

**AGENDA**  
**TOWN OF LAKE COWICHAN**  
**Regular meeting of Council to be held on**  
**Tuesday, September 15<sup>th</sup>, 2015 at 6:00 p.m.**



Page #

**1. CALL TO ORDER**

**INTRODUCTION OF LATE ITEMS** (if applicable)

**2. APPROVAL OF AGENDA**

**3. ADOPTION OF MINUTES**

(a) Minutes of the Regular Meeting of Council held on August 25<sup>th</sup>, 2015.

**3**

**4. BUSINESS ARISING AND UNFINISHED BUSINESS**

**5. DELEGATIONS AND REPRESENTATIONS**

- (a) Award to Doug Knott, Fire Chief.
- (b) Recognition of Patricia E. Foster.

**6. CORRESPONDENCE**

(a) **Action Items**

(b) **Information or Consent Items**- (a member may ask that an item be dealt with separately)

**7. REPORTS**

(a) **Council and Other Committee Reports**

- |  |                      |           |
|--|----------------------|-----------|
| 1. Finance & Administration              | Councillor McGonigle |           |
| • September 8 <sup>th</sup> , 2015.      |                      | <b>7</b>  |
| 2. Public Works & Environmental Services | Councillor Austin    |           |
| • September 1 <sup>st</sup> , 2015.      |                      | <b>10</b> |
| 3. Parks, Recreation & Culture           | Councillor Vomacka   |           |
| • September 1 <sup>st</sup> , 2015.      |                      | <b>13</b> |
| 4. Economic & Sustainable Development    | Councillor Day       |           |
| 5. Cowichan Lake Recreation Commission   | Mayor Forrest        |           |
| 6. V.I.R.L                               | Councillor Vomacka   |           |
| 7. Ohtaki Twinning Committee             | Mayor Forrest        |           |
| 8. Advisory Planning Commission          | Councillor McGonigle |           |
| 9. Community Forest Co-op                | Councillor McGonigle |           |

(b) **Other Reports**

- 1. Lake Cowichan Fire Department Incident Report for August, 2015.
- 2. Cowichan Valley Regional District Board Meeting – Councillor Day.
- 3. Social Planning Cowichan – Councillor Austin.
- 4. Community Safety Advisory Committee - Councillor Austin.

**F/C**

(c) **Staff Reports**

1. Chief Administrative Officer re: Application for a Development Permit by Mid-Island Co-op at 137 Cowichan Lake Road - Lot A, Section 6, Renfrew District, Plan 5580.

15

**8. BYLAWS**

None.

**9. NEW BUSINESS**

**10. MAYOR'S REPORT**

**11. NOTICES OF MOTION**

**12. MEDIA / PUBLIC QUESTION PERIOD  
- Limited to items on the agenda**

**13. IN CAMERA**

- (a) Section 92 of the *Community Charter* requires that before a meeting or part of a meeting is closed to the public, the council must state, by resolution, that the meeting is to be closed, and
- (b) The basis on which the meeting is to be closed falls under the following:  
s.90 (1) (k) – municipal services.

**14. ADJOURNMENT**

**TOWN OF LAKE COWICHAN**

Minutes of a Regular meeting of Council held on  
Tuesday, August 25<sup>th</sup>, 2015



Reg  
Sept 15/15  
3(a)

PRESENT: Mayor Ross Forrest  
Councillor Bob K. Day  
CouncillorCarolyn Austin  
Councillor Tim McGonigle  
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer  
Ron-Lee Roach, Executive Secretary

PUBLIC: 2

**1. CALL TO ORDER**

Mayor Forrest called the meeting to order at 6:00 p.m.

**2. AGENDA**

No. R.136/15

Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that the agenda be approved with the following additions  
under:

**Reports – Staff Reports**

- Chief Administrative Officer re: 2015 Sewer CCTV Inspection and Sewer Rehabilitation Programme; and

**New Business**

- Leave of Absence for Councillor Day.

CARRIED.

**3. ADOPTION OF MINUTES**

No. R.137/15

(a) Moved: Councillor Day  
Seconded: Councillor Vomacka  
that the minutes of the Regular Meeting of Council held on July 28<sup>th</sup>, 2015 be adopted.

CARRIED.

**4. BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

**5. DELEGATIONS AND REPRESENTATIONS**

(a) Mary Batyi spoke on her recent honor at being named a BC Ambassador for 2015. She stated the BC Ambassador programme required six months of preparation for which included two speeches with one being about the community, community table presentation, provincial knowledge exam and formal interview with the judges. She was awarded top marks for placing first in the public speaking, community presentation and BC knowledge exam for which she received bursaries totaling \$2500 with additional bursaries awarded for the BC Ambassador title.

Mayor Forrest presented Ms. Batyi with a floral arrangement and conveyed Council's congratulations on her achievements.

**6. CORRESPONDENCE**

None.

**7. REPORTS**

No. R.138/15  
Finance and Administration

Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that the minutes of the Finance and Administration Committee meeting held on August 11<sup>th</sup>, 2015 be approved with the following recommendations:

**1--Leave of Absence**

that Council give approval to Councillor Day for a leave of absence from the meetings to be held this day;

**2--Letter of Support**

that Council send a letter of support for the application by Tourism Vancouver Island to the Island Coastal Economic Trust for the Vancouver Island Trails Strategy Phase 2 project; and

**3--Saywell Parking Request**

that Council approve closing a portion of the parking area at Saywell Park for September 5<sup>th</sup>, 2015 from 9:00 a.m. to 12 noon to accommodate visitors to the raising of the pole event to be held at the Ts'uubaa-asax Town Square at 10:00 a.m.

