bylaw No. 3757, 2019" - a bylaw to amend the zone at 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3) and to permit a second residence at 3248 Gibbins Road be given third reading.

Recommendation:

That "Zoning Amendment Bylaw No. 3757, 2019" - a bylaw to amend the zone at 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3) to permit a second residence at 3248 Gibbins Road be adopted.

- 11.4 **Bylaw 3755 - "Fee Amendment Bylaw No. 3755, 2019" (adoption)** 211 - 230

Purpose: To adopt "Fees Amendment Bylaw No. 3755, 2019", to formalize the 2% increase for recreation and parks fees (note previous staff reports attached as background information)

Recommendation:

That "Fee Amendment Bylaw No. 3755, 2019" be adopted.

12. **NEW BUSINESS**

13. **NOTICE OF MOTIONS**

13.1 **Quamichan Watershed and Lake Phosphorus Loading**

Councillor Justice requested that the following Notice of Motion be considered at the September 4, 2019 Council meeting:

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, and residential life in the watershed;

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;

Be It Resolved That, within a time frame appropriate to its use in the Official Community Plan process, 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 land use planning policies and regulations.

13.2 Environmental Advisory Committee

Councillor Marsh requested that the following notice of motion be deferred to the October 2, 2019 Council meeting for consideration:

That Council reinstate its Environmental Advisory Committee;

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

14. QUESTION PERIOD

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

15. ADJOURNMENT

Recommendation:

That Council adjourn the August 21, 2019 Regular Council meeting at ____ p.m.

Municipality of North Cowichan

Regular Council

MINUTES

July 17, 2019, 1:30 p.m.
Municipal Hall - Council Chambers

Members Present Mayor Al Siebring
Councillor Rob Douglas (via teleconference at 1:41 p.m.)
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
Shaun Chadburn, Environmental Programs Coordinator
Karen Robertson, Corporate Officer
Tammy Isaachsen, Communications and Engagement Coordinator
Kara Labelle, Environmental Student

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 July 17, 2019 Regular Council agenda, as circulated.

CARRIED

3. ADOPTION OF MINUTES

It was moved and seconded:

That Council adopt the following minutes:

1. **Special Council meeting held June 19, 2019;**
2. **Regular Council meeting held June 19, 2019, as amended, to include the words "regionally-based" in the Notice of Motion on page 5;**
3. **Special Council meeting held June 24, 2019; and**
4. **Special Council meeting held July 3, 2019.**

CARRIED

4. MAYOR'S REPORT

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

5. PUBLIC INPUT

Council received brief public input regarding agenda items from registered speakers.

6. DELEGATIONS AND PRESENTATIONS

6.1 PRESENTATION: Friends of the Environment Contest

Council heard from North Cowichan's Summer Environmental Student, Kara Labelle, regarding her summer outreach work promoting "My Climate-Friendly Home in 2050." Council noted that 124 posters regarding climate change and renewable energy were received.

Mayor Siebring and Kara Labelle awarded prizes to the following winners of North Cowichan's annual "Friends of the Environment" contest:

Name	Grade/School	Place	Teacher
Laveen Mohammed	K - Tansor	1st	Mrs. Read
Addie Hanson	K- Tansor	Runner-Up (tie)	Mrs. Read
Corvan Rozemboom	K - Tansor	Runner-Up (tie)	Mrs. Read
Colleen Redenback	1 - Crofton	1st	Mrs. Switzer
Samara Darwin	1 - Crofton	Runner-Up	Mrs. Switzer
Nathan Loranger	2 - Crofton	1st	Mrs. Switzer
Haven McLaren	2 - Crofton	Runner-Up	Mrs. Switzer
Max Traynon	3 - Crofton	1st	Mrs. Lesergent
Samantha Davis	3- Khowhemun	Runner-Up	Mrs. Ryder
Cyrus Akbyari	4 - Drinkwater	1st	Mrs. Steeves
James Charlie-Modeste	4 - Drinkwater	Runner-Up	Mrs. Steeves
Maggie Low	6- Khowhemun	1 st	Ms. McCallan
Aliyah Reed	6- Maple Bay	Runner-up (tie)	Ms. Bothma
Blair Cauchie Francis	6 - Maple Bay	Runner-Up (tie)	Mrs. Mann

Meghan Smith	7 - Maple Bay	1 st	Mrs. Mann
Amelia Varga	7 - Maple Bay	Runner-Up	Mrs. Mann

Overall winner: Samantha Davis (grade 2 student from Khowhemun Elementary)

6.2 PRESENTATION: 2019 Value-added Woodworking Contest

Mayor Siebring presented awards and gift certificates to the following winners of North Cowichan's 2019 Value-added Woodworking Contest:

1st Place to Dawson Jory of Cowichan Secondary School;
 2nd Place to Lucas Edmondson of Chemainus Secondary School; and
 3rd Place to Jesse Popma of Duncan Christian School.

6.3 PRESENTATION: Tim Chan, eNRG Research Group to present the Citizen Satisfaction Survey results

Mr. Chan from eNRG Research Group provided an overview of the District of North Cowichan's first Citizen Satisfaction survey, which included a discussion on the background, objectives of the survey, methodology, conclusions, and recommendations for moving forward. Highlights of the results included:

- 22% of the residents believe the most important challenge facing North Cowichan is improving water quality;
- When asked to pick one issue for local leaders to action on, the most mentioned subject was homelessness/drug addiction (17%);
- Parks, greenspace and natural beauty are aspects about North Cowichan that nearly one-half (48%) of residents reference as their favourite thing about the District;
- Nearly all residents rate the overall quality of life in North Cowichan as good (97% rate it as either very good or good);
- Satisfaction with the overall level and quality of services provided by North Cowichan is also very high (89% rate this as very satisfied or somewhat satisfied);
- Among specific services, community planning has the most room for improvement (73% are satisfied), followed by bylaw enforcement (70%), and development and building permits (59%). It was noted that 'community planning' may mean different things to different people and was not specifically defined in the survey;
- The services that have the greatest influence on the overall level and quality of services rating for the District are road maintenance and community planning;
- Four in five residents (80%) feel that they get good value overall for their tax dollars, given all the programs and services they receive;
- Fewer than one half (44%) of residents surveyed personally contacted or dealt with a North Cowichan employee within the past year. Contact dealing with North Cowichan was mostly in-person (61%) or by telephone (42%);
- Satisfaction with North Cowichan staff interactions was generally good, with the staff's ability to resolve issues (72% are either very satisfied or somewhat satisfied).
- Nearly 2/3^{rds} (63% of residents) feel they currently receive just the right amount of information from North Cowichan. 33% believe they receive too little information;

- The most common sources residents would use to find information about North Cowichan include: the District's website (51%), the Internet/Google (41%), call the District office directly or speak with staff (26%), and the local newspaper (22%); and
- Three quarters of residents (74%) are satisfied with their opportunities to provide input to the District of North Cowichan on their views and priorities.

Conclusions and recommendations were highlighted as follows:

Residents view the District of North Cowichan very positively towards:

- Overall quality of life rating – on par with other select BC Communities;
- The overall level and quality of services provided;
- The majority of services provided;
- Felt that overall citizens get good value for their tax dollars;
- Residents would prefer to maintain or increase service levels, even if that means an increase in property taxes;
- Approximately half of North Cowichan's population is satisfied with the historic 1% growth rate; 10% would like to see the community grow faster, while roughly 40% would like to see it grow slower or not grow at all; and
- Road maintenance should be a top focus area for North Cowichan as this is a key driver of overall satisfaction with the level and quality of services provided by the District. Interests and desires around community planning should be further explored, as this has the next highest influence on the overall rating of the District.

Results are strong overall; however, results could be strengthened in the following areas:

- Road maintenance and community planning services;
- Development and building services;
- Training and supports to enable staff to resolve resident issues; and
- Continue sharing information with residents, and seeking input on their views and priorities.

A question and answer period ensued in which Council asked for more details regarding the results related to challenges facing the community, North Cowichan's population growth, approaches to service levels and property taxes, and other miscellaneous items. Staff advised that they would work with the consultant to get formal responses to Council.

A copy of the full survey can be found on the July 17, 2019 Council agenda at: <https://www.northcowichan.ca/custom/council-meetings.aspx>

It was moved and seconded:

That Council receive the 2019 Citizen Satisfaction Survey Results for information and consider the results when determining priorities.

CARRIED

6.4 PRESENTATION: RCMP Quarterly Report (April through June, 2019)

Council heard from Inspector Chris Bear regarding the North Cowichan/Duncan RCMP Detachment's activities and accomplishments over the reporting period April through June 2019.

Council asked questions of Inspector Bear and thanked him for his presentation and work.

By consensus, Council recessed the meeting for 10 minutes at 3:45 p.m.

The Council meeting resumed at 4:45 p.m.

6.5 PRESENTATION: Dr. Preikshot, PhD, RPBio, Somenos Marsh Wildlife Society and Madrone Environmental Services Re: Options and Monitoring Programs for Persistent Blue-Green Algae Blooms in Quamichan Lake

Dr. Preikshot provided an overview of his report regarding options and monitoring programs for persistent blue-green algae blooms in Quamichan Lake. Highlights of his presentation included:

- A natural history of Quamichan Lake;
- A discussion on the blue-green algae blooms;
- Feedback on the phosphorus blue-green algae feedback loop;
- An overview of the sampling programs done in 2018; and
- Options for management goals which include what actions can be done now and in the future.

After hearing Dr. Preikshot's presentation and reviewing the Director of Engineering's staff report, Council conveyed that it wanted to move forward with implementation of the actions that could be undertaken immediately.

It was moved and seconded:

That Council receive the Director of Engineering's July 17, 2019 report on blue-green algae in Quamichan Lake and Management Options, for information.

CARRIED

It was moved and seconded:

That staff be directed to engage a Consultant to sample and test the Quamichan Lake water based on the following recommendations as put forward in Dr. Preikshot's PowerPoint presentation as follows:

- **Analyze Quamichan Lake sediment cores in order to fix the absolute level of internal versus external loading;**
- **Install temperature and dissolved oxygen meters in the lake to track changes on an hourly basis;**
- **Monitor weekly with a multi-parameter sonde for pH, turbidity, conductivity, chlorophyll and blue-green algae;**
- **Monitor monthly to track phosphorus and other nutrients;**
- **Begin installation of zeolite and limestone stream treatments to remediate nutrients in small urban tributary streams and ditches;**

And That staff be directed to undertake a feasibility study for development of the wetlands.

CARRIED

It was moved and seconded:

That staff be directed to provide Council with a report on the process and options for the establishment of a Quamichan Lake Water Quality Management Committee for the purposes of considering and implementing the long-term recommendations outlined in Dr. Preikshot's July 17, 2019 PowerPoint presentation, bearing in mind the report's suggestions for that committee's membership.

It was moved and seconded:

That consideration of the motion be referred until such time as the Environmental Programs Coordinator (once hired) has the opportunity to provide feedback on the motion to establish a Quamichan Lake Water Quality Management Committee for the purposes of considering the long term recommendations as put forward by Dr. Preikshot.

(Opposed: All of Council)

DEFEATED

It was moved and seconded:

That consideration of the motion to establish a Quamichan Lake Water Quality Management Committee for the purposes of considering and implementing the long term recommendations outlined in Dr. Preikshot's July 17, 2019 report be referred to the fall as per Council's resolution of April 17, 2019 wherein Council resolved to continue with the present Committee of the Whole structure until October, 2019 at which time the committee structure will be re-evaluated by Council.

(Opposed: Justice)

CARRIED

6.6 PRESENTATION: Dr. Preikshot, PhD, RPBio, Somenos Marsh Wildlife Society and Madrone Environmental Services Re: Parrots Feather Management Plan for Somenos Creek

It was moved and seconded:

- 1. That Council receive Dr. Preikshot's Parrots Feather Management Plan.**
- 2. That Council direct staff to oversee and distribute the \$25,000 in the 2019 budget to the Somenos Marsh Wildlife Society as outlined in the July 9th, 2019 Somenos Marsh Committee meeting recommendation.**
- 3. That Council direct staff to send the Parrots Feather Management Plan to the Provincial Government's Invasive Plant Officer for review, comment and consideration for future financial assistance and resources.**

CARRIED

7. REPORTS

7.1 Bylaw 3752 - "Zoning Amendment Bylaw (Cannabis Sales - 2951 Green Road), 2019" - a bylaw to permit Retail Cannabis Sales at unit 110, 2951 Green Road - Cowichan Common (Costa Canna Corp.)

Councillor Toporowski declared a conflict of interest as Cowichan Tribes is a partner in Costa Canna Corporation and she is a Cowichan Tribes Council member. She left the Council Chambers at 5:40 p.m.

Councillor Manhas declared a conflict of interest as his employer has submitted a rezoning application for a retail cannabis store and left the Council Chambers at 5:40 p.m.

It was moved and seconded:

That Council give first and second readings to "Zoning Amendment Bylaw (Cannabis Sales - 2951 Green Road), 2019 No. 3752" - a bylaw to permit retail cannabis sales at unit 110, 2951 Green Road;

And That the applicant be directed to conduct an information meeting prior to the Public Hearing.

CARRIED

Councillor Manhas and Toporowski returned to the Council Chambers at 5:42 p.m.

7.2 Bylaw 3757 - "Zoning Bylaw Amendment (3248 Gibbins Road), 2019" – a bylaw to amend A2 Zone to A3 Zone to accommodate a lot line adjustment

It was moved and seconded:

That Council give first and second readings to "Zoning Amendment Bylaw No. 3757, 2019" to amend the zone at 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3) and to permit a second residence at 3248 Gibbins Road;

And That a Public Hearing for Zoning Amendment Bylaw No. 3757 be scheduled and notification issued in accordance with the *Local Government Act*.

CARRIED

By consensus, Council recessed the meeting at 5:45 p.m. and Councillor Douglas disconnected from the conference call.

The meeting resumed at 6:30 p.m.

7.3 Bylaw 3755 - "Fee Amendment Bylaw No. 3755, 2019" - a bylaw to amend the recreation and park fees

It was moved and seconded:

That Council give three readings to "Fee Amendment Bylaw No. 3755, 2019."

CARRIED

7.4 Financial Borrowing Process For a New RCMP Detachment

It was moved and seconded:

That Council direct staff to proceed with an Alternative Approval Process (AAP) to seek elector assent for a new North Cowichan/Duncan RCMP detachment;

And That Council direct staff to proceed with the proposed communications plan to inform residents about a new North Cowichan/Duncan RCMP detachment.

CARRIED

7.5 Green Municipal Fund Grant Application

It was moved and seconded:

That Council authorize staff to apply for an FCM Green Municipal study grant of up to 50% of \$175,000 with North Cowichan's share of the study being funded from the Climate Action and Energy Plan Fund (Corporate).

CARRIED

It was noted that the purpose of the study is to determine the feasibility of constructing the new RCMP building to net zero emission standards.

8. BYLAWS

8.1 Bylaw 3754 "Zoning Amendment Bylaw (Housekeeping Amendment), 2019"

It was moved and seconded:

That Council adopt "Zoning Amendment Bylaw (Housekeeping Amendment), 2019" No. 3754.

CARRIED

8.2 Bylaw 3756 - "Fees Amendment Bylaw (Engineering Fees), 2019"

It was moved and seconded:

That Council adopt Bylaw 3756 "Fees Amendment Bylaw (Engineering Fees), 2019" a bylaw to increase the 300 mm culvert installation fee from \$816 to \$2,320.

(Opposed: Manhas)

CARRIED

9. CORRESPONDENCE

9.1 Fentanyl Crisis - Call to Action

It was moved and seconded:

That Council receive the June 5, 2019 letter from District of Sechelt regarding a call to action to help promote naloxone distribution and training.

CARRIED

Staff noted that Stacy Middlemiss, from the Cowichan Mental Health Association, was invited to attend the August 21, 2019 Council meeting to do a demonstration and provide training on the benefits and application of naloxone.

Councillor Douglas joined the meeting by teleconference at 6:46 p.m.

9.2 Request to Local Governments - Declare a Climate Emergency

It was moved and seconded:

Whereas to provide clarity of Council's intention to look at all applicable decisions through a climate lens, including but not limited to: rewriting North Cowichan's Official Community Plan and reviewing the management of North Cowichan's municipal forests, as Council we resolve to:

- 1. Officially acknowledge we are facing a climate emergency; and**
- 2. Following the hiring of an Environmental Specialist, direct staff to report to Council in 90 days with an integrated climate action strategy that merges:**
 - a. Current municipal initiatives in climate change mitigation and adaption;**
 - b. Climate change related policies and directions outlined in Council's Strategic Plan; and**
 - c. New and existing ideas and actions to implement from the remodelled Climate Action and Energy Plan and/or ones that can be adapted from other jurisdictions or emerging science.**

Amendment:

It was moved and seconded:

That the motion be amended to remove bullet 1.

(Opposed: Douglas; Justice; Marsh; Sawrie; Toporowski)

DEFEATED

The vote was taken on the main motion.

Whereas to provide clarity of Council's intention to look at all applicable decisions through a climate lens, including but not limited to: rewriting North Cowichan's Official Community Plan and reviewing the management of North Cowichan's municipal forests, as Council we resolve to:

- 1. Officially acknowledge we are facing a climate emergency; and**
- 2. Following the hiring of an Environmental Specialist, direct staff to report to Council in 90 days with an integrated climate action strategy that merges:**
 - a. Current municipal initiatives in climate change mitigation and adaption;**
 - b. Climate change related policies and directions outlined in Council's Strategic Plan; and**
 - c. New and existing ideas and actions to implement from the remodelled Climate Action and Energy Plan and/or ones that can be adapted from other jurisdictions or emerging science.**

(Opposed: Siebring; Manhas)

CARRIED

10. COMMITTEE RECOMMENDATIONS

10.1 July 8, 2019 Committee of the Whole Minutes

It was moved and seconded:

That Council adopt the July 8, 2019 Committee of the Whole minutes.

CARRIED

10.1.1 Official Community Plan - Engagement Strategy

It was moved and seconded:

That Council endorse the OCP Engagement Strategy as attached to the July 8, 2019 report by the General Manager, Development and Engineering Services, and direct staff to execute the strategy as part of the OCP Project.

CARRIED

It was moved and seconded:

That membership on the advisory group be restricted to North Cowichan residents.

CARRIED

10.1.2 Retail Cannabis Sales Policy - Review and Discussion

Councillor Toporowski declared a conflict of interest as Cowichan Tribes is a partner in Costa Canna Corporation and she is a Cowichan Tribes Council member. She left the Council Chambers at 7:23 p.m.

Councillor Manhas declared a conflict of interest as his employer has submitted a rezoning application for a retail cannabis store and left the Council Chambers at 7:23 p.m.

It was moved and seconded:

That the Retail Cannabis Sales Policy be amended by deleting Sections 4.3 and 4.4.

CARRIED

It was moved and seconded:

That Section 4.5 of the Retail Sales Policy be deleted and replaced with the following:

"4.5 Council will consider the impact of retail cannabis sales in proximity to public or independent elementary, middle or secondary schools, playgrounds, libraries, public recreation centres, public community centres, parks, places of worship, family-oriented facilities, or areas where children and youth frequent."

CARRIED

10.1.3 Verbal Update from the Mayor Re: Proposed Public Hearing for "Zoning Amendment Bylaw (Cannabis Sales - 2900 Drinkwater Road), 2019"

It was moved and seconded:

That the public hearing for Bylaw 3748 "Zoning Amendment Bylaw (Cannabis Sales at 2900 Drinkwater Road)," as submitted by the BC Liquor Distribution Branch be held off until a public hearing can be held for Costa Canna's rezoning application for Cannabis Sales, so that both applications can be considered concurrently.

CARRIED

Councillor Manhas and Toporowski returned to the Council Chambers at 7:30 p.m.

10.2 July 5, 2019 First Nations Relations Committee Minutes (for information purposes)

10.2.1 Council to Council Meetings with Neighbouring First Nations

It was moved and seconded:

That a letter of invitation be sent to the Lyackson, Halalt, Stz'uminus, Cowichan Tribes, Snuneymuxw, and Penelakut Chief and Councils to see if there is interest in having joint Council to Council meetings to discuss matters of mutual interest, including consultation on North Cowichan's upcoming Official Community Plan.

CARRIED

11. NOTICE OF MOTIONS

It was moved and seconded:

Whereas the Terms of Reference that Council designed for the municipal forestry review was used as the scope in the Forest Advisory Committee (FAC) Terms of Reference, which states that the Committee is conducting the review (and suggests that its role does not go beyond that);

And Whereas the FAC is a part of, but is not conducting, North Cowichan's municipal review of forestry (and is providing technical advice on issues not part of the review);

Be it resolved that Council amend the wording of the Terms of Reference for the Forestry Advisory Committee (as attached to the July 17, 2019 agenda) which more accurately portrays the Committee's overall role and, especially, the part they will play in Council's review of forestry.

Amendment:

It was moved and seconded:

That the motion be amended to remove the following words from bullet 3 "give priority to" and replace them with "takes into consideration."

(Opposed: Siebring; Douglas; Justice; Marsh; Sawrie; Toporowski)

DEFEATED

The vote was taken on the main motion.

Whereas the Terms of Reference that Council designed for the municipal forestry review was used as the scope in the Forest Advisory Committee (FAC) Terms of Reference, which states that the Committee is conducting the review (and suggests that its role does not go beyond that);

And Whereas the FAC is a part of, but is not conducting, North Cowichan's municipal review of forestry (and is providing technical advice on issues not part of the review);

Be it resolved that Council amend the wording of the Terms of Reference for the Forestry Advisory Committee (as attached to the July 17, 2019 agenda) which more accurately portrays the Committee's overall role and, especially, the part they will play in Council's review of forestry.

(Opposed: Manhas)

CARRIED

Councillor Douglas left the Council meeting by teleconference at 7:49 p.m.

Councillor Marsh put forward the following Notice of Motion to be considered at the August 21, 2019 Council meeting:

"That Council reinstate its Environmental Advisory Committee;

And That the Committee recommence meetings in September and meet on a monthly basis."

12. NEW BUSINESS

It was moved and seconded:

That Council approve adding a late item from Brian Roberts of Cowichan Energy Alternatives regarding a time sensitive request for a letter of support and potential partnership with the District of North Cowichan on a pilot project for new, clean tech products they are developing from recycled waste cooking oils.

CARRIED

It was moved and seconded:

That Council authorize staff, subject to being satisfied that the costs and staff time required is reasonable, to partner with and jointly apply for funding opportunities with Eco Solutions to pilot a dust control project within the Municipality of North Cowichan.

(Opposed: Siebring; Manhas)

CARRIED

13. QUESTION PERIOD

Council received questions from the public regarding business considered at this meeting.

14. CLOSED SESSION

It was moved and seconded:

That Council close the July 17, 2019 Council meeting at 8:00 p.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)(g) - litigation or potential litigation affecting 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

15. RISE AND REPORT

Council rose and reported the following from the July 17, 2019 Closed session:

15.1 Safer Community Plan

1. Council approved, in principle, the Safer Community Plan and directed staff to move forward with initial implementation of the Plan as outlined in the June 19, 2019 report by the General Manager, Financial and Protective Services as follows:
 - a) Create a Joint Safer Working Group to align North Cowichan and Duncan staff and RCMP resources to coordinate actions to address crime and disorder which could be implemented in the short term.
 - b) Create a Corridor Safety Office to act as a storefront to coordinate and address crime and disorder:
 - Lease office space in cooperation with City of Duncan and possible other partners;
 - Commit Bylaw Enforcement resources;
 - Contract "Daytime Security Ambassadors";
 - Assign RCMP investigative and analytical resources; and,
 - Create "Who Do You Call" brochure.
 - c) Coordinate efforts to Reduce the Impact of Crime and Public Disorder on the Business Community and Citizens of the Trans-Canada Highway Corridor.
 - d) Recognize the Important role of Health and Social Service Providers in the Communities and see them as key partners towards reducing crime and public disorder:
 - Local Governments to consider ways to collaboratively address the problem of garbage, waste and needles; and,
 - Local Governments to consider taking on a staff facilitation and communication response role, through a Good Neighbour Agreement process, when issues arise between service providers and neighbourhoods.
 - e) Support RCMP Crime Reduction efforts through the hiring of a Crime Analyst.
 - North Cowichan has posted for a Crime Analyst position.
 - f) Facilitate the application of Crime Prevention Through Environmental Design (CPTED):
 - Local Governments and RCMP apply CPTED principles as a crime and public disorder reduction tool.
 - g) Deal with Problem Properties by:
 - Local governments intervene early on nuisance properties;
 - Bylaw Enforcement resources; and,
 - Updating and harmonizing bylaws.
2. Council directed staff to meet with the City of Duncan to find a location for a Community Safety Office, devise a full implementation plan for the Safe Community Plan, and negotiate cost sharing arrangements.
3. Council directed staff to ask representatives from Cowichan Highway Corridor Business Council, Cowichan Tribes, School District No. 79, RCMP, and Cowichan Community Action Team, to provide input to Duncan and North Cowichan staff on the drafting of an SCP Implementation Plan.

15.2 Slate Selection of OCP Advisory Group and Community Ambassadors

Council directed staff to prepare an open call for Advisory Group members, including a multi-media campaign, and further direct staff to invite all of the Council-suggested names to apply once the call is open.

16. ADJOURNMENT

It was moved and seconded:

That Council adjourn the July 17, 2019 Regular Council meeting at 10:00 p.m.

CARRIED

Certified by Corporate Officer

Signed by Mayor

Municipality of North Cowichan Committee of the Whole MINUTES

Tuesday, July 30, 2019, 10:30 a.m.
Municipal Hall – Maple Bay Meeting Room

Members Present	Councillor Kate Marsh (Acting Mayor) Councillor Christopher Justice Councillor Tek Manhas Councillor Rosalie Sawrie
Members Absent	Mayor Al Siebring Councillor Rob Douglas 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 Shaun Mason, Municipal Forester Natasha Horsman, Manager of Communications and Public Engagement Alyssa Meiner, Information Management Officer Nelda Richardson, Manager, Business Services
Others Present	Dr. Peter Arcese, Dr. Brad Seely, Dr. Verena Griess, Dr. Clive Welham, and Dr. Stephen Sheppard (collectively, UBC Professors)

1. CALL TO ORDER

There being a quorum present, Acting Mayor Marsh called the meeting to order at 10:30 a.m.

2. APPROVAL OF AGENDA

It was moved and seconded:

That the Committee approve the July 30, 2019 Committee of the Whole agenda, as circulated.

CARRIED

3. BUSINESS

The CAO welcomed the UBC Professors and highlighted this meeting is an opportunity for members of Council and the UBC Professors to dialogue directly in order to refine areas for collaboration on a forest management plan, and help shape a formal agreement to delineate the UBC Professors' role in this process.

The Committee heard that a proposal from the UBC Professors setting out deliverables, rates, schedules and responsibilities is expected to be presented to Council at a future meeting where the public can provide input.

Following introductions, Acting Mayor Marsh acknowledged the meeting is taking place on the traditional territory of the Coast Salish Peoples.

3.1 Workshop with UBC Professors regarding expectations for UBC Professors' participation in the Forestry Operational Review

The Committee received a PowerPoint presentation from the UBC Professors. Dr. Arcese clarified that while they all work at UBC they are not necessarily representing the interests of the University.

Dr. Arcese highlighted

- the Coastal Douglas Fir Conservation Partnership and biologists' interest in the region and conservation in the Georgia Basin;
- standing carbon and value for carbon (the potential impact of harvesting on carbon sequestration goals);
- Algonquin Forest Authority as an example of sustainable forest management with continued forestry in the park.

The Committee heard from Dr. Arcese that over-arching goals include:

- learning about North Cowichan's goals for the future management of the Municipal Forests;
- offering assistance in developing management plans most likely to maximize the value of forests to the community;
- exploring scenarios to meet the overarching goals (such as maintaining aesthetic, amenity, and biodiversity values of North Cowichan Forests while generating annual revenue for the community).

The Committee asked about the importance of Cowichan forests to the Coastal Douglas Fir (CDF) ecosystem and heard these are extremely important, but should think about the whole area to maintain fish and animal habitat, and almost all areas in the region are of interest in conservation. Dr. Arcese expressed that an ideal goal would be to secure approximately 30% of CDF ecosystem areas for modest or strict conservation, which would permit various

other types of uses and approaches to forest management/harvesting, depending on the scale of conservation.

Importance of Spatial Data

The Committee heard from Dr. Seely that good spatial data is critical for testing and analysis to support development of a forest management plan.

This includes “net down data”, which is typically used to determine which areas are likely to be excluded from harvesting based on ownership boundaries, setbacks from streams and water bodies, visually sensitive areas (recreation, sensitive hill slopes), access (existing road networks for harvesting and trails), and sensitive ecosystems (where, existing status). “Operable land base data” is also needed to show the areas accessible for harvesting from an operational perspective. For example, areas with very steep slopes or other factors limiting accessibility are often considered inoperable and would not be harvested.

“Forest cover data” is very important and the existing VRI data from the Province may need to be updated and improved. LiDAR (canopy height and digital elevation models), ortho imagery, and cutblock/silviculture layers also inform forest cover data.

Conservation areas, habitat attributes, seral stages and water catchment areas were discussed. The Committee heard that some sensitive ecosystems may require fire or careful light touch logging in order to keep the areas open or enhance their long term natural value. This is consistent with historical land management techniques and shared goals with First Nations.

The Committee heard that sensitive ecosystems are defined in Provincial law and identified/mapped by the Conservation Data Centre, but this mapping may be out of date. For example, in Stoney Hill there are lots of red-listed species not in mapping because of aerial mapping previously done. The UBC Professors anticipate engagement activities associated with sensitive ecosystem mapping.

The Committee asked about climate change and heard the models would require much greater levels of details to run climate change scenarios. The UBC Professors pointed out that we are moving to a climate more like the ancient climate in this region where drought-adaptive species, such as camus, are favoured. It was also noted that stewarding and fire regimes were used in past to manage forests.

The UBC Professors encouraged the Committee to stay focused on the big picture that will create a diverse and resilient ecosystem that can handle changes over time.

Multi-objective scenario analysis

Dr. Seely discussed a multi-objective scenario analysis which involves using forest-level and stand-level models to run forest management scenarios to generate output maps, graphs and tables.

The Committee heard it is important to limit the number of scenarios that are developed to a reasonable number of options to avoid confusion. It was suggested that at a minimum these scenarios should include:

1. business as usual;
2. reduced harvesting (e.g. carbon-project), and
3. no harvesting.

A few additional scenarios could be added based upon feedback from the public engagement process. After the scenarios are established, evaluation criteria and other indicators (i.e. economic, conservation, recreation, visual) can then be applied.

Dr. Welham explained the importance of focusing on the process of engagement and technical expertise rather than outcome. Adaptive management enters the equation when unforeseen circumstances enter in and climate is uncertain and not well understood. The aim is to develop a process that Council is comfortable with that helps achieve objectives for the Municipal forests in the relatively short term and try not and venture too far into the future because of the unknown events such as climate change, fire, wind events, etc. Dr. Welham also pointed out that with adaptive management, the goals and objectives should be reviewed and modified as required over time.

Developing a Carbon Project in the Municipal Forest

The Committee heard from Dr. Seely that a pilot study for developing a carbon-project includes:

- reviewing spatial inventory data;
- evaluating key components (i.e. "additionality" needed for auditing purposes to proceed; "leakage" from shift harvesting to another area with no net benefit for climate, and plot networks maintained over time);
- estimating costs and revenues, fleshing out project timelines, exploring option for funding sources and identify potential buyers (genuine business enterprise); and
- preparing the report.

Dr. Seely explained that a carbon project is a way to monetize and generate value through the protection of non-timber ecosystem services. This will need to go through a rigorous audit and is not like a Provincial project where carbon credits

are used internally. Anticipate attracting businesses interested in benefiting the community. For example, encourage conservation societies to be carbon neutral by investing in this project. Larger organizations like Shell and Coca-Cola are also involved in corporate mitigation strategies.

The Committee heard from Dr. Seely that a forest carbon project is the deliberate management of a forest land base to enhance and protect carbon stocks. This may include harvesting, usually requires a minimum 30-year commitment, offsets determined by comparing project to baseline, and must be carefully quantified and verified. A realistic baseline scenario is required to present to the auditor. The carbon project would encompass the whole landbase but activities may vary in different parts of the Municipal Forests.

The development of a full carbon project would include a fixed start-up cost estimated to be in the range of \$65,000. Other costs include annual maintenance and verification costs of around \$12,500. The example of potential net revenue provided in the presentation ranged from \$191,000 to \$357,626 compared to baseline harvesting estimate of \$200,000.

Sustainable Forest Management

The Committee heard from Dr. Griess that community-based forestry includes three elements: ecology, social, and economic.

The Social component includes where we are and where we want to be. North Cowichan is currently in transition and wanting to understand synergies. An example is synergies with Firesmart. Managing vegetation can help reduce the risk of wildfire. This can be accomplished by thinning and pruning, partial cutting, removing volatile trees such as spruce and planting fire-resistant species, and the construction of fuel breaks.

Alternative harvest patterns such as thinning and selection harvesting, patchwork harvesting, and shelterwood harvesting as opposed to clear cutting, were discussed. Examples of thinning and partial cutting were provided showing these are economically viable to meet fibre shortage demand, and still retain forest cover following the operation. There is a need for appropriate design and pattern suitable for the terrain. High value stands could be addressed by helicopter rather than roads. This is preferable from a restoration ecology perspective.

The Committee recessed for lunch at 12:00 p.m. and resumed the meeting at 12:33 p.m.

Following the lunch break, Dr. Arcese identified the goal of sufficiently defining scenarios in order to determine reasonable deliverables and proposed costs. The Committee heard there is also interest in leveraging North Cowichan's FireSmart initiatives, and leveraging external expertise and partners. For example, Environment and Climate Change Canada funds the Coastal Douglas Fir Conservation Partnership in order to further climate conservation goals in the area. This may be leveraged as well to supplement the project.

The Committee heard from the CAO that if parts of the studies need to be enhanced, this needs to be communicated to Council so a decision can be made to allocate additional funds or extend the process. At this point North Cowichan is mindful that community engagement on scenarios proceed.

Community Engagement

The Committee heard from the Manager of Communications and Engagement and Dr. Sheppard that engagement will be done in tandem with the operational review. Council direction is to issue an RFP to secure an engagement consultant to lead the process. Dr. Sheppard's proposed role is as advisor to staff through the RFP process, strategic liaison between future engagement consultant and UBC team through operational review, and he is currently working with staff to help develop engagement RFP deliverables. The Committee heard there will be a more detailed report on the engagement RFP presented to Council at the August 21st Council meeting.

When asked if the engagement would involve a statistically significant survey, Dr. Sheppard advised that it is best to allow for the contracted party to suggest options. This might include a survey, and would expect this to meet basic standards of representation, with all interested parties at the table providing their input.

When asked about determining highest and best use of forests, including factors such as clean water downstream, the Committee heard modelling can provide information on various scenarios and anticipated outcomes. Listening to what people say are the values, local and botanical knowledge, are included in weighing and arriving at a social decision of best fit.

The Committee heard next steps involve the UBC Professors developing and submitting a proposal outlining deliverables and clarifying expectations. While the data requirements are similar for projects of these types, additional work and data may be required if expectations are different.

It is clear that a base case scenario of forestry operations (i.e. status quo/business as usual) is needed. The UBC Professors acknowledged that for some people this might engender worry, but it is a simulation. Even if the decision is to go to a 100% carbon project, the base case is critically important to demonstrate additionality.

When asked if North Cowichan can take a total pause in logging in the interim, or whether we need to continue logging, the UBC Professors advised that there is enough evidence of ongoing logging activity to pause without jeopardizing the viability of a carbon project, if North Cowichan begins work immediately on the base case. The UBC Professors recognized that firesmarting is still warranted and there is a desire to potentially leverage FireSmart funding grants to help achieve Council's desired outcome.

The Committee advised there is interest in exploring a carbon project as an approach to the forest landscape and heard the UBC Professors can integrate this within a variety of scenarios and bring these scenarios to the community.

Use of Climate Action and Energy Plan (CAEP) funding, leveraging planning documents, consultation based on results of the scenarios were discussed. The Committee heard from Dr. Sheppard that there are many ways to structure scenarios, and it is important to carefully structure scenarios to get blend of what the public is concerned about and the actual possibilities geographically and biophysically.

There was interest from some members in having a carbon project integrated into some or all of the scenarios, increased ecological diversity for habitat, small patch cuts to increase diversity for biological protection, ecological services provided (water purification). When asked whether it is possible to develop scenarios to address ecological end-state, as opposed to what North Cowichan is getting out of forestry, the Committee heard this is possible, but the economic pillar is of primary interest (or fiber use before and after for a carbon project). It is possible but as a spin off project or perhaps in certain areas (e.g. by doing firesmarting close to residential areas).

The UBC Professors asked the Committee to provide input on goals, such as expansive old forests for walking and biking, protecting community from fire, overall emphasis to protect carbon and biodiversity and viewsapes, with selective high value logging. This is needed to develop principles and overall landscape of the project in order to develop the proposal. Then can gather data, think about scenarios, present to the community through an engagement process involving test patches. Can do simulations now with feedback from Council.

The Committee heard that scenarios can be complex. There is a need to review the data to come up with a range of scenarios to present. Then create a structured space for feedback as part of the process, with a final plan re-interpreting the scenarios. Now need reasonable number of scenarios, and certain range of things to be included.

Committee members identified scenarios as business as usual, reduce harvesting with a carbon project, and no harvesting. Economics, opportunities for a carbon project, impact for jobs in the community were also identified.

The Committee heard the goal is to maximize synergies and it is not possible to optimize everything given there are competing needs and values. The process is started with general direction from Council, then the question is whether we have the right values that people care about.

The Committee was generally interested in the scenarios and information as presented at the meeting, and incorporating a firesmarting program. The Municipal Forester explained that \$34,000 for firesmarting has been received from the Province to update the community wildfire protection plan in order to develop a baseline and identify potential areas recommended for treatment. The final draft is expected end of 2019.

When asked about a model with longer rotations and connecting local crafts people to the forests, the Committee heard that thinning extends rotation but does not increase overall volume. Thinning is labour intensive so there is a synergy with local employment. Dr. Griess identified a wide range of successful examples in indigenous communities that involved job creation and reduced diesel through change to biofuel. There are also synergies from a FireSmart program, which would involve removal of biomass and if displacing natural gas with renewable energies or "district energy" there may be a connection with the CAEP.

Councillor Justice identified an interest in biodiversity, carbon sequestration, fire and wind resistance, resistance to things that come with climate change, forest pests, supplying ecological services, aesthetic impacts for residents, forests management for old growth and strategic planting.

UBC Professors highlighted that even a savannah landscape as Councillor Justice identified needs some fire clearing. There are also areas that may be naturally less heterogeneous. Dr. Seely explained that forests are always changing, and it is misleading to try to get to an end-state and stay there. It is important to recognize management can guide the change but not stop it. Ground fires are now prevented, but the result is an underlayer of trees that would not otherwise be there and pioneer species may not regenerate without sufficient light.

Councillor Justice asked what could be expected if the forest was managed for biodiversity. Dr. Griess explained this requires specific knowledge of the forest to move from one stage to another and for each stand type would need to establish characteristics in line with biodiversity goals. Dr. Welham explained this is so complex that one can have the same stand types across landscapes, but connectivity is another important layer and difficult to manage. The UBC Professors emphasized this should be a process (a set of plans in place to guide decisions) rather than getting to a specific end-state.

The idea of a demonstration forest with testing of different harvest methods in different parts of the forests was briefly discussed. Also, the importance of connectivity between the forests was raised and the Committee heard mapping can predict connectivity issues and after this project the datasets can be used for different analyses for climate change and connectivity.

How best to deal with blowdown in the future

Acting Mayor Marsh asked how best to deal with blowdown in the future and heard from the UBC Professors that this is very tricky as each blowdown is different. The Committee heard that generally the idea of going in with smaller equipment is good, but challenge is danger trees. High chance of worker injury or death (need protection in form of machinery). Machinery with rubber tires to better spread weight of machinery but the machines are very expensive and difficult to get. The other end of spectrum is to leave as is and not touch it (beneficial to biodiversity), but recreational use danger and downed trees a fire hazard as these are large enough to spread fire. Trees left on the ground are great habitat for certain species, however, this can include undesired species such as bark beetle and lead to infestation. An example of no action to remove trees dying from subsequent infestation is the National Park Bavarian Forest.

The Committee heard that in cases of blowdown, it is worth educating the public about what is being done and why it is being done. It is possible to increase understanding by properly explaining the blowdown is being addressed in an ecologically acceptable manner. There is a need to include an educational piece and help people understand by seeing the sites. Take the public to the site and explain what is occurring. Also recommend having in place a protocol for communication of what is happening before it is carried out and a short term strategy for dealing with blowdown or disturbances that sets out how communication will occur.

Next Steps

Next steps include the UBC Professors working with North Cowichan Forestry to identify what data there is and what data is needed. The aim is to have a

proposal for the August 21st meeting that includes an interim period and next phase. Inventory data and FireSmart data is still needed.


Dr. Arcese explained that North Cowichan is moving into a new phase. The idea is that the public needs to see and engage on site with scenario models in the Municipal Forests. This will provide on the ground examples for better understanding and create a learning opportunity by demonstrating what the options really are to the public. This part of engagement is expected to move the whole process forward. Key pieces of the RFP will allow the public to learn (hear, see, then give feedback) through a good engagement process.

The Committee thanked the UBC Professors for the conversation and interest in North Cowichan's Municipal Forest Reserve.

4. ADJOURNMENT

The meeting was adjourned at 2:15 p.m.

Report

Date	August 21, 2019	File:
To	Council	
From	Natasha Horsman, Manager of Communications and Public Engagement	Endorsed: 
Subject	Request for Proposal and Proposed Selection Process for Engagement Consultant on Municipal Forest Reserve	

Purpose

To seek confirmation from Council on the proposed deliverables and selection process to obtain an engagement consultant to assist North Cowichan in undertaking community engagement about the future of the Municipal Forest Reserve.

Background

On April 17, 2019, Council passed the following motion:

"That Council affirm its desire to go ahead with a meaningful public engagement, both deep and broad, on the future management of our forests to determine the highest and best use of our Municipal Forest Reserve."

At Council's request, on May 15, 2019, Council received a presentation from Dr. Stephen Sheppard, a professor at UBC, about his experience seeking community input on forestry in other communities.

At Council's request, on June 17, 2019, UBC, 3GreenTree Consulting, and Coastal Douglas Fir Conservation Partnership (UBC et al.) presented to the Forest Advisory Committee (FAC) regarding a proposal to support the technical review and community engagement. The FAC recommended that a report on implications of collaborating with UBC be presented to Council.

On July 3, 2019, Council decided to support, in principle, collaboration with UBC et al. and directed staff to prepare a request for proposals (RFP) to seek an engagement consultant to undertake engagement on development of interim and long-term forest management plans.

On July 30, 2019, Council received a presentation from UBC et al. on the details of their proposed collaboration, including their role to support community engagement. Dr. Sheppard confirmed his capacity to assist, on a fee for service basis, in the following roles:

1. Advisor to staff through the engagement consultant RFP process, and
2. Strategic liaison between the engagement consultant and the UBC team through the operational review.

Discussion

This report seeks Council's support for the proposed engagement RFP deliverables, contained in **Appendix 1**, for Council's review. Dr. Sheppard has worked with staff in developing the proposed deliverables as presented. This report also seeks Council's support for the proposed consultant selection process, as follows:

Table 1: Proposed Consultant Selection Process

Next Step	Details	Timeline
1. Council endorsement of RFP deliverables at August 21 Council meeting	This is to ensure that Council supports the direction and deliverables to be required of a facilitation consultant.	August 21, 2019
2. Post RFP	RFP must be posted for 20 business days.	Post early September Close late September/ Early October
3. Issue news release announcing when RFP is posted	Purpose: to keep the community informed about the process and intentions of the RFP.	Late August
4. Evaluate RFPs	Staff and Dr. Sheppard	Early October
5. Award contract to successful consultant	2019 engagement costs to be funded through Forest Reserve Fund. 2020-2022 costs to be incorporated into 2020 budget development process.	Early September
6. Issue news release announcing successful consultant	Purpose: to keep the community informed about the process and introduce the facilitation consultant	Early September
7. Successful consultant to begin addressing RFP deliverables, beginning with discussions with UBC and developing an Engagement Plan for Council approval	Engagement Plan to be reviewed and approved by Council prior to implementation.	October (dependent on timeline proposed by successful consultant)
8. Engagement activities begin		Fall/Winter 2019 (dependent on timeline proposed by successful consultant)

Options

Option 1 (Recommended):

Endorse the RFP deliverables as outlined in Appendix 1 and the consultant selection process as described in Table 1.

Option 2:

That Council endorse the engagement RFP deliverables outlined in Appendix 1 with the following amendments:_____.

That Council endorse the engagement consultant selection process as described in Table 1 with the following amendments:_____.

Implications

Financial – Forestry engagement will require a substantial budget and it is unlikely that the \$150,000 that Council has allocated to date from the Forest Reserve Fund will be sufficient for both forestry engagement and the operational review.

Communication – Some members of the community have been asking for engagement on the future of the forest reserve for a number of months and there is some frustration about why engagement is not yet underway. In addition, community members may desire to have input into the RFP deliverables.

Personnel – The CAO and staff from the Forestry Department and Communications and Public Engagement Department will invest a significant portion of their capacity into this process.

Recommendation

That Council endorse: 1) the engagement RFP deliverables in Appendix 1; and 2) the engagement consultant selection process in Table 1, as outlined in the August 21, 2019 report by the Manager, Communication and Public Engagement.

Attachment(s): Appendix 1: Proposed Outline of Request for Proposals for Community Engagement Consultant on Municipal Forest Reserve

APPENDIX 1: Proposed Outline of Request for Proposals for Community Engagement Consultant on Municipal Forest Reserve

PROJECT TITLE

Request for Proposals: Community Engagement about Future of Municipal Forest Reserve

WHAT THIS REQUEST IS FOR

The District of North Cowichan (North Cowichan) is seeking proposals for a consultant to undertake community engagement in relation to development of interim and long-term forest management plans.

BACKGROUND

North Cowichan is one of the few communities in North America that owns and manages forest lands for the benefit of residents. The Municipal Forest Reserve (MFR) is 5,000+ ha in size and accounts for approximately 25% of the land base in North Cowichan.

Between 1946 and 2019, the Forest Reserve has been managed as a working forest, with logging of up to an annual maximum of 2% of the total forested area or an annual allowable cut of 20,000 cubic metres per year. In 1981, a Forest Advisory Committee was established to advise North Cowichan's Forestry Department, which consists of two staff, one a Registered Professional Forester. Staff and the Advisory Committee have held the mission of: *"maintaining and enhancing the valuable municipal resource for all users through sustainable forestry, ecological stewardship and sound fiscal management."*

Over the decades, revenues generated through harvesting have been reinvested back into the community, primarily into:

- Maintaining and expanding the MFR
- Fighting forest fires
- Replacing forestry department vehicles
- Scholarships and bursaries
- Offsetting relevant capital projects

In addition to being a working forest, the Forest Reserve is a significant recreational feature in the community, loved by residents and frequented by visitors from around Vancouver Island and abroad. The importance of the MFR is recognized by policy in the Official Community Plan, the Climate Action and Energy Plan, and the Parks & Trails Master Plan. Despite the importance of these forests, there has historically been little to no communication with or involvement of the general community in North Cowichan's forestry program.

In winter 2018, North Cowichan began hearing from citizens interested in the District's harvesting activities within the MFR. Since then, many members of the public have been attending Council meetings and advocating for a review of North Cowichan's forestry practices that includes public

input. Council decided to dramatically limit harvesting in 2019 to allow time to consider its approach, and in April 2019, Council passed the following motion:

"That Council affirm its desire to go ahead with a meaningful public engagement, both deep and broad, on the future management of our forests to determine the highest and best use of our Municipal Forest Reserve; and that a residents' survey be considered as part of the broader forestry engagement strategy."

In addition, Council has:

- Expanded the Forest Advisory Committee to include a broader range of expertise and interests;
- Tasked the Forest Advisory Committee to support a technical review of forestry operations;
- Agreed, in-principle, to collaborate with the University of British Columbia, Coastal Douglas Fire Conservation Partnership, and 3GreenTreeConsulting on various aspects of the technical review, to produce interim (for implementation September 1, 2020) and long-term (for implementation January 1, 2022) forest management plans;
- Endorsed hiring an engagement/facilitation consultant to undertake community engagement alongside of, and to inform, the technical review.

This RFP seeks bids from qualified applicants to work with North Cowichan and the UBC partnership group between 2019 and 2021 to:

1. Provide information to residents about the MFR and build public awareness/capacity on forest management issues,
2. Seek input from residents about their local knowledge, values, and preferences for management of the MFR to assist Council in determining the highest and best uses of the MFR,
3. Maintain regular, two-way communications and provide updates to the public during the engagement process,
4. Make recommendations about the interim and long-term forest management plans to staff, the UBC partnership group, and Council, based on public input, and
5. Provide recommendations for ongoing community engagement on the MFR.

DESIRABLE CRITERIA

Using the following desirable criteria, the evaluation team will assess each Proponent's ability to fulfil the scope of work and responsibilities identified in in this RFP. Proponents should ensure that they fully respond to all criteria in order to receive full consideration during evaluation.

Item	Desirable Criteria	Maximum Points	Minimum Required or N/A
1.	Proposed methodology	30	N/A
2.	Quality of experience, qualifications, past work	30	N/A
3.	Schedule	10	N/A
4.	Price	30	N/A
	Total Possible	100	

SCOPE OF WORK, DETAILS OF THE SUPPLY

The successful applicant will work with North Cowichan and the UBC partnership group between 2019 and 2021 to meet the following goals:

1. Provide information to residents about the MFR and build public awareness/capacity on forest management issues,
2. Seek input from residents about their local knowledge, values, and preferences for management of the MFR to assist Council in determining the highest and best uses of the MFR,
3. Maintain regular, two-way communications and provide updates to the public during the engagement process,
4. Make recommendations about the interim and long-term forest management plans to staff, the UBC partnership group, and Council, based on public input, and
5. Provide recommendations for ongoing community engagement on the MFR.

Concrete deliverables for this work are:

- An engagement plan for this work based on the International Association of Public Participation (IAP2) framework:
 - The engagement plan will describe known issues; identify key stakeholders; articulate objectives; provide a project timeline; outline engagement methods, tools and levels of engagement; and describe commitments for reporting at the conclusion of each engagement phase,¹
 - The engagement plans will support Council's two decisions: 1) an interim forest management plan, and 2) a long-term forest management plan.
 - The engagement plan will include a communication plan that effectively uses visual media to engage and inform the community over the course of the engagement period,²
 - The engagement plan should include periodic 'what we heard' summaries, ongoing liaison between the engagement and operational review (e.g. public input on draft management scenarios developed through the technical review), and allow for iterative updates to the process,
 - It is envisioned that engagement will commence with collection and verification of community values pertaining to the MFR and proceed to gather more specific input on future management options through various tools that will be developed in coordination with the UBC partnership group, including future scenario maps, feasibility assessments, financial implications, etc.

¹ Please note: Council has requested that a residents' survey be considered as part of the engagement plan. Submissions must state whether a survey is recommended, and, if one is not, must provide a rationale.

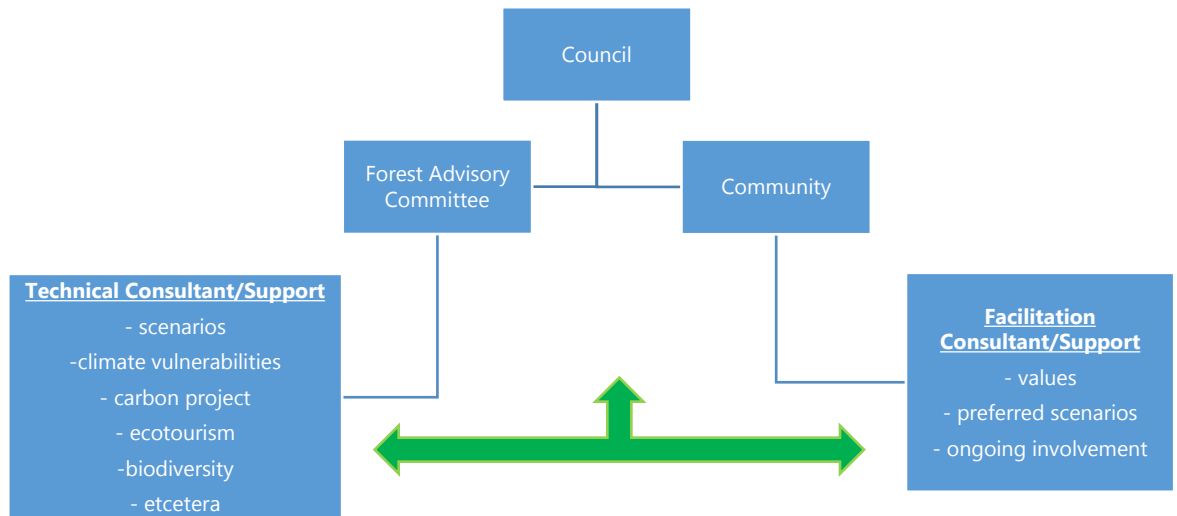
² North Cowichan uses PlaceSpeak for its online engagement. North Cowichan will work with the successful applicant to make engagement activities available, as appropriate, through PlaceSpeak via North Cowichan's existing account.

- The successful applicant will develop the engagement plan collaboratively with staff and the UBC partnership group, and
 - The engagement plan will be approved by Council.
- Implementation of the approved engagement plan and iterative updates to the process as appropriate.
- Recommendations to North Cowichan and the UBC partnership group by approximately May 5, 2020 regarding public input focused on the interim forest management plan, to be implemented September 1, 2020.
- A presentation to Council in July or August 2020 on public input on the interim forest management plan and associated recommendations.
- Recommendations to North Cowichan and the UBC partnership group by approximately August 2021 regarding public input focused on the long-term forest management plan, to be implemented January 1, 2022.
- A presentation to Council in Fall/Winter 2021 on public input on the long-term forest management plan and associated recommendations.

Additional context is provided below:

No pre-determined budget in place: A budget for this work has not been pre-determined; however, North Cowichan roughly anticipates that this work would be in the range of \$75-100,000.

Engagement and technical forestry review inherently linked: Community engagement and the forestry technical review need to be coordinated and aligned. To ensure this linkage is solid, North Cowichan has obtained the assistance of Dr. Stephen Sheppard, who will act as a liaison between North Cowichan, the engagement consultant, and the UBC team assisting with the operational review. North Cowichan and Dr. Sheppard will meet immediately with the successful applicant to begin developing the engagement plan, confirm key documents to be developed, timelines, and information flow between the engagement and technical review processes. An ongoing communication stream between the engagement team and UBC partnership group will be essential to make certain the science is clearly and accurately presented, and that public feedback is appropriately incorporated into the technical review. The simple diagram below illustrates the connectivity between the two processes.



Who should be involved? The MFR is owned by North Cowichan on behalf of its residents, and decisions about its future management may affect residents very directly, via their taxes. The MFR is also used extensively for recreation by residents of the Cowichan Valley Region, and indeed, by residents from across Vancouver Island. Responses to this RFP should acknowledge the range of interests and impacts involved.

Neutral information important part of project: Management of the MFR, whether or not to harvest, and if so, how to harvest, are complex issues, with experts contributing ideas and opinions from many perspectives. A key part of this process will be developing and promoting clear, accurate, and neutral information about the MFR that can form the foundation of constructive dialogue. As such, inclusion of a graphic designer and/or communications specialist should be considered in preparing applications.

Important to broaden conversation: A number of residents in the community have been voluntarily active and brought the forest management issue to the fore. An important part of the engagement process will be broadening the conversation to include people in the community that are not yet aware of this process and that Council has not yet heard from.

Forest management required, whether harvesting continues or not: North Cowichan acknowledges that its ownership of such a large land base requires management, whether harvesting for revenue continues or not, particularly with respect to wildfire management, recreation, and pest management. Engagement will not focus on *whether* forest management should occur, but rather, on the objectives and values that drive forest management.

Reference Information:

1. [2019-2022 Council Strategic Plan](#)
2. [February 15, 2019 Report to Council with overview of Municipal Forest Reserve](#)
3. [May 15, 2019 Presentation to Council from Dr. Stephen Sheppard](#) (see "Background Documents")
4. Webpages with background information:
 - a. [Current context](#)

- b. [Historic forestry information](#)
 - c. [Forest Advisory Committee Terms of Reference](#) (see “Advisory Committees”)
5. [July 3, 2019 Report to Council with Overview of UBC Partnership Group Proposal and Report on Hiring an Engagement Consultant](#)
6. Summary of relevant Council motions to date [to be added].

CRITERIA AND FORMAT OF PROPOSAL

Complete Appendix A: Section 6 and enclose with your Proposal.

8.1. CRITERIA #1

8.2.1. PROPOSED METHODOLOGY

This component will constitute 30% of the evaluation points.

8.2.2 PROPOSAL SUBMISSION REQUESTED

Submissions must describe the proposed methodology for meeting the deliverables and demonstrate thoughtful consideration of the context provided, referencing the IAP2 framework of engagement.

Submissions should describe what steps the applicant would take in developing an engagement plan and determining which engagement tools and activities to use, with whom.

Submissions should describe the applicants’ style and approach when working with a new community in relation to best practices for effective engagement.

8.3. CRITERIA #2

8.3.1. QUALITY OF EXPERIENCE, QUALIFICATIONS, PAST WORK

This component will constitute 30% of the evaluation points.

8.3.2. PROPOSAL SUBMISSION REQUESTED

Submissions must include basic applicant information, such as a description of the applicant, years in business, size of company, location, number and nature of professional staff to be assigned to this contract, and a brief resume for each key person listed.

Submissions must describe the applicant’s experience, methods used, and outcomes providing similar services. Submissions should provide evidence of the applicants’:

- Experience in small-medium sized communities in BC;
- Experience in forestry-related engagement;

- Ability to build constructive relationships while leading focused conversations; and
- Experience diffusing tensions to avoid confrontation.

Submissions should include a minimum of one (1) relevant engagement plan completed for another client and one (1) relevant sample report/recommendations provided to another client.

8.4. CRITERIA #3

8.4.1. SCHEDULE

This component will constitute 10% of the evaluation points.

8.4.2. PROPOSAL SUBMISSION REQUESTED

Submissions must indicate the applicant's anticipated schedule for the project, beginning as soon as possible following close of the RFP, and aligning with the timeframes provided in this document.

8.5. CRITERIA #4

8.5.1. PRICE

This component will constitute 30% of the evaluation points.

8.5.2. PROPOSAL SUBMISSION REQUESTED


Submissions must provide:

1. A total, all-inclusive price for the work,
2. A price breakdown for the two discrete components of work: engagement on the interim forest management plan AND engagement on the long-term forest management plan, and
3. A professional services pay rate for each specific professional field that may be required to successfully complete the deliverable.

The total, all-inclusive price should contain all direct and indirect costs, including all anticipated out-of-pocket expenses. If the proposal includes multiple methodology options, associated fees should be clearly defined.

Prices shall be given in Canadian Dollars with applicable taxes itemized and shown separately.

Report

Date	August 21, 2019	File:
To	Council	
From	Ernie Mansueti, General Manager Community Services	Endorsed: 
Subject	UBC proposed framework to complete the multi-objective, landscape-scale scenario analysis & forest carbon project evaluation.	

Purpose

To seek endorsement from Council on the proposed frame work to evaluate and complete the multi-objective forest management strategies and options for the North Cowichan Municipal Forest towards the development of interim and long-term sustainable forest management plans.

Background

Further to the Forest Advisory Committee’s April 8, 2019 recommendation, on April 17, 2019, Council directed staff to

1. “ Explore the opportunity of forming a collaboration between the Municipality of North Cowichan, UBC, and the Coastal Douglas Fire Conservation Partnership, as proposed by the University of British Columbia, for the purposes of developing forest management plans to achieve shared goals and report back to the Committee; and
2. Invite UBC/Conservation partnership group members to attend an upcoming Forest Advisory Committee meeting to provide a presentation and answer questions from Committee members.”

At Council’s request, on June 17, 2019, UBC, 3GreenTree Consulting, and Coastal Douglas Fir Conservation Partnership (UBC et al.) presented to the Forest Advisory Committee regarding a proposal to support the FAC’s technical review and community engagement. The proposal as presented provided a high level outline of potential options and methods to proceed with the forestry operations review and community engagement. The FAC recommended that a report on implications of collaborating with UBC be presented to Council.

On July 3, 2019, Council decided to support, in principle, collaboration with UBC et al. to develop a sustainable forest management plan for implementation on January 1, 2022 to maximize the diverse values of the municipal forest to the community that include:

- a) Community input;
- b) Council’s future goals for management of the MFR;
- c) A strategic level (long term) sustainable forest management plan;

- d) An evaluation of existing inventory data with a focus of expanding and enhancing spatial data to accommodate multi-objective analyses to aid decision making and accommodate the priorities and values of a broad range of interests;
- e) A multi-objective scenario analysis to be conducted using landscape-level planning tools. The calibrated planning tool(s) could also be made available to the Municipality of North Cowichan to facilitate additional future analyses;
- f) Feasibility of undertaking a forest carbon project within the MFR;
- g) Details on recommended harvest volumes, area managed using partial cutting approaches, assortments (log sizes and quality), harvest rotation, area of a specific desired habitat over time, area of a specific desired forest type over time, area managed for carbon, roads, and associated economies; and
- h) that a maximum of \$75,000 be sole sourced from the Forest Reserve Fund to develop this plan; and
- i) Explore the possibility of establishing spatially differentiated uses – forest land use zones – by either area or sub-area.

Also on July 3, Council supported, in principle, North Cowichan collaborating with UBC and the Coastal Douglas Fir Partnership, to develop an interim forestry management strategy for the estimated period between September 1, 2020 to December 31, 2021.

On July 30, Council hosted a workshop with UBC where Council received a presentation from the UBC partnership group on a proposed frame work on how they could contribute to the Forestry Operation Review. Council thanked the UBC collaborative for the presentation and looked forward to a formal proposal from UBC for Councils consideration.

Discussion

The proposed framework has been formulated with significant input by the UBC Partnership Group that achieves the direction Council has set-out for a full Forestry Operations review. The UBC partnership group has taken all of this information and provided a written proposal outlining a frame work and budget to complete the multi-objective, landscape-scale scenario analysis and forest carbon project evaluation that will be used for both the interim and long term sustainable forest management strategy. Please see Appendix A attached.

Should Council approve the proposal, staff will begin working with the UBC partnership group immediately to start the process as outlined within their proposal.

Options

Option 1 (recommended):

Endorse moving forward with the UBC proposal as attached in Appendix A and waive the Municipalities Procurement Policy to enable the project to be sole sourced to the UBC Partnership group.

Option 2:

Endorse moving forward with the UBC proposal as attached in Appendix A and post a Notice of Intent that the Municipality intends to enter into a sole sourcing agreement with the UBC partnership group.

Option 3:

Do not endorse moving forward with the UBC proposal as attached in Appendix A and seek further information and/or proposal refinement.

Option 4:

Do not endorse moving forward with the UBC proposal as attached in Appendix A and post a public tender through the RFP process to complete the work.

Implications

Financial- In order to sole source the work as proposed by the UBC partnership group, Council will need to waive the Municipalities Procurement policy as it is over the \$75,000 sole sourcing limit. Alternatively, staff could post a Notice of Intent that states that North Cowichan intends to enter into a sole source agreement with the UBC partnership to complete the work as outlined in Appendix A. This would require posting a Notice of Intent for 20 business days where no work could be acted on during this time frame. If a qualified person/company objected, the work would then need to be advertised as public tender through the RFP process.

Until an in-depth review of the current MNC information is done by UBC, the associated cost of further data assessments, collection and/or data refinement to complete the multi-objective, landscape-scale scenario analysis and forest carbon project evaluation is unknown. In Partnership with UBC, MNC staff will explore potential grant/funding opportunities to complete/refine current data and/or collect further data as necessary.

Personnel – The Municipal Forester and Forestry staff will be investing a significant portion of their capacity into this process with guidance/help from the CAO, GM of Community Services and the Communications department.

Forestry Advisory Committee – It will be important to keep the FAC engaged throughout the process to ensure they have the opportunity to review and provide feedback for Councils consideration.

Recommendation

That Council endorse moving forward with the UBC partnership proposal as outlined on Appendix A to the August 21, 2019 report by the General Manager of Community Services;

And That Council waive the Municipality's Procurement Policy to enable the project to be sole sourced to the UBC Partnership group.

Attachment(s): Appendix A

Proposal:

Evaluation of multi-objective forest management strategies and options for the North Cowichan Municipal Forest towards the development of interim and long-term sustainable forest management plans.

To: The Mayor and Council of the Municipality of North Cowichan

Aug. 9, 2019

Brad Seely and Clive Welham; 3GreenTree Ecosystem Services

Peter Arcese, Verena Griess, and Stephen Sheppard; University of British Columbia

Overview

The community of North Cowichan has recently decided to undertake a review of forest management practices and objectives for their community forest resources. The primary objective of the work is to develop interim and long-term management strategies for the community forest that allow them to best meet the diverse needs of the local community. The need to engage the public in the process of identifying key resource objectives and desired future forest conditions has been stated as paramount. The following proposal has been developed to address these goals.

Scope of Work & Deliverables

The proposed work has been divided into five sections as shown in Table 1. A description of each section including deliverables and timelines have been included in the section below. As shown in Table 1 the work is expected to begin September 1, 2019 and to be completed over an 18-month period ending Feb 28, 2021. Some components will be completed prior to that time.

Table 1. Description of key components of proposed work to be completed. Time lines are shown by quarters (1 Qtr = 3month period) with an assumed start date of September 1, 2019.

Description	Start time (Qtr)	Completion time (Qtr)
Evaluation and Development of spatial datasets	1	2
Support for Community Engagement Process	1	6
Interim Forest Management Strategy Development	1	3
Forest Carbon Project Feasibility Assessment	1	2
Scenario Analysis of Alternative Long-term Forest management Strategies	3	6

1. Evaluation and Development of spatial datasets

The overall success of the project will depend on the development of a reasonably accurate set of spatial data describing the forest inventory and landscape features required for assessing both the availability of timber resources and the impact of forest management activities on ecosystem services. North Cowichan already possess a considerable amount of spatial data including Vegetation Resource Inventory (VRI), 2017 LiDAR data, 2017 orthoimagery, and cutblock and silviculture maps among others; however, these must be evaluated for quality and coverage. In addition, further data layers including hydrology related data (streams and water bodies, fish habitat, water catchment boundaries), conservation related data (conservation zones, habitat attribute, and seral stages), and recreation related data (visual management zones and recreation trails) will also be further developed in collaboration with the local forester. An overlay analysis will be completed to develop a working dataset required to support the scenario analysis modelling described in Section 5.

Once an evaluation the core data layers has been completed, recommendations may be made in consultation with the local forester to suggest additional field sampling to improve and verify data quality. Any field sampling would not be included as part of this budget and would be directed and facilitated by NC staff.

Deliverables include the following:

1. Data set evaluation report including recommendations for additional field work
2. Completed spatial data set including all data layers
3. Forest cover data derived from overlay analysis

2. Support for Community Engagement Process

Forestry at its core is about managing the interaction between people and forests. Thus, the success of the project will depend on effectively engaging the community in the process of developing forest management plans. North Cowichan intends to establish a separate community engage project with an independent consultant. However, this consultant will need to have a well-developed linkage to science-based analysis conducted in this project. In addition, it will be important for the scenario analysis and interim forest management plan development work to be guided by public input with respect to resources values and expectations. As part of the project team, Dr. Stephen Sheppard will provide support to help the technical review project meet these objectives. His activities will include the following:

1. Providing support for the development of a request for proposals (RFP) to identify a suitable consultant for the independent public engagement project.
2. Acting as a liaison between the public engagement project and the technical review team for both the interim forest management component (Section 3) and the scenario analysis work (Section 5).

Specific activities, deliverables and timelines for this work are shown in Appendix 1.

3. Interim Forest Management Strategy Development

The long-term goal of this work is to develop a strategic forest management plan that will meet the needs of the diverse North Cowichan community with an implementation target date of January 1, 2022. However, North Cowichan have also recognized the need to develop an interim forest management plan to help the local forest managers meet short-term forest resource objectives while transitioning towards the long-term strategy. The interim management period identified by North Cowichan spans from January 1, 2020 to December 31, 2021. It will be important that short-term management activities are consistent with long-term objectives and that they incorporate public feedback with respect to values and the provision of ecosystem services. Some key topics to be assessed include management response to natural disturbance events, reduction of fire risk, and promotion of forest health. Towards this end the project team work closely with the local forester to develop an interim forest management plan.

The key activities and deliverables for this work include the following:

1. Review forest inventory data and tour the forest area with local forester to evaluate forest management opportunities
2. Work with community engagement liaison (Section 2) to refine management objectives
3. Identify areas where interim forest management activities may be warranted to meet objectives
4. Provide feedback with respect to different silviculture methods and options
5. Presentation of results at a local workshop
6. Prepare written report summarizing options for meeting interim management objectives.

4. Forest Carbon Project Feasibility Assessment

In the past there have been relatively few options for monetizing ecosystem services beyond the traditional extraction of timber and fiber for sale in local and international markets. More recently, opportunities have emerged for changing the management of forests from timber production focus to a focus of enhancing carbon storage in forest biomass and dead organic matter. It has been demonstrated that such management activities can be beneficial as, part of broader strategy, for

slowing the increase of the key greenhouse gas CO₂ in the atmosphere. Forest owners who deliberately change their management activities to enhance carbon storage may be eligible for the development of saleable carbon offsets. However, it must be done following a specific set of rules and regulations to demonstrate the carbon offsets are valid. North Cowichan has expressed the desire to determine if the municipal forest area would be suitable for the development of a forest carbon project. Towards this end the following work is proposed:

1. Utilize the spatial forest inventory data developed in Section 1 to estimate current forest ecosystem carbon storage.
2. Evaluate the potential to enhance forest carbon storage to generate carbon offsets through changing harvesting regimes.
3. Assess the potential forest carbon project methodologies that could be employed to develop a carbon project.
4. Assess key aspects of project feasibility including: additionality, leakage, potential project development costs, and revenues from carbon offset sales
5. Prepare a written report summarizing findings.

5. Scenario Analysis of Alternative Long-term Forest management Strategies

One of the most effective methods for developing long-term forest management plans is to conduct a scenario analysis in which alternative management options for a forest landbase are evaluated using a scientifically credible set of forest models (including stand and landscape-scale models) to project the impacts and outcomes of forest management activities over space and time. The value of this type of analysis depends upon the quality of the underlying spatial data used to drive the models (Section 1), but also the degree to which it takes into consideration the key forest management objectives and desired forest conditions identified through a public engagement process (Section 2). It is also important that model output can be directly or indirectly linked to forest resources values. This is typically done through the development of a set of specific criteria and indicators that can be employed to evaluate the long-term impact of forest management to determine if it provides the desired forest conditions. The results from the scenario analysis provide essential insight toward the development of a long-term strategic forest management plan designed to protect and enhance local forest resources. The following activities and associated deliverables are proposed to meet these objectives:

1. Development of spatial database to support model application including description of specific forest analysis units (used to represent specific stand types and silviculture systems)
2. Calibration and application of stand-level model (FORECAST) to simulate growth of different stand types (analysis units) to prepare a library of stand attribute curves for use in landscape-scale modelling
3. Calibration of the forest-level model including linkage to stand model output and spatial data
4. Development of a set of criteria and indicators to evaluate model output in the context of desired forest conditions
5. Establishment of forest management scenarios based on feedback from the public engagement process (Section 2). Up to 5 scenarios will be developed and simulated including (business as usual, no harvesting, forest carbon emphasis, and potentially 2 others based on public feedback.
6. Presentation of results at a local workshop
7. Preparation of final report.

Team

Brad Seely, PhD

Dr. Seely is a managing director of 3GreenTree Ecosystem Services. He has extensive experience in the development and application of forest models in support of the evaluation of sustainable forest management plans. In his work with 3GreenTree he has been a leader in the development of forest carbon management methodologies and has applied this expertise towards the successful development of several forest carbon projects. Dr. Seely is also a research associate in the Department of Forest Resources Management at UBC. His primary role in the project will include overseeing the development of spatial data sets, application of the stand-level model (FORECAST), facilitating the linkage between the stand and landscape-scale models, and conducting the carbon analysis underlying the assessment of the feasibility of the carbon project

Clive Welham, PhD

Dr. Welham is a managing director of 3GreenTree Ecosystem Services. He has extensive experience in multi-objective forest resource analysis. In his work at 3GreenTree he is widely recognized as a leader in the development of forest carbon projects with expertise in carbon offset markets, sales and networking. Dr. Welham is also a research associate in the Department of Forest Resources Management at UBC. His primary role in the project will include overseeing assessment of the feasibility developing a carbon project, providing support for the development of interim and long-term forest management plans, and preparation of reports and presentations.

Verena Griess, PhD

Dr. Griess is an assistant professor in the department of Forest Resources Management at UBC. She has extensive experience in forest operations, the application alternative silviculture systems, and the application of landscape-scale decision-support modelling tools. Her primary role in the project will be to oversee the development of the interim forest management plan and the application of landscape-scale modelling tools in support of the multi-objective scenario analysis.

Peter Arcese, PhD

Dr. Arcese, is a professor and Forest Renewal Conservation Biology Chair at UBC. He is a regional leader in the development and application of forest management strategies to support the maintenance of wildlife habitat and ecosystem conservation objectives. His primary role in the project will be to oversee the development of spatial data related to conservation values and objectives, and to support the development of criteria and indicators to meet those objectives and enhance synergies between forest management, economic development, and environmental values. As a consequence, he will play a lead role in the development of management scenarios as described in Section 5.

Stephen Sheppard, PhD.

Dr. Sheppard is a professor and director of the Collaborative for Advanced Landscape Planning at UBC. He has extensive experience in developing methodologies and planning tools to help facilitate the engagement of public stakeholders in the development of sustainable forest management plans. His primary role in the project will be to conduct the community engagement work described in Section 2.

Price and Schedule

The cost of the work proposed here amounts to \$110,069 including GST. The work will be conducted over an 18-month period with an estimated start date of Sep. 1, 2019. A detailed budget breakdown

including timelines is provided in Appendix 2. Note that the budget only includes travel costs for the project team (excluding Dr. Sheppard, covered under community engagement budget) to attend two workshops (see Section 3.5 and 5.6). All other travel expenses required to meet project objectives will be covered by North Cowichan.

Appendices

Appendix 1. Detailed project budget and associated activity schedule.

Assumes 18 month (6 Qtr timeline) starting Sep. 1, 2019. Note that quarters are not intended to represent tradition financial quarters but rather sequential 3-month periods

Key tasks	Personelle	Budget \$	Completion Timeline (Qtr)
1. Data set development	subtotal	\$12,000	
Review of exisiting spatial data sets	3GT	\$4,500	1
Deveopment of supporting data layers and preparation of integrated dataset	3GT, Verena, Peter	\$7,500	1 - 2
2. Community Engagement Liason	subtotal	\$16,828	
See Attached addendum (includes support for Engagement RFP development)	Stephen	\$16,828	1 - 6
3. Interim strategy development	Subtotal	\$14,500	
Detailed Inventory evaluation and consultation with Forester	Verena, 3GT to assist	\$5,000	1
Short-term management strategy development	Verena, 3GT to assist	\$6,000	1 - 3
Reporting & Presentation	Verena, 3GT to assist	\$3,500	3
Carbon Project feasibility assessment	Subtotal	\$12,000	
Modelling work & research	3GT	\$7,500	1 - 2
Report preparation	3GT	\$4,500	2
Application of modelling tools in support of a scenario analysis	subtotal	\$35,000	
Develop scenarios for inclusion in the scenario analysis underlying the technical review	3GT with team	\$5,000	3 - 4
Landscape-scale volume flow analysis and framework for multi-objective analysis under BAU and alternative scenarios	Verena, 3GT to assist	\$10,000	4 - 5
Stand-level modelling to support landscape-scale analysis	3GT, Verena to assist	\$7,500	2 - 4
Biodiversity/conservation impact of stand/landscape level scenarios and planning to optimize	Peter, 3GT to assist	\$7,500	3 - 5
Evaluation of Watershed impacts	3GT, UBC faculty to assist	\$5,000	4 - 5
Project Management and Reporting	Subtotal	\$14,500	
Facilitating periodic UBC team meetings to make sure the work progresses as planned	3GT	\$3,000	1 - 6
Local Workshops/presentations including travel (2 trips over for 4 people)	3GT + UBC team	\$6,500	3, 6
Preparing interim and final reports	3GT with team input	\$5,000	3, 6
	Sub Total	\$104,828	
	GST	\$5,241.40	
	Total	\$110,069.40	

Chemainus Health Care Auxiliary Delegation to the Council of the Municipality of North Cowichan – 21 August, 2019

Presentation outline:

- 1. Introduction: Origins and importance of the Auxiliary to the Municipality – originated 1899,**
- 2. Who the Auxiliary is -~170 members, men and women**
- 3. The key Auxiliary activities – Thrift Shop, Social network and support – Tea Service, Meals on Wheels, Student Bursaries, Student Candy Striper program, Community supporter**
- 4. The key Auxiliary contributions to the community – significant financial donations to health care, alleviating pressure on the land fill, providing much needed quality, inexpensive shopping, Employment, Student training and employment.**
- 5. Closing statements**

Vancouver Island Motorsport Circuit *Rezoning presentation*

AUGUST 2019

Overview



- The site
- The history of VIMoC
- The success of the current facility
- The proposed expansion
- A policy perspective
- Responses to community input
- Community benefits

The site



- **Parcel 1**
 - Current facilities
 - Zoned I-2 / C-8
- **Parcel 2**
 - Proposed Phase 2 expansion area
 - Zoned 1-2
- **Parcel 3**
 - Proposed natural area with trails
 - Zoned A-4

Past history

- **Drinkwater industrial area**
 - Employment lands
 - Area established in NC plans as an industrial park long ago.
 - No noise restrictions – 24/7
- **Heavy industry permitted uses in I-2**
 - Helicopter base
 - Sawmill / pulp mill / planing mill
 - Slaughterhouse
 - Works yard
 - Cannabis
 - Manufacturing (all types)
 - Recycling depot
 - Large scale lumber / other resource retail
 - Trade schools
 - Many others



Automobile uses in industrial lands



- **Motorized uses allowed in I-2**
 - Truck depot / heavy equipment sales/rental
 - Auto wrecking yard
 - Vehicle sales, repair, service, etc..
 - Others
- **Motorized uses prominent in the past**
 - Motocross course
 - Kart racing plans
 - Parcel 1 = Zoned C-8 for racetrack

The History of VIMoC



- **GAIN discussed and approved plans and uses with NC Municipality.**
- **GAIN purchased land, in part from the municipality, for vehicle and driver testing and training facility.**
- **Phase 1**
 - Designed, approved and constructed
 - 2014-2016
- **Phase 2**
 - Rezoning application - July 2017
 - Development permit application - Fall 2018

The success of the current facility



- **Over 45,000 people have attended events at VIMoC since 2016.**
 - Over 10,000 per year
- **\$1.5 Million annual contribution to local economy**
 - Spent on local businesses through buy-local policy.
- **\$157,000/yr in municipal taxes**
- **Significant local employment in construction and operations.**
- **Support for local community groups**
 - Financial and facilities

Support for the local community



Buy-local policy

- | | | |
|-------------------------------------|-------------------------|-----------------------------|
| • Elmworth Construction | • Riverside Inn | • Cowichan Auto Repair |
| • Krazy Joe's | • Maple Bay Manor | • Tire Exchange |
| • McKay's Electronics | • Duncan Taxi | • Mark's Instant Sign Shop |
| • Living Stone's Interlocking Brick | • ACE Courier | • Print Craft |
| • Island Tractor | • Tractor Trax | • Imperial Welding |
| • HUB Insurance | • All Batteries | • Duncan Paving |
| • Microtel, Ladysmith | • Duncan Iron Works | • Surespan |
| • Kiwi Cove Lodge | • Lordco | • Lion Rampant Scottish Pub |
| • Footprints Security Patrol | • Roses and More | • Duncan Meadows |
| • Super 8, Duncan | • Price's Alarm Systems | • Revy Auto Group |
| • Travelodge, Duncan | • Price's Lock and Safe | • Apex Landscaping |
| • Thunderbird Hotel | • Red Arrow Brewery | • NK Photography |
| • Ramada, Duncan | • York Street Diner | • Potentially Famous |
| • Farm Table Inn | • Buckerfields | • Chemainus Theatre |
| | • PNR Western Star | • Averill creek Winery |

Support for the local community

Community events support and sponsorships

- Duncan Choral Society
- Big Brothers Big Sisters
- Purica Foundation
- Dragon Boat Divas
- Cowichan Secondary Dry Grad
- 100 Women Who Care
- Kerry Park Islanders Bantam
- Kerry Park Islanders Novice
- Cowichan Capitals
- Shawnigan Lake School
- RCMP
- Cowichan Valley Bantam AAA
- Cowichan Lake Seniors Association
- Malahat Volunteer Fire Dept
- Chambers of Commerce:
 - Duncan
 - Cowichan Lake
 - Chemainus
 - Ladysmith
- Shine a Light on PTSD
- Cowichan Women Against Violence
- Cowichan Valley Ride for Suicide
- Duncan Cowichan Festival Society
- Lake Days
- Cowichan Therapeutic Riding Assoc
- Cowichan Valley Hospice Society
- Shimmy Mob
- Cowichan Valley Green Community
- Duncan Curling Rink
- First Responders
- Cowichan Musical Society
- Tour De Rock
- Duncan Wildcats
- Averill Creek Winery
- Tourism Cowichan
- Chemainus Theatre
- The Full Cupboard
- Duncan Rotary Club
- Queen Margaret's School
- Salvation Army
- Laketown Ranch Benevolent Society
- Cowichan Valley Lacrosse Association
- Vancouver Island Pickle Ball Championship
- BC Forest Discovery Centre
- Frances Kelsey School Junior Team
- Cowichan District Hospital Foundation
- School District 79
- Cowichan Valley Drifters
- Ride to Live
- Clements Centre for Community Living
- Vancouver Island University

The purpose of the rezoning



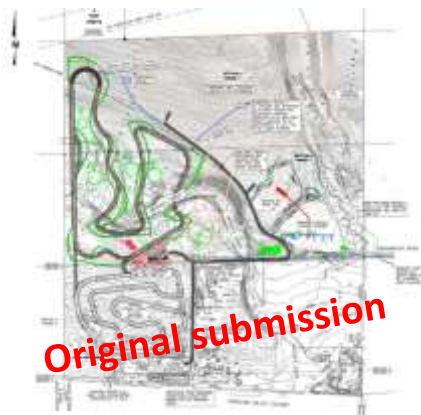
- **Current zoning supports the current uses but has split zoning .**
 - Vehicle testing / training facility and related motor vehicle uses
 - C-8 = racetrack / I-2 = many industrial uses
- **Comprehensive, unique vision and agreement for future needs to be secured**
 - Consultation results changed plan to address community concerns
- **Refining allowable uses**
 - Combine / refine allowable uses in zones
 - Current industrial zoning allows uses all parties want to prohibit

Approved consultation process (approved by municipality in early 2018)

- **Meetings**
 - Cowichan Tribes
 - Somenos Marsh Society
 - Many local organizations and businesses
 - Local govt staff and depts
 - Sahtlam neighbourhood
 - Others
- **Public open houses**
 - Two in April 2018 (400-500 attendees combined)
 - November 2018 (over 200 attendees)
- **Mail drop to every home in North Cowichan and Sahtlam**
- **Full page ads in local papers**
- **Online information**
- **Extensive email notifications**



The proposed expansion



- **Over \$36 Million investment**
 - Over 200 construction jobs
 - Nearly 30 FT jobs for operation
 - Est \$4.5 Million into local economy
 - Est \$400,000 in municipal taxes / yr
- **Expanded circuit (in the woods)**
- **Small slow-speed, off-road skills circuit**
- **Vehicle repair and storage buildings**
- **Additional experience centre**

Revised submission in response to community input



Environmental issues

- Redesigned expansion plan:
 - Smaller footprint – within industrial zoned lands only
 - Upper agricultural resourced parcel preserved
 - Bings creek untouched
 - Logging damage to Bings Creek to be repaired
 - More forest preserved
 - Reduced creek crossings – protect Menzies crk
 - Invest in bridges instead of culverts to minimize stream impact
 - Large setbacks from creeks

Revised submission

Environmental Strategies



- Protect elk habitat / land = preservation and fencing
- Reforest all possible areas after construction
- Protect streams and ensure post-development runoff matches pre-development (forest) levels.

Neighbourly challenges



Map of sound level monitoring locations

- **Residents in Electoral E had conflict with North Cowichan's Drinkwater Industrial Park sound levels.**
 - No noise bylaw applies to Industrial Park / Users
 - Measurements in Sahtlam did not exceed their bylaw
- **3 Neighbours sued both municipality and VIMoC.**
 - Extensive legal costs for VIMC and Municipality
 - Extensive negative and harmful social media
 - Campaign of noise complaints to NC
- **Courts threw out law suit**
 - VIMC did not pursue recovery of costs or damages
- **VIMoC has now made many changes to operations and plans to accommodate Electoral Area E resident's concerns**

Responses to community input on sound levels

- **Current VIMoC policy**
 - Established internal policies on vehicles allowed and sound levels
 - Deploy rapid sound level response team in neighbourhood
 - Rapid response sound measurements repeatedly showed sound does not exceed CVRD bylaw of 60 dBA.
 - Complaints to VIMoC have stopped



Sound mitigation structures proposed

- **Proposed in new zoning bylaw**
 - **Secured hours of operation**
 - Day time only and limits on some days (holidays)
 - **Enact sound level limit**
 - 59 dB LA_{20 15min max} in adjacent neighbourhoods
 - **Live monitoring in multiple locations**
 - **Strong penalties (\$5,000/breach of sound limit)**
 - **Significant new sound mitigation in Phase 1 and 2**
 - Walls, fences, berms

Meeting North Cowichan's goals and policies



- **Preserves rural character**
 - Within currently zoned lands in UCB
 - Significant preservation and reforestation
- **Environmentally sensitive plan**
 - Habitat preservation
 - Ground water preservation
 - Forest preservation and reforestation
 - Climate action plan underway
- **Supports new generation of clean vehicles and industry**
 - New low emission vehicle launches now in the Valley
- **Encourages employment, economic and tourism opportunities**

Meeting North Cowichan's goals and policies



- **Expands industrial opportunities**
 - With environmentally sensitive site plans
- **Supports trail expansion**
- **Supports municipal infrastructure expansion**
- **Many others**

Community benefits from rezoning

- **New controls on sound**
 - Hours of operation, regulations and design
- **New trails in upper forested area – to Mt Prevost**
- **Gifting land along Bings Creek to municipality**
- **Gifting land for municipal reservoir**
- **Support for municipal reservoir and servicing infrastructure**
- **Drinkwater road and Highway upgrades support**
- **Significant economic opportunity and investment in local businesses**




Conclusion



- **Rezoning supports clarity and opportunity**
- **Issues from Phase 1 have been resolved in Phase 2**
- **VIMoC is a success and wants to expand and invest more in the community**
- **VIMoC's plan meets North Cowichan policies**
 - OCP, environment, industry, economic development, many others
- **Significant community benefits are offered**

Report

Date	August 21, 2019	File: ZB000064
To	Council	
From	Rob Conway, Director of Planning	Endorsed: 
Subject	Zoning Amendment Application No. ZB000064 (VIMC)	

Purpose

To provide Council with information, analysis and a recommendation regarding an application to rezone three properties at Cowichan Valley Highway and Drinkwater Road to a new comprehensive development zone.

Background

Vancouver Island Motorsport Circuit (VIMC) operates a motor vehicle testing and driver training facility consisting of a paved motor vehicle circuit and clubhouse at 4063 Cowichan Valley Highway. The property on which the facility is located is "split zoned" with a portion of the site zoned Industrial Heavy (I2) and a portion zoned Commercial Recreational (C8). Development and building permits were issued for the facility in 2014/2015 and construction of the facility was substantially completed in 2016.

The owner of the VIMC has purchased land north of the 4063 Cowichan Valley Highway site with the intention of building a second motor vehicle circuit and associated works ("Phase 2") and has applied for a zoning amendment and a development permit to facilitate the expansion.

The I2 zoning that applies to much of the existing facility had previously been interpreted as allowing a motor vehicle circuit and clubhouse as a permitted use such that the existing facility was approved as compliant with Zoning Bylaw No. 2950. However, as the I2 zone does not explicitly permit "motor vehicle circuit facility" or a similar-type use, the applicant wishes to confirm conclusively that a motor vehicle circuit and related uses are permitted on the subject lands. The zoning application is intended to expressly define the uses that can occur on the subject lands and to establish zoning for the lands that is expressly aligned with the current and intended use of the subject lands as a motor vehicle circuit facility and related uses.

The rezoning application that is the subject of this report was originally submitted in July, 2017. After conducting public open houses in the spring and fall of 2018, the applicant amended the Phase 2 development plan and rezoning application to address issues and concerns identified by the public during the community consultation process. One noteworthy feature of the amendments made by the applicant is to the design of the proposed motor vehicle circuit. The applicant has changed the design of the four proposed crossings of Menzies Creek from crossings based on the installation of culverts in the creek to crossings based on pre-constructed bridge spans that will be placed over top of the creek. This approach is expected to have less impact on the creek and riparian zone adjacent to it, and will require less alteration to the landscape.

This report is primarily intended to provide a summary and analysis of the rezoning application as it currently stands, and provide options and recommendations for Council’s consideration.

Discussion

Site Context:

The company that operates the VIMC facility owns five parcels of land (Table 1) located approximately north of the Cowichan Valley Highway and west of Drinkwater Road (See Attachment 1).

Table 1

Property Identification Number	Property Size	Zoning
023-918-217	8.6 ha. (21.25 ac.)	A4
009-751-327	43.04 ha. (106.36 ac.)	A4
009-751-297 (Section 4)	42.47 ha. (104.93 ac.)	I2
029-201-675 (Parcel A)	18.74 ha. (46.30 ac.)	I2 & C8
014-104-067 (Lot 3)	1.04 ha. (2.58 ac.)	I2

The proposed zoning amendment only applies to the three southerly parcels that are zoned I2 and C8 (See Attachment 2). The application does not propose any zoning change to the two northerly parcels that are zoned A4. The lands that are proposed for rezoning (PIDs 009-751-297, 029-201-675 and 014-104-067) are collectively referred to in this report as the “subject lands”.

The subject lands are on the lower slope of Mount Prevost, on the Municipality of North Cowichan’s western boundary, abutting land that is within Electoral E of the Cowichan Valley Regional District. They are comprised of (1) an 18.74 ha. parcel where the existing motor vehicle circuit and clubhouse are situated, (2) a 1.03 hectare parcel between the Cowichan Valley Highway and the existing facility that is primarily used for storm water management, a water storage pond and a highway buffer, and (3) a vacant 42.47 ha. parcel north of the existing facility where the Phase 2 expansion is proposed.

Land uses in the vicinity of the subject lands include:

- Heavy industrial uses to the east and south, including a waste transfer station, soil and landscape material processing, concrete and asphalt batch plants, sawmilling, storage yards, aggregate mining and processing as well as other light and heavy industrial uses;
- Forestry and resource uses to the north and west;
- Agricultural uses (vineyards) to the north-east; and
- Rural residential uses to the south and south-west, including the Mina Drive neighbourhood and the community of Sahtlam.

Proposed Development:

The rezoning application proposes an amendment to Zoning Bylaw 2950 that, if adopted, would change the zoning designation on the subject lands from I2 and C8 to a new comprehensive development zone (CD21). The zoning amendment itself does not authorize development on the subject lands, and development and building permits would be required before development on the lands can proceed. Although the zoning amendment that is requested in the application primarily requests a change to the list of uses permitted on the subject lands, the applicant has provided a detailed design of the Phase 2 expansion plans and a number of reports and technical documents in support of the application. Materials provided by the applicant include engineering designs of the motor vehicle circuit expansion, a sound impact assessment, a geotechnical assessment, land use servicing reports, an environmental impact assessment, a fire interface plan and a traffic impact assessment.

A list of application support documents is provided in Attachment 3, with the documents available on the Municipality of North Cowichan's website at:

<https://www.northcowichan.ca/EN/main/community/current-topics/vancouver-island-motorsport-circuit/vimc-related-records.html>

The Phase 2 expansion is expected to include a new 5.0 km paved motor vehicle circuit, an off-road motor vehicle circuit, a new clubhouse structure, and buildings for maintaining, repairing and storing motor vehicles. A plan showing the proposed development and existing facility is provided in Attachment 4. Descriptions of the Phase 2 design and development approach are provided in the support documents and the reader is directed to those documents for a detailed description of the proposed expansion.

Community Amenities and Applicant's Commitments:

The applicant has provided a letter (Attachment 5) that outlines a number of commitments associated with the rezoning application that are intended to respond to community concerns about noise and potential environmental impacts and other issues identified in the applicant's community consultation process. The commitment letter also identifies community amenities offered in association with the rezoning application. Among the commitments are:

- Restrictions on the hours of operation;
- Restrictions on operating on statutory holidays;
- Restrictions on maximum permitted sound output;
- The installation and maintenance of sound monitoring stations;
- A procedure for enforcing violations of the maximum permitted sound thresholds should they be exceeded;
- The transfer of land to the Municipality for a water storage reservoir;
- Funding for the construction of a water storage the reservoir, with an ability to partially recoup from future users;
- A lease over the A4 zoned lands (north of subject lands) for a hiking trail;
- The offer of the use of the facility (on commercially reasonable terms) to the Vancouver Island Karting Association for up to 6 events per year;
- The transfer of lands adjacent to Bings Creek to the Municipality;

- The transfer of \$600,000 to the Municipality for environmental and habitat enhancement and for construction of a trail up Mount Prevost;
- Improvements to Drinkwater Road

The applicant's commitment with respect to limiting noise associated with the motorsport circuit facility is based on the Cowichan Valley Regional District's Noise Control Bylaw No. 3723. Bylaw No. 3723 specifies a maximum standard for "continuous sound" of 60 decibels, measured at the point of reception. The Bylaw defines "continuous noise" to be any noise other than construction noise that continues for a period or periods of totalling 3 minutes or more in any 15 minute period. The applicant is proposing a comparable standard (with some exceptions) with a maximum standard of 59 decibels (59 dB LA_{20, 15min}).

Details regarding the applicant's commitments are set-out in the applicant's commitment letter and the reader should refer to that document regarding the specific commitments.

Should the application advance, the applicant's commitments, including the commitment for bridge crossings, will be secured by a covenant prior to consideration of bylaw adoption.

Policy Context – Official Community Plan:

The Official Community Plan (Bylaw No. 3450) includes the subject lands within the "South End Industrial" designation. The OCP does not contain specific policies regarding this designation, but Section 2.4.6 of the OCP includes a number of policies applicable to industrial designations through-out the Plan area. Policies considered relevant to the subject application include:

- 2.4.6.1 *The Municipality will promote a healthy industrial sector.***
(d) *The Municipality will encourage and attract new and emerging forms of industrial enterprise to the community.*
- 2.4.6.3 *Ensure availability of industrially zoned land.***
(a) *The Municipality will encourage the infill and maximum use of existing industrial land ...*
- 2.4.6.4 *The Municipality supports sensitive integration of industry into the community.***
b) *Industrially zoned lands are designated as a Development Permit Area to maintain orderly and attractive industrial development and to reduce conflict with adjacent land uses.*

Economic Development objectives and polices are outlined in Section 2.4 of the OCP. This section of the Plan acknowledges that the local economy continues to shift away from resource-based industry to new and emerging sectors. The Plan promotes supporting and sustaining existing job opportunities but also actively seeking new opportunities. It also recognizes that lifestyle and access to the natural environment are economic assets for the region and that economic development opportunities need to be balanced with sustainable development practices. This is clearly articulated in the stated objective of, “Establishing a welcoming atmosphere for economic development in North Cowichan while maintaining a high quality of life and high environmental quality” (s. 2.4.1).

Economic development polices considered relevant to the rezoning application include:

2.4.1.1 *The Municipality will exercise leadership for economic development in North Cowichan.*

- a) *Based on North Cowichan’s many assets, including quality of life, the Municipality will pursue strategic business attraction and development opportunities to diversify the local economy.***
- b) *The Municipality will ensure that local permitting is transparent and timely, with a solution-based, customer driven philosophy.***

2.4.1.3 *The Municipality will link economic development with Community Planning.*

- c) *The Municipality commits to developing clear and predictable land use policies that will result in consistent decision-making and improved certainty of investors.***
- j) *The Municipality will make land available for commercial and industrial purposes in a manner consistent with good planning practices and with the goals of the OCP.***

2.4.1.4 *The Municipality will balance economic growth with other community priorities.*

- a) *The Municipality will communicate openly with prospective investors and the community about how economic development initiatives are balanced with other Community priorities.***

Policy Context – Zoning Bylaw:

A zoning map referencing the subject lands is provided in Attachment 6.

The Commercial Rural Recreation Zone (C8) that applies to 6.07 ha. of the subject lands permits the following uses:

Accessory Dwelling Unit; Amusement Park; Archery Range; Drive-in Theatre; Microlite Aircraft and Glider Landing Strips; Mobile Food Service; Racetrack; Recreational Facility; Shooting Range.

The Industrial Heavy Zone (I2) applies to the remaining 56.18 ha. of the subject lands. It permits the following uses:

Accessory Office; Accessory Dwelling Unit; Accessory Restaurant; Autobody Repair; Dry-cleaning Plant or Laundry; Cannabis Production Facility; Commercial Cardlock Facility; Custom Workshop; Fitness Centre/Gymnasium; Food and Beverage Processing; Fueling Installations; Laboratory; Industrial Use; Machine Shop; Mini-Warehousing; Mobile Food Service; Motor Vehicle Repair; Motor Vehicle Sales and Repair; Recycling Depot; Repair Shop; Resource Use; Retail Lumber and Building Supply Yard; Retail of Motor Vehicle Parts and Accessories; Service Industry; Sign Shop; Temporary Trailer; Tools and Equipment Sales Rentals and Services; Trade School, Truck Depot; Truck Trailer and Heavy Equipment Sales, Rentals and Services; Veterinary Clinic; Warehouse; Wholesale; Automobile Wrecking and Salvage Yard; Bulk Storage of Flammable and Combustible Liquids; Boat Terminals and Dock; Helicopter Landing Pad; Municipal/Regional Government Office; Pier, Wharf and Related Facility; Private Airplane Landing Strip; Railway Yard; Recycling Industrial Use; Sawmill, Pulpmill and Planing Mill, Slaughterhouse, Works Yard.

Copies of the C8 and I2 zones are provided in Attachment 7.

Draft Zoning Amendment Bylaw No. 3761:

Zoning Amendment Bylaw No. 3761 (Attachment 8) has been drafted with the intention of capturing what has been requested in the rezoning application. If adopted, the amendment bylaw would create a new "CD21" zone that is specific to the subject lands. Uses presently permitted on the lands by the C8 and I2 zones would be replaced by a new list of CD21 permitted uses:

Accessory Building; Accessory Fueling Installation; Accessory Restaurant; Accessory Use; Assembly Hall; Fitness Centre/Gymnasium; Go-Kart Use; Motion Picture and Television Filming; Motor Vehicle Autobody Repair, Motor Vehicle Parts and Accessories Sales; Motor Vehicle Presentation Centre; Motor Vehicle Repairs; Motor Vehicle Sales; Motor Vehicle Storage Yard; Motor Vehicle Testing and Training Facility; Recreation Area; Warehouse.

The list of CD21 permitted uses does not include a number of uses previously permitted on the subject lands (e.g., Racetrack, Shooting Range, Helicopter Landing Pad, Private Airplane Landing Strip and Sawmill, Pulpmill and Planing Mill).

As some of the uses proposed for the CD21 Zone are new uses that are not defined in Zoning Bylaw 2950, Zoning Amendment Bylaw No. 3761 will also add the following definitions:

"motor vehicle and driver training facility" means the use of land for a motorsport circuit and off-road circuit that hosts a variety of motor vehicle driving programs in different configurations with different groups, including but not limited to (a) motor vehicles driving the circuit to achieve and improve lap times; (b) motor vehicles practicing emergency braking, lane changes, cornering and other procedures including some at high speed; (c) multiple motor vehicles using the facility simultaneously including during club or manufacturers activities to achieve and improve their driving skills; (d) facilities and repair areas to change settings of motor vehicles, change tires, conduct minor maintenance and repairs, and set up motor vehicles ; (e) club with restaurant, office, retail store, the sale of food and beverages, change rooms and ancillary amenities; (f) parking, off-street parking, covered parking, maintenance, warehouse and storage facilities.

"motor vehicle presentation centre" means the use of a building or structure or land for the display, storage and sale of motor vehicles, motor vehicle parts, accessories and merchandise, including ancillary offices and facilities.

"motion picture and television filming" means the filming and production of motion pictures or television shows or series.

"go-kart use" means the use of buildings, structures, or land for the maintenance, repair, operation and racing of go-karts.

Development regulation in the CD21 zone are comparable to what currently exist in the I2 zone. A comparison of the regulations is summarized in Table 2.

Table 2

Zoning Regulation:	I2 Zone	C8 Zone	Proposed CD21 Zone
Minimum Lot Size	1.6 ha.	4.0 ha.	2.5 ha.
Minimum Frontage	90 m.	150 m.	30 m.
Maximum Lot Coverage	50%	30%	50%
Minimum Setbacks	8.0 m. front/0 m. side and rear/ 46 m. when abutting another zone/18 m from arterial Highway	30 m. front, side and rear	6 m. front, 3 m. side, 6 m. rear./ 18 metre from Arterial Highway
Maximum Permitted Height	None identified 1.04 ha. (2.58 ac.)	12.0 m.	15.0 m.
Max. Floor Space Ratio	None identified	None identified	0.5:1

Planning Department Comments:

Land Use Considerations:

Much of the subject lands are presently zoned Industrial Heavy (I2). The I2 zone is where the Municipality has generally permitted commercial and industrial uses that generate or have the potential to generate excessive noise, odour or other nuisance that are unsightly or otherwise objectionable to nearby non-commercial/industrial uses. Examples of such uses in the I2 zone are mills for primary wood processing, slaughterhouses and auto wrecking yards. By clustering such uses together in a zoning district, the overall impact of nuisance generating activities can be better contained and managed, and the community will have a better understanding where such activities can be expected.

The I2 zone accommodates traditional industrial activities such as the manufacture of goods, warehousing, distribution and raw material processing. It also permits uses that are more commercial or service-oriented such as fitness centres, veterinary clinics and government offices. Transportation uses that are potentially disruptive are also included in the I2 zone (Helicopter landing pad, private airplane landing strip, railway yard).

“Motor vehicle and driver training facility” and other principal and accessory uses proposed in the CD21 zone are not inconsistent with an industrial designation. As such a facility will inevitably emit noise and impose some level of impact on surrounding properties, industrially designated lands would seem an appropriate location for activities of this nature.

Noise impacts from the existing VIMC facility have been an ongoing issue for some residents of North Cowichan and the Regional District. This rezoning application provided an opportunity and process for noise mitigation measures to be publicly discussed. In support of the rezoning application the applicant has committed to a number of measures that are intended to reduce the impact that noise from the facility is having on residents in the area. The measures include sound attenuation structures, a systematic sound monitoring program, establishment of maximum permitted offsite sound levels, and restrictions on hours and days of operation. While the noise concerns are unlikely to be fully resolved through the zoning amendment process, the applicant’s commitments would establish an enforceable baseline standard for noise levels and would provide the public with greater certainty over the level of noise to be expected, and some recourse should that agreed-upon standard be exceeded. The baseline standard for acceptable noise levels is consistent with levels permitted by the Cowichan Valley Regional District under its noise regulation bylaw applicable in the Sahtlam area.

Compliance with OCP Policy:

Protecting the industrial land base and optimizing its use is a stated objective of the OCP (2.4.6.3). Industrial activities often require large parcels to conduct operations and the amount of employment and economic activity resulting from any particular industrial business can vary considerably. The subject lands and adjacent industrially designated lands have been zoned for industrial use for decades, but much of it has remained vacant or has been used for low level industrial uses. The current and proposed VIMC facilities involve substantial capital investments in site and infrastructure improvements and are expected to generate ongoing direct and indirect economic benefits for the local economy in the form of jobs and spending associated with the operation of the facility. It should also be noted that VIMC’s commitment to provide land and funding for a new water supply reservoir is expected to promote the more intensive use of industrially zoned lands in the area as it will become easier for property owners to comply with building code requirements for fire protection and eliminate the need for land intensive on-site water storage.

A pervasive theme throughout the economic development and industrial land use sections of the OCP is the desire to balance economic development opportunities with protection of the natural environment while maintaining the quality of life that residents of North Cowichan and the region so highly value. It is apparent from the extensive site assessment and design work undertaken for Phase 2 and the commitments made to address issues that the proponent has gone to considerable effort and expense to identify and address community concerns in the application and balance competing OCP objectives and policy.

Communications and Engagement:

On November 1 2017, Council passed a resolution directing staff to refer the subject rezoning application and OCP amendment application (since withdrawn) to the City of Duncan, the Cowichan Valley Regional District, Cowichan Tribes, School District 79, the Sahtlam Neighbourhood Association and the Environmental Advisory Committee. The application referral has not yet been sent, largely because the application was amended significantly and only recently has there been enough certainty about the application that it can be accurately described to the referral agencies. Now that there is a specific bylaw to comment on, staff propose that the application referral proceed but that Council reconsider the list of referral agencies. As a referral to the School District is no longer required because the OCP amendment application has been withdrawn, it is recommended that the application and draft bylaw be referred to the City of Duncan, the CVRD, Cowichan Tribes, and the Sahtlam Neighbourhood Association in accordance with standard practice. It is further recommended that a 30 day referral response time be given, which is the standard referral response timeframe given for rezoning applications.

Should Council grant first and second reading to Zoning Amendment Bylaw No. 3761, a public hearing would be scheduled to allow the public an opportunity to provide input on the proposed Zoning Bylaw amendment. Prior to the hearing, adjacent owners and occupiers of land would be notified and notice would be published in the local newspaper, as required by the *Local Government Act*.

Conclusion and Recommendation:

Staff consider the rezoning application and proposed zoning amendment bylaw to be generally compliant with applicable Municipal policy and are supportive of the proposed zoning amendment and associated covenant for that reason.

The extent of the assessment, planning and design work for Phase 2 well exceeds what is typical for a land use application demonstrates sincere efforts to address issues and concerns raised during the course of the application review while still achieving the intended use of the lands and to balance community values with economic interests. In order to determine if community values have been adequately addressed, it is necessary to hear from the community and now that the detailed information regarding the proposed Phase 2 expansion is now compiled and the proposed zoning amendment bylaw and commitments from the applicant are documented and available for review, the application has progressed to the stage in the application process where it can be presented to the public at a public hearing. Staff's recommendation is to approve first and second reading of Zoning Amendment Bylaw No. 3761, refer the application and zoning amendment bylaw to select agencies and organizations, and that a public hearing be scheduled.

OptionsOption 1 (Staff Recommendation):

1. That Council approve first and second reading of Zoning Amendment Bylaw No. 3761 to rezone three properties at Cowichan Valley Highway and Drinkwater Road (PIDs 009-751-297, 029-201-675 & 014, 104-067) from I2 and C8 to a new CD21 zone;

2. That referrals be sent to the City of Duncan, the Cowichan Valley Regional District, Cowichan Tribes and the Sahtlam Neighbourhood Association and referral agencies be given a minimum of 30 calendar days to provide a response before a public hearing is held;
3. That a Public Hearing be scheduled for Zoning Amendment Bylaw No. 3761 and notification issued in accordance with the requirements of the *Local Government Act*.

Option 2 (Alternate Recommendation):

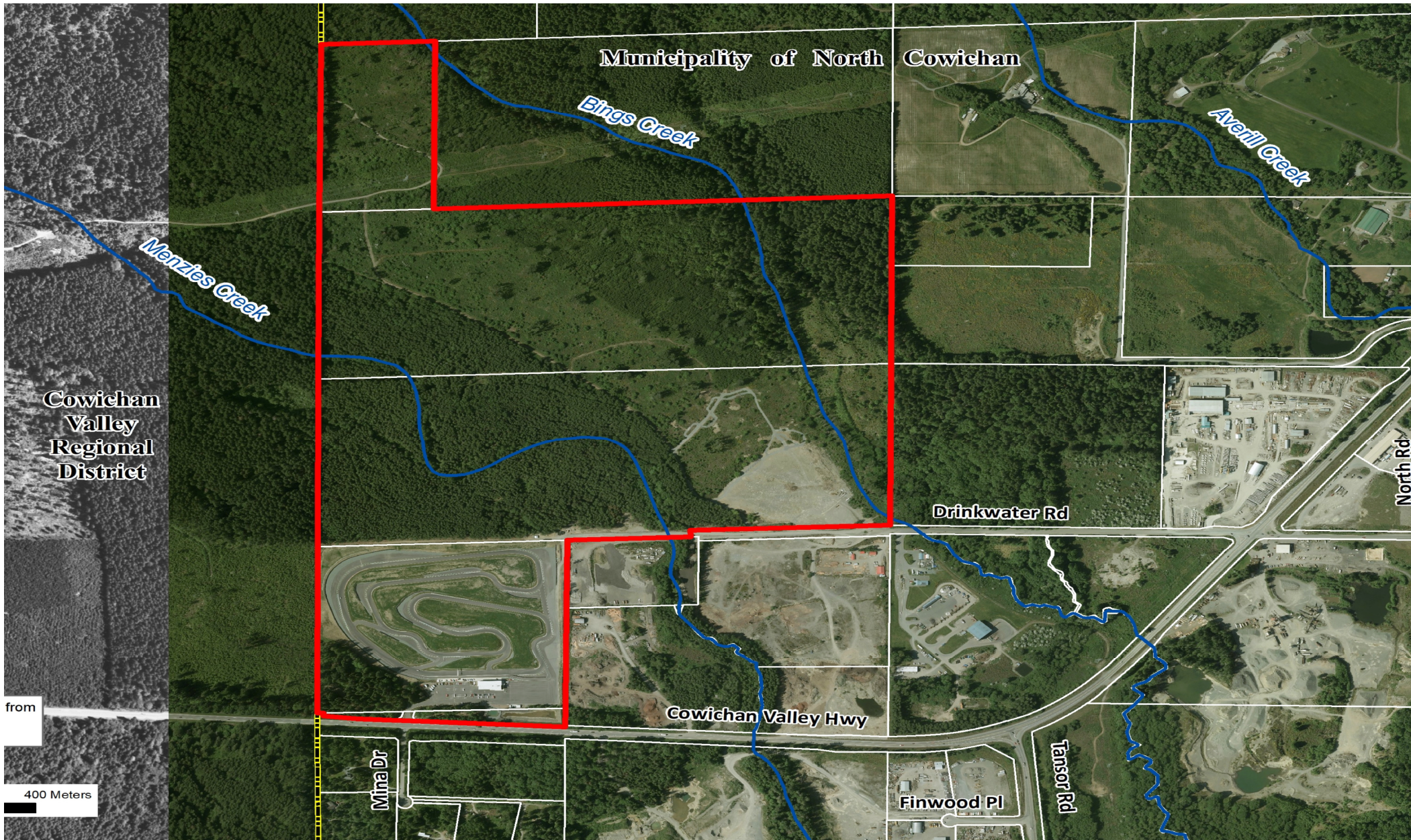
That Council deny Zoning Amendment Application ZB000064 to rezone three properties at Cowichan Valley Highway and Drinkwater Road (PIDs 009-751-297, 029-201-675 & 014, 104-067) from I2 and C8 to a new CD21 zone.

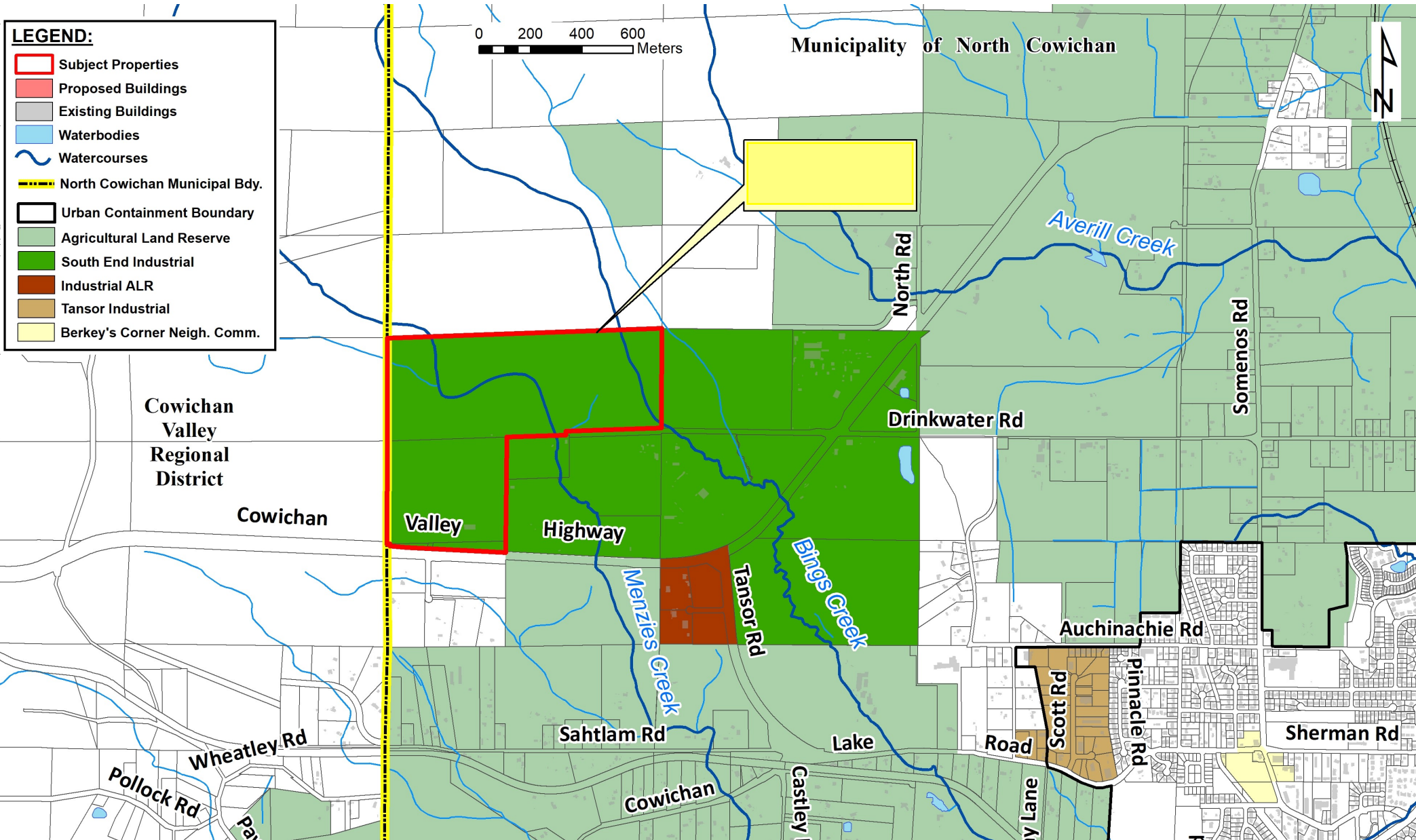
Recommendation

- 1. That Council approve first and second reading of Zoning Amendment Bylaw No. 3761 to rezone three properties at Cowichan Valley Highway and Drinkwater Road (PIDs 009-751-297, 029-201-675 & 014, 104-067) from I2 and C8 to a new CD21 zone;**
- 2. That referrals be sent to the City of Duncan, the Cowichan Valley Regional District, Cowichan Tribes and the Sahtlam Neighbourhood Association and referral agencies be given a minimum of 30 calendar days to provide a response before a public hearing is held; and**
- 3. That a Public Hearing be scheduled for Zoning Amendment Bylaw No. 3761 and notification issued in accordance with the requirements of the *Local Government Act*.**

Attachments:

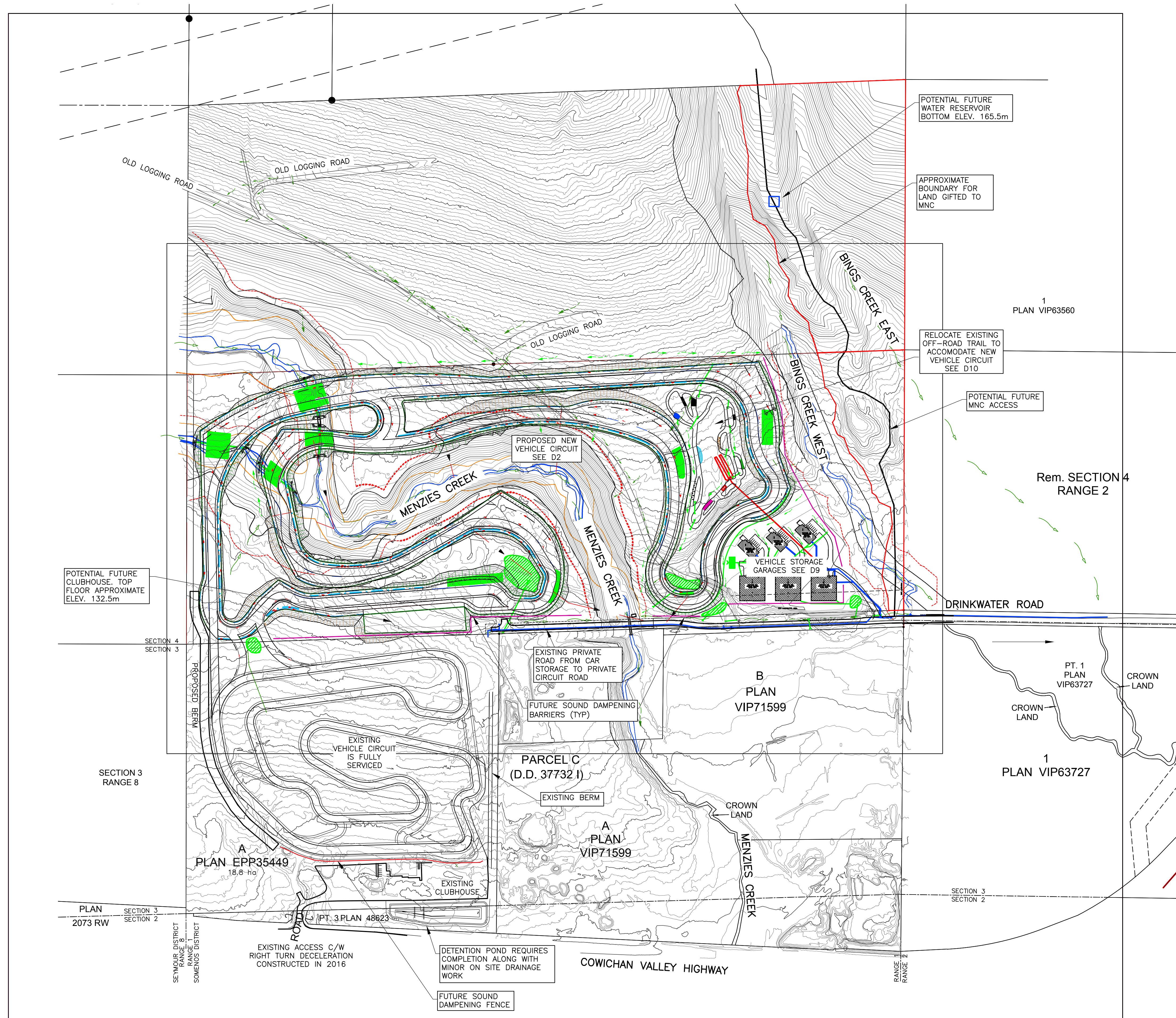
1. Map of VIMC Lands
2. Map of VIMC Lands Proposed for Rezoning
3. List of Application Support Documents
4. Phase 2 Development Plan
5. Applicant's Commitment Letter
6. Zoning Map
7. C8 and I2 Zone
8. Draft Zoning Amendment Bylaw No. 3761





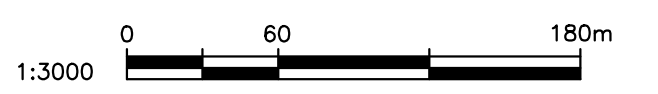
VIMC Rezoning Application (ZB000064) – Application Support Documents

	Document	Prepared By:	Date
1.	Rezoning Application and Community Consultation Report	Applicant	January, 2019
2.	Letter withdrawing OCP Amendment Application	Applicant	April 3, 2019
3.	Civil Design of VIMC Phase 2	Tilke GmbH & Co. KG Engineers and Architects	October 2, 2018
4.	Revised Sound Impact Assessment	BeSB GMBH Acoustical Consulting	October 2, 2018
5.	Letter re: Measuring Noise Impact in Neighbourhood	BeSB GMBH Acoustical Consulting	October 2, 2018
6.	Potential Noise Mitigation Measures	RWDI	September 24, 2018
7.	Geotechnical Assessment Letter	Ryzuk Geotechnical	September 21, 2018
8.	VIMC Phase 2 Design Drawing	J.E. Anderson and Associates	June 13, 2018
9.	Storm Water and Rain Water Management Report	J.E. Anderson and Associates	June 13, 2019
10.	Sewage Disposal Assurance Letter	J.E. Anderson and Associates	June 14, 2019
11.	Building Servicing Report	J.E. Anderson and Associates	June 14, 2019
12.	Environmental Impact Assessment Report	Aquaparian Environmental Consulting	Revised June 18, 2019
13.	Traffic Impact Assessment	Watt Consulting Group	June 20, 2019
14.	VIMC Environmental Initiatives Summary	Applicant	May 9, 2019
15.	Third Party Review of Environmental Impact Assessment	Golder Associates Ltd.	April 26, 2019
16.	Response to Third Party Review of Environmental Impact Assessment	Aquaparian Environmental Consulting	May 27, 2019
17.	Fire Interface Plan	Econ Consulting	June 18, 2019
18.	Summary of Applicant's Commitments	Applicant	August 6, 2019
19.	VIMC Responses to Community Values and Concerns	Applicant	July, 2019
20.	Summary Application Changes	Applicant	No Date
21.	Summary of Economic Benefits	Applicant	No Date
22.	Summary of Support to Local Businesses and Organizations	Applicant	No Date



This information has been provided subject to the federal Copyright Act and in accordance with the provincial Freedom of Information and Protection of Privacy Act.

DRAWING LIST	
DRAWING NUMBER	DRAWING NAME
D1	LARGE SCALE SITE PLAN
D2	CIRCUIT DRAINAGE SITE PLAN
D3	SITE CLEARING PLAN
D4	RE-VEGETATION PLAN
D5	SOUTH MENZIES CREEK CROSSING - PLAN AND SECTIONS
D6	SOUTH MENZIES CREEK CROSSING - CULVERT PROFILE AND CALCULATIONS
D7	NORTH MENZIES CREEK CROSSING - PLAN AND SECTIONS
D8	NORTH MENZIES CREEK CROSSING - CULVERT PROFILE AND CALCULATIONS
D9	CAR STORAGE AREA SERVICING PLAN
D10	OFF-ROAD TRAIL SERVICING PLAN



Attachment 4 - Phase 2 Development Plan - ZB000064

LEGAL DESCRIPTION		
PROJECT DATUM	ELEVATIONS ARE GEODETIC AND TO NAD83	
NO.	REVISION DESCRIPTION	DATE
2	ISSUED FOR DP	SEPT 21/18
1	ISSUED FOR COORDINATION	JUL 6/18
	CHECK	APPR.

LEGEND		
LAMP STANDARD	○ LS	● LS
POLE (Hydro, Tel.)	○ PP	● PP
U/G WIRING	— UGH	—
GAS	— GAS	—
WATER	— W	—
SEWER	— S	—
DRAIN	— D	—
CLEANOUT	○	○
CATCHBASIN	□	□
MANHOLE	○	●
SERVICE RISER	○	●
MOUNTABLE CURB	— MC	—
NON-MOUNT. CURB	— NMC	—
EDGE ASPHALT	—	—
DITCH	—	—
METER	⊕	⊕
FLUSH VALVE	⊕	⊕
VALVE	⊕	⊕
REDUCER	▷	▷
HYDRANT	⊕	⊕
AIR VALVE	⊕	⊕

JEA J.E. ANDERSON & ASSOCIATES SURVEYORS -- ENGINEERS
 1A - 3411 SHENTON ROAD, NANAIMO, B.C. V9T 2H1
 TEL: 250 - 758 - 4631 FAX: 250 - 758 - 4660
 E-MAIL : nanaimo@jeanderson.com

JURISDICTION	MUNICIPALITY OF NORTH COWICHAN
FULL SIZE	1:3000 HORZ.
SCALE:	N/A VERT.
DESIGN:	JB
DRAWN:	KG

CLIENT	1909988 ONTARIO LTD.
PROJECT	VIMC PHASE 2 DEVELOPMENT PLAN
	LARGE SCALE SITE PLAN
	88804 DP D1
MUN. FILE	SHEET 1 OF 10



/ ADDRESS

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/ ONLINE

islandmotorsportcircuit.com
info@islandmotorsportcircuit.com

August 6, 2019

Municipality of North Cowichan
7030 Trans-Canada Highway
Duncan, BC, V9L 6A1

Attention: Mr. Rob Conway, MCIP, RPP
Director of Planning

Re: Comprehensive Development Rezoning Application –
Vancouver Island Motorsport Circuit

Please accept this letter as evidence of our commitments in support of our application for a comprehensive development rezoning (the “Comprehensive Development Application”) as follows:

1. We commit to comply with the following requirements in relation to the operation of the motorsport and the off-road circuit, as presently constructed or as expanded from time to time (including the expansion contemplated under the Comprehensive Development Application):
 - (a) To restrict their hours of operation on days other than statutory holidays to 9:00 a.m. to 5:00 p.m. on Mondays to Saturdays and to 11:00 a.m. to 5:00 p.m. on Sundays;
 - (b) To not operate them on statutory holidays;
 - (c) To not operate them in a manner that exceeds 59 dB LA_{20,15min} when received at sound monitors of a type acceptable to North Cowichan and us, acting reasonably, located off the subject lands at four sites (the “Offsite Sound Monitors”), with one site being at or near 6278 Mina Drive, North Cowichan,



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British Columbia and the other three sites being at locations acceptable to North Cowichan and us, acting reasonably;

- (d) In conjunction with North Cowichan, to install and maintain in good and accurate operating condition, including through replacement whenever necessary, the Offsite Sound Monitors;
- (e) To install and maintain in good and accurate operating condition, including through replacement whenever necessary, sound monitors of a type acceptable to North Cowichan and us, acting reasonably, located on the subject lands (the "Onsite Sound Monitors") 15 m from the shoulder of the driving surface of the Circuit in 2 locations acceptable to North Cowichan and us, acting reasonably;
- (f) To maintain the Offsite Sound Monitors and the Onsite Sound Monitors as time synced; and,
- (g) To provide to North Cowichan, in real time, all noise measurements from the Offsite Sound Monitors and the Onsite Sound Monitors in a format that is readily capable of review for compliance with item (c) above.

As a condition of the approval of the Comprehensive Development Application, we agree to register against title to the subject lands a covenant under section 219 of the *Land Title Act* securing its commitments as set out above. We also agree that the covenant shall include a provision that imposes on it the obligation to make a monetary payment to North Cowichan in the amount of \$5,000.00 in the event of a breach by us of the requirement set out in



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item 1(c) above. In support of this provision, we will deliver to North Cowichan an irrevocable standby letter of credit in a form satisfactory to North Cowichan in the amount of \$25,000.00 to be drawn down by North Cowichan to satisfy any amount payable under the covenant.

We also agree that the covenant shall include provisions in relation to the requirements of item 1(c) above that require us to advise all operators of vehicles on the motorsport or off-road circuit of the sound limit under that item, to immediately warn the operator of any vehicle on the motorsport or off-road circuit that is involved in an exceedance of the sound limit under that item, to immediately remove from the motorsport or off-road circuit any vehicle that is involved in a second exceedance of the sound limit under that item on the same day, to immediately remove from the motorsport or off-road circuit the operator of any vehicle who is involved in a third exceedance of the sound limit under that item on the same day, and to consider, acting reasonably, refusing access to the motorsport or off-road circuit to any vehicle or operator involved in 5 or more exceedances of the sound limit under that item in a one year period.

Item 1(c) above will not apply to:

- (a) The A4/I2 Lands, the Lease Lands, and/or the Bings Creek Lands;
- (b) Any Vancouver Island Karting Association event under Item 2(c) below; and
- (c) Up to six days per calendar year for special events, subject to us giving North Cowichan a minimum of two months written notice of the dates and times of a proposed event and us using our best efforts to



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not operate on those days in a manner that exceeds 59 dB LA_{20, 15min} when received at the Offsite Sound Monitors.

For the purposes of the special event days, up to three of those days, when used for special events for vehicle manufacturers, will also be exempt from Items 1(a) and (b) above, except that the hours of operation on those days shall be limited to 9:00 a.m. to 5:00 p.m., and we shall use its best efforts to not hold such events on Sundays (except between 11:00 a.m. and 5:00 p.m.) and statutory holidays.

2. In further support of the Comprehensive Development Application, we commit to provide to North Cowichan the following amenities:
 - (a) To transfer to North Cowichan a portion of our lands that are currently zoned A4 and I2, as set out in the plan attached as Schedule "A" to this letter (the "A4/I2 Lands") for use as a site for a water storage reservoir of up to 500,000 gallon capacity, and all ancillary and related controls, piping, and appurtenances (the "Water Reservoir"), including use for access to the Water Reservoir, and for use as park, subject to a covenant under section 219 of the Land Title Act agreeable to North Cowichan and us, acting reasonably, recognizing the impact of the use of the subject lands for the motorsport or off-road circuit in accordance with all applicable requirements;
 - (b) To offer, for nominal consideration on reasonable commercial terms, to North Cowichan or the Cowichan Trail Stewardship Society a lease of the



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remainder of our lands zoned A4 (the "Lease Lands");

- (c) To make the motorsport circuit available to the Vancouver Island Karting Association for its use for a minimum of 6 events a year, on commercially reasonable terms to be negotiated between us and the Vancouver Island Karting Association (including the requirement that the Vancouver Island Karting Association make best efforts to ensure that its events comply with item 1(c) above), subject to us giving North Cowichan a minimum of two months written notice of a proposed event, and subject to North Cowichan giving written approval for the event;
- (d) To transfer to North Cowichan a corridor of our land along Bings Creek, including its tributaries, acceptable to North Cowichan, which corridors shall at least consist of the riparian zone for Bings Creek and its tributaries, as determined by a Qualified Environmental Professional, which corridor shall be generally as set out in the plan attached as Schedule "A" to this letter (the "Bings Creek Lands");
- (e) To make a cash contribution to North Cowichan of \$600,000.00 for:
 - (i) Environmental and habitat enhancement projects for streams and other waterbodies (e.g., the construction of a water storage facility to provide summer flows for Bings Creek); and,
 - (ii) The construction of a trail up Mount Prevost.



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As a condition of the approval of the Comprehensive Development Application, we agree to register against title to the subject lands a covenant under section 219 of the *Land Title Act* securing its commitments as set out above.

3. In further support of the Comprehensive Development Application, we commit to the following in relation to the provision of services:
 - (a) To construct, to the satisfaction of North Cowichan, the Water Reservoir; and,
 - (b) To construct, to the satisfaction of North Cowichan, Drinkwater Road from Highway 18 to its end bordering on the Development Lands to North Cowichan's Industrial Road Standard (R6), including all required culverting and drainage works.

As a condition of the approval of the Comprehensive Development Application, we agree to enter into a binding agreement with North Cowichan securing our commitments as set out above, subject to us being entitled to consideration of a development cost charge frontender agreement or development cost charge credits, if either is applicable, or alternatively being entitled to a latecomer agreement pursuant to sections 507 and 508 of the *Local Government Act* under which agreement we would be reimbursed for all or part of the costs of the excess or extended services provided by us, which reimbursement would be from properties benefitting from the services when those properties connect to or commence using the services.

4. Lastly, in support of the Comprehensive Development Application, we commit to provide to North Cowichan, as soon as practicable, the following:

6

ONCE SOMETHING IS A PASSION,
THE MOTIVATION IS THERE.



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- (a) Written confirmation of all required approvals in principle of all creek crossings by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development and the Department of Fisheries and Oceans;
- (b) An acceptable wildfire hazard risk assessment for the Development Lands;
- (c) An acceptable geotechnical overview assessment for the Development Lands; and,
- (d) An acceptable visual impact/landscape assessment for the Development Lands.

We trust that our commitments set out above demonstrate our sincere intention and desire to be a valuable contributor to the success of North Cowichan and its community members.

On behalf of the landowner,

Yours truly,

A handwritten signature in black ink, appearing to read "Mark Holland", written in a cursive style.

Mark Holland, RPP

Holland Planning Innovations Inc



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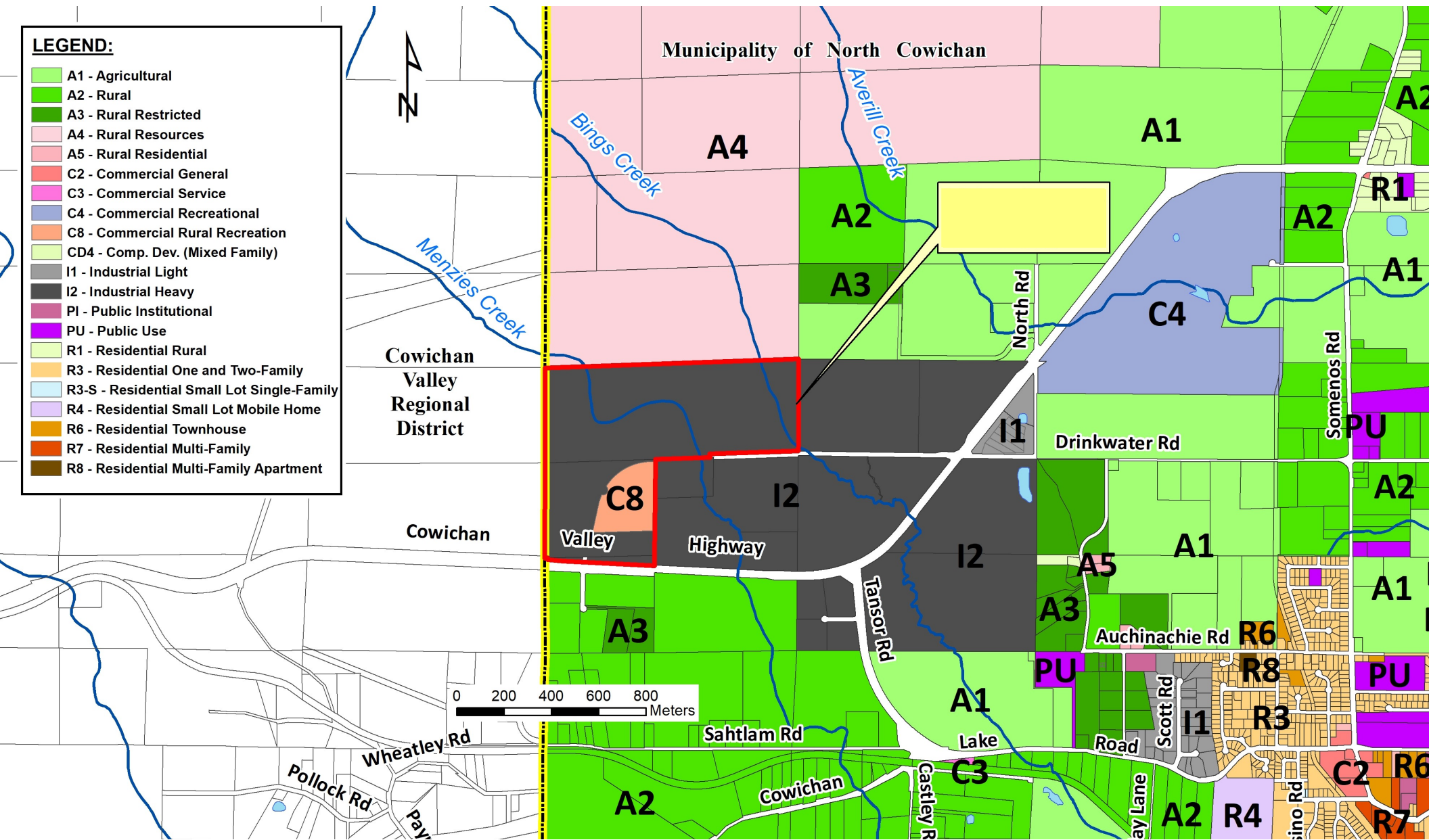
SCHEDULE "A"



ONCE SOMETHING IS A PASSION,
THE MOTIVATION IS THERE.

LEGEND:

- A1 - Agricultural
- A2 - Rural
- A3 - Rural Restricted
- A4 - Rural Resources
- A5 - Rural Residential
- C2 - Commercial General
- C3 - Commercial Service
- C4 - Commercial Recreational
- C8 - Commercial Rural Recreation
- CD4 - Comp. Dev. (Mixed Family)
- I1 - Industrial Light
- I2 - Industrial Heavy
- PI - Public Institutional
- PU - Public Use
- R1 - Residential Rural
- R3 - Residential One and Two-Family
- R3-S - Residential Small Lot Single-Family
- R4 - Residential Small Lot Mobile Home
- R6 - Residential Townhouse
- R7 - Residential Multi-Family
- R8 - Residential Multi-Family Apartment



Permitted Uses

- 74 (1) The permitted uses for the C8 zone are as follows:
- Accessory Dwelling Unit
 - Amusement Park
 - Archery Range
 - Drive-in Theatre
 - Microlite Aircraft and Glider Landing Strips
 - Mobile Food Service
 - Racetrack
 - Recreational Facility
 - Shooting Range [BL3657]

Minimum Lot Size

- (2) The minimum permitted lot size for the C8 zone is 4 hectares (9.88 acres).

Minimum Frontage

- (3) The minimum permitted frontage for the C8 zone is 150 m (492.13').

Maximum Lot Coverage

- (4) The maximum permitted lot coverage for the C8 zone is 30% of the lot area.

Maximum Floor Space Ratio of All Buildings and Structures

- (5) The maximum permitted floor space ratio for the C8 zone is 0.5:1.

Minimum Setbacks

- (6) The minimum permitted setbacks for the C8 zone are as follows:
- (a) Principal Buildings
 - Yard, Front, 30 m (98.43')
 - Yard, Side, 30 m (98.43')
 - Yard, Rear, 30 m (98.43')
 - (b) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 8.0 m (26.25')
 - Yard, Side, 5.0 m (16.4')
 - Yard, Rear, 5.0 m (16.4')

Maximum Building Height

- (7) The maximum permitted building heights for the C8 zone are as follows:
- (a) Principal Building, 12.0 m (39.37')
 - (b) Accessory Building, 12.0 m (39.37')

Permitted Uses

- 77 (1) The permitted uses for the I2 zone are as follows:
All Industrial Light Zone (I1) Permitted Uses
Automobile Wrecking or Salvage Yard
Bulk Storage of Flammable and Combustible Liquids
Boat Terminals and Dock
Cannabis Production Facility
Helicopter Landing Pad
Mobile Food Service
Municipal/Regional Government Offices
Pier, Wharf, and Related Facility
Private Airplane Landing Strip
Railway Yard
Recycling Industrial Use
Sawmills, Pulpmills, and Planing Mills
Slaughterhouse
Temporary Mobile Home (subject to the Temporary Mobile Home Permit Bylaw)
Works Yard [BL2996, BL3000, BL3457, BL3467, BL3512, BL3657, BL3741, BL3754]

Minimum Lot Size

- (2) The minimum permitted lot size for the I2 zone is 16,000 m² (3.95 acres).

Minimum Frontage

- (3) The minimum permitted frontage for the I2 zone is 90 m (295.27').

Maximum Lot Coverage

- (4) The maximum permitted lot coverage for the I2 zone is 50% of the lot area.

Minimum Setbacks

- (5) The minimum permitted setbacks for the I2 zone are as follows:
- (a) Principal Buildings
Yard, Front, 8.0 m (26.25'); 46 m (150.91') when abutting any Other Zone
Yard, Side, 0 m; 46 m (150.91') when abutting any Other Zone
Yard, Rear, 0 m; 46 m (150.91') when abutting any Other Zone
 - (b) Accessory Buildings and Structures (Excluding Fences)
Yard, Front, 8.0 m (26.25'); 46 m (150.91') when abutting any Other Zone
Yard, Side, 0 m; 46 m (150.91') when abutting any Other Zone
Yard, Rear, 0 m; 46 m (150.91') when abutting any Other Zone
 - (c) Despite the foregoing, the minimum permitted setback for any Lot Line which abuts an Arterial Highway is 18 m (59.05').
 - (d) Slaughterhouses
Yard, Front, 92 m (301.84')
Yard, Side, 92 m (301.84')
Yard, Rear, 92 m (301.84')



The Corporation of the District of North Cowichan
Zoning Amendment Bylaw (Motorsport Circuit), 2019
Bylaw 3761

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

1. ***This Bylaw may be cited as "Zoning Amendment Bylaw No. 3761, 2019".***
2. ***Section 12 of Zoning Bylaw 1997, No. 2950 is amended by adding the following definitions:***

"go-kart use" means the use of buildings, structures, or land for the maintenance, repair, operation and racing of go-karts.

"motor vehicle testing and driver training facility" means the use of land for a motorsport circuit and off-road circuit that hosts a variety of motor vehicle driving programs in different configurations with different groups, including but not limited to

- (a) motor vehicles driving the circuit to achieve and improve lap times;
- (b) motor vehicles practicing emergency braking, lane changes, cornering and other procedures including some at high speed;
- (c) multiple motor vehicles using the facility simultaneously including during club or manufacturer activities to achieve and improve their driving skills;
- (d) facilities and repair areas to change settings of motor vehicles, change tires, conduct minor maintenance and repairs, and set up motor vehicles;
- (e) club with restaurant, office, retail store, the sale of food and beverages, change rooms and ancillary amenities;
- (f) parking, off-street parking, covered parking, maintenance, warehouse and storage facilities.

"motor vehicle presentation centre" means the use of a building, structure or land for the display, storage and sales of motor vehicles, motor vehicle parts, accessories and merchandise, including ancillary offices and facilities.

"motion picture and television filming" means the filming and production of motion pictures or television shows or series.

3. **Zoning Bylaw 1997, No 2950, is amended in section 43 [Zones] by adding** "Motorsport Circuit Comprehensive Development Zone (CD21)".
4. **Zoning Bylaw 1997, No 2950, is amended by adding the following section after 80.20:**

Motorsport Circuit Comprehensive Development Zone (CD21)

Permitted Uses

80.21 (1) The permitted uses in the CD21 zone are as follows:

- Accessory Building
- Accessory Fueling Installation
- Accessory Restaurant
- Accessory Use
- Assembly Hall
- Fitness Centre/Gymnasium
- Go-kart Use
- Motion Picture and Television Filming
- Motor Vehicle Autobody Repair
- Motor Vehicle Parts and Accessories Sales
- Motor Vehicle Presentation Centre
- Motor Vehicle Repairs
- Motor Vehicle Sales
- Motor Vehicle Storage Yard
- Motor Vehicle Testing and Driver Training Facility
- Recreation Area
- Warehouse

Minimum Lot Size

(2) The minimum lot size for the CD21 zone is 2.5 ha.

Minimum Frontage

(3) The minimum permitted frontage for the CD21 zone is 30 m (98.43').

Maximum Lot Coverage

(4) The maximum permitted lot coverage for the CD21 zone is 50% of the lot area.

Maximum Floor Space Ratio of All Buildings and Structures

- (5) The maximum permitted floor space ratio for the CD21 zone is 0.5:1.

Minimum Setbacks

- (6) The minimum setbacks for all buildings are as follows:

Front yard - 6 m (19.7'); 18 m (59') from an arterial highway

Side yard - 3m (9.8')

Rear yard - 6m (19.7')

Maximum Building Height

- (7) The maximum building height for the CD21 zone is 15 m (49.2').

- 5. Schedule "C" of Zoning Bylaw 1997, No 2950 is amended by reclassifying, to Motorsport Circuit Comprehensive Development Zone (CD21), the lands shown as the "Subject Properties" (PIDs: 009-751-297; 029-201-675; 014-104-067), and outlined in bold on the Schedule attached to and forming part of this bylaw.**

READ a first time on

READ a second time on

CONSIDERED at a Public Hearing on

READ a third time on

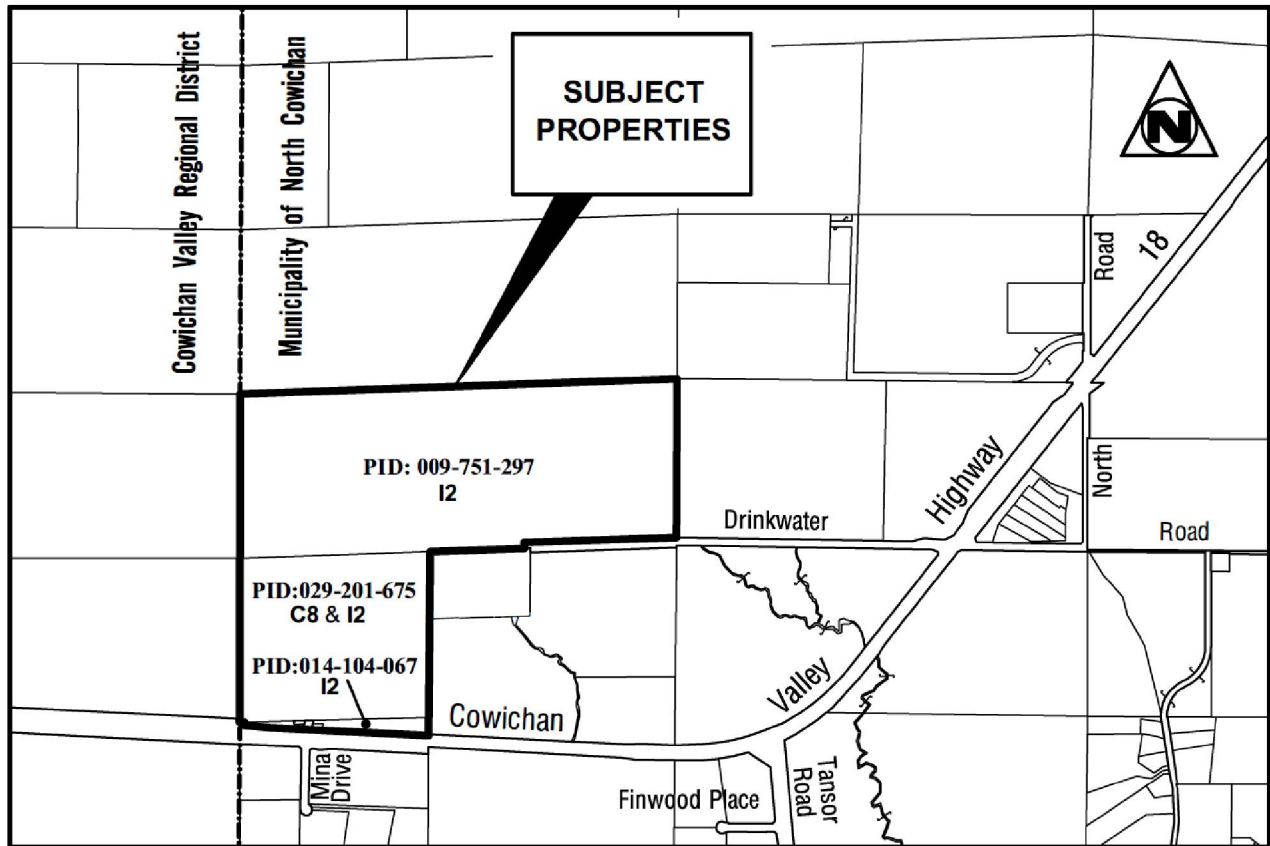
APPROVED by Ministry of Transportation and Infrastructure on

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule



Report

Date	August 21, 2019	Prospero No. ZB000112
To	Council	Folio No. 06781-000
From	Caroline von Schilling, Development Planner	File No. 3360-20 19.07
Subject	Zoning Bylaw Amendment Application No. ZB000112 (2372 Regina Drive) – Detached Second Dwelling	Endorsed: 

Purpose

To provide Council with information, analysis and a recommendation regarding a site specific zoning amendment application to permit a detached second dwelling at 2372 Regina Drive.

Background

The 0.23 ha (0.57 ac) subject property is located at 2372 Regina Drive (see ATTACHMENTS 1 & 2). The property is located within the Official Community Plan designated 'Rural Cluster' between Somenos and Quamichan Lakes. It is located outside the Urban Containment Boundary, and is zoned Residential Rural (R1) (ATTACHMENTS 3 & 4).

Land Use Context

- North:** Residential properties (R1), mixed one and two-storey dwellings
- South:** Residential properties (R1), mixed one and two-storey dwellings; agricultures uses beyond
- East:** Residential properties (R1), mixed one and two-storey dwellings
- West:** Residential properties (R1), mixed one and two-storey dwellings; agricultures uses beyond

Proposal

The applicant is proposing to amend the Residential Rural (R1) Zone to permit a detached second dwelling in the form of a 74 m² (800 ft²) residential suite to be constructed over a 148 m² (1600 ft²) 2-bay garage for the accessory use of hobby vehicle repair (ATTACHMENT 5).

Specifically, the 74 m² (800 ft²) residential suite with exterior access is proposed to be located on the upper floor over Bay 1 of a 2-bay garage. Bay 2 would be open to a mezzanine to accommodate a car hoist (ATTACHMENT 6 & 7). The proposal is not under construction. An existing 110 m² (1200 ft²) garage is proposed to be demolished.

The Residential Rural (R1) Zone permits a two-family residence, which is defined as two (2) dwelling units within one (1) residential building. With this application, the Applicant requests permission for two (2) dwelling units within two (2) residential buildings, i.e., an existing single family dwelling and the proposed second 74 m² (800 ft²) dwelling over a detached garage (ATTACHMENT 8).

Discussion

Policy considerations relevant to this application are:

Official Community Plan (OCP) & Rural Cluster Designation

The Subject Property is located within a 'Rural Cluster' as designated in the OCP (i.e., Map 5) (see ATTACHMENT 3). Rural Clusters are rural areas that are located outside the Urban Containment Boundary (UCB) where rural and residential rural zoning has historically occurred.

HOUSING & SERVICES in RURAL AREAS:

Policy 2.1.5.1 *The Municipality will discourage any relaxation of subdivision and zoning standards that have the effect of increasing net density in rural areas ...*

Policy 2.1.5.5 *... All rezoning applications in rural areas are required to consider policy 2.1.5.6.*

Policy 2.1.5.6 *The Municipality may consider rezoning applications in rural areas to allow additional residential units if all the following provisions are met:*

- i) The proposal demonstrates how the applicant will produce, complement or expand rural economic development activity ... and incorporate provision for the long-term security of the land (e.g., through an Agriculture Land Reserve (ALR) designation or a covenant on use); and*
- ii) Rural viewsapes from public areas will be maintained*
- iii) Any adjacent agricultural or other resource use (e.g., forestry, gravel removal) will be appropriately buffered from the residential units; and*
- iv) The extension of municipal services is not anticipated or, should service extension be required, the proposed development will cover the full cost of installing, maintaining and operating the additional services; and ...*

Policy 2.1.5.10 *The Municipality may entertain rezoning applications for rural sites that are zoned inconsistently with surrounding properties. Such applications are permitted only within those areas identified as a "rural cluster" on Map 5. The only rezoning considered will be from one rural zone to another: A1, A2, A3, A4, or A5.*

While the scope of OCP policies guiding land use within the 'Rural Cluster' designation is not extensive, the policies above imply the Rural Cluster area should be protected from further densification. The proposal observes this principle as the number of residential units permitted through the zoning on the parcel are not increasing.

Further, while the Rural Cluster between Somenos and Quamichan Lakes is located outside the UCB, the neighbourhood is not agricultural in nature. The well-established surrounding residential (R1) zone does not require preservation of "rural economic activity", "rural viewsapes", nor is the Subject Property located near an "adjacent agricultural ... use". Finally, this proposal can be met without service extension.

Therefore, it is staff's opinion that the proposal does not contradict the intent of OCP policy.

HOUSING:

Policy 2.5.2.3 *The Municipality supports the development of new market forms of affordable housing, both for rent and purchase.*

The proposal supports affordable housing options within the Municipality by meeting the Municipality's commitment to:

- "... the importance of housing as a fundamental part of community health and livability
- ... housing [that] remains affordable for all residents
- ... [the] development of a variety of housing types" (OCP, p. 72).
-

Note, policy 2.5.2.3 is not limited to growth centers.

Policy 2.5.2.5 *The Municipality will ensure that new residential development respects and complements the character of the surrounding neighbourhood.*

While this proposal does not increase the number of permitted dwelling units in this neighbourhood, the proposal could impact the form and character of this neighbourhood comprised of mixed one - and two-storey residences.

This proposal demonstrates sensitive and appropriate scaled design/siting as it is:

- a) Located within a mixed one- and two-storey residential neighbourhood,
- b) Located a greater distance than the required 8.0 m rear yard setback of the Residential Rural (R1) Zone of the Subject Property,
- c) Exceeding the required side yard setback of 3.0 m by an additional 4.19 m, such that the proposed second dwelling is located 7.19 m from the east property boundary; and by,
- d) Located to the rear of this 0.23 ha (0.57 acre) Subject Property, a distance of approximately 25 m to the closest neighbouring residence.

Rural Cluster Designation

The Residential Rural (R1) Zone focusses on residential uses on larger lots (i.e., minimum lot size 1,675 m² or 0.41 acre). This proposal maintains the maximum permitted number of residential units within the R1 zone. Therefore, it is the opinion of staff that this proposal is not inconsistent with the character of this well-established residential neighbourhood.

Zoning Bylaw – Home Based Business Uses

The Applicant has stated that the intended use of the car hoist is for hobby purposes only.

Of note, a home-based business for automotive repair would not qualify for a business license on this property due to lot area requirement for "Automotive Repair".

Section 32 *"The "Automotive Repair" facet of a home-based business shall not:*

- (1) *involve body work*
- (2) *involve repair to any type of motor vehicle other than private passenger motor vehicles;*
or
- (3) *be conducted on a lot less than 4000m² (0.9888 acres) in area".*

Zoning Bylaw – R1 (Residential Rural) Uses

The R1 zoning provisions permit two-family residences (i.e., two dwelling units such as duplexes and secondary suites within one residential building). No increase in the number of residential dwelling units is proposed. Rather, the proposed use would change the allocation of the permitted density from two dwelling units in one residential building to two dwelling units in *two* residential buildings.

The proposal meets setback, lot coverage, and building height requirements of the Residential Rural (R1) Zone.

Servicing and Infrastructure

Adequate septic service for two residences has been demonstrated to be feasible by a Registered Onsite Wastewater Practitioner.

Ministry of Transportation and Infrastructure

The subject property is not located within 800 m of a Controlled Access Highway (Trans-Canada Highway). Ministry of Transportation and Infrastructure (MOTI) approval of this proposed zoning amendment bylaw prior to bylaw adoption is not required.

Analysis & Conclusion

This proposal is generally consistent with the policies of the Official Community Plan (OCP) for the development of new market forms of affordable housing, as well as for sensitive and appropriate building siting.

It is the opinion of staff that the balance of policies in support of maintaining the allowable number of dwelling units, providing housing options, and maintaining the Residential Rural character of this Rural Cluster designated area have reasonably been met with this proposal. However, should policy considerations for detached second residences be adopted by Council, the following staff recommendation should be reviewed against this policy for possible amendment.

Communications and Engagement

Should Council choose to provide 1st and 2nd Reading to this bylaw, the application will proceed to a Public Hearing, at which time the general public will be provided an opportunity for input on the proposed Zoning Bylaw amendment. Neighbouring properties within a 60 m radius of the subject property will be notified of this application and advertisements will be placed in the local newspaper, as required by the *Local Government Act*.

Options

The following options are presented for Council's consideration (ATTACHMENT 9):

Option 1 – Staff Recommended

That Council approve First & Second Reading of "Zoning Amendment Bylaw, 2019" No. 3760 to permit a second residence at 2372 Regina Drive (PID 000-368-393); and,

That a Public Hearing be scheduled and notification be issued according to the *Local Government Act*.

Option 2 – Alternate Recommendation:

That Council defer approval consideration of zoning amendment application ZB000112 to rezone 2372 Regina Drive (PID 000-368-393) to permit a detached second residence until a second dwelling policy is considered by Council.

Option 3 – Alternate Recommendation:

That Council deny zoning amendment application ZB000112 to rezone 2372 Regina Drive (PID 000-368-393) to permit a detached second residence.

Should Council choose to deny zoning amendment application the applicant would not be permitted to construct a detached second dwelling.

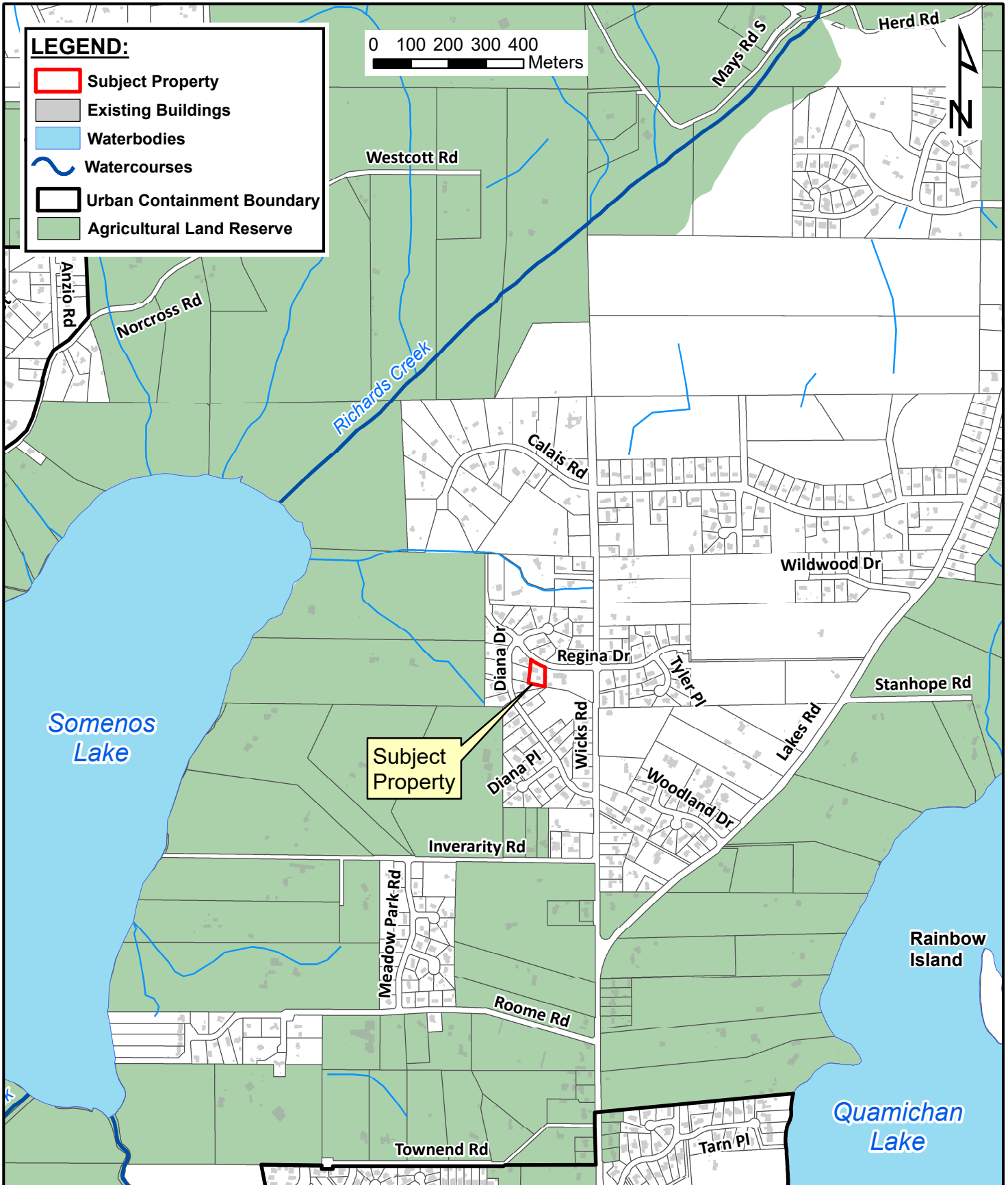
Recommendation

THAT Council approve First & Second Reading of "Zoning Amendment Bylaw, 2019" No. 3760 to permit a detached second residence at 2372 Regina Drive (PID 000-368-393); and,

THAT a Public Hearing be scheduled and notification be issued according to the *Local Government Act*.

Attachments:

1. Location Map
2. Air Photo
3. Zoning Map
4. Residential Rural (R1) Zone
5. Site Plan & Building Elevations
6. Letter of Rationale
7. Vehicle Hoist Specs
8. Site Photos
9. Draft Bylaw



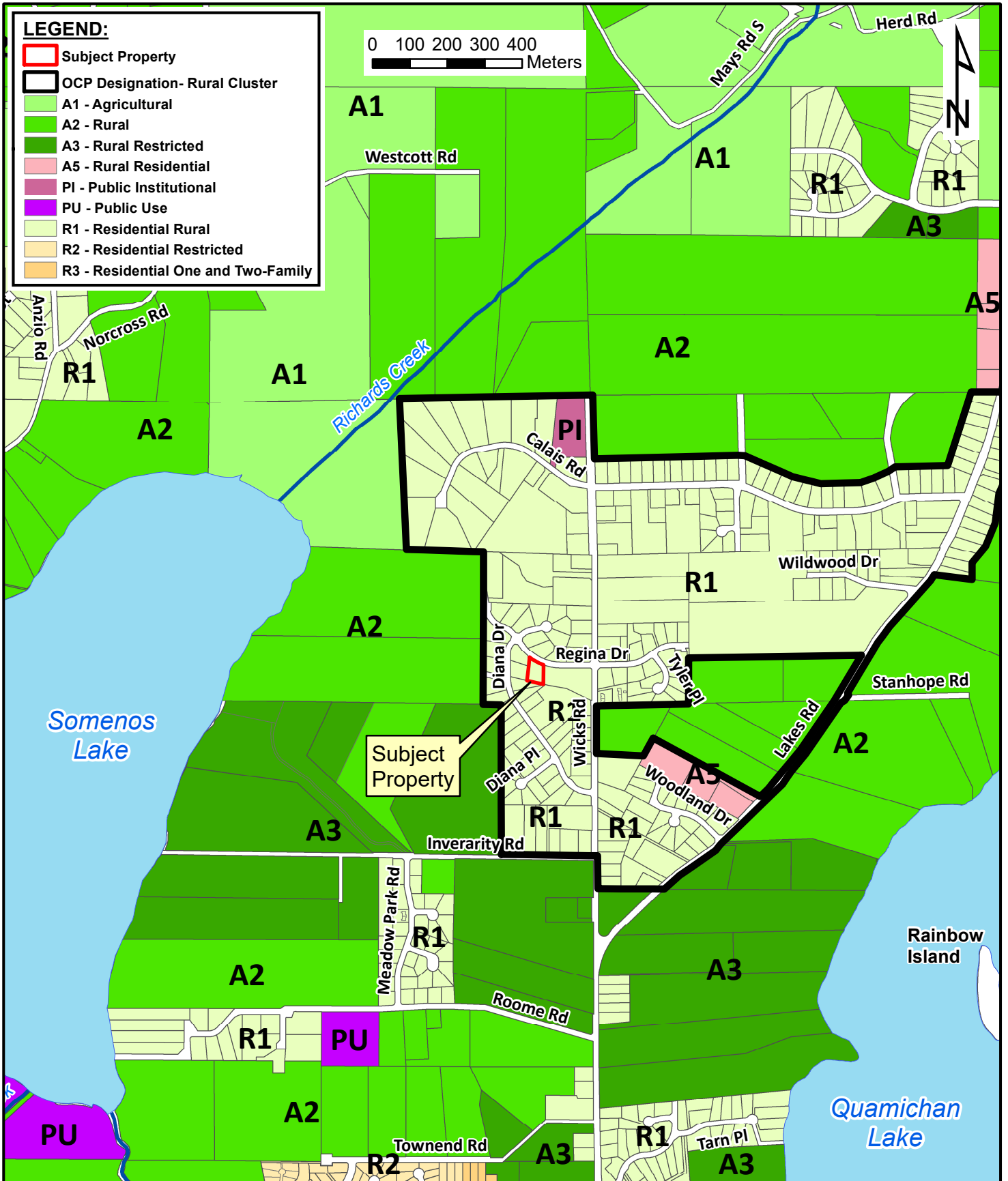
LOCATION MAP

2372 Regina Drive

DATE:	May 29, 2019
TYPE:	Zoning Amendment
FILE#:	ZB000112

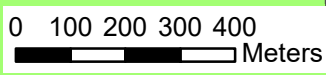


	ORTHOPHOTO MAP (Orthophoto is from 2017 aerial photography)	DATE:	May 29, 2019
	2372 Regina Drive	TYPE:	Zoning Amendment
		FILE#:	ZB000112



LEGEND:

- Subject Property
- OCP Designation- Rural Cluster
- A1 - Agricultural
- A2 - Rural
- A3 - Rural Restricted
- A5 - Rural Residential
- PI - Public Institutional
- PU - Public Use
- R1 - Residential Rural
- R2 - Residential Restricted
- R3 - Residential One and Two-Family



ZONING MAP

2372 Regina Drive

DATE:	May 29, 2019
TYPE:	Zoning Amendment
FILE#:	ZB000112

Residential Rural Zone (R1)

Permitted Uses

- 56 (1) The permitted uses for the R1 zone are as follows:
- Agriculture
 - Assisted Living
 - Bed and Breakfast
 - Community Care Facility
 - Home-based Business
 - Modular Home
 - Single-Family Dwelling
 - Supportive Housing
 - Temporary Trailer (subject to "Temporary Trailer Permit Bylaw 1976", No. 1685)
 - Two-Family Dwelling [BL3302, BL3367]

Minimum Lot Size

- (2) The minimum permitted lot size for the R1 zone is 1,675 m² (18,029 sq. ft.).

Minimum Frontage

- (3) The minimum permitted frontage for the R1 zone is 30.0 m (98.43').

Density

- (4) The maximum permitted density for the R1 zone is as follows:
- (a) The number of residential buildings shall not exceed one.
 - (b) Despite the foregoing, the placement of a temporary trailer may also be permitted on lots larger than 0.81 ha (two acres) subject to "Temporary Trailer Permit Bylaw 1976", No. 1685.
 - (c) The maximum permitted floor space ratio for the R1 zone is 0.5:1. [BL3383]
 - (d) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 9272 Cottonwood Road (PID: 006-038-000). [BL3642]
 - (e) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 1217 Barnes Road (PID: 003-134-814). [BL3666]
 - (f) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 6343 Wicks Road (PID: 003-145-603). [BL3731]
 - (g) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 10097 Chemainus Road (PID: 018-858-651). [BL3732]

Maximum Lot Coverage

- (5) The maximum permitted lot coverage of the R1 zone is 30% of the lot area.

Minimum Setbacks

- (6) The minimum permitted setbacks for the R1 zone are as follows:
- (a) Principal Buildings
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')

- (b) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 3.0 m (9.84')
- (6.1) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a public road other than a lane is 5.8 m (19.03'). [BL3150]

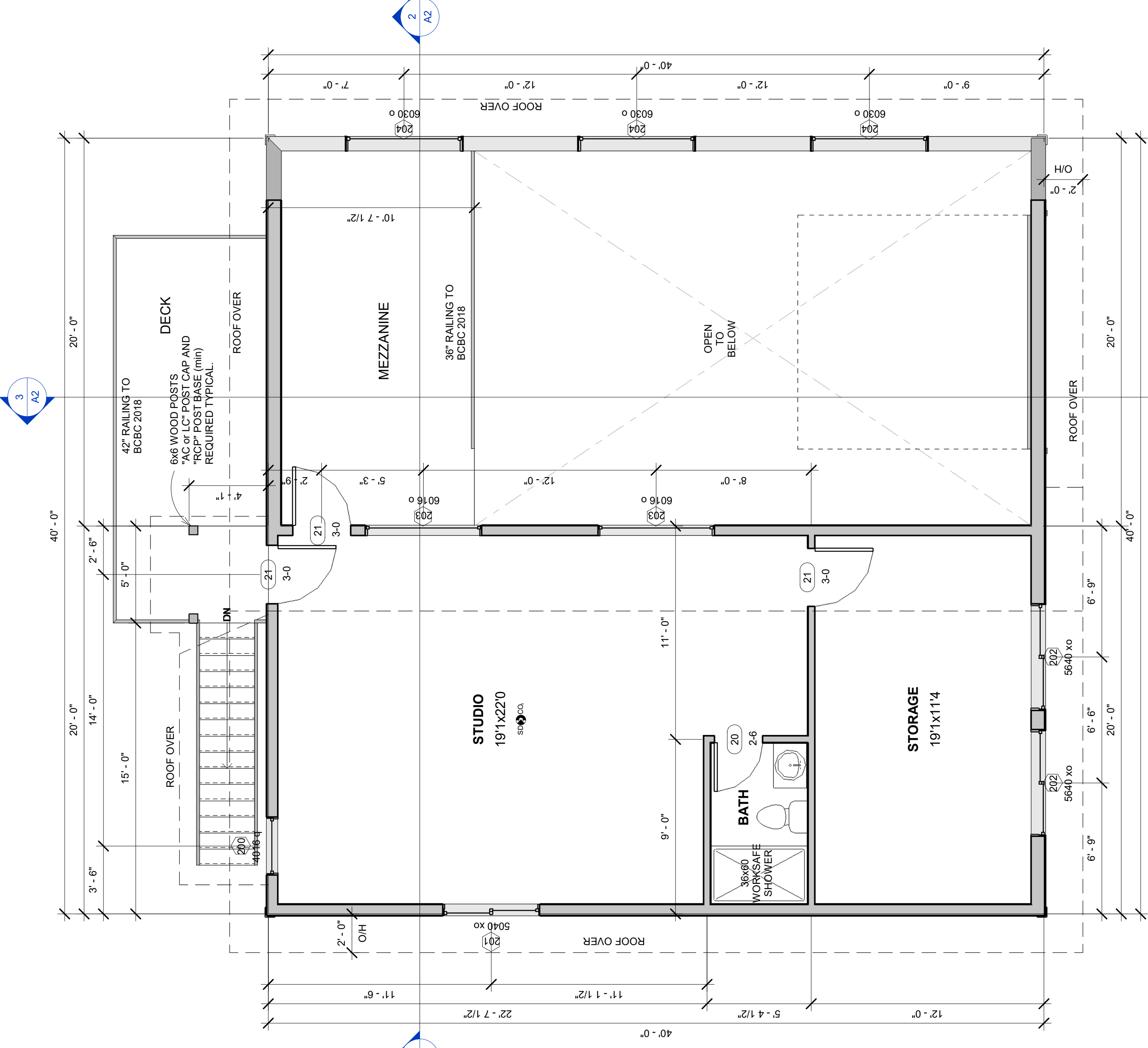
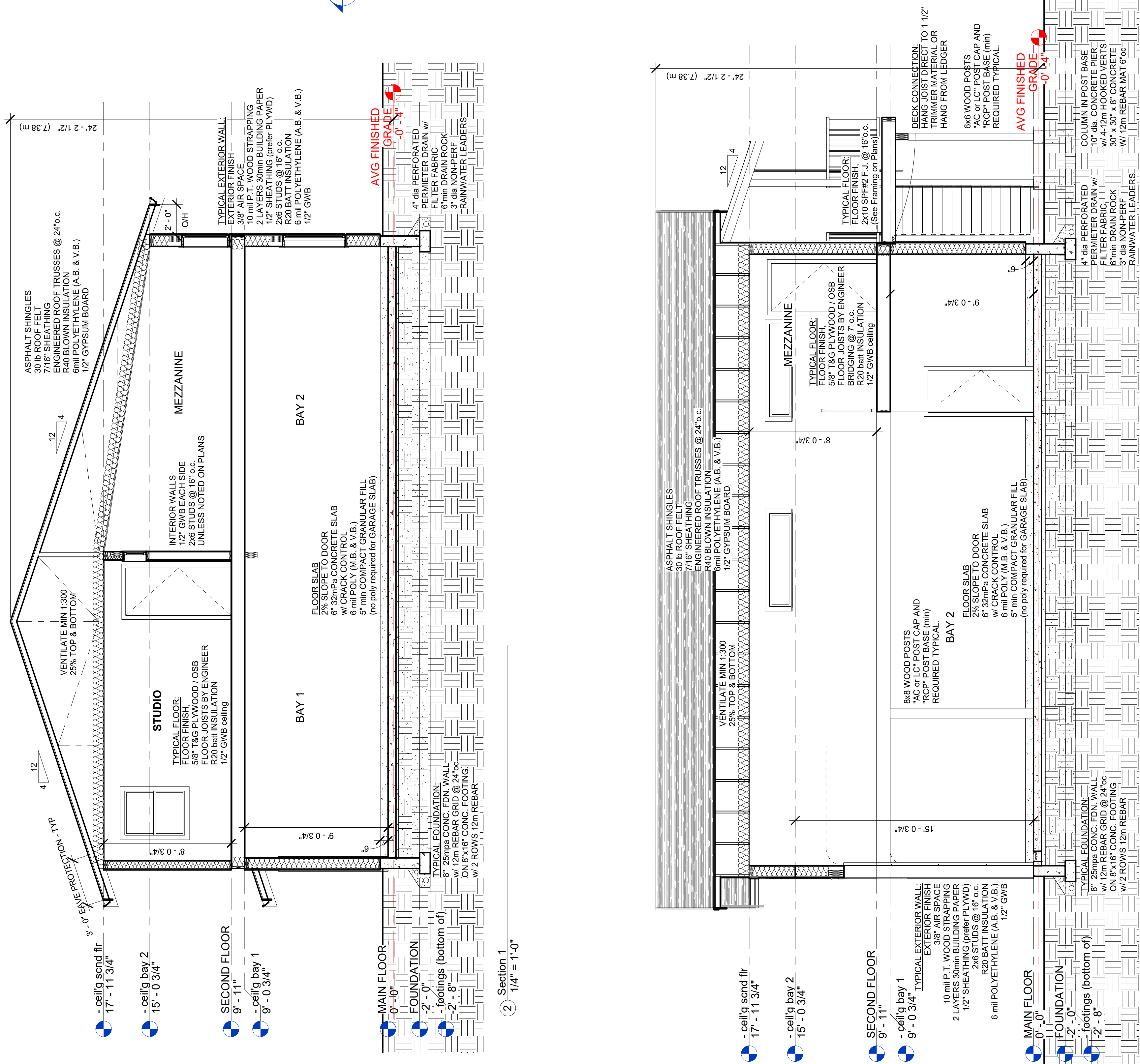
Maximum Building Height

- (7) The maximum permitted building heights for the R1 zone are as follows:
 - (a) Principal Buildings, 9.0 m (29.53')
 - (b) Accessory Buildings, 5.0 m (16.40')

Conditions of Use

- (8) The conditions of use for the R1 zone are as follows:
 - (a) No fences over 1.2 m (4.00') in height are permitted in the required yards, front.
 - (b) No fences over 2.0 m (6.56') in height are permitted in the required yards, side or rear.
 - (c) In no situation shall a fence be greater than 2.0 m (6.56') in height.
 - (d) Bed and breakfast uses may have no more than six sleeping units.
 - (e) Agriculture use shall be subject to "Animal Control Bylaw, 1995", No. 2856.
 - (f) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that the number of residents does not exceed ten, including resident staff,
 - (ii) the use is within a single-family dwelling unit only,
 - (iii) valid health permits for septic systems or on-site wastewater treatment systems are obtained, where no municipal sewer is available. [BL3302]
 - (g) Limited farm sale of agricultural products may be sold directly to the public provided that:
 - (i) a minimum of 50% of the agricultural products offered for sale are produced on the land;
 - (ii) the covered retail sales area does not exceed 100 m² (1076.4 sq. ft.); and
 - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]
 - (h) [Repealed. BL3367]

Revision Number	Revision Description	Revision Date

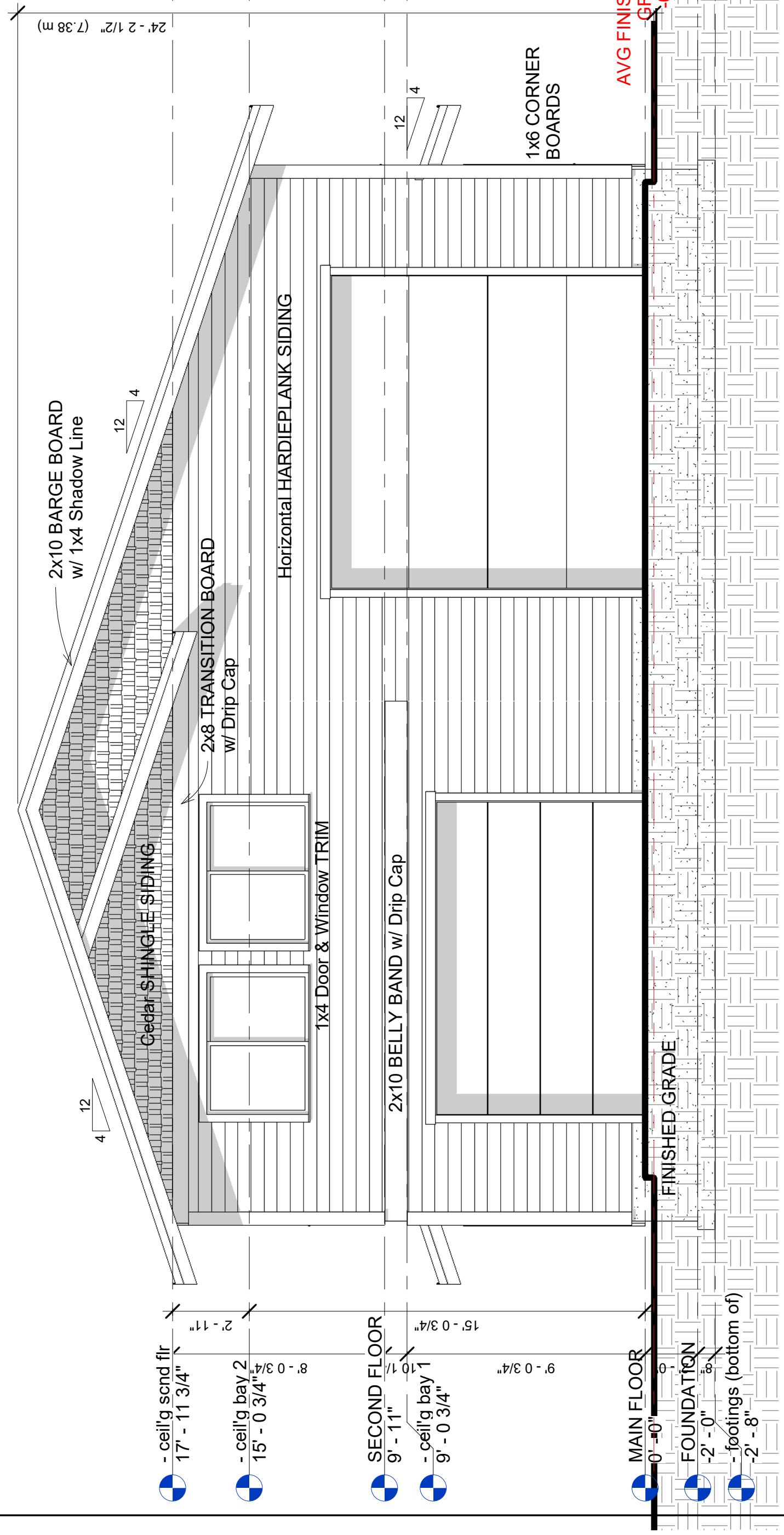


Mark	Type Mark	Family	Head Height	Count
200	4016 q	Single Hung with Trim	6' - 10"	1
201	5640 xo	Slider with Trim	6' - 10"	1
202	5640 xo	Slider with Trim	6' - 10"	2
203	6016 o	Fixed with Trim	6' - 10"	2
204	6030 o	Fixed with Trim	3' - 1 1/2"	3

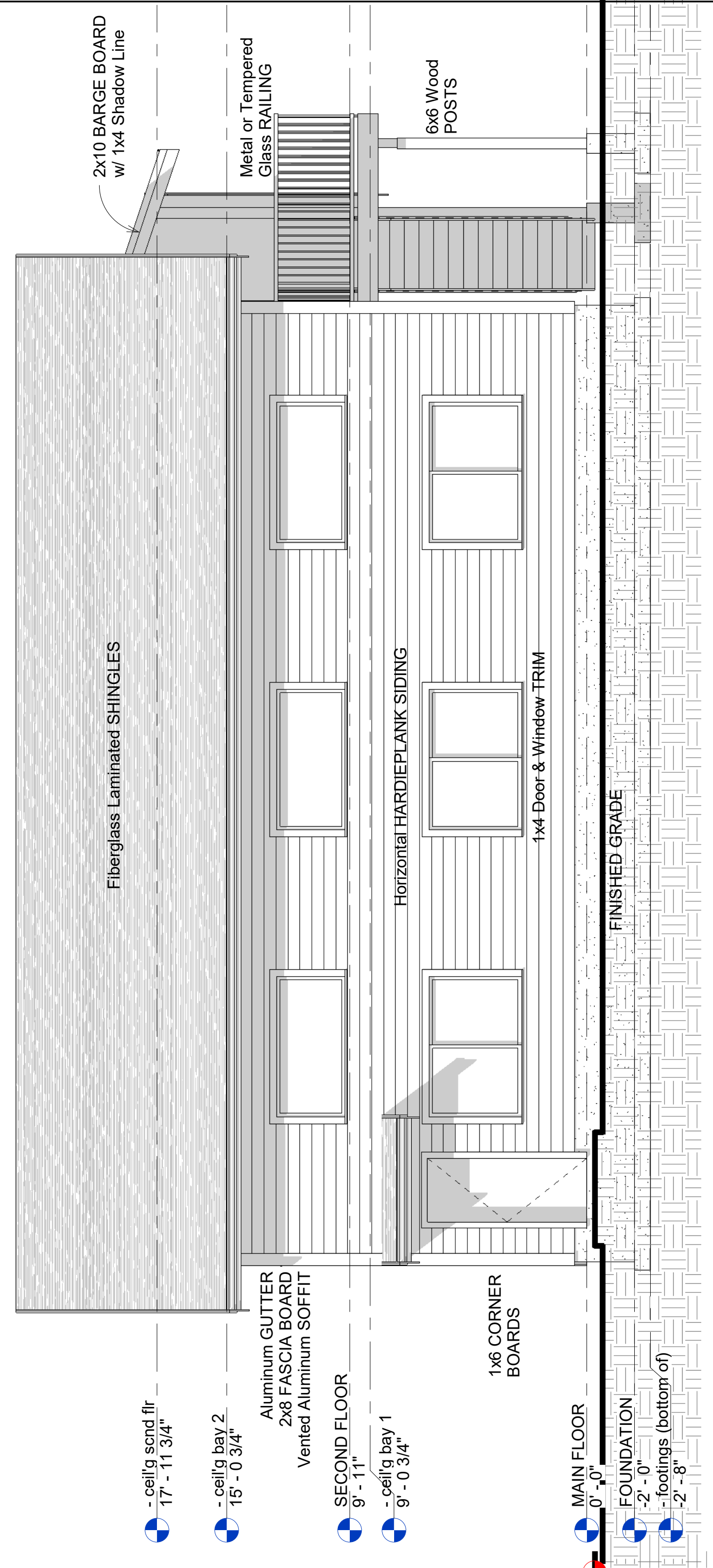
Mark	Type Mark	Family	Door Height	Count
20	2-6	Single-Flush	6' - 8"	1
21	3-0	Single-Flush	6' - 8"	3

ALL DIMENSIONS ARE TO FACE OF FRAMING OR CONCRETE. UNDIMENSIONED WINDOWS AND DOORS ARE LOCATED EITHER AT CENTER OF SPACE OR 3" OFF CORNER. 2-2x10 LINTELS UP TO 72". 3-2x10 OVER W. 2x CRIPPLES.

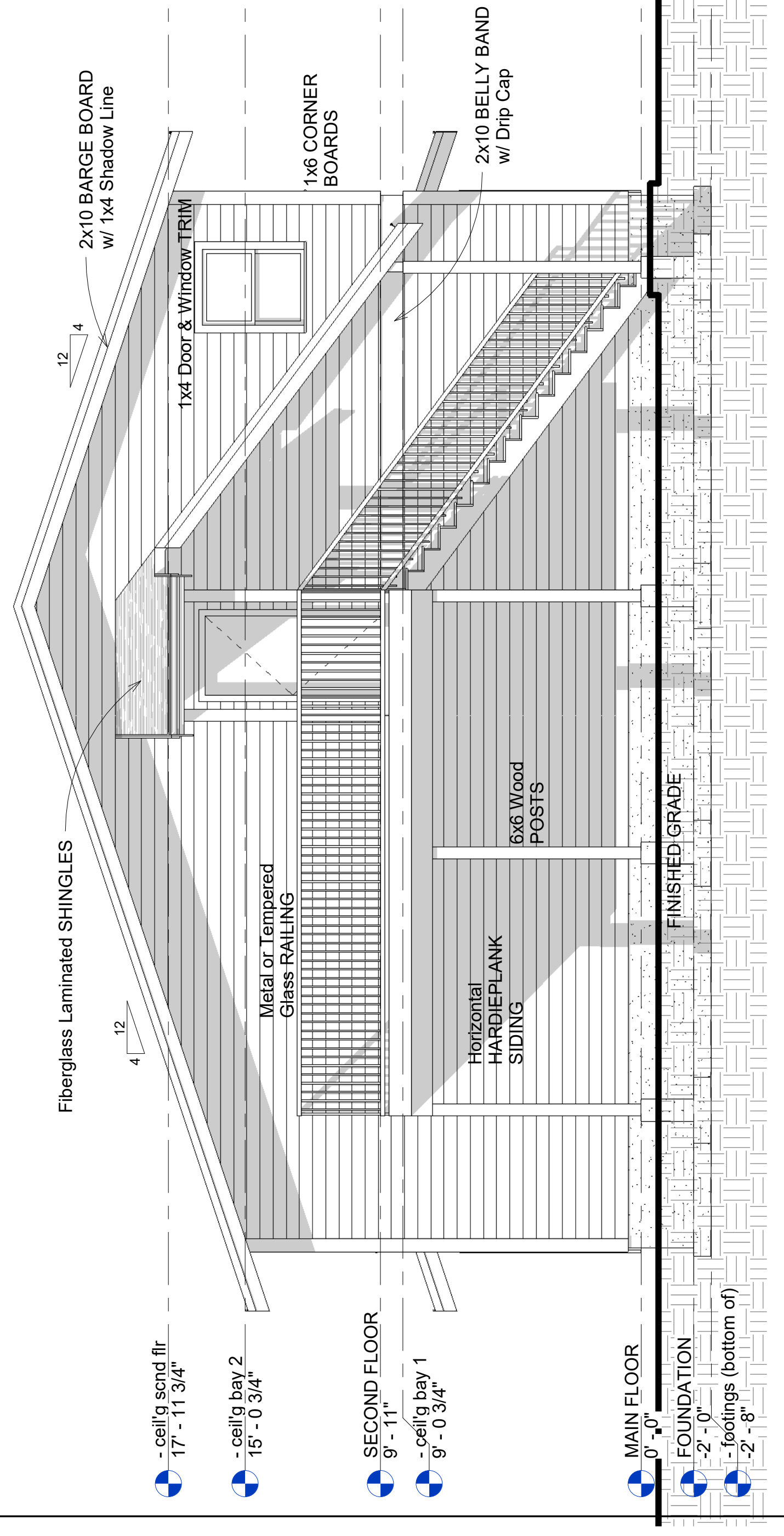
Revision Number	Revision Description	Revision Date



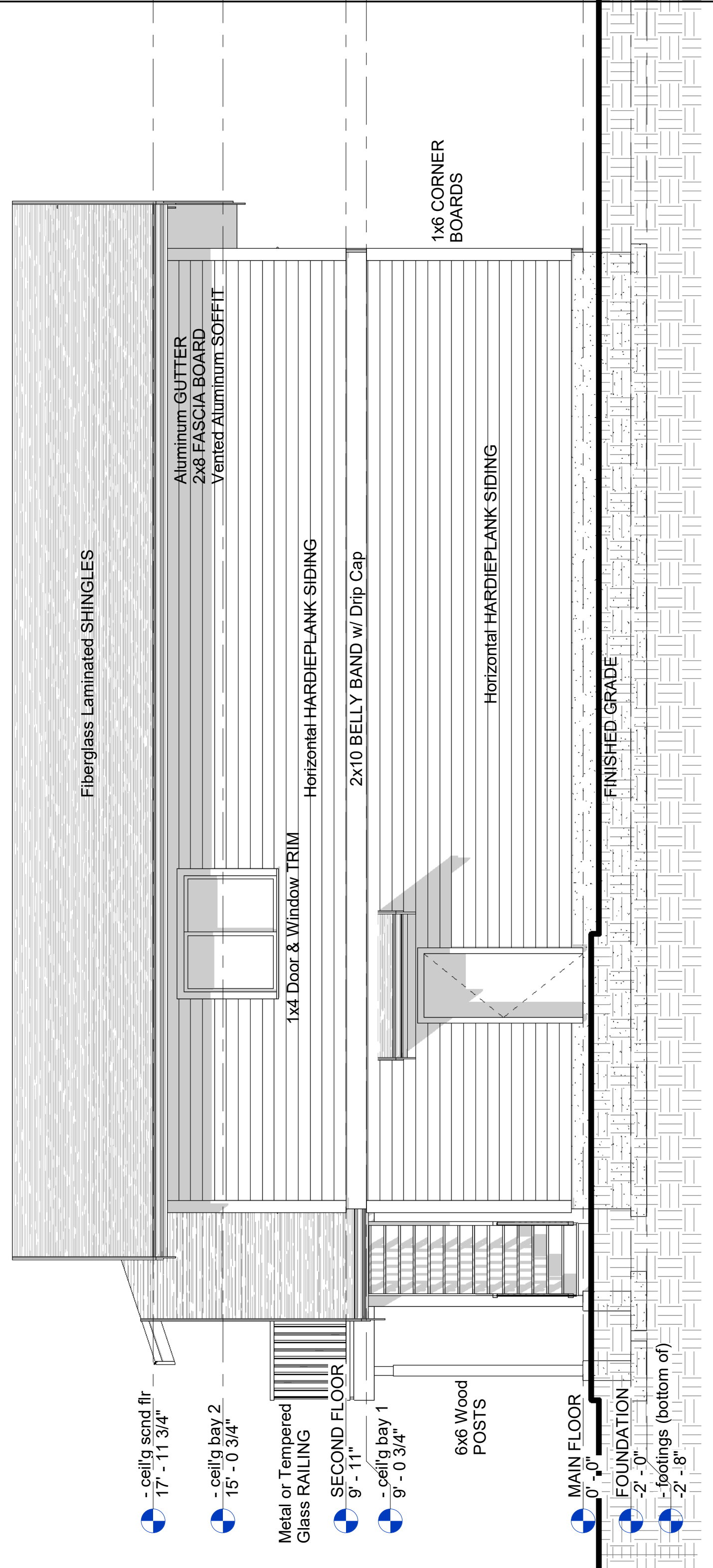
① FRONT (north) ELEVATION
 1/4" = 1'-0"



② RIGHT (west) ELEVATION
 1/4" = 1'-0"



③ REAR (south) ELEVATION
 1/4" = 1'-0"



④ LEFT (east) ELEVATION
 1/4" = 1'-0"

ALL DIMENSIONS ARE TO FACE OF FRAMING OR CONCRETE. UNDIMENSIONED WINDOWS AND DOORS ARE LOCATED EITHER AT CENTER OF SPACE OR 3" OFF CORNER. 2-2x10 LINTELS UP TO 72". 3-2x10 OVER W/ 2x CRIPPLES.

April 24 / 2019

To whom it may concern,

I am applying for a zoning amendment for my property at 2372 Regina Drive in Duncan. The reason I would like this zoning amendment is so that I can build a garage on my property that contains enough space for my hobbies and a space that can be used for entertaining or a secondary living space.

My hobby is collecting and maintaining vintage import cars of many varieties. I also collect related memorabilia of these vehicles and times. This hobby requires some space for storage of parts and components and I am not the type of person that is interested in storing stuff out in the open. Therefore, a decent size building is required to keep things neat and tidy on the property.

My plan is to remove the current small garage and replace it with a 40' X 40' building. The new building will have an interior ceiling height of 15' in the garage area to obtain enough head room to use a two-post vehicle lift. The specifications of this vehicle lift are attached. The tallest vehicle I would be lifting would have a standing height of approx. 7'. The vehicle lift requires a minimum ceiling height of approx. 12' 6". Then there would need to be space for lighting and garage accessories like ceiling fans.

I am a very particular person when it comes to organizing and maintaining a certain quality of appearance of my property, home and garage. I will require this building to be constructed with the highest quality and appearance so that it will last many years and fit in to the neighbourhood.

If there are any questions that may arise in the process of this request, please feel free to contact me.

Best regards,
Property Owner

AUTOMOTIVE LIFT SYSTEMS

ATTACHMENT 7



EELR532A

(Shown with stack adapter extensions)



INDUSTRIAL STRENGTH LIFT SOLUTIONS.
PREMIUM FEATURES.

Unmatched productivity, performance and value.

INTRODUCING THE **10K** AUTOMOTIVE
LIFT SYSTEMS

JohnBean

STANDARD FEATURES

10K Two Post Lift Features

- Light / Medium duty vehicles, lifting capacity of 10,000 lbs (4,436kg)
- Vehicles can be positioned and lifted symmetrically or asymmetrically
- Power column can be arranged on either the driver or the passenger side
- Overall height can be adjusted 10" (25.4 cm)
- Heavy duty replaceable arm restraints ensure engagement
- Three stage front arms provide superior extended and retracted reach, providing versatile vehicle positioning for symmetric / asymmetric lifting
- Double Telescopic lifting pads with replaceable molded plastic insert pad adjusts from 4.25" - 6.75" (11-17cm)
- Single piece overhead adds structural strength and ease of installation
- Padded overhead safety shut off bar for raised vehicle protection
- Hi-rise lifting cylinders and adjustable column heights creates maximum under vehicle clearances
- Single point safety lock release system
- Validated by an Independent Third Party to the ANSI/ALI automotive lift standard, ANSI/ALI ALCTV: 2011

EQUIPMENT SPECIFICATIONS

- Part Number: EELR532A
- Capacity: 10,000 lbs (4,536kg)
- Rise Height (Screw Pads Highest Position): 77.75" (200 cm)
- Overall Adjustable Height: 147.5" / 137.5" (375 / 350 cm)
- Floor to Overhead Shut Off: 140.5" / 130.5" (357 / 331 cm)
- Overall Width: 131.75" (335 cm)
- Drive Thru Width: 98.375" (250 cm)
- Front Arm Reach: 21.75" to 39.25" (55 to 100 cm)
- Rear Arm Reach: 38.25" to 55.375" (97 to 141 cm)
- Lowered Pad Height: 4.25" to 6.75" (11 to 17 cm)
- Ceiling Height Required: 149" (379 cm)
- Inside Column Width: 110.25" (280 cm)
- Rise Time: 40 Seconds
- Maximum Load per Arm: 2,500 lbs (1,134kg)
- Power Requirements: 208-230V 1Ph 60Hz

OPTIONAL ACCESSORIES

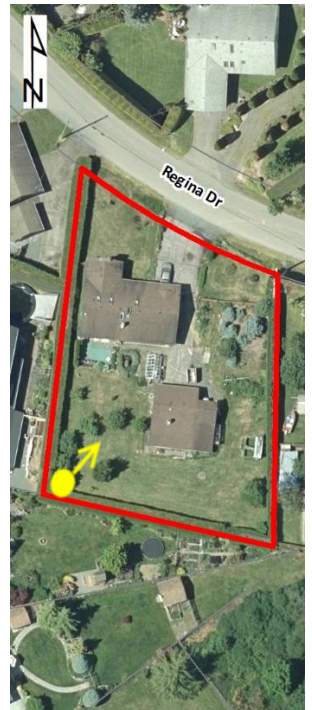
- Extension Adapter Kits [Includes Four 3" (7.6 cm) Stack Extensions, Two 6" (15.24 cm) Stack Extensions and Two Organizer Brackets with Mounting Hardware]: EAK0299T22A
- Air/Electric Workstation with Filter/Lubrication/Regulator: EAK0299T27A
- Two 6" (15.24 cm) Stack Adapter Extensions: EAK0299T23A
- 24" (61 cm) Red Column Height Extension Kit; Adds to Vehicle Clearance to Overhead: EAK0299T40A
- Optional Voltages are Available at the Time of Order:
EAK0299T45A: 208V 3Ph
EAK0299T46A: 230V 3Ph

For more information regarding the **10k Automotive Lifts**
call **800.362.4618 (US)** or **800.362.4608 (Canada)**
www.johnbean.com / www.johnbean.ca

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JohnBean







The Corporation of the District of North Cowichan
Zoning Amendment Bylaw (2372 Regina Drive), 2019
 Bylaw 3760

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


1. ***This Bylaw may be cited as "Zoning Amendment Bylaw No. 3760, 2019".***
2. ***Zoning Bylaw 1997, No. 2950 is amended in section 56 (4) [density in the Residential Rural Zone (R1)] by adding the following paragraph:***
 - (h) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 2372 Regina Drive (PID 000-368-393).

READ a first time on
 READ a second time on
 CONSIDERED at a Public Hearing on
 READ a third time on
 ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date	August 21, 2019	File:	
To	Council		
From	M. Frame, General Manager of Financial and Protective Services	Endorsed:	
Subject	Community Safety Plan Implementation		

Purpose

To provide an update on the implementation of the Community Safety Plan and seek Council's approval for entering contracting Community Safety Ambassadors, leasing office space, and constructing leasehold improvements, and to enter into a 50/50 cost sharing arrangement with the City of Duncan.

Background

Council approved in principle the Safer Community Plan at the July 17, 2019 Closed Council Meeting. Staff was directed to find a location for a Community Safety Office (CSO), devise a full implementation plan and negotiate cost sharing arrangements. Staff was also directed to ask Cowichan Highway Business Council, Cowichan Tribes, School District No. 79, RCMP and Cowichan Community Action Team to provide input on the implementation plan.

Discussion

Implementation Plan:

- Lease Office
- Contract Community Safety Ambassadors (CSA)
- Acquire Equipment
- Train Bylaw Staff, RCMP and CSA
- Consult with social/health and business groups
- Renovate CSO
- Staff CSO

Staff has identified a potential site for the Community Safety Office. Staff has offered to lease 490 Trans Canada Hwy (north 1/2 of former Duncan Music) subject to approval by North Cowichan and City of Duncan Councils. The offer was \$15.00 per square ft. per year (\$25,500) plus property taxes and expenses estimated at \$3.60 per square ft. (\$6,000). This would be \$2,635 per month. North Cowichan would enter into the lease and charge 50% of the cost to City of Duncan. Should other partners emerge the cost sharing arrangements can be refined. The office would be leased September 1, 2019 and would require some renovations prior to being opened.

The City of Duncan posted a Request for Proposal for Safety Ambassador Services July 26, 2019. The RFP estimated 56 hours of patrols per week. The RFP closed August 9, 2019 and there were four responses. The RFP's are being reviewed, based on the proposed rate and the proposed hours the annual cost will be approximately \$70,000. The City of Duncan will enter a contract with the security company and bill back North Cowichan 50% of the cost.

North Cowichan Bylaw Department has acquired bicycles, uniforms and personal protective equipment (PPE). The Bylaw Department has scheduling bicycle training, Naloxone administration training, and de-escalation training. Required operating policies and operational guidelines are being finalized.

Training through Randy Churchill is being organized for CSO staff; Bylaw staff (North Cowichan, Duncan and Cowichan Tribes), Security provider and Security Ambassadors, and RCMP.

Randy will then facilitate individual meetings with CSO staff and each individual organization involved in the corridor area. This would include CHMA Warmland, Cowichan Foodbank, Cowichan Action Team, Overdose Prevention Centre, Highway Business Association, Cowichan Tribes Health, School district # 79. Cowichan Community Health Network, Island health (MHSU), House of Friendship and others.

Renovations to the office will be scheduled on September. The CSO will have a soft opening. North Cowichan Bylaw staff have been meeting RCMP TRACE several mornings a week and patrolling the Lewis St area. This will be ramping up through the second half of August as, North Cowichan, Duncan and Cowichan Tribes staff will begin patrolling the Trans Canada Hwy Strip.

Options

- Approve lease of 490 Trans Canada Hwy for the Community Safety Office (cost shared with Duncan)
- Approve Leasehold improvements for Community Safety Office (cost shared with Duncan)
- Approve cost sharing with City of Duncan (and any subsequent partners) for Community Safety Ambassadors
- Approve in principle proposed Community Safety Plan implementation

Or

- Do not implement the Community Safety Plan.

Implications

Financial:

- Lease of CSO up to 50% of \$31,500 per year
- Leasehold improvements up to 50% of \$30,000
- Contracting Community Safety Ambassadors up to 50% of \$70,000 per year
- North Cowichan Bylaw Staff bikes, uniforms, PPE and office equipment up to \$15,000

The 2019 portion of these expenses estimated at \$125,000 will be funded from first two quarter RCMP Contract surplus, the 2020 Budget will include SCO costs of \$250,000 including the Crime Analyst and additional Bylaw Enforcement Officer.

Personnel:

One additional bylaw position is being filled this fall. The 2019 portion of this position will be funded from first two quarter RCMP Contract surplus, the 2020 Budget will include an additional Bylaw Enforcement Officer.

Interdepartmental:

IT services will be required setting up the CSO for communications and internet.

Social:

Numerous social organizations will be cooperating in the Community Safety Plan.

Communications:

A communications plan will be required in September prior to the CSO opening.

Recommendation

That Council authorize the Mayor and Corporate Officer to enter into a lease between Duncan Music Ltd. and the District of North Cowichan for the premises at 490 Trans Canada Hwy, for a period of two (2) years, with options for two (1 year) extensions, at a rate of \$15.00 per square foot, per year, plus property taxes and expenses;

And That Council approve leasehold improvements at 490 Trans Canada Hwy of up to \$30,000;

And That Council authorize the District of North Cowichan to enter into a 50/50 cost sharing arrangement with the City of Duncan for the costs associated with the lease and leasehold improvements for operation of a Community Safety Office at 490 Trans Canada Hwy;

And That Council approve the District of North Cowichan entering into a 50/50 cost sharing arrangement with the City of Duncan, at a cost of approximately \$70,000, for funding the Community Safety Ambassadors;

And Further That Council approve, in principle, the proposed Community Safety Implementation Plan, as outlined in the August 21, 2019 report by the General Manager Financial and Protective Services.

Attachment: Offer to Lease 490 Trans Canada Hwy

Payment for Real Estate Services – What Sellers Need to Know

In BC, all licensed real estate professionals are required to disclose to their clients how they will be paid for their services. This information may affect how you decide to proceed with the sale of your property.

A real estate professional representing you in the sale of your property must give you a copy of this disclosure form before presenting each offer (or counter-offer) from potential buyers. You must receive a separate form for each offer.

Commissions are paid by the sellers to the real estate professional's brokerage, and the real estate professional receives payment from the brokerage.

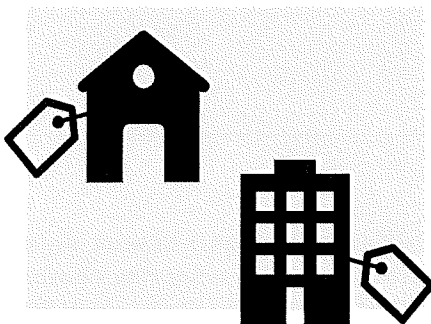
This form shows you:

- the total amount that your real estate professional's brokerage would receive if you accept this offer,
- how the payment would be shared with the "cooperating" brokerage (the brokerage representing the potential buyer), if any, and,
- any other payment the real estate professional will receive, or expects to receive in connection with this transaction.

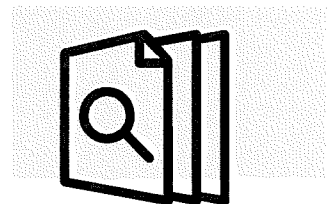
This form does not show you the amount of commission your real estate professional will earn.

You've Got an Offer. What Now?

The real estate professional representing you in the sale of your property is required by law to bring all written offers to you for your consideration.



When you receive an offer to purchase your property, it is in your best interest to review the offer carefully. The real estate professional representing you in the sale can assist you to understand the terms and conditions in the offer, so that you can make a decision that is right for you about the sale of your property. You are under no obligation to accept any offer



Why are you getting this form?

The real estate professional representing you is required to give you this form before presenting you with any offer to buy your property.

How to use this form

Read over this information and ask about anything that is not clear. You can complete the optional consumer fields to indicate that you've discussed the information on this form with the real estate professional.

What happens next?

After you've reviewed the form and completed the optional consumer fields, the real estate professional must complete and sign it.

Learn more about this form and other information for real estate consumers at www.recbc.ca.



This disclosure is made to you in compliance with section 5-11.1 of the Rules made under the *Real Estate Services Act*.

Instructions

Real Estate Professional: Complete the **Details of the Offer** section before presenting the form to the consumer. Complete and sign the **Mandatory Real Estate Professional Confirmation** to indicate you have provided this disclosure to the real estate consumer. Promptly submit the signed and dated form to your brokerage.

Consumers: You are receiving this form because an offer has been made to purchase your property. Please complete the **Optional Consumer Confirmation** below to indicate that you received this consumer protection information.

Details of the Offer

This disclosure is made in respect of a property located at:

490 Trans Canada Hwy Highway Duncan, BC. V9L 3R6

Name of real estate professional: BRIAN HEBBERT

Listing brokerage: Royal LePage Duncan Realty

Name(s) of potential buyer(s): District of North Cowichan

Potential buyer(s)'s brokerage: Royal LePage Duncan Realty

Date of offer: July 31, 2019 Offered purchase price: \$ 15.00 per square foot

IF YOU ACCEPT THIS OFFER:

Amounts below are exclusive of GST

You will pay your real estate professional's brokerage this amount: \$ 4,250.00

This amount will be shared with the potential buyer's brokerage (the co-operating brokerage): \$ 2,125.00

This amount will be kept by your real estate professional's brokerage: \$ 2,125.00

Your real estate professional has received or will receive this amount from someone other than you, as a result of providing real estate services to you, or on your behalf: \$ _____

NOTE: If the real estate professional discloses an amount in this section, they must provide you with a separate form that sets out the source of the remuneration, the amount or likely amount or method of calculation of the remuneration, and all other relevant facts relating to the remuneration under section 5-11(1)(a) of the Real Estate Rules.

p.2 of 3



Mandatory Real Estate Professional Confirmation

I confirm that I have:

- [x] disclosed how the remuneration would be shared if my client accepted this offer.
[x] presented my client with this form before presenting them with the offer.

Name: BRIAN HEBBERT

Brokerage: Royal LePage Duncan Realty

Signature: [Authentisign Brian Hebbert 8/13/2019 2:41:03 PM EDT] Date: 08/13/2019

Optional Consumer Confirmation

Consumer Name: David Spinks

Consumer Signature: [Authentisign [Signature] 8/13/2019 3:35:58 PM EDT] Date: 08/13/2019

Consumer Name: _____

Consumer Signature: _____ Date: _____

CONSUMER PRIVACY NOTICE

A real estate professional is providing you with this form because they are required to do so by the Rules made under the Real Estate Services Act (the "Rules"). You are not required to provide your name or signature on this form. However, the real estate professional you are dealing with may ask you to do so in order to document that they have provided you with this form as required by the Rules.

If you have any questions regarding the Real Estate Council of BC's collection and use of your personal information, please contact:

Privacy Officer, Real Estate Council of BC, 900-750 West Pender Street, Vancouver, BC, V6C 2T8; telephone: 604.683.9664 or toll-free at 1.877.683.9664; email: privacy@recbc.ca

A COPY OF THIS DISCLOSURE IS NOT REQUIRED TO BE PROVIDED TO THE REAL ESTATE COUNCIL OF BC UNLESS IT IS SPECIFICALLY REQUESTED.



OFFER TO LEASE

DATED: July 31, 2019

The Tenant hereby offers to lease (the "Offer") from the Landlord certain premises described below, on the following terms and conditions:

Part 1 – INFORMATION SUMMARY

						PARA REF.
1. PREPARED BY						
1.1. Name of Brokerage Royal LePage Duncan Realty						
1.2. Brokerage Address 481 TRANS CANADA HWY Duncan V9L 3R7						
1.3. Licensee (a licensee may be the Brokerage's managing broker(s), associate broker(s) or representative(s)) BLAIR HERBERT						
1.4. Brokerage Phone Number (250) 746-6621					1.5. MLS® NO.	
2. PARTIES						
2.1a. Landlord Duncan Music Ltd.						
2.1b. Landlord						
2.2. Landlord's Address Suite 200 - 44 Queens Rd Duncan V9L 2W4						
2.3. Landlord's Phone No.		Email		Fax No.		
2.4. Landlord's Residency (as defined in the <i>Income Tax Act</i>) RESIDENT OF CANADA <input checked="" type="checkbox"/> NON-RESIDENT OF CANADA <input type="checkbox"/>						
2.5. Tenant District of North Cowichan						
2.6. Address 7030 Trans Canada Hwy Duncan BC V9L6A1						
2.7. Tenant's Phone No.		Email		Fax No.		
2.8. Occupation municipal government						
2.9. Tenant's Operating Name						
2.10. Covenantor						30
2.11. Address						30
2.12. Covenantor's Phone No.		Email		Fax No.		30
3. PROPERTY						18
3.1. Legal Description of Land Lot 1 Section 17 Range 7 Quamichan District Plan 1583 except part in Plan 695 RW						
3.1 PID 007170483						18
3.2. Civic Address of Land/Buildings/Premises 490 Trans Canada Hwy Duncan						18
3.3. Premises north half of former Duncan Music building		Schedule 3.3 Attached		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	18
3.4. Area of Premises Approx 1700		Schedule 3.4 Attached		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	18
4. TERM						19
4.1. Term one year with options to renew for 3 further years						
4.2. Commencement Date September 1, 2019						19
4.3. Expiry Date August 31, 2020 2021 [initials]						19
5. POSSESSION/OCCUPANCY						20
5.1. Date September 1, 2019						
6. RENT		YEAR(S) 4	YEAR(S) 1 & 2	YEAR(S) [initials]	YEAR(S)	YEAR(S)
Type of Rent (Choose one):						
<input type="checkbox"/> 6.1 Gross Rent Per Month; OR		\$	\$	\$ [initials]	\$	\$
<input checked="" type="checkbox"/> 6.2 Basic Rent Per Square Foot Per Annum		\$ 13.00	\$ 15.00	\$ [initials]	\$	\$
Basic Rent Per Month		\$ 1,841.67	\$ 2,125.00	\$ [initials]	\$	\$

INITIALS [initials]

490 Trans Canada Hwy Duncan

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Estimated Additional Rent for Year <u>2019 - 2020</u> is \$ <u>3.60</u> Per Square Foot Per Annum (\$ <u>6,000.00</u> per month)		21
6.3. Rent Schedule Attached	Schedule 6.3 Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	22
7. PERMITTED USE		
7.1. Permitted Use <u>office space and meeting rooms</u>		23
8. LANDLORD'S IMPROVEMENTS		
8.1. Landlord's Improvements NONE <input checked="" type="checkbox"/>	Schedule 8.1 Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	24
9. TENANT'S IMPROVEMENTS		
9.1. As Viewed On (Date) <u>July 24, 2019</u>		
9.2. Tenant's Improvements NONE <input checked="" type="checkbox"/>	Schedule 9.2 Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	25
10. LEASE		
10.1. Lease Attached <u>no</u>	Schedule 10.1 Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	26
10.2. Lease to be Provided by Landlord Within 20 <u>10</u> Days of Acceptance		26
10.3. Lease to be Reviewed and Approved by Tenant By:	<input type="checkbox"/> Tenant's Condition Removal Date <input type="checkbox"/> Within _____ Days of Receipt from Landlord <input checked="" type="checkbox"/> Date <u>August 30, 2019</u>	26
11. OPTION TO RENEW		
11.1. Number of Renewal Term(s): <u>3</u> of <u>1</u> Years Each		27
11.2. Renewal Notice to be Provided by the Tenant in Writing <u>2</u> Months Before Expiry of Term		27
12. TENANT'S CONDITIONS PRECEDENT		
12.1. None <input type="checkbox"/>	Schedule 12.1 Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	32
13. LANDLORD'S CONDITIONS PRECEDENT		
13.1. None <input checked="" type="checkbox"/>	Schedule 13.1 Attached Yes <input type="checkbox"/> No <input type="checkbox"/>	33
14. DEPOSIT		
14.1. Deposit to be Provided by the Following Date:		34
	Date <u>August 23, 2019</u>	
14.2. Amount of Deposit \$5,000.00 <u>first & last months rent plus applicable taxes</u>		34
14.3. Deposit to be Paid in Trust To <u>Royal LePage Duncan Realty</u>		34
14.4. Deposit to be applied as follows <u>1st month rent and last months rent</u>		34
15. AGENCY DISCLOSURE		
15.1. Landlord's Designated Agent: Licensee & Brokerage <u>Brian Hebbert</u>	<u>Royal LePage Duncan</u>	36
15.2. Tenant's Designated Agent: Licensee & Brokerage <u>Royal LePage Duncan Realty</u>	<u>BLAIR HERBERT</u>	36
15.3. Limited Dual Agency Designated Agent: Licensee & Brokerage		36
15.4. Date of Limited Dual Agency Agreement		36
16. OFFER	<u>14th</u>	
16.1. Offer/Counter-Offer Open Until (Date & Time) <u>August 6, 2019 at 5 PM</u>		39
17. SCHEDULES		
3.3. Premises	Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
3.4. Area of Premises	Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
6.3. Rent Schedule	Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
8.1. Landlord's Improvement	Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
9.2. Tenant's Improvement	Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
10.1. Lease	Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
12.1. Tenant's Conditions Precedent	Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
13.1. Landlord's Conditions Precedent	Attached Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

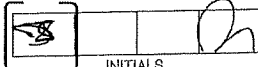
INITIALS

490 Trans Canada Hwy Duncan
PROPERTY ADDRESS

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Part 2 – TERMS

18. **DESCRIPTION OF PREMISES:** The Premises shall consist of approximately the square footage set out in section 3.4 and as shown outlined on the plan attached hereto as Schedule 3.3 If so indicated. All measurements shall be determined using the current Building Owners and Managers Association (BOMA) standard method of measurement and Basic and Additional Rent shall be adjusted accordingly.
19. **TERM:** The term of the Lease shall be for the Term set out in section 4.1, commencing on the Commencement Date set out in section 4.2, and expiring on the Expiry Date set out in section 4.3.
20. **DATE OF POSSESSION/OCCUPANCY:** The Tenant shall have possession of and may occupy the Premises on the Possession Date set out in section 5.1.
21. **RENT:** The Tenant shall pay to the Landlord the Gross Rent or Basic Rent specified in section 6, payable monthly in advance without deduction in equal monthly installments on the first day of each and every month throughout the Term, in the amounts specified in section 6 commencing on the Commencement Date or in accordance with Schedule 6.3 if attached.
22. **ADDITIONAL RENT:** The Lease shall be absolutely net or gross to the Landlord as specified in section 6, except for structural defects, as defined in the Lease, the expense of which shall be borne by the Landlord and, if net, in addition to Basic Rent plus GST, the Tenant shall pay for all other charges and expenses provided for in the Lease from the Commencement Date, including, without limitation, the Tenant's proportionate share (being the ratio of the rentable area of the Premises divided by the total rentable floor area of the Building) of property taxes, business taxes, water/sewer rates, building insurance, maintenance, management fees, heat, light and power, plus GST applicable to the foregoing (the "Additional Rent"). The Additional Rent shall be estimated and adjusted annually by the Landlord and paid in advance with the Basic Rent on the first day of each month and every month throughout the Term. The estimated Additional Rent in respect of the Premises is set out in section 6 and shall commence on the date specified in therein.
23. **PERMITTED USE:** The Tenant shall use the Premises for the permitted use specified in section 7.1 only, and for no other purposes without the prior written approval of the Landlord as set out in the Lease, such approval not to be unreasonably withheld.
24. **LANDLORD'S IMPROVEMENTS:** The Premises are to be provided by the Landlord on an "as is, where is" basis, except for those Improvements outlined in Schedule 8.1 which shall be provided at the Landlord's expense. The Landlord shall be responsible for all permits for the Landlord's Improvements. All other leasehold improvements shall be completed at the Tenant's cost.
25. **TENANT'S IMPROVEMENTS:** The Tenant agrees to accept the Premises on an "as is, where is" basis, as viewed by the Tenant on the Viewing Date specified in section 9.1 except for that work specifically set forth in Schedule 8.1 as the Landlord's Improvements. The Tenant shall carry out all work necessary to complete the Premises, as set out in the attached Schedule 9.2. The Tenant shall be required to prepare working drawings of the proposed Tenant's Improvements and obtain the written consent of the Landlord before commencing the Tenant's Improvements, such consent not to be unreasonably withheld. All Tenant's Improvements shall be done at the Tenant's sole cost and expense by qualified and licensed contractors and subcontractors who shall be subject to the reasonable approval of the Landlord unless otherwise agreed between the parties in Schedule 9.2. All such Tenant's Improvements shall be performed in a first class manner in accordance with the provisions of the Lease. The Tenant shall be responsible for all permits for the Tenant's Improvements.
26. **THE LEASE:** The Lease for the Premises (the "Lease") shall be the Landlord's Standard Form of Lease for the Premises. A copy of the Lease is attached as Schedule 10.1 or, if not attached, a copy of the Lease shall be delivered to the Tenant within the time specified in section 10.2 following acceptance of this Offer. The Lease shall be modified to include the provisions of this Offer in either event. The Tenant shall have the time specified in section 10.3 after receipt of the Lease to review and approve of the Lease. Upon completion of the Tenant's review and approval, the Landlord shall prepare and deliver the Lease to the Tenant for execution. The Tenant shall execute the Lease and shall cause any Covenantor to execute the Lease, and shall deliver the Lease to the Landlord forthwith upon receipt of the same, and in any event prior to taking possession of and commencing business operations from the Premises. If the Tenant takes possession of the Premises without executing the Lease, the Tenant shall be deemed to have executed the Lease and shall be bound by all of the provisions thereof, provided however the Tenant shall remain obligated to execute and deliver the Lease to the Landlord forthwith upon demand, and such failure to execute and deliver the Lease to the Landlord shall constitute a default under the terms of the Lease. The Landlord shall not be obliged to deliver the Lease to the Tenant in a form acceptable for registration.
27. **OPTION TO RENEW:** Provided the Tenant duly and regularly pays the rent, plus GST, and has not been in breach of any of the terms, conditions and covenants contained in the Lease, the Tenant shall have the option to renew the Lease, for a further term specified in section 11.1 (the "Renewal Term") on the same terms and conditions as the initial Term except for Basic Rent, any free rent allowance, fixturing period, any other tenant inducements or allowances and this option to renew. The rental for the Extended Term shall be based on the prevailing fair market rental for improved premises of similar size, quality, use and location, as agreed between the parties, and failing such agreement, as determined by arbitration pursuant to the *Arbitration Act*. The Tenant shall give written notice of the Tenant's intent to exercise such option to renew to the Landlord no later than the time specified in section 11.2 prior to the date of expiry of the initial Term, failing which, such option shall be null and void and incapable of exercise.
28. **ASSIGNMENT:** The Tenant shall not assign all or any of its rights or obligations under this Offer, except with the prior written consent of the Landlord.
29. **NOTICE:** Any notice given shall be in writing and prior to the Commencement Date, the addresses of the Landlord and Tenant for notices shall be the addresses set out in section 2 of this Offer, and any such notice shall be deemed to be received by the party to whom it was addressed, if delivered by hand, then upon delivery, or, on the third business day after the date on which it was mailed by prepaid registered mail except in the event of labour disruptions affecting postal service occurring prior to the deemed date of receipt thereof in which case notice shall only be delivered by hand.


INITIALS

490 Trans Canada Hwy Duncan

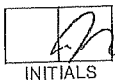
PROPERTY ADDRESS

30. COVENANTOR: If this Offer is accepted by the Landlord, the Covenantor specified in section 2.10 and in further consideration of the Landlord accepting the Offer, shall be bound to preserve and perform the terms of this Offer as accepted as if the Covenantor were the Tenant, and the Covenantor shall execute and deliver to the Landlord, as Covenantor named therein, the Lease concurrently with the execution and delivery thereof by the Tenant. The Covenantor covenants with the Landlord that the Covenantor is jointly and severally bound among themselves and the Tenant for the fulfillment of all obligations of the Tenant under this Offer and the Lease.
31. CONTAMINATED SITES: Pursuant to the *Environmental Management Act*, and the Contaminated Sites Regulation, the Landlord shall be responsible for preexisting contamination on the Premises, if any, at the time the Tenant takes possession. The Tenant shall be responsible for any contamination of the Premises related to, or as a result of, the use and occupation of the Premises by the Tenant or any act or omission of the Tenant or any person for whom it is in law responsible, and shall indemnify the Landlord with respect thereto. The Tenant shall not contaminate the Premises or otherwise contravene the *Environmental Management Act* as amended or any other statutes, laws, regulations, orders, bylaws standards, guidelines, permits and other lawful requirements of any governmental authority having jurisdiction over the Premises.
32. TENANT'S CONDITIONS PRECEDENT: This Offer and its acceptance is subject to the condition(s) precedent set out in Schedule 12.1, all of which are for the sole benefit of the Tenant (the "Tenant's Conditions"). The Tenant's Conditions shall be removed or waived by notice in writing from the Tenant to the Landlord on or before the times specified in Schedule 12.1, or the agreement resulting from the acceptance of this Offer shall become null and void and of no force or effect and the deposit shall be returned to the Tenant. The Landlord and Tenant specifically confirm that this Offer is executed under seal. It is agreed and understood, that the Landlord's acceptance is, subject to the Landlord's Conditions described in section 33, if any, irrevocable, including without limitation, during the period for the Tenant to either fulfill or waive the Tenant's Conditions.
33. LANDLORD'S CONDITIONS PRECEDENT: This Offer and its acceptance is subject to the condition(s) precedent set out in Schedule 13.1 all of which are for the sole benefit of the Landlord (the "Landlord's Conditions"). The Landlord's Conditions shall be removed or waived by notice in writing from the Landlord to the Tenant on or before the times specified in Schedule 13.1 or the agreement resulting from the acceptance of this Offer shall become null and void and of no force or effect and the deposit shall be returned to the Tenant. The Landlord and Tenant specifically confirm that this Offer is executed under seal. It is agreed and understood, that this Offer is, subject to the Tenant's Conditions described in section 32, if any, irrevocable, including without limitation, during the period for the Landlord to either fulfill or waive the Landlord's Conditions.
34. DEPOSIT: Within the time specified in section 14.1 of this Offer by the Landlord, the Tenant shall deliver a cheque in the amount specified in section 14.2, payable to the party specified in section 14.3, in trust, as a deposit to be applied in the manner specified in section 14.4. The balance of the deposit, if any, shall be held as a security deposit against payment and proper performance by the Tenant of the Tenant's obligations under the Lease, including payment of rent. If the Tenant defaults in carrying out any of its obligations hereunder, the Landlord, at its option, may retain the deposit as liquidated damages and not as a penalty without limiting the Landlord's other remedies at law or in equity. If this Offer becomes null and void, the deposit shall be refunded to the Tenant without deduction. Upon the date set for occupancy or upon execution of the Lease, whichever occurs first, the rent is then due and payable and may be deducted from the deposit with any remaining balance to be paid forthwith. This deposit shall not bear interest.

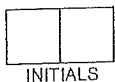
The deposit is to be held in trust by the party specified, as a stakeholder pursuant to the provisions of the *Real Estate Services Act* and not on behalf of the principals to the transaction until the time specified below. The Landlord and Tenant hereby instruct the party holding the deposit, to release the deposit upon the earlier of:
 - (a) the date on which the Lease is submitted to the Land Title Office for registration;
 - (b) the date the Tenant has the right to take possession of the Premises; and
 - (c) the date the Tenant lawfully occupies the Premises.
35. INTERPRETATION: Time shall be of the essence in all matters to be performed by each party to this Offer. This Offer, if accepted, shall constitute a binding agreement between the parties to enter into the Lease and to abide by the terms and conditions contained herein. If there are two or more Tenants hereunder, the liability of such Tenants shall be joint and several. There are no representations, warranties, guarantees, promises or agreements other than those set out herein, all of which shall survive the signing of the Lease. Whenever the context so requires, the neuter gender shall include masculine and feminine, and the singular number shall include the plural and vice versa. This Offer shall be governed by the laws of the Province of British Columbia. This Offer shall enure to the benefit of, and be binding upon, the successors and permitted assigns of the Parties. If there is a contradiction between the provisions of this Offer and the terms and conditions of the Lease, the Offer shall prevail.
36. AGENCY DISCLOSURE: The Landlord and Tenant acknowledge and confirm as follows (initial appropriate box(es) and complete details as applicable):



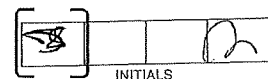
A. The Landlord acknowledges having received, read and understood Real Estate Council of British Columbia (RECBC) form entitled "Disclosure of Representation in Trading Services" and hereby confirms that the Landlord has an agency relationship with the Designated Agent(s)/Licensee(s) specified in Section 15.1 who is/are licensed in relation to the brokerage specified in Section 15.1.



B. The Tenant acknowledges having received, read and understood RECBC form entitled "Disclosure of Representation in Trading Services" and hereby confirms that the Tenant has an agency relationship with the Designated Agent(s)/Licensee(s) specified in Section 15.2 who is/are licensed in relation to the brokerage specified in Section 15.2.



C. The Landlord and the Tenant each acknowledge having received, read and understood RECBC form entitled "Disclosure of Risks Associated with Dual Agency" and hereby confirm that they each consent to a dual agency relationship with the Designated Agent(s)/Licensee(s) specified in Section 15.3 who is/are licensed in relation to the brokerage specified in Section 15.3, having signed a dual agency agreement with such Designated Agent(s)/Licensee(s) dated the date set out in Section 15.4.



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PROPERTY ADDRESS

INITIALS

D. If only (A) has been completed, the Tenant acknowledges having received, read and understood RECBC form "Disclosure of Risks to Unrepresented Parties" from the Landlord's Designated Agent(s)/Licensee(s) listed in (A) and hereby confirms that the Tenant has no agency relationship.

INITIALS

E. If only (B) has been completed, the Landlord acknowledges having received, read and understood RECBC form "Disclosure of Risks to Unrepresented Parties" from the Tenant's Designated Agent(s)/Licensee(s) listed in (B) and hereby confirms that the Landlord has no agency relationship.

37. COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION: The Landlord and the Tenant hereby consent to the collection, use and disclosure by the Brokerages and Licensees described in section 15, the real estate boards of which those Brokerages and Licensees are members and, if the Premises are listed on a Multiple Listing Service®, the real estate board that operates that Multiple Listing Service®, of personal information about the Landlord and the Tenant:

- A. for all purposes consistent with the transaction contemplated herein;
B. If the property is listed on a Multiple Listing Service®, for the purpose of the compilation, retention and publication by the real estate board that operates the Multiple Listing Service® and other real estate boards of any statistics including historical Multiple Listing Service® data for use by persons authorized to use the Multiple Listing Service® of that real estate board and other real estate boards;
C. for enforcing codes of professional conduct and ethics for members of real estate boards; and
D. for the purposes (and to the recipients) described in the brochure published by the British Columbia Real Estate Association entitled Privacy Notice and Consent.

The personal information provided by the Landlord and the Tenant may be stored on databases outside Canada, in which case it would be subject to the laws of the jurisdiction in which it is located.

38. INFORMATION SUMMARY: The Information Summary being Part 1 to this Offer, and the Schedules attached to this Offer, form an integral part of this Offer. The Landlord and Tenant acknowledge that they have read all of Part 1 and Part 2 and the Schedules to this Offer.

39. OFFER: This offer, or counter-offer, will be open for acceptance until the time and date specified in section 16.1 (unless withdrawn in writing with notification to the other party of such revocation prior to notification of its acceptance), and upon acceptance of the offer, or counter-offer, by accepting in writing and notifying the other party of such acceptance, there will be a binding Offer to Lease on the terms and conditions set forth.

X WITNESS

[Handwritten signature]



TENANT District of North Cowichan

X WITNESS

[Handwritten signature]



TENANT

X WITNESS

[Handwritten signature]



COVENANTOR

40. ACCEPTANCE: The Landlord (a) hereby accepts the above offer and agrees to complete the lease upon the terms and conditions set out above, (b) agrees to pay a commission as per the Authority to Lease. Neither the preparation by the Landlord of this or any form of offer nor any negotiations entered into by the Landlord in connection with its submission shall constitute or imply any commitment unless the above offer has been accepted in writing by the Landlord.

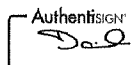
Landlord's acceptance is dated 08/13/2019, yr. _____

X WITNESS

[Handwritten signature]



LANDLORD Duncan Music Ltd.



8/13/2019 3:37:20 PM EDT

X WITNESS

[Handwritten signature]



LANDLORD

*PREC represents Personal Real Estate Corporation
Trademarks are owned or controlled by The Canadian Real Estate Association (CREA) and identify real estate professionals who are members of CREA (REALTOR®) and/or the quality of services they provide (MLS®).

OFFER TO LEASE ADDENDUM



MLS® NO.: _____ DATE: July 31, 2019 PAGE 6 of 6 PAGES

RE: ADDRESS 490 Trans Canada Hwy Duncan

Lot 1 Section 17 Range 7 Quamichan District Plan 1583 except part in Plan 695 RW

LEGAL DESCRIPTION

PID: 007170483

FURTHER TO THE OFFER TO LEASE DATE July 31, 2019 MADE BETWEEN
District of North Cowichan

.....AS TENANT(S), AND
Duncan Music Ltd.

.....AS LANDLORD(S)
AND COVERING THE ABOVE-MENTIONED PROPERTY, THE UNDERSIGNED HEREBY AGREE AS FOLLOWS:

[S] M

- This offer to lease is subject to being approved by the City of Duncan Council and the North Cowichan Council by August 23rd 2019. This condition is for the sole benefit of the Leasee.

- The Leasee and Lessor agree that this is a ^{two} ~~one~~ year lease with the option to renew for year ~~2~~ at 13.50 and year ~~3~~ and 4 at ~~14.00~~

3 16.00 16.50

[S] M

- Tenant improvements are at the tenants cost. The washroom facilities are part of lease space proposed.

- The Leasee and Lessor agree that the floor area of 1700 sq ft is approximate and will be confirmed prior to the lease being completed. Rent will be recalculated as per confirmed square footage. [S] M

- Common costs listed are approximate and include ^{proportionate share} ~~1/2~~ of municipal taxes, insurance and power for signage. [S] M

- Leasee is entitled to half the parking at the front and rear of the building. Also has the option of ~~half the signage in the front of the building~~ the top sign on the pylon and on the building within the Tenant's frontage

- It is understood that there is separate HVAC and metered power for the north side of the building

X
WITNESS

TENANT District of North Cowichan



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Report

Date	August 21, 2019	File:	
To	Council		
From	M. Frame, General Manager Financial and Protective Services	Endorsed:	
Subject	Coastal Communities Social Procurement Initiative		

Purpose

To report on the implications, costs and value of pursuing membership in the Coastal Communities Social Procurement Initiative.

Background

At the June 5, 2019 Council Meeting an invitation to join the Coastal Communities Social Procurement Initiative (CCSPI) was considered by Council and a staff report was requested on the implications, costs and value of pursuing membership. Membership in the CCSPI is twice the annual dues for the Association of Vancouver Island and Coastal Communities. This would be approximately \$6,800.

Discussion

The District of North Cowichan has no dedicated procurement resources. The procurement function is presently handled within the Financial Services Department. Municipalities the size of North Cowichan would normally have at least two procurement staff. As of August 2, 2019, the Financial Services Department has 14 procurement processes (RFPs, Tenders etc.) in the cue to be completed as time permits. North Cowichan's current procurement staffing is unlikely to be sufficient to implement a meaningful social procurement program. Procurement was identified as a gap by the Administrative Services Review that impacts all departments. The current procurement policy includes social procurement as a one of the eight guiding procurement principles.

Social procurement is a long term strategy that requires leadership and commitment throughout the organization. Implementing social procurement to create social value requires a standardized approach and trained procurement staff.

CCSP goals include (<https://ccspi.ca/about/>);

- local governments embracing and implementing social procurement
- use of a standardized approach to social procurement across local governments
- implementing a robust monitoring reporting framework
- training staff in issuing tenders and RFPs that result in community benefits
- engaging product and service suppliers

Achieving these goals would be labour intensive and would take time and resources.

Options

- Pursue membership in Coastal Communities Social Procurement Initiative
- Defer pursuing membership in Coastal Communities Social Procurement Initiative until such time as North Cowichan has adequate procurement resources to implement social procurement as a long term sustainable initiative.

Implications

Financial

- membership in CCSPI is approximately \$6,800
- one full time procurement manager would be required
- one half time social procurement resource would be required
- social procurement can increase costs of goods and services

Social

- social procurement is becoming a common practice that can integrate social values and outcomes into business practices


Recommendation

That Council defer pursuing membership in Coastal Communities Social Procurement Initiative until such time as North Cowichan has adequate procurement resources to implement social procurement as a long term sustainable initiative.

Report

Date August 21, 2019 File:

To Council

From M. Frame, General Manager of Financial and Protective Services Endorsed: 

Subject One-Time Payment – Gas Tax Agreement Community Works Fund

Purpose

To recommend putting the 2019 one-time Gas Tax – Community Works Fund payment into a capital reserve for allocation in the 2020 - 2023 Capital Expenditure Program.

Background

North Cowichan’s Allocation of the 2019/2020 Gas Tax Program – Community Works Fund is \$1,304,279. These funds are allocated in the 2019 Capital expenditure Program \$1.1 million to the Roads Program, \$100,000 to Chemainus Water Capital and \$100,000 to Crofton Water Capital. In the 2019 budget, the Federal government allocated an additional one-time payment equal to the 2018/19 Community Works Fund allocation; \$1,327,987. The federal budget came down in March after the 2019 - 2022 Financial Plan was substantially complete, so the one-time payment was not included in the plan.

Discussion

In order to make best use of the one-time payment, the funds could be put in a capital reserve fund in 2019 and allocated to 2020 - 2023 Capital Expenditure Program. The funds have to be used for incremental capital, so they can’t be used to fund capital already budgeted in 2019, and they can’t be used to reduce capital expenditure funding in future years. Adding new capital projects in 2019 would require amending the Financial Plan Bylaw. The Community Works Funds can be used for:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Local roads and bridges • Highways • Short-sea shipping • Short-line rail • Regional and local airports • Broadband connectivity • Drinking water • Wastewater | <ul style="list-style-type: none"> • Solid waste • Community energy systems • Brownfield redevelopment • Public transit • Sport and recreation • Cultural and tourism • Disaster mitigation • Capacity building |
|---|---|

These funds would provide a great opportunity to fund one or two one-time projects. For example there will be some expensive bridge, water and sewer projects coming up over the next five years.

Options

- Amend the Financial Plan and Budget the one-time CWF payment in 2019.
- Transfer the one-time CWF payment of \$1,327,987 into a capital reserve for 2019 for allocation in the 2020 - 2023 Capital Expenditure Program.

Financial Implications

One time doubling of annual Community Works Fund allocation will provide a valuable source of capital funding for the 2020 – 2023 Capital Expenditure Program.

Recommendation

That Council approve transferring the one-time CWF payment of \$1,327,987 into a capital reserve for allocation in the 2020 - 2023 Capital Expenditure Program.

Attachment: UBCM letter dated July 22, 2019

July 22, 2019



Mayor Al Siebring
District of North Cowichan
7030 Trans-Canada Highway
Duncan, BC V9L 6A1

Dear Mayor Al Siebring:

RE: GAS TAX AGREEMENT COMMUNITY WORKS FUND PAYMENT

I am pleased to advise that UBCM is in the process of distributing the first Community Works Fund (CWF) payment for fiscal 2019/2020. An electronic transfer of \$1,980,126.73 is expected to occur within the next 30 days. These payments are made in accordance with the payment schedule set out in your CWF Agreement with UBCM (see section 4 of your Agreement). UBCM is also making an additional one-time payment towards CWF funding approved for disbursement by the Federal government under Budget 2019 to supplement the fiscal 2018/2019 allocation.

CWF is made available to eligible local governments by the Government of Canada pursuant to the Administrative Agreement on the Federal Gas Tax Fund in British Columbia. Funding under the program may be directed to local priorities that fall within one of the eligible project categories.

First CWF Payment: \$652,139.32
CWF One-Time Payment: \$1,327,987
Total EFT Transfer: \$1,980,126.73

Further details regarding use of CWF and project eligibility are outlined in your CWF Agreement and details on the Gas Tax Agreement can be found on our website at www.ubcm.ca.

For further information, please contact Gas Tax Program Services by e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Very best,


Arjun Singh
UBCM President

FILE No. _____	CAO	<input checked="" type="checkbox"/>
Council _____ <input type="checkbox"/>	GM People & Bus. Service	<input type="checkbox"/>
COW _____ <input type="checkbox"/>	GM Fin. & Protective Services	<input checked="" type="checkbox"/>
Com. _____ <input type="checkbox"/>	GM Dev. Eng. Services	<input type="checkbox"/>
Info Pack _____ <input type="checkbox"/>	GM Comm. Services	<input type="checkbox"/>
	Other _____	
	For Action _____	

CC: Mark Frame, General Manager, Financial and Protective Services

LF 99 Jul 29/19

Report

Date	July 17, 2019	Prospero No. ZB000109
To	Council	Folio No. 05463-021
From	Glenn Morris, Development Planning Coordinator	File No. 3360-20 19.04
Subject	Zoning Bylaw Amendment Application No. ZB000109 (Unit 110 - 2951 Green Rd.) – Cannabis Retail Sales (Costa Canna Corp.)	Endorsed: 

Purpose

The purpose of this report is to provide Council with information, analysis and a recommendation regarding a site specific zoning amendment application to permit Retail Cannabis Sales at unit 110, 2951 Green Road - Cowichan Commons.

Background

The previous location (unit 101) within building "B" was denied at the Regular Council meeting held June 5, 2019. Safety and security considerations, immediacy to the Averill Creek Friendship Trail head, relative proximity to a neighbouring elementary school and non-compliance with the Council Cannabis Retail Policy were noted as points of concern.

The applicant has since revised the proposed location to unit 110 which is centrally located within building "B" as opposed to the previous western extent against the Averill Creek Friendship Trail head (unit 101). Written confirmation has been received by staff from the Liquor and Cannabis Regulation Branch (LCRB) that the revised location will be considered by the LCRB.

The 1.07 ha (2.65 ac) subject property is located on Green Road west of the mall access road at the Cowichan Commons regional shopping centre (**see ATTACHMENTS 1 & 2**). The property is designated as a Regional Shopping Centre under the Official Community Plan (OCP), zoned Commercial General (C2) (**ATTACHMENT 3**), and is located within the Urban Containment Boundary (UCB). The proximity of the proposed location of the Cannabis Retail Store to parks, schools, and recreation areas is identified in (**ATTACHMENT 4**).

Land Use Context

North: Commercial, Residential & Multi-family properties
South: Residential properties, including undeveloped seniors' housing zoned property (CD17)
East: Public Use properties, i.e., BC Forest Discovery Centre, Visitor Centre
West: Railway – Island Corridor Foundation, Rural Residential, and Rural Agricultural properties

Proposal

The applicant, Costa Canna Corp. is proposing to amend the Commercial General - C2 Zone to permit a cannabis retail store at Building B, Unit 110, 2951 Green Road within the Cowichan Commons (**ATTACHMENT 5 & 6**).

Discussion

In October, 2018, the Federal government legalized non-medical Cannabis with the adoption of Bill C-45 the *Cannabis Act*. This federal legislation created a number of responsibilities for all levels of government regarding cannabis use, possession, production, and sales. The Province of BC has since adopted the *Cannabis Control and Licensing Act* and the *Cannabis Distribution Act*, as well as a series of regulations, to regulate private cannabis retail stores and authorize the creation and operation of provincial government cannabis retail/wholesale sales to include storefront locations.

The Province has been clear that local governments can choose not to allow cannabis stores, cap the number permitted in the community, or establish criteria for permitting cannabis retail stores. On January 16, 2019, Council considered and adopted the Retail Cannabis Sales Policy in order to establish criteria to guide Council in its consideration for zoning amendment applications requesting site-specific cannabis retail sales (**see ATTACHMENT 7**).

Policy considerations regarding this application are:

Official Community Plan

Policy 2.4.5 *The Municipality will protect and promote the economic viability of existing commercial enterprises in North Cowichan; attract new and emerging service, retail and other commercial businesses; and encourage diverse types of commercial activity.*

Policy 2.4.5.1 b) *The Municipality supports commercial infill and intensification of existing commercial areas. Emphasis will be given to the redevelopment or intensification of use on existing commercial sites over the designation of new commercial lands on "green field" sites. Increased density within existing commercial areas makes more efficient use of land and infrastructure, encourages transit and alternative transit modes, and promotes pedestrian-oriented development.*

Policy 2.4.5.2 *The Municipality encourages a range of commercial facilities from local to regional in scope.*

Retail Cannabis Sales Policy

Policy 4.1 Location

Retail cannabis use must be located on, or in close proximity to, a provincial highway ...; and in commercial areas zoned for retail use...

The subject site is located in close proximity to the Trans-Canada Highway, and in an established commercial area.

Policy 4.2 *Only one retail cannabis sales storefront will be allowed per parcel.*

No other active application has been approved for this parcel at this time.

Policy 4.3 *Each parcel permitting retail cannabis sales must be:*

(a) At least 600 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school; or a playground, recreation centre, or other areas where children and youth frequent, and

(b) At least 300 m (in a straight line from closest lot line to closest lot line) from another lot where retail cannabis sales is permitted, whether or not a storefront cannabis retailer is active or not.

The subject property is located within 600 m of Drinkwater Elementary School (6236 Lane Rd.), Fairview Neighbourhood Park, Averill Creek Friendship Trailhead and, as an area where children and youth frequent, the BC Forest Discovery Centre & Visitor Information - *Council policy states no closer than 600 m permitted.* The proposed Costa Canna retail location (lot line to lot line) is within:

- 350 m of Drinkwater Elementary School,
- 233 m of Fairview Neighbourhood Park,
- 0 m of Averill Creek Natural Area - Friendship Trailhead,
- 280 m of BC Forest Discovery Centre.

Therefore, the Costa Canna retail location does not meet policy statement 4.3 (a) above.

An application for a cannabis retail store - *Liquor Distribution Branch (LDB)* on an adjacent parcel *and within 300 m* (measured lot line to line) received first reading at the Regular Council meeting on June 5, 2019. The LDB applicant then held a public information meeting on June 17, 2019 and received second reading at the June 19 regular Council.

Council resolved at its June 5, 2019 Regular Council meeting to:

"deny Zoning Bylaw Amendment Application No. 000109 (2951 Green Road, PID: 027-506-444) and invite the applicant to re-submit the application with the proposed new storefront location within the same parcel."

Policy 4.5 Community Impact

Council will consider the impact of retail cannabis sale in proximity to libraries, public recreation centres, public community centres, parks, places of worship and family-oriented facilities.

Policy 4.6 LCRB Application

The Municipality will not accept applications for proposals that are not associated with an application that has been accepted by the Liquor and Cannabis Regulation Board (LCRB).

Confirmation that the Costa Canna application for unit 110 had been accepted for consideration by the Liquor and Cannabis Regulation Board – LCRB dated June 19, 2019 was received.

Policy 4.9 Application Process

The municipality will refer all retail cannabis sales applications to School District #79, North Cowichan RCMP, and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in Council's decision.

A second set of referrals for this application noting the unit no. change to unit 110 were sent internally to Municipal Departments and externally to School District #79, North Cowichan RCMP, the Ministry of Transportation and Infrastructure MOTI, and the jurisdictional neighbours of Halalt First Nation, Cowichan Tribes, City of Duncan, and the Cowichan Valley Regional District, to notify them and invite comment or concern about the proposal.

Of those Municipal Departments, agencies or jurisdictions that provided comment, improvement on the location was noted by the Municipality's Parks Department, the RCMP (**see ATTACHMENT 10**) registered no concerns and School District 79 supplied the Board of Education School District No. 79 policy on retail cannabis adopted June 4, 2019.

Municipal Parks – acknowledges siting improvement for unit 110 application (**see ATTACHMENT 8**).

"The move by Costa Canna away from the previous corner location does greatly diminish their "front and centre" appearance for person coming off or onto the Municipal and the CVRD's regional trail system. It doesn't actually change the distances identified within the policy however in regards to distances from schools or places where children & youth frequent, if taken from the lot line to lot line perspective."

School District 79 – provides Board of Education Policy for retail cannabis stating:

*"In the absence of a natural barrier (highway, river) that the school district file objection to any site specific zoning within 300 meters of schools, and review any 300 – 600 meters" (**see ATTACHMENT 9**).*

Measured lot line to lot line the separation from the lot within which unit 110 resides and the school site is 350m. The Board policy states a review of the proposed location as opposed to a default non – support response would be anticipated. However, the Board of Education is not scheduled to meet again until September 3rd, 2019 and thus will not be in a position to consider this application until then.

Servicing and Infrastructure

Servicing, traffic access/egress, and parking related to this zoning amendment application proposal is considered adequate.

Ministry of Transportation and Infrastructure

The subject property is within 800 m of a Controlled Access Highway (Trans-Canada Highway) requiring Ministry of Transportation and Infrastructure (MOTI) approval of this proposed zoning amendment bylaw prior to bylaw adoption. The application was referred to the MOTI on June 11, 2019; a response has not yet been received.

Communications and Engagement:

The applicant is required to arrange and conduct an Information Meeting to provide residents and property owners within a 60 m of the subject property with information about their application (Section 4.8, Retail Cannabis Sales Policy) prior to the public hearing. A summary of the feedback received at the meeting will be incorporated as part of the staff report to Council.

Conclusion:

Policy

The proposal is consistent with the Commerce policies of the OCP – Section’s 2.4.5, 2.4.5.1b), 2.4.5.2...; further, it is consistent with Location policies - Section 4.1 and 4.2 respectively of Council’s Cannabis Retail Sales Policy as the proposal is located near an arterial highway in an established and purpose built commercial shopping centre and if approved will be the only retail cannabis store for this parcel.

The proposal is inconsistent with Location policy Section 4.3 (a), Council Retail Cannabis Sales Policy as the proposal is located within 600 m of Drinkwater Elementary School, Fairview Neighbourhood Park, and Averill Creek Natural Area - Friendship Trailhead; further it is located in close proximity to The BC Forest Discovery Centre & Visitor Information.

Considering the proximity of the proposed Costa Canna Cannabis Retail store relative to Fairview Neighbourhood Park, Drinkwater Elementary and the BC Forest Discovery Centre a separation distance of some several hundred meters is involved. In the case of the Forest Discovery Centre the separation from the site is enhanced by the barrier effect of the Trans – Canada Highway.

Unit 101 vs unit 110

Concerns initially raised over initial unit 101 proposal (western periphery of Building “B”) were noted as the site is:

1. not consistent with the Council Retail Cannabis Sales Policy;

2. located on the west periphery of the site and not subject to natural surveillance along the south and west building elevations;
3. located at the terminal of a major pedestrian trail system.

In the opinion of staff items two and three have been resolved with the centrally re-located unit 110 as proposed. Item one remains inconsistent with Council Retail Cannabis Policy 4.3 (a) as measured from lot line to lot line (**see ATTACHMENT 6**).

4.3 (a) Each parcel permitting retail cannabis sales must be:

(a) At least 600 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school; or a playground, recreation centre, or other areas where children and youth frequent, and

When measured from unit 110 to the school itself (structure), the separation is in fact 542m. This is due in part to the size of the lots involved and the extent to which the lot lines for each extend out, for example:

- Lot B, 2951 Green Road (Subject Property - Costa Canna) is 1.1 ha (2.65 ac) in area,
- Lot 1, 6236 Lane Road (Elementary School and grounds) is 2.4 ha (6.00 ac) in area,
- Lot 5, 2900 Drinkwater (Drinkwater Road Application Site - LDB) is 7.3 ha (18.00 ac) in area (**see ATTACHMENT 4**).

Safety and Security or Crime Prevention through Environmental Design (CPTED)

Safety and security are improved given the centrally located CRU proposal as more consumer and employee traffic (natural surveillance) are associated with multiple adjacent businesses. Individuals having no legitimate purpose along the central storefront area will be under scrutiny and find it more difficult to engage in inappropriate behaviour un-observed.

Pole lighting (parking lot), and wall-pack (wall mounted) building lighting along the storefronts are well established and maintained providing for strong illumination during evening and darker seasonal hours. A rationale for casual access and loitering to the side and rear of the building "B" relative to the main entrance of the cannabis retail unit are diminished with the central as opposed to end location.

Alarmed buildings and independent security patrols contracted to the Cowichan Commons by the Landlords provide around the clock site security and general commerce traffic impacts are separated from adjacent residential areas by roadways and green space buffer (west) encompassing the entire mall site.

The individual CRU (unit 110) moves 84m east along the storefront of Building "B" away from the Averill Creek trail head increasing the separation by an additional 62m over unit 101. This is a particularly important consideration as the separation greatly reduces the funnel effect and subsequent casual exposure to the retail cannabis location by pedestrian and cyclists moving into and out of the trail adjacent the west end of building "B". The separation from the west mall access roadway adjacent to

the trail head and the Averill Creek natural area weakens a rationale for loitering within public transit areas adjacent a retail cannabis location.

Prefacing my final comments with a review of the intended Scope under section 2. of the Retail Cannabis Sales Policy, we consider that:

"This policy is intended to guide Council when considering applications for rezoning or temporary use permit, as well as for provincial licensing referrals for retail cannabis sales. It is not intended to fetter Council's discretion when considering individual applications. Each application will be evaluated on its own merits."

Additionally we note:

Policy 4.4 Location

"This Policy does not limit Council from considering variances to the separation distances noted based on circumstances related to a specific application."

Acknowledging that unit 110 does not meet the Council Retail Cannabis Policy section 4.3 (a), we recognize the suitability of the Cowichan Commons for purpose built retail businesses, the subsequent efforts on behalf of the applicant to address safety and security concerns, the inherent flexibility within the Retail Cannabis Policy for Council to consider this application on its own merits and conclude that despite some shortcomings, the proposed location is appropriate for a retail cannabis store. We therefore recommend approval of this application.

Options

The following options are presented for Council's consideration:

Option 1 – Staff Recommended

That Council give first and second readings to "Zoning Amendment Bylaw (Cannabis Retail Sales - 2951 Green Road), 2019 No. 3752"; and require the applicant to conduct an information meeting prior to the public hearing.

Option 2 – Alternate Recommendation:

That Council deny Zoning Amendment Application No. ZB000109 to permit cannabis retail sales at 2951 Green Rd. (PID: 027-506-444).

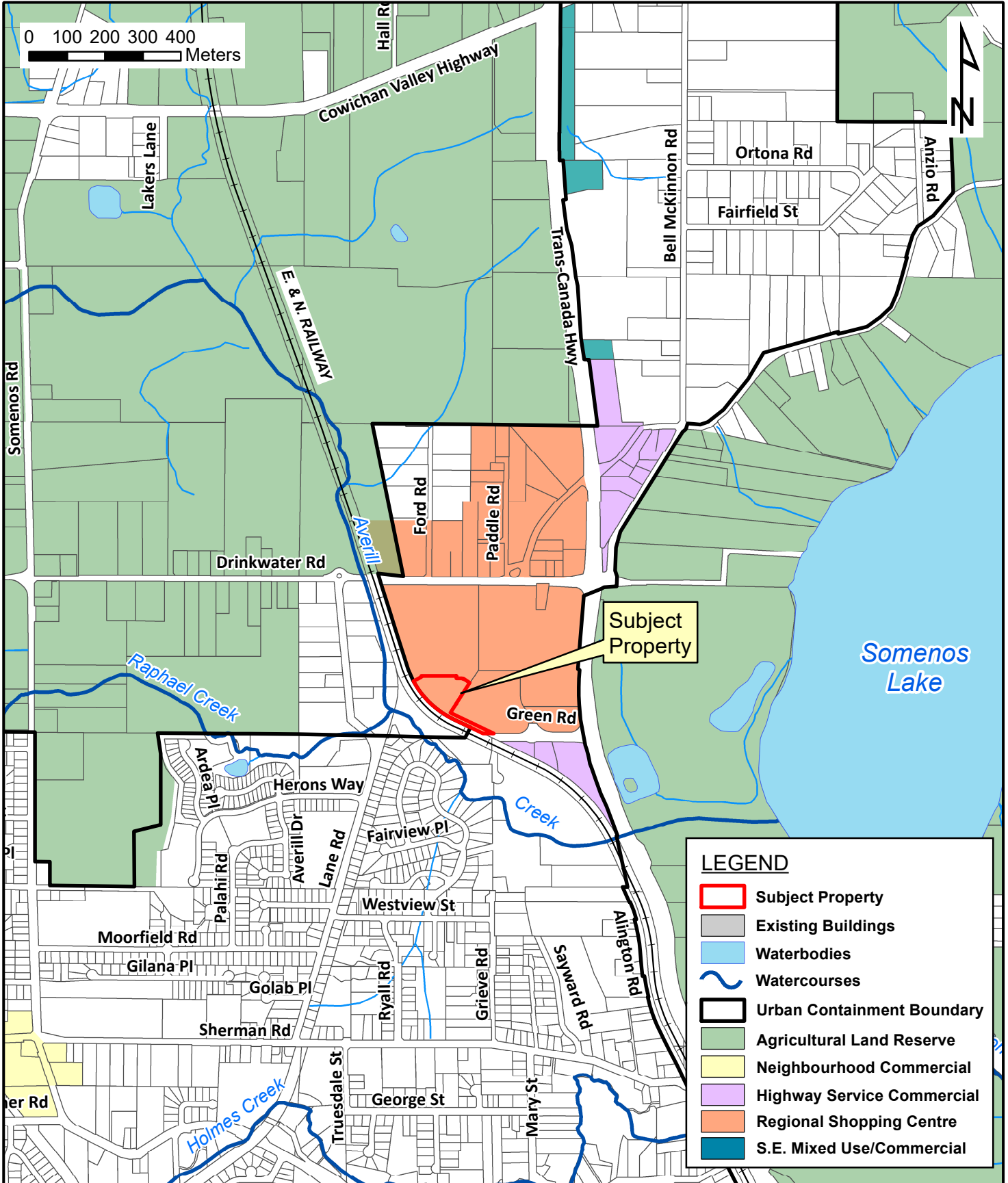
Should Council choose to deny this zoning amendment application the applicant would not be permitted to conduct Cannabis Retail Sales at this location.

Recommendation

That Council give first and second readings to “Zoning Amendment Bylaw (Cannabis Sales - 2951 Green Road), 2019 No. 3752”; and direct the applicant to conduct an information meeting prior to the Public Hearing.

Attachment(s):

1. Location Map
2. Orthophoto
3. Zoning Map
4. Cannabis Policy Map
5. Letter of Rationale
6. Site Photos
7. Council Policy: Retail Cannabis Sales Policy
8. Referral Response North Cowichan Parks Dept.
9. Referral Response SD79
10. Referral Response RCMP
11. Draft Bylaw



LEGEND

- Subject Property
- Existing Buildings
- Waterbodies
- Watercourses
- Urban Containment Boundary
- Agricultural Land Reserve
- Neighbourhood Commercial
- Highway Service Commercial
- Regional Shopping Centre
- S.E. Mixed Use/Commercial



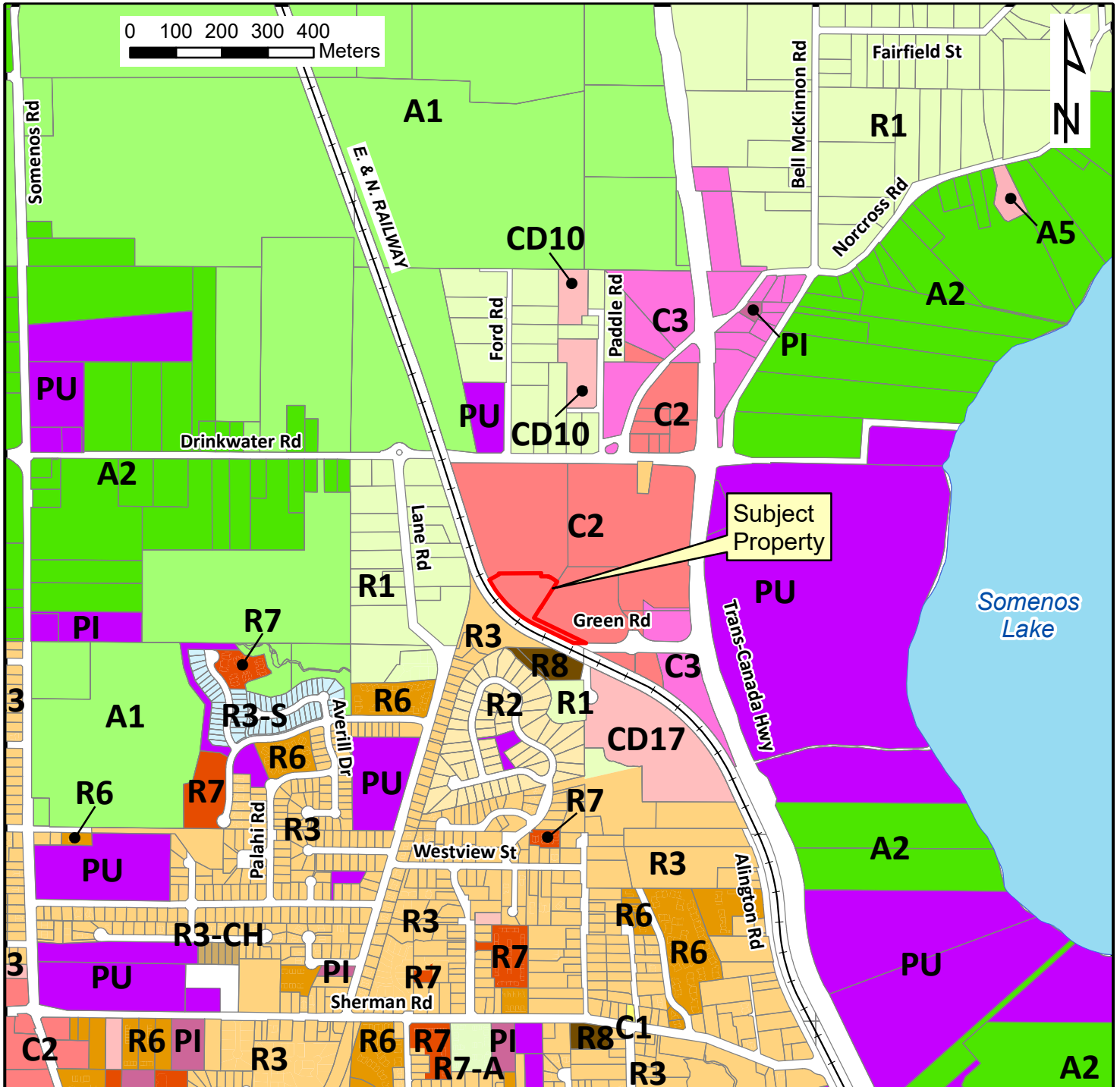
LOCATION MAP

2951 Green Road

DATE:	June 11, 2019
TYPE:	Zoning Amendment
FILE#:	ZB000109

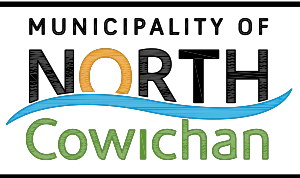


	ORTHOPHOTO MAP (Orthophoto is from 2017 aerial photography)	DATE: June 11, 2019
	2951 Green Road	TYPE: Zoning Amendment
		FILE#: ZB000109



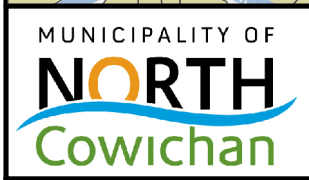
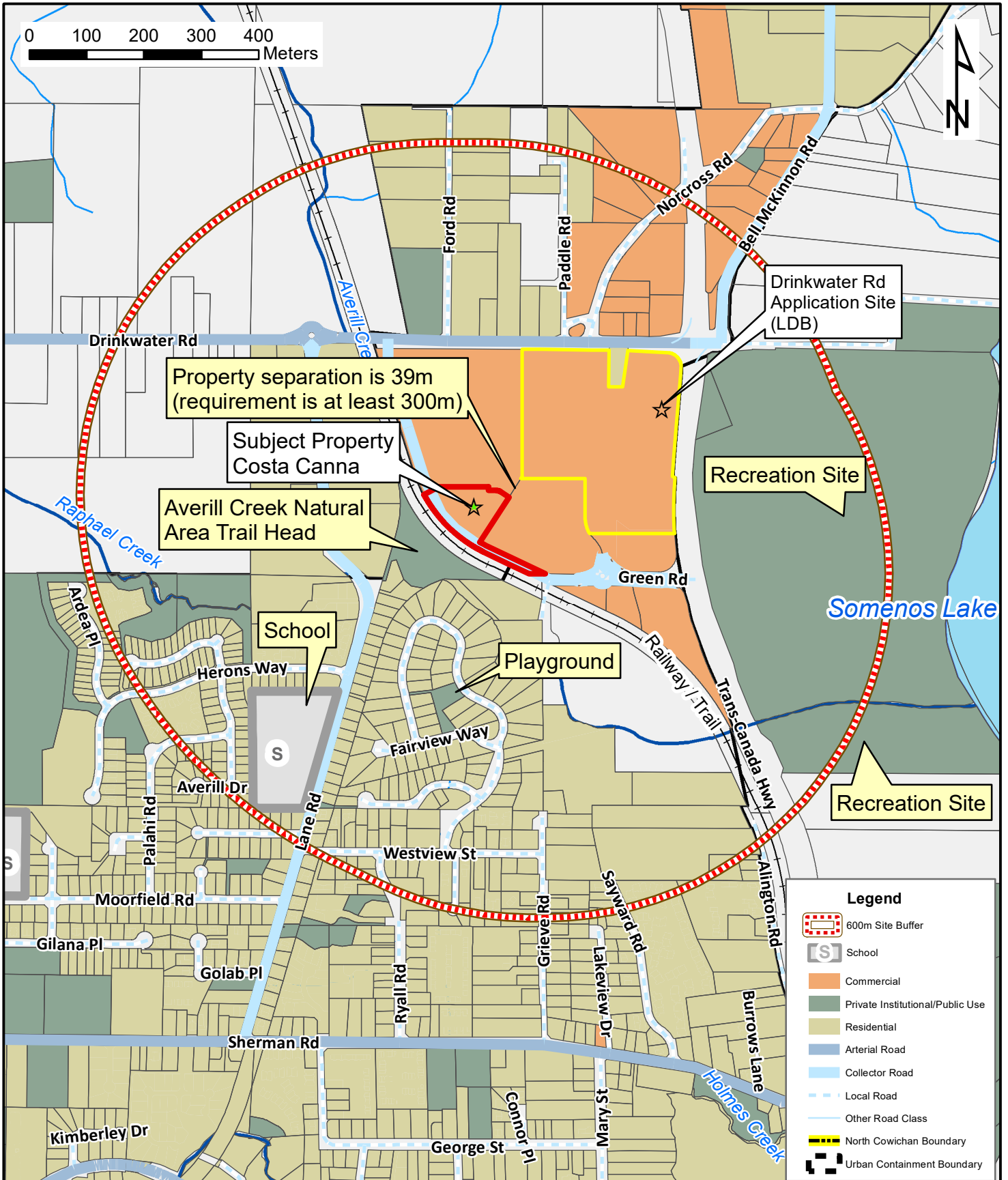
LEGEND:

- | | | |
|-------------------------|--|---|
| Subject Property | C4 - Commercial Recreational | R2 - Residential Restricted |
| Waterbodies | CD10 - Comp. Dev. (Urban Medium Density) | R3 - Residential One and Two-Family |
| A1 - Agricultural | CD11 - Comp. Dev. (Comm. Services Health Care) | R3-CH - Residential Two-Family Detached |
| A2 - Rural | CD17 - Comp. Dev. (Congregate Housing) | R3-MF - Residential Medium Density Multi-Family |
| A5 - Rural Residential | I1 - Industrial Light | R3-S - Residential Small Lot Single-Family |
| C1 - Commercial Local | PI - Public Institutional | R6 - Residential Townhouse |
| C2 - Commercial General | PU - Public Use | R7 - Residential Multi-Family |
| C3 - Commercial Service | R1 - Residential Rural | R7-A - Residential Ground-Oriented Multi-Family |
| | | R8 - Residential Multi-Family Apartment |



ZONING MAP
2951 Green Road

DATE:	June 11, 2019
TYPE:	Zoning Amendment
FILE#:	ZB000109



Cannabis Policy Map

2951 Green Rd

DATE:	May 14, 2019
TYPE:	Rezoning
FILE#:	ZB000109



Letter of Notification for site location change (Retail Cannabis North Cowichan)

June 6, 2019

Attn: Mr. Glenn Morris

Re: Zoning Amendment Application

Dear Mr. Morris,

Following the completion of the regular council meeting on June 5, 2019, we understand that Mayor and council have rejected our application for rezoning at unit 101, 2951 Green rd. in Duncan BC. During our presentation we notified Mayor and Council we had taken alternative steps to mitigate the concerns and lack of support from both the School Board and the parks department as well as yourself with security concerns. We believe this new site offers the best solution in the entire Cowichan Commons development.

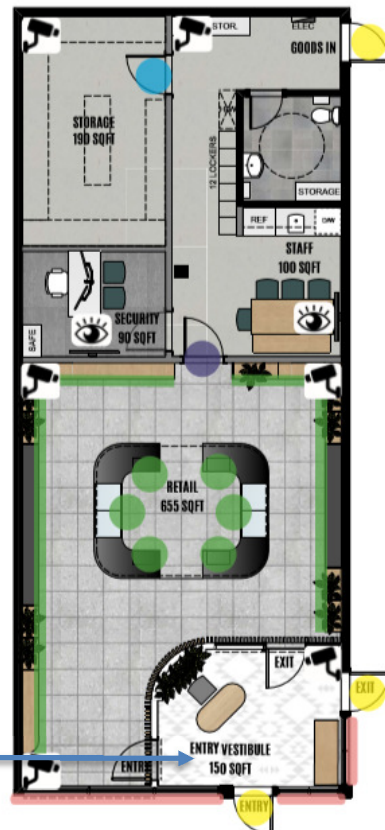


To that end, we have executed an OTL for unit 110, 2951 Green Rd in Duncan BC, which moves our planned development into the center of the building providing no exposure to the trailhead as well as increasing the distance from the school and parks. It is worth noting that the second applicant, BC Cannabis, has selected a site that is in a less desirable location between 2 very high traffic restaurants, Subway & Triples O's. Both of these sites are frequented by children and families and also attract minors from the Forest Museum which falls roughly 37m away. We find it confusing as to why they received a positive recommendation based on their site location. We understand the recommendation was based on 4 lanes of traffic between their location and the Forest Museum, however we too have a total of 4 lanes of traffic separating our location from child frequented locations as well.

Costa Canna is seeking a positive recommendation from the planning department as the proximity boundary of 600m is not met by either applicant and therefore should not negatively affect Costa Canna as the second applicant has received a positive recommendation. Our location is set back in the development and does not have the exposure concerns relevant to the second applicant in our opinion.

It is our position that unit 110 at 2951 Green rd. provides the best and only solution for retail cannabis in the Cowichan Commons development. It is well removed from high traffic youth areas and set in an area that does not promote flow through foot traffic. Furthermore, Costa Canna has established a store design that negates the ability for minors to view cannabis products from outside the store as well as upon entering the store. Our design was established specifically for this purpose. We trust this new location will be acceptable and receive your support.

SECURITY PLAN



LEGEND

- FOB Card Entry
- Keyed Mortise Lock (Existing)
- Keypad Combination Lock
- Locked Storage
- Exterior Rolling Shutter
- CCTV Security Cameras
- CCTV Replay Screen



Entrance Vestibule mitigates minors entering sales area.



Vestibule area. Cannabis products are not visible from this area. ID is checked upon entering the Vestibule as well as at Check out.

Costa Canna has incorporated security measures as our top priority and implemented these standard operating procedures as part of our provincial licensing guidelines.

We at Costa Canna have developed our vision around the holistic health and wellness aspect of Cannabis as we want to provide the health benefits around the legal use of marijuana. This is the sole reason why our majority partner the Cowichan Tribes was passionate about getting into this industry to help provide alternative solutions to their community members as well as to the public.

Cowichan Commons has been selected as the second site after careful deliberation by our group for many reasons.

- North end has the biggest potential for future development and will have the hospital in the near future.
- Cowichan Commons is home to the largest anchor tenant in Walmart whom creates unprecedented traffic and customers in that area.
- Cowichan Commons logistically fits our business model as we are set to be a higher boutique chain and the landscape allows for that.

Costa Canna has previously conducted community online surveys as well as a public meeting in conjunction with our majority partner the Cowichan Tribes. We have continued to reach out to our local residents to gain knowledge and to be a voice for them.

We endeavour to ensure the economic uplift stays within our local communities. We hire only local residents from both the First Nations community as well as the general public. We have significant plans for training and development of our staff as well as providing workshops for the general public in gaining knowledge around Cannabis. Furthermore, our commitment to community engagement has led us to plan for offering counselling around the safe use of this product as well as providing guidance to those who struggle with addiction. This is being planned in-conjunction with the First Nations Health Authority as well as VUHA Registered Nurses.

In anticipation of your support we will be conducting a public hearing next week and will complete a full public engagement as part of the North Cowichan process. We will collect the results of our public questionnaire for submission to both the Provincial government as well as North Cowichan.

If you should have additional questions or concerns, please do not hesitate to contact me. Thank you for your consideration in this application.

Sincerely,



Phil Floucault-President Costa Canna Corp.

Chris Clement-CFO Costa Canna Corp.

ATTACHMENT 6



Unit 110 north elevation
- building B and adjacent
businesses to the east



North elevation unit 110 -
building B



CRU's adjacent and west of unit 110 -
north elevation building B



COUNCIL POLICY: RETAIL CANNABIS SALES POLICY

Council Approval Date: January 16, 2019

Department: Development Services

Amended:

1. PURPOSE

This policy outlines criteria that will be considered by North Cowichan Council as part of any Zoning Bylaw Amendment Application, Temporary Use Permit Application, or Liquor and Cannabis Regulation Branch referral for cannabis retail use.

This policy was established in response to the legalization of cannabis by the federal government. It is intended to address potentially adverse community impacts of retail cannabis sales, including inappropriate exposure of cannabis to minors and undesirable concentration of storefront cannabis retailers.

2. SCOPE

This policy is intended to guide Council when considering applications for rezoning or temporary use permit, as well as for provincial licensing referrals for retail cannabis sales. It is not intended to fetter Council's discretion when considering individual applications. Each application will be evaluated on its own merits.

3. DEFINITIONS

"applicant" means an applicant for an application that would allow for a retail cannabis sales at a particular location;

"retail cannabis sales" means premises where cannabis is sold or otherwise provided to a person who attends at the premises.

4. POLICY

Location

4.1 Retail cannabis use must be located on, or in close proximity to, a provincial highway, urban arterial road, or urban collector road; and in commercial areas, including areas zoned for retail use, or designated for commercial use in the Official Community Plan or Local Area Plan.

4.2 Only one retail cannabis sales storefront will be allowed per parcel.

4.3 Each parcel permitting retail cannabis sales must be:

- (a) at least 600 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle, or secondary school; or a playground, recreation centre, or other areas where children and youth frequent, and

- (b) at least 300 m (in a straight line from closest lot line to closest lot line) from another lot where retail cannabis sales is permitted, whether or not a storefront cannabis retailer is active or not.
- 4.4 This Policy does not limit Council from considering variances to the separation distances noted based on circumstances related to a specific application.

Community Impact

- 4.5 Council will consider the impact of retail cannabis sale in proximity to libraries, public recreation centres, public community centres, parks, places of worship and family-oriented facilities.

Application Process

- 4.6 The Municipality will not accept applications for proposals that are not associated with an application that has been accepted by the Liquor and Cannabis Regulation Board (LCRB).
- 4.7 Should the Municipality accept an application and then that application is cancelled or withdrawn from consideration by the LCRB, the Municipality will terminate the application process by giving the applicant the opportunity to withdraw the application, and subsequently recommending that Council reject the application.
- 4.8 All applicants are required to arrange and conduct an Information Meeting to provide residents and property owners within 60 m of the subject property with information about their application. A summary of the feedback received at the meeting will be incorporated as part of the staff report to Council.
- 4.9 The Municipality will refer all retail cannabis sales applications to School District #79, North Cowichan RCMP, and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in Council's decision.
- 4.10 All applications for retail cannabis sales under this Policy shall be forwarded to registered or selected Community Associations, for information and comments they may wish to provide.

5. ROLES & RESPONSIBILITIES

Staff will include an analysis of each application's compliance with this Policy as part of the staff report to Council.

Glenn Morris

From: Don Stewart
Sent: Saturday, June 22, 2019 5:26 PM
To: Glenn Morris; Rob Conway
Subject: RE: Internal RE - REFERRAL (ZB000109) - NEW LOCATION 2951 Green Road - Costa Canna

Glenn and Rob,

Visited the site yesterday and observed pedestrian traffic from/to the trailhead and how the overall site is set-up from a pedestrian access standpoint.

The move by Costa Canna away from the previous corner location does greatly diminish their "front and center" appearance for person coming off or onto the Municipal and the CVRD's regional trail system. It doesn't actually change the distances identified within the policy however in regards to distances from schools or places where children & youth frequent, if taken from the lot line to lot line perspective.

In observing pedestrian traffic, it is encouraged through the use of sidewalks, to venture along the front of this development as there is not any designated pedestrian pathways leading up through the development to gain access to Walmart, except on the perimeter sidewalk of the parking lot. Thus pedestrian travel from the trailhead is encouraged to continue in front of the proposed Costa Canna site for this block.

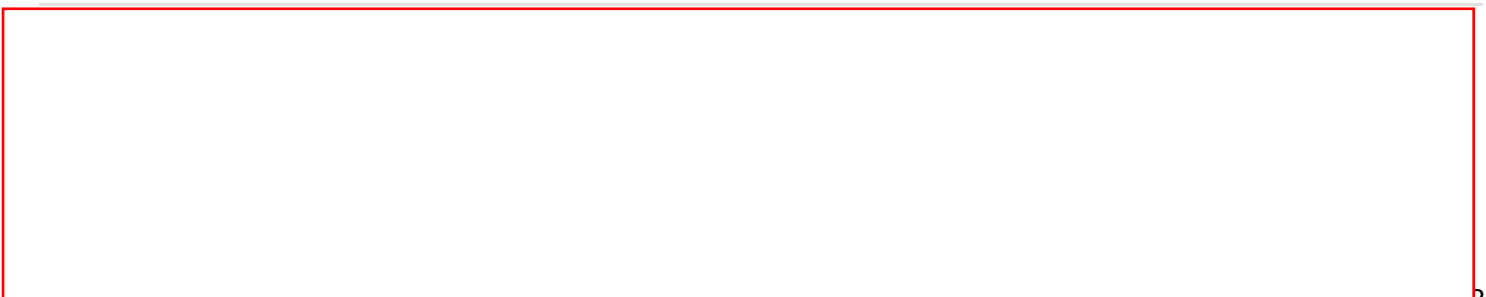
This is the only concern from the parks standpoint in conjunction with the policy that Council approved as it would be an area that children and youth would frequent.

It would be interesting if the development would consider a pathway along the west corridor to allow another formal route for pedestrians and safer travel to Walmart, instead of the longer route that exists. I did not look further up this pathway, but from the trail connector into the property, there appears to be space for a pathway to be developed.

If you would like to discuss, please let me know.

Thanks!

Don Stewart
Director
Parks and Recreation | Community Services
Municipality of North Cowichan
250.746.3193



Glenn Morris

From: Glenn Morris
Sent: Tuesday, June 11, 2019 11:07 AM
To: 'Jason Sandquist'
Subject: External RE - REFERRAL for ZB000109: Costa Canna Cannabis Retail, New Unit No. B 110 - 2951 Green Road - Cowichan Commons

Categories: APPLICATIONS

Thanks Jason,

The distance is as before 350m, as we measure from lot line to lot line. That said the actual storefront is in fact removed from the trail head as you can see on the attached plan and located centrally within the main storefronts of Building B. The Board policy was shared here prior to this email (thank you for sending it just the same) thus we are referring to the Board for comment.

Sincerely

Glenn

From: Jason Sandquist <jsandqui@sd79.bc.ca>
Sent: Tuesday, June 11, 2019 10:58 AM
To: Glenn Morris <Glenn.Morris@northcowichan.ca>
Subject: RE: External RE - REFERRAL for ZB000109: Costa Canna Cannabis Retail, New Unit No. B 110 - 2951 Green Road - Cowichan Commons

Hi Glenn,

Our Board are not scheduled to meet next until September 3rd.

On June 4th they passed the following motion:

“That the Board of Education of School District No. 79 (Cowichan Valley) incorporates the recommendations of Dr. Paul Hasselback, former Medical Health Officer for Central Vancouver Island, into policy”

His recommendation to school districts is as follows:

“In the absence of a natural barrier (highway, river) that the school district file objection to any site specific zoning within 300 meters of schools, and review any 300 – 600 meters”

Can you please advise the distance of the proposed retail from Drinkwater Elementary School.

Jason

Glenn Morris

From: Glenn Morris
Sent: Wednesday, June 26, 2019 4:31 PM
To: Chris Bear
Subject: RE: External RE - REFERRAL for ZB000109: Costa Canna Cannabis Retail, Unit No. B 110 - 2951 Green Road - Cowichan Commons

Categories: APPLICATIONS

Thank you Chris,

Much appreciated.

Sincerely

Glenn

From: Chris BEAR <chris.bear@rcmp-grc.gc.ca>
Sent: Wednesday, June 26, 2019 11:38 AM
To: Glenn Morris <Glenn.Morris@northcowichan.ca>
Subject: Fwd: External RE - REFERRAL for ZB000109: Costa Canna Cannabis Retail, Unit No. B 110 - 2951 Green Road - Cowichan Commons

Hello Glenn,

Please see attached letter dated April 26th, 2019 regarding the building. We have reviewed Police records and our position remains the same as per the letter.

If you have any questions or concerns, please feel free to contact me.

Regards,

Chris



Royal Canadian Gendarmerie royale
Mounted Police du Canada

Security Classification/Designation

Non-sensitive

OIC R.C.M.P.
6060 Canada Avenue
Duncan, B.C.
V9L 1V3

Your File

ZB000109

Municipality of North Cowichan
7030 Trans-Canada Highway
Duncan, B.C.
V9L 6A1

Our File

April 26th, 2019

Dear Mr Morris;

**ZB000109 Cannabis Retail Sales Zoning Amendment Application
Unit No. B 101 - 2951 Green Road**

In regards to your inquiry into permitting retail cannabis sales at Unit No. B 101 - 2951 Green Road to Costa Canna, please be advised that our office has had the opportunity to review the application.

Costa Canna is the same company intending to open a retail location at the Village Green Mall.

The North Cowichan Duncan RCMP has no history with Costa Canna or their directors (Chris CLEMENT and Phil FLOUCAULT) in relation to illegal dispensaries. To date, both of the proposed locations have remained closed although the signage has been erected at their proposed Village Green Mall location.

Costa Canna has applied to the province for a licence to operate a retail store, but the application is still under review.

This is the second application for a cannabis retail store at Cowichan Commons. If both are approved there is potential for two of outlets to be operating in close vicinity to one another.


If you have further questions or concerns, please feel free to contact me.

Sincerely,

Chris Bear, Inspector

OIC North Cowichan/Duncan RCMP

Report

Date	June 19, 2019	Prospero No. ZB000102
To	Council	Folio No. 05463-050
From	Caroline von Schilling, Development Planner	File No. 3360-20 18.28
Subject	Zoning Bylaw Amendment Application No. ZB000102 (2900 Drinkwater Rd.) – Cannabis Retail Sales (Liquor Distribution Branch, BC) SECOND READING	Endorsed: 

Purpose

To provide Council with an update regarding Council's requirement for the applicant of ZB000102 (2900 Drinkwater Road) to host an Information Meeting as per Section 4.8 of the *Retail Cannabis Sales Policy*:

Section "4.8 All applicants are required to arrange and conduct an Information Meeting to provide residents and property owners within 60 m of the subject property with information about their application. A summary of the feedback received at the meeting will be incorporated as part of the staff report to Council".

Discussion

On June 5, 2019 Council gave First Reading to Zoning Bylaw Amendment No. ZB000102 (2900 Drinkwater Road) and directed the applicant to conduct an Information Meeting prior to its consideration of Second Reading.

Staff wish to advise Council that the applicant has arranged an Information Meeting for Monday, June 17th, 2019 at the Ramada Inn (Sitka Room) from 6pm – 8pm. The applicant stated they distributed notifications of the Information Meeting to properties within a 60m radius of the Subject Property. A summary of the feedback received at the Information Meeting will be provided to Council as a late-item.

Subject to any unforeseen circumstances, staff believe that the Retail Cannabis Sales Policy requirements have been satisfied. Council can now consider giving Second Reading to the bylaw, and further, direct staff to proceed with the public hearing process.

Staff Recommendation

That Council approve Second Reading to "Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater Road), 2019," No. 3748 to permit cannabis retail sales; and

That staff be directed to schedule a Public Hearing and issue notice in accordance with the requirements of the *Local Government Act*.

Report

Date	April 3, 2019	Prospero No. ZB000102
To	Council	Folio No. 05463-050
From	Caroline von Schilling, Development Planner	File No. 3360-20 18.28
Subject	Zoning Bylaw Amendment Application No. ZB000102 (2900 Drinkwater Rd.) – Cannabis Retail Sales (Liquor Distribution Branch, BC)	Endorsed: 

Purpose

The purpose of this report is to provide Council with information, analysis and a recommendation regarding a site specific zoning amendment application to permit the use of Retail Cannabis Sales at 2900 Drinkwater Rd. (Cowichan Commons) to facilitate a Liquor Distribution Branch (LDB) operated cannabis retail store.

Background

The 7.3 ha (18.1 ac) subject property is located at the corner of Drinkwater Rd. and the Trans-Canada Hwy. at the regional shopping centre of Cowichan Commons (see ATTACHMENTS 1 & 2). The property is designated Regional Shopping Centre in the Official Community Plan (OCP), split-zoned Commercial General (C2) & Commercial Service (C3) in the zoning bylaw (ATTACHMENT 3), and is located inside the Urban Containment Boundary (UCB). The proposed location of the LDB Cannabis Retail Store is within the Commercial General (C2) Zone. Proximity of the proposed location of the LDB Cannabis Retail Store to parks, schools, and recreation areas is identified in ATTACHMENT 4.

Land Use Context

- North:** Commercial, Residential & Multi-family properties
- South:** Residential properties, including undeveloped seniors' housing zoned property (CD17)
- East:** Public Use properties, i.e., BC Forest Discovery Centre, Visitor Centre
- West:** Commercial, Rural Residential, and Agricultural properties

Proposal

The applicant, Her Majesty the Queen in the Right of the Province as represented by the General Manager of the Liquor Distribution Branch, is proposing to amend the Commercial General (C2) Zone to permit a provincial government operated cannabis retail store at 2900 Drinkwater Rd. (Cowichan Commons) (ATTACHMENT 5 & 6) and within the Commercial General (C2) Zone (ATTACHMENT 7).

Discussion

In October, 2018, the Federal government legalized non-medical Cannabis regulated by Bill C-45 the *Cannabis Act*. This federal legislation created a number of responsibilities for all levels of government regarding cannabis use, possession, production, and sales. The Province of BC has since adopted the *Cannabis Control and Licensing Act* and the *Cannabis Distribution Act*, as well as a series of regulations, to regulate private cannabis retail stores and authorize the creation and operation of provincial government cannabis retail/wholesale sales to include storefront locations.

Provincial government retail cannabis sales are operated by the Liquor Distribution Branch (LDB). Their storefronts for cannabis and liquor are intended to remain separate.

The Province has been clear that local governments can choose not to allow cannabis stores or cap the number permitted in the community, or establish criteria for permitting cannabis retail stores. On January 16, 2019, Council considered and adopted the Retail Cannabis Sales Policy in order to establish criteria to guide Council in its consideration of land use amendment applications for site-specific cannabis retail sales (see ATTACHMENT 8).

Policy considerations regarding this application are:

Official Community Plan

Policy 2.4.5 *The Municipality will protect and promote the economic viability of existing commercial enterprises in North Cowichan; attract new and emerging service, retail and other commercial businesses; and encourage diverse types of commercial activity.*

Policy 2.4.5.1 *The Municipality supports commercial infill and intensification of existing commercial areas. Emphasis will be given to the redevelopment or intensification of use on existing commercial sites over the designation of new commercial lands on "green field" sites. Increased density within existing commercial areas makes more efficient use of land and infrastructure, encourages transit and alternative transit modes, and promotes pedestrian-oriented development.*

Policy 2.4.5.2 *The Municipality encourages a range of commercial facilities from local to regional in scope.*

Retail Cannabis Sales Policy

Policy 4.1 Location

Retail cannabis use must be located on, or in close proximity to, a provincial highway ...; and in commercial areas ...

This application proposal is located in close proximity to the Trans-Canada Highway, and in an established commercial area.

Policy 4.2 *Only one retail cannabis sales storefront will be allowed per parcel.*

No other active application has been approved for this parcel at this time.

Policy 4.3 *Each parcel permitting retail cannabis sales must be:*

- (a) At least 600 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school; or a playground, recreation centre, or other areas where children and youth frequent, and*
- (b) At least 300 m (in a straight line from closest lot line to closest lot line) from another lot where retail cannabis sales is permitted, whether or not a storefront cannabis retailer is active or not.*

The subject property is located within 600 m of Drinkwater Elementary School (6236 Lane Rd.), Fairview Neighbourhood Park, Averill Creek Natural Area, and, as an area where children and youth frequent, the BC Forest Discovery Centre & Visitor Information. Therefore, it does not meet the policy statement as set out in Policy 4.3 (a) above. The proposed LDB retail location is on the east edge of a very large lot but when measured lot line to lot line is within:

- 520 m of Drinkwater Elementary School,
- 354 m of Fairview Neighbourhood Park,
- 187 m of Averill Creek Natural Area - Friendship Trailhead,
- 37m of BC Forest Discovery Centre.

An application for a cannabis retail store on an adjacent parcel has been received; however, there are no approved applications within 300 m of the subject property of this zoning amendment proposal at this time.

Policy 4.5 Community Impact

Council will consider the impact of retail cannabis sale in proximity to libraries, public recreation centres, public community centres, parks, places of worship and family-oriented facilities.

Of note, this application proposal is adjacent to the BC Forest Discovery Center & Visitor Centre, which is located on the east side of the Trans-Canada Highway at 2892 Drinkwater Rd.

Policy 4.9 Application Process

The municipality will refer all retail cannabis sales applications to School District #79, North Cowichan RCMP, and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in Council's decision.

Referrals were sent to School District #79, North Cowichan RCMP, and the jurisdictional neighbours of Halalt First Nation, Cowichan Tribes, City of Duncan, and the Cowichan Valley Regional District, to notify them and invite comment or concern about the proposal. Of note, all agencies or jurisdictions provided comment; no concerns were raised (see ATTACHMENT 9).

Development Permit Areas

With zoning amendment approval by Council, a Development Permit for the form and character of this storefront, subject to exterior building renovations, will be required (DPA-1).

Servicing and Infrastructure

Servicing, traffic access/egress, and parking related to this zoning amendment application proposal is considered adequate.

Ministry of Transportation and Infrastructure

The subject property is within 800 m of a Controlled Access Highway (Trans-Canada Highway) requiring Ministry of Transportation and Infrastructure (MOTI) approval of this proposed zoning amendment bylaw prior to bylaw adoption. The application was referred to the MOTI on March 13, 2019; no concerns were raised.

Communications and Engagement

The applicant is required to arrange and conduct an Information Meeting to provide residents and property owners within a 60 m of the subject property with information about their application (Section 4.8, Cannabis Retail Sales Policy) prior to 2nd Reading. A summary of the feedback received at the meeting will be incorporated as part of the staff report to Council.

Should Council choose to provide 1st and (after the applicant's Information Meeting) 2nd Reading to this bylaw, the application will proceed to a Public Hearing. At this time the general public will be provided an opportunity to provide input to the proposed Zoning Bylaw amendment. Neighbouring properties within a 60 m radius of the subject property will be notified of this application and advertisements will be placed in the local newspaper, as required by the *Local Government Act*.

Conclusion

The proposal is consistent the Commerce policies of the OCP (Section 2.4.5); further, it is consistent with the Location policy Section 4.1 (Cannabis Retail Sales Policy) as the proposal is located near an arterial highway and in an established commercial area.

The proposal is inconsistent with Location policies Section 4.3 & 4.5 (Cannabis Retail Sales Policy) as the proposal is located within 600 m of Drinkwater Elementary School, Fairview Neighbourhood Park, and Averill Creek Natural Area; further it is located in close proximity to The BC Forest Discovery Centre & Visitor Information.

Yet, proximity of the proposal to Drinkwater Elementary School (6236 Lane Rd.), Fairview Neighbourhood Park and Averill Creek Natural Area, where children and youth are likely to frequent, is somewhat mitigated by the walking distance to the proposed location, which is greater than 400 m (whereby 400 m is considered a conventional walking distance). Proximity of the proposal to the BC

Forest Discovery Centre & Visitor Information is somewhat mitigated by the location of the Trans-Canada Highway, which provides some physical separation. Therefore, community impact is moderately low given the proposal location is largely separated from children, youth, and public-oriented properties, e.g., school, park, recreation area, by either an arterial highway or by residential-zoned properties.

Options

The following options are presented for Council's consideration (see ATTACHMENT 10):

Option 1 – Staff Recommended

That Council approve First Reading of "Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater Road), 2019" No. 3748 to permit cannabis retail sales;

And That Council require the Applicant to conduct an Information Meeting prior to Council's consideration of Second Reading.

Option 2 – Alternate Recommendation:

That Council deny First Reading of "Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater Road), 2019" No. 3748 to permit cannabis retail sales.

Should Council choose to deny this zoning amendment application the applicant would be required to conform to the permitted uses of the Commercial General (C2) Zone.

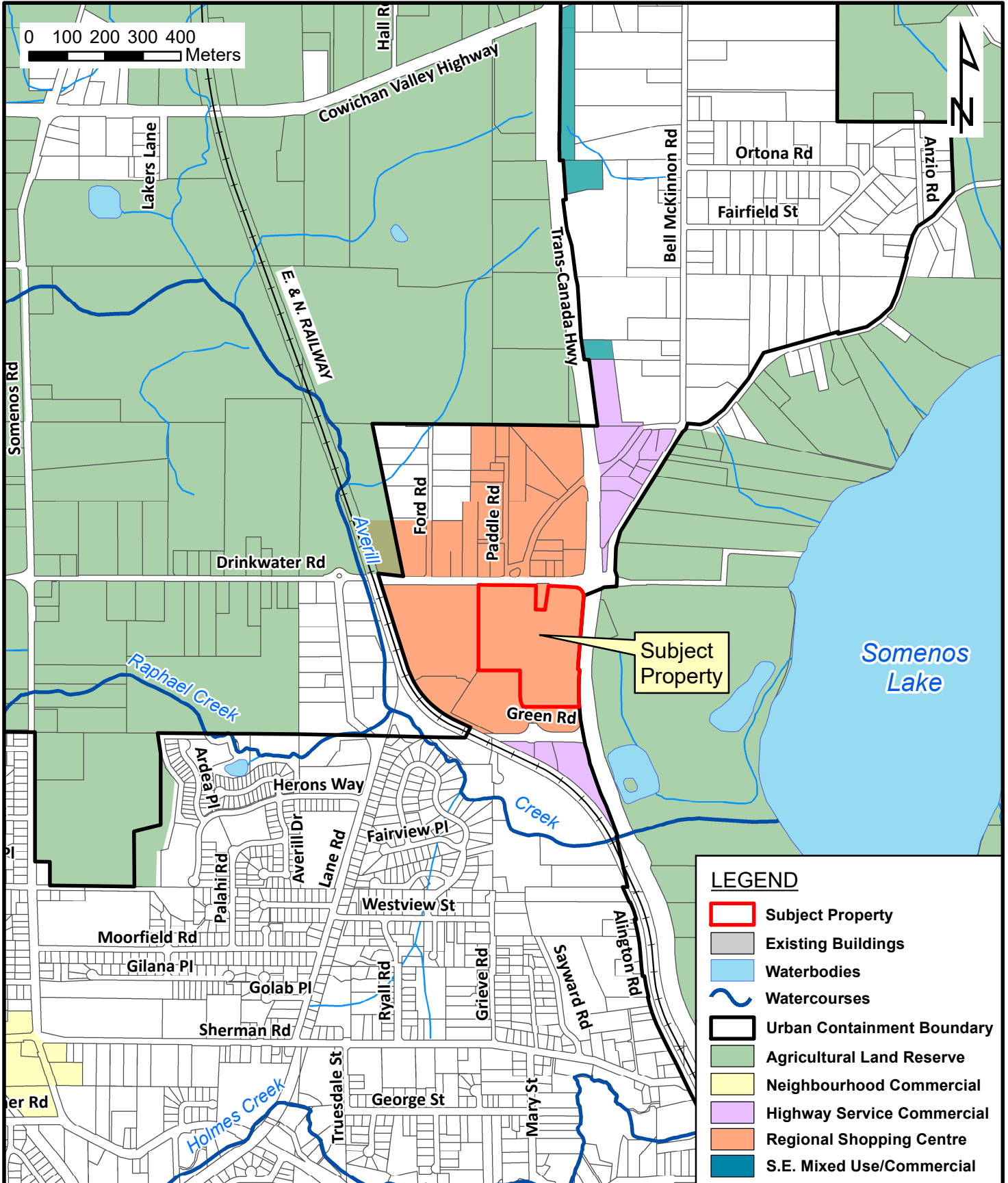
Recommendation

That Council approve First Reading of "Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater Road), 2019" No. 3748 to permit cannabis retail sales;

And That Council require the Applicant to conduct an Information Meeting prior to Council's consideration of Second Reading.

Attachments:

1. Location Map
2. Air Photo
3. Zoning Map
4. Cannabis Policy Map
5. Letter of Rationale
6. Site Photos
7. Commercial General (C2) Zone
8. Council Policy: Cannabis Retail Sales
9. Referral Response Highlights
10. Draft Bylaw



LOCATION MAP

2900 Drinkwater Road

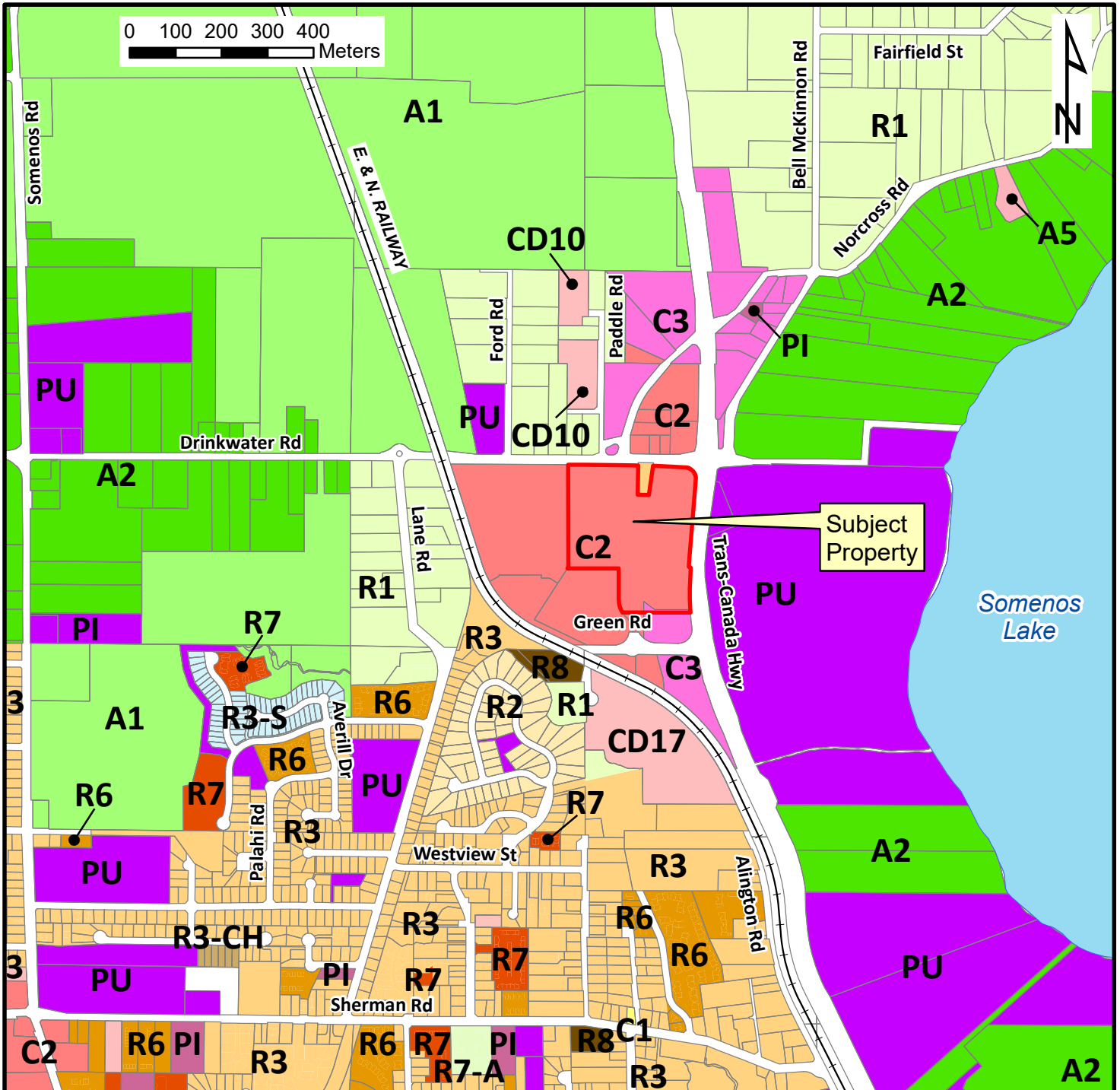
DATE: February 26, 2019

TYPE: Zoning Amendment

FILE#: ZB000102



	ORTHO PHOTO MAP (Orthophoto is from 2017 aerial photography)	DATE: February 26, 2019
	2900 Drinkwater Road	TYPE: Zoning Amendment
		FILE#: ZB000102



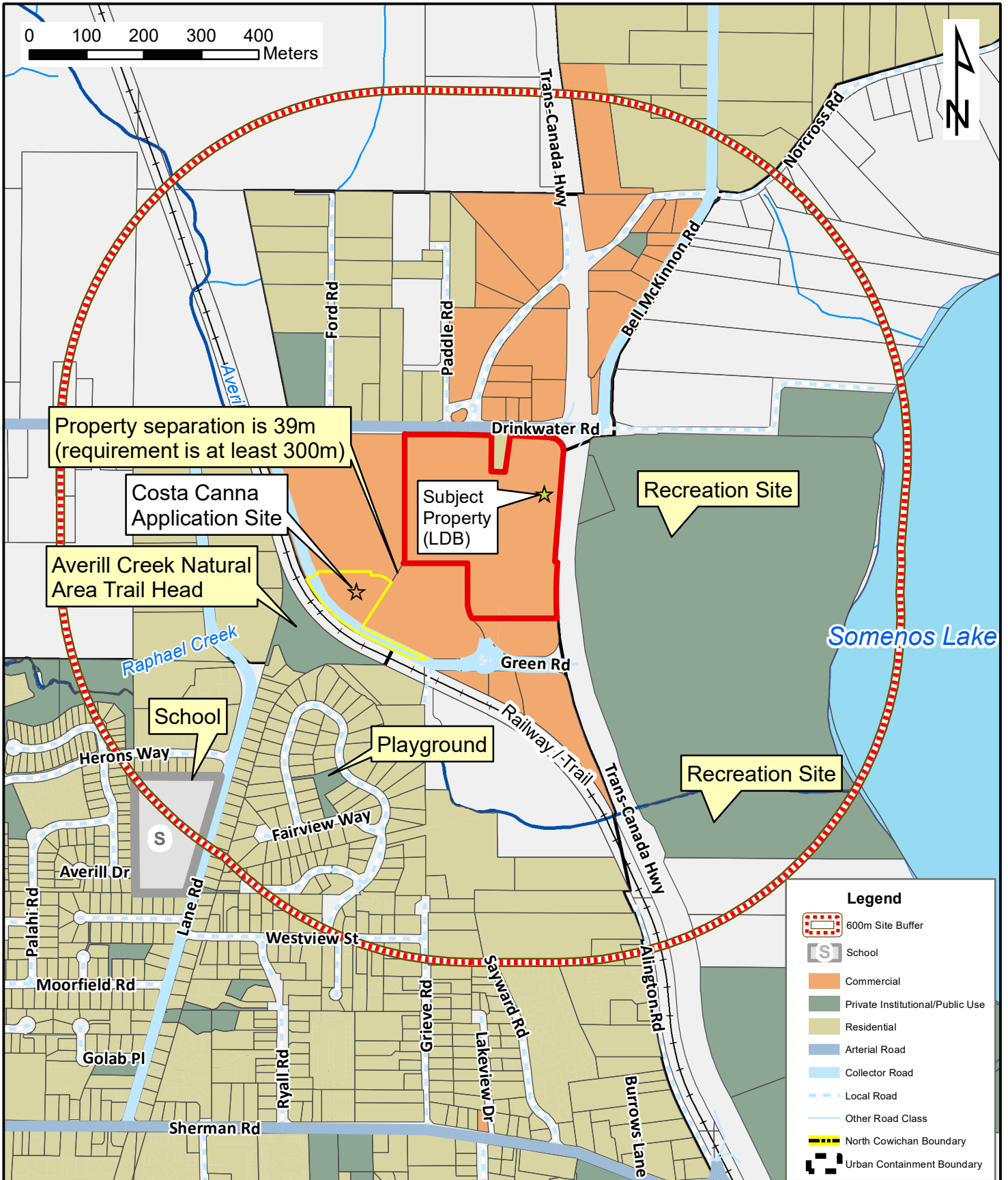
LEGEND:

- | | | |
|--|---|--|
| Subject Property | C4 - Commercial Recreational | R2 - Residential Restricted |
| Waterbodies | CD10 - Comp. Dev. (Urban Medium Density) | R3 - Residential One and Two-Family |
| A1 - Agricultural | CD11 - Comp. Dev. (Comm. Services Health Care) | R3-CH - Residential Two-Family Detached |
| A2 - Rural | CD17 - Comp. Dev. (Congregate Housing) | R3-MF - Residential Medium Density Multi-Family |
| A5 - Rural Residential | I1 - Industrial Light | R3-S - Residential Small Lot Single-Family |
| C1 - Commercial Local | PI - Public Institutional | R6 - Residential Townhouse |
| C2 - Commercial General | PU - Public Use | R7 - Residential Multi-Family |
| C3 - Commercial Service | R1 - Residential Rural | R7-A - Residential Ground-Oriented Multi-Family |
| | | R8 - Residential Multi-Family Apartment |



ZONING MAP
2900 Drinkwater Road

DATE:	February 26, 2019
TYPE:	Zoning Amendment
FILE#:	ZB000102



Property separation is 39m
(requirement is at least 300m)

Costa Canna
Application Site

Subject
Property
(LDB)

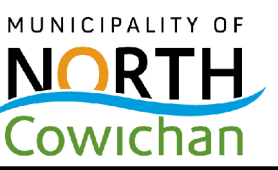
Recreation Site

Averill Creek Natural
Area Trail Head

School

Playground

Recreation Site



Cannabis Policy Map
2900 Drinkwater Rd

DATE:	May 22, 2019
TYPE:	Rezoning
FILE#:	ZB000102



LIQUOR DISTRIBUTION BRANCH

November 16, 2018

Municipality of North Cowichan
7030 Trans-Canada Highway
PO Box 278
Duncan, BC V9L 3X4

Dear Mayor and Councillors:

Re: Cannabis Retail Store Application

Please accept our application to locate a **government operated cannabis retail store** at the SmartCentres retail complex located at **2980 Drinkwater Road**. The Liquor Distribution Branch (LDB) has received support from the property owner to proceed with this application (Authorization letter attached).

About the LDB

The LDB is one of two branches of government responsible for the beverage alcohol and non-medical cannabis (cannabis) industries in B.C. Through the *Liquor Distribution and Cannabis Distribution Acts*, the LDB is mandated with the purchase and distribution of beverage alcohol and cannabis for the Province. As well, the LDB operates a number of public liquor stores (197 in total), and as of October 17th, a public cannabis retail store in Kamloops, as well as an e-commerce platform to offer public on-line sales of cannabis. The LDB is self insured as a branch of the BC government.

Revenue generated through the LDB's wholesale and retail operations is directed to the Provincial Government and contributes to supporting vital public services such as health care and education. For the 2017/2018 fiscal year, the LDB contributed \$1.12 billion to fund government services. Revenue generated through LDB's newly implemented cannabis operations (both wholesale and retail) will also be directed back to the Province to support important public services.

Location of Proposed Cannabis Retail Store

The SmartCentres retail complex was selected by the LDB for a proposed cannabis retail store for a number of reasons, including that the site is:

- Located in a large retail complex and therefore consistent with the nature of the immediate area;
- Easily accessible to customers; and
- Not expected to adversely impact traffic in the surrounding area, given its location in an already established retail complex.

Building and Site

The following considerations were taken into account when evaluating the appropriateness of the site and building for a cannabis retail store:

- The intended use of the site is consistent with the “retail” nature of the immediate area.
- The size of the proposed cannabis retail store is approximately 2,000 square feet, which is in the midrange of other retail stores existing on the subject site and in the surrounding area.
- The site provides for ample parking and efficient traffic flow as it is an existing retail development.

Community Impact

The LDB works closely with the Liquor and Cannabis Regulation Branch (LCRB) and the Ministry of Public Safety and Solicitor General to encourage the safe and responsible consumption of alcohol and cannabis in BC. The LDB is committed to working in partnership with local governments to ensure a smooth introduction of the legal cannabis retail market to BC communities. While government-operated cannabis retail stores do not require a licence from the LCRB¹, we are committed to following all municipal zoning processes and meeting all bylaw requirements, as well as working with local law enforcement agencies to maintain public safety and to mitigate, and respond to, any negative impact on the community.

Social Responsibility is part of the LDB’s Mission Statement and one of the four pillars we have identified that supports our success. Our efforts are focused on three themes: encouraging and promoting responsible use of alcohol and cannabis, reducing the impact our business has on the environment, and giving back to the communities we serve. We meet these objectives by:

- Delivering products that meet strict product safety and quality requirements - all cannabis products will be purchased through the LDB wholesale channel; product will be lab tested and will only be purchased from producers that have been licensed by Health Canada.
- Ensuring accountability of our key business partners (e.g. Licensed Cannabis Producers).
- Promoting the safe and responsible use of beverage alcohol and cannabis through social responsibility campaigns aimed at keeping alcohol and cannabis out of the hands of youth*, preventing driving under the influence, and informing the public about associated health risks.
- Actively discouraging customers from engaging in high-risk behaviour like drinking or consuming cannabis and driving, consuming alcohol or cannabis during pregnancy and participating in sporting activities while under the influence of alcohol or cannabis;
- Increasing awareness of the dangers associated with over-consumption or risky behaviour through various in-store campaigns with strategically placed messaging;
- Raising money through in-store fundraising campaigns for dry grad celebrations, Red Cross disaster relief, kids in need, and local community charities (through the Provincial Government’s Employee Workplace charitable giving campaign); and
- Incorporating environmental sustainability into all facets of our business with a goal of reducing our environmental footprint and being a leader in sustainable retailing.

¹ As a branch of the Ministry of Attorney General, the LDB does not require a formal license from the LCRB to operate a retail cannabis store - written confirmation from the LCRB is attached.

****Keeping cannabis out of the hands of minors will be a top priority for the LDB. Unlike liquor stores, minors will not be permitted to enter cannabis retail stores, even if they are accompanied by a parent or guardian. When entering the store, there will be an ID check at the entrance. Individuals without ID or minors (even those accompanying someone of legal age) will not be permitted in the store. As well, all staff will be required to complete a provincial training program.***

Store Operations

BC Cannabis Stores will be bright, clean, welcoming and professional, with the intent of creating a safe and favourable alternative to purchasing cannabis from the illicit market. Storefronts will have frosted windows to align with Health Canada's requirements that cannabis not be visible to minors.

All cannabis products carried by BC Cannabis Stores are sourced from federally licensed cannabis producers that are required to meet Health Canada's guidelines for quality control, Good Production Practices, and inventory management.

All stores will employ unionized staff – stores in large municipalities will have approximately 12-20 employees and stores in smaller municipalities will have approximately 6-12 employees. Each store will have a Store Manager, at least one Assistant Store Manager, and a staff comprised of full and part-time Cannabis Consultants. All employees go through criminal background checks. Proposed store hours are 10am to 9pm, Monday – Thursday, 10am to 10pm Friday – Saturday, and 11am to 6pm on Sundays.

The LDB's neighbourhood strategy includes:

- Mandatory full day training program, Keep It Safe, required for all staff. This program covers best practices for dealing with intoxicated customers, suspicious activities, and instances of violence, theft or nuisance. Additional topics covered include understanding cannabis related laws and strategies for maintaining a safe environment for employees and customers.
- Implementation of procedures on how to deal with unruly customers, store safety, loitering, and consumption outside the premises. For example, procedures are in place to ensure there are at least 2 employees in the store at all times and that stores are armed and locked outside business hours. For events that occur outside of the store, staff are trained to contact mall security, if applicable, or to call 911.
- BC Cannabis Stores have a two ID policy. Customers must show two pieces of ID, one of which must be issued by a government agency and includes the individual's name, birth date, and picture. The second must include an imprint of their name, signature and/or picture. Staff receive training on conducting ID checks and identifying signs of altered ID documents.
- Defective product will be transported to an off-premise location to be destroyed. Stores will not incinerate or dispose of cannabis products on premise, eliminating any risk that cannabis will come into the hands of minors or the illicit market.

Security

Customer, employee, and community safety is paramount. The LDB brings over 40 years of experience in working with local government, enforcement agencies, and security experts in establishing and operating secure retail stores in BC. Crime Prevention Through Environmental Design (CPTED) principles are utilized in all of our retail store layouts.

BC Cannabis Stores are supported by the LDB's Corporate Loss Prevention department and privately contracted security personnel are available to work in conjunction with store staff to ensure security practices and protocols are followed.

All BC Cannabis Stores will have:

- Centrally maintained province-wide intruder and fire monitoring systems;
- Interior and exterior camera surveillance;
- Locked and tempered glass display cases for cannabis accessories;
- A secure storage room where product will be kept that will require access cards to enter;
- Durable and reliable commercial-grade doors and locks;
- Security shutters; and
- Smash-resistant windows.

Further details regarding BC Cannabis Stores and the LDB's social responsibility efforts are included in the attached presentation. If you require additional materials or have any questions we would be very happy to provide it. We thank you in advance for your consideration of our application.

Sincerely,



Michael Tan
Executive Director – Cannabis Operations
BC Liquor Distribution Branch

Attachments:

1. Application fee
2. Zoning Amendment application
3. Agent Authorization letter
4. Property title search
5. Site map
6. BC Cannabis Stores presentation
7. Storefront rendering
8. LCRB Letter

BC CANNABIS STORES



LIQUOR
DISTRIBUTION
BRANCH



**Professional.
Experienced.
Responsible.**

With nearly 100 years of
experience retailing liquor
products, we know what it
means to be a good neighbour.

Purpose

To make high-quality cannabis products and education available to all customers – from the discerning to the new – through a responsible retail channel that provides expert and friendly service.

SOCIAL RESPONSIBILITY

Every decision is made with a lens that prioritizes public health and safety.

SERVICE

We know our customers intimately and we are highly knowledgeable about the products we sell.

PEOPLE

We are intensely curious, deeply passionate about this space, and nimble, digital thinkers.

INTEGRITY

We always do the right thing and live our values every day, in every role, in every situation.

RESPECT

We work together as a cohesive team and recognize the unique talents of each individual.

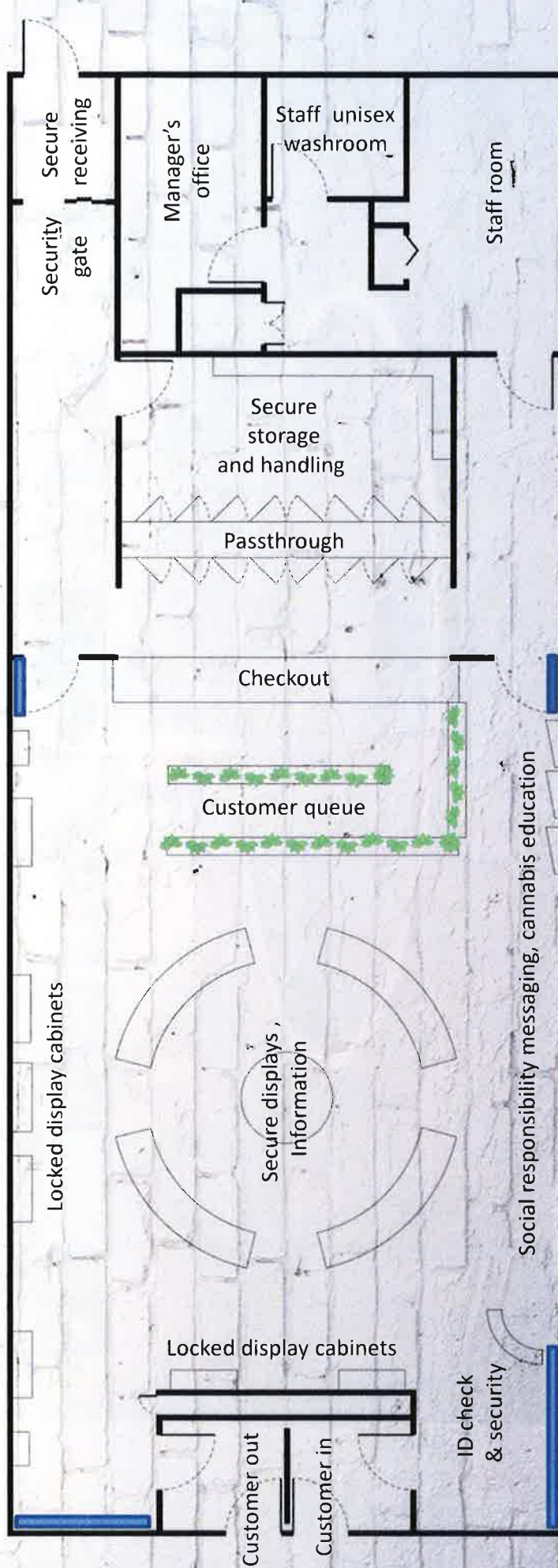
CONTINUOUS IMPROVEMENT

We are agile and quick; we take initiative to fill gaps and propose solutions.

Storefront



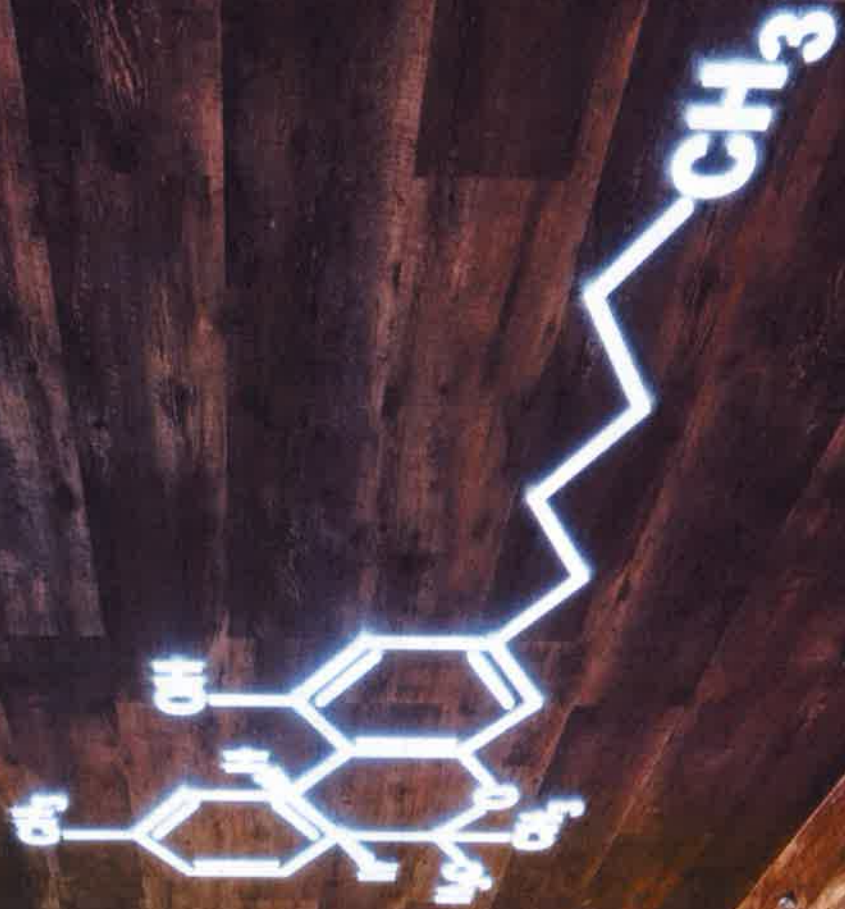
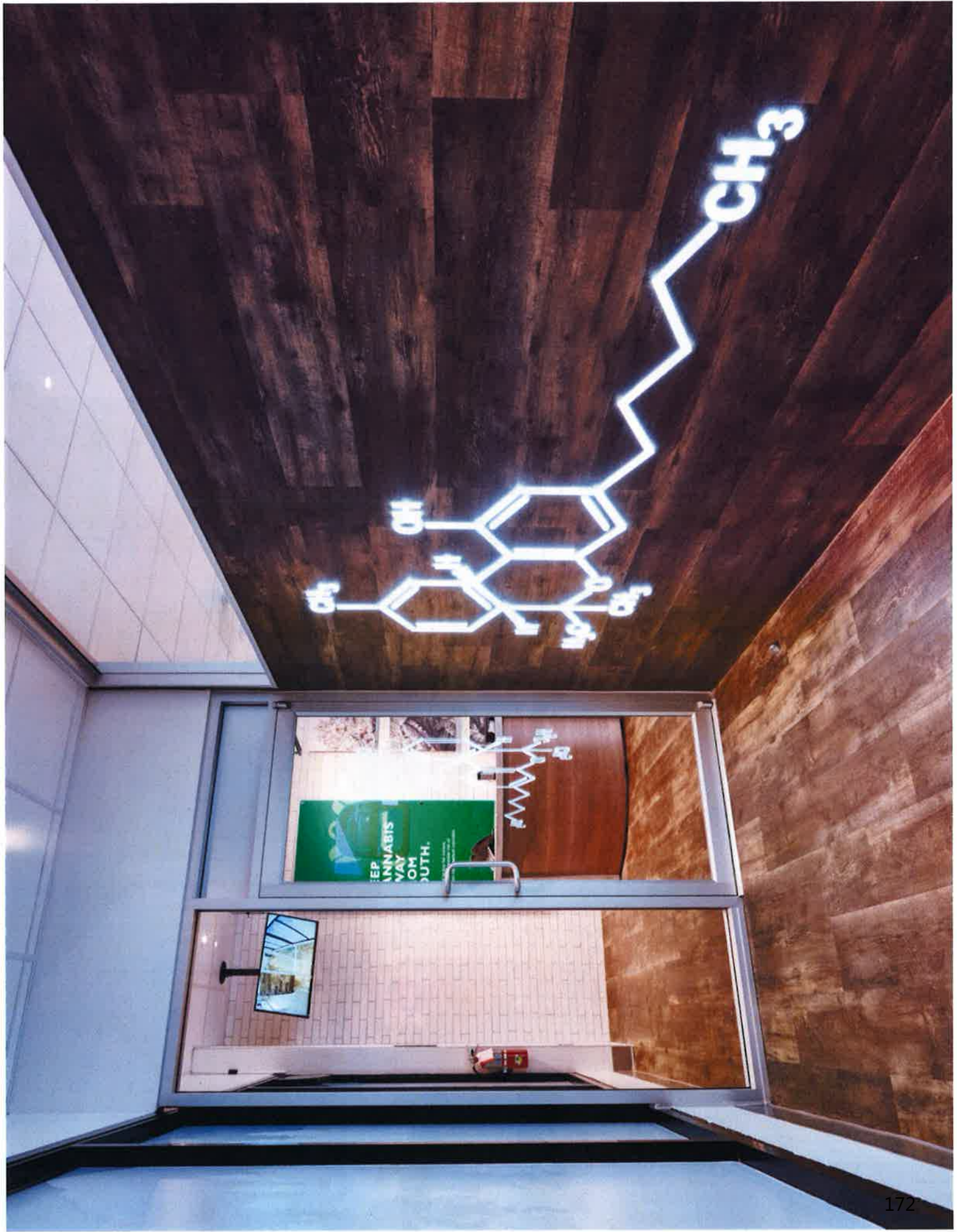
Concept Floorplan:



■ = Social responsibility signage

Store interior





KEEP ANNNABIS THE WAY WAY OHM YOUTH.



Before You Buy

Plant Anatomy

Plant Types

THC/CBD



KEEP CANNABIS AWAY FROM YOUTH.

It's illegal to buy for minors. Youth are at a greater risk of harm from non-medical cannabis.

BC CANNABIS
by government



Store operations

- Store entranceways will have a counter for a two ID-check policy to prevent minors from entering the store.
- Store staff and in-store material will create a safe and informed customer experience.
- Digital signage and take-away brochures help educate customers of potential risks associated with cannabis use, supporting our mission of social responsibility (SR).
- Products are kept behind the checkout in an employee-only area of the store, out of sight from minors passing by the front of the store.

Proven track record of public service and accountability that will carry over to cannabis

- Our strict “ID Under 30” policy in BC Liquor Stores is a strong contributing factor to our successful compliance record. For cannabis, for proof of age, all customers will be required to show two pieces of ID.
- Responsible consumption awareness programs in stores and in our communities like **Dry Grad** and **Get Home Safe** protect young people and their community.
- Our at-the-till charitable collections and employee contributions raise nearly \$1 million for local communities annually.
- We thrive as an environmental leader through responsible waste management.



START LOW, GO SLOW.

For the safest experience,
start with products that are
low in THC.

BC CANNABIS STORES

bccannabisstores.com

A reputable place to work.

We take pride in being named one of BC's
Top Employers time and time again.

- Mandatory criminal background checks are performed on all employees.
- Comprehensive product knowledge and customer service training are integral to the cannabis consultant onboarding experience.
- As with liquor, we will mandate a Serving It Right equivalent certification for all cannabis consultants.
- Each store will have a Store Manager, Assistant Store Manager, and Cannabis Consultants.



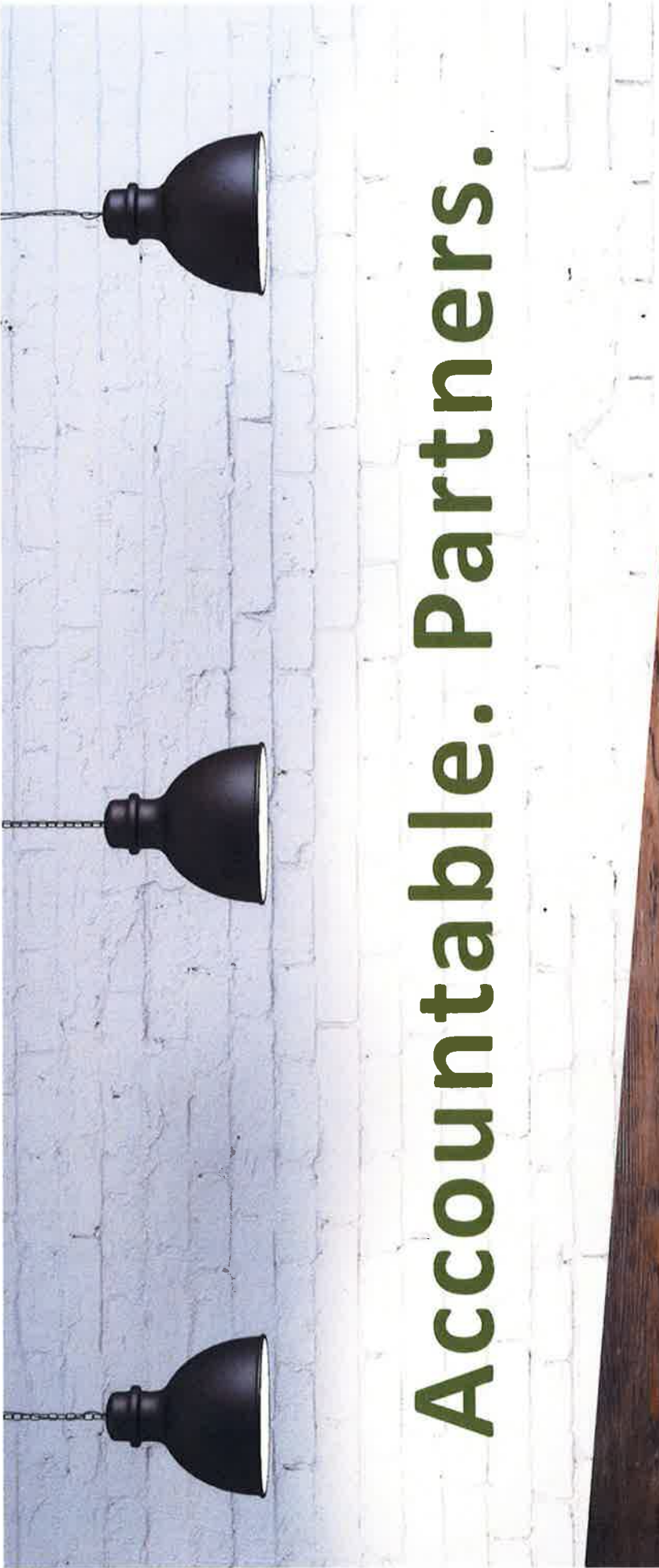
Safety and security

Customer, employee and community safety is paramount.



- Intruder and fire monitoring systems
- Interior and exterior camera surveillance
- Accessories will be locked in tempered glass display cases.
- A secure storage room that will require access cards to enter.
- Durable and reliable commercial-grade doors and locks.
- Smash-resistant windows.
- Product will not be incinerated or disposed of on-premise.

We are committed to working with local governments and local law enforcement agencies



Accountable. Partners.



**LIQUOR
DISTRIBUTION
BRANCH**

CONTACT
Kerri Lore
Director of Policy
kerri.lore@bcldb.com
604-252-3196

CONTACT
Mark Long
A/Director, Real Estate
mark.long@bcldb.com
604-252-3113







Permitted Uses

- 69 (1) The permitted uses for the C2 zone are as follows:
- Accessory Dwelling Unit
 - Appliance and Small Equipment Repair
 - Bed and Breakfast
 - Bus Depot
 - Car Wash
 - Club
 - Commercial Cardlock Facility
 - Commercial School
 - Dry Cleaner
 - Entertainment Use
 - Financial Institution
 - Fitness Centre/Gymnasium
 - Funeral Parlour
 - Hairdresser
 - Home-Based Business
 - Hotel
 - Laundromat
 - Medical Laboratory
 - Mini-Warehousing
 - Mixed-use Building
 - Mobile Food Service
 - Night Club
 - Nursery
 - Office
 - Parking Use
 - Pub
 - Restaurant
 - Retail Lumber and Building Supply Yard
 - Retail of Motor Vehicle Parts and Accessories
 - Retail Store
 - Service Station
 - Single-Family Dwelling (subject to the provision of the R3 zone)
 - Tool Rental
 - Veterinary Clinic
 - Wholesale Store [BL3150, BL3657]

Minimum Lot Size

- (2) The minimum permitted lot size for the C2 zone is 560 m² (6,028 sq. ft.).

Minimum Frontage

- (3) The minimum permitted frontage for the C2 zone is 15 m (49.21').

Maximum Lot Coverage

- (4) The maximum permitted lot coverage for the C2 zone is 100% of the lot area, except such area as required for off-street parking and loading facilities, landscaping requirements, and fencing and highway setbacks.

Minimum Setbacks

- (5) There are no minimum setbacks for the C2 zone except:
 - (a) where the lot abuts residentially zoned land that yard which abuts the residentially zoned land shall be 3.0 m (9.84') in depth; and
 - (b) where the lot abuts an arterial highway the yard, front, shall be 4.5 m (15') in depth.

Maximum Building Height

- (6) The maximum permitted building heights for the C2 zone are as follows:
 - (a) Principal Building, 12.0 m (39.37')
 - (b) Accessory Building, 5.0 m (16.4')

COUNCIL POLICY: RETAIL CANNABIS SALES POLICY

Council Approval Date: January 16, 2019

Department: Development Services

Amended:

1. PURPOSE

This policy outlines criteria that will be considered by North Cowichan Council as part of any Zoning Bylaw Amendment Application, Temporary Use Permit Application, or Liquor and Cannabis Regulation Branch referral for cannabis retail use.

This policy was established in response to the legalization of cannabis by the federal government. It is intended to address potentially adverse community impacts of retail cannabis sales, including inappropriate exposure of cannabis to minors and undesirable concentration of storefront cannabis retailers.

2. SCOPE

This policy is intended to guide Council when considering applications for rezoning or temporary use permit, as well as for provincial licensing referrals for retail cannabis sales. It is not intended to fetter Council's discretion when considering individual applications. Each application will be evaluated on its own merits.

3. DEFINITIONS

"applicant" means an applicant for an application that would allow for a retail cannabis sales at a particular location;

"retail cannabis sales" means premises where cannabis is sold or otherwise provided to a person who attends at the premises.

4. POLICY

Location

4.1 Retail cannabis use must be located on, or in close proximity to, a provincial highway, urban arterial road, or urban collector road; and in commercial areas, including areas zoned for retail use, or designated for commercial use in the Official Community Plan or Local Area Plan.

4.2 Only one retail cannabis sales storefront will be allowed per parcel.

4.3 Each parcel permitting retail cannabis sales must be:

- (a) at least 600 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle, or secondary school; or a playground, recreation centre, or other areas where children and youth frequent, and

- (b) at least 300 m (in a straight line from closest lot line to closest lot line) from another lot where retail cannabis sales is permitted, whether or not a storefront cannabis retailer is active or not.
- 4.4 This Policy does not limit Council from considering variances to the separation distances noted based on circumstances related to a specific application.

Community Impact

- 4.5 Council will consider the impact of retail cannabis sale in proximity to libraries, public recreation centres, public community centres, parks, places of worship and family-oriented facilities.


Application Process

- 4.6 The Municipality will not accept applications for proposals that are not associated with an application that has been accepted by the Liquor and Cannabis Regulation Board (LCRB).
- 4.7 Should the Municipality accept an application and then that application is cancelled or withdrawn from consideration by the LCRB, the Municipality will terminate the application process by giving the applicant the opportunity to withdraw the application, and subsequently recommending that Council reject the application.
- 4.8 All applicants are required to arrange and conduct an Information Meeting to provide residents and property owners within 60 m of the subject property with information about their application. A summary of the feedback received at the meeting will be incorporated as part of the staff report to Council.
- 4.9 The Municipality will refer all retail cannabis sales applications to School District #79, North Cowichan RCMP, and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in Council's decision.
- 4.10 All applications for retail cannabis sales under this Policy shall be forwarded to registered or selected Community Associations, for information and comments they may wish to provide.


5. ROLES & RESPONSIBILITIES




Staff will include an analysis of each application's compliance with this Policy as part of the staff report to Council.

RCMP Referral Response


Wed 2/13/2019 11:12 AM
Chris BEAR <chris.bear@rcmp-grc.gc.ca>
Re: External REFERRAL requested (ZB000102): LCRB Cannabis Retail, 2980 Drinkwater Rd.

To: Caroline von Schilling

 You forwarded this message on 5/17/2019 4:16 PM.

 ZB000102 LTR from LiquorDistribution Branch (Rationle) 20_3.pdf 2 MB	 ZB000102 Proposed Site_2.pdf 116 KB
 ZB000102 LTR to RCMP (Referral) 2019-02-12_2.pdf 66 KB	

Good day Caroline,

Thank you for the correspondence.


We have no objections to the proposed site and the planning appears appropriate.

If you have any further questions or concerns, please feel free to contact me.


Regards,

Chris

School District #79 Referral Response


Tue 4/2/2019 6:00 PM
Jason Sandquist <jsandqui@sd79.bc.ca>
RE: External REFERRAL requested (ZB000102): LCRB Cannabis Retail, 2980 Drinkwater Rd.

To: Caroline von Schilling

 You forwarded this message on 4/3/2019 8:35 AM.

Hi Caroline,

The Board passed the following motion tonight:

“That the Board of Education of School District No. 79 (Cowichan Valley) advise the Municipality of North Cowichan that it has no comment on the rezoning application for 2980 Drinkwater Road”

It was carried unanimously.

Please let me know if anything further is required.

Jason

Report

Date	July 17, 2019	Prospero No. ZB000105
To	Council	Folio No. 01022-015 & 01022-010
From	Caroline von Schilling, Development Planner	File No. 3360-20 18.31
Subject	Zoning Bylaw Amendment Application No. ZB000105 (3248 Gibbins Road) – Amendment from A2 to A3 to accommodate a lot line adjustment	Endorsed: 

Purpose

To provide Council with information, analysis and a recommendation regarding a zoning amendment application for 3248 Gibbins Road to amend a portion of the existing Rural Zone (A2) to Rural Restricted Zone (A3) Zone to accommodate a lot line adjustment; and further, to amend the A3 zone to permit the construction of two detached dwellings at this address.

Background

The Subject Property is a 1.76 ha (4.34 acre) lot located at 3248 Gibbins Road. The Subject Property is located in the Rural Zone (A2), and is located outside the Urban Containment Boundary (UCB) and is not located within the Agriculture Land Reserve (ALR) (ATTACHMENTS 1 & 2).

Land Use Context

- North:** Residential One & Two Family (R3) zoned properties with primarily single family dwellings
- South:** Forested lands; Municipality of North Cowichan jurisdictional boundary
- East:** Rural (A2) and Residential Rural (R1) zoned properties with rural and primarily single family dwellings
- West:** Rural (A2) zoned properties with primarily rural holdings

Proposal

The proposed lot line adjustment would *decrease* the area of the Subject Property (3248 Gibbins Road) from 1.76 ha (4.34 acres) to 0.81 ha (2.0 acres); therefore, a rezoning from A2 to A3 is required to achieve the minimum allowable lot size of the A3 zone.

Further, the proposed lot line adjustment would *increase* the adjacent property to the south at 3246 Gibbins Road from 1.55 ha (3.83 acres) to 2.5 ha (6.18 acres); therefore, no rezoning for this adjacent property to the south is required (ATTACHMENT 3, 4 & 5).

Of note, the Subject Property (3248 Gibbins Road) and the adjacent property to the south at 3246 Gibbins Road, are under the same ownership.

The purpose of this lot line adjustment is to improve farming practice on the adjacent property to the south at 3246 Gibbins Road by aligning better with the topography, i.e., a natural bench.

Further to the zoning amendment requested at the Subject Property (3248 Gibbins Road) from A2 to A3, the Applicant requests a site specific zoning amendment in order to retain the privilege of two detached dwellings on the Subject Property.

For clarification, in 2018, a text amendment to the Rural (A2) Zone to permit two detached dwellings was applied to several properties along a portion of Gibbins Road affected by an adjustment of the Urban Containment Boundary (UCB). After significant public engagement, several properties, including the Subject Property, were excluded from the UCB and/or were reclassified, meaning their zones were amended. Specifically, the Subject Property was excluded from the UCB and was reclassified from Residential Rural Zone (R1) to the Rural Zone (A2). Therefore, the text amendment to permit two detached dwellings was applied to the Subject Property (3248 Gibbins Road). The Applicant wishes to retain this privilege of two detached dwellings on the Subject Property in the proposed Rural Restricted (A3) Zone.

In summary, the proponent is requesting a zoning amendment to 3248 Gibbins Road to:

- Rezone from A2 (Rural) to A3 (Rural Restricted); and
- Retain the privilege of two detached dwellings (ATTACHMENT 6 & 7).

Discussion

The Subject Property is subject to the policy and land use direction of the Official Community Plan (OCP), and further, to the Strategic Agricultural Plan.

Policy highlights are:

Official Community Plan (OCP)

Protect the agricultural land base

Policy 2.1.1.1 *The Municipality will continue to implement its Strategic Agricultural Plan as a supplement to the Official Community Plan.*

The policies of the Strategic Agricultural Plan are considered in the following section: Strategic Agricultural Plan.

Policy 2.1.1.2 *(d) Where upzoning, non-farm use, subdivision or exclusion from the ALR has been approved and results in significant benefit accruing to the landowner, the Municipality will require the landowner to contribute to a municipal reserve fund, to be used for the benefit of agriculture.*

Given that a text amendment privileging the Subject Property under A2 (Rural) zoning to two detached dwellings was applied to the Subject Property in 2018, it is staff's opinion that the Applicant's request for site specific zoning amendment to accommodate two detached dwellings under the proposed A3 (Rural Restricted), should it be approved and would not constitute upzoning. No further action is recommended.

Policy 2.1.1.3 *The Municipality will prevent sprawl into rural areas.*

(a) The Municipality will not permit urban land use and development beyond the urban containment boundary.

The proposal meets this policy item because agriculture and agriculture storage uses are maintained on this property with the proposed A3 Zone and the proposed use is not considered “urban”.

Policy 2.1.1.2(f) *To protect the integrity of farmland and minimize the footprint of housing and farm buildings on agricultural lands, the Municipality will encourage innovations in the layout of new on-farm buildings (residential, accessory, and principal farm buildings).*

The Applicant has demonstrated efforts to locate the proposed second dwelling with septic in a location least impactful on the agriculture use potential of the Subject Property. A location at the road frontage was seriously considered but could not reasonably be attained due to technical reasons (wastewater setbacks).

Prevent urban sprawl into rural areas

Policy 2.1.5.1 *The Municipality will discourage any relaxation of subdivision and zoning standards that have the effect of increasing net density in rural areas.*

Given that a text amendment privileging the Subject Property under A2 (Rural) zoning to two detached dwellings was applied to the Subject Property in 2018, it is staff’s opinion that the Applicant’s request for site specific zoning amendment to accommodate two detached dwellings under the proposed A3 (Rural Restricted), should it be approved, would not constitute an net increase in density.

Policy 2.1.5.5 *... All rezoning applications in rural areas are required to consider policy 2.1.5.6.*

Policy 2.1.5.6 *The Municipality may consider rezoning applications in rural areas to allow additional residential units if all the following provisions are met:*

- i) The proposal demonstrates how the applicant will produce, complement or expand rural economic development activity ... and incorporate provision for the long-term security of the land (e.g., through an Agriculture Land Reserve (ALR) designation or a covenant on use); and*
- ii) Rural views from public areas will be maintained*
- iii) Any adjacent agricultural or other resource use (e.g., forestry, gravel removal) will be appropriately buffered from the residential units; and*
- iv) The extension of municipal services is not anticipated or, should service extension be required, the proposed development will cover the full cost of installing, maintaining and operating the additional services; and ...*

The following policies were considered:

- (i) The long-term security of the land for agriculture use is met because an agriculture zone has been maintained on the Subject Property, e.g., A2 to A3. Moreover, increasing the lot area of the adjacent property to the south at 3246 Gibbins Road will improve the function of farming practice on that lot.
- (ii) Rural viewsapes will be minimally impacted by this proposal.
- (iii) Adjacent agricultural uses are appropriately buffered from the residential units with building setback requirements of the A3 zone. The Ministry of Agriculture's "Guide to Edge Planning" does not extend guidelines to residential properties that exceed 1 acre (and the Subject Property is proposed to be 2 acres in area).
- (iv) The extension of municipal services is not anticipated as septic service can be achieved.

Policy 2.1.5.8 *The Municipality will extend municipal services to rural areas only under exceptional circumstances.*

- a) *The extension of municipal sanitary sewer service to rural areas is generally not anticipated, but may be considered if it is required for environmental health reasons; the full costs are borne by residents; there are no other practical servicing alternatives; and it is clearly understood that any new sewer extensions will not be used as a basis to facilitate or support additional density.*

This application proposal has provided a practical servicing alternative with prove-out of septic fields near the location of the existing derelict dwelling (to be removed). Therefore, municipal sanitary sewer service extension to the Subject Property is not anticipated.

Policy 2.1.5.9 *The Municipality generally discourages the development of accessory (second) residences on rural lands, except to address farm labour housing needs.*

The proposed zoning amendment, which includes a request for a second residence on the Subject Property, insufficiently demonstrates farm labour housing needs. Therefore, this policy item is not met.

However, as noted earlier in this report, a second residence for the Subject Property (as well as on the lot to the south at 3246 Gibbins Road) was permitted as a result of an adjustment to the UCB. The applicant wishes to retain this privilege with this zoning amendment application.

Strategic Agricultural Plan Policy

"Larger parcels should be maintained for long-term agriculture use ... Allow only one house on lots of 4 ha or less, and require houses to be located near the frontage of the lot rather than in the middle of the lot ..." (p.10).

The proposal for zoning amendment increases the adjacent property to the south at 3246 Gibbins Road from 1.55 ha (3.83 acres) to 2.5 ha (6.18 acres) thereby improving function for farming practice on this property. The request to decrease the lot size of the Subject Property (3248 Gibbins Road) is somewhat mitigated by maintaining a Restricted Rural Zone (A3). The Applicant has made reasonable efforts to locate the proposed two detached dwellings near the current residential dwelling site (derelict dwelling

to be removed). It is the opinion of staff that the Strategic Agricultural Plan Policy regarding parcel size has generally been met; however, the Policy regarding number of dwellings has not been met.

Development Permit Areas

The proposed zoning amendment with a site specific request for a second detached dwelling under the proposed A3 zoning is not associated with a development permit area for the proposal for the Subject Property. A Development Permit may be required for steep slopes on the adjacent property to the south at 3246 Gibbins Road prior to building permit issuance.

Servicing and Infrastructure

Servicing, traffic access/egress, and parking related to this zoning amendment application proposal is considered adequate. The Applicant has legalized their access from Gibbins Road with an access permit through the Engineering Department.

Ministry of Transportation and Infrastructure

The Subject Property is not located within 800 m of a Controlled Access Highway (Trans-Canada Highway); therefore, Ministry of Transportation and Infrastructure (MOTI) approval of this proposed zoning amendment bylaw prior to bylaw adoption is not required.

Communications and Engagement

Should Council choose to provide 1st and 2nd Reading to this amendment bylaw, the application will proceed to a Public Hearing, at which time the general public will be provided an opportunity to provide input to the proposed Zoning Bylaw amendment. Neighbouring properties within a 60 m radius of the subject property will be notified of this application and advertisements will be placed in the local newspaper, as required by the *Local Government Act*.

Conclusion

The proposal is generally consistent the policies of the Official Community Plan (OCP) other than the request for the approval of a second dwelling that is not intended for farm labour. The proposal is generally consistent with the lot size policies of the Strategic Agricultural Plan Policy for farm practice, but not with the number of dwellings policies (for properties under 2 acres). However, a 2018 revision to the Urban Containment Boundary resulted in a text amendment, which was applied to several properties along the affected portion of Gibbins Road. This text amendment permitted the siting of two detached dwellings on these reclassified Rural Zone (A2) properties. The Applicant wishes to retain this privilege with this rezoning request. The Applicant also wishes to improve farming practice on the adjacent parcel to the south at 3246 Gibbins Road.

Therefore, it is the opinion of staff that the balance of policies in support of agriculture and the rural land base of the OCP, supplemented by the policies of the Agricultural Strategic Plan, have reasonably been met with this proposal and recommend approval of this application.

Options

The following options are presented for Council's consideration (ATTACHMENT 8):

Option 1 – Staff Recommended

That Council give first & second readings to "Zoning Amendment Bylaw No. 3757, 2019" to amend the zone at 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3) and to permit a second residence at 3248 Gibbins Road; and,

That a Public Hearing for Zoning Amendment Bylaw No. 3757 and notification issued in accordance with the *Local Government Act*.

Option 2 – Alternate Recommendation:

That Council deny Zoning Amendment Application ZB000105 to rezone 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3).

Should Council choose to deny this zoning amendment application the applicant would be required to conform to the permitted uses of the Rural Zone (A2).

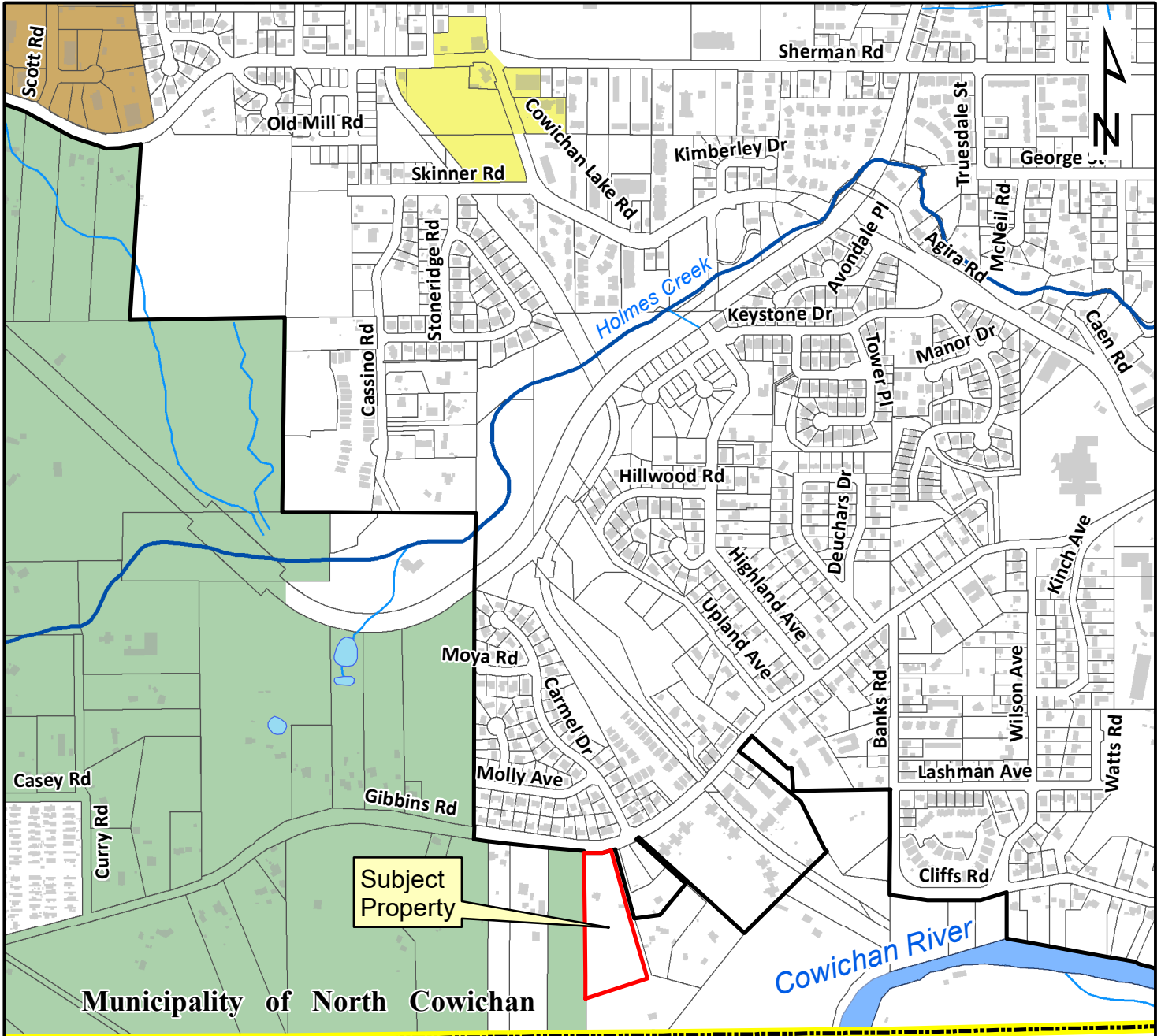
Recommendation

THAT Council give first & second readings to "Zoning Amendment Bylaw No. 3757, 2019" to amend the zone at 3248 Gibbins Road (PID: 028-738-071) from Rural Zone (A2) to Rural Restricted Zone (A3) and to permit a second residence at 3248 Gibbins Road; and

THAT a Public Hearing for Zoning Amendment Bylaw No. 3757 be scheduled and notification issued in accordance with the *Local Government Act*.

Attachments:

1. Location Map
2. Zoning Map
3. Air Photo
4. Proposed Rural Restricted (A3) Zone
5. Proposed Subdivision
6. Letter of Rationale
7. Site Photos
8. Zoning Amendment Bylaw No. 3757

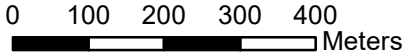


Municipality of North Cowichan

Cowichan Reserve I.R. No.1

LEGEND:

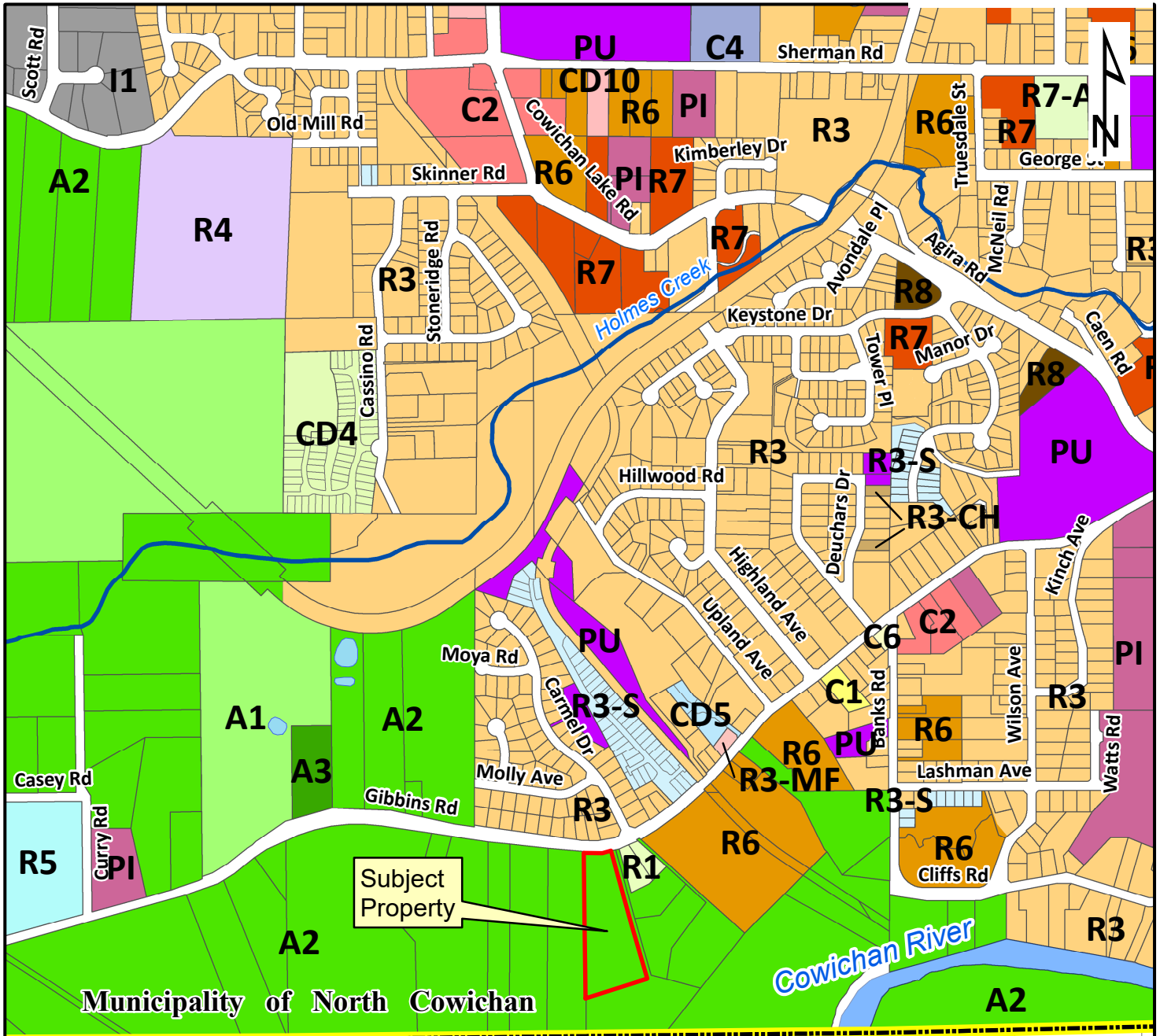
Subject Property	Urban Containment Boundary
Existing Buildings	Agricultural Land Reserve
Waterbodies	Berkey's Corner Neighbourhood Commercial
Watercourses	Tansor Industrial
North Cowichan Municipal Boundary	



LOCATION MAP

3248 Gibbins Road

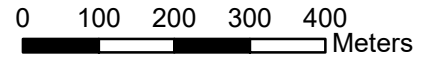
DATE:	July 3, 2019
TYPE:	Rezoning
FILE#:	ZB000105



Municipality of North Cowichan

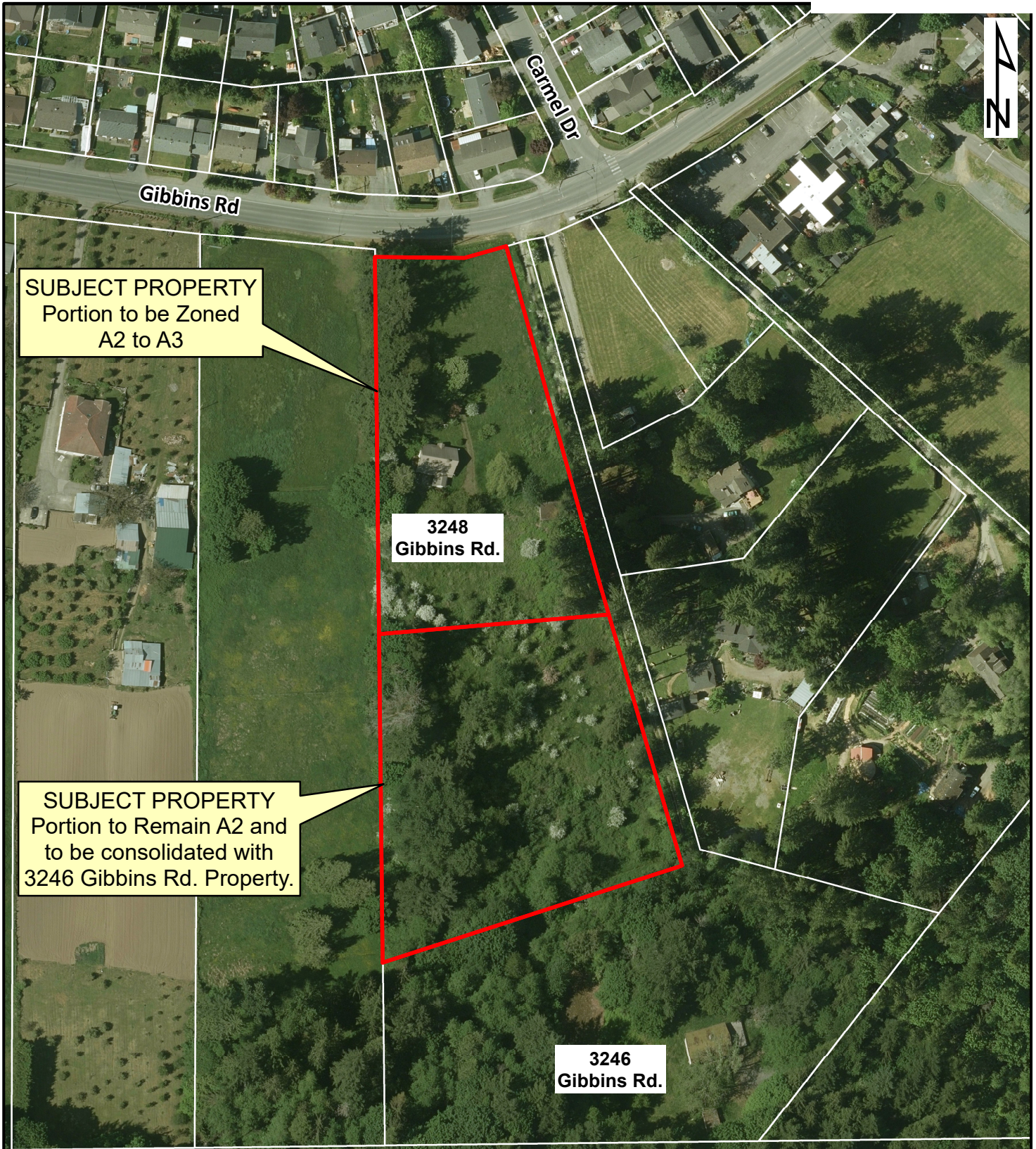
Cowichan Reserve I.R. No.1

LEGEND:	
	Subject Property
	North Cowichan Municipal Boundary
	A1 - Agricultural
	A2 - Rural
	A3 - Rural Restricted
	C1 - Commercial Local
	C2 - Commercial General
	C4 - Commercial Recreational
	C6 - Commercial Professional
	CD4 - Comp. Dev. (Mixed Family)
	CD5 - Comp. Dev. (Low Density Family)
	CD10 - Comp. Dev. (Urban Medium Density)
	I1 - Industrial Light
	PI - Public Institutional
	PU - Public Use
	R1 - Residential Rural
	R3 - Residential One and Two-Family
	R3-CH - Residential Two-Family Detached
	R3-MF - Residential Medium Density Multi-Family
	R3-S - Residential Small Lot Single-Family
	R4 - Residential Small Lot Mobile Home
	R5 - Residential Mobile Home Park
	R6 - Residential Townhouse
	R7 - Residential Multi-Family
	R7-A - Residential Ground-Oriented Multi-Family
	R8 - Residential Multi-Family Apartment



ZONING MAP
3248 Gibbins Road

DATE:	March 11, 2019
TYPE:	Rezoning
FILE#:	ZB000105

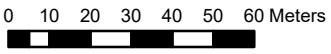


SUBJECT PROPERTY
Portion to be Zoned
A2 to A3

3248
Gibbins Rd.

SUBJECT PROPERTY
Portion to Remain A2 and
to be consolidated with
3246 Gibbins Rd. Property.

3246
Gibbins Rd.



ORTHOPHOTO MAP

(Orthophoto is from 2017 aerial photography)

3248 Gibbins Road

DATE: March 11, 2019

TYPE: Rezoning

FILE#: ZB000105

Rural Restricted Zone (A3)

Permitted Uses

- 53 (1) The permitted uses for the A3 zone are as follows:
- Agriculture
 - Agricultural Storage
 - Assisted Living
 - Bed and Breakfast
 - Community Care Facility
 - Greenhouse
 - Home-based Business
 - Modular Home
 - Single-Family Dwelling
 - Supportive Housing
 - Temporary Trailer (subject to "Temporary Trailer Permit Bylaw 1976", No. 1685)
 - Two-Family Dwelling [BL3302, BL3367]

Minimum Lot Size

- (2) The minimum permitted lot size for the A3 zone is 8,000 m² (1.98 acres).

Minimum Frontage

- (3) The minimum permitted frontage for the A3 zone is 60.0 m (196.85').

Density

- (4) The maximum permitted density for the A3 zone is as follows:
- (a) The number of residential buildings shall not exceed one.
 - (b) Despite the foregoing, the placement of a temporary trailer may also be permitted subject to "Temporary Trailer Permit Bylaw 1976", No. 1685.
 - (c) Despite section 53 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, are permitted on 5404 Gore Langton Road (PID: 005-177-740), 3368 Henry Road (PID: 006-660-819), and 3788 Winget Place (PID: 018-498-451). [BL3644; BL3680]

Maximum Lot Coverage

- (5) The maximum permitted lot coverage of the A3 zone is 30% of the lot area.

Minimum Setbacks

- (6) The minimum permitted setbacks for the A3 zone are as follows:
- (a) Single-Family Dwellings and Two-Family Dwellings
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')
 - (b) All Other Principal Buildings
 - Yard, Front, 30.0 m (98.42')
 - Yard, Side, 15.0 m (49.21')
 - Yard, Rear, 30.0 m (98.42')
 - (c) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 8.0 m (26.25')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')
 - (d) Temporary Trailers
 - To be sited in accordance with the provisions of "Temporary Trailer Permit Bylaw 1976", No. 1685.

Maximum Building Height

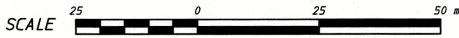
- (7) (a) The maximum permitted building height for buildings, containing one or more dwelling units, within the A3 zone is 9 m (29.53').
- (b) Despite the foregoing, the heights of other farm buildings are subject to the provisions of the ACNBC Farm Building Code 1995.

Conditions of Use

- (8) The conditions of use for the A3 zone are as follows:
 - (a) No fences over 1.2 m (4.00') in height are permitted in the required yards, front.
 - (b) No fences over 2.0 m (6.56') in height are permitted in the required yards, side or rear.
 - (c) In no situation shall a fence be greater than 2.0 m (6.56') in height.
 - (d) Bed and breakfast uses may have no more than six sleeping units.
 - (e) Limited farm sale of agricultural products may be sold directly to the public provided that:
 - (i) minimum of 50% of the agricultural products offered for sale are produced on the land;
 - (ii) the covered retail sales area does not exceed 100 m² (1076.4 sq. ft.); and
 - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]
 - (f) [Repealed. BL3367]
 - (g) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that
 - (i) the number of residents does not exceed ten, including resident staff,
 - (ii) the use is within a single-family dwelling unit only, which for clarity does not include a two-family dwelling,
 - (iii) approval from the Agricultural Land Commission is obtained, where the property is within the Agricultural Land Reserve, and
 - (iv) valid health permits for septic systems or on-site wastewater treatment systems are obtained. [BL3302]
 - (h) Despite section 53 (1) "accessory dwelling unit, coach house" is a permitted use on 3331 Henry Road. [BL3535]

DRAFT

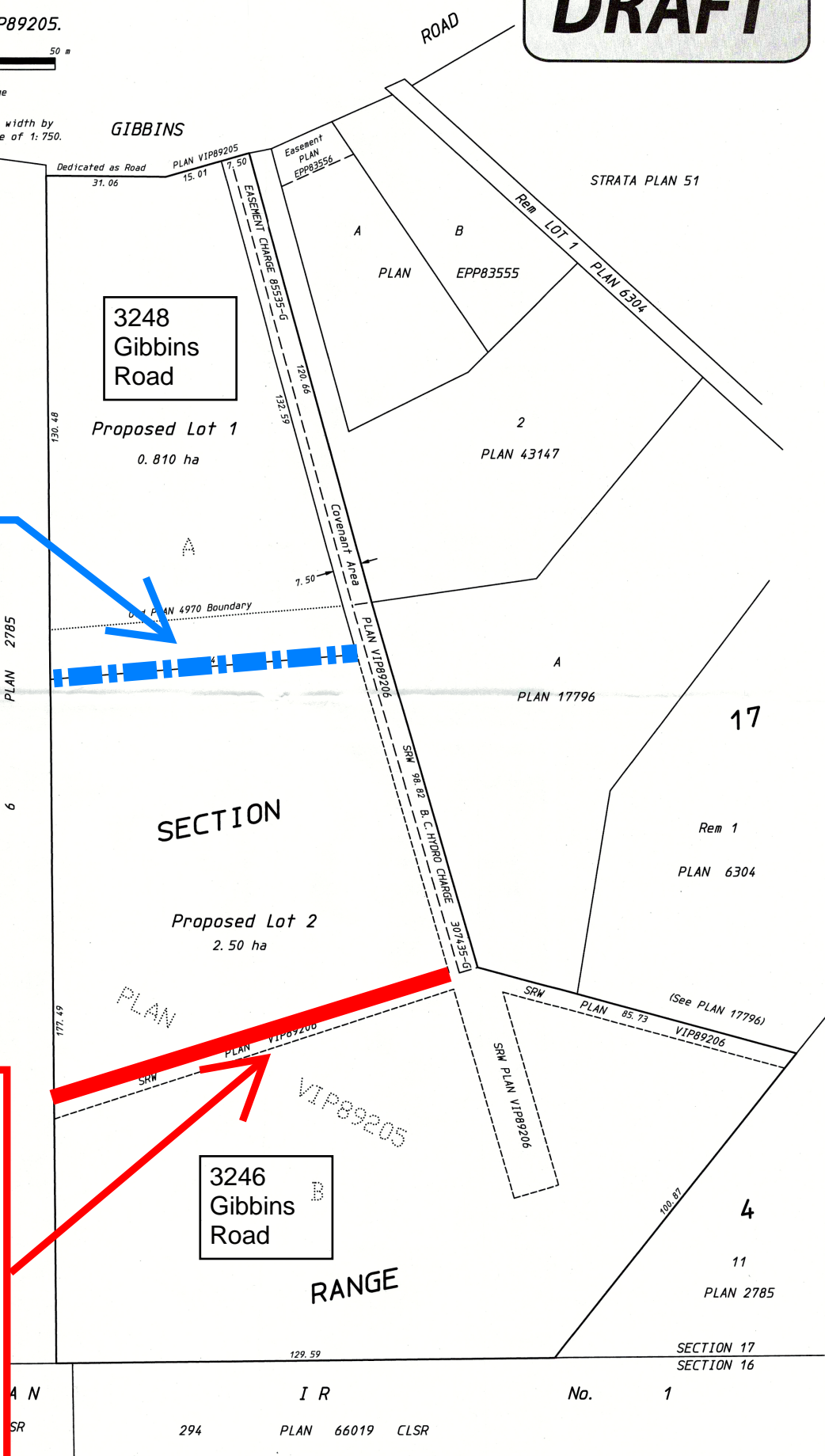
PLAN OF PROPOSED SUBDIVISION OF
LOTS A AND B,
BOTH OF SECTION 17, RANGE 4,
QUAMICHAN DISTRICT, PLAN VIP89205.



All distances are in metres & are subject to change upon legal survey.
The intended plot size of this plan is 432mm in width by 560mm in height (C Size) when plotted at a scale of 1:750.

Proposed Lot Boundary

Current Lot Boundary
- to be moved north in a Lot Line Adjustment



Colin McNeill
Sharon McNeill

May 30, 2019

Caroline von Schilling
Development Services
Municipality of North Cowichan
7030 Trans-Canada Highway
Duncan, BC
V9L 6A1

Dear Caroline von Schilling: **Re: Application ZB000105 Lot Realignment
3246 & 3248 Gibbins Road, Duncan, BC**

Introduction: This Preliminary Review Summary refers to our application for a lot realignment with respect to these 2 properties:

- 3248 Gibbins Road referred to here as “Lot 1”; and
- 3246 Gibbins Road referred to here as “Lot 2”.

Rationale: The municipal policy and by-laws for these 2 properties have changed from urban densification to agricultural land use. Therefore the properties were rezoned from R1 to A2 and removed from the Urban Containment Boundary.

The lay of the land of these 2 properties consists of 2 upper benches with a low flat area between them.

The front bench on Lot 1 is broad with approximately 1&1/2 acres of flat agricultural area while the back bench are of Lot 2 is more narrow and steep leaving much smaller area for agricultural use. In the present lay of the land Lot 2 has a smaller portion of flat farm land to use for agricultural purpose.

At present the low flat area between Lot 1 and Lot 2 consisting of approximately 4 acres is the property of Lot 1. Following realignment this 4-acre area will belong to Lot 2.

Continued page 2 re: **Application ZB000105 Lot Realignment**

Page 2 continued re: **Application ZB000105 Lot Realignment**

This new configuration will lead to the following:

Lot 1 on the broad front bench will still have viable agricultural land.

Lot 2 on the narrow back bench will gain an additional 4-acres of agricultural land for a farming operation for a total acreage of approximately 6.25 acres.

An additional benefit of lot realignment is a shortened panhandle near Gibbins Road. At present this panhandle of Lot 2 is very long and extends deeply through Lot 1 out to Gibbins Road.

Benefit to the community

Under its new policy of agricultural use this lot realignment will benefit the community by creating 2 properties with each having sufficient viable agricultural land to work with under the bylaws.

Request:

In making this application we request retention of the 2 family privilege for Lot 1 under A3 zoning. This allows for a regular farm house and additional housing to house workers. This privilege will match my 2 adjacent neighbours whose acreage is smaller than Lot 1.

Proposed Lot 1 at 3248 Gibbins Road:

Municipal Requirement: Site Specific Proposed Location of Principal Detached Dwelling A with 2 parking locations:

Dwelling A will be a 5-bedroom house situated on the south west elevation in essentially the same site as the derelict present dwelling slated for demolition.

Dwelling A will have 2 parking spaces.

Municipal requirement for Site Specific Proposed Location of 2nd Detached Dwelling B with 2 parking locations

Dwelling B will be a 4-bedroom house situated on the south west elevation just north of Dwelling A which is to be situated in the present location of the derelict dwelling still situated at 3248 Gibbins Road.

Continued page 3 re: **Application ZB000105 Lot Realignment**

Page 3 continued re: **Application ZB000105 Lot Realignment**

Dwelling B will have 2 parking spaces.

Septic Sanitary Service and Waste Water Management Proposal for Septic Field for Lot 1 at 3248 Gibbins Road

On Lot 1 the septic fields will each have treatment plants to be set out as follows:

1. A septic field for five bedrooms attached to Dwelling A; and
2. A separate septic field for 4 bedrooms attached to Dwelling B.

The treatment plants will minimize the footprint.

Proposed Lot 2 at 3246 Gibbins Road:

Waste Water Management Proposal for Septic Field for 3246 Gibbins Road

With respect to water management there is no conflict between Lot 1 and Lot 2.

On Lot 2 at 3246 Gibbins Road the present Dwelling A is situated on the bench of the back property and has its own septic field.

On Lot 2 at 3246 Gibbins Road the proposed site for Dwelling B is now shown as being close to the old tennis court on the south east elevation.

Dwelling B on Lot 2 at 3246 Gibbins Road can be situated anywhere on Lot 2 in the lot realignment as there will be an additional 4 acres available for a house site.

If there is any additional information required please contact us.

Yours truly,



Colin McNeill, Owner



Sharon McNeill, Owner

3246 + 3248 GIBBINS ROAD
DUNCAN, B.C.

Deposited in the Land Title Office at Victoria, B.C.,
this day of _____, 2011.

EXPLANATORY PLAN OF STATUTORY RIGHT-OF-WAY
OVER PARTS OF LOTS A, AND B,
BOTH OF SECTION 17, RANGE 4,
QUAMICHAN DISTRICT, PLAN VIP
PURSUANT TO SECTION 99 (1) (e) OF THE LAND TITLE ACT.
BCGS 92B.072



The Intended plot size of this plan is 0.432m in width by 0.560m in height (C Size) when plotted at a scale of 1:750.

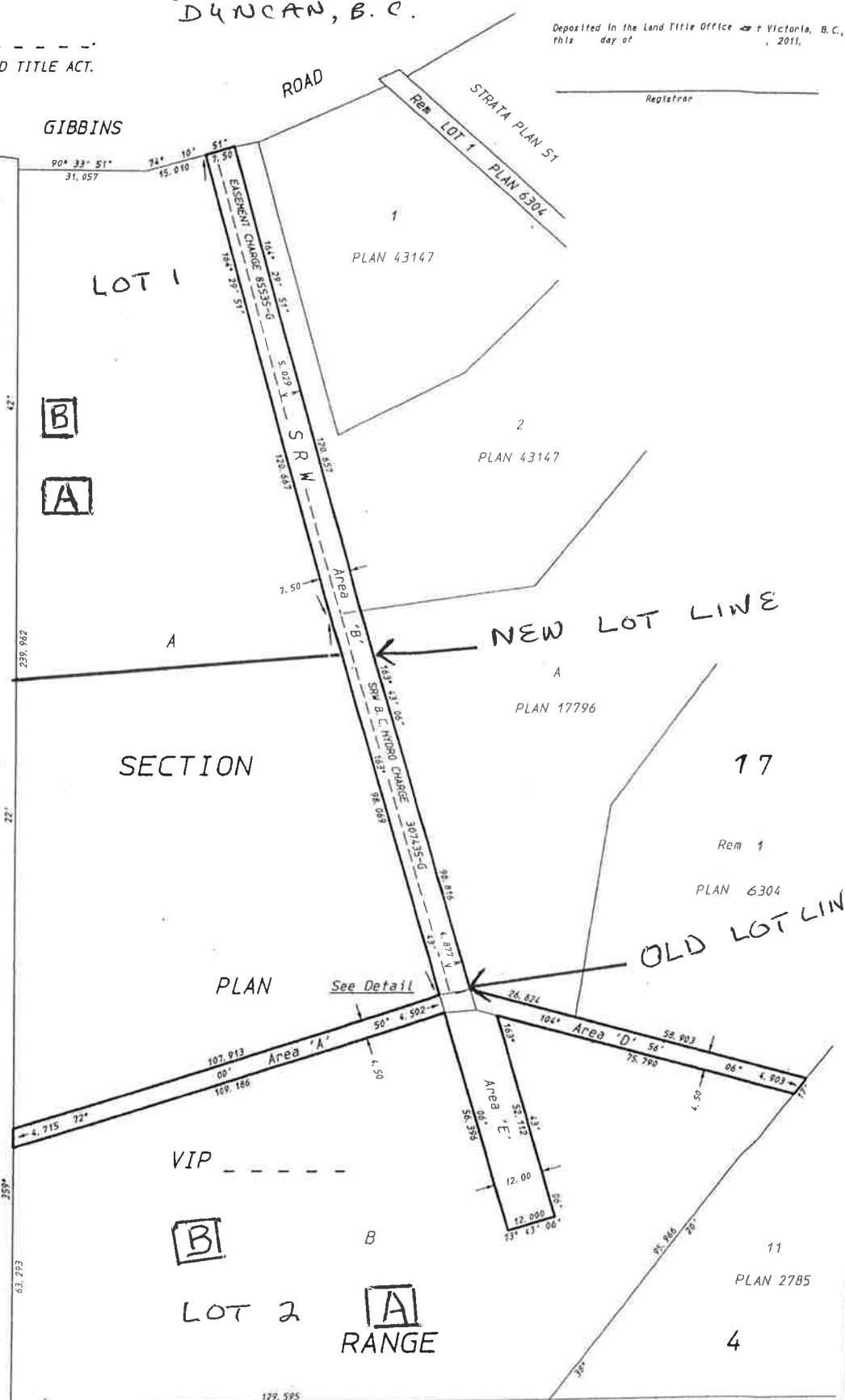
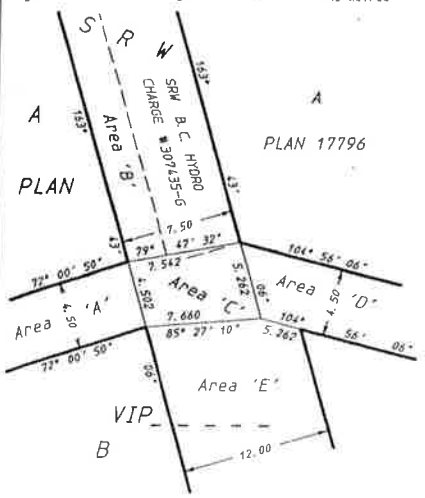
LEGEND

All distances are in metres.
This plan lies within Integrated Survey Area No. 10, the Corporation of The District of North Cowichan, NAOB3 (CSRS). Grid bearings are derived from PLAN VIP.
This plan shows horizontal ground level distances except where otherwise noted. To compute grid distances multiply ground-level distances by combined factor 0.9996279.

BOOK OF REFERENCE		
PARCEL	REFERENCE	AREA
A	"A"	488.5 m ²
B	"B"	0.164 ha
B	"C"	36.6 m ²
B	"D"	375.2 m ²
B	"E"	657.8 m ²



Detail



SECTION 17
SECTION 16
COWICHAN
PLAN BC 240 CLSR

IR
294 PLAN 66019 CLSR

No. 1

This plan was completed and checked, and the checklist filled under # 126775, on the 24th day of August, 2011, and is hereby Certified Correct in accordance with Land Title Office records.

END OF DOCUMENT

This Plan lies within
The Cowichan Valley Regional District.

ALLEN L. COX
2045

KENYON WILSON
PROFESSIONAL LAND SURVEYORS
221 CORDONATION AVE.
DUNCAN, B.C. V9L 2T1 (250) 746-4745
FILE 10-7047A SRW

ATTACHMENT 7







The Corporation of the District of North Cowichan
**Zoning Amendment Bylaw (Retail Cannabis Sales – 2951 Green
Road), 2019**

Bylaw 3752

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

1 Zoning Bylaw 1997, No. 2950, is amended by adding the following text as a new subsection after 40.5:

“40.6 Despite section 40.5, one cannabis retail store is permitted at 2951 Green Road (PID: 027-506-444).”

READ a first time on July 17, 2019

READ a second time on July 17, 2019

CONSIDERED at a Public Hearing on

READ a third time on

APPROVED BY the Ministry of Transportation and Infrastructure on

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER



The Corporation of the District of North Cowichan
**Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater
Road), 2019**

Bylaw 3748

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

1 Section 40.5 [Cannabis Sales Prohibited] of Zoning Bylaw 1997, No. 2950, is repealed and the following substituted:

Cannabis Sales

40.5 The sale, distribution or trade of cannabis and its derivatives is prohibited in all zones, except for

- (a) distribution by an approved cannabis production facility in accordance with the terms and conditions of its licence under section 8 (1) of the *Cannabis Regulations*; and
- (b) retail cannabis sales (one storefront) is permitted at 2900 Drinkwater Road (PID: 027-069-630).

READ a first time on June 5, 2019

READ a second time on June 19, 2019

CONSIDERED at a Public Hearing on

READ a third time on

APPROVED BY the Ministry of Transportation and Infrastructure on

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER



The Corporation of the District of North Cowichan
Zoning Amendment Bylaw (3248 Gibbins Road), 2019

Bylaw 3757

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

1. ***This Bylaw may be cited as "Zoning Amendment Bylaw No. 3757, 2019".***
2. ***Zoning Bylaw 1997, No. 2950 is amended as follows:***
 - (a) ***Section 52 (4) (e) (xiii) [density in the Rural Zone (A2)] of Zoning Bylaw 1997, No. 2950, is repealed.***
 - (b) ***Section 53 (4)(c) [density in the Rural Restricted Zone (A3)] of Zoning Bylaw 1997, No. 2950, is amended by adding the following:***

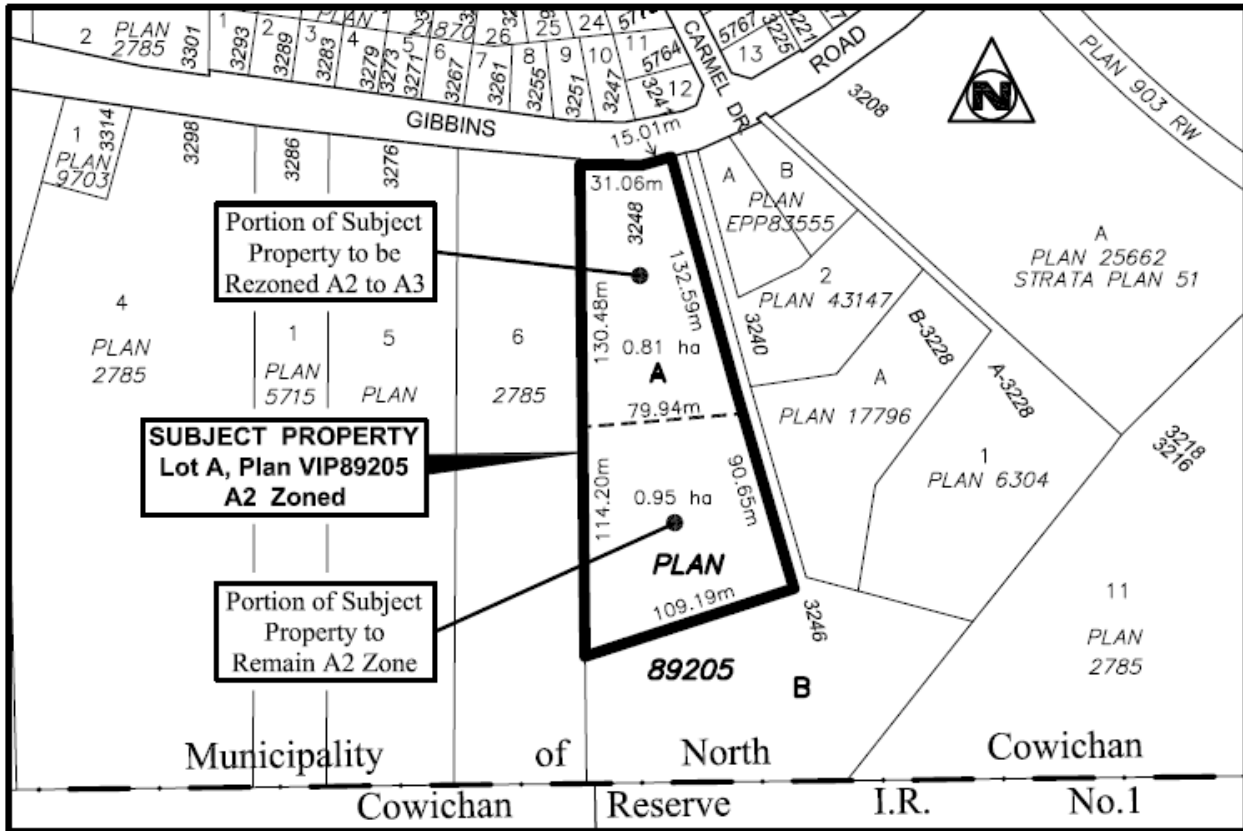
"(v) 3248 Gibbins Road (PID 028-738-071)".
 - (c) ***Schedule "C" is amended by reclassifying from Rural Zone (A2) to Rural Restricted Zone (A3), 3248 Gibbins Road (PID: 028-738-071), shown as the "Subject Property" and outlined in bold on the Schedule attached to and forming part of this bylaw.***

READ a first time on July 17, 2019
READ a second time on July 17, 2019
CONSIDERED at a Public Hearing on
READ a third time on
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule





The Corporation of the District of North Cowichan

Fees Amendment Bylaw, 2019

Bylaw 3755

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

1. This Bylaw may be cited as “Fees Amendment Bylaw No. 3755, 2019”.
2. The Schedule of Fees Bylaw No. 3603 is amended by repealing Sections 16-20, 21.1, 22-24, and 24.1, and substituting the following:

RECREATION FEES

COWICHAN AQUATIC CENTRE & FULLER LAKE ARENA

INDIVIDUAL ADMISSIONS

(Section 16)

Item	Column 1 Description	Column 2 Amount
1	Single Admission – Pre-schooler (age 2 to 5)	\$2.10
2	Single Admission – Child (age 6 to 12)	\$3.10
3	Single Admission – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$4.45
4	Single Admission – Adult (age 19 to 54)	\$6.20
5	Single Admission – Adult (age 55 and older)	\$4.70
6	Multi-Day Pass (3 consecutive days) – Pre-schooler (age 2 to 5)	\$4.60
7	Multi-Day Pass (3 consecutive days) – Child (age 6 to 12)	\$6.90
8	Multi-Day Pass (3 consecutive days) – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$9.65
9	Multi-Day Pass (3 consecutive days) – Adult (age 19 to 54)	\$13.75
10	Multi-Day Pass (3 consecutive days) – Adult (age 55 and older)	\$10.35
11	Multi-Day Pass (4 consecutive days) – Pre-schooler (age 2 to 5)	\$6.10
12	Multi-Day Pass (4 consecutive days) – Child (age 6 to 12)	\$9.20
13	Multi-Day Pass (4 consecutive days) – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$12.85
14	Multi-Day Pass (4 consecutive days) – Adult (age 19 to 54)	\$18.35
15	Multi-Day Pass (4 consecutive days) – Adult (age 55 and older)	\$13.75

16	Multi-Day Pass (5 consecutive days) – Pre-schooler (age 2 to 5)	\$7.65
17	Multi-Day Pass (5 consecutive days) – Child (age 6 to 12)	\$11.45
18	Multi-Day Pass (5 consecutive days) – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$16.05
19	Multi-Day Pass (5 consecutive days) – Adult (age 19 to 54)	\$22.95
20	Multi-Day Pass (5 consecutive days) – Adult (age 55 and older)	\$17.25
21	10 Tickets – Pre-schooler (age 2-5)	\$18.85
22	10 Tickets – Child (age 6 to 12)	\$28.05
23	10 Tickets – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$39.80
24	10 Tickets – Adult (age 19 to 54)	\$56.10
25	10 Tickets – Adult (age 55 and older)	\$42.35
26	1-month Lifestyle Pass – Pre-schooler (age 2-5)	\$23.20
27	1-month Lifestyle Pass – Child (age 6 to 12)	\$35.20
28	1-month Lifestyle Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$49.20
29	1-month Lifestyle Pass – Adult (age 19 to 54)	\$70.40
30	1-month Lifestyle Pass – Adult (age 55 and older)	\$52.80
31	6-month Gold Pass – Pre-schooler (age 2 to 5)	\$116.15
32	6-month Gold Pass – Child (age 6 to 12)	\$175.95
33	6-month Gold Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$246.35
34	6-month Gold Pass – Adult age (19 to 54)	\$351.90
35	6-month Gold Pass – Adult (age 55 and older)	\$263.95
36	Annual Lifestyle Pass – Pre-schooler (age 2 to 5)	\$122.85
37	Annual Lifestyle Pass – Child (age 6 to 12)	\$186.15
38	Annual Lifestyle Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$260.60
39	Annual Lifestyle Pass – Adult (age 19 to 54)	\$372.30
40	Annual Lifestyle Pass – Adult (age 55 and older)	\$279.25
41	Annual Gold Pass – Pre-schooler (age 2 to 5)	\$232.25
42	Annual Gold Pass – Child (age 6 to 12)	\$351.90
43	Annual Gold Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$492.65
44	Annual Gold Pass – Adult (age 19 to 54)	\$703.80
45	Annual Gold Pass – Adult (age 55 and older)	\$527.85

46	Commercial User	2 x individual admission
47	Bulk Purchase (between 250 and 499 users) – Pre-schooler (age 2 to 5)	\$1.70
48	Bulk Purchase (between 250 and 499 users) – Child (age 6 to 12)	\$2.50
49	Bulk Purchase (between 250 and 499 users) – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$3.55
50	Bulk Purchase (between 250 and 499 users) – Adult (age 19 to 54)	\$5.00
51	Bulk Purchase (between 250 and 499 users) – Adult	\$3.75
52	Bulk Purchase (500+ users) – Preschooler (age 2 to 5)	\$1.40
53	Bulk Purchase (500+ users) – Child (age 6 to 12)	\$2.05
54	Bulk Purchase (500+ users) – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$2.90
55	Bulk Purchase (500+ users) – Adult (age 19 to 54)	\$4.05
56	Bulk Purchase (500+ users) – Adult (age 55 and older)	\$3.05

RECREATION FEES
COWICHAN AQUATIC CENTRE & FULLER LAKE ARENA
FAMILY ADMISSIONS
(Section 17)

Item	Column 1 Description	Column 2 Amount
1	Single Admission – Pre-schooler (age 2 to 5)	\$1.55
2	Single Admission – Child (age 6 to 12)	\$2.55
3	Single Admission – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$3.30
4	Single Admission – Adult (age 19 and older) – 1 st adult	\$4.60
5	Single Admission – Adult (age 19 and older) – 2 nd adult	\$3.55
6	10 Tickets – Pre-schooler (age 2-5)	\$14.55
7	10 Tickets – Child (age 6 to 12)	\$19.40
8	10 Tickets – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$23.70
9	10 Tickets – Adult (age 19 and older) – 1 st adult	\$41.20
10	10 Tickets – Adult (age 19 and older) – 2 nd adult	\$29.05
11	1-month Lifestyle Pass – Pre-schooler (age 2-5)	\$18.35

12	1-month Lifestyle Pass – Child (age 6 to 12)	\$27.55
13	1-month Lifestyle Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$39.80
14	1-month Lifestyle Pass – Adult (age 19 and older) – 1 st adult	\$52.00
15	1-month Lifestyle Pass – Adult (age 19 and older) – 2 nd adult	\$39.80
16	6-month Gold Pass – Pre-schooler (age 2 to 5)	\$91.80
17	6-month Gold Pass – Child (age 6 to 12)	\$137.70
18	6-month Gold Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$198.90
19	6-month Gold Pass – Adult age (19 and older) – 1 st adult	\$260.10
20	6-month Gold Pass – Adult (age 19 and older) – 2 nd adult	\$198.90
21	Annual Gold Pass – Pre-schooler (age 2 to 5)	\$183.60
22	Annual Gold Pass – Child (age 6 to 12)	\$275.40
23	Annual Gold Pass – Youth (age 13 to 18 or 19+ with valid full-time student ID)	\$397.80
24	Annual Gold Pass – Adult (age 55 and older) – 1 st adult	\$520.20
25	Annual Gold Pass – Adult (age 55 and older) – 2 nd adult	\$397.80

Note: A family, for admission purposes, consists of persons related through marriage or common-law, blood relationship, legal adoption or legal guardianship, and must include a youth, child, pre-schooler or infant.

RECREATION FEES
COWICHAN AQUATIC CENTRE
HOURLY ROOM RENTALS
(Section 18)

Item	Column 1 Description	Column 2 Amount
1	Child-minding Room - Commercial	\$42.55
2	Child-minding Room - Private	\$24.30
3	Child-minding Room – School District 79	\$23.10
4	Child-minding Room – Local Non-Profit Group	\$20.65
5	Fitness Centre - Commercial	\$614.45
6	Fitness Centre - Private	\$351.10
7	Fitness Centre – School District 79	\$333.55
8	Fitness Centre – Local Non-Profit Group	\$298.45
9	Fitness Room South - Commercial	\$76.80

10	Fitness Room South - Private	\$43.90
11	Fitness Room South – School District 79	\$41.70
12	Fitness Room South – Local Non-Profit Group	\$37.30
13	Group Fitness Room - Commercial	\$82.30
14	Group Fitness Room - Private	\$47.00
15	Group Fitness Room – School District 79	\$44.70
16	Group Fitness Room – Local Non-Profit Group	\$39.95
17	Party Room (Full) - Commercial	\$42.45
18	Party Room (Full) - Private	\$24.25
19	Party Room (Full) – School District 79	\$23.05
20	Party Room (Full) – Local Non-Profit Group	\$20.60
21	Party Room (Half) - Commercial	\$38.40
22	Party Room (Half) - Private	\$21.95
23	Party Room (Half) – School District 79	\$20.85
24	Party Room (Half) – Local Non-Profit Group	\$18.65

RECREATION FEES
COWICHAN AQUATIC CENTRE
AQUATIC RENTALS – PRIME TIME
(Section 19)

Item	Column 1 Description	Column 2 Amount
1	Competitive Pool – Competition – Commercial	\$361.65 per hour
2	Competitive Pool – Competition – Private	\$180.85 per hour
3	Competitive Pool – Competition - School District 79	\$108.50 per hour
4	Competitive Pool – Competition - Local Non-Profit Group	\$162.75 per hour
5	Competitive Pool – Half Day Competition – Commercial Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room.	\$1,446.65 + actual staffing costs
6	Competitive Pool – Half Day Competition – Private Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room.	\$723.30 + actual staffing costs
7	Competitive Pool – Half Day Competition - School District 79 Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room.	\$434.00 + actual staffing costs

8	Competitive Pool – Half Day Competition - Local Non-Profit Group Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room.	\$542.50 + actual staffing costs
9	Competitive Pool – Full Day Competition – Commercial Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room.	\$2,712.45 + actual staffing costs
10	Competitive Pool – Full Day Competition – Private Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room	\$1,356.20 + actual staffing costs
11	Competitive Pool – Full Day Competition - School District 79 Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room.	\$813.75 + actual staffing costs
12	Competitive Pool – Full Day Competition - Local Non-Profit Group Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room.	\$1017.15 + actual staffing costs
13	Competitive Pool – Full Pool – Commercial	\$316.45
14	Competitive Pool – Full Pool – Private	\$158.20
15	Competitive Pool – Full Pool – School District 79	\$94.95
16	Competitive Pool – Full Pool – Local Non-Profit Group	\$118.65
17	Competitive Pool – Half Pool – Commercial	\$158.20
18	Competitive Pool – Half Pool – Private	\$79.10
19	Competitive Pool – Half Pool – School District 79	\$47.45
20	Competitive Pool – Half Pool – Local Non-Profit Group	\$59.35
21	Competitive Pool – Full Lane – Commercial	\$40.70
22	Competitive Pool – Full Lane – Private	\$20.35
23	Competitive Pool – Full Lane – School District 79	\$12.20
24	Competitive Pool – Full Lane – Local Non-Profit Group	\$15.25
25	Competitive Pool – Half Lane – Commercial	\$20.35
26	Competitive Pool – Half Lane – Private	\$10.20
27	Competitive Pool – Half Lane – School District 79	\$6.10
28	Competitive Pool – Half Lane – Local Non-Profit Group	\$7.65
29	Wave Pool – Full Pool – Commercial	\$316.45
30	Wave Pool – Full Pool – Private	\$158.20
31	Wave Pool – Full Pool – School District 79	\$94.95
32	Wave Pool – Full Pool – Local Non-Profit Group	\$118.65
33	Wave Pool – Lane – Commercial	\$40.70
34	Wave Pool – Lane – Private	\$20.35

35	Wave Pool – Lane – School District 79	\$12.20
36	Wave Pool – Lane – Local Non-Profit Group	\$15.25
37	Water Slide	\$50.85
38	Full Aquatic Centre - Competition – Commercial	\$565.10 per hour
39	Full Aquatic Centre - Competition – Private	\$282.55 per hour
40	Full Aquatic Centre - Competition – School District 79	\$169.50 per hour
41	Full Aquatic Centre – Competition – Local Non-Profit Group	\$211.90 per hour
42	Full Aquatic Centre – Half Day Competition – Commercial Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room and Child-Minding Room.	\$2260.30 + actual staffing costs
43	Full Aquatic Centre – Half Day Competition – Private Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room and Child-Minding Room.	\$1130.20 + actual staffing costs
44	Full Aquatic Centre – Half Day Competition – School District 79 Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room and Child-Minding Room.	\$678.10 + actual staffing costs
45	Full Aquatic Centre – Half Day Competition – Local Non-Profit Group Maximum 6 hours, including set-up/take-down. Includes up to 4 hours of Full Party Room and Child-Minding Room.	\$847.65 + actual staffing costs
46	Full Aquatic Centre – Full Day Competition – Commercial Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room and Child-Minding Room.	\$4238.10 + actual staffing costs
47	Full Aquatic Centre – Full Day Competition – Private Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room and Child-Minding Room.	\$2119.15 + actual staffing costs
48	Full Aquatic Centre – Full Day Competition – School District 79 Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room and Child-Minding Room.	\$1271.45 + actual staffing costs
49	Full Aquatic Centre – Full Day Competition – Local Non-Profit Group Maximum 12 hours, including set-up/take-down. Includes up to 10 hours of Full Party Room and Child-Minding Room.	\$1589.35 + actual staffing costs
50	Full Aquatic Centre – Private Rental – Commercial	\$632.90
51	Full Aquatic Centre – Private Rental – Private	\$316.45
52	Full Aquatic Centre – Private Rental – School District 79	\$189.85
53	Full Aquatic Centre – Private Rental – Local Non-Profit Group	\$237.35
54	Full Complex – Competition – Commercial	\$904.15

55	Full Complex – Competition – Private	\$452.05
56	Full Complex – Competition – School District 79	\$271.25
57	Full Complex – Competition – Local Non-Profit Group	\$339.05
58	Full Complex – Private Rental – Commercial	\$1356.20
59	Full Complex – Private Rental – Private	\$678.10
60	Full Complex – Private Rental – School District 79	\$406.85
61	Full Complex – Private Rental – Local Non-Profit Group	\$508.60
62	Lifeguard, Instructor, Aquatic Attendant	Actual Cost

Note: For the above rentals, "Prime Time" is defined as Monday through Friday 3 pm to 5 am, Saturday and Sunday 12 pm to 5 am, and statutory holidays.

Note: For non-commercial competitive events:

- (a) *Competition Pool rental only, minimum 4 hours in a single day includes the following:*
 - (i) *use of either the Child-minding Room or Full Party Room for the duration of the competition, and*
 - (ii) *set-up and take down (maximum of 1 hour pre and 1 hour post-competition times).*
- (b) *Full complex rental (wave and competition pools), minimum of 4 hours in a single day, includes the following:*
 - (i) *use of both the Child-minding Room and Full Party Room for the duration of the competition, and*
 - (ii) *set-up and take down (maximum of 1 hour pre and 1 hour post-competition times).*

RECREATION FEES
COWICHAN AQUATIC CENTRE
HOURLY AQUATIC RENTALS – NON-PRIME TIME
(Section 20)

Item	Column 1 Description	Column 2 Amount
1	Competitive Pool – Competition – Commercial	\$307.40
2	Competitive Pool – Competition – Private User	\$153.70
3	Competitive Pool – Competition – School District 79	\$92.20
4	Competitive Pool – Competition – Local Non-profit Group	\$115.30
5	Competitive Pool – Full Pool – Commercial	\$269.00
6	Competitive Pool – Full Pool – Private	\$134.50
7	Competitive Pool – Full Pool – School District 79	\$80.70
8	Competitive Pool – Full Pool – Local Non-profit Group	\$100.90
9	Competitive Pool – Half Pool – Commercial	\$134.50
10	Competitive Pool – Half Pool – Private	\$67.25
11	Competitive Pool – Half Pool – School District 79	\$40.35
12	Competitive Pool – Half Pool – Local Non-profit Group	\$50.45
13	Competitive Pool – Full Lane – Commercial	\$34.60
14	Competitive Pool – Full Lane – Private	\$17.30
15	Competitive Pool – Full Lane – School District 79	\$10.40
16	Competitive Pool – Full Lane – Local Non-profit Group	\$12.95
17	Competitive Pool – Half Lane – Commercial	\$17.30
18	Competitive Pool – Half Lane – Private	\$8.65
19	Competitive Pool – Half Lane – School District 79	\$5.20
20	Competitive Pool – Half Lane – Local Non-profit Group	\$6.50
21	Wave Pool – Full Pool – Commercial	\$269.00
22	Wave Pool – Full Pool – Private	\$133.95
23	Wave Pool – Full Pool – School District 79	\$80.70
24	Wave Pool – Full Pool – Local Non-profit Group	\$100.45
25	Wave Pool – Lane – Commercial	\$34.60
26	Wave Pool – Lane – Private	\$17.30

27	Wave Pool – Lane – School District 79	\$10.40
28	Wave Pool – Lane – Local Non-profit Group	\$12.95
29	Water Slide	\$50.85
30	Full Aquatic Centre – Competition – Commercial	\$480.30
31	Full Aquatic Centre – Competition – Private	\$240.15
32	Full Aquatic Centre – Competition – School District 79	\$144.10
33	Full Aquatic Centre – Competition – Local Non-profit Group	\$180.15
34	Full Aquatic Centre – Private Rental – Commercial	\$537.95
35	Full Aquatic Centre – Private Rental – Private	\$269.00
36	Full Aquatic Centre – Private Rental – School District 79	\$161.40
37	Full Aquatic Centre – Private Rental – Local Non-profit Group	\$201.75
38	Full Complex – Competition – Commercial	\$768.50
39	Full Complex – Competition – Private	\$384.25
40	Full Complex – Competition – School District 79	\$230.55
41	Full Complex – Competition – Local Non-profit Group	\$288.20
42	Full Complex – Private Rental – Commercial	\$1,152.75
43	Full Complex – Private Rental – Private	\$576.40
44	Full Complex – Private Rental – School District 79	\$345.85
45	Full Complex – Private Rental – Local Non-profit Group	\$432.30
46	Other – Lifeguard or Instructor	Actual Cost
47	Other – Aquatic Attendant	Actual Cost

Note: The notes under section 19 apply to section 20 as well.

RECREATION FEES
COWICHAN AQUATIC CENTRE
MISCELLANEOUS
(Section 21.1)

Item	Column 1 Description	Column 2 Amount
1	Annual Leisure Access Lifestyle Pass	\$0
2	Prescription for Exercise <i>Note: Includes 3-month lifestyle pass, weightroom/facility orientation, and information resource package.</i>	\$50

RECREATION FEES
CROFTON POOL
(Section 22)

Item	Column 1 Description	Column 2 Amount
1	Pool Admission – Under Age 4	\$0
2	Pool Admission – Age 4 through 18	\$1
3	Pool Admission – Age 19 and over	\$2
4	10 Tickets – Under Age 4	\$0
5	10 Tickets – Age 4 through 18	\$9
6	10 Tickets – Age 19 and over	\$18
7	Hourly Pool Rental <i>Note: Includes two lifeguards</i>	\$51

RECREATION FEES
FULLER LAKE ARENA
HOURLY RENTAL RATES
(Section 23)

Item	Column 1 Description	Column 2 Amount
1	Ice Skate – Rental	\$2.00 per rental \$1.00 per rental (with paid family admission)
2	Ice Skate – Sharpening	\$5.00
3	Arena Rental – Exhibition Hockey Game	\$191.50
4	Arena Rental – Adult Recreation Hockey – Prime Time	\$156.10
5	Arena Rental – Adult Recreation Hockey – Mid Week Daytime	\$103.65
6	Arena Rental – Adult Recreation Hockey – After 11 pm	\$138.15
7	Arena Rental – Adult Recreation Hockey – After 11 pm – Full Complex	\$575.95
8	Arena Rental – Adult Recreation Hockey – Primetime – Full Complex	\$678.10
9	Arena Rental – Minor Hockey or Figure Skating – Inside Area	\$79.60
10	Arena Rental – Minor Hockey or Figure Skating – Outside Area	\$101.35
11	Arena Rental – Hockey School or Youth Group – Inside Area	\$79.60
12	Arena Rental – Hockey School or Youth Group – Outside Area	\$101.35
13	Arena Rental – Skating Party – Primetime	\$156.10
14	Arena Rental – Private School	\$94.00
15	Arena Rental – Minor – Non-primetime (before 8 am)	\$69.05
16	Arena Rental – Fuller Lake Arena Hockey School	\$114.30
17	Arena Rental – Ball/Roller Hockey or Other Events – Youth – Inside	\$44.20
18	Arena Rental – Ball/Roller Hockey or Other Events – Youth – Outside	\$59.20
19	Arena Rental – Ball/Roller Hockey or Other Events – Adult – Inside	\$59.20
20	Arena Rental – Ball/Roller Hockey or Other Events – Adult – Outside	\$79.50
21	Arena Rental – Junior or Intermediate Lacrosse	\$89.80
22	Arena Rental – Commercial Shows and Special Events	\$877.20

23	Arena Rental – Service Group Fund Raiser	\$438.60
24	Arena Rental – Liquor Licensed Event Surcharge	\$125.30
25	Room Rental – Upper Meeting room – Private	\$12.80
26	Room Rental – Upper Meeting room – Commercial	\$22.40
27	Room Rental – Upper Meeting room – School District 79	\$12.15
28	Room Rental – Upper Meeting room – Local Non-Profit	\$10.90
29	Room Rental – Upper Meeting room – Private Half-day (4 hours maximum)	\$57.65
30	Room Rental – Upper Meeting room – Commercial Half-day (4 hours maximum)	\$100.85
31	Room Rental – Upper Meeting room – School District 79 Half-day (4 hours maximum)	\$54.75
32	Room Rental – Upper Meeting room – Local Non-Profit Half-day (4 hours maximum)	\$49.00
33	Room Rental – Upper Meeting room – Private Full-day (8 hours maximum)	\$106.95
34	Room Rental – Upper Meeting room – Commercial Full-day (8 hours maximum)	\$187.10
35	Room Rental – Upper Meeting room – School District 79 Full-day (8 hours maximum)	\$101.60
36	Room Rental – Upper Meeting room – Local Non-Profit Full-day (8 hours maximum)	\$90.90
37	Room Rental – “A” and “B” Meeting rooms - Private hourly	\$19.20
38	Room Rental – “A” and “B” Meeting rooms – Commercial hourly	\$33.60
39	Room Rental – “A” and “B” Meeting rooms - School District 79 hourly	\$18.25
40	Room Rental – “A” and “B” Meeting rooms - Local Non-Profit hourly	\$16.35
41	Room Rental – “A” and “B” Meeting rooms – Private Half-day (4 hours maximum)	\$87.10

42	Room Rental – "A" and "B" Meeting rooms – Commercial Half-day (4 hours maximum)	\$152.40
43	Room Rental – "A" and "B" Meeting rooms - School District 79 Half-day (4 hours maximum)	\$82.75
44	Room Rental – "A" and "B" Meeting rooms - Local Non-Profit Half-day (4 hours maximum)	\$74.05
45	Room Rental – "A" and "B" Meeting rooms – Private Full-day (8 hours maximum)	\$109.15
46	Room Rental – "A" and "B" Meeting rooms – Commercial Full-day (8 hours maximum)	\$191.00
47	Room Rental – "A" and "B" Meeting rooms - School District 79 Full-day (8 hours maximum)	\$103.70
48	Room Rental – "A" and "B" Meeting rooms - Local Non-Profit Full-day (8 hours maximum)	\$92.75
49	Surcharge – Rentals on statutory holidays	2 x rate
50	Surcharge – Security, First Aid, Officials, Referees, Clean up	Actual Cost
51	Surcharge – Staffing Costs – Straight time	Actual Cost
52	Surcharge – Staffing Costs – Over time	Actual Cost

FIELD & PARK USE FEES
(Section 24)

Item	Column 1 Description	Column 2 Amount
1	Williams Field Rental - Youth sports organizations <i>Note: CVSA Youth rentals are exempt</i>	\$15.30 per hour (\$20.40 / hour with lights)
2	Williams Field Rental – Adult sports organizations	\$30.60 per hour (\$35.70 / hour with lights)
3	Williams Field Rental – Commercial schools or camps	\$30.60 per hour (\$35.70 / hour with lights)

RECREATION FEES
MANAGED FOREST LAND USE
(Section 24.1)

Item	Column 1 Description	Column 2 Amount
1	Group Ride, per day (less than 15 persons) – Commercial, Private, School District, Local Non Profit Group	\$0 (must provide proof of insurance coverage)
2	Group Ride, per day (15+ persons) – Commercial, Private, School District, Local Non Profit Group	\$0 (must provide proof of insurance coverage)
3	Program, per day (less than 4 hours) – Commercial	\$8.95
4	Program, per day (less than 4 hours) – Private	\$5.10
5	Program, per day (less than 4 hours) – School District	\$4.85
6	Program, per day (less than 4 hours) – Local Non Profit Group	\$4.35
7	Program, per day (4+ hours) – Commercial	\$10.70
8	Program, per day (4+ hours) – Private	\$6.10
9	Program, per day (4+ hours) – School District	\$5.80
10	Program, per day (4+ hours) – Local Non Profit Groups	\$5.20
11	Race, Timed Activity or Event, per day – Commercial	Greater of \$178.50 or \$1.80 per participant
12	Race, Timed Activity or Event, per day – Private	Greater of \$102 or \$1.00 per participant


13	Race, Timed Activity or Event, per day – School District	Greater of \$96.90 or \$0.95 per participant
14	Race, Timed Activity or Event, per day – Local Non Profit Group	Greater of \$86.70 or \$0.85 per participant
15	Event Maintenance Deposit	Greater of \$100 or \$1 per participant

READ a first time on July 17, 2019
READ a second time on July 17, 2019
READ a third time on July 17, 2019
ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Report

Date	July 17, 2019	File: 3900
To	Council	
From	Matt O'Halloran, Deputy Corporate Officer	Endorsed: 
Subject	Fees Amendment Bylaw – Recreation and Parks Charges	

Purpose

To introduce an amendment to Fees Bylaw No. 3603, for Recreation and Parks fees.

Discussion

At the regular meeting on June 5, 2019, Council passed the following motion:

That Council direct staff to draft an amendment to the Fees Bylaw for Recreation Fees for Council's consideration to include:

1. A 2% increase to individual admission rates rounded to the nearest nickel;
2. A 2% increase to all rental, booking and event rates, excluding damage deposits and staffing rates;
3. Deletion of the 3-hour room rental rates at Fuller Lake Arena, to be replaced with an hourly equivalent; and
4. Removal of Personal Fitness Training rates.

Proposed "Fee Amendment Bylaw No. 3755, 2019" is included as Attachment 1. The original staff report to Council is included as Attachment 2.

The proposed bylaw includes Sections 16, 20, 21.1, 22-24 and 24.1. All items have been confirmed by Recreation and Parks staff. For Crofton Pool (Section 22), the only update is Item 7 – Hourly Pool Rental, as the current admission rates are well-established with the public. The deletion of mandatory 3-hour room rental rates at Fuller Lake Arena (Section 23) does not result in lower hourly rates.

Recommendation

That Council give three readings to "Fee Amendment Bylaw No. 3755, 2019."

- Attachments:
1. Proposed "Fee Amendment Bylaw No. 3755, 2019"
 2. Staff Report to June 5 Council Meeting – Parks and Recreation Fees and Charges Update.

Report

Date May 27, 2019

To Council

From Jason Blood, Manager of Recreation

Subject Parks and Recreation Fees and Charges Update

File:

Endorsed:



Purpose

The purpose of this report is to provide Council with information and a recommendation to amend the Fees Bylaw as it relates to the Parks and Recreation.

Background

Parks and Recreation fees and charges are reviewed annually, taking into consideration changes in the Consumer Price Index (CPI) over the previous 12 months, negotiated wage increases, and facility operating expenses. In 2018, CPI increased by 2.4% in 2018 (Victoria, BC Stats as of January 2019) and negotiated wages increased 2% effective January 1, 2019.

Admission and Rental rates fall into several categories with variant pricing:

- Base Rate(s) – the average rate applied to most users (usually referred to as Adult or Private Rate);
- Rate Subsidies – groups identified received a discount to the base rate; and,
- Rate Surcharges – groups identified applied a surcharge to the base rate.

Rental rate subsidies and surcharges are illustrated in the table below.

	Subsidy	Surcharge
Commercial		75%
Private	0%	
S.D. 79	5%	
Local Non-Profit	10%	

Admission rate subsidies and surcharges are illustrated in the table below.

		Subsidy	Surcharge
Senior	55+	25%	
Adult	19-54	0%	
Youth/Student	13-18	30%	
Child	6-12	50%	
Preschool	2-5	67%	
Infant	Under 2	Free	
Commercial	19+		100%

Discussion

A rate increase equal to the blending of the above noted CPI (2.4%) and the negotiated wage increase (2%) is being recommended on all rates, to take into account financial impacts affecting facility operations. As per previous years, admission rates will be rounded to the nearest nickel after the increase is applied.

Based on an annual survey conducted by the Cowichan Valley Regional District, staff are confident this rate increase keeps North Cowichan's pricing consistent within the median price range for recreation services on Vancouver Island.

In addition to the above-proposed proposed rate increase, other proposed adjustments with impact on fees are:

- Removal of Personal Training Sessions from the Fees and Charges Bylaw and have it follow current program pricing model; and,
- Deletion of the 3-hour minimums on room rentals at the Fuller Lake to support greater community access and to provide more standardized rental blocks.

These additional proposed adjustments provide greater rate clarity to users, remove barriers to processes and/or participation, and are fiscally responsible.

Financial Implications

The increases are shown in Appendix A – Admission Rates. The proposed increase for an Adult user will be an increase of approximately \$0.10/single admission or an increase of approximately \$7.30 on an annual Lifestyle Pass.

The proposed increase would see an increase to our Aquatic User Groups of approximately \$0.30 per lane hour rented during prime time and an increase of approximately \$0.25 per lane hour rented during non-prime time.

Rental fees for the Cowichan Aquatic Centre, Fuller Lake Arena, and Crofton Outdoor Pool did not increase in 2018.

Options:

Staff Recommendation:

That Council direct staff to draft an amendment to the Fees Bylaw for Recreation Fees for Council's consideration to include:

1. A 2% increase to individual admission rates rounded to the nearest nickel;
2. A 2% increase to all rental, booking and event rates, excluding damage deposits and staffing rates;
3. Deletion of the 3-hour room rental rates at Fuller Lake Arena, to be replaced with an hourly equivalent; and
4. Removal of Personal Fitness Training rates.

Alternate Recommendation:

That Council direct staff to maintain the existing parks and recreation rates for 2019.

Recommendation

That Council direct staff to draft an amendment to the Fees Bylaw for Recreation Fees for Council's consideration to include:

- 5. A 2% increase to individual admission rates rounded to the nearest nickel;**
- 6. A 2% increase to all rental, booking and event rates, excluding damage deposits and staffing rates;**
- 7. Deletion of the 3-hour room rental rates at Fuller Lake Arena, to be replaced with an hourly equivalent; and**
- 8. Removal of Personal Fitness Training rates.**

Attachment(s): Fees & Charges – Proposed Admission Rates 2019