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## **CAPITAL REGIONAL DISTRICT BOARD**

**Notice of a Meeting on Wednesday, September 10, 2014 following a meeting of the  
Capital Regional Hospital District which commences at 1:30 pm  
in the Board Room, 6<sup>th</sup> Floor, 625 Fisgard St., Victoria, BC**

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### **AGENDA**

- 1. APPROVAL OF THE AGENDA**
- 2. ADOPTION OF MINUTES OF AUGUST 13, 2014**
- 3. REPORT OF THE CHAIR**
- 4. PRESENTATIONS/DELEGATIONS**
  - 4.1 PRESENTATIONS**
  - 4.2 DELEGATIONS**
- 5. REPORTS OF COMMITTEES**
  - 5.1 CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE – September 10, 2014**

The following items will be considered by the Core Area Liquid Waste Management Committee at its meeting on September 10, 2014 prior to the CRD Board meeting. The following are the staff recommendations:

#### **1. Terms of Reference – Options Study for Core Area Sewage Treatment**

- - 1) *That staff, working in collaboration with the municipalities, be directed to undertake an Options Study according to the Terms of Reference attached in Appendix A of the staff report; and*
  - 2) *That a budget in the amount of \$400,000 be allocated to the study, funded from the Liquid Waste Management Plan operating reserve, which had a balance of \$954,545 as of December 2013.*

(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

#### **Voting Key:**

**NWA** - Non-weighted vote of all Directors

**NWP** - Non-weighted vote of participants (as listed)

**WA** - Weighted vote of all Directors

**WP** - Weighted vote of participants (as listed)

**2. Seattera Budget Update No. 15**

- *That the Seattera Budget Update No. 15 be received for information.*  
(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

**3. Motion with Notice: Options for Wastewater Treatment (Director Hamilton)**

*WHEREAS: It is critical that there be positive action taken to meet funding deadlines and regulatory requirements for waste water treatment for the Capital Regional District;*  
• *BE IT RESOLVED that: Capital Regional District (CRD) staff be directed to support municipalities and First Nations who want to explore options for waste water treatment that are economically responsible, technically feasible, environmentally sound and meet current provincial and federal deadlines;*  
*AND THAT funding be provided from the sewage treatment budget to support an independent assessment of alternative locations to McLoughlin and Hartland, with full and regular engagement of staff and elected representatives from participating municipalities, First Nations and the public; and,*  
*AND THAT any decisions taken to amend the Liquid Waste Management Plan be done in an open and transparent public process;*  
*AND THAT any further money spent be recoverable under the funding arrangement with the Provincial and Federal Governments and that clarity be sought that the funding arrangement with Provincial and Federal governments be able to support the communities to the extent it supported the CRD driven process.*  
(WP – Colwood, Esquimalt, Langford, Oak Bay, Saanich, Victoria, View Royal)

**5.2 FINANCE COMMITTEE – September 3, 2014**

**1. 2015 Budget Overview**

- *That the 2015 Budget Overview report be received for information.*  
(NWA)

**2. Bylaw 3970: 2014-2018 Financial Plan Amendment**

- *That Bylaw No. 3970, "2014 to 2018 Financial Plan, 2014, Amendment Bylaw No. 1, 2014" be introduced and read a first and second time.*
- *That Bylaw No. 3970 be read a third time.*
- *That Bylaw No. 3970 be adopted.*  
(WA 2/3 maj.)

**3. Bylaw 3972: Electoral Area Permissive Tax Exemptions**

- *That Bylaw No. 3972, "Tax Exemption (Permissive) Bylaw, 2014" be introduced and read a first and second time.*

**Voting Key:**

**NWA** - Non-weighted vote of all Directors

**NWP** - Non-weighted vote of participants (as listed)

**WA** - Weighted vote of all Directors

**WP** - Weighted vote of participants (as listed)

- *That Bylaw No. 3972 be read a third time.*
- *That Bylaw No. 3972 be adopted.*

(WA 2/3 maj.)

**4. Bylaw 3976: Recreation Services and Facilities Fees and Charges 2014-2015 – to Add Updated Salt Spring Island (SSI) Parks And Recreation Fees and Charges**

- *That Bylaw No. 3976, “Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009, Amendment Bylaw No. 6, 2014” be introduced and read a first and second time.*
- *That Bylaw No. 3976 be read a third time.*
- *That Bylaw No. 3976 be adopted.*

(WA 2/3 maj.)

**5. Bylaw 3977: Amendment to Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw 3864**

- *That Bylaw No. 3977, “Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 3, 2014” be introduced and read a first and second time.*
- *That Bylaw No. 3977 be read a third time.*
- *That Bylaw No. 3977 be adopted.*

(WA 2/3 maj.)

**5.3 REGIONAL WATER SUPPLY COMMISSION – July 16, 2014**

**1. Greater Victoria Drinking Water Quality 2013 Annual Report**

- 1) *That the executive summary of the Greater Victoria Drinking Water Quality 2013 Annual Report be received for information; and*  
2) *That the full annual report be distributed to the appropriate agencies and posted to the CRD website.*

(WP – All except SGI & SSI)

**6. ADMINISTRATION REPORTS**

**6.1 Salt Spring Island (SSI) Noise Suppression Amendment Bylaw**

- *That the introduction, first reading and second reading of Bylaw No. 3855 “Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014” be rescinded.*

(NWA)

**Voting Key:**

**NWA** - Non-weighted vote of all Directors

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**WA** - Weighted vote of all Directors

**WP** - Weighted vote of participants (as listed)

**6.2 Juan de Fuca Land Use Committee and Advisory Planning Commission Amendment Bylaws**

- *That Bylaw No. 3735, "Capital Regional District Advisory Planning Commission Bylaw No. 1, 2002, Amendment Bylaw No. 3, 2014" be introduced and read a first and second time.*
- *That Bylaw No. 3735 be read a third time.*
- *That Bylaw No. 3735 be adopted.*

(NWA 2/3 maj.)
- *That Bylaw No. 3983, "Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 6, 2014" be introduced and read a first and second time.*
- *That Bylaw No. 3983 be read a third time.*
- *That Bylaw No. 3983 be adopted.*

(NWA 2/3 maj.)

**6.3 Bylaw No. 3819, Otter Point Official Community Plan – Board Voting Block A**

- *That third reading of Bylaw No. 3819, "Otter Point Official Community Plan Bylaw No. 1, 2014" be rescinded.*
- *That Bylaw No. 3819 be amended by replacing the maps as shown in Appendix 2 of the staff report.*
- *That Bylaw No. 3819, as amended, be read a third time.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

**6.4 Salt Spring Island (SSI) Transportation Service Assent Voting for Bylaw No. 3956 – Documentation Corrections**

- 1) *That third reading of Bylaw No. 3956, Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014, be rescinded;*
- 2) *That Bylaw No. 3956 be amended (as annotated) by:*
  - *Correcting the descriptive portion of the bylaw title by specifying "for the purpose of funding improvements to the North Ganges Village Transportation Management Plan";*
  - *Replacing Section 5(3)(b) with the following:*

*"an amount equal to the amount that could be raised by a property value tax rate of \$0.1346 per One Thousand (\$1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area."*
- 3) *That Bylaw No. 3956, as amended, be read a third time;*
- 4) *That the wording of the bylaw question for the purposes of the ballot shall be as follows:*

*Are you in favour of the Capital Regional District Board adopting Bylaw No. 3956, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014" authorizing the CRD to increase the maximum annual requisition for the transportation service until 2018 so that it will be the greater of THREE HUNDRED NINETY-SIX THOUSAND TWO HUNDRED FIFTY DOLLARS (\$396,250) or \$0.1346 per ONE THOUSAND DOLLARS (\$1,000.00) of*

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*taxable land and improvements for the purpose of funding the capital and operating costs of the transportation service, including further improvements to the North Ganges Village Transportation Management Plan. YES or NO?;*

- 5) *That the amended synopsis of Bylaw No. 3956, attached as Appendix B, be approved for advertising purposes.*

(NWA)

## 7. BYLAWS

### 7.1 Bylaw No. 3849, “Juan de Fuca Electoral Area Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014” – Board Voting Block A

- *That Bylaw No. 3849 be adopted.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

### 7.2 Bylaw No. 3922, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 118, 2014” – Board Voting Block A

- *That Bylaw No. 3922 be adopted.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

### 7.3 Bylaw No. 3923, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 119, 2014” – Board Voting Block A

- *That Bylaw No. 3923 be adopted.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

### 7.4 Bylaw No. 3929, “Comprehensive Community Development Plan for Port Renfrew Bylaw No. 1, 2003, Amendment Bylaw No. 6, 2014” – Board Voting Block A

- *That Bylaw No. 3929 be adopted.*

(NWP – JDF EA/Colwood/Langford/Metchosin/Sooke)

### 7.5 Bylaw No. 3962, “Capital Regional District Clean Air Bylaw No. 1, 2014”

- *That Bylaw No. 3962 be adopted.*

(NWA)

## 8. NEW BUSINESS

#### Voting Key:

NWA - Non-weighted vote of all Directors

NWP - Non-weighted vote of participants (as listed)

WA - Weighted vote of all Directors

WP - Weighted vote of participants (as listed)

**9. MOTION TO CLOSE THE MEETING**

- *That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 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 regional district or another position appointed by the regional district (Items 3.1.2, 4.1); (e) the acquisition, disposition or expropriation of land or improvements (Items 3.1.4, 3.3.1); (f) law enforcement (Item 3.2.1); (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Items 3.1.1, 3.1.3); 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the regional district and a provincial government or the federal government or both and a third party (Items 3.1.1, 3.3.1)*

(NWA)

**10. ADMINISTRATION REPORTS (CONT'D)**

**10.1 2014 Financial Plan Bylaw Amendment**

- To be circulated at the meeting

**10.2 Temporary Borrowing Bylaw Amendment**

- To be circulated at the meeting

**11. ADJOURNMENT**

**Voting Key:**

**NWA** - Non-weighted vote of all Directors

**NWP** - Non-weighted vote of participants (as listed)

**WA** - Weighted vote of all Directors

**WP** - Weighted vote of participants (as listed)

**Minutes of a Meeting of the Capital Regional District Board  
held Wednesday, August 13, 2014 in the Board Room, 625 Fisgard Street, Victoria, BC**

**PRESENT: Directors:** A. Bryson (Chair), M. Alto, S. Brice, J. Brownoff, L. Cross, T. Daly, V. Derman, B. Desjardins, B. Gramigna (for J. Ranns), S. Gudgeon (for D. Fortin), C. Hamilton, G. Hill, D. Howe, B. Isitt, N. Jensen, R. Kasper (for W. Milne), F. Leonard, W. McIntyre, L. Seaton, W. Sifert (for D. Blackwell), W. Vowles (for M. Hicks), L. Wergeland, K. Williams (for J. Mendum), and G. Young  
**Staff:** R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; K. Lorette, General Manager, Planning and Protective Services; P. Sparanese, Senior Manager, Infrastructure Operations; S. Bagh, Senior Manager, Regional and Strategic Planning; J. Hicks, Senior Transportation Planner; A. Orr, Senior Manager, Corporate Communications; S. Santarossa, Corporate Officer, and S. Norton, Deputy Corporate Officer (Recorder)  
**Also Present:** P. Johnson, Stewart McDannold Stuart, CRD solicitors

The Chair called the meeting to order at 1:34 pm.

**1. APPROVAL OF THE AGENDA**

**MOVED** by Director Hill, **SECONDED** by Director Howe,  
That the agenda be amended to withdraw item 5.1.3; and that the agenda as amended, and the supplementary agenda, with the exception of Delegations 6 and 7 and the Delegations re Grace Islet First Nations Burial Site, be approved.

**CARRIED**

**MOVED** by Director Desjardins, **SECONDED** by Director Alto,  
That the late requests to speak from Delegations 6 and 7 be approved.

**CARRIED UNANIMOUSLY**

**MOVED** by Director Desjardins, **SECONDED** by Director Alto,  
That the rules be suspended to allow Delegations to speak to the Grace Islet First Nations Burial Site item, which is not on the open agenda.

**CARRIED UNANIMOUSLY**

**MOVED** by Director Isitt, **SECONDED** by Director Alto,  
That the late request from Dr. T. Martin to speak to the Grace Islet First Nations Burial Site item, which is not on the open agenda, be approved unanimously.

**DEFEATED**  
Wergeland **OPPOSED**

**2. ADOPTION OF MINUTES OF JULY 9, 2014**

**MOVED** by Alternate Director Sifert, **SECONDED** by Director Hill,  
That the minutes of the meeting of July 9, 2014 be adopted.

**CARRIED**

**3. REPORT OF THE CHAIR**

Chair Bryson noted the passing of American comedian Robin Williams.

**4. PRESENTATIONS/DELEGATIONS**

**4.1 PRESENTATIONS – None.**

**4.2 DELEGATIONS**

1. Nancy Falconer, BC Cancer Society, re agenda item 6.1 Clean Air Bylaw, spoke in support of Clean Air Bylaw 3962, She noted that the bylaw will help to: protect people from the harmful effects of second-hand smoke, encourage smokers to quit or cut back, and create healthy role models for children and youth. She stressed that there is strong public support for these restrictions and that education is key to enforcement. The delegation provided a copy of her presentation, on file at Legislative and Information Services.
2. Michael Hoebel, President of Galiano Health Care Society, re agenda item 5.2.2 Galiano Health Care Centre, spoke in support of Bylaw 3955 to create a new service for contributing funds to the operation of the health care centre. Mr. Hoebel commented on the health services provided at the centre, the need for stable funding for the continued operation and building maintenance of the centre, and public support for the proposed new service. The delegation provided a copy of his presentation, on file at Legislative and Information Services.
3. Danielle Worster, re agenda item 6.1 Clean Air Bylaw, spoke in support of Clean Air Bylaw 3962, as a health care researcher. She noted that there is no safe level of exposure to second-hand smoke and the CRD will be joining over 20 other BC municipalities who already have smoke-free parks and playgrounds.
4. Mary Elrick, Youth Against Cancer Club at UVic, re agenda item 6.1 Clean Air Bylaw, spoke in support of Clean Air Bylaw 3962. She noted the negative health impacts of second-hand smoke, and highlighted the success of the Clean Air Bylaw to date as indicated by the dropping smoking rates for youth.
5. William Jesse, re agenda item 5.4.2 Regional Deer Management Pilot Project Extension, spoke against the extension of the pilot project in Oak Bay. He felt more mitigation measures should be done first such as deer warning signage for drivers, and reduced speeds in certain areas. The delegation provided a copy of his presentation, on file at Legislative and Information Services.
6. Marion Cumming, re agenda item 5.4.2 Regional Deer Management Pilot Project Extension, spoke against the extension of the pilot project. She noted the inhumane aspects of a deer cull, petitions and other public input against a deer cull, and the lack of information regarding the deer cull to take place in Oak Bay. She spoke in favour of contraception as a non-lethal form to reduce deer population. The delegation provided a copy of her presentation, on file at Legislative and Information Services.

7. Nabhras Spogliarich, re agenda item 5.4.2 Regional Deer Management Pilot Project Extension, spoke against the extension of the pilot project. He refuted the health and safety arguments supporting the need for a deer cull.

**Delegations re Grace Islet First Nations Burial Site:**

1. John Alexander, on behalf of the property owner, referring to the July 9 motion, noted the formal extensive consultation with First Nations and the seven years of professional archaeological review that have taken place with respect to this property. The delegation provided a copy of his presentation, on file at Legislative and Information Services.
2. Eric McLay requested that, as is the First Nations' custom, the Elders be allowed to speak first.

**MOVED** by Director Isitt, **SECONDED** by Alternate Director Gudgeon,  
That the speaking order be altered to allow the Elders to speak first.

**CARRIED UNANIMOUSLY**

2. Chief Don Tom, Tsartlip First Nation, asked for the Board support to prevent any further desecration and disrespect to First Nations burial sites.
3. Chief William Seymour, Cowichan Tribes, spoke to the history of the First Nations who established village sites and burial sites on the gulf islands. He provided examples of different approaches by developers when First Nations burial sites were identified, He felt that the *Heritage Act* was not strong enough to ensure that First Nations burial sites are not moved or disturbed.
4. Chief Vern Jacks, Tseycum First Nation, asked the Board to work with First Nations to protect First Nations burial sites.
5. Eric McLay, archaeologist, referred to his letter in response to a July 25, 2014 letter from legal counsel for the property owner, in which he pointed to physical evidence and associated contextual information to support the fact that Grace Islet is an ancient Coast Salish burial islet, or cemetery. He reviewed his involvement with the Grace Islet site including notifying the provincial government in 2006 about the existence of possible First Nations burial cairns and bones, and in 2012 about large scale clearance on the site.
6. Dr. Darcy Mathews on behalf of Tsawout First Nation, spoke to the methods used and features of a First Nations burial site or cemetery. In concluding with respect to Grace Islet, Dr. Mathews noted the importance of maintaining the integrity of the cemetery, the need to respect the connection to living descendants, and the need to protect the burial cairns. The delegation provided a copy of his PowerPoint presentation, on file at Legislative and Information Services.
7. Gary Holman, MLA, Saanich & The Islands, referenced his letter of August 7 to the CRD Board regarding the proposal to purchase Grace Islet through an expropriation process to protect the First Nations burial site. He believed the Regional Parks Strategic Plan could

provide the authority and that a coalition of different partners could be established to fund raise for the purchase of the property.

8. Larry Wartels, Social Environmental Alliance, spoke in favour of expropriation of the site as a business owner.
9. Ron Pither, Coast Islands Conservancy, was unable to arrive in time to speak. The delegation had provided a copy of his notes, on file at Legislative and Information Services.
10. Joe Akerman, spoke against desecration of the First Nations burial site and in favour of expropriation.

Director Isitt left the meeting at 2:47 pm.

## **5. REPORTS OF COMMITTEES**

### **5.1 CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE – August 13, 2014**

#### **1. Consideration of Amendments to the Liquid Waste Management Plan - Core Area And Western Communities Service Establishment Bylaw**

**MOVED** by Director Young, **SECONDED** by Director Derman,  
That the motion previously adopted by the Board on July 9, 2014 be amended to delete the following:

“And, that staff be directed to use communication tools to provide information directly to Esquimalt residents and solicit feedback from Esquimalt residents, regarding the above offer.”

**CARRIED**

Proposed Bylaw No. 3971, to amend the Liquid Waste Management Core Area and Western Communities Service Establishment Bylaw, was not forwarded by Committee to the Board.

#### **2. Seattera Budget Update No. 14**

**MOVED** by Director Young, **SECONDED** by Director Wergeland,  
That the Seattera Program and Budget update No. 14 be received for information.

**CARRIED**

#### **3. Motion with Notice: - Options For Wastewater Treatment - Director Hamilton**

Item was postponed by Committee and therefore withdrawn from the Board agenda.

## 5.2 ELECTORAL AREA SERVICES COMMITTEE – July 16, 2014

### 1. Renewed Federal Gas Tax Agreement 2014-2024

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,

- a) That the Board enter into the 2014-2024 Community Works Fund Agreement (CWF Agreement) with the Union of BC Municipalities;
- b) That the funds received through the CWF Agreement be allocated to the Electoral Areas on a population basis using the most recent census data; and
- c) That CRD Staff be directed to prepare, in collaboration with Electoral Area Directors, a framework for updating the CRD gas tax funding administration procedure; and that the procedure be recommended to the Board for approval at the October 8, 2014 Board meeting.

**CARRIED**

### 2. Bylaw 3955 - Contribution Service Establishment for the Galiano Health Care Centre

**MOVED** by Director Howe, **SECONDED** by Director McIntyre,

That Bylaw No. 3955, "Galiano Health Centre Contribution Service Establishment Bylaw No. 1, 2014" be introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Howe, **SECONDED** by Director McIntyre,

That Bylaw No. 3955 be read a third time.

**CARRIED**

**MOVED** by Director Howe, **SECONDED** by Director McIntyre,

That CRD staff be directed to implement the elector approval process under Section 801.2 of the *Local Government Act* in concurrence with the 2014 BC Local Government Election.

**CARRIED**

### 3. Grants-In-Aid

**MOVED** by Director Howe, **SECONDED** by Director McIntyre,

That the following grants-in-aid application be approved for payment:

Juan de Fuca Electoral Area Grants-in-Aid as approved by Director Hicks

- Rotary Club of Sooke \$1,500

**CARRIED**

Director Howe left the meeting at 2:49 pm.

## 5.3 JUAN DE FUCA LAND USE COMMITTEE – VOTING BLOCK A – July 16, 2014

### 1. Official Community Plan Amendment and Rezoning Application – Z-02-14 - Lot A, Section 51, Otter District, Plan VIP89485 (4039 Otter Point Road – Ireland)

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,

That proposed Bylaw No. 3963, "Official Community Plan for Otter Point Bylaw No. 1, 2010, Amendment Bylaw No. 1, 2014" and proposed Bylaw No. 3964, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 121, 2014", as included in Appendix 2 and 3, be

referred to appropriate CRD departments and the following agencies for comment:

BC Hydro	Otter Point Advisory Planning Commission
Cowichan Valley Regional District	Otter Point Fire Department
District of Sooke	RCMP
Island Health	Sooke School District #62
Ministry of Transportation and Infrastructure	T'Sou-ke First Nation

**CARRIED**

Directors Howe and Isitt returned to the meeting at 2:50 pm.

**5.4 PLANNING, TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE – July 23, 2014**

**1. Determination of Regional Growth Strategy Consistency for the Amended Land Use Bylaw for the Rural Resource Lands, Bylaw No. 3602 (PPS/RSP 2014-15)**

**MOVED** by Alternate Director Vowles, **SECONDED** by Director Leonard,  
That the proposed Bylaw No. 3958, to amend the Rural Resource Lands Land Use Bylaw No. 3602, be reviewed as it relates to the Regional Growth Strategy (RGS) and deemed consistent with the RGS.

**CARRIED**

**2. Regional Deer Management Strategy (RDMS) Pilot Project Extension Request (PPS/RSP 2014-16)**

There was discussion on the benefits for the other municipalities in the region if the project extension to Oak Bay was approved.

**MOVED** by Director Daly, **SECONDED** by Director Hill,  
That the CRD extend support for implementation of the RDMS pilot project to March 2015, with funding from internal reserves.

**CARRIED**

**Alto, Isitt, Sifert, Wergeland OPPOSED**

**6. ADMINISTRATION REPORTS**

**6.1 Clean Air Bylaw No. 3962 and Summary of Public Feedback**

**MOVED** by Director Derman, **SECONDED** by Director Wergeland,  
That the summary of public feedback on the proposed Clean Air Bylaw No. 3962 (Appendices B, C and D attached to the staff report) be received for information.

**CARRIED**

There was discussion on the inclusion of rural parkland in the bylaw.



**MOVED** by Director Isitt, **SECONDED** by Director McIntyre,  
That proposed Bylaw No. 3962 "Capital Regional District Clean Air Bylaw No. 1, 2014" be referred back to staff to strike the references to beaches and to allow the local government authorities to include beaches if desired.

**DEFEATED**

**Alto, Brice, Brownoff, Bryson, Cross, Daly, Derman, Desjardins, Gramigna, Gudgeon, Hamilton, Hill, Howe, Jensen, Kasper, Leonard, Seaton, Sifert, Wergeland, Williams** **OPPOSED**

**MOVED** by Director Desjardins, **SECONDED** by Alternate Director Gudgeon,  
That proposed Bylaw No. 3962 "Capital Regional District Clean Air Bylaw No. 1, 2014" be amended by:

- a) adding "by a local government" to the definition of park in Section 1. INTERPRETATION;
- b) changing 6(a) to 6(1) in Section 6(2);
- c) replacing the wording of Section 10 as follows: "The effect of this Bylaw is suspended until April 1, 2015 and this Bylaw shall come into force effective April 1, 2015"; and,
- d) changing "APPROVED BY" to "DEPOSITED WITH" the Minister of Health.

**CARRIED**

**Isitt** **OPPOSED**

**MOVED** by Director Desjardins, **SECONDED** by Alternate Director Gudgeon,  
That Bylaw No. 3962 "Capital Regional District Clean Air Bylaw No. 1, 2014", as amended, be read a third time.

**CARRIED**

**Isitt, Young** **OPPOSED**

## **6.2 Dedication of Land as Regional Park – CRD Bylaw No. 3950**

**MOVED** by Director Howe, **SECONDED** by Director Brice,  
That Bylaw No. 3950, "Regional Parkland Dedication Bylaw No. 1, 2014", be introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Howe, **SECONDED** by Director Brice,  
That Bylaw No. 3950 be read a third time.

**CARRIED**

**MOVED** by Director Howe, **SECONDED** by Director Brice,  
That Bylaw No. 3950 be adopted.

**CARRIED**

## **6.3 Public Hearing Report on Bylaw No. 3922, "Juan De Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 118, 2014 - Board Voting Block A**

**MOVED** by Alternate Director Vowles, **SECONDED** by Director Alternate Kasper,  
That the minutes that form the Report of the Public Hearing, which is certified as a fair and accurate summary of the representations that were made at the Public Hearing held on July 16, 2014 on Bylaw No. 3922, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 118, 2014" be received.

**CARRIED**

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,  
That Bylaw No. 3922 be read a third time.

**CARRIED**

Director Cross left the meeting at 3:08 pm.

**6.4 Public Hearing Report on Bylaw No. 3929, “Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 6, 2014” - Board Voting Block A**

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,  
That the minutes that form the Report of the Public Hearing, which are certified as a fair and accurate summary of the representations that were made at the Public Hearing held on July 16, 2014 for Bylaw No. 3929, “Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 6, 2014” be received.

**CARRIED**

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,  
That Bylaw No. 3929 be read a third time.

**CARRIED**

**6.5 Public Hearing Report on Bylaw No. 3819, “Otter Point Official Community Plan Bylaw No. 1, 2014” - Board Voting Block A**

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,  
That the minutes that form the Report of the Public Hearing, which are certified as a fair and accurate summary of the representations that were made at the Public Hearing held on August 6, 2014 for Bylaw No. 3819, “Otter Point Official Community Plan Bylaw No. 1, 2014”, be received.

**CARRIED**

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,  
That Bylaw No. 3189 be read a third time.

**CARRIED**

Director Cross returned to the meeting at 3:10 pm.

**6.6 Public Hearing Report on Bylaw No. 3849, “Juan de Fuca Electoral Area Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014” - Board Voting Block A**

**MOVED** by Alternate Director Vowles, **SECONDED** by Alternate Director Kasper,  
That the minutes that form the Report of the Public Hearing, which are certified as a fair and accurate summary of the representations that were made at the Public Hearing held on August 6, 2014 for Bylaw No. 3849, “Juan de Fuca Electoral Area Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014” be received.