CARRIED.

Public Works and  
Environmental Services

No Report.

Parks, Recreation and  
Culture

No Report.

Economic and Sustainable  
Development

No Report.

Cowichan Lake Recreation

No Report.

Vancouver Island Regional  
Library

Councillor Vomacka reported on the June, 2015 report that was submitted by the local librarian on the library facility and the busy summer schedule for the branch with its summer reading programmes.

Ohtaki Twinning Committee

No Report.

Advisory Planning  
Commission

Councillor McGonigle advised that the Advisory Planning Commission will be holding its next meeting on Thursday, August 27<sup>th</sup>, 2015.

Community Forest Co-  
operative

Councillor McGonigle reported on the Forest Co-op meeting to be held on September 3<sup>rd</sup>, 2015. He also updated Council on the completion of the signage rehabilitation and that the Forest Co-op was discussing the trail rehabilitation project with the Cowichan Valley Regional District's parks department.

No. R.139/15  
Lake Cowichan Fire  
Department -- Incident  
Report

**(b)** Moved: Councillor Vomacka  
Seconded: Councillor McGonigle  
that the Fire Department Monthly Incident Report for July, 2015 and payment in the amount of \$12,894.85 be approved.  
CARRIED.

Councillor McGonigle expressed his praise to the fire fighters for their dedication in protecting our communities from the recent wild fires at Skutz Falls and Lizard Lake.

Cowichan Valley Regional District Board

Councillor Day reported that he had distributed an email to members of Council separately on the site that has been chosen for the new proposed hospital.

Councillor Day further reported on the August 12<sup>th</sup> board meeting which included the following:

- Flood management bylaw receiving 1<sup>st</sup> and 2<sup>nd</sup> readings;
- Presentation by Nanaimo Airport Authority regarding its recent expansion and future upgrades to the facility;
- Two year renewal for Scouts Canada usage of parkland on Bald Mountain;
- Presentation by residents of Nantree Road for input on a rezoning application; and
- Cowichan Renewable agreement on sale of biodiesel.

Councillor Day read out a statement on the air quality issue in the Cowichan Valley.

Social Planning Cowichan

No Report.

Councillor Austin advised that the Social Planning Cowichan Committee would be holding its next meeting in September, 2015 and that a report through e-mail has been forwarded to members of Council for its information.

Community Safety Advisory

No Report.

No. R.140/15  
Infrastructure Planning Grants

- (c) Moved: Councillor McGonigle  
 Seconded: Councillor Day  
 that Council approve the proposal from Opus DaytonKnight to perform Sewer CCTV Inspection and Sewer Rehabilitation Services in the amount of \$88,768 plus applicable taxes; and

that Council authorize the execution of the contract for the work to be undertaken in the dry weather.

CARRIED.

**8. BYLAWS**

None.

**9. NEW BUSINESS**

No. R.141/15  
Leave of Absence

- (a) Moved: Councillor McGonigle  
 Seconded: Councillor Austin  
 that a leave of absence be approved for Councillor Day for the Committee meetings to be held on Tuesday, September 1<sup>st</sup>, 2015.

CARRIED.

Councillor McGonigle expressed his best wishes to former Councillor Franklin Hornbrook and hoped for a speedy recovery.

**10. MAYOR'S REPORT**

The Mayor presented his report for August, 2015 with the following highlights:

- Recent induction of Randy Irving and Marg Radcliff to the Cowichan Lake arena’s sports wall of fame;
- World record nearly set by two swimmers during the August long weekend;
- Wildfires in British Columbia and in particular the wildfire at Lizard Lake and the poor air quality residents are experiencing;
- Thanks to the Cowichan Lake and River Stewardship and the volunteers for its annual river cleanup event;
- Sewer treatment plant upgrade 60% completed;
- Pedestrian activated crosswalks crossing South Shore Road from the Forest Workers’ Memorial Park and Ohtaki Park and fronting the RBC along Cowichan Lake Road have been activated;
- Acknowledgment of Insurance Corporation of BC and Ministry of Transportation and Infrastructure for their general contributions on pedestrian safety infrastructure;
- Informational meeting held by Laketown Ranch on its proposal for development along the Youbou Highway; and
- The totem pole raising event to take place on Saturday, September 5<sup>th</sup>, 2015 with a big crowd anticipated.

**11. NOTICES OF MOTION**

**12. IN CAMERA**

No. R.142/15  
In-Camera

Moved: Councillor Austin  
Seconded: Councillor Day  
that Council close the meeting to the public to deal with issues relating to land matters and negotiation of municipal services under Section 90(1) (e) and (k) of the Community Charter respectively (6:48 p.m.).

CARRIED.

**13. ADJOURNMENT**

No. R.143/15  
Adjournment

Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that we arise without report and adjourn ( 7:40 p.m.).

CARRIED.

Certified correct \_\_\_\_\_.

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

**TOWN OF LAKE COWICHAN**

Minutes of Finance & Administration Committee held on  
Tuesday, September 8<sup>th</sup>, 2015



Reg  
Sept 15/15  
7(a)1

PRESENT: Councillor Tim McGonigle, Chair  
Mayor Ross Forrest  
Councillor Carolyn Austin  
Councillor Bob K. Day  
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer  
Nagi Rizk, Superintendent, Public Works and Engineering Services  
Roni-Lee Roach, Executive Secretary

PUBLIC: 6

**1. CALL TO ORDER**

The Chair called the meeting to order at 5:02 p.m.

**2. AGENDA**

No. FA.042/15

Moved: Councillor Day  
Seconded: Councillor Vomacka  
that the agenda, as amended, be approved.

CARRIED.

**3. BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

**4. DELEGATIONS AND REPRESENTATIONS**

The delegation made its presentation at 5:15 p.m.

**5. CORRESPONDENCE**

None.

**6. REPORTS**

- (a) The financial report for the period ending August 31<sup>st</sup>, 2015 was treated as information.
- (b) The Building Inspector's Service Report for August, 2015 was treated as information.
- (c) The staff report on the matter of backyard (urban) chickens was treated as information.

The Committee directed staff to reply to Ms. Becca Shears that Council will not initiate changes to the current bylaws with respect to animal husbandry and in particular, backyard (urban) chickens.

**4. DELEGATIONS AND REPRESENTATIONS**

- (a) Betty Sanddar was on hand to request long-term solution to its requirement for building to accommodate the Food bank. She spoke on the Food Bank's contract for lease of the Mildred Child Annex building that will expire on October 14<sup>th</sup>, 2015 and reiterated the contents of a letter she had given to individual members of Council. She spelt out the Society's needs and requirements for some 65 persons they are

providing services for each month.

The Chair afforded an opportunity for Committee members to ask questions of the delegate and advised those in attendance that a decision would not be made at this meeting on the matter.

- (d) Mayor Forrest updated the Committee on a recent flow meeting that was held earlier this day with the Department of Fisheries, Cowichan Tribes and Catalyst. He reported that the recent rainfalls have alleviated current drought conditions in the Cowichan Valley.

The Committee requested an update on the current levels of water restrictions and whether the Stage 3 restrictions will be downgraded to Stage 2 soon. It requested that the public be notified through social media of any changes in that regard.

Councillor Day spoke on the meeting to be held the next day at the Regional District which would discuss the flood management bylaw and to determine who will hold the water license that is regulated by the Province.

The Superintendent, Public Works and Engineering Services advised the Committee that the Town keeps records of rainfall totals and could provide those reports to the Committee.

## **7. NEW BUSINESS**

- (a) The Superintendent, Public Works and Engineering Services spoke on the need for upgrades to the Wye entrance bear signage within the next year.

The Committee directed that the matter of the cost and feasibility of redesigning the signage to utilize the current carved bears be referred to the Advisory Planning Commission for its input as well as the next Public Works Committee meeting.

- (b) The Committee discussed the triangle meridian as you enter the Town from Highway 18 and the need to beautify and landscape the area.

The Committee directed that cost and feasibility be determined for upgrades in 2016 with the Ministry of Transportation and Infrastructure's input on possible traffic impact at the intersection at the Wye with the Laketown development plans.

## **8. NOTICES OF MOTION**

Mayor Forrest advised the Committee that he had spoken with Candace Spilsbury about meeting with the new Board and staff members to the School District after the Finance and Administration Committee meeting.

Mayor Forrest also advised the Committee that the new general manager for Catalyst would be happy to meet with the Committee members at their convenience.

**9. PUBLIC RELATIONS ITEMS**

None.

**11. ADJOURNMENT**

No. FA.043/15  
Adjournment

Moved: Councillor Austin  
Seconded: Councillor Day  
that we adjourn ( 6:02 p.m.).

CARRIED.

Certified correct \_\_\_\_\_ .

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_ , 2015.

\_\_\_\_\_  
Chair

**TOWN OF LAKE COWICHAN**  
Minutes of Public Works and Environmental Services  
Committee held on  
Tuesday, September 1<sup>st</sup>, 2015



Reg  
Sept 15/15  
7(a)2

**PRESENT:** Councillor Carolyn Austin, Chair  
Mayor Ross Forrest  
Councillor Tim McGonigle  
Councillor Lorna Vomacka

**REGRETS:** Councillor Bob K. Day  
(with prior notice)

**STAFF:** Joseph A. Fernandez, Chief Administrative Officer  
Nagi Rizk, Superintendent, Public Works and Engineering Services  
Ronnie Gill, Director of Finance  
Ron-Lee Roach, Executive Secretary

**1. CALL TO ORDER**

The Chair called the meeting to order at 5:04 p.m.

**2. AGENDA**

No. PW.0025/15

Moved: Councillor Vomacka

Seconded: Mayor Forrest

that the agenda with the addition of the following item:

**Public Relations Items**

- Councillor Austin re: Emergency Personnel Appreciation Luncheon.

be approved.

CARRIED.

**3. BUSINESS ARISING AND UNFINISHED BUSINESS**

- (a) The Committee members discussed the feasibility of providing a programme for the recycling of glass and yard clippings.

The Committee directed staff to contact the City of Duncan for details on how its programme is working.

Mayor Forrest enquired on the current refuse and curbside organic programme that was implemented at the beginning of 2015. The Superintendent, Public Works and Engineering Services reported that there were currently no issues but voiced a concern with a couple of public refuse receptacles that are being abused by the public.

- (b) The Superintendent, Public Works and Engineering Services gave the Committee an update on works undertaken on the sewer treatment plant upgrade. He advised that the project was 60% complete and provided illustrations on the work completed to date.

Mayor Forrest asked if the sludge from the old cells would be used as a primer for the new third cell to which the Superintendent, Public Works and Engineering Services responded in the affirmative.

The Chief Administrative Officer requested clarification on the additional funds approved for DaytonKnight to undertake CCTV work. The Superintendent, Public Works and Engineering Services advised that those funds were to find seepage in the sewer line and detect the leaks in the system and that the work would be undertaken prior to winter when the flow is low to

ensure that the Town does not exceed its permit requirements.

**(c) Ongoing Items Still Being Addressed:**

**(i) Highway Signage:** The Chief Administrative Officer reported that the Advisory Planning Commission was still dealing with wayfinding signage with the new sign at Saywell Park currently being installed. He further advised that the Commission was looking at the other welcome sign which would require Ministerial approval.

**(ii) Urban Drainage:** The matter has been referred to the November, 2015 meeting.

The Committee requested that the consultant be invited to that meeting.

**4. DELEGATIONS**

None.

**5. CORRESPONDENCE**

**(a)** The correspondence received from Joseph Pearson regarding access to garage at #9 King George North was discussed and the Committee directed that a response be provided.

**(b)** Councillor McGonigle declared a conflict of interest on the next item and left the meeting at 5:41 p.m.

The correspondence received from Elisabeth J. McGonigle regarding water drainage at 15 Fir Street was discussed and staff was asked to address the concerns raised.

Councillor McGonigle returned to the meeting at 5:51 p.m.

**(c)** The correspondence received from Dwight and Sonia Wilcox regarding a request to replace the fencing at Gillespie Park was reviewed and staff is to provide a written response.

**(d)** The correspondence received from Green Communities Committee regarding Town award of Level 2 recognition was treated as information.

**6. REPORTS**

None.

**7. NEW BUSINESS**

**(a)** There was no update on the annual water consumption report. The Superintendent, Public Works and Engineering Services reported that conservation and reduction of water use is substantially lower than in past years. He also advised that during the sewer upgrade construction there is a high usage during the construction phase for dust suppression.

The Chief Administrative Officer requested that consideration be given to reviewing the usage thresholds for residential and business water use for the upcoming 2016 year. He also shared his view that the non-metered buildings should be charged a higher rate to encourage the installation of meters.

- (b) The Committee discussed the matter of accessibility to Saywell Park with the newly installed bollards and the matter of handicap parking and location of these stalls.

The Superintendent, Public Works and Engineering Services reported that there were currently five (5) designated handicap parking stalls which are delineated with markings on the pavement.

- (c) The Municipal World Article – August, 2015 entitled "Diverting Times for Edmonton" was treated as information.

**8. NOTICES OF MOTION**

None.

**9. PUBLIC RELATIONS ITEMS**

- (a) Councillor Austin updated the Committee on the recent Emergency Personnel Appreciation Luncheon that was hosted on August 29<sup>th</sup>, 2015 from 11:00 a.m. to 6:00 p.m. in Mesachie Lake by volunteers of the Cowichan Lake community to show appreciation to all the emergency personnel serving the community.

Mayor Forrest advised that the staff appreciation barbecue would be held on Friday, September 4<sup>th</sup>, 2015 at 12 noon. An invitation has been extended to members of the Advisory Planning Commission.

**10. MEDIA/PUBLIC QUESTION PERIOD**

**11. ADJOURNMENT**

No. PW.0026/15  
Adjournment

Moved: Councillor Vomacka  
Seconded: Mayor Forrest  
that this meeting adjourn. (6:10 p.m.)

CARRIED.

Certified correct \_\_\_\_\_.

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Chair

**TOWN OF LAKE COWICHAN**

Minutes of Parks, Recreation and Culture Committee held on  
Tuesday, September 1<sup>st</sup>, 2015



Reg  
Sept 15/15  
7(a)3

**PRESENT:** Councillor Lorna Vomacka, Chair  
Mayor Ross Forrest  
Councillor Carlyne Austin  
Councillor Tim McGonigle

**REGRETS:** Councillor Bob K. Day  
(with prior notice)

**STAFF:** Joseph A. Fernandez, Chief Administrative Officer  
Nagi Rizk, Superintendant, Public Works and Engineering Services  
Ronnie Gill, Director of Finance  
Roni-Lee Roach, Executive Secretary

**1. CALL TO ORDER**

The Chair called the meeting to order at 6:34 p.m.

**2. AGENDA**

No. PR.017/15

Moved: Councillor Day  
Seconded: Councillor McGonigle  
that the agenda be approved.

CARRIED.

**3. BUSINESS ARISING AND UNFINISHED BUSINESS**

**(a) Ongoing Items:**

**(i) Lake Cowichan Parks and Details:** The Committee determined that the parks tour be now undertaken in the Spring of 2016.

**(ii) Riverfront Parkway and Trail Connections:** The Committee discussed the matter of a trail from the Riverside Park (Duck Pond) bridge to the municipal office which would require access approval from Telus, with connection to possibly further on to Gillespie Park.

Councillor McGonigle suggested working on usage agreements and covenants. He also suggested looking at the matter when the municipal hall upgrades are being undertaken so Telus may be approached for access.

**4. DELEGATIONS**

None.

**5. CORRESPONDENCE**

**(a)** The correspondence received from Trans Canada Trail regarding partners in art programme for 2017 was treated as Information.

The Mayor advised that further information on opportunities will be provided at a later date.

Councillor Austin expressed the view that the kiosk at Wellington Road needs to be refurbished.

Councillor McGonigle suggested a rededication of the kiosk with

a small plaque installed for the occasion in light of the current Prime Minister's spouse who is a champion the Trans Canada Trail network.

- (b) The correspondence from David Kidd regarding trails was treated as Information.

**6. REPORTS**

None.

**7. NEW BUSINESS**

- (a) The Committee members discussed planning for the Centennial Park upgrades with the following:

- Meeting with interested stakeholders;
- Subject being raised at the next public meeting to be held in November, 2015;
- Display of the Centennial Park upgrade plans for public input;
- Review of plans at the next Parks Committee meeting to allow for addressing Council's priorities on the matter;
- Adequate budget allocation;
- Using of volunteers for parts of the project; and
- Feasibility of utilizing grant under the recycle tire programme.

**8. NOTICES OF MOTION**

None.

**9. PUBLIC RELATIONS ITEMS**

**10. MEDIA/PUBLIC QUESTION PERIOD**

**11. ADJOURNMENT**

No. PR.018/15  
Adjournment

Moved: Councillor Austin  
Seconded: CouncillorMcGonigle  
that we adjourn (7:13 p.m.).

CARRIED.

Certified correct \_\_\_\_\_.

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Chair

# Staff Report

Date: August 27, 2015  
To: Mayor and Council  
From: Chief Administrative Officer  
Re: Application for a Development Permit by Mid-Island Co-op at 137 Cowichan Lake Road, Lot A, Section 6, Renfrew District, Plan 5580, (PID 012-504-726)



## APPLICATION:

An application for a Development Permit was received from Mid-Island Co-op for improvements planned at the above-described location. The application was referred to our contract planner. Subsequently, input from the Superintendent, Public Works and Engineering Services and I were sought.

The proposed development upgrades should result in a vast improvement to an important part of the downtown area while meeting both the standards established for the Development Permit Area and the vision established by council to accomplish the phased transformation of our downtown into a thriving district.

## STAFF RECOMMENDATION:

**It is recommended that a Development Permit be issued to Mid-Island Co-op to undertake improvements as proposed to the property at Lot A, Section 6, Renfrew District, Plan 5580 (137 Cowichan Lake Road) subject to the conditions outlined in the attached report prepared by the Contract Planner.**

A handwritten signature in black ink, appearing to read 'Joseph A. Fernandez', written over a horizontal line.

**Joseph A. Fernandez**

# Staff Report



Date: August 27, 2015  
To: Chief Administrative Officer  
From: James van Hemert, Consulting Planner  
Re: Application for a Development Permit by Mid-Island Co-op at 137 Cowichan Lake Road, Lot A, Section 6, Renfrew District, Plan 5580, (PID 012-504-726)

---

## APPLICATION

The applicant proposes to upgrade the gas bar and convenience store to the Mid Island Co-op standard requiring renovations to the exterior of the building, upgraded lighting, landscaping, new concrete pad and card lock pumps installed in the rear portion of the property, demolishing an existing house and shed, demolishing the car wash, and relocation of the propane tank.



Figure 1 Exterior View of Completed Improvements

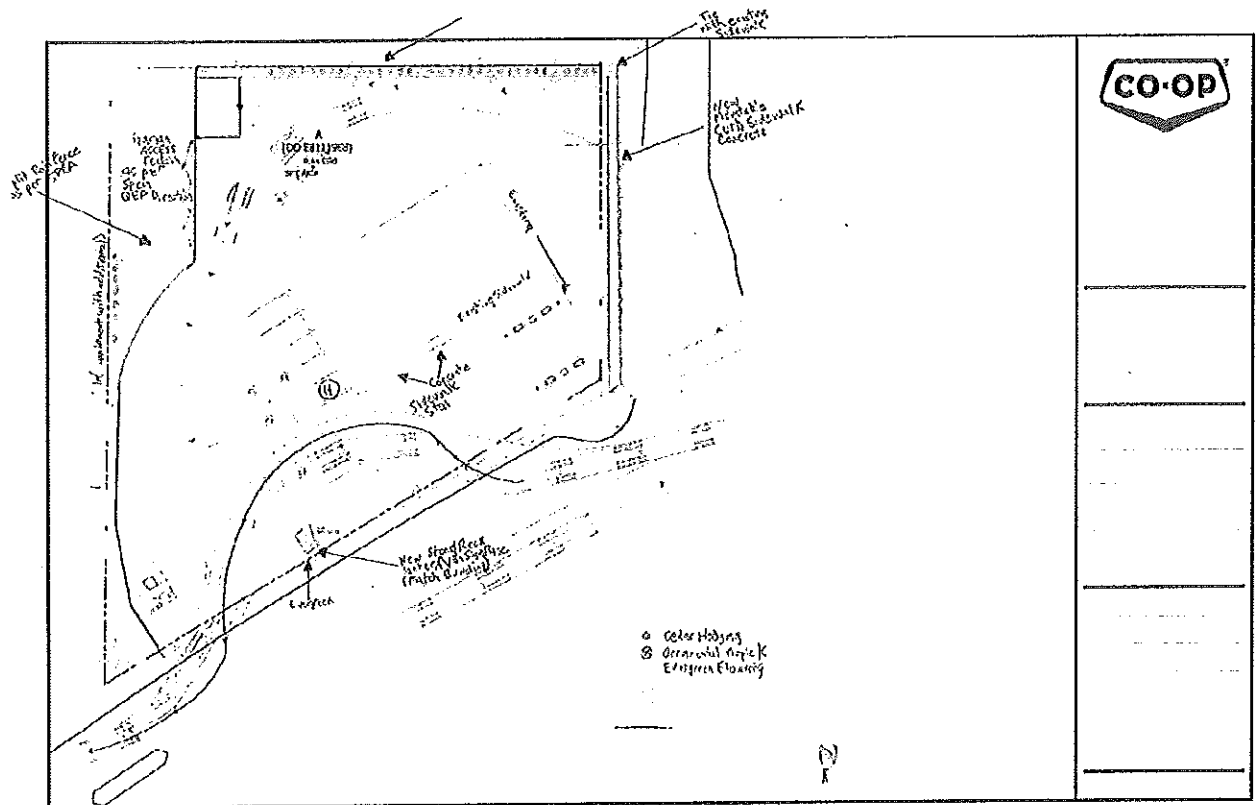


Figure 2 Site Plan with General Landscaping and Sidewalk Location on Macdonald

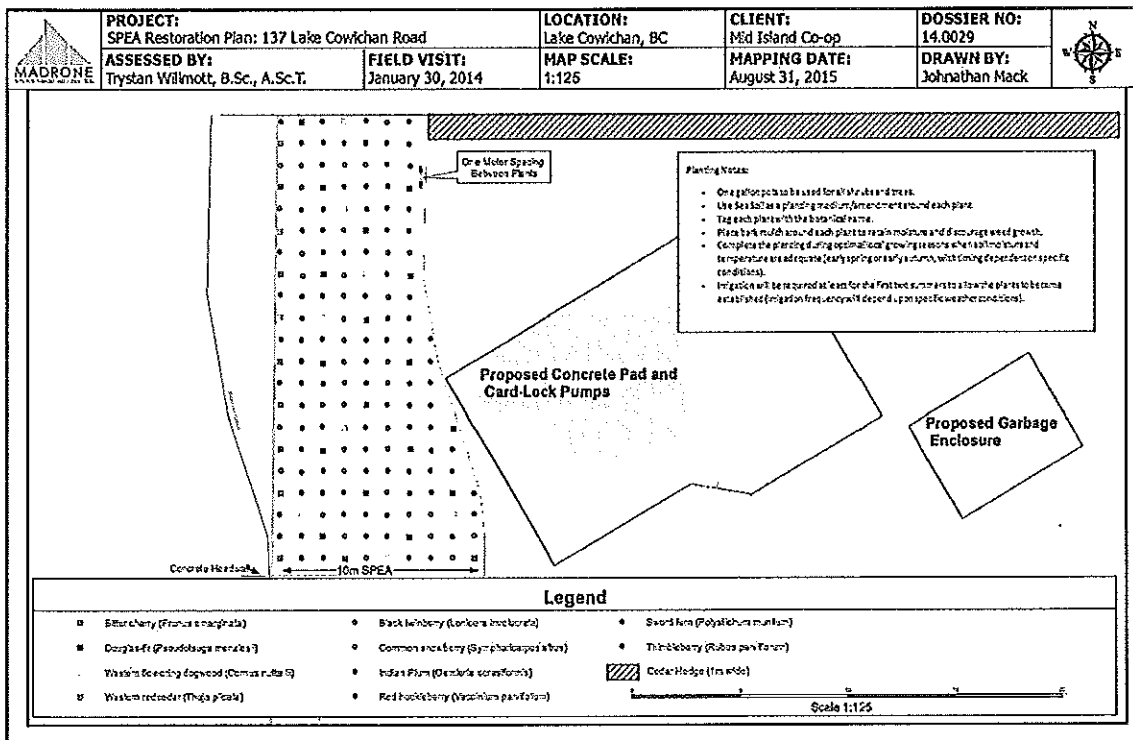


Figure 3 Detailed Landscape Plan for SPEA and landscape buffer.

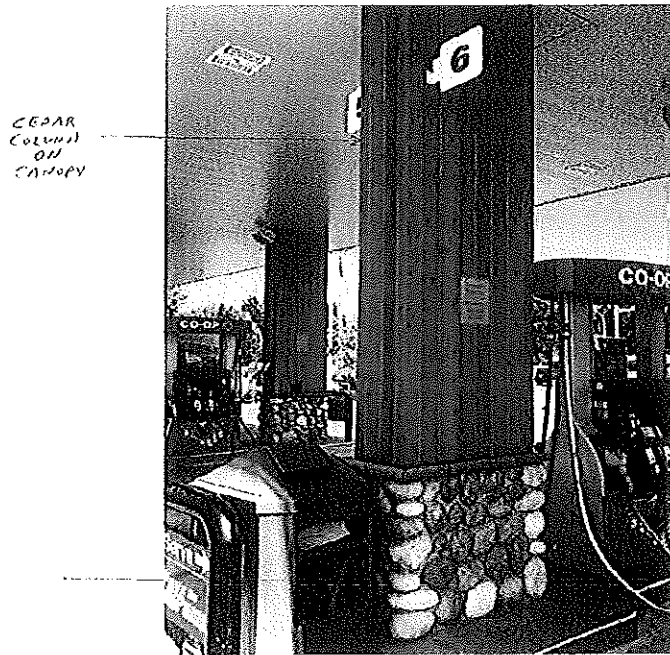


Figure 4 Canopy Column Finish

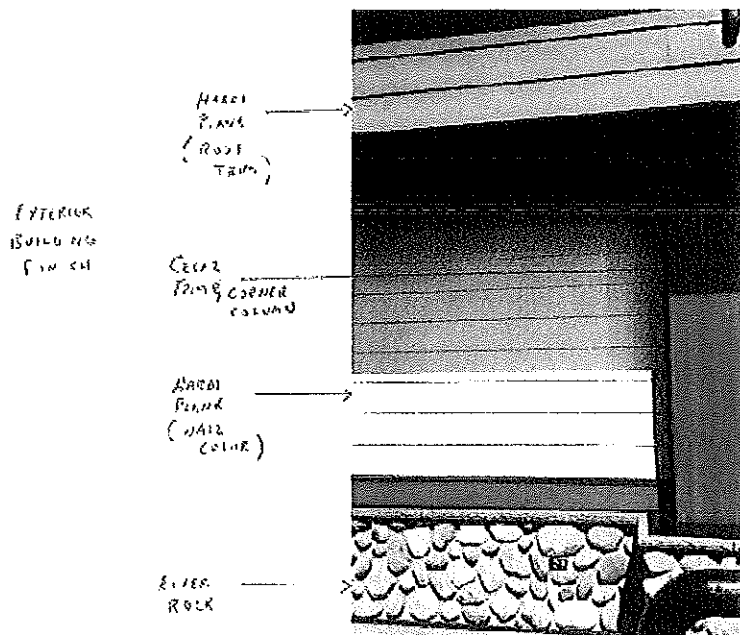


Figure 5 Exterior Materials

The development permit application is reviewed under the requirements of DPA 5 "Highway Commercial, Neighbourhood "Centre, and Tourism."

A Riparian Assessment (SPEA width), dated February 5, 2014 accompanies the application because the subject property falls within the 30 m SPEA width of Breadnell Creek.

#### **KEY ISSUES AND BACKGROUND:**

##### ***Subject property and neighbouring property characteristics and zoning***

The subject property is zoned C1 General Commercial and is developed as an automotive service station, convenience store, car wash (currently not in operation), propane tank, storage shed and single family house. Most of the site not occupied by structures is paved asphalt.

Residentially zoned properties--Urban Residential (R1)-- border the north and west: a single family dwelling is present to the west; a triplex with south facing units on the north side of the site.

Adjacent property owners have been notified of the DP request.

##### ***Visual and noise impacts to residents immediately to the north***

The redevelopment of the site includes the construction of a new card lock fuelling facility on the north side of the property with access from MacDonald Road. An existing house is being demolished at the time of the writing of this report. Loss of this structure and the new fuelling activity will impact residents of the triplex adjacent to the north with increased noise, views of trucks fuelling, and lights.

To reduce these impacts an attractive wood privacy fence replaces the existing chain link and barbed wire fence along the entire north property line, excepting the SPEA on the far western end. A metre wide landscape strip is also shown.

##### ***Lighting***

New lighting and replacement lighting is shielded to prevent light trespass and glare to adjacent properties and highways.

##### ***Sidewalks***

The new full access point for the card lock facility requires the demolition of the existing sidewalk on MacDonald Road and its replacement with a new sidewalk along the entire eastern side of the site connecting the existing sidewalk to the sidewalk along Cowichan Lake Road.

The Town will hold \$20,000 as a guarantee of the sidewalk's completion and durability for a period of 5 years.

## RELEVANT TOWN BYLAWS

### *Official Community Plan (2012)*

The subject property is located within the Highway Commercial, Neighbourhood Centre and Tourism Areas Development Permit Area (DPA-5).

In accordance with Section 919 of the Local Government Act, the plan establishes objectives for the "form and character" and "revitalization."

### 17.8 Highway Commercial, Neighbourhood Centre and Tourism Areas Development Permit Area (DPA-5)

Selected relevant guidelines with commentary follow.

#### 17.8.4 Guidelines

- a) Development will promote compatibility with surrounding neighbourhoods through landscaped buffers, building massing, and building setbacks.
- b) All new or renovated structures, signs, street lighting and other streetscaping features shall maintain the natural resources and outdoor recreation theme.

**Commentary:** The proposed exterior modifications using river rock and natural wood colouring is consistent with a "natural resources and outdoor recreation" theme.

A landscaped buffer is required on the northern boundary adjacent to the residential dwelling building (triplex). This will serve to mitigate to some extent the visual and noise impacts of the proposed card lock facility.

- c) Development shall generally reflect the bulk, mass, character, shape and form of adjacent buildings and acknowledging architectural, design and historic features of the area.
- d) The extensive use of natural materials for exterior finishing is required for all uses. For example, timber, board and battens, clapboard (hardiplank permitted), shingles, shakes, stone, bricks etc.
- e) Vinyl siding is prohibited.
- f) Buildings shall be designed in keeping with the west coast climate with particular attention given to rain related design with overhangs to protect walls and windows and covered walkways to protect clientele from the elements.
- g) Colours shall reflect the natural environment of the Cowichan Lake area. Primary and bright neon colours may only be used for trim and accents;

**Commentary:** The natural wood colours and river rock as described and illustrated in the application are appropriate.

- h) The design of buildings should acknowledge the varying influence of sunlight during the day and seasonally, and take advantage of natural light
- l) Hand-crafted signage of professional quality is encouraged whereas roof mounted signs are prohibited. Permitted signs are to be constructed from individually raised, externally illuminated and non-illuminated letters and shall conform to the Town's Sign Bylaw.

**Commentary:** The existing pole sign's base should be treated in a similar fashion as the proposed renovation to the canopy poles: river rock and cedar. Consider adding a planter into the base as well.

- j) Exterior storage, service and refuse areas shall be landscaped and should be fenced and buffered so as to minimize intrusions on adjacent uses.
- k) The preferred surface areas for pedestrians and parking areas include stamped paving, brick or stone.
- l) Parking and other works and service requirements may be reduced or altered in special circumstances through the Development Variance Permit process where strict compliance with the bylaws would unduly restrict appropriate development or would undermine the character of the area.
- m) Modified building setbacks may be required for development through the Development Permit process to provide for improved visual building massing and traffic and pedestrian circulation.
- n) Vehicular and pedestrian access shall be safe, clearly articulated, and pedestrian and vehicular traffic movements should be separated.
- o) Creation of sidewalk extensions into the parking lanes of the street to create mini public spaces shall be encouraged where pedestrian crossings are located.
- p) Provide for the planting of vegetation, decorative street furniture (i.e. lighting, benches, and refuse containers) and appropriate landscaping.
- q) Barrier free design principles shall be used, for buildings, structures and uses in the Downtown.
- r) The guidelines of the Cowichan Valley Safer Futures Program shall be used in reviewing development proposals (See Appendix C for a project review checklist). Issues covered include:
  - i. public consultation process;
  - ii. overall design; and
  - iii. specific design issues of isolation, visibility, lighting, signage, maintenance, management.

- s) All development shall use on-site, low-impact, shielded lighting to provide for safety and security as well as to reduce glare and spillage onto adjacent sites.

**Commentary:** All new lighting, including under canopy lighting, is shielded.

- t) Additional site and building design requirements may be imposed through the Development Permit process to provide for improved traffic and pedestrian circulation and to comply with the community objectives set out in the Plan.

**STRATEGIC SIGNIFICANCE:**

Approval of development permit in accordance with the Development Permit Area guidelines will serve to enhance the form and character of this particular facility and the Town in general. The Town will benefit from additional employment and expanded tax base.

**PUBLIC NOTICE:**

Written notice has been provided to neighbouring property owners.

**OPTIONS AND ALTERNATIVES FOR COUNCIL:**

The Council may at this time:

- a) Approve the Development Permit as presented
- b) Approve the Development Permit with modified conditions as determined by Council and direct staff to proceed with final preparation of the Development Permit.
- c) Table the proposal subject to the need for additional information or time to assess the proposal; or
- d) Deny the application.

**RECOMMENDATION:**

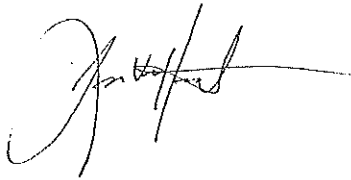
Approval of the issuance to the applicant of a Development Permit with the following conditions:

- 1) During construction a temporary fence shall be installed along the Streamside Protection and Enhanced Areas (SPEA) boundary; ideally this is highly visible orange snow fencing;
- 2) Payment to the Town of \$25,000 as a guarantee for the landscaping buffer and SPEA plantings. This guarantee will be held for two years and released upon satisfactory review by the Town;
- 3) Payment to the Town of \$20,000 as a guarantee for the construction of a new sidewalk along MacDonald Road. The guarantee will be held for five years and

released upon satisfactory review of the facility by the Superintendent of Public Works;  
and

4) Prior to the commencement of construction of the new sidewalk along MacDonald Road construction drawings shall be submitted for the review and approval of the Superintendent of Public Works in accordance with the following standards and specifications:

- 1.5 m min. width;
- Use rollover curb with gutter for the entire length and using the following MMCD standards (Platinum, Volume II):
  - C3 for the sidewalk;
  - C4 mountable curb;
- grooved finish; and
- detail on how the new sidewalk will tie into the existing sidewalks at both the north and south ends .



---

James van Hemert, MCIP, RPP  
Consulting Planner