**CARRIED**

**MOVED** by Alternate Director Vowles, **SECONDED** by Director Kasper,  
That Bylaw No. 3849 be read a third time.

**CARRIED**

**6.7 Municipal Finance Authority (MFA) Security Issuing Bylaw**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3966, "Security Issuing Bylaw No. 4, 2014", in the amount of \$1,800,000, be  
introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3966 be read a third time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3966 be adopted.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3967, "Security Issuing Bylaw No. 5, 2014", in the amount of \$1,085,540, be  
introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3967 be read a third time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3967 be adopted.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3968, "Security Issuing Bylaw No. 6, 2014", in the amount of \$7,125,000, be  
introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3968 be read a third time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3968 be adopted.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3969, "Security Issuing Bylaw No. 7, 2014", in the amount of \$1,200,000, be  
introduced and read a first and second time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3969 be read a third time.

**CARRIED**

**MOVED** by Director Leonard, **SECONDED** by Director Howe,  
That Bylaw No. 3969 be adopted.

**CARRIED**

**6.8 Request for Approval to Commence Remedial Action to Remove Hazardous Structures at 2661 Fulford Ganges Road, Salt Spring Island, BC**

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,  
That the Board order remedial action, as outlined in attachment 2 of the staff report, to address the hazardous condition and to bring the property into compliance with the Provincial Building Regulation, the BC Fire Code, Section 5.6 of Division B and Bylaw under Division 2 of Part 21 of the *Local Government Act* [Capital Regional District Regulation Bylaw No. 5, 2010 (Bylaw 3741)].

**CARRIED**

**6.9 Procurement of a Fire Truck for the Pender Island Fire Department**

**MOVED** by Director Howe, **SECONDED** by Director Isitt,  
That the fire truck acquisition from HME Incorporated for the price of \$223,000 plus taxes and duties be approved.

**CARRIED**

**6.10 Completion of Regional Transportation Plan**

There was discussion regarding:

- the need to protect existing community values along transportation corridors (Principle 7)
- consultation and inclusion of municipal comments and concerns in the Regional Transportation Plan (RTP)
- stakeholders involved in developing the RTP, and their involvement in future planning initiatives
- planning for rail
- transportation governance

**MOVED** by Director Alto, **SECONDED** by Director Howe,  
That the Regional Transportation Plan be approved; and that staff be directed to determine the operational details associated with implementing a new transportation service and consolidating existing transportation functions under a new service authority and report back with recommendations.

**CARRIED**

**Desjardins OPPOSED**

**6.11 Galiano Health Care Centre Assent Voting for Bylaw 3955**

- MOVED** by Director Howe, **SECONDED** by Director McIntyre,
- 1) That Thomas F. Moore be appointed as Chief Election Officer with the power to appoint a Deputy Chief Election Officer(s);
  - 2) That the wording of the bylaw question for the purposes of the ballot shall be as follows:

*Are you in favour of the Capital Regional District (CRD) Board adopting Bylaw No. 3955, "Galiano Health Care Centre Contribution Service Establishment Bylaw No. 1, 2014" authorizing the CRD to establish a service to contribute to the costs incurred by the Galiano Health Care Society in operating and maintaining the Galiano Health Care Centre building and to raise a maximum annual requisition of the greater of EIGHTY SIX THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$86,550) or \$0.19 per ONE THOUSAND DOLLARS (\$1,01.00.00) of taxable land and improvements for the purpose of funding the operating costs of the service.*

*YES or NO?*

- 3) That General Voting Day be held on Saturday, November 15, 2014 with the Advance Voting opportunities held on Wednesday, November 5 and Wednesday, November 12 at voting places to be determined by the Chief Election Officer; and
- 4) That the synopsis of Bylaw No. 3956, attached as Appendix A, be approved for advertising purposes.

**CARRIED**

#### **6.12 Salt Spring Island Transportation Service Assent Voting for Bylaw No. 3956**

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,

- 1) That third reading of Bylaw No. 3956, Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014, be rescinded.

**CARRIED**

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,

- 2) That Bylaw No. 3956 be amended by:
  - Adding the following phrase to Whereas recital B, "for the years 2015 through and including 2018,"
  - Deleting Whereas recital C
  - Renumbering Whereas recital D and E as C and D, respectively
  - Not replacing 5(2) but adding new Sections 5(3) and 5(4) as follows:
    - "(3) In accordance with section 800.1(1)(e) of the *Local Government Act*, and despite the provisions of Section 5(2), for the years 2015 through and including 2018, the maximum amount that may be requisitioned for the cost of the Transportation Service is the greater of:
      - (a) Three Hundred Ninety-Six Thousand Two Hundred Fifty Dollars (\$396,250); or
      - (b) an amount equal to the amount that could be raised by a property value tax rate of \$1.346 per One Thousand (\$1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area.
    - (4) For greater certainty, for the year 2019 and following, the maximum amount that may be requisitioned for the cost of the Transportation Service shall again be as provided under Section 5(2)."

**CARRIED**

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,

- 3) That Bylaw No. 3956, as amended, be read a third time.

**CARRIED**

Alternate Directors Gudgeon and Williams left the meeting at 3:42 pm.

**MOVED** by Director McIntyre, **SECONDED** by Director Howe,

- 4) Thomas F. Moore be appointed as Chief Election Officer with the power to appoint a Deputy Chief Election Officer(s);
- 5) That the wording of the bylaw question for the purposes of the ballot shall be as follows:  
*Are you in favour of the Capital Regional District Board adopting Bylaw No. 3956, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amending Bylaw No. 3, 2014" authorizing the CRD to increase the maximum annual requisition for the transportation service until 2018 so that it will be the greater of THREE HUNDRED NINETY-SIX THOUSAND DOLLARS (\$396,250) or \$1.346 per ONE THOUSAND DOLLARS (\$1,000.00) of taxable land and improvements for the purpose of funding the capital and operating costs of the transportation service, including implementation of the North Ganges Village Transportation Management Plan Phase 2.*  
YES or NO?;
- 6) That General Voting Day be held on Saturday, November 15, 2014 with the Advance Voting opportunities held on Wednesday, November 5 and Wednesday, November 12 at voting places to be determined by the Chief Election Officer; and
- 7) That the synopsis of Bylaw No. 3956, attached as Appendix B to the staff report, be approved for advertising purposes.

**CARRIED**

## **7. BYLAWS**

### **7.1 Bylaw No. 3934, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 120, 2014" - VOTING BLOCK A**

Alternate Director Vowles left the meeting at 3:42 pm citing a conflict of interest because a family member owns the property in question.

**MOVED** by Director Seaton, **SECONDED** by Alternate Director Siftert,  
That Bylaw No.3934 be adopted.

**CARRIED**

Alternate Director Vowles returned to the meeting at 3:44 pm.

## **8. NEW BUSINESS**

For the record, Director Isitt submitted a petition which had been signed by 1,494 persons calling for the CRD to expropriate Grace Islet to protect the First Nations burial ground.

## **9. MOTION TO CLOSE THE MEETING**

Director Seaton left the meeting at 3:45 pm.

**MOVED** by Director Derman, **SECONDED** by Director Brice,  
That the Board close the meeting in accordance with the Community Charter, Part 4, Division 3, 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 regional district or another position appointed by the regional district (Items 3.2, 4.1); (e) the acquisition, disposition or

expropriation of land or improvements (Items 3.1; 3.3, 3.4, 5.1); (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Item 3.4).

**CARRIED**

The Board moved to closed session at 3:45 pm and rose with report at 5:20 pm.

**10. RISE AND REPORT**

**10.1 Appointment to Mayne Island Parks and Recreation Commission**

Al Cannon was appointed to the Mayne Island Parks and Recreation Commission for a term to expire December 31, 2014.

**10.2 Protection of First Nations Burial Ground at Grace Islet, Salt Spring Island Electoral Area - Director Isitt**

That the Board rise and report at the discretion of the Chair on the decision to not proceed with expropriation, and that special consideration be given by the Aboriginal Initiatives Division for appropriate outreach with the First Nations to communicate the limitations of the CRD's ability to act in this matter.

**11. ADJOURNMENT**

**MOVED** by Director Leonard, **SECONDED** by Director Brice,  
That the meeting be adjourned at 5:20 pm.

**CARRIED**

\_\_\_\_\_  
**CHAIR**

**CERTIFIED CORRECT:**

\_\_\_\_\_  
**CORPORATE OFFICER**

## **Core Area Liquid Waste Management Committee's Report**

**Victoria, BC September 10, 2014**

### **To the Chair and Directors of the Capital Regional District Board:**

*The following items are subject to consideration by the Core Area Liquid Waste Management Committee at its meeting on September 10, 2014, prior to the CRD Board meeting.*

**The Core Area Liquid Waste Management Committee reports and recommends as follows:**

#### **1. Terms of Reference – Options Study for Core Area Sewage Treatment**

- 1) That staff, working in collaboration with the municipalities, be directed to undertake an Options Study according to the Terms of Reference attached in Appendix A; and
- 2) That a budget in the amount of \$400,000 be allocated to the study, funded from the Liquid Waste Management Plan operating reserve, which had a balance of \$954,545 as of December 2013.

*(Background information can be found in the attached staff report.)*

#### **2. Seattera Budget Update No. 15**

That the Seattera Budget Update No. 15 be received for information.

*(Background information can be found in the attached staff report.)*

#### **3. Motion with Notice: Options for Wastewater Treatment (Director Hamilton)**

WHEREAS: It is critical that there be positive action taken to meet funding deadlines and regulatory requirements for waste water treatment for the Capital Regional District;

BE IT RESOLVED that: Capital Regional District (CRD) staff be directed to support municipalities and First Nations who want to explore options for waste water treatment that are economically responsible, technically feasible, environmentally sound and meet current provincial and federal deadlines;

AND THAT funding be provided from the sewage treatment budget to support an independent assessment of alternative locations to McLoughlin and Hartland, with full and regular engagement of staff and elected representatives from participating municipalities, First Nations and the public; and,

AND THAT any decisions taken to amend the Liquid Waste Management Plan be done in an open and transparent public process;

AND THAT any further money spent be recoverable under the funding arrangement with the Provincial and Federal Governments and that clarity be sought that the funding arrangement with Provincial and Federal governments be able to support the communities to the extent it supported the CRD driven process.



**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 10, 2014**

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**SUBJECT      TERMS OF REFERENCE – OPTIONS STUDY FOR CORE AREA SEWAGE  
TREATMENT**

**ISSUE**

To present terms of reference for an Options Study for sewage treatment for the core area.

**BACKGROUND**

The Core Area Liquid Waste Management Committee (CALWMC), at its meeting of July 9, 2014, considered a staff report outlining options for moving forward with a pricing exercise for centralized versus decentralized sewage treatment options. Director Hamilton presented an amended motion in response to the staff report, as follows:

*It is anticipated that a \$400,000 budget would be required for this alternative to fund procurement costs, and consultant fees. CRD staff would work with municipal staff and First Nations that choose to develop a sub-regional approach to wastewater to craft Terms of Reference generally based on criteria noted in Alternative 1. The independent consultant would have no previous association with the Seaterra Program, Peer Review Team or previous CRD wastewater program studies. Monies and contracts would be administered by the CRD working in collaboration with the communities. Funding allocation for the sub regional assessment would be based on the same formula used to determine municipal contributions to the entire project.*

*Any recommendations would come to the CALWMC and subsequently to the CRD Board for amendments to the Liquid Waste Management Plan. It is anticipated that this study could be completed in October 2014 at the earliest. There is currently no allowance in the proposed deliverable dates or budget estimates in alternatives 1, 2 or 3 for new public and First Nation engagement processes.*

Municipal and First Nations staff and west-side consultants have worked with Capital Regional District (CRD) staff over the summer through a technical working group to discuss objectives, principles and a framework for the draft terms of reference for the Options Study. The participants have expressed a desire to be engaged in the process by continuing the work of the technical working group to provide advisement and support on both technical matters and public engagement opportunities in their communities to support the process. Draft Terms of Reference for the Options Study are attached in Appendix A.

An Independent Manager (IM) will be retained to assist the CRD and the participants to steward a transparent process that identifies options for moving forward. The IM will work at “arms-length” and through direct facilitation amongst the core area municipalities and First Nations and in collaboration with a working group of regional, municipal and First Nations staff, to identify and recognize the unique needs and shared interests of the participants, potential benefits and opportunities of the project. The IM would be an individual with relevant senior civil service background with demonstrated success in developing complex public policy and leading initiatives forward.

The Board will also select a Fairness and Transparency Advisor (FTA) to ensure the process of studying and identifying options is fair, transparent, impartial and objective, that the IM's engagement with the public of the Core Area is broad-based in both timing and opportunities for feedback, and that all respects of the Principles and Approach as laid out in the TOR are respected, followed and honoured. The FTA will also provide advisement to the IM on matters of fairness and transparency between the parties and the overall process, including public engagement, and make such recommendations as appropriate. The FTA would be an individual with outstanding public credibility and integrity, and demonstrated impartial oversight of public process.

The FTA and the IM will, on a regular basis, make progress reports to the CALWMC and, in tandem, will present formal report-outs for Phase 1 and Phase 2 of the study. The regular progress reports and the formal report-outs will, concurrent with their delivery, be made public.

A staff report is included on the closed agenda making recommendations for individuals to stand in both the FTA and IM roles.

### **ALTERNATIVES**

That the Core Area Liquid Waste Management Committee recommend to the CRD Board:

1.
  - a) That staff, working in collaboration with the municipalities, be directed to undertake an Options Study according to the Terms of Reference attached in Appendix A; and
  - b) That a budget in the amount of \$400,000 be allocated to the study, funded from the Liquid Waste Management Plan operating reserve, which had a balance of \$954,545 as of December 2013.
2. That the committee provide direction to staff to change the Terms of Reference.

### **FINANCIAL IMPLICATIONS**

The budget is anticipated to fund both Phase 1 and one preferred option moving to the pricing exercise contemplated in Phase 2. A status report on the project budget and recommendations for any necessary adjustments will be presented to the CALWMC with the formal report on Phase 1. The budget presented is not sufficient to conduct all of the necessary engineering, environmental assessments, land purchase and municipal approvals and public consultation if the preferred option identified in this study leads to an amendment of the LWMP.

Funding for participants to provide advisement and support through their staff or consultants must be provided directly through their respective budgets.

Details regarding the various senior government funding agreements to support the construction of wastewater facilities under the CALWMP are provided in Appendix B. This funding cannot be applied to fund further planning as contemplated under the Options Study.

## **SITING IMPLICATIONS**

### **McLoughlin Point**

The approved CALWMP identifies McLoughlin Point in the Township of Esquimalt as the centralized location for the wastewater treatment facility.

Last year, in consideration of the CRD's first rezoning application, the Township zoned the McLoughlin Point site to accommodate a wastewater treatment plant with varying amenities and restrictions depending on the size of the plant. Earlier this year, after efforts to negotiate an acceptable amenity package and variances to accommodate the preferred core area facility, the Township of Esquimalt rejected the application, leaving the current wastewater treatment zoning in place.

There are a number of implications if McLoughlin Point is withdrawn as a site to be considered in the Options Study, either as a centralized or decentralized facility location.

The CRD has received approval from Environment Canada for the transitional authorization to discharge deleterious effluent from both the Clover and Macaulay Point Pump Stations under the federal *Wastewater Systems Effluent Regulations* (WSER) until December 31, 2020. This transitional authorization is based on the approved Core Area Liquid Waste Management Plan (LWMP), which is premised on the McLoughlin Point site for a wastewater treatment facility. By withdrawing McLoughlin Point from further consideration, the CRD would be in non-compliance with this transitional authorization. The CRD may apply for an amended transitional authorization if a new plan is determined.

Removing McLoughlin Point from consideration would also invalidate the current LWMP and consequently the basis for the provincial and federal funding agreements. Furthermore, the CRD Board would be in non-compliance with the provincial funding agreement that requires a delegated Commission to be established to procure and construct infrastructure in accordance with the approved LWMP. If McLoughlin Point were to be removed without an approved alternative site, the Commission mandate would need to be re-examined.

Preliminary scheduling estimates to pursue an alternative option for sewage treatment in the core area without McLoughlin Point as a wastewater treatment site indicate it is not possible to meet the federal regulatory deadline under the WSER of 2020. Revised completion dates have been forecasted in the range of 2022-2024; however, many variables, such as the number of treatment plants to be constructed, land purchasing and rezoning requirements, public consultation, the necessity for modifications to existing conveyance infrastructure and the necessity for a new harbour crossing or additional effluent outfalls all impact the overall schedule.

### **Other Sites for Consideration**

The CALWMC will recall that in the Board Chair's letter of July 15, 2014, municipal mayors and councils and First Nations were invited to identify a site(s) that would be suitable for wastewater treatment plant(s) and residual biosolids digestion on the basis that a rezoning process to allow a wastewater treatment plant on the site would be supported. To date, staff have not received any formal responses to this invitation.

It is anticipated that candidate sites to be considered under this Options Study will be identified and supported by respective jurisdictions, working in collaboration with the CRD. This Options Study is not constrained to only those sites pursued in previous planning studies, nor is it constrained in the number of facility locations in the final system configuration, i.e., a centralized or distributed model.

### **RECOMMENDATION**

That the Core Area Liquid Waste Management Committee recommend to the Capital Regional District Board:

1. That staff, working in collaboration with the municipalities, be directed to undertake an Options Study according to the Terms of Reference attached in Appendix A; and
2. That a budget in the amount of \$400,000 be allocated to the study, funded from the Liquid Waste Management Plan operating reserve, which had a balance of \$954,545 as of December 2013.



Ted Robbins, B.Sc., C.Tech.  
General Manager  
Integrated Water Services



Larisa Hutcheson, P.Eng.  
General Manager  
Parks & Environmental Services



Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

LH:cl  
Attachments: 2

**OPTIONS STUDY – CORE AREA LIQUID WASTE MANAGEMENT  
TERMS OF REFERENCE  
September 2014**

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## **Background**

The Capital Regional District (CRD) is responsible for implementing sewage treatment for the core municipalities of Saanich, Victoria, Oak Bay, Colwood, Langford, Esquimalt and View Royal and the Songhees and Esquimalt First Nations under the CRD's Core Area Liquid Waste Management Plan (CALWMP) and service establishment Bylaw No. 2312. The commitment to complete the wastewater treatment program under the LWMP is by the end of 2018. Further to this deadline, the *Federal Fisheries Act* dictates that the CRD must have secondary sewage treatment in place for the core area by January 1, 2015 and a transitional authorization has been submitted under the federal Wastewater System Effluent Regulation to continue discharging effluent until treatment is installed and the standards can be met by December 31, 2020.

A series of senior government funding agreements are in place, which provide approximately \$500 million toward the \$783 million project. The agreements have within them various terms and conditions that stipulate timelines, procurement and facility locations that align with the CALWMP.

The approved CALWMP identifies McLoughlin Point in the Township of Esquimalt as the centralized location for the wastewater treatment facility and Hartland landfill as the location for treatment and resource recovery of the residual solids. The CRD Board created the Seaterra Commission with delegated authority to oversee the design and construction of the wastewater treatment program. The Commission has secured a bid within budget for the wastewater treatment facility at McLoughlin Point.

Last year, in consideration of the CRD's first rezoning application, the Township zoned the McLoughlin Point site to accommodate a wastewater treatment plant with varying amenities and restrictions depending on the size of the plant. Earlier this year, after efforts to negotiate an acceptable amenity package and variances to accommodate the preferred Core Area facility, the Township of Esquimalt rejected the application, leaving the current wastewater treatment zoning in place. Given this outcome, it is also recognized that participants will need to identify and support alternative site selection.

The CRD is now exploring options for implementing a sewage treatment program within the established funding envelope and regulatory framework. The process seeks to build consensus amongst the participants on options that best reflect the needs of the participants and their desired outcomes (Phase 1) and to evaluate the financial implications of the preferred option(s) (Phase 2).

## **Principles and Approach**

The principles and approach guiding the options study are:

- Undertake a fair and transparent process
- Impartial and objective stewardship of the process



- Collaboration and incremental consensus building amongst all participants
- Achieve value for money for taxpayers and meet the CRD's project budget
- Fiscally equitable amongst participants based on design capacity benefit
- Optimize existing infrastructure
- Contribute to Regional Sustainability and respond to climate change
- Optimize resource recovery, including use of effluent heat, reclaimed water, struvite, biogas and beneficial use of biosolids
- Proposed wastewater treatment facilities integrate within the community
- Flexibility in meeting the varied desired outcomes of the participants
- Identify wastewater treatment solution(s) for all seven municipal and two First Nations participants that meet or beat applicable regulatory requirements
- Acknowledge that additional investments made over and above the scope of the project are borne by the respective participant

### **Role of Independent Manager**

The Core Area Liquid Waste Management Committee (CALWMC) will select the Independent Manager (IM) to assist the CRD and the participants to steward a transparent process that identifies options for moving forward. The IM will work at "arms-length" and through direct facilitation amongst the core area municipalities and First Nations and in collaboration with a working group, or technical committee, of regional, municipal and First Nations staff, to identify and recognize the unique needs and shared interests of the participants, and potential benefits and opportunities of the project.

The IM will encourage input, and determine in collaboration with the participants, the best method and timing for engagement and feedback from the public. The IM will identify opportunities for broad public feedback to steward public confidence and interest in the process and to ensure alignment of both the needs and the desired outcomes of the participants. This consultation will also include check-in and feedback from the established CALWMP Technical and Community Advisory Committee.

The IM will identify critical check-in opportunities with the CALWMC, seeking consent to proceed in the process. The IM will formally report-out the preferred option(s) to committee at the end of Phase 1 and, with an indication of support of each of the participants, undertake an independent costing exercise to evaluate the financial implications under Phase 2.

### **Role of Fairness and Transparency Advisor**

The CALWMC will select the Fairness and Transparency Advisor (FTA) to ensure the options study meets the principles and approaches as articulated in these TOR; however, this would not preclude innovative solutions or alternatives that meet similar project objectives and benefits. The FTA will monitor the process and may make recommendations. The FTA will also provide advisement to the IM on matters of fairness and transparency between the parties and the overall process including such matters as public engagement and cost sharing among the participants. The FTA will report to the CALWMC on a regular basis and, in tandem with the IM, on formal report-outs for Phase 1 and Phase 2 of the study.

### **Role of CRD Staff**

The IM and FTA will be engaged by the General Manager, Parks & Environmental Services, who will administer their service contracts and coordinate in-house support resources for the work of the IM. Neither the IM nor the FTA will have a reporting relationship to the General Manager beyond contractual/administrative matters; both individuals will have independence in their roles and report directly to the CALWMC.

CRD staff will provide technical support for Phase 1 of the study, including real estate services, operations and cost-sharing considerations of existing and proposed trunk system conveyance infrastructure, GIS and mapping, as well as engineering support. CRD staff will also provide administrative and logistics support, as required, for public meetings and workshops and meetings amongst participants.

CRD staff will remain the primary contact with senior government officials in regards to regulatory and consultation requirements, and amendments to the LWMP. Upon consent of the province of LWMP amendments, CRD staff will pursue re-negotiation of funding agreements and any available alternative grant funding sources.

### **Role of Municipal and First Nations Staff**

Municipal and First Nations staff will provide technical advice and support to the IM, working in collaboration with regional staff, to explore and evaluate the feasibility of various options. Municipal and First Nations staff will also provide advisement and support to the IM and regional staff on site selection, technical considerations at the local level, as well as public engagement opportunities and processes that reflect the unique needs of each jurisdiction.

### **Timelines and Deliverables**

The IM will be engaged in mid-September and will formally report out to the Core Area Liquid Waste Management Committee on Phase 1 of the study by February 2015. The final report on Phase 2 of the study will be prepared and presented to committee by June 2015.

### **Budget and Funding Source**

Funding for the study will be sourced from the Core Area Liquid Waste Management Plan operating reserve. Total budget for both phases of the project will not exceed \$400,000, including staff time, consulting fees and meeting/workshop expenses according to the following breakdown:

Consulting Fees (IM and FTA)	\$150,000
Consulting Fees – Costing Exercise	\$100,000
Public Engagement	\$100,000
Internal CRD Staff Support	\$50,000

### **Phase 2 Costing Exercise**

The IM will work with CRD staff to develop a Request for Qualifications, a shortlist of selected firms, preparing the Request for Proposal terms of reference, evaluating proposals, selecting

and recommending the services of a qualified engineering firm to complete the costing study for the selected option(s).

The study will be based on a 50-year life cycle costing analysis, including capital and operating and maintenance costs. For consistency, the capital cost estimates developed as part of this analysis would use the same costing criteria as outlined in CRD Discussion Paper 36-DP-2, including but not limited to: design and construction contingencies, indirect costs, administration costs, interim financing and inflation costs to mid-point of construction, project management costs, environmental impact study costs, site contamination costs, and the consistent use of discount rates for life cycle analysis of costs, revenues from certain resource recovery and carbon credits. The capital cost estimates developed will have an accuracy range of -15% to +25%.

The study will include infrastructure re-alignment and conveyancing modifications and costs for the preferred options as well as preliminary cost sharing implications.

The study will include development of a realistic Level 1 schedule for the design and construction of the wastewater conveyance, treatment and disposal facilities envisaged in the preferred option(s), including pipelines, pumping stations, storage, treatment plants and outfalls. The schedule will include the time required to obtain approvals for effluent disposal as necessary for the option(s) developed, including: new outfalls for marine and freshwater discharge, rapid infiltration basins for ground discharge and reclaimed water use.

### **Design Criteria**

The CRD has developed design criteria for year 2030 design flows, including: population projections; industrial, commercial and institutional equivalents; and inflow and infiltration. This information will be provided to the consultant for their review and acceptance as the basis for their analysis. The consultant will review the Wastewater Characterization and Design Loads developed by the CRD and confirm the criteria to be used for this study. Consultation with First Nations to confirm allocated design capacity is required.

Upgrades and/or modifications to linear infrastructure to transport sewage to the wastewater treatment plants at the selected locations will be identified by the CRD. The consultant will be responsible for developing cost estimates for these upgrades and/or modifications and incorporating them into the overall cost estimates for the wastewater treatment plants.

Each wastewater treatment plant will be required to meet the minimum Municipal Wastewater Regulations to ensure treatment requirements are met: secondary treatment for 2xADWF (average dry weather flow) and primary treatment for 4xADWF. Wastewater treatment plants that do not employ the use of an outfall must demonstrate and receive acceptance from MOE, redundancy for all flow conditions that exceed the maximum tertiary capacity of the treatment plant, the complete failure of the plant and any condition that requires bypassing the tertiary level of treatment. Plants that are designed for secondary treatment will require an outfall.

### **Available Documentation**

In addition to any documentation made available by the participants, the following relevant CRD reports will be made available to the IM and FTA:



- The Path Forward – The Supporting Report to the Response of the MOE (June 2007)
- Resources from Waste – Integrated Management Phase 1 Study Report, Fidelis (February 2008)
- Resources from Waste Peer Reviews – Peer Review Responses (February 2008)
- Program Development Discussion Papers, Associated Engineering/CH2MHill/Kerr Wood Leidal (May 2008-May 2009)
- Peer Review Team Report (May 2009)
- CRD Core Area Inflow and Infiltration Program I&I Analyses Results: October 2006 to March 2008 – Final Report (July 2009)
- CRD Core Area Wastewater Treatment Program – Option 1A, 1B and 1 C Report Stantec/Brown & Caldwell (September 2009)
- CRD Core Area Wastewater Treatment Program – Option 1A, Stantec/Brown & Caldwell, (December 2009)
- CRD – CAWTP – Effluent Reuse and Heat Recovery for the University of Victoria & Surrounding Area, Stantec (January 2010)
- CRD – CAWTP – Feasibility Study for Heat Recovery for James Bay and Downtown Victoria, Stantec (January 2010)
- Biosolids Management Plan, Stantec/Brown & Caldwell (November 2009)
- Capital Regional District, Core Area Liquid Waste Management Plan, Amendment #7, (Approved January 2010)
- Capital Regional District, Core Area Liquid Waste Management Plan, Amendment #8, (Approved August 2010)
- Capital Regional District, Core Area Liquid Waste Management Plan, Amendment #9 (Approved July 2014)
- Land suitability for a biosolids facility in the Core Area of the Capital Regional District, Westland Resources (September 2010)
- Core Area Wastewater Treatment Program Option1Aprime2 (June 2011)
- Capital Regional District Wastewater Plant – Discharge – Stage 1 Environmental Impact Study (March 2009)
- Technical Memo: CAWTP Indicative/Detailed Design/Wastewater Characterization and Design Loads, Stantec (January 2013)
- Stage II EIS Pre-Discharge Monitoring, Worley Parsons (February 2013)
- Environmental Impact Study of Core Area Wastewater Treatment Program Facilities Volume 1 of 3, Tera Consultants (updated March 2014)
- Environmental Impact Study of Core Area Wastewater Treatment Program Facilities Volume 2 of 3, Tera Consultants (updated May 2014)
- Project Description: Core Area Wastewater Treatment Program, Tera Consultants (updated March 2014)

## 1. Federal Government “Building Canada Fund” Agreement

<b>Amount</b>	<b>\$120 Million</b>
<b>Deliverables</b>	Construction of the McLoughlin Point Wastewater treatment plant; marine outfall pipe; completion of the Victoria Harbour crossing
<b>Key dates</b>	Project approved in principle..... July 10, 2012 Substantial completion..... January 31, 2018 Project completion..... January 31, 2019 Last Payment date..... January 31, 2019 or prior to
<b>Changes</b>	Ministerial approval required for significant change(s), such as material change in location, scope or timing

## 2. Federal Government “Green Infrastructure Fund” Agreement

<b>Amount</b>	<b>\$50 million</b>
<b>Deliverables</b>	Upgrade of Clover and Macaulay Point pump stations; implementation of attenuation tanks; upgrades to existing pump stations and piping systems
<b>Key dates</b>	Project approved in principle..... July 10, 2012 Substantial completion..... January 31, 2018 Project completion..... January 31, 2019 Last Payment date..... January 31, 2019 or prior to
<b>Changes</b>	Ministerial approval required for significant change(s), such as material change in location, scope or timing

## 3. Federal Government “PPP Canada Fund” Agreement

<b>Amount</b>	<b>\$83.4 million</b>
<b>Deliverables</b>	Biosolids Energy Centre treatment facility for wastewater sludge, including 18 km of pipes to carry sludge
<b>Key dates</b>	Effective Date..... July 1, 2011 Financial Agreement deadline..... November 2014 Agreement Expires..... March 31, 2015 (if Nov 2014 deadline not met) Construction and Commissioning..... Fall 2014 to Fall 2017 Program Operational..... Winter 2018 (March 31, 2018)
<b>Changes</b>	Ministerial approval required for significant change(s), such as material change in location, scope or timing

## 4. Provincial Funding Agreement

<b>Amount</b>	<b>\$248 Million (maximum)</b>
<b>Signed</b>	Yes
<b>Deliverables</b>	Funding to construct a Wastewater Treatment Plant (WWTP), an Energy Centre for Sludge Treatment (ECST), and Conveyance System upgrades as per the approved Liquid Waste Management Plan.
<b>Key dates</b>	Project commencement..... March 7, 2012 Reference for agreement ..... March 13, 2013 (date signed) Project start deadline ..... September 13, 2013 Substantial completion ..... Between April 1, 2017 to March 31, 2019 Project completion deadline..... March 31, 2019 Commissioning report..... January 1, 2020 Last Payment date from..... March 31, 2020 (no payments prior to April 1, 2017)



**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 10, 2014**

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**SUBJECT**      **SEATERRA BUDGET UPDATE NO. 15**

**ISSUE**

The Commission must report in writing, at least once every 30 days, on the progress of the Seaterra Program (the "Program") During budget discussions, the Core Area Liquid Waste Management Committee (Committee) requested monthly financial reporting on the Seaterra Program.

**BACKGROUND**

Attached is a monthly financial update for the Program (Schedule A) year-to-date for July 2014. The 2014 Seaterra Financial Plan (Schedule B) is also attached for information. The report reflects actuals and commitments to the end of July 31, 2014.

At the July 9, 2014 Committee and Board meeting an information report was presented that discussed the Program being placed on pause and options for reducing the workplan for 2014. The attached program summary report reflects the reduced service level as directed by the Committee. The estimated expenditures to year-end of \$8.9 million are for costs related to the Craigflower Pump Station work and other current commitments.

The 2015 – 2019 Financial Plan will be adjusted for the current known delays in timing. This budget estimate will be revised as new information becomes available on core drivers and assumptions used in establishing the original program budget.

**ALTERNATIVES**

1. That the Core Area Liquid Waste Management Committee receive the Seaterra Budget Update No. 15 for information.
2. That the Core Area Liquid Waste Management Committee request additional financial information.

**FINANCIAL IMPLICATIONS**

The 2014 program expenditures, including expenditures as at July 31, 2014 are within the approved 2014 Financial Plan. The current projected reduction of \$34.8 million is a direct result of the Program service delivery being placed on pause. The majority of the estimated costs to year end of \$8.9 million are for the Craigflower Pump Station.

**CONCLUSION**

The Committee will continue to receive additional information in future updates.

**RECOMMENDATION**

That the Core Area Liquid Waste Management Committee recommend to the Capital Regional District Board:

That Seaterra Budget Update No. 15 be received for information.



Rajat Sharma, MBA, CPA, CMA  
Senior Manager, Financial Services



Diana E. Lokken, CPA, CMA  
General Manager, Finance and Technology Dept.



Robert Lapham, MCIP, RRP  
Chief Administrative Officer  
Concurrence

Attachments: Schedule A – 2014 Program Summary Report  
Schedule B – Program Financial Plan  
Program Monthly Progress Report No. 14

**2014 Program Summary Report  
Year to Date 31-July-2014**

**SCHEDULE A-1**

	<b>2014 Budget</b>	<b>Year to Date Actuals</b>	<b>Commitments Unpaid (CU)</b>	<b>Total YTD Actuals + CU</b>	<b>Estimated Costs Aug - Dec</b>	<b>Forecast of Actuals 2014</b>	<b>Variance Budget - Forecast</b>	<b>Projected CU Dec 31 2014</b>
<b>WASTEWATER TREATMENT - MCLOUGHLIN</b>	14,166,000	690,484	1,548,081	2,238,565	9,516	700,000	13,466,000	0
<b>CONVEYANCING PIPES AND PUMPSTATIONS</b>	19,875,000	5,114,248	5,984,387	11,098,635	7,385,752	12,500,000	7,375,000	0
<b>RESOURCE RECOVERY CENTRE</b>	4,734,000	1,657,589	2,868,680	4,526,269	142,411	1,800,000	2,934,000	0
<b>COMMON COSTS</b>	8,112,000	2,474,990	4,316,081	6,791,071	1,335,010	3,810,000	4,302,000	0
<b>INTERIM FINANCING</b>	435,000	0	0	0	100,000	100,000	335,000	0
<b>PROGRAM CONTINGENCY</b>	6,399,000	0	0	0	0	0	6,399,000	0
<b>TOTAL</b>	<b>53,721,000</b>	<b>9,937,311</b>	<b>14,717,229</b>	<b>24,654,540</b>	<b>8,972,689</b>	<b>18,910,000</b>	<b>34,811,000</b>	<b>0</b>

Estimated costs Aug - Dec' reflect the reduced workplan as directed by Committee. Total reduction for the year is forecasted at \$34.8M.

**Seatterra**  
**Program Management Expenditure Report**  
**Year to Date 31-July-2014**

**SCHEDULE A-2**

	<b>2014 Budget</b>	<b>Year to Date Actuals</b>	<b>Estimated Costs Aug - Dec</b>	<b>Forecast Jan - Dec</b>	<b>Commitments (Note 1)</b>
<b>CAPITALIZED COSTS</b>					
Salaries and Wages	2,305,000	911,582	885,000	1,796,582	
Consultants	4,261,000	1,207,538	240,000	1,447,538	4,119,306
Rentals and Leases	372,000	151,152	110,000	261,152	109,550
Operating - Other Costs	829,000	97,485	38,010	135,495	87,225
<b>TOTAL</b>	<b>7,767,000</b>	<b>2,367,757</b>	<b>1,273,010</b>	<b>3,640,767</b>	<b>4,316,081</b>

Note 1: Includes multi year commitments

Note 2: Assumes no change to staffing levels July - December

**Seatterra**  
**Commission Expenditure Report**  
**Year to Date 31-July-2014**

**SCHEDULE A-3**

	<b>2014 Budget</b>	<b>Year to Date Actuals</b>	<b>Estimated Costs Aug - Dec</b>	<b>Forecast Jan -Dec</b>	<b>Commitments</b>
<b>CAPITALIZED COSTS</b>					
Honoraria	243,000	69,639	50,000	119,639	0
Travel	40,000	6,512	6,000	12,512	0
Operating - Other Costs	62,000	31,082	6,000	37,082	0
<b>TOTAL</b>	<b>345,000</b>	<b>107,233</b>	<b>62,000</b>	<b>169,233</b>	<b>0</b>

# Seatterra Program Financial Plan

SCHEDULE B

	Estimated Costs to Date Dec 2013	2014	2015	2016	2017	2018	Total
WASTEWATER TREATMENT - MCLOUGHLIN	9,612,000	14,166,000	72,460,000	141,844,000	39,926,000	553,000	278,561,000
CONVEYANCING PIPES & PUMP STATIONS	6,264,000	19,875,000	53,672,000	39,907,000	6,962,000	106,000	126,786,000
RESOURCE RECOVERY CENTRE	3,233,000	4,734,000	31,388,000	166,958,000	48,072,000	291,000	254,676,000
COMMON COSTS	4,786,000	8,302,000	9,460,000	9,593,000	11,234,000	6,962,000	50,337,000
INTERIM FINANCING	37,000	435,000	2,211,000	7,116,000	14,906,000	6,696,000	31,401,000
PROGRAM CONTINGENCY	0	6,399,000	9,560,000	19,944,000	4,922,000	100,000	40,925,000
<b>TOTAL</b>	<b>23,932,000</b>	<b>53,911,000</b>	<b>178,751,000</b>	<b>385,362,000</b>	<b>126,022,000</b>	<b>14,708,000</b>	<b>782,686,000</b>

## SOURCES OF FUNDING

Government of Canada	0	35,492,000	72,808,000	61,700,000	0	74,600,000	244,600,000
Province of BC	0	0	0	0	0	248,000,000	248,000,000
CRD debt	1,932,000	6,965,000	52,633,000	183,426,000	101,021,000	(277,891,000)	68,086,000
Proponent financing	0	1,454,000	38,310,000	120,236,000	0	(60,000,000)	100,000,000
Requisition	5,000,000	10,000,000	15,000,000	20,000,000	25,000,000	30,000,000	105,000,000
CRD Capital	17,000,000	0	0	0	0	0	17,000,000
	<b>23,932,000</b>	<b>53,911,000</b>	<b>178,751,000</b>	<b>385,362,000</b>	<b>126,021,000</b>	<b>14,709,000</b>	<b>782,686,000</b>

Note 1: Actual proponent financing will be determined at contract finalization

Note 2: The budget for 2014 does not include contract amounts committed in 2014 which will be paid in 2015-2018

Note 3: Costs to date reflect Seatterra implementation costs. Costs to date do not include CAWTP Program planning costs from 2006-2013.

Note 4: The PPP Canada grant is less than the maximum funding level of \$83,400,000 by \$8,800,000. Assumes \$35,000,000 of risk costs will not be incurred.





**Seaterra Program  
Progress Report No. 14**

**June 30, 2014**

**Prepared by:**

**Seaterra Program Management Office**

## **Seatterra Program Progress Report No. 14**

**In addition to reporting on activities that are the responsibility of the Seatterra Program Commission, this progress report also includes updates on activities that are the responsibility of the Core Area Liquid Waste Management Committee (CALWMC) and the Capital Regional District (CRD) Board, namely, activities related to facility siting and agreements with municipalities or other government agencies. Those matters that are the direct responsibility of the CALWMC and CRD Board are clearly identified in the text as “CRD responsibility” and are identified in Section 1.2.**

## **Seatterra Program Progress Report No. 14**

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## **Seattera Program Progress Report No. 14**

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## **Seatterra Program Progress Report No. 14**

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Appendix A Monthly Program Cost Report

Appendix B Program Schedule Extracts

# Overall Program

## June 2014 Project Status

### SAFETY

- ✓ No Lost Time Incidents in the previous 3 months.

### COST

- ✓ Program on budget - <20% Program Contingency committed.

### SCHEDULE

- ✗ Procurement of McLoughlin DBF Contract delayed indefinitely.
- ✗ Uncertainty of site location continues to threaten the Program schedule. Additional delays anticipated.
- ✗ All activities suspended from June 27, 2014, with the exception of the construction of the Craigflower Pump Station and the design of the Arbutus Road attenuation tank.

### QUALITY

- ✓ No critical NCR's recorded.

### ENVIRONMENT

- ✓ No incidents or breach in regulatory compliance recorded.

### RISK

- ✗ The overall program completion of 2018 now in jeopardy as a result of the zoning impasse for the implementation of a wastewater treatment plant at McLoughlin Point.
- ✗ Potential withdrawal of funding as a result of no wastewater treatment plant site.

### COMMUNITY

- ✓ Public & Municipal engagement ongoing.

- Key Issues :**
- ✗ No site allocated for the implementation of the WWTP now jeopardizing the overall Program.
  - ✗ Potential withdrawal of funding as a result of no WWTP site.
  - ✗ All activities suspended from June 27, 2014, with the exception of the construction of the Craigflower Pump Station and the design of the Arbutus Road attenuation tank.

### Financial Summary

(\$M)

Budget 787.9

Commitment To Date 49.2

Forecast at Completion 787.9

Variance -

### Schedule Key Dates

Target

McLoughlin Pt, Outfall, Harbour Crossing

DBF Awarded Q3 2014

Construction Complete Q2 2018

Commissioning Complete Q4 2018

Resource Recovery Centre & Pipeline

DBFO Awarded Q1 2015

Construction Complete Q4 2017

Commissioning Complete Q1 2019

Conveyance Pump & Pipeline

Macaulay PS DB Awarded Q4 2015

Clover PS DB Awarded Q3 2014

All Conveyance Complete Q3 2017

Legend



On Track



Delayed At Risk



Critical/Late

# Major Program Components



June 30, 2014

- |                                      |                             |                                |
|--------------------------------------|-----------------------------|--------------------------------|
| <b>Conveyance</b>                    | <b>Wastewater Treatment</b> | <b>Resource Recover Centre</b> |
| ▲ CONSTRUCTION                       | ■ SUSPENDED                 | ■ SUSPENDED                    |
| ■ DESIGN                             | ■ SUSPENDED                 | ■ SUSPENDED                    |
| ▲ SUSPENDED                          |                             |                                |
| ■ SUSPENDED                          |                             |                                |
| <b>Existing Sewer Infrastructure</b> |                             |                                |
| ▲ Pump Station                       | ● Municipal Boundary        |                                |
| — Sewer Main                         | First Nations               |                                |
| — Emergency Overflow                 |                             |                                |

\*Route To Be Confirmed



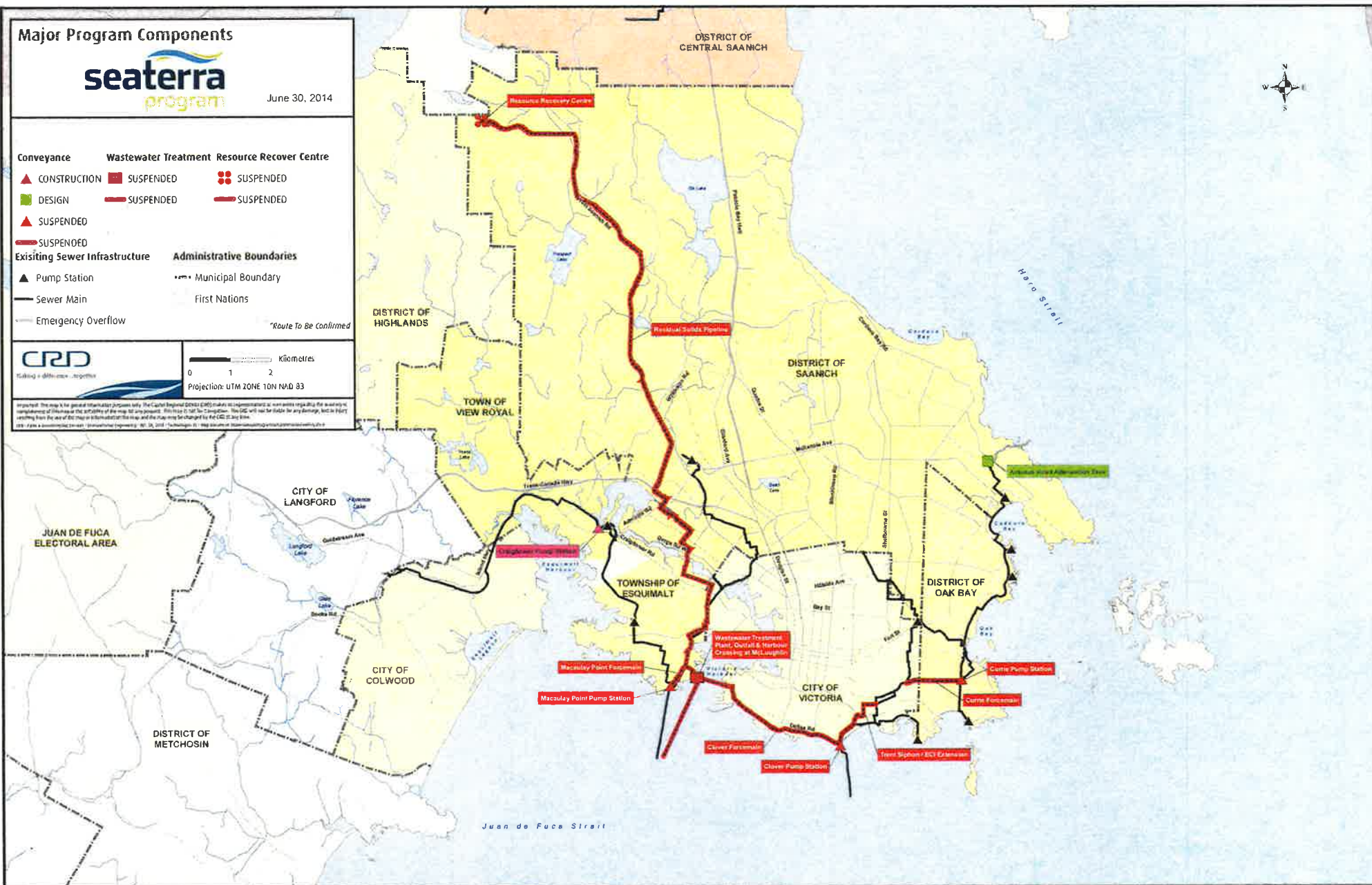
Taking a different view...

0 1 2 Kilometres

Projection: UTM ZONE 10N NAD 83

Important: This map is for general information only. The Capital Regional District (CRD) makes no representation as to accuracy regarding the location or availability of infrastructure or the sufficiency of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of this map or information derived from the map, and the map may be changed by the CRD at any time.

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## **Seaterra Program Progress Report No. 14**

### **1. Executive Summary**

#### **1.1 Seaterra Program**

- 1.1.1 Costs this period are \$1,893,594 for a total cost to date of \$32,743,767 which is trending within budget and the projected Seaterra Program (Program) cash flows.
- 1.1.2 Commitments this period are \$144,300 for a total commitment to date of \$49,192,664 (approximately 6.2% of the Program budget).
- 1.1.3 In June 2014 procurement activities on the Program were suspended following the Township of Esquimalt's rejection of the zoning required for the implementation of a wastewater treatment facility at McLoughlin Point. The CRD Board and Core Area Liquid Waste Management Committee (CALWMC) met June 11 and continued June 18, 2014 to discuss next steps of the Program.
- 1.1.4 At the June 18, 2014 CRD Board meeting, the Board confirmed the decision to pause a majority of the Seaterra Program, except for Craigflower Pump Station and Arbutus Road Attenuation Tank design, until there is a clear way forward with the Seaterra Program.
- 1.1.5 At the June 27, 2014 meeting, the Seaterra Commission accepted and confirmed the Board's decision and directed:
  - That the construction and commissioning of the Craigflower Pump Station be completed.
  - That the design of the Arbutus Road Attenuation tank be completed.
  - That ongoing procurement processes be paused or suspended.
  - That ongoing contracts be paused.
  - That Program Advisors be directed to pause all current work.
  - That the Seaterra Program Team and Office be scaled down as appropriate and redirect efforts to support the CRD on Board approved items to resolve the current Program impasse.
- 1.1.6 As a result of the suspension of procurement activities in June 2014, the Program schedule is in jeopardy of not achieving completion of the Program before the end of 2018. Acquisition of a new site and completion of any rezoning required followed by construction and commissioning of the wastewater treatment plant (WWTP) and the Resource Recovery Centre (RRC) are the activities that will determine and drive a revised Program critical path.
- 1.1.7 A final agreement was reached with Harbour Resource Partners the selected preferred proponent for the McLoughlin Design-Build-Finance (DBF). Harbour Resource Partners agreed to extend the validity of their bid to September 12, 2014.



## Seatterra Program Progress Report No. 14

- 1.1.8 The Clover Pump Station DB RFP closing was scheduled for June 4, 2014 but has been suspended indefinitely pending direction from the Seatterra Commission.
- 1.1.9 The RFP for Clover Forcemain (Conveyance Pipe) Design Consulting Services closed in May 2014. Submissions were received from 3 preferred proponents. The evaluation of proposals has been suspended indefinitely pending direction from the Seatterra Commission.
- 1.1.10 Construction related activities continued on the Craigflower Pump Station project. Forming and pouring of the pump station walls continued. The final ground floor slab is scheduled to be poured in early July.
- 1.1.11 Design continued on the Arbutus Road Attenuation Tank which is approximately 80% complete. The Construction Request for Qualification (RFQ), scheduled to be issued in the last week of May 2014, has been suspended indefinitely pending direction of the Seatterra Commission.
- 1.1.12 Submissions were received from 4 proponents for the Biosolids Disposal Services RFP and were evaluated. The results of the evaluation were presented to the Seatterra Commission and will be forwarded to the CALWMC and CRD Board.

### Major Issues:

#### CRD:

- Approval of a WWTP site.
- Liquid Waste Management Plan (LWMP) Amendment No. 9 approved by the CRD Board and forwarded to Ministry of Environment (MOE) for approval is pending approval by the Minister.
- The LWMP includes a WWTP at McLoughlin Point and may require further amendment for changes to the Program resulting from the current inability to proceed with the implementation of a wastewater treatment facility at that site.
- Clover Pump Station zoning approvals.
- Relocation of rock/gravel stockpile from the proposed site of the RRC at Hartland.

### Major Activities Planned – Next Period:

#### CRD:

- The CALWMC and CRD Board plan to meet July 9, 2014 to discuss next steps of the Seatterra Program.

#### Commission/PMO:

- Awaiting direction from the CRD Board on an approved site for the WWTP and determining next steps for the Program.

## **Seaterra Program Progress Report No. 14**

### **1.2 Core Area Liquid Waste Management Committee/CRD Board Issues**

- 1.2.1 Completion of Federal and Provincial Funding Agreements – pending final zoning approvals and sign off by the Ministers.
- 1.2.2 Potential invalidation of Federal and Provincial Funding Agreements due to the Ministers' decision to not intercede in the zoning impasse that exists for the implementation of a wastewater treatment facility at McLoughlin Point.
- 1.2.3 Determine next steps for the Program.

## **2. Activities – McLoughlin Point Wastewater Treatment Plant Project**

### **2.1 Design/Engineering Status**

- 2.1.1 All activities currently suspended.

### **2.2 Procurement Status**

- 2.2.1 Negotiations were concluded with Harbour Resource Partners and an agreement has been reached. The contract has not yet been executed. Discussions with the HRP were suspended and the validity of the HRP bid was extended to September 12, 2014, pending direction from the Seatterra Commission.

### **2.3 Construction Status**

- 2.3.1 Construction initially scheduled to commence July 2014 has been delayed indefinitely pending direction from the Seatterra Commission.

### **2.4 Status of 3<sup>rd</sup> Party Approvals**

- 2.4.1 An Environmental Approval in Principle (AIP) was prepared and submitted for the McLoughlin Point site in March 2014. It was successfully screened by a Society of Contaminated Sites Approved Professionals of BC registered professional and transferred to the MOE for final release in March 2014. Comments from MOE were received in April 2014 requesting additional information. Work continued during May to address the comments and an addendum was planned to be issued to the MOE for review and approval early June 2014. The issue of the addendum has been suspended pending direction from the Seatterra Commission.
- 2.4.2 Site Characterization Study scheduled to commence July 2014 was suspended pending direction from the Seatterra Commission.

### **2.5 Major Commitments This Period**

- 2.5.1 No major commitment to report for June 2014.

## **Seatterra Program Progress Report No. 14**

### **2.6 Schedule**

- 2.6.1 The DBF procurement process is three months behind schedule and is now suspended indefinitely. A staff report was scheduled to be presented to the Commission in June 2014 recommending award and execution of the contract with HRP. A staff report recommending award of the contract is suspended indefinitely, pending direction from the Seatterra Commission (all delays impact the critical path and extend the completion date of the Program).

### **2.7 Significant Issues/Decisions Pending**

- 2.7.1 Approval of a site for the WWTP plant.
- 2.7.2 Revision to or termination of the procurement process for the DBF contract.
- 2.7.3 Potential voiding of the Funding Agreements if the WWTP project does not proceed at McLoughlin Point.

## **3 Activities – Resource Recovery Centre (RRC)**

### **3.1 Design/Engineering Status**

- 3.1.1 All activities currently suspended.

### **3.2 Procurement Status**

- 3.2.1 The DBFO RFP was issued to the following list of proponents in May 2014:
- Capital Clear Resource Recovery
  - Harbour Resource Partners
  - Plenary Environment
  - Synagro-CDM Smiths
- 3.2.2 The DBFO RFP procurement process has been suspended indefinitely pending direction from the Seatterra Commission.
- 3.2.3 Following evaluation of the proposals received for RFP RRC-310 Biosolids Disposal Services, the Commission at the June 27, 2014 meeting approved forwarding the staff report and the Biosolids Disposal Services Evaluation with recommendations to CALWMC and the CRD Board for their consideration.

### **3.3 Status of 3<sup>rd</sup> Party Approvals**

- 3.3.1 An Environmental Impact Study (EIS), geotechnical investigation, and surveying of the alignment from McLoughlin Point to the RRC at Hartland scheduled to commence in May 2014 has been suspended indefinitely pending direction from the Seatterra Commission.

## **Seatterra Program Progress Report No. 14**

- 3.3.2 A Power Utility Service Application was submitted and planning for service extension to the Hartland RRC with BC Hydro has been suspended indefinitely pending direction from the Seatterra Commission.

### **3.4 Major Commitments This Period**

- 3.4.1 No major commitment to report for May 2014.

### **3.5 Schedule**

- 3.5.1 The procurement is now suspended indefinitely pending direction from the Seatterra Commission (all delays impact the critical path and extend the completion date of the Program).

### **3.6 Significant Issues/Decisions Pending**

#### **CRD:**

- LWMP Amendment No. 9 approved by the CRD Board and forwarded to MOE for approval is pending approval by the Minister. The LWMP includes a WWTP at McLoughlin Point and may require further amendment for changes to the Program resulting from the Ministers' decision not to intercede in the zoning impasses that exists for the implementation of a WWTP at McLoughlin Point.
- Confirm water servicing requirements at the RRC Hartland site.
- Complete an EIS for the RRC plant and Residual Solids Pipeline.

#### **Commission/PMO:**

- None.

## **4. Activities – Macaulay Pump Station**

### **4.1 Design/Engineering Status**

- 4.1.1 Development of technical specification scheduled to commence Q4 2014.

## **5. Activities – Craigflower Pump Station**

### **5.1 Construction Status**

- 5.1.1 Forming and pouring of pump station walls continued. The final ground floor slab is scheduled to be poured in early July. The trenchless crossing of Portage Inlet has commenced.

### **5.2 Schedule**

- 5.2.1 Schedule is approximately 3 months behind due to shoring failure. There is no impact to the Program critical path.

## **Seatterra Program Progress Report No. 14**

### **5.3 Significant Issues/Decisions Pending**

- 5.3.1 An insurance claim for the resulting costs of the shoring failure is currently being compiled by the general construction contractor and will be presented to the insurance adjuster for review in July 2014.

## **6. Activities – Clover Pump Station**

### **6.1 Design/Engineering Status**

- 6.1.1 The Clover Pump Station DB has been suspended indefinitely pending direction of the Seatterra Commission.

### **6.2 Procurement Status**

- 6.2.1 Procurement has been suspended indefinitely pending direction from the Seatterra Commission.

### **6.3 Status of 3<sup>rd</sup> Party Approvals**

- 6.3.1 A rezoning application for Clover Point Pump Station was submitted to the City of Victoria and Council approved the rezoning application to go to the public hearing stage. However, the rezoning process has been paused until there is further direction on the Seatterra Program from the Seatterra Commission.

### **6.4 Major Commitments This Period**

- 6.4.1 No major commitment to report for June 2014.

### **6.5 Schedule**

- 6.5.1 The procurement process for the award of the Clover Pump Station DB has been suspended indefinitely.

### **6.6 Significant Issues/Decisions Pending**

- 6.6.1 A decision to proceed or terminate the procurement process.

## **7. Activities – Currie Pump Station**

### **7.1 Design/Engineering Status**

- 7.1.1 Design is scheduled to commence Q3 2015.

## **8. Activities – Arbutus Road Attenuation Tank**

### **8.1 Design/Engineering Status**

- 8.1.1 KWL is continuing with the detailed design work which is now 80% complete. An open house, to present design information, planned for early

## **Seaterra Program Progress Report No. 14**

June 2014 has been deferred pending further direction from the Seaterra Commission.

### **8.2 Procurement Status**

- 8.2.1 An RFQ to prequalify construction contractors scheduled to be issued at the end of May 2014 has been suspended indefinitely.

### **8.3 Status of 3<sup>rd</sup> Party Approvals**

- 8.3.1 LWMP Amendment No. 9 which includes updating the Arbutus Road Attenuation Tank size has been approved by the CRD Board and is pending approval by the Ministry of Environment. The LWMP includes a WWTP at McLoughlin Point and may require further amendment for changes to the Program resulting from the existing zoning impasse for the implementation of a wastewater treatment facility at McLoughlin Point.

### **8.4 Major Commitments This Period**

- 8.4.1 None this period.

### **8.5 Schedule**

- 8.5.1 The procurement process for the Arbutus Road Attenuation Tank construction has been suspended indefinitely.

### **8.6 Significant Issues/Decisions Pending**

- 8.6.1 A decision to proceed or terminate the procurement process.

## **9. Activities – Clover Forcemain**

### **9.1 Design/Engineering Status**

- 9.1.1 Design scheduled to commence in Q2 2014 has now been suspended indefinitely pending direction from the Seaterra Commission.

### **9.2 Procurement Status**

- 9.2.1 The RFP for Clover Forcemain (Conveyance Pipe) Design Consulting Services closed in May 2014. The evaluation process has been suspended indefinitely pending direction from the Seaterra Commission.

### **9.3 Status of 3<sup>rd</sup> Party Approvals**

- 9.3.1 A License Agreement for Clover Forcemain has been submitted to the City of Victoria. The agreement is tied to rezoning at Clover Point.
- 9.3.2 Collaboration with the City of Victoria and First Nations is ongoing for the establishment of a reburial site at Beacon Hill Park.

## **Seatterra Program Progress Report No. 14**

### **9.4 Major Commitments This Period**

9.4.1 No major commitments to report for June 2014.

### **9.5 Schedule**

9.5.1 The procurement process for the award of the Clover Forcemain design consultant has been suspended indefinitely pending direction from the Seatterra Commission.

### **9.6 Significant Issues/Decisions Pending**

9.6.1 A decision to proceed with or terminate the procurement process.

## **10. Activities – Currie Forcemain**

### **10.1 Design/Engineering Status**

10.1.1 Design is scheduled to commence in Q1 2016.

## **11. Activities – ECI/Trent Twinning**

### **11.1 Design/Engineering Status**

11.1.1 Design is scheduled to commence in Q4 2014.

## **12. Activities – Macaulay Forcemain**

### **12.1 Design/Engineering Status**

12.1.1 Design is scheduled to commence in Q2 2015.

## **13. Program Updates**

### **13.1 Program Cost/Budget Update**

13.1.1 This report covers the period of June 2014.

13.1.2 Total Program budget is \$787,907,200.

13.1.3 Costs this period are \$1,893,594.

13.1.4 Costs to date are \$32,743,767(Appendix A).

13.1.5 Commitments to date are \$49,192,664.

13.1.6 Commitments this period are \$144,300.

## **Seaterra Program Progress Report No. 14**

### **13.2 Program Schedule Update**

13.2.1 The overall status of the Program schedule is under review and there are significant delays impacting the overall completion of the Program. Program completion in 2018 is now in jeopardy pending determination of a site for the WWTP.

13.2.2 The Program Schedule has been reviewed and updated based on current activities and the current suspension of Program procurement. See Program Schedule extracts in Appendix B of this report for:

- Critical Path Schedule
- Summary Task Schedule
- Look-ahead Schedule to September 2014

13.2.3 Major activities and milestones achieved in June include the following:

- N/A

13.2.4 Major activities and milestones scheduled the next 90 days include the following:

Program:

- Ministry of Environment approval of LWMP Amendment No. 9.

McLoughlin WWTP:

- Determination of the Program status and resolution of the WWTP site issue.
- MOE approval of Environmental AIP Q2 2014.

Resource Recovery Centre (RRC):

- Determination of the Program status and resolution of the WWTP site issue.
- Provide recommendation to the CALWMC on the Biosolids Disposal Services RFP.
- Finalize location on the Hartland site for the removal of the gravel from the location of the proposed plant.
- Finalize site servicing requirements for the plant on the Hartland site.

Conveyance Infrastructure:

- Complete 95% detailed design for Arbutus Road Attenuation Tank and present information to the public at a future open house.
- Complete the substructure of Craigflower Pump Station.

### **13.3 Procurement this Period**

13.3.1 None this period

### **13.4 Major Commitments This Period**

13.4.1 None this period.



## **Seaterra Program Progress Report No. 14**

### **13.5 Project Controls**

- 13.5.1 Procurement activities on the Program are suspended.
- 13.5.2 The overall Program schedule has suffered a minimum of an additional 3 month delay and the completion of the acceptance testing for the RRC is now January 2019 based on the delays encountered by the Program.
- 13.5.3 A Risk Management Workshop was conducted in May attended by all senior Seaterra management staff. Both systemic and project specific risks were reassessed. A report is being prepared.

### **13.6 Environmental**

- 13.6.1 A consolidated EIS Final Report for the complete Program, except for the RRC, is currently being updated. The RRC EIS will be completed within 4 months of final site selection of the conveyance pipe routing.
- 13.6.2 An EIS for the alignment from McLoughlin Point to the RRC at Hartland was scheduled to commence in May 2014 but has been delayed indefinitely pending direction from the CRD Board.
- 13.6.3 Activities:
  - Craigflower Pump Station Project – JBC has commenced with the trenchless crossing of Portage Inlet. Site visits conducted June 6 and 9, 2014 as JBC excavated entrance and receiving pits for the crossing. No environmental issues or non-compliances were noted.
  - There were no environmental issues to report this period.

### **13.7 Safety**

- 13.7.1 Site inspections continued on the Craigflower construction site.
- 13.7.2 There were no safety incidents to report this period.

## **14. Communications/Public Engagement**

### **14.1 Activities**

The CRD is currently leading discussions with core area municipalities to confirm the appropriate approach to treatment and siting of facilities as part of the core area wastewater treatment program. The Seaterra Program is refocusing its efforts and is assisting the CRD with planning and pursuing options to move forward with the implementation of a wastewater treatment program.

- 14.1.1 Education and Awareness Campaign:
  - Revised content and design for Seaterra website
  - Revised content and design for Seaterra Program “householder” and Program website.

## **Seatterra Program Progress Report No. 14**

- 14.1.2 Arbutus Attenuation Tank engagement:
  - All activities currently suspended
- 14.1.3 Media Relations and Issues Management:
  - Ongoing media relations issues.
  - Prepared communications materials for mailer proposal to Esquimalt residents.
  - Prepared updated communications materials for CRD outreach team
- 14.1.4 Ongoing responses to correspondence.
- 14.1.5 Ongoing FOI responses and tracking.

## **15. Program Financing**

### **15.1 Federal Agreement Management Committee**

The Federal agreement has yet to be fully executed (agreement potentially at risk due to the potential of not proceeding with the implementation of a wastewater treatment facility at McLoughlin Point). A governmental overview committee is expected to be appointed after execution of these agreements.

### **15.2 Intergovernmental Coordination Committee**

The next meeting is scheduled for fall 2014 (subject to Program status).

### **15.3 Status of Funding Agreements:**

No change from last report however agreements may be potentially at risk due to the potential of not proceeding with the implementation of a wastewater treatment facility at McLoughlin Point.

## **Seattera Program Progress Report No. 14**

### **15.4 Status of Funding Received:**

No change from last report

**Seatterra Program Progress Report No. 14**

**Appendix A**

**Monthly Cost Report**

## Program Summary Report Month Ending 30-June-2014

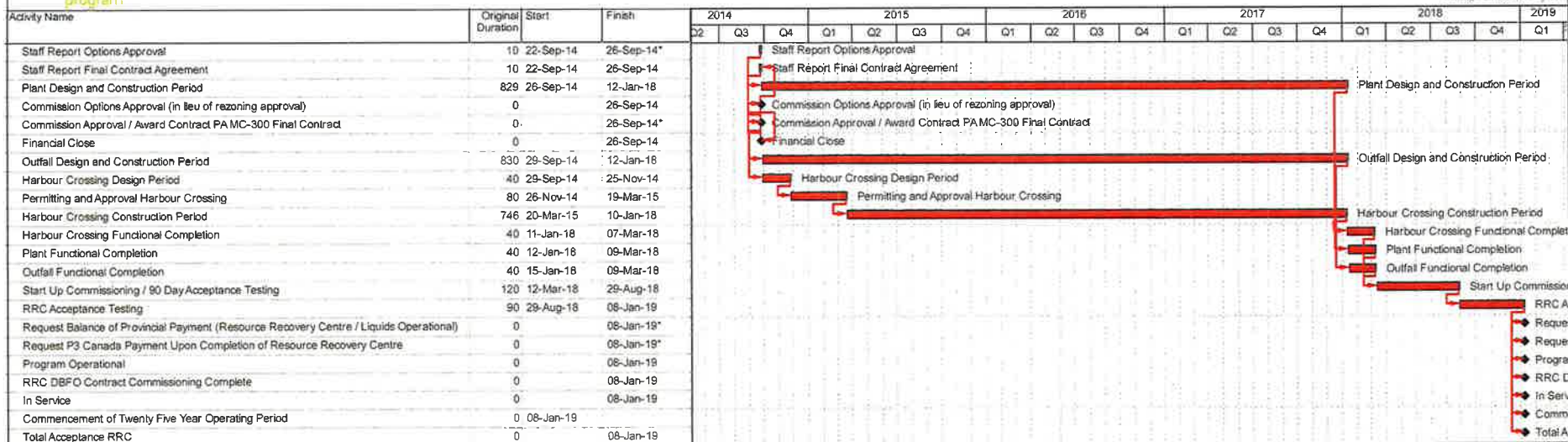
	Budget	Cost to Date	Commitments Unpaid	Total CTD + CU	Forecast to Complete	Forecast at Completion	Variance	Variance from Last Report
WASTEWATER TREATMENT - MCLOUGHLIN	283,782,392	10,378,278	1,574,784	11,953,063	271,829,329	283,782,392	0	0
CONVEYANCING -PUMP STATIONS & PIPES	126,786,364	10,449,464	7,546,123	17,995,588	108,790,776	126,786,364	0	0
RESOURCE RECOVERY CENTRE	254,675,629	4,646,295	2,874,410	7,520,706	247,154,923	254,675,629	0	0
COMMON COSTS	50,337,316	7,233,129	4,453,579	11,686,708	38,650,608	50,337,316	0	0
INTERIM FINANCING	31,400,000	36,600	0	36,600	31,363,400	31,400,000	0	0
PROGRAM CONTINGENCY	40,925,499	0	0	0	40,925,499	40,925,499	0	0
<b>TOTAL</b>	<b>787,907,200</b>	<b>32,743,767</b>	<b>16,448,897</b>	<b>49,192,664</b>	<b>738,714,536</b>	<b>787,907,200</b>	<b>0</b>	<b>0</b>

## **Seatterra Program Progress Report No. 14**

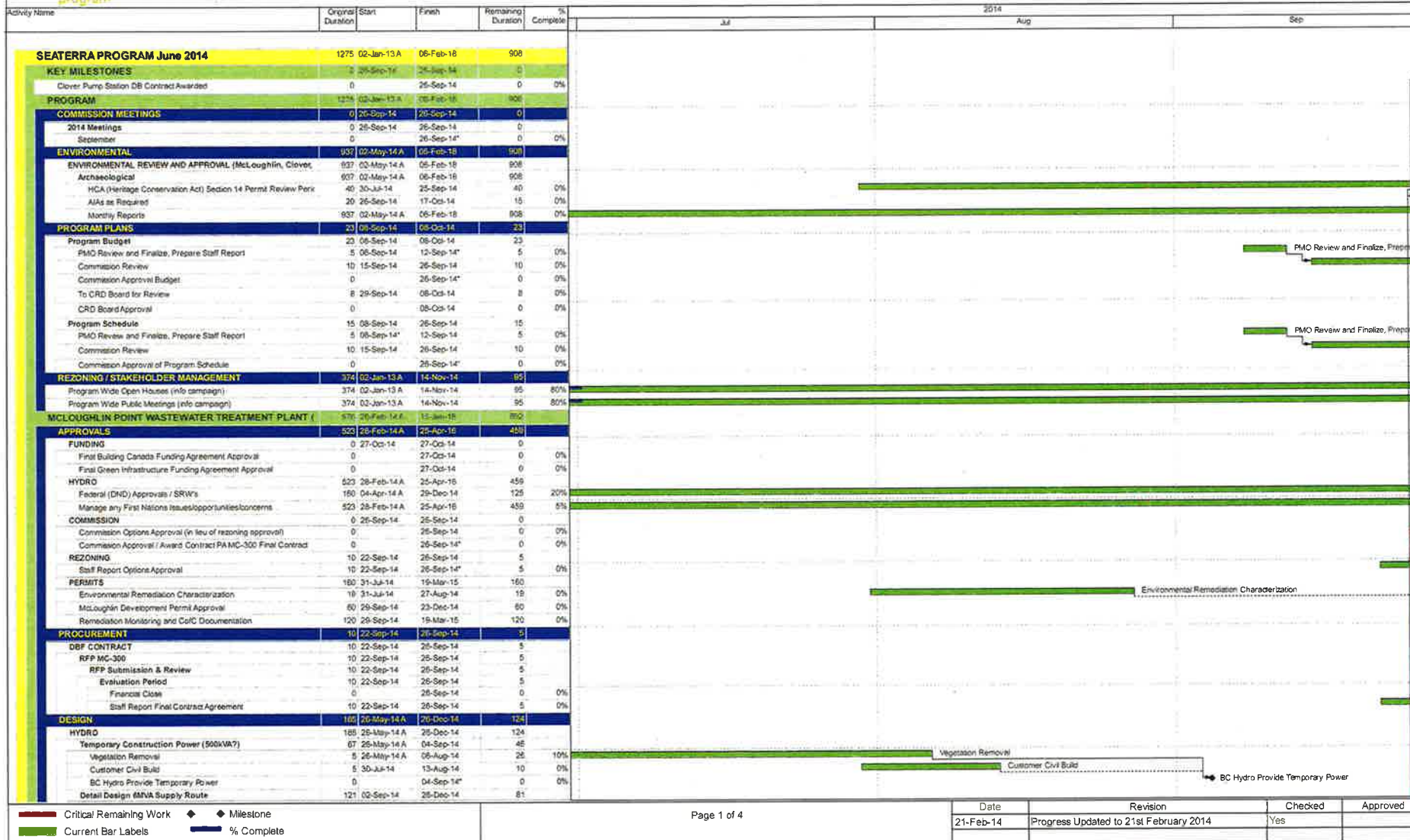
### **Appendix B**

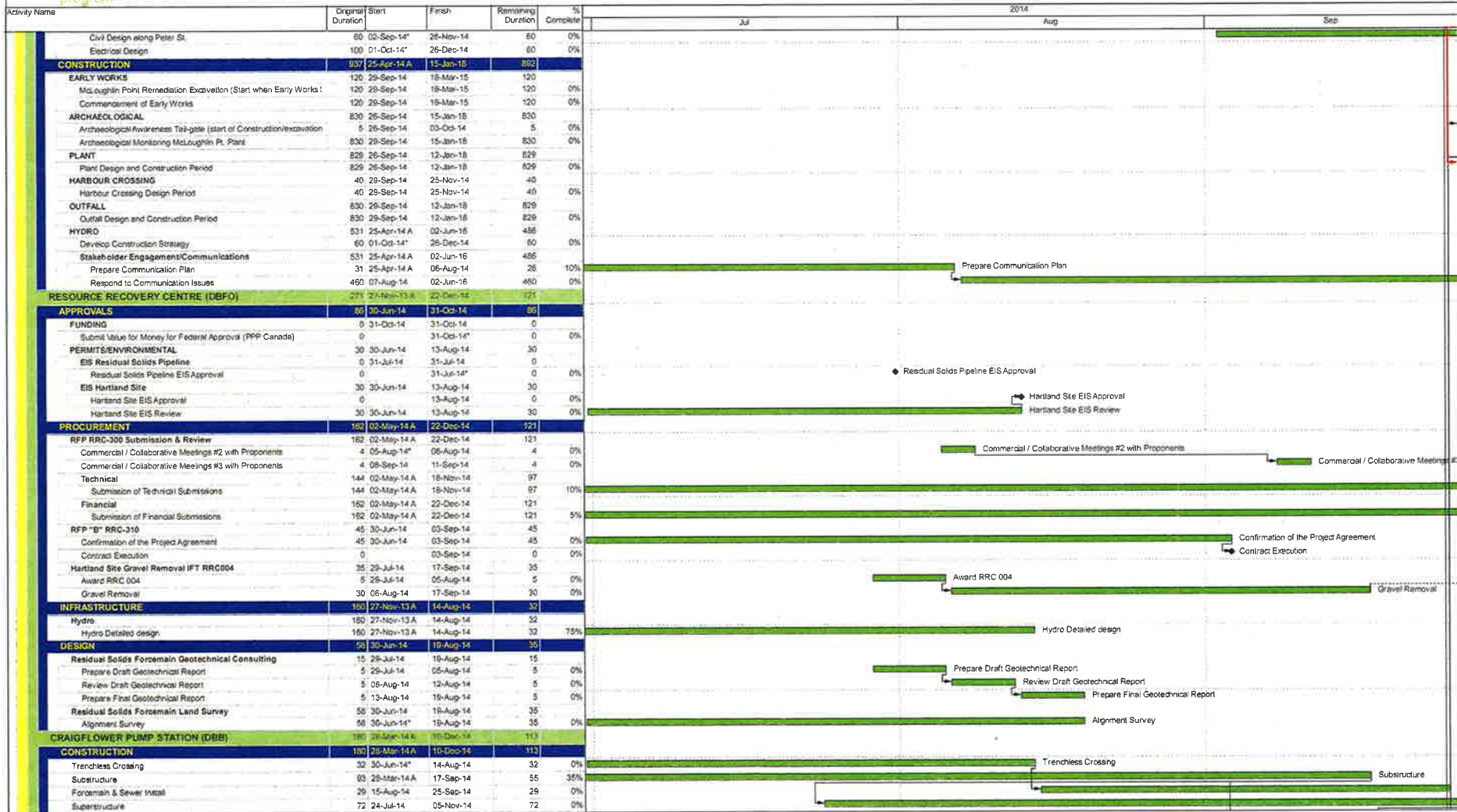
#### **Schedule Extracts**

Activity ID	Activity Name	Original Duration	Start	Finish	2013				2014				2015				2016				2017				2018				2019	
					Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
SEATERRA PROGRAM June 2014		1687	30-Apr-12 A	08-Jan-19																										
KEY MILESTONES		1687	30-Apr-12 A	08-Jan-19																										
PROGRAM		1301	23-Nov-12 A	06-Feb-18																										
MCLOUGHLIN POINT WASTEWATER TREATMENT PLANT (PLANT, HARBOUR CROSSING, (		1462	15-Nov-12 A	29-Aug-18																										
RESOURCE RECOVERY CENTRE (DBFO)		1421	21-May-13 A	08-Jan-19																										
CRAIGFLOWER PUMP STATION (DBB)		548	30-Nov-12 A	02-Feb-15																										
ARBUTUS ROAD ATTENUATION TANK (DBB)		689	23-Feb-13 A	18-Nov-15																										
CLOVER PUMP STATION (DB)		868	25-Feb-13 A	04-Aug-16																										
CLOVER FORCEMAIN (DBB)		895	04-Mar-13 A	20-Sep-16																										
ECI / TRENT TWINNING (DBB)		722	14-Jan-14 A	15-Dec-16																										
MACAULAY PUMP STATION (DB)		837	04-Mar-14 A	08-Aug-17																										
MACAULAY FORCEMAIN (DBB)		642	27-Oct-14	11-May-17																										
CURRIE PUMP STATION (DBB)		488	01-May-15	06-Apr-17																										
CURRIE FORCEMAIN (DBB)		590	26-Aug-15	28-Dec-17																										
PROGRAM COMMISSIONING, HANDOVER & START-UP		240	03-Oct-16	14-Sep-17																										





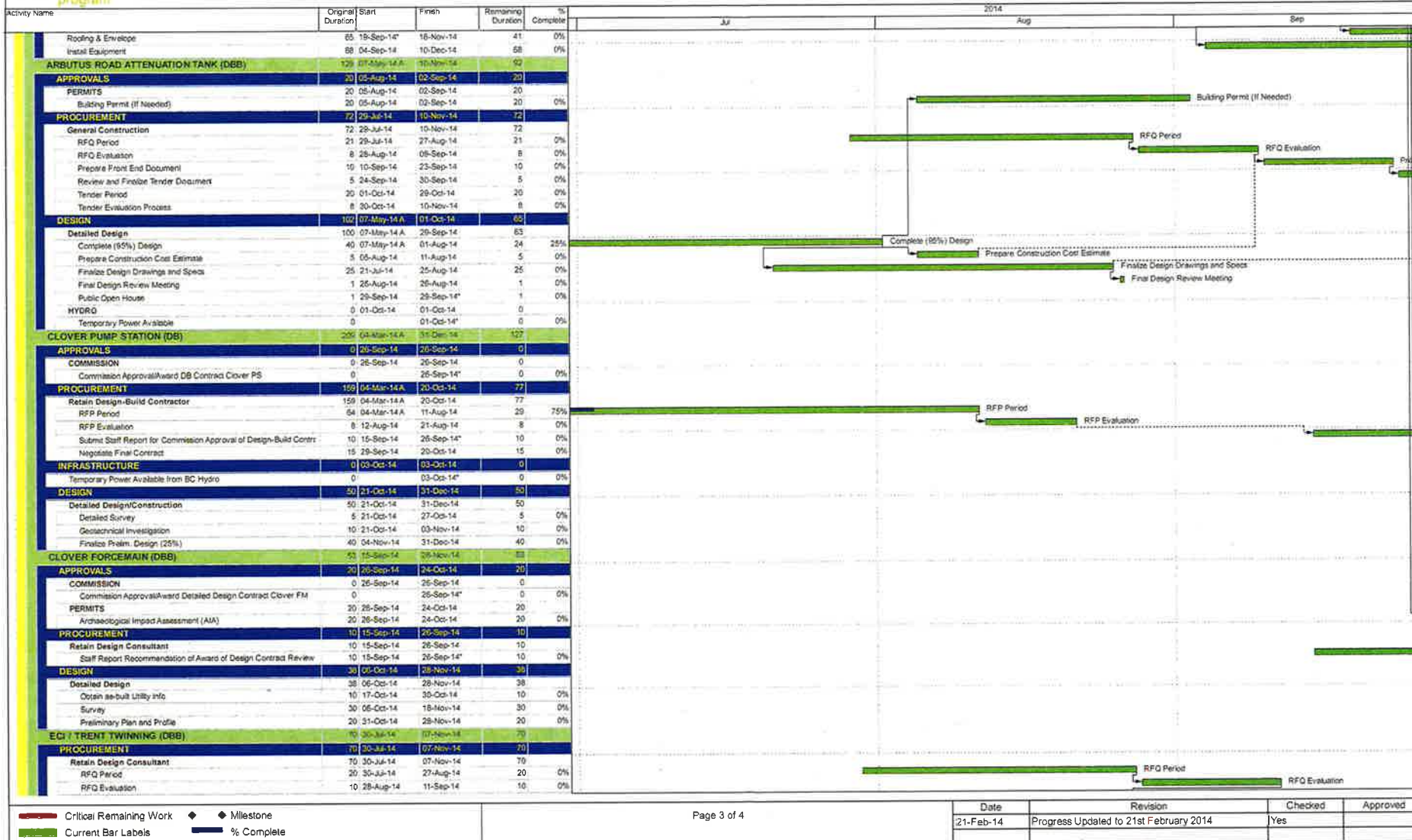




■ Critical Remaining Work    ◆ Milestone  
  Current Bar Labels    ■ % Complete

Date	Revision	Checked	Approved
21-Feb-14	Progress Updated to 21st February 2014	Yes	





Activity Name	Original Duration	Start	Finish	Remaining Duration	% Complete	2014		
						Jul	Aug	Sep
Prepare RFP	15	28-Aug-14	18-Sep-14	15	0%			Prepare RFP
RFP Period	20	18-Sep-14	17-Oct-14	20	0%			
RFP Evaluation	15	20-Oct-14	07-Nov-14	15	0%			
<b>MACAULAY PUMP STATION (DB)</b>	110	04-Mar-14 A	18-Nov-14	110				
<b>INFRASTRUCTURE</b>	110	04-Mar-14 A	30-Oct-14	85				
Staff Relocation	118	04-Mar-14 A	30-Oct-14	85				
Staff Relocation Site Selection	118	04-Mar-14 A	30-Oct-14	85	30%			
<b>DESIGN</b>	15	27-Oct-14	16-Nov-14	15				
Pre-Design	15	27-Oct-14	18-Nov-14	15				
Prelim. Survey	5	27-Oct-14*	03-Nov-14	5	0%			
Obtain as-built Utility info	10	03-Nov-14	18-Nov-14	10	0%			
<b>MACAULAY FORCEMAIN (DBB)</b>	10	27-Oct-14	10-Nov-14	10				
<b>DESIGN</b>	10	27-Oct-14	10-Nov-14	10				
Pre-Design	10	27-Oct-14	10-Nov-14	10				
Review Alignment Options	10	27-Oct-14	10-Nov-14	10	0%			

■ Critical Remaining Work    ◆ Milestone  
■ Current Bar Labels    ■ % Complete

Date	Revision	Checked	Approved
21-Feb-14	Progress Updated to 21st February 2014	Yes	

## Item 3.1.3

### **NOTICE OF MOTION (REVISED) – OPTIONS FOR WASTEWATER TREATMENT - DIRECTOR HAMILTON**

WHEREAS: It is critical that there be positive action taken to meet funding deadlines and regulatory requirements for waste water treatment for the Capital Regional District;

BE IT RESOLVED that: Capital Regional District (CRD) staff be directed to support municipalities and First Nations who want to explore options for waste water treatment that are economically responsible, technically feasible, environmentally sound and meet current provincial and federal deadlines;

AND THAT funding be provided from the sewage treatment budget to support an independent assessment of alternative locations to McLoughlin and Hartland, with full and regular engagement of staff and elected representatives from participating municipalities, First Nations and the public; and,

AND THAT any decisions taken to amend the Liquid Waste Management Plan be done in an open and transparent public process;

AND THAT any further money spent be recoverable under the funding arrangement with the Provincial and Federal Governments and that clarity be sought that the funding arrangement with Provincial and Federal governments be able to support the communities to the extent it supported the CRD driven process .

August 5, 2014

## **Finance Committee's Report**

**Victoria, BC September 3, 2014**

**To the Chair and Directors of the Capital Regional District Board:**

**The Finance Committee reports and recommends as follows:**

### **1. 2015 Budget Overview**

That the 2015 Budget Overview report be received for information.

*(Background information can be found in the attached staff report.)*

### **2. Bylaw 3970: 2014-2018 Financial Plan Amendment**

That Bylaw No. 3970, "2014 to 2018 Financial Plan, 2014, Amendment Bylaw No. 1, 2014" be introduced and read a first and second time, read a third time and adopted.

**(Background information can be found in the attached staff report.)**

### **3. Bylaw 3972: Electoral Area Permissive Tax Exemptions**

That Bylaw No. 3972, "Tax Exemption (Permissive) Bylaw, 2014" be introduced and read a first and second time, read a third time and adopted.

*(Background information can be found in the attached staff report.)*

### **4. Bylaw 3976: Recreation Services and Facilities Fees and Charges 2014-2015 – to Add Updated Salt Spring Island (SSI) Parks And Recreation Fees and Charges**

That Bylaw No. 3976, cited as "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009, Amendment Bylaw No. 6, 2014" be introduced and read a first and second time, read a third time and adopted.

*(Background information can be found in the attached staff report.)*

### **5. Bylaw 3977: Amendment to Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw 3864**

That Bylaw No. 3977, "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 3, 2014" be introduced and read a first and second time, read a third time and adopted.

*(Background information can be found in the attached staff report.)*

**REPORT TO FINANCE COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 3, 2014**

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**SUBJECT    2015 Budget Overview**

**ISSUE**

This report provides an overview of the budget process and budget consideration for the 2015-2019 financial planning process. It also outlines the preliminary requisition estimates for review in advance of the Committee of the Whole detailed budget review scheduled for October 2014.

**BACKGROUND**

The Capital Regional District (CRD) is now in the third and final year of the 3-year planning cycle. Therefore, analysis of the preliminary budget is focused on significant drivers such as new initiatives, changes in budget assumptions or new trends, operational performance and any changes in service levels from the original 3-year plan.

This report is intended to provide a high level summary on how the 2015 CRD Financial Plan is progressing. The Financial Plan is prepared based on the development of service plan summaries for each service area which supports the work plan and resource requirements for the upcoming year. The service plan summaries will be presented for approval to various standing committees and commissions in September/October.

Under Board direction, the Electoral Area (EA) Services Committee (EASC) is responsible for reviewing and recommending approval to the Board for electoral area-only service budgets, and the Committee of the Whole reviews and recommends approval for all other service budgets. The reviews and approvals in principle of the detailed 2015 Financial Plan will take place in October.

In keeping with the intention of the 3-year plan, staff has been encouraged to follow the direction laid out by the Board when the 3-year plan was originally established. However, as part of the 3-year planning process, each year, staff must re-evaluate significant budget drivers to ensure the plan for the coming year is sufficient and make changes to accommodate any new direction from the Board. While the planning process focuses on a 3-year cycle, in adherence with legislation, the CRD must balance a 5-year financial plan each year. Budgets with more predictable revenue and expenditures benefit from firmer budget estimates in year 4 and 5 of the financial plan. Other budgets, however, have used inflation adjusted projections or assumed order of magnitude increases to balance the 5-year plan.

The most significant impact to the CRD Financial Plan includes changes in the following drivers:

- i. Inflation adjustments (Including fuel and utilities)
- ii. Interest rate costs
- iii. Long term planning: transfer to reserves
- iv. Approved new programs or capital initiatives
- v. Benefit rates
- vi. Salaries and wages

Increases are partially mitigated by growth estimates and new revenue sources, and cost containment efforts by staff. The fiscal benefit of lower interest rate costs has allowed for timely investment in capital programs and contributions to capital reserves. Capital investment, excluding the Seaterra Program, Hospital District and Housing Corporation, is estimated to be around \$50 million in 2014 and around \$55 million in 2015.

With wage and benefit rate increases estimated above 2%, other core costs have been reduced where possible to compensate for the increase while still maintaining optimal service delivery levels.

Overall, the 2015 CRD requisition including the electoral areas has increased by \$2.66 million.

Notable budget items driving the regional and subregional requisition increases include the following:

- i. Trunk Sewers and Liquid Waste Management: \$1.49 million, which includes Board initiated orderly increase of funding to support the Core Area Liquid Waste Management project.
- ii. Regional Parks: \$474,900 - Support operations for the opening of the Sea to Sea Regional Park, and other single supplementaries to support projects included in the Regional Parks Strategic Plan.
- iii. Legislative and Government: \$147,999 - Primarily relates to capital transfer to fund and support CRD's Enterprise Resource Planning system.
- iv. Regional Growth Strategy: \$79,090 - Increased staff resource to support Regional Sustainability Strategy.
- v. Other increases in areas such as the Family Court building, Panorama Recreation Centre, Arts Grant, SEAPARC and Regional Housing Trust Fund.

Notable budget drivers relating to the individual electoral area requisitions include the following:

- i. Juan de Fuca (JDF): \$31,000 single supplementary in JDF planning for the preparation of a Sensitive Ecosystem Inventory West of Sooke River. In addition to JDF's share, Regional Parks will also be providing \$31,250 towards this project.
- ii. Salt Spring Island (SSI): \$250,000 in SSI Transportation, subject to successful referendum, and SSI transit \$58,000 for increase in share of operating costs.
- iii. Southern Gulf Islands: Nominal increases to support repairs and maintenance of docks as well as transfers to capital reserves.

### **FINANCIAL IMPLICATIONS**

The 2015 budget continues to follow the same direction as was set out in the 3-year plan. The increase to the 2015 requisition is less than what was forecast in 2014. The following table provides an overall snapshot of the 2015 requisition actual to forecast requisition:

<b>2015</b>		
	<b>Forecast</b>	<b>Budget</b>
CRD	\$56,501,131	\$55,914,838
EAs	\$12,721,351	\$12,435,303

From a percentage standpoint, some of the key requisition driver increases are as follows:

<b>Regional:</b>	
Regional Parks	0.89%
Regional Growth Strategy	0.15%
Legislative & General	0.28%

<b>Sub-regional:</b>	
Trunk Sewers/Liquid Waste Management	2.66%
Electoral Areas	1.08%



It is important to note that the actual impact of the requisition increase to the municipalities and electoral areas varies based on the services they receive through the CRD. The impact may also vary as a result of proportionately different changes in the cost-sharing basis (i.e. assessment).

Of the total 2015 requisition increase, 52% relates to costs associated with increased requisition to fund trunk sewers and liquid waste management. This requisition along with trunk sewer operating and debt costs are collected either via requisition or a service fee, as chosen by the municipality.

The remainder of the 2015 requisition increase is attributed to supporting the day to day operations, continue Board approved programs and initiatives, and funding of reserves to undertake capital projects.

The overall result of absorbing non-discretionary wage and benefit increases combined with all staff exercising control over discretionary spending, the organization has been able to come in under the previously projected 2015 requisition number.

With respect to utility rates, declining water demand across the region continues to have an impact on water sale revenue and rates. Proposed 2015 water rates for the Regional Water Supply Service and the distribution services will be presented to the respective commissions in fall.

### **CONCLUSION**


This report is intended to provide a high level summary on how the 2015 CRD Financial Plan is progressing. Detailed budget estimates will be presented at the Committee of the Whole and EASC meetings in October.


### **RECOMMENDATION**

That the Finance Committee:

Forward the 2015 Budget Overview report to the Capital Regional District Board and the Electoral Area Service Committee for information.

  
Rajat Sharma, MBA, CPA, CMA  
Senior Manager, Financial Services

  
Diana E. Lokken, CPA, CMA  
General Manager, Finance and Technology Dept.  
Concurrence

  
Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

RS:sb/dv

**REPORT TO THE FINANCE COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 3, 2014**

**SUBJECT     BYLAW 3970: 2014-2018 FINANCIAL PLAN AMENDMENT**

**ISSUE**

The 2014 – 2018 Financial Plan requires an amendment to include additional capital expenditures.

**BACKGROUND**

Each year the Board adopts a five (5) year financial plan bylaw by March 31 in accordance with Section 815 of the *Local Government Act*. As required, the Board may amend the financial plan, by bylaw, later in the year.

The Capital Regional District Board approved the 2014-2018 Financial Plan (Bylaw No. 3949) on March 26, 2014. Subsequent to this approval, some departments and service commissions have recommended new capital expenditures for inclusion in the 2014-2018 Financial Plan as outlined in Table 1.

**TABLE 1: Recommended Additional Capital Expenditures and Funding Sources**

SERVICE NO.	DEPARTMENT / SERVICE AREA	DESCRIPTION	AMOUNT	FUNDING SOURCE	NOTES
1.358	Port Renfrew Fire	Mini-Pumper Truck	\$137,000	Equipment Replacement Fund	Moved from 2016 to 2014;
1.377	JDF Search and Rescue	Replacement of JDF SAR Vehicle	\$56,000	Equipment Replacement Fund	Replacement of vehicle (Unit 1026)
1.401	SEAPARC (1)	Bike Park Redevelopment	\$24,000	Capital Reserve Fund	Redesign and refurbish SEAPARC Bike Park
	SEAPARC (2)	Arena Beam Repainting	\$19,850	Capital Reserve Fund	Revised quote and project approval
	SEAPARC (3)	Arena Lobby Flooring Replacement	\$21,000	Capital Reserve Fund	Installation of a BC recycled tire floor in arena Lobby
1.576	Environmental Engineering (1)	Replacement of EE Vehicle Unit 911B and Unit 851	\$70,000	Equipment Replacement Fund	Moved from 2015 to 2014
	Environmental Engineering (2)	Engineering Equipment – VX Scanner	\$80,000	Equipment Replacement Fund	VX Scanner Spatial Station Instrument 65K
2.680	JDF Water Distribution	Bulk Water Dispensing System	\$50,000	Capital Reserve Fund	Design and Construct Bulk Water System

The proposed financial plan amendment bylaw (No. 3970) includes an updated Schedule B which has been adjusted to include all the projects listed in Table 1. Additionally, the final version of Schedule A – as should have been attached to Bylaw 3949 when it was adopted in March 2014 – is attached; it includes all the edits made just prior to the plan's approval.

### **ALTERNATIVES**

That the Finance Committee recommends to the Board:

1. That Bylaw No. 3970, "2014 to 2018 Financial Plan, 2014, Amendment Bylaw No. 1, 2014" be introduced and read a first and second time, read a third time and adopted; or
2. That adoption of Bylaw No. 3970 be deferred pending additional information.

### **FINANCIAL IMPLICATIONS**

The proposed amendment to the capital plan does not alter the 2014 requisition amount; funds are available from the sources listed in Table 1. Schedule B attached to the proposed financial plan amendment bylaw provides the updated capital plan with the amended items highlighted. Schedule A, in its final version, inclusive of all edits at time of plan approval, is also attached; it does not alter the plan as approved in March 2014 nor the requisition amount.

### **CONCLUSION**

In compliance with the *Local Government Act*, the proposed amending Bylaw No. 3970 records the changes required to the 2014 to 2018 Financial Plan Bylaw No. 3949 which the CRD Board approved in March 2014. The 2014 requisition amount remains unchanged.

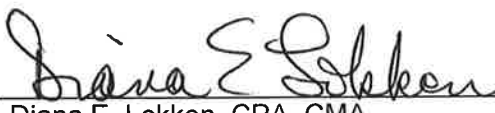
The proposed amendment also includes the final version of the Schedule A as should have been attached to Bylaw 3949; this affects neither the plan as approved nor the requisition amount.


### **RECOMMENDATION**

That the Finance Committee recommends to the Capital Regional District Board:

That Bylaw No. 3970, "2014 to 2018 Financial Plan, 2014, Amendment Bylaw No. 1, 2014" be introduced and read a first and second time, read a third time and adopted.

  
Rajat Sharma, MBA, CMA  
Senior Manager, Financial Services

  
Diana E. Lokken, CPA, CMA  
General Manager, Finance and Technology Dept.  
Concurrence

  
Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

RS:sb

Attachment: Bylaw 3970

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3970**

\*\*\*\*\*

**A BYLAW TO AMEND THE FIVE YEAR FINANCIAL PLAN  
FOR THE YEARS 2014 - 2018**

\*\*\*\*\*

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 3949, "2014 to 2018 Financial Plan, 2014", is hereby amended as follows:

By deleting "Schedule A – Capital Regional District 2014 Financial Plan and replacing it with "Schedule A – Capital Regional District – 2014 Financial Plan" attached to and forming part of this bylaw.

By deleting "Schedule B – Capital Regional District – Capital Expenditure Plan 2014" and replacing it with "Schedule B – Capital Regional District – Capital Expenditure Plan 2014" attached to and forming part of this bylaw.

2. This Bylaw may be cited as "2014 to 2018 Financial Plan, 2014, Amendment Bylaw No. 1, 2014".

READ A FIRST TIME THIS	day of	September	2014
READ A SECOND TIME THIS	day of	September	2014
READ A THIRD TIME THIS	day of	September	2014
ADOPTED THIS	day of	September	2014

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CHAIR

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CORPORATE OFFICER

Attachments:  
Schedule A  
Schedule B

## CAPITAL REGIONAL DISTRICT 2014 FINAN

Schedule A

CAPITAL REGIONAL DISTRICT 2014 FINANCIAL		Expenditures					Revenue									
		2014 Total	Other	Interest & Principal	Deficit	Capital	Transfers to Reserves	Total 2014	Surplus 2013	Alloc. To other svcs	Transfers fr Reserves	Other revenue	Fee & Charges	Parcel Tax	Property Value Tax	Requisition 2014
Service																
1.010	Legislative & General Government	14,122,871	13,770,515	0	0	145,990	206,366	14,122,871	153,435	8,175,084	102,340	735,722	0	0	4,956,290	4,956,290
1.10X	Building Services/Health Bldgs	2,283,471	2,186,961	0	0	0	96,510	2,283,471	0	2,135,821	0	146,220	1,430	0	0	0
1.101	G.I.S.	514,636	483,636	0	0	31,000	0	514,636	0	456,282	0	2,920	0	0	55,434	55,434
1.103	Elections	120,680	120,680	0	0	0	0	120,680	0	0	37,560	58,120	0	0	25,000	25,000
1.104	U.B.C.M.	18,070	18,070	0	0	0	0	18,070	2,880	0	0	100	0	0	15,090	15,090
1.109	Electoral Area Admin Exp - JDF	61,650	60,650	0	0	0	1,000	61,650	10,870	0	0	140	0	0	50,640	50,640
1.110	Electoral Area Admin Exp - SGI	75,870	73,770	2,100	0	0	0	75,870	0	0	0	650	0	0	75,220	75,220
1.111	Electoral Area Admin Exp - SSI	410,820	408,860	0	0	0	2,060	410,920	65,740	69,330	0	240	0	0	275,610	275,610
1.112	Regional Grant in Aid	936,750	936,750	0	0	0	0	936,750	604,440	0	0	32,310	0	0	300,000	300,000
1.114	Grant-in-Aid - Juan de Fuca	41,090	41,090	0	0	0	0	41,090	21,110	0	0	0	0	0	19,980	19,980
1.116	Grant-in-Aid - Salt Spring Island	59,360	59,360	0	0	0	0	59,360	46,450	0	0	10	0	0	12,900	12,900
1.117	Grant-in-Aid - Southern Gulf Islands	76,700	76,700	0	0	0	0	76,700	80	0	0	610	0	0	76,010	76,010
1.119	Vancouver Island Regional Library	263,960	263,960	0	0	0	0	263,960	320	0	0	780	0	0	262,860	262,860
1.121	Sooke Regional Museum	158,630	158,630	0	0	0	0	158,630	100	0	0	490	0	0	158,040	158,040
1.122	JDF Economic Development Commission	43,230	43,230	0	0	0	0	43,230	42,430	0	0	60	0	0	740	740
1.123	Prov. Court of B.C. (Family Court)	131,650	103,610	0	0	0	28,040	131,650	0	0	0	208,400	0	0	(76,750)	(76,750)
1.124	SSI Economic Development Commission	80,960	80,960	0	0	0	0	80,960	60,430	0	0	530	0	0	20,000	20,000
1.125	SGI Economic Development Commission	40,720	36,710	4,010	0	0	0	40,720	0	0	0	370	0	0	40,350	40,350
1.126	Victoria Family Court Committee	16,024	16,024	0	0	0	0	16,024	104	0	0	920	0	0	15,000	15,000
1.128	Greater Victoria Police Victim Services	253,490	253,490	0	0	0	0	253,490	128	0	0	13,700	0	0	239,662	239,662
1.133	Langford E.A. - Greater Victoria Public Library	27,460	27,460	0	0	0	0	27,460	30	0	0	220	0	0	27,210	27,210
1.137	Galiano Island Library Service	54,320	26,900	27,420	0	0	0	54,320	0	0	0	120	0	0	54,200	54,200
1.138	Southern Gulf Islands Regional Library	125,330	125,330	0	0	0	0	125,330	1,230	0	0	1,120	0	0	122,980	122,980
1.141	Salt Spring Island Public Library	535,030	324,320	205,710	0	0	4,000	535,030	0	0	0	1,220	0	0	533,810	533,810
1.15X	Municipalities' Own Debt - M.F.A.	12,953,676	60,140	12,893,536	0	0	0	12,953,676	0	0	0	60,140	0	0	12,893,536	12,893,536
1.170	Gossip Island Electric Power Supply	67,400	10,950	56,450	0	0	0	67,400	13,740	0	0	60	0	53,600	0	53,600
1.224	Community Health - Homeless Sec.	411,000	411,000	0	0	0	0	411,000	0	0	0	21,660	0	0	389,340	389,340
1.226	Community Health (CHR) Facilities	1,492,050	955,760	0	0	0	536,290	1,492,050	0	0	0	1,492,050	0	0	0	0
1.230	Traffic Safety Commission	145,865	145,865	0	0	0	0	145,865	76,665	0	0	3,145	0	0	66,055	66,055
1.232	Port Renfrew Street Lighting	6,784	6,784	0	0	0	0	6,784	727	0	0	109	2,974	2,974	2,974	2,974
1.234	S.S.I. Street Lighting	20,630	20,630	0	0	0	0	20,630	1,115	0	0	15	0	0	19,500	19,500
1.235	S. G. I. Small Craft Harbour Facilities	322,150	258,790	0	0	0	63,360	322,150	0	0	0	5,420	74,050	242,680	242,680	242,680
1.236	Salt Spring Island Fernwood Dock	30,040	27,650	0	0	0	2,390	30,040	0	0	0	40	0	30,000	30,000	30,000
1.238A	Community Transit (S.S.I.)	329,110	322,110	0	0	0	7,000	329,110	0	0	19,090	195,020	0	0	115,000	115,000
1.238B	Community Transportation (S.S.I.)	146,540	99,540	0	0	0	47,000	146,540	0	0	0	280	0	0	146,250	146,250
1.280	Regional Parks	7,542,140	6,504,310	0	0	289,450	748,380	7,542,140	0	43,870	0	625,550	287,350	0	6,585,370	6,585,370
1.280A	Regional Parks - Land Acquisition	3,688,220	0	0	0	3,688,220	0	3,688,220	0	0	0	3,688,220	0	0	3,688,220	3,688,220
1.290	Royal Theatre	616,320	136,320	202,030	0	147,000	130,970	616,320	0	0	0	36,320	0	0	580,000	580,000
1.295	McPherson Theatre	790,300	350,000	0	0	96,000	344,300	790,300	0	0	0	40,300	0	0	750,000	750,000
1.297	Arts Grants	2,472,790	2,472,790	0	0	0	0	2,472,790	13,550	0	0	148,300	0	0	2,310,940	2,310,940
1.298	Commonwealth Legacy Fund	34,710	34,710	0	0	0	0	34,710	34,710	0	0	0	0	0	0	0
1.299	Salt Spring Island Arts	73,460	73,460	0	0	0	0	73,460	630	0	0	70	0	0	72,760	72,760
1.309	Climate Action and Adaptation	280,812	280,812	0	0	0	0	280,812	0	0	0	15,310	0	0	265,502	265,502
1.310	Land Banking & Housing	287,700	286,900	0	0	0	800	287,700	0	0	0	11,780	57,000	0	218,920	218,920
1.311	Regional Housing Trust Fund	3,003,305	3,003,305	0	0	0	0	3,003,305	2,015,355	0	0	62,650	0	0	925,300	925,300
1.313	Animal Care Services	1,138,920	1,105,480	24,240	0	9,200	0	1,138,920	0	66,070	0	658,570	40,020	0	374,260	374,260
1.314	SGI House Numbering	12,760	12,760	0	0	0	0	12,760	1,010	0	0	120	0	0	11,630	11,630
1.316	SSI Building Numbering	11,650	11,650	0	0	0	0	11,650	790	0	0	20	0	0	10,840	10,840
1.317	JDF Building Numbering	14,140	14,140	0	0	0	0	14,140	1,370	0	0	60	0	0	12,710	12,710
1.318	Building Inspection	1,284,890	1,216,770	0	0	0	68,120	1,284,890	13,880	79,390	0	2,170	812,200	0	377,250	377,250
1.319	Soil Deposit Removal	59,530	59,530	0	0	0	0	59,530	44,380	0	0	90	0	0	15,060	15,060
1.320	Noise Control	71,630	31,520	40,110	0	0	0	71,630	0	0	0	140	0	0	71,490	71,490
1.322	Nuisances & Unsightly Premises	56,140	56,140	0	0	0	0	56,140	5,930	0	0	210	0	0	50,000	50,000
1.323	By-Law Enforcement	487,750	487,750	0	0	0	20,210	487,750	0	464,090	0	23,660	0	0	0	0
1.324	Regional Planning Services	1,652,420	1,642,420	0	0	10,000	10,000	1,652,420	43,760	131,710	0	485,120	0	0	1,011,830	1,011,830
1.325	Electoral Area Services - Planning	970,340	863,770	0	0	106,570	0	970,340	78,670	33,050	0	153,190	59,820	0	645,610	645,610
1.327	Environmental Roundtable	16,425	16,425	0	0	0	0	16,425	0	16,425	0	0	0	0	0	0
1.330	Regional Growth Strategy	635,370	635,370	0	0	0	39,310	635,370	21,700	0	25,000	316,380	0	0	272,290	272,290
1.335	Geo-Spatial Referencing System	176,585	137,275	0	0	0	39,310	176,585	0	0	5,830	18,034	0	0	158,551	158,551
1.350	Wallis Point Fire Protect & Recreation	132,380	88,670	0	0	5,410	38,300	132,380	0	0	0	11,070	0	0	115,480	115,480
1.352	South Galiano Fire Protection	219,900	151,750	0	0	6,710	61,440	219,900	9,730	0	0	370	0	0	209,800	209,800
1.353	Otter Point Fire Protection	271,150	217,050	0	0	5,000	49,100	271,150	0	0	0	430	0	0	270,720	270,720
1.354	Malahat Fire Protection	59,710	59,710	0	0	0	0	59,710	10	0	0	0	0	0	59,700	59,700
1.355	Durrance Road Fire Protection	2,540	2,540	0	0	0	0	2,540	50	0	0	0	0	2,490	2,490	2,490
1.356	Pender Fire Protection	825,700	702,870	0	0	0	122,830	825,700	0	0	0	7,670	0	0	818,030	818,030
1.357	East Sooke Fire Protection	527,210	143,920	211,880	0	49,940	121,470	527,210	0	0	0	1,000	32,550	0	493,660	493,660
1.358	Port Renfrew Fire Protection	102,360	73,590	3,650	0	0	25,120	102,360	0	0	0	690	39,510	0	62,160	62,160
1.359	N. Galiano Fire Protection	236,590	103,510	19,360	0	2,500	111,220	236,590	0	0	0	1,130	0	27,580	207,880	235,460
1.360	Shirley Fire Protection	137,650	67,900	0	0	0	69,750	137,650	0	0	0	2,360	0	0	135,290	135,290
1.363	Saturna Island Fire	202,610	202,610	0	0	0	0	202,610	9,430	0	0	7,230	0	0	185,950	185,950

## CAPITAL REGIONAL DISTRICT 2014 FINAN

Schedule A

Service	Expenditures						Revenue								
	2014 Total	Other	Interest & Principal	Deficit	Capital	Transfers to Reserves	Total 2014	Surplus 2013	Alloc. To other svcs	Transfers fr Reserves	Other revenue	Fee & Charges	Parcel Tax	Property Value Tax	Requisition 2014
1.364 N. Pender Fire - 2nd Service - Debt	46,038	1,260	44,778	0			46,038	10			1,000		45,028		45,028
1.369 Electoral Area Fire Services - JDF	88,667	88,667		0			88,667	51,020			100			37,547	37,547
1.369 Electoral Area Fire Services - SGI	47,753	47,753		0			47,753							47,753	47,753
1.370 Juan de Fuca Emergency Program	71,810	59,930			0	11,880	71,810	2,730			350			68,730	68,730
1.371 S.S.I. Emergency Program	71,260	71,260			0	0	71,260	0			170			71,090	71,090
1.372 Electoral Area Emergency Program	473,770	473,770			0	0	473,770	3,890	363,210		770			105,900	105,900
1.373 Southern Gulf Islands Emergency Program	207,940	203,010			0	4,930	207,940	0			4,030			203,910	203,910
1.374 Regional Emergency Program Support	115,420	115,420		0	0	0	115,420	0			6,430			108,990	108,990
1.375 Hazardous Material Incident Response	312,450	304,870			0	7,580	312,450	0		10,000	17,070			285,380	285,380
1.377 J.D.F. Search and Rescue	82,370	72,270	100		0	10,000	82,370	0			20,370			62,000	62,000
1.378 S.S.I. Search and Rescue	15,370	15,370		0	0	0	15,370	780			90			14,500	14,500
1.401 SEAPARC - Facilities & Recreation	1,680,220	1,479,440	0	0	0	200,780	1,680,220	0	0		329,430	259,180		1,091,610	1,091,610
1.403 SEAPARC - Swimming Pool	1,701,830	1,367,120	298,980		0	35,730	1,701,830	0			31,260	254,350		1,416,220	1,416,220
1.405 JDF EA - Community Parks	163,290	160,790		0	2,500	0	163,290	8,120	0		1,060			154,110	154,110
1.406 JDF EA - Community Recreation	74,500	74,500					74,500	420			13,600			60,480	60,480
1.421 West Shore - Parks & Rec - Ice Arena	5,640	5,640		0			5,640	20						5,620	5,620
1.422 West Shore - Curling Rink	2,920	2,920		0			2,920	20						2,900	2,900
1.423 West Shore - Centennial Pool - Debt	410,715	2,900	407,815	0			410,715	260			27,460			382,995	382,995
1.423 West Shore - Centennial Pool - EA	7,350	7,350					7,350							7,350	7,350
1.424 West Shore - Juan de Fuca Park	9,660	9,660					9,660	3,020						6,640	6,640
1.427 West Shore - Sr. Citizens Centre	1,970	1,970					1,970	10						1,960	1,960
1.428 West Shore - Community Rec / Comm Rec #2	10,760	10,760					10,760	780			190			9,790	9,790
1.429 West Shore - Public Building	0	0	0				0	0			0			0	0
1.430 West Shore - Public Building - Tech. Wing	0	0	0				0	0			0			0	0
1.44X Panorama Rec. Center.	8,114,380	6,553,130	881,270		69,600	610,380	8,114,380	0			1,160,110	2,558,700		4,395,570	4,395,570
1.453 Salt Spring Island - Swimming Pool	1,022,800	726,500	276,300			20,000	1,022,800	28,220	64,620		3,960	193,000		733,000	733,000
1.455 Salt Spring Island - Community Parks	416,080	399,310		0	0	16,750	416,080	1,080			72,750			342,230	342,230
1.458 Salt Spring Is. - Community Rec	84,500	84,500					84,500	15,440			450	30,400		38,210	38,210
1.459 Salt Spring Is - Park, Land, Art & Rec. Prog	739,920	590,760	0	0	45,900	103,260	739,920	23,540	76,470		920	900		638,090	638,090
1.465 Saluma Island Comm. Parks	33,510	24,390			0	9,120	33,510	0			7,630			25,880	25,880
1.468 Saluma Island - Community Rec.	11,310	11,310					11,310	5,820			420			5,070	5,070
1.475 Mayne Is. Com. Parks & Rec	78,930	76,130			2,800		78,930	15,390			3,100			60,440	60,440
1.476 Mayne Is. Comm. Parks (reserve)	14,000	14,000			0		14,000	14,000						0	0
1.478 Mayne Is. Community Rec.	26,950	26,950		0			26,950	1,300			50			25,600	25,600
1.485 North & South Pender Com. Parks	87,640	87,640			0		87,640	0			690			86,950	86,950
1.488 North & South Pender Com. Rec	55,950	55,950					55,950	3,140			430			52,380	52,380
1.495 Galiano Parks	51,040	51,040					51,040	0			80			50,960	50,960
1.499 Galiano Community Recreation	27,790	27,790					27,790	1,050			50			26,690	26,690
1.521 SWMP - Solid Waste Disposal (Refuse Disposal)	21,550,383	17,888,575	0		2,580,000	1,281,808	21,550,383	0	0	3,285,374	3,965,302	14,299,707		0	0
1.523 Port Renfrew Refuse Disposal	77,958	66,565		7,308		4,085	77,958	0	15,000		32,985			29,973	29,973
1.525 Solid Waste Disposal - Debt	648,115	5,610	642,505				648,115				2,150	646,965		0	0
1.531 Stormwater Quality Management - Sooke	42,340	42,340		0			42,340	70	0		123			42,147	42,147
1.532 Stormwater Quality Management - Jdf	32,120	32,120					32,120	1,298	0		110			30,712	30,712
1.533 Stormwater Quality Management - S.G.I.	39,931	39,931		0			39,931	3,650	0		330			35,951	35,951
1.535 Stormwater Quality Management - S.S.I.	20,000	20,000	0				20,000	2,340	0		20			17,640	17,640
1.536 LWMP-Stormwater Quality Management-Core	679,143	679,143					679,143	10,040	0		126,271			542,832	542,832
1.537 Stormwater Quality Management - Peninsula	63,895	63,895		0			63,895	320	0		1,847			61,728	61,728
1.538 Source - Stormwater Quality - Peninsula	33,440	33,440					33,440	0						33,440	33,440
1.57X Environmental Services	14,856,804	14,442,133			0	414,671	14,856,804	0	14,856,804		0			0	0
1.911 911 Systems	1,912,460	1,912,460				0	1,912,460	0	0		1,588,930	196,960		126,580	126,580
1.913 911 Fire Dispatch	426,970	417,260		0	1,940	7,770	426,970	0			9,760			417,210	417,210
1.922 Regional CREST Contribution	1,578,040	1,578,040					1,578,040				1,118,550			459,490	459,490
1.923 Emergency Comm - CREST - S.G.I.	141,930	141,930		0	0		141,930	4,390			1,320			136,220	136,220
1.924 Emergency Comm - CREST - J.D.F.	91,750	91,750					91,750	3,670			330			87,750	87,750
1.925 Emergency Comm - CREST - S.S.I.	79,450	77,610		1,840			79,450	0			70			79,380	79,380
2.610 Saanich Peninsula Water Supply	5,596,240	5,218,251				377,989	5,596,240	0			5,000	5,591,240		0	0
2.615 Saanich Peninsula Water Supply - Debt	0	0	0	0			0	0			817			(817)	(817)
2.620 SSI Highland Water System	37,320	1,862	35,458		0	0	37,320	52			110	0	37,158		37,158
2.621 Highland / Fernwood Water - SSI	307,612	233,723	41,221	32,668	0	0	307,612	0		21,300	150	231,162	55,000		55,000
2.622 Cedars of Tuam	25,233	23,272	1,616	0	0	345	25,233	1,545			110	23,578		0	0
2.624 Beddis Water	238,031	151,458	73,024		0	13,549	238,031	58,386			180	107,674	71,591		71,591
2.626 Fulford Water	207,827	133,042	66,655	0	0	8,130	207,827	0		0	260	132,782	74,785		74,785
2.628 Cedar Lane Water (S.S.I.)	65,903	46,757	15,640	0		3,506	65,903	5,965			50	38,235	21,653		21,653
2.630 Magic Lakes Estate Water System	967,893	562,623	217,440		0	207,830	967,893	135,128			9,421	274,350	568,994		568,994
2.635 Magic Lakes Estate Water (2)	191,175	20,209	170,966				191,175	20,813			1,199		169,163		169,163
2.640 Saluma Island Water System (Lyal Harbour)	173,348	120,608	39,899	12,841	0	0	173,348	0			1,182	74,684	97,482		97,482
2.642 Skana Water (Mayne)	78,988	56,348	14,147			8,493	78,988	24,627			50	34,959	19,352		19,352
2.650 Port Renfrew Water	131,208	99,215			0	32,993	131,208	27,469			1,195	51,272	51,272		51,272
2.655 Snuggery Cove (Port Renfrew)	31,918	940	30,856	122			31,918	0			130			31,788	31,788
2.660 Fernwood Water	19,567	1,919	17,648	0	0	0	19,567	23			50	0	19,494		19,494
2.665 Sticks Allison Water (Galiano)	52,109	44,782	5,327	0		2,000	52,109	8,072	0	0	40	40,670	5,327		5,327

## CAPITAL REGIONAL DISTRICT 2014 FINAN

Schedule A

Service	Expenditures						Revenue								
	2014 Total	Other	Interest & Principal	Deficit	Capital	Transfers to Reserves	Total 2014	Surplus 2013	Alloc. To other svcs	Transfers fr Reserves	Other revenue	Fee & Charges	Parcel Tax	Property Value Tax	Requisition 2014
2.667 Surfside Park Estates (Mayne)	128,171	98,929	25,902	0		3,340	128,171	33,707			300	61,011	33,153		33,153
2.670 Regional Water Supply	27,744,940	11,990,469	12,712,573	0	2,776,468	265,430	27,744,940	0	96,140		635,640	27,013,160			0
2.680 Juan de Fuca Water Distribution	14,547,743	9,736,054	1,358,452		3,200,587	254,650	14,547,743	0	4,870	329,495	186,050	14,027,328			0
2.691 Wildemess Mountain Water Service	118,077	94,490	23,587	0		0	118,077	0			60	54,775	63,242		63,242
3.700 Seplage Disposal - Municipal	235,724	235,724				0	235,724	108,327			78,280	1,850		47,267	47,267
3.700 Seplage Disposal - JDF Service Area	255	255					255							255	255
3.701 Millstream Remediation Service	662,112	4,740	145,819	0	511,553	0	662,112		320,000	0	22,112			320,000	320,000
3.705 S.S.I. Seplage/Composting	745,412	482,864	195,162	0	0	67,366	745,412	129,015			842	340,000	275,555		275,555
3.707 On Site System Management Program - LWMP	171,140	171,140		0			171,140	0	0		8,730		162,410		162,410
3.71X Trk Svcs & Swge Disp - oper	10,035,510	9,397,525	0	0	0	537,985	10,035,510	35,629	565,146		6,387,083	0	0	3,047,652	3,047,652
3.7XX Trk Svcs - debt	15,496,016	336,013	6,264,794	2,559	8,892,650	0	15,496,016	96,288	0	0	11,849,894	0	0	3,549,834	3,549,834
3.720 LWMP (Peninsula) - Implementation	13,734	13,734					13,734	2,509			202	0		11,023	11,023
3.750 LWMP-Public Involvement Process	989,917	989,917					989,917	20,000	20,000		415,861			534,056	534,056
3.752 Harbours Program	292,023	292,023					292,023				21,099			270,924	270,924
3.755 Regional Source Control	1,434,490	1,434,490		0			1,434,490	3,597	54,000		98,797	55,000		1,223,096	1,223,096
3.810 Ganges Sewer	710,075	604,987		0	0	105,088	710,075	111,856		0	345	546,917	50,957		50,957
3.820 Malview Estates Sewer System	109,806	86,083	6,200	9,903	2,781	4,839	109,806	0			29,350	51,621	28,835		28,835
3.830 Magic Lake Estates Sewer System	496,328	410,600	12,023	0	0	73,703	496,326	36,060	5,000		1,760	172,140	281,366		281,366
3.850 Port Renfrew Sewer	95,484	94,591		0	0	893	95,484	14,321			1,335	39,914	39,914		39,914
21.ALL Feasibility Study Reserve Fund - All	204,160	204,160		0			204,160	201,150	0		3,010			0	0
21.E.A. Feasibility Study Reserve Fund - E.A.	264,200	264,200		0			264,200		57,340		206,860			0	0



**CAPITAL REGIONAL DISTRICT - CAPITAL EXPENDITURE PLAN**
**2014**
**Amendment**
**Schedule B**

Service #	Service Name	CAPITAL EXPENDITURE					SOURCE OF FUNDING					
		Equipment & Vehicles	Buildings	Engineered Structures	Land	TOTAL	Debt	Equipment Repl Fund	Capital Reserves	Grants	Other	TOTAL
1.011	Board Expenditures	55,000	0	0	0	55,000	0	55,000	0	0	0	55,000
1.014	Chief Administrative Officer	45,000	0	0	0	45,000	0	45,000	0	0	0	45,000
1.015	Real Estate	5,500	0	0	0	5,500	0	5,500	0	0	0	5,500
1.016	Human Resources	27,500	0	0	0	27,500	0	27,500	0	0	0	27,500
1.017	Finance	360,000	0	0	0	360,000	0	0	60,000	0	300,000	360,000
1.022	Information Technology	150,000	0	0	0	150,000	0	150,000	0	0	0	150,000
1.024	GM - Planning & Protective Services	17,500	0	0	0	17,500	0	17,500	0	0	0	17,500
1.025	Corporate Emergency	3,500	0	0	0	3,500	0	3,500	0	0	0	3,500
1.105	Facility Management	51,000	0	0	0	51,000	0	51,000	0	0	0	51,000
1.118	Corporate Communications	2,500	0	0	0	2,500	0	2,500	0	0	0	2,500
1.123	Family Court Building	0	251,000	0	0	251,000	0	0	251,000	0	0	251,000
1.226	Health Facilities - VIHA	0	390,197	0	0	390,197	0	0	390,197	0	0	390,197
1.235	Sgi Small Craft Harbour Facilities	0	0	96,000	0	96,000	0	0	96,000	0	0	96,000
1.238B	Community Transportation (SSI)	0	0	85,000	0	85,000	0	0	50,000	0	35,000	85,000
1.280	Regional Parks	328,000	100,301	13,259,928	718,370	14,406,599	0	328,000	1,966,101	10,845,779	1,266,719	14,406,599
1.290	Royal Theatre	0	318,000	0	0	318,000	0	0	0	0	318,000	318,000
1.295	McPherson Theatre	0	1,530,000	0	0	1,530,000	0	0	1,530,000	0	0	1,530,000
1.297	Arts Grants and Development	4,050	0	0	0	4,050	0	4,050	0	0	0	4,050
1.313	Animal Care Services	35,000	0	0	0	35,000	0	35,000	0	0	0	35,000
1.318	Building Inspection	35,000	0	0	0	35,000	0	35,000	0	0	0	35,000
1.324	Regional Planning Services	5,000	0	0	0	5,000	0	5,000	0	0	0	5,000
1.325	Community Planning	4,000	0	0	0	4,000	0	4,000	0	0	0	4,000
1.335	Geo-Spatial Referencing	60,000	0	0	0	60,000	0	60,000	0	0	0	60,000
1.350	Willis Point Fire	10,000	0	40,000	0	50,000	0	10,000	0	40,000	0	50,000
1.353	Otter Point Fire	52,000	0	0	0	52,000	0	52,000	0	0	0	52,000
1.356	Pender Island Fire	232,570	59,610	48,890	0	341,070	0	232,570	108,500	0	0	341,070
1.357	East Sooke Fire	420,000	0	0	0	420,000	0	420,000	0	0	0	420,000
1.358	Port Renfrew Fire	142,000	0	0	0	142,000	0	142,000	0	0	0	142,000
1.359	North Galiano Fire	230,000	0	0	0	230,000	0	230,000	0	0	0	230,000
1.360	Shirley Fire Department	70,000	0	0	0	70,000	0	70,000	0	0	0	70,000
1.371	SSI Emergency Program	25,000	0	0	0	25,000	0	0	0	0	25,000	25,000
1.372	Emergency Planning Coordination	35,000	0	0	0	35,000	0	35,000	0	0	0	35,000
1.373	Sgi Emergency Program	120,000	20,000	0	0	140,000	0	0	140,000	0	0	140,000
1.375	Hazardous Material Incident Response	10,000	0	0	0	10,000	0	10,000	0	0	0	10,000
1.377	JDF Search and Rescue	56,000	0	0	0	56,000	0	56,000	0	0	0	56,000
1.401	SEAPARC - Facilities and Recreation	190,700	40,850	24,000	0	255,550	0	24,100	231,450	0	0	255,550
1.403	SEAPARC - Swimming Pool	45,000	0	0	0	45,000	0	45,000	0	0	0	45,000
1.405	JDF EA Community Parks & Recreation	0	0	20,000	0	20,000	0	0	0	20,000	0	20,000
1.44X	Panorama Recreation	434,350	87,190	0	0	521,540	0	414,350	20,000	0	87,190	521,540
1.453	SSI Swimming Pool	70,000	0	0	0	70,000	0	70,000	0	0	0	70,000
1.455	SSI Community Parks	3,500	0	0	0	3,500	0	0	3,500	0	0	3,500



CAPITAL REGIONAL DISTRICT - CAPITAL EXPENDITURE PLAN												
2014		Amendment				Schedule B						
Service #	Service Name	CAPITAL EXPENDITURE				SOURCE OF FUNDING						
		Equipment & Vehicles	Buildings	Engineered Structures	Land	TOTAL	Debt Debt	Equipment Repl Fund	Capital Reserves	Grants	Other	TOTAL
1.459	SSI Park Land & Rec Programs	0	80,000	200,000	1,700,000	1,980,000	1,000,000	0	780,000	0	200,000	1,980,000
1.475	Mayne Island Community Parks	0	0	30,000	0	30,000	0	0	30,000	0	0	30,000
1.485	Pender Island Community Parks	0	15,000	64,750	0	79,750	0	0	79,750	0	0	79,750
1.495	Galiano Community Parks	0	0	20,000	0	20,000	0	0	20,000	0	0	20,000
1.521	Environmental Resource Management	52,500	0	3,080,000	0	3,132,500	0	352,500	0	200,000	2,580,000	3,132,500
1.523	Port Renfrew Refuse Disposal	15,000	0	0	0	15,000	0	0	15,000	0	0	15,000
1.574	Environmental Partnerships	48,565	0	0	0	48,565	0	48,565	0	0	0	48,565
1.576	Environmental Engineering Services	150,000	0	0	0	150,000	0	150,000	0	0	0	150,000
1.578	Environmental Protection	35,655	0	0	0	35,655	0	35,655	0	0	0	35,655
2.610	Saanich Peninsula Water Supply	0	0	2,200,000	0	2,200,000	0	0	2,200,000	0	0	2,200,000
2.620	Highland Water (SSI)	0	0	211,747	0	211,747	0	0	0	10,000	201,747	211,747
2.622	Cedars of Tuam Water (SSI)	0	0	9,000	0	9,000	0	0	3,000	0	6,000	9,000
2.624	Beddis Water (SSI)	0	0	30,000	0	30,000	0	0	30,000	0	0	30,000
2.626	Fulford Water (SSI)	0	0	10,000	0	10,000	0	0	0	10,000	0	10,000
2.628	Cedar Lane Water (SSI)	0	0	5,000	0	5,000	0	0	0	5,000	0	5,000
2.630	Magic Lake Estates Water (Pender)	0	0	79,000	0	79,000	0	0	79,000	0	0	79,000
2.667	Surfside Park Estates (Mayne)	0	0	8,000	0	8,000	0	0	8,000	0	0	8,000
2.670	Regional Water Supply	861,000	65,000	3,545,000	861,000	5,332,000	600,000	110,000	0	0	4,622,000	5,332,000
2.680	JDF Water Distribution	1,029,000	65,000	8,014,000	0	9,108,000	5,500,000	170,000	0	0	3,438,000	9,108,000
DCC	JDF Water Distribution (DCC)	0	0	3,810,000	0	3,810,000	0	0	3,810,000	0	0	3,810,000
3.701	Millstream Site Remediation	0	0	0	1,157,600	1,157,600	0	0	0	418,314	739,286	1,157,600
3.705	SSI Septage / Composting	0	0	800,000	0	800,000	0	0	0	0	800,000	800,000
3.710	North West Trunk Sewer	0	0	594,000	0	594,000	0	104,000	490,000	0	0	594,000
3.712	North East Trunk Sewer	0	0	60,000	0	60,000	0	60,000	0	0	0	60,000
3.713	East Coast Interceptor	0	0	107,000	0	107,000	0	17,000	90,000	0	0	107,000
3.715	North East Trunk 2 (Bowker)	0	0	29,000	0	29,000	0	0	29,000	0	0	29,000
3.718	Saanich Peninsula Wastewater	0	0	690,000	0	690,000	0	0	690,000	0	0	690,000
3.798	Debt/Capital - LWMP Core Treatment Faciliti	0	0	63,237,194	17,000,000	80,237,194	0	0	0	40,985,740	39,251,454	80,237,194
3.810	Ganges Sewer Utility (SSI)	0	0	12,000	0	12,000	0	0	12,000	0	0	12,000
3.820	Maliview Sewer Utility (SSI)	0	0	5,000	0	5,000	0	0	0	2,219	2,781	5,000
3.830	Magic Lake Sewer Utility (Pender)	0	0	35,000	0	35,000	0	0	10,000	25,000	0	35,000
TOTAL		5,526,390	3,022,148	100,459,509	21,436,970	130,445,017	7,100,000	3,687,290	13,222,498	52,562,052	53,873,177	130,445,017

CAPITAL REGIONAL DISTRICT - CAPITAL EXPENDITURE PLAN 2015												Schedule B	
		Amendment											
Service #	Service Name	CAPITAL EXPENDITURE					SOURCE OF FUNDING						
		Equipment & Vehicles	Buildings	Engineered Structures	Land	TOTAL	Debt Debt	Equipment Repl Fund	Capital Reserves	Grants	Other	TOTAL	
1.014	Chief Administrative Officer	2,500	0	0	0	2,500	0	2,500	0	0	0	2,500	
1.015	Real Estate	2,000	0	0	0	2,000	0	2,000	0	0	0	2,000	
1.016	Human Resources	2,500	0	0	0	2,500	0	2,500	0	0	0	2,500	
1.017	Finance	425,000	0	0	0	425,000	0	0	60,000	0	365,000	425,000	
1.022	Information Technology	150,000	0	0	0	150,000	0	150,000	0	0	0	150,000	
1.025	Corporate Emergency	9,500	0	0	0	9,500	0	9,500	0	0	0	9,500	
1.105	Facility Management	6,000	0	0	0	6,000	0	6,000	0	0	0	6,000	
1.118	Corporate Communications	2,500	0	0	0	2,500	0	2,500	0	0	0	2,500	
1.123	Family Court Building	0	100,000	0	0	100,000	0	0	100,000	0	0	100,000	
1.226	Health Facilities - VIHA	141,000	0	0	0	141,000	0	0	141,000	0	0	141,000	
1.235	SGI Small Craft Harbour Facilities	0	0	185,000	0	185,000	0	0	185,000	0	0	185,000	
1.238B	Community Transportation (SSI)	0	0	503,000	0	503,000	0	0	63,000	420,000	20,000	503,000	
1.280	Regional Parks	140,500	25,000	5,700,000	100,000	5,965,500	0	140,500	925,000	4,900,000	0	5,965,500	
1.290	Royal Theatre	0	108,000	0	0	108,000	0	0	108,000	0	0	108,000	
1.297	Arts Grants and Development	1,500	0	0	0	1,500	0	1,500	0	0	0	1,500	
1.313	Animal Care Services	35,000	0	0	0	35,000	0	35,000	0	0	0	35,000	
1.318	Building Inspection	5,000	0	0	0	5,000	0	5,000	0	0	0	5,000	
1.323	ByLaw Services	40,000	0	0	0	40,000	0	40,000	0	0	0	40,000	
1.324	Regional Planning Services	19,000	0	0	0	19,000	0	19,000	0	0	0	19,000	
1.325	Community Planning	4,000	0	0	0	4,000	0	4,000	0	0	0	4,000	
1.335	Geo-Spatial Referencing	48,000	0	0	0	48,000	0	48,000	0	0	0	48,000	
1.352	South Galiano Fire	10,000	0	0	0	10,000	0	10,000	0	0	0	10,000	
1.356	Pender Island Fire	202,830	25,000	0	0	227,830	0	202,830	25,000	0	0	227,830	
1.357	East Sooke Fire	5,000	0	0	0	5,000	0	5,000	0	0	0	5,000	
1.358	Port Renfrew Fire	5,000	0	0	0	5,000	0	5,000	0	0	0	5,000	
1.370	JDF Emergency Program	2,000	0	0	0	2,000	0	2,000	0	0	0	2,000	
1.375	Hazardous Material Incident Response	10,000	0	0	0	10,000	0	10,000	0	0	0	10,000	
1.401	SEAPARC - Facilities and Recreation	73,700	0	0	0	73,700	0	73,700	0	0	0	73,700	
1.403	SEAPARC - Swimming Pool	13,000	0	0	0	13,000	0	13,000	0	0	0	13,000	
1.44X	Panorama Recreation	415,200	0	0	0	415,200	0	315,200	100,000	0	0	415,200	
1.453	SSI Swimming Pool	30,000	0	0	0	30,000	0	30,000	0	0	0	30,000	
1.459	SSI Park Land & Rec Programs	0	0	290,000	0	290,000	0	0	205,000	50,000	35,000	290,000	
1.475	Mayne Island Community Parks	0	0	35,000	0	35,000	0	0	35,000	0	0	35,000	
1.485	Pender Island Community Parks	0	0	24,750	0	24,750	0	0	24,750	0	0	24,750	
1.495	Galiano Community Parks	0	0	20,000	0	20,000	0	0	20,000	0	0	20,000	
1.521	Environmental Resource Management	71,000	0	2,755,000	0	2,826,000	0	71,000	0	0	2,755,000	2,826,000	
1.574	Environmental Partnerships	3,000	0	0	0	3,000	0	3,000	0	0	0	3,000	
1.576	Environmental Engineering Services	41,000	0	0	0	41,000	0	41,000	0	0	0	41,000	
1.578	Environmental Protection	10,358	0	0	0	10,358	0	10,358	0	0	0	10,358	
2.610	Saanich Peninsula Water Supply	0	0	150,000	0	150,000	0	0	150,000	0	0	150,000	
2.621	Highland & Fernwood Water (SSI)	40,000	0	100,000	0	140,000	140,000	0	0	0	0	140,000	
2.630	Magic Lake Estates Water (Pender)	0	0	269,000	0	269,000	220,000	0	49,000	0	0	269,000	
2.640	Lyall Harbour Boot Cove Water (Saturna)	0	0	74,000	0	74,000	74,000	0	0	0	0	74,000	
2.642	Skana Water (Mayne)	0	0	100,000	0	100,000	100,000	0	0	0	0	100,000	
2.650	Port Renfrew Water	0	0	45,000	0	45,000	45,000	0	0	0	0	45,000	
2.665	Sticks Allison Water (Galiano)	0	0	50,000	0	50,000	50,000	0	0	0	0	50,000	
2.667	Surfside Park Estates (Mayne)	0	0	50,000	0	50,000	50,000	0	0	0	0	50,000	
2.670	Regional Water Supply	674,500	100,000	3,770,000	555,000	5,099,500	3,800,000	180,000	0	0	1,119,500	5,099,500	
2.680	JDF Water Distribution	1,948,500	15,000	4,779,000	0	6,742,500	4,700,000	35,000	0	0	2,007,500	6,742,500	
DCC	JDF Water Distribution (DCC)	0	0	3,007,000	0	3,007,000	0	0	3,007,000	0	0	3,007,000	
2.691	Wilderness Mountain Water Service	0	0	24,000	0	24,000	0	0	24,000	0	0	24,000	
3.701	Millstream Site Remediation	0	0	0	530,200	530,200	0	0	0	182,988	347,212	530,200	
3.710	North West Trunk Sewer	0	0	190,000	0	190,000	0	0	190,000	0	0	190,000	
3.713	East Coast Interceptor	0	0	520,000	0	520,000	0	0	520,000	0	0	520,000	
3.715	North East Trunk 2 (Bowker)	0	0	20,000	0	20,000	0	0	20,000	0	0	20,000	
3.718	Saanich Peninsula Wastewater	0	0	155,000	0	155,000	0	0	155,000	0	0	155,000	
3.798	Debt/Capital - LWMP Core Treatment Facilit	0	0	203,562,187	0	203,562,187	0	0	0	88,081,845	115,480,342	203,562,187	
3.810	Ganges Sewer Utility (SSI)	500,000	0	0	0	500,000	500,000	0	0	0	0	500,000	
3.820	Maliview Sewer Utility (SSI)	0	0	58,000	0	58,000	58,000	0	0	0	0	58,000	
3.830	Magic Lake Sewer Utility (Pender)	0	0	500,000	0	500,000	500,000	0	0	0	0	500,000	
3.850	Port Renfrew Sewer	0	0	45,000	0	45,000	45,000	0	0	0	0	45,000	
TOTAL		5,089,088	373,000	226,980,937	1,185,200	233,628,225	10,282,000	1,475,088	6,106,750	93,634,833	122,129,554	233,628,225	



CAPITAL REGIONAL DISTRICT - CAPITAL EXPENDITURE PLAN 2016											
Amendment						Schedule B					
Service #	Service Name	CAPITAL EXPENDITURE				SOURCE OF FUNDING					
		Equipment & Vehicles	Buildings	Engineered Structures	Land	TOTAL	Debt Debt	Equipment Repl Fund	Capital Reserves	Grants	Other
1.014	Chief Administrative Officer	2,500	0	0	0	2,500	0	2,500	0	0	0
1.015	Real Estate	2,000	0	0	0	2,000	0	2,000	0	0	0
1.016	Human Resources	2,500	0	0	0	2,500	0	2,500	0	0	0
1.017	Finance	355,000	0	0	0	355,000	0	0	60,000	0	295,000
1.022	Information Technology	125,000	0	0	0	125,000	0	125,000	0	0	0
1.025	Corporate Emergency	3,500	0	0	0	3,500	0	3,500	0	0	0
1.105	Facility Management	9,000	0	0	0	9,000	0	9,000	0	0	0
1.118	Corporate Communications	5,500	0	0	0	5,500	0	5,500	0	0	0
1.226	Health Facilities - VIHA	0	200,000	0	0	200,000	0	0	200,000	0	0
1.235	SGI Small Craft Harbour Facilities	0	0	80,000	0	80,000	0	0	80,000	0	0
1.236	SSI Small Craft Harbour (Fernwood Dock)	0	0	30,600	0	30,600	0	0	30,600	0	0
1.238B	Community Transportation (SSI)	0	0	1,745,000	0	1,745,000	0	0	445,000	280,000	1,020,000
1.280	Regional Parks	276,000	0	2,000,000	0	2,276,000	0	276,000	900,000	1,100,000	0
1.290	Royal Theatre	0	300,000	0	0	300,000	0	0	300,000	0	0
1.295	McPherson Theatre	0	230,000	0	0	230,000	0	0	230,000	0	0
1.313	Animal Care Services	5,000	0	0	0	5,000	0	5,000	0	0	0
1.318	Building Inspection	35,000	0	0	0	35,000	0	35,000	0	0	0
1.323	ByLaw Services	35,000	0	0	0	35,000	0	35,000	0	0	0
1.324	Regional Planning Services	5,000	0	0	0	5,000	0	5,000	0	0	0
1.325	Community Planning	4,000	0	0	0	4,000	0	4,000	0	0	0
1.335	Geo-Spatial Referencing	30,000	0	0	0	30,000	0	30,000	0	0	0
1.352	South Galiano Fire	10,000	0	0	0	10,000	0	10,000	0	0	0
1.353	Otter Point Fire	110,000	0	0	0	110,000	0	110,000	0	0	0
1.356	Pender Island Fire	23,000	0	0	0	23,000	0	23,000	0	0	0
1.357	East Sooke Fire	5,000	0	0	0	5,000	0	5,000	0	0	0
1.358	Port Renfrew Fire	5,000	0	0	0	5,000	0	5,000	0	0	0
1.359	North Galiano Fire	100,000	0	0	0	100,000	0	100,000	0	0	0
1.370	JDF Emergency Program	3,000	0	0	0	3,000	0	3,000	0	0	0
1.371	SSI Emergency Program	2,000	0	0	0	2,000	0	0	0	2,000	0
1.375	Hazardous Material Incident Response	10,000	0	0	0	10,000	0	10,000	0	0	0
1.401	SEAPARC - Facilities and Recreation	8,600	0	0	300,000	308,600	0	8,600	300,000	0	0
1.403	SEAPARC - Swimming Pool	10,000	17,500	0	0	27,500	0	20,000	7,500	0	0
1.44X	Panorama Recreation	601,500	70,000	0	0	671,500	0	257,000	414,500	0	0
1.453	SSI Swimming Pool	30,000	0	0	0	30,000	0	30,000	0	0	0
1.455	SSI Community Parks	45,000	0	0	0	45,000	0	45,000	0	0	0
1.459	SSI Park Land & Rec Programs	0	0	16,000	0	16,000	0	0	16,000	0	0
1.485	Pender Island Community Parks	0	0	24,750	0	24,750	0	0	24,750	0	0
1.495	Galiano Community Parks	0	0	20,000	0	20,000	0	0	20,000	0	0
1.521	Environmental Resource Management	0	0	1,530,000	0	1,530,000	0	0	0	1,530,000	0
1.574	Environmental Partnerships	15,000	0	0	0	15,000	0	15,000	0	0	0
1.576	Environmental Engineering Services	41,000	0	0	0	41,000	0	41,000	0	0	0
1.578	Environmental Protection	10,565	0	0	0	10,565	0	10,565	0	0	0
2.610	Saanich Peninsula Water Supply	0	0	550,000	0	550,000	0	0	550,000	0	0
2.621	Highland & Fernwood Water (SSI)	0	0	150,000	0	150,000	150,000	0	0	0	0
2.630	Magic Lake Estates Water (Pender)	0	0	900,000	0	900,000	900,000	0	0	0	0
2.640	Lyall Harbour Boot Cove Water (Saturna)	0	0	154,000	0	154,000	154,000	0	0	0	0
2.642	Skana Water (Mayne)	0	0	100,000	0	100,000	100,000	0	0	0	0
2.650	Port Renfrew Water	0	0	45,000	0	45,000	45,000	0	0	0	0
2.665	Sticks Allison Water (Galiano)	0	0	50,000	0	50,000	50,000	0	0	0	0
2.667	Surfside Park Estates (Mayne)	0	0	50,000	0	50,000	50,000	0	0	0	0
2.670	Regional Water Supply	833,500	80,000	2,595,000	585,000	4,093,500	2,800,000	245,000	0	0	1,048,500
2.680	JDF Water Distribution	2,043,500	15,000	5,875,000	0	7,933,500	5,800,000	130,000	0	0	2,003,500
DCC	JDF Water Distribution (DCC)	0	0	150,000	0	150,000	0	0	150,000	0	0
2.691	Wilderness Mountain Water Service	0	0	100,000	0	100,000	100,000	0	0	0	0
3.701	Millstream Site Remediation	0	0	0	555,700	555,700	0	0	0	193,908	361,792
3.705	SSI Septage / Composting	0	0	365,000	0	365,000	0	0	0	0	365,000
3.710	North West Trunk Sewer	0	0	1,300,000	0	1,300,000	1,000,000	0	300,000	0	0
3.718	Saanich Peninsula Wastewater	0	0	75,000	0	75,000	0	0	75,000	0	0
3.798	Debt/Capital - LWMP Core Treatment Facility	0	0	376,107,251	0	376,107,251	0	0	0	40,932,415	335,174,836
3.810	Ganges Sewer Utility (SSI)	235,000	0	0	0	235,000	235,000	0	0	0	0
3.820	Malview Sewer Utility (SSI)	0	0	60,000	0	60,000	60,000	0	0	0	0
3.830	Magic Lake Sewer Utility (Pender)	0	0	100,000	0	100,000	100,000	0	0	0	0
3.850	Port Renfrew Sewer	0	0	45,000	0	45,000	45,000	0	0	0	0
TOTAL		5,036,665	912,500	394,217,601	1,440,700	401,607,466	11,589,000	1,608,165	4,103,350	42,506,323	341,800,628



Making a difference...together

Item 5.2.3

**REPORT TO THE FINANCE COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 3, 2014**

**SUBJECT     BYLAW 3972: ELECTORAL AREA PERMISSIVE TAX EXEMPTIONS**

**ISSUE**

To authorize Electoral Area permissive tax exemptions for 2015.

**BACKGROUND**

Under Section 809 of the *Local Government Act* (LGA), the Capital Regional District (CRD) may provide tax exemption for properties in an electoral area. A bylaw adopted by at least 2/3 of votes cast on or before October 31 will exempt the properties designated in the bylaw from taxation in the subsequent year. Properties for which a tax exemption is being requested are as follows:

#	PROPERTY	DESCRIPTION
1	Pender Island Golf and Country Club	Granted since 1999 upon request for land and improvements used principally for public athletic or recreation purposes – LGA 809(4)(a); letter of request for 2015 attached.
2	Galiano Golf and Country Club	
3	Magic Lake Property Owners Society (MLPOS)	Granted upon request for land used principally for public athletic or recreation purposes – LGA 809(4)(a); letter of request for 2015 attached includes: <ul style="list-style-type: none"><li>• Lot A – Thieves Bay Marina (only the land is eligible for exemption)</li><li>• Lot 67 – Land adjacent to Mouat Park (only the land is eligible for exemption)</li></ul>
4	North Galiano Fire Hall	Granted in 2013 for land and improvements held by the CRD for the fire service – LGA 809(4)(g); this exemption is required given that the new fire hall has been constructed on property that the CRD leases from the North Galiano Fire Protection Society.

**ALTERNATIVES**

That the Finance Committee recommend to the Board:

1. That Bylaw No. 3972, "Tax Exemption (Permissive) Bylaw, 2014" be introduced and read a first and second time, read a third time and adopted.
2. That the properties not be exempted from taxation for the year 2015.

**IMPLICATIONS**

The estimated value of the tax exemption for Pender Island Golf and Country Club and the Galiano Golf and Country Club would be \$9,460. Of this total, \$3,040 represents CRD charges, \$540 for Capital Regional Hospital District (CRHD), with the balance of \$5,880 relating to other levels of government.

The estimated value of the tax exemption that MLPOS has requested is \$4,530 of which the CRD's charge is \$2,360 including parcel taxes. For Lot A - Thieves Bay Marina, only the land portion of the property is open for public use and meets the test of being used primarily for public recreation; therefore, only the land portion is eligible for permissive exemption. The Lot 67 exemption is for land adjacent to Mouat Park which is open to the public and therefore meets the test of being used principally for public recreation.

The estimated value of the tax exemption for the North Galiano Fire Hall, which is now located on leased property and requires an annual renewal of its tax exempt status, is \$870. Of this total, \$330 represents CRD charges, \$38 for CRHD, with the balance of \$502 relating to other levels of government.

### **CONCLUSION**

The CRD has received tax exemption requests for the Pender Island Golf and Country Club, the Galiano Golf and Country Club, and for properties the Magic Lake Property Owners' Society operates and maintains.

The proposed Bylaw No. 3972 will grant permissive tax exemption in accordance with Section 809 of the *Local Government Act*. Additionally, this bylaw will renew the permissive tax exemption required for the North Galiano Fire Hall which is now located on property that the CRD leases from the North Galiano Fire Protection Society.

### **RECOMMENDATION**

That the Finance Committee recommend to the Capital Regional District Board:

That Bylaw No. 3972, "Tax Exemption (Permissive) Bylaw, 2014" be introduced and read a first and second time, read a third time and adopted.



Rajat Sharma, MBA, CMA  
Senior Manager, Financial Services



Diana E. Lokken, CPA, CMA  
General Manager, Finance and Technology Dept.  
Concurrence



Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

RS:sb

Attachments (4): Bylaw (1); Correspondence (3)

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3972**

\*\*\*\*\*

**A BYLAW TO AUTHORIZE ELECTORAL AREA PERMISSIVE TAX EXEMPTIONS**

\*\*\*\*\*

**WHEREAS:**

- A. Under Section 809 of the *Local Government Act*, the Capital Regional District may provide tax exemption for properties in an electoral area that meet any of the conditions listed in Section 809 (4).
- B. The Board wishes to exempt certain properties owned, held or operated for the uses or purposes set out in Section 809 (4) (a) and (g) of the *Local Government Act* from taxation for the calendar year 2015.

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

1. Each property described in Schedule "A" attached to this bylaw shall be exempt from taxation under Section 809 of the *Local Government Act* for the year 2015 by virtue of it being used, held, owned or occupied by the organizations named in the Schedule;
2. This Bylaw may be cited as "Tax Exemption (Permissive) Bylaw, 2014".

READ A FIRST TIME THIS	10 <sup>th</sup> day of	September	2014
READ A SECOND TIME THIS	10 <sup>th</sup> day of	September	2014
READ A THIRD TIME THIS	10 <sup>th</sup> day of	September	2014
ADOPTED THIS	10 <sup>th</sup> day of	September	2014

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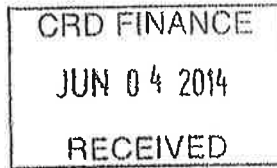
CHAIR

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CORPORATE OFFICER

**SCHEDULE "A"**

<b>OWNER /OCCUPIER/ HOLDER</b>	<b>DESCRIPTION</b>	<b>EXEMPTION</b>	<b>LGA REFERENCE</b>
Pender Island Golf & Country Club	Lot A, Plan VIP52327, Section 17, Cowichan Land District, Portion Pender Island (2314 Otter Bay Road) Tax Roll # 01-64-764-08647.010	Land and improvements	809(4)(a)
Galiano Golf & Country Club	Lot AM11, Block 1, Plan 24167, District Lot 4, Cowichan District, Portion Galiano Island, and Lot 6, Block 2, District Lot 4, Galiano Island, Cowichan District, Plan 24167 (Linklater Road) Tax Roll No. # 01-64-764-02192.023	Land and improvements	809(4)(a)
Magic Lake Property Owners Society	Lot A, Plan VIP41807; Section 9; Portion Pender Island; District Lot 465 Cowichan Land District Tax roll # 1-764-13027.025 (Thieves Bay Marina)	Land only (excludes improvement and water lot)	809(4)(a)
Magic Lake Property Owners Society	Lot 67, Plan VIP22335; Section 9; Portion Pender Island Tax roll # 1-764-08454.397 (Land adjacent to Mouat Park)	Land only (excludes improvements and water lot)	809(4)(a)
North Galiano Fire Hall	Lot 1 of Lot 83, Galiano Island, Cowichan District, Plan VIP69843	Land and improvements	809(4)(g)



P.O. Box 65, Pender Island, BC V0N 2M0

28 May 2014

General Manager Corporate Services  
Capital Regional District  
PO Box 1000  
Victoria, BC V8W 2S6

To the General Manager Corporate Services,

The Magic Lake Property Owners' Society (MLPOS) recognizes, with thanks, our 2014 tax exemption and requests a further exemption from rural property taxes for the year 2015 under Section 809 (3) (a) of the Local Government Act. Our 2014 Property Assessment Notices are enclosed.

MLPOS was incorporated as a non-profit society on 29 August 1975, Charter No. 11823. The objectives of MLPOS are two-fold: (1) To represent the members in matters affecting their property or their life style in Magic Lake Estates. (2) To acquire, maintain and administer, or dispose thereof, property in Magic Lake Estates or the foreshore adjacent thereto for the recreational use of the members.

The North and South Pender Islands' have roughly 2300 full-time residents – with approximately one third of these full-time residents living in Magic Lake Estates.

MLPOS operates and maintains a recreational marina at Thieves Bay with 180 berths for the use of members and guests of the society. Our marina provides emergency moorage for any vessel in the area requiring shelter and/or assistance. We reserve, at no charge, a designated berth for the Ambulance Service to conduct medical evacuations for anyone on the Pender Islands. The RCMP and Coast Guard have used our marina for emergency incidents. MLPOS also maintains a public launching ramp beside the marina and we have equipped the marina breakwater with picnic tables open to the public. This Thieves Bay spot has become a very popular, and spectacular, public whale watching site as well as being a favourite walk/drive destination.

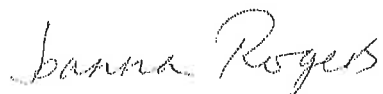


In addition to Thieves Bay Marina, MLPOS operates and maintains the only public tennis court on the Pender Islands. These courts are open year round to members of the Society and to the public, on a pay-per-use basis. We also maintain a children's playground beside the tennis courts and a public park (Mouat Park) designated for the propagation of plants native to the Gulf Islands.

Volunteerism thrives on the Pender Islands and this is apparent in MLPOS. Volunteers build, maintain and manage the marina, tennis courts and playground. We keep all fees charged for the use of these facilities at break-even levels and use all funds generated solely for the short and long-term upkeep and improvement of these recreational facilities.

We hope that you grant our request for a property tax exemption for the year 2014. Such an exemption will significantly enhance our ability to maintain and provide these important recreational facilities for the benefit of our members, our community and tourists to the Gulf Islands.

Yours truly,

A handwritten signature in cursive script that reads "Lanna Rogers".

For

Peter Morton  
President, Magic Lake Property Owners' Society

Encl: Copy of 2014 Property Assessment Notices

Cc: David Howe, CRD Director, Southern Gulf Islands.

JUN 04 2014

RECEIVED

## IMPORTANT INFORMATION FOR PROPERTY IDENTIFICATION

Area: 01  
Jurisdiction: 764 - Gulf Islands Rural  
Roll: 13027.025  
School District: 64

Neigh: 937

CONFIDENTIAL PIN: 0000759136

## 2014 Property Assessment Notice

This Notice provides you with an estimate of your property value, its classification and your entitlement to exemptions from taxation, if any apply. For most properties, the value is based on real estate sales and market conditions in your area.

**THIS IS NOT A TAX NOTICE. TAX NOTICES ARE ISSUED BY YOUR TAXING AUTHORITY.**

### PROPERTY DESCRIPTION

This is a general description of your property for assessment purposes.\* For additional information, please contact your assessment office noted below.

#### THIEVES BAY

Lot A, Plan VIP41807, Section 9, Cowichan Land District, Portion PENDER ISLAND; District Lot 465, Cowichan Land District, COMMERCIAL MARINA IN THIEVES BAY, 1.57 HA  
ISSUED FOR GROUP MOORAGE, BREAKWATER AND BOAT LAUNCHING  
PURPOSES, Lease/Permit/Licence # 114382 LBF: 0288670  
PID: 000-952-141

### IMPORTANT DATES

**July 1, 2013** – Assessed value is estimated for most types of properties as of this date.

**October 31, 2013** – Assessed value typically reflects the property's physical condition and permitted use as of this date.

**January 31, 2014** – Deadline for filing a Notice of Complaint (Appeal).

	VALUE	CLASS
LAND	506,000	REC/NON PROFIT
BUILDINGS	217,000	BUSINESS/OTHER
ASSESSED VALUE	\$723,000	
Less Exemptions	-154,000	
TAXABLE VALUE	\$569,000	

### ADDITIONAL INFORMATION

Visit [www.bcasessment.ca](http://www.bcasessment.ca) or scan the QR code to visit our mobile page.



Follow us ...



- Your assessment has changed due to a redistribution of value between property classes. This may result in a tax change in 2014.
- 2014 tax rates will be set in May. For tax information, please go to: [Gov.bc.ca/propertytaxes](http://Gov.bc.ca/propertytaxes)
- 2013 assessed value (as of July 1, 2012) was \$677,000.

### THE ASSESSMENT OFFICE FOR THIS PROPERTY IS:

Capital Assessment Area  
102 - 3350 Douglas St  
Victoria BC V8Z 7X9  
01-64-764-13027.025

Phone: 1-866-825-8322 or 604-739-8588  
Fax: 1-855-995-6209  
Click "CONNECT" at [www.bcasessment.ca](http://www.bcasessment.ca)

### THE OWNER/LESSEE OF THIS PROPERTY IS:

S-05  
MAGIC LAKE PROP OWNER'S SOC 143/6 (Y)  
PO BOX 65  
PENDER ISLAND BC V0N 2M0

49703

### QUESTIONS?

Click **CONNECT** at [www.bcasessment.ca](http://www.bcasessment.ca) or call **1-866-valueBC** (1-866-825-8322).  
During January, office hours are Monday to Friday, 8:30 am to 5:00 pm.

### IMPORTANT APPEAL INFORMATION

You are encouraged to discuss your assessment with an appraiser **before** filing a formal Notice of Complaint (Appeal).  
To file online, please use the Notice of Complaint (Appeal) Form available at [www.bcasessment.ca](http://www.bcasessment.ca). You can also **mail, fax or hand deliver** a Notice of Complaint (Appeal) to your local BC Assessment office.

Mailed complaints must be postmarked on or before January 31, 2014. The deadline for filing by any means is **January 31, 2014**.

\* Before using information in the Property Description box for non-assessment purposes, please verify records with the Land Title and Survey Authority of British Columbia ([www.ltsa.ca](http://www.ltsa.ca)).

## IMPORTANT INFORMATION FOR PROPERTY IDENTIFICATION

Area: 01  
Jurisdiction: 764 - Gulf Islands Rural  
Roll: 08455.036  
School District: 64

Bulk Mail: 5316  
Neigh: 932

CONFIDENTIAL PIN: 5316

CRD FINANCE

JUN 04 2014

## 2014 Property Assessment Notice

This Notice provides you with an estimate of your property value, its classification and your entitlement to exemptions from taxation, if any apply. For most properties, the value is based on real estate sales and market conditions in your area.

**THIS IS NOT A TAX NOTICE. TAX NOTICES ARE ISSUED BY YOUR TAXING AUTHORITY.**

### PROPERTY DESCRIPTION

This is a general description of your property for assessment purposes.\* For additional information, please contact your assessment office noted below.

#### PRIVATEERS RD

Lot 18, Plan VIP22424, Section 10, Cowichan Land District, Portion PENDER ISLAND,  
SECTION 13(Q) TAXATION ACT  
PID: 003-246-442

*Tennis Court & Play area*

### IMPORTANT DATES

**July 1, 2013** – Assessed value is estimated for most types of properties as of this date.

**October 31, 2013** – Assessed value typically reflects the property's physical condition and permitted use as of this date.

**January 31, 2014** – Deadline for filing a Notice of Complaint (Appeal).

	VALUE	CLASS
LAND	116,000	
BUILDINGS	44,300	
ASSESSED VALUE	\$160,300	
Less Exemptions	-160,300	
TAXABLE VALUE	NIL	
		RECREATION PROFIT #14

### ADDITIONAL INFORMATION

Visit [www.bccassessment.ca](http://www.bccassessment.ca) or scan the QR code to visit our mobile page.

Follow us ...



- 2014 tax rates will be set in May. For tax information, please go to: [Gov.bc.ca/propertytaxes](http://Gov.bc.ca/propertytaxes)
- 2013 assessed value (as of July 1, 2012) was \$169,300.

### THE ASSESSMENT OFFICE FOR THIS PROPERTY IS:

Capital Assessment Area  
102 - 3350 Douglas St  
Victoria BC V8Z 7X9  
01-64-764-08455.036

Phone: 1-866-825-8322 or 604-739-8588  
Fax: 1-855-995-6209  
Click "CONNECT" at [www.bccassessment.ca](http://www.bccassessment.ca)

### THE OWNER/LESSEE OF THIS PROPERTY IS:

MAGIC LAKE PROP OWNER'S SOC  
PO BOX 65  
PENDER ISLAND BC V0N 2M0

### QUESTIONS?

Click **CONNECT** at [www.bccassessment.ca](http://www.bccassessment.ca) or call **1-866-valueBC (1-866-825-8322)**.

During January, office hours are Monday to Friday, 8:30 am to 5:00 pm.

### IMPORTANT APPEAL INFORMATION

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Mailed complaints must be postmarked on or before January 31, 2014. The deadline for filing by any means is **January 31, 2014**.

\* Before using information in the Property Description box for non-assessment purposes, please verify records with the Land Title and Survey Authority of British Columbia ([www.ltsa.ca](http://www.ltsa.ca)).

JUN 04 2014

RECEIVED

## IMPORTANT INFORMATION FOR PROPERTY IDENTIFICATION

Area: 01  
Jurisdiction: 764 - Gulf Islands Rural  
Roll: 08454.305  
School District: 64

Bulk Mail: 5316  
Neigh: 932

CONFIDENTIAL PIN: 5316

## 2014 Property Assessment Notice

This Notice provides you with an estimate of your property value, its classification and your entitlement to exemptions from taxation, if any apply. For most properties, the value is based on real estate sales and market conditions in your area.

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### PROPERTY DESCRIPTION

This is a general description of your property for assessment purposes.\* For additional information, please contact your assessment office noted below.

#### STORM CRES

Lot 21, Plan VIP22335, Section 9, Cowichan Land District, Portlen PENDER ISLAND,  
SECTION 13(Q) TAXATION ACT  
PID: 003-275-400

*Mount Park Nature Plant Sanctuary*

### IMPORTANT DATES

**July 1, 2013** – Assessed value is estimated for most types of properties as of this date.

**October 31, 2013** – Assessed value typically reflects the property's physical condition and permitted use as of this date.

**January 31, 2014** – Deadline for filing a Notice of Complaint (Appeal).

	VALUE	CLASS
LAND	78,800	
ASSESSED VALUE	\$78,800	REC/NON PROFIT
Less Exemptions	-78,800	
TAXABLE VALUE	NIL	

### ADDITIONAL INFORMATION

Visit [www.bcasessment.ca](http://www.bcasessment.ca) or scan the QR code to visit our mobile page.

Follow us ...



- 2014 tax rates will be set in May. For tax information, please go to: [Gov.bc.ca/propertytaxes](http://Gov.bc.ca/propertytaxes)
- 2013 assessed value (as of July 1, 2012) was \$85,200.

### THE ASSESSMENT OFFICE FOR THIS PROPERTY IS:

Capital Assessment Area  
102 - 3350 Douglas St  
Victoria BC V8Z 7X9  
01-64-764-08454.305

Phone: 1-866-825-8322 or 604-739-8588  
Fax: 1-855-995-6209  
Click "CONNECT" at [www.bcasessment.ca](http://www.bcasessment.ca)

### THE OWNER/LESSEE OF THIS PROPERTY IS:

S-01  
MAGIC LAKE PROP OWNER'S SOC 7/10 (Y)  
PO BOX 65  
PENDER ISLAND BC V0N 2M0

1861

### QUESTIONS?

Click **CONNECT** at [www.bcasessment.ca](http://www.bcasessment.ca) or call **1-866-valueBC** (1-866-825-8322).  
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**Galiano Golf and Country Club  
24, St Andrews Crescent  
Galiano, BC  
V0N 1P0**

CRD FINANCE

AUG 18 2014

RECEIVED

August 11<sup>th</sup>, 2014

Mr R Sharma, Senior Manager,  
Financial Services,  
Capital Regional District  
4th Floor  
625 Fisgard Street,  
Victoria, BC V8N 2S6

Dear Mr Sharma,

I am writing to you on behalf of the Galiano Golf and Country Club to request exemption from property taxes for the year 2015.  
Relief from taxation has been granted to the club under Section 809 of the Local Government Act since 2000.

Our club continues to operate as a non-profit society providing an important recreational facility for residents and visitors alike. Our facility is open to everyone and encourages exercise, mental stimulation and social engagement in a beautiful natural setting. It is a focal point for many seniors and we encourage young people to participate as it is an excellent course for beginner golfers.

We would be happy to provide you with any further documentation or information about the club that you may require.

On behalf of the Board of Directors,



Cathy Stephenson,  
Vice President



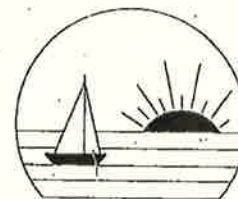
## Pender Island Golf & Country Club

2305 Otter Bay Road, Pender Island, B.C. • [www.penderislandgolf.com](http://www.penderislandgolf.com)

**Mailing Address:**

P.O. Box 6, Pender Island, B.C. V0N 2M0

Golf Shop 250-629-6659  
Birdie's Bistro 250-629-6659  
Office Phone/Fax 778-402-6527



A scenic 9 hole golf course  
located on Pender Island  
amidst B.C.'s beautiful  
Gulf Islands.

March 10, 2014

Capital Regional District  
Attention: General Manager  
Corporate Services  
PO Box 1000  
Victoria, BC V8W 2S6

Dear General Manager:

The Pender Island Golf and Country Club respectfully requests exemption from taxes for the year 2015 under Section 809(3)(a) of the *Local Government Act*.

### Background

The Pender Island Golf and Country Club has been in existence since 1937 and, except for a period during the Second World War, the golf course has been in operation ever since. The Golf Club is a not-for-profit society and was incorporated under the *Societies Act* on July 3, 1945, Charter No. 1047671-7. The purpose of this Society as stated in the constitution is to maintain the Golf Club "for the use and pleasure of club members and the public".

### The Club in the Community

The Pender Island "community" is quite small, with about 2300 full time residents, a high percentage of who are retired or semi-retired. The summer time community expands substantially with many short term residents and visitors coming to the island for vacation activities. In terms of recreation, Pender Island is somewhat isolated; however, the Golf Club provides an excellent outlet for recreational activities and is one of the major attractions for both residents of and visitors to Pender Island.

In terms of members, the Golf Club has junior, intermediate, social and regular memberships. As well, the Golf Club also provides recreational opportunities to many more residents and visitors on a casual green fee basis and these participants are increasing. We estimate that about 400 people regularly use these facilities. With few other recreational activities on the island other than boating, cycling and walking, the Golf Club is one of the major providers of recreation on Pender Island. There are no bowling facilities, no public swimming pool, no curling or hockey rinks and no theatre.

## Page 2

Other than for children under the age of seven years, for safety and liability reasons, there are no restrictions to membership in the Golf Club. While members can play as often as they wish, there is no preference given to members over green fee players-all golfers' play on a first-come, first-to-play basis.

Pender Island is very much a volunteer environment and the Golf Club is no exception. The Club was built by volunteers and volunteers continue to help maintain the course and work to continually improve its infrastructure.

Each year a "Pro-Am" tournament is held and proceeds are donated to local community organizations. For the past several years proceeds have gone to the Pender Island Medical Clinic and to the Roger Coleman Bursary Fund. As well, an active junior golf program provides free lessons to junior golfers through our involvement with the Pender Island School. Adult lessons are also available allowing senior residents to take advantage of golf as a recreational activity.

The Golf Club provides employment and training for eight full and part-time employees.

**Tax History**

We have requested and been very appreciative to have received a tax exemption each year since 1999. We endeavour to be fiscally responsible and at the same time provide a product that is appreciated and of benefit to all Pender Island residents and visitors at as low cost as possible. The Club has maintained its fees and charges at break-even levels. A tax bill would place a heavy burden on our financial situation and would undoubtedly necessitate higher recreation costs to the community as well as reductions in services and employment.

We respectfully request a tax exemption under Section 809(3),(a) of the *Local Government Act* for the year 2015. Should you require additional information regarding this request, we would be pleased to provide it.

Yours sincerely,



Peter Testemale  
President, Pender Island Golf & Country Club

Enclosure: Copy of 2014 Assessment Notice

CC: David Howe, Capital Regional District Director  
7915 Swanson View Drive  
Pender Island, BC V0N 2M2

**BC Assessment**

40 YEARS OF VALUE TO BC

## IMPORTANT INFORMATION FOR PROPERTY IDENTIFICATION

Area: 01

Jurisdiction: 764 - Gulf Islands Rural

Roll: 08647.010

School District: 64



Neigh: 930

CONFIDENTIAL PIN: 0000948597

**2014 Property Assessment Notice**

This Notice provides you with an estimate of your property value, its classification and your entitlement to exemptions from taxation, if any apply. For most properties, the value is based on real estate sales and market conditions in your area.

**THIS IS NOT A TAX NOTICE. TAX NOTICES ARE ISSUED BY YOUR TAXING AUTHORITY.**

<b>PROPERTY DESCRIPTION</b> This is a general description of your property for assessment purposes.* For additional information, please contact your assessment office noted below.	<b>2305 OTTER BAY RD</b> Lot A, Plan VIP52327, Section 17, Cowichan Land District, Portion PENDER ISLAND, EXEMPT UNDER SECTION 809 LGA; Parcel F, Section 17, Cowichan Land District, Portion PENDER ISLAND, Except Plan 22933 36581, EXEMPT UNDER SECTION 809 LGA PID: 017-337-178 009-675-698																					
<b>IMPORTANT DATES</b> <p><b>July 1, 2013</b> – Assessed value is estimated for most types of properties as of this date.</p> <p><b>October 31, 2013</b> – Assessed value typically reflects the property's physical condition and permitted use as of this date.</p> <p><b>January 31, 2014</b> – Deadline for filing a Notice of Complaint (Appeal).</p>	<table border="1"> <thead> <tr> <th></th> <th>VALUE</th> <th>CLASS</th> </tr> </thead> <tbody> <tr> <td>LAND</td> <td>16,900</td> <td>BUSINESS/OTHER</td> </tr> <tr> <td>BUILDINGS</td> <td>620,000</td> <td>REC/NON PROFIT</td> </tr> <tr> <td>ASSESSED VALUE</td> <td>180,000</td> <td>BUSINESS/OTHER</td> </tr> <tr> <td>Less Exemptions</td> <td>\$816,900</td> <td></td> </tr> <tr> <td>TAXABLE VALUE</td> <td>-816,900</td> <td></td> </tr> <tr> <td></td> <td>NIL</td> <td></td> </tr> </tbody> </table>		VALUE	CLASS	LAND	16,900	BUSINESS/OTHER	BUILDINGS	620,000	REC/NON PROFIT	ASSESSED VALUE	180,000	BUSINESS/OTHER	Less Exemptions	\$816,900		TAXABLE VALUE	-816,900			NIL	
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	NIL																					
<b>ADDITIONAL INFORMATION</b> Visit <a href="http://www.bcasessment.ca">www.bcasessment.ca</a> or scan the QR code to visit our mobile page. Follow us ...  	<ul style="list-style-type: none"> <li>• 2014 tax rates will be set in May. For tax information, please go to: <a href="http://Gov.bc.ca/propertytaxes">Gov.bc.ca/propertytaxes</a></li> <li>• 2013 assessed value (as of July 1, 2012) was \$819,900.</li> </ul>																					

## THE ASSESSMENT OFFICE FOR THIS PROPERTY IS:

Capital Assessment Area  
 102 - 3350 Douglas St  
 Victoria BC V8Z 7X9  
 01-64-764-08647.010

Phone: 1-866-825-8322 or 604-739-8588  
 Fax: 1-855-995-6209  
 Click "CONNECT" at [www.bcasessment.ca](http://www.bcasessment.ca)

## THE OWNER/LESSEE OF THIS PROPERTY IS:

S-05  
 PENDER ISLAND GOLF & COUNTRY CLUB 49689 143/5 (Y)  
 2305 OTTER BAY RD  
 RR 1 PO BOX 6  
 PENDER ISLAND BC V0N 2M0

## QUESTIONS?

Click **CONNECT** at [www.bcasessment.ca](http://www.bcasessment.ca) or call **1-866-valueBC** (1-866-825-8322).

During January, office hours are Monday to Friday, 8:30 am to 5:00 pm.

## IMPORTANT APPEAL INFORMATION

You are encouraged to discuss your assessment with an appraiser **before** filing a formal Notice of Complaint (Appeal).

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**REPORT TO THE FINANCE COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 3, 2014**

---

**SUBJECT**     **BYLAW NO. 3976: RECREATION SERVICES AND FACILITIES FEES AND CHARGES 2014-2015 – TO ADD UPDATED SALT SPRING ISLAND (SSI) PARKS AND RECREATION FEES AND CHARGES**

**ISSUE**

The need to update the SSI parks and recreation fees and charges schedule for 2014-2015.

**BACKGROUND**

At its July 9, 2014 meeting, the Capital Regional District (CRD) adopted Bylaw 3952 to update all the recreation services and facilities fees and charges schedules, with the exception of the Salt Spring Island Parks and Recreation Fees and Charges Schedule, which was deferred pending its review and recommendation by the SSI Parks and Recreation Commission.

At its meeting of August 18, 2014, the SSI Parks and Recreation Commission adopted the following motion:

*That the Parks and Recreation Commission approves the recommended Salt Spring Island Parks and Recreation Fees and Charges, with the new fee numbers rounded to zero or five, and that they be forwarded to the Capital Regional Finance Committee for consideration.*

**ALTERNATIVES**

- 1) That Bylaw No. 3976, cited as "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009, Amendment Bylaw No. 6, 2014" be introduced and read a first and second time, read a third time and adopted; or
- 2) That the proposed fees and charges be further reviewed.

**IMPLICATIONS**

SSI Parks and Recreation fee adjustments will be minimal; drop-in admission for youth and family will remain the same to encourage participation. The key changes include:

- Adult cash admission fees and punch passes to increase 4%;
- Addition of a recreational commercial rate under facilities to accommodate groups;
- Gazebo in Centennial Park to provide an \$10.00 per hour to a maximum of \$50.00 per day to accommodate different requirements for community group events;

Without the proposed increases in fees and charges, the burden of filling the revenue gap falls on the requisition.

**CONCLUSION**

The proposed bylaw amendment to the CRD Recreation Services and Facilities Fees and Charges Bylaw includes the updated Salt Spring Island Parks and Recreation fees and charges schedule as recommended by the Salt Spring Island Parks and Recreation Commission at its August 18, 2014 meeting.

**RECOMMENDATION**

That Bylaw No. 3976, cited as "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009, Amendment Bylaw No. 6, 2014" be introduced and read a first and second time, read a third time and adopted.



Rajat Sharma, MBA, CMA  
Senior Manager, Financial Services



Diana E. Lokken, CPA, CMA  
General Manager, Finance and Technology Dept.  
Concurrence



Karla Campbell,  
Senior Manager  
Salt Spring Island Administration  
Concurrence



Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

Attachment: (1) Bylaw No. 3976

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3976**

\*\*\*\*\*

**A BYLAW TO AMEND BYLAW NO. 3623  
TO UPDATE THE RECREATION SERVICES AND FACILITIES FEES FOR 2014-2015**

\*\*\*\*\*

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 3623, the "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009" is amended as follows:
  - a) By removing SCHEDULE "D" in its entirety and replacing with the SCHEDULE "D" attached hereto.
2. The effective date is stated on the Schedule.
3. This Bylaw may be cited as "Capital Regional District Recreation Services and Facilities Fees and Charges Bylaw No. 1, 2009, Amendment Bylaw No. 6, 2014".

READ A FIRST TIME THIS	DAY OF	2014
READ A SECOND TIME THIS	DAY OF	2014
READ A THIRD TIME THIS	DAY OF	2014
ADOPTED THIS	DAY OF	2014

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

## SCHEDULE "D"

## SALT SPRING ISLAND PARKS AND RECREATION FEES AND CHARGES

Effective September 1, 2014

## Leisure Services

INDOOR POOL - General Admission Fees ("Everyone Welcome", Lap Swim) – Excluding Tax					
Class of Person	Single	10 x Pass (get 10 for 9)	20 x Pass (get 20 for 17)	1 Month Pass	Annual Pass
Adult (19 yrs and older)	5.24	47.15	89.04	56.80	535.31
Youth (13-18 yrs or valid student card)	4.02	35.71	67.54	43.71	428.30
Child (4-12 yrs)	2.99	26.79	50.67	32.81	321.21
Tot ( 3 yrs and under)	No Charge	No Charge	No Charge	No Charge	No Charge
Family (max 5 people)	12.10	107.23	202.59	131.03	766.52
"Toonie Swim" (Including tax) *	1. 90	N/A	N/A	N/A	N/A
Single Admission rates will apply for use of whirlpool or showers only. Single Admission rates apply to each entry per day. * As Scheduled					

INDOOR POOL – Lesson Fees (Excluding tax)			
	Individual	Session (Set of 10)	
½ hour Lesson		57.00	
¾ hour Lesson		70.00	
½ hour Private Lesson	20.95		
½ hour Semi-Private Lesson (2 people)	31.42		
School Group Lessons (per hour/per day)	1 <sup>st</sup> child – 3.60 2 <sup>nd</sup> child – 2.80 3 <sup>rd</sup> child or more – 2.05		
INDOOR POOL – Aquatic Fitness (Excluding tax)			
	Drop-In	10 x Pass	1 Month Pass
Participant	7.10	62.59	64.55

INDOOR POOL – Rental Rates (Excluding tax)		
Class of Organization	Per Lane	Entire Facility
Commercial Organizations		291.96
Non-Profit Organizations		194.64
Youth Aquatic Sport Organizations	12.19	72.99
Adult Aquatic Sport Organizations	24.33	145.98
School Organizations	12.19	72.99
Birthday Party (youth)		145.98

<b>CAMP COLOSSAL</b>				
	<b>Pre-Registered Day</b>	<b>Drop-In</b>	<b>4-day Week</b>	<b>5-day Week</b>
Child (5 - 12 yrs)	32.00	37.00	120.00	144.00

<b>FACILITIES</b>				
	<b>Per hour – Excluding tax</b>			
<b>Facility</b>	<b>Non- Profit</b>		<b>Recreational Commercial NEW</b>	<b>Non-Recreational Commercial</b>
	<b>Youth</b>	<b>Adult</b>		
Tennis Courts (per court)	No Charge	No Charge	6.00	12.00
Ball Diamonds	No Charge	No Charge	6.00	See Park Use Fees
Main Field - Portlock	No Charge	No Charge	6.00	
Side Field - Portlock	No Charge	No Charge	6.00	
Jogging Track	No Charge	No Charge	6.00	
Portlock Meeting Room	No Charge	No Charge	6.00	12.00
Portlock Meeting Room AV Rental NEW	No Charge	15.00	15.00	15.00

<b>PARK USE (Excluding tax)</b>		
	<b>Permit Fee (per day)</b>	<b>Damage Deposit</b>
<b>Commercial Filming</b> – minimal set up, less than 5 days	300.00	1000.00
<b>Commercial Filming</b> – Elaborate set up, less than 10 days	500.00	1000.00
<b>Commercial Service or Activity</b>	200.00 per day or 8% of gross up to 500.00 per week	1000.00
<b>Commercial Temporary One-Time Use</b> – such as helicopter landing for equipment pick up	100.00	500.00
<b>Temporary Service Access</b> – for such purposes as accessing private property, utility or public works	No Charge	500.00
<b>Research Activity</b> – such as specimen collection, surveys, inventories, monitoring plots	30.00	500.00
<b>Weddings</b> – Ceremony only (with or without guests) – Ceremony and Reception	25.00	500.00
	50.00	500.00
<b>Special Event or Activity</b> – such as a festival which attracts participants and spectators (no alcohol)	100.00	500.00
<b>Gazebo in Centennial Park</b> – Commercial or Non-Profit	10.00/hour to maximum 50.00/day	100.00

**Fee Exemptions:**

- may be made when all participants are under 18 years of age
- may be made when activity provides a benefit or improvement to the community park
- may be made for any school district sponsored activity
- Damage Deposit may be waived at the discretion of PARC for long-standing events with history of good management.

## Saturday Market in the Park

Permit fees are payable upfront. Seasonal linear fees are payable at month end.

<b>PERMITS</b>	
<b>Permit fees are payable upfront. Seasonal linear fees are payable at month end.</b>	
Seasonal	152.38 / season
Day	4.91 / day
Farm	0.89 / season
Not-for-Profit	0.89 / season
Child or Youth Vendor	0.89 / season
Busker	0.89 / season
Off-Season	8.93 / off-season
<b>LINEAR CHARGES FOR TABLE DISPLAY SPACE</b> (Maximum 8 feet frontage, unless grandfathered or a farmer)	
Seasonal	1.34 / frontage foot / day
Day	1.34 / frontage foot / day
Farm	1.34 / frontage foot / day 3.13 / additional frontage foot/day up to 2 feet maximum
<b>OTHER</b>	
Power	19.20 / season / where available
Wash Station for Food Vendors	33.48 / season



Making a difference...together

Item 5.2.5

**REPORT TO THE FINANCE COMMITTEE  
MEETING OF WEDNESDAY, SEPTEMBER 3, 2014**

---

**SUBJECT**      **BYLAW NO. 3977: AMENDMENT TO SALT SPRING ISLAND LIQUID WASTE, SEWER, AND WATER FEES AND CHARGES BYLAW 3864**

**ISSUE**

To amend the liquid waste disposal fees.

**BACKGROUND**

The Capital Regional District (CRD) Board amended the Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 3864 in March 2014 following approval of the service budgets; this amendment is done annually to update the fees and charges as required. Since that amendment, the sewage and septage hauling contractor – Coast Environmental – has increased its rate from \$0.29 per imperial gallon (ig) to: \$0.30 per ig effective May 1, 2014; \$0.31 per ig effective March 1 2015; and \$0.32 per ig effective March 1, 2016.

Over 900,000 imperial gallons of septage and sludge are hauled from the Salt Spring Island Septage facility each year; therefore, an increase of \$0.01 per gallon hauled will cost the service about \$10,000 per year.

Tipping fee revenues are used to fund the hauling costs and approximately \$80,000 in annual direct costs to operate the service (electricity, grit disposal, supplies, repairs and maintenance and direct labour). To manage the financial impact of the increase in septage hauling fees, the Salt Spring Island Liquid Waste Commission approved a tipping fee increase of \$0.01 per ig at its May 22, 2014 meeting. In order to implement this increase, the proposed bylaw amendment is required.

**ALTERNATIVES**

That the Finance Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 3977, "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 3, 2014" be introduced and read a first and second time, read a third time and adopted; or
2. That adoption of Bylaw No. 3977 be deferred pending additional information.

**IMPLICATIONS**

An increase of \$0.01 per ig in tipping fee revenue is required in order to fund the hauling fee increase. If fee revenues are not increased, then service levels will need to be reduced or the parcel tax burden will need to increase. An increase of \$10,000 in the parcel tax is equal to \$1.74 per parcel or 3.4% over the current amount of \$50.29/parcel.

Projected hauling fee increases for 2015 and 2016 will be factored into the respective annual service budgets, as well as the subsequent annual fees and charges bylaw amendments which are submitted for Board approval once the budgets are approved.

**CONCLUSION**

Subsequent to the CRD's amendment of the Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw in March 2014, the septage and sewage hauling contractor – Coast Environmental – increased its fees by \$0.01 per ig effective May 1, 2014. To mitigate the resulting financial impact on the service, the Salt Spring Island Liquid Waste Commission has recommended an immediate tipping fee increase of \$0.01 per ig as specified in the proposed bylaw amendment.

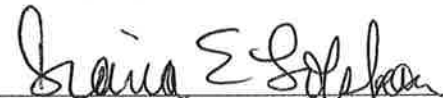
Projected hauling fee increases for 2015 and 2016 will be factored into the respective annual service budgets, as well as the subsequent annual fees and charges bylaw amendments which are submitted for Board approval once the budgets are approved.

**RECOMMENDATION**

That Bylaw No. 3977, "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 3, 2014" be introduced and read a first and second time, read a third time and adopted.



Karla Campbell  
Senior Manager  
Salt Spring Island Electoral Area



Diana E. Lokken, CPA, CMA  
General Manager  
Finance and Technology Dept.  
Concurrence



Ted Robbins, BSc, C.Tech  
General Manager, Integrated Water Services  
Concurrence



Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

KW:ts

Attachments: Bylaw No. 3977



**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3977**

\*\*\*\*\*  
**A BYLAW TO AMEND BYLAW 3864 TO UPDATE FEES AND CHARGES FOR UTILITY  
SERVICES AND LIQUID WASTE DISPOSAL WITHIN THE  
SALT SPRING ISLAND ELECTORAL AREA**  
\*\*\*\*\*

The Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 3864 "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012" is amended as follows:

- a) By removing SCHEDULE "C" in its entirety and replacing it with SCHEDULE "C" attached hereto.

2. Citation:

This Bylaw may be cited as "Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 3, 2014".

READ A FIRST TIME THIS	th	DAY OF	2014
READ A SECOND TIME THIS	th	DAY OF	2014
READ A THIRD TIME THIS	th	DAY OF	2014
ADOPTED THIS	th	DAY OF	2014

---

CHAIR

---

CORPORATE OFFICER

Attachment  
Schedule "C"

## SCHEDULE "C"

### 1. Liquid Waste Disposal Fees

Every person depositing Liquid Waste at the disposal site shall pay the following fees:

WASTE CATEGORY	FEE PER CUBIC METER – CM (PER IMPERIAL GALLON - IG)	EFFECTIVE DATE
Septage	\$85.80/cm (\$0.39/ig)	Upon adoption of Bylaw No. 3977.
Sewage Sludge	\$85.80/cm (\$0.39/ig)	Upon adoption of Bylaw No. 3977.

### 2. Interpretation:

**“Discharge”** means to directly or indirectly introduce a substance into a Sewer or Sewage Facility by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying or by any other means.

**“Disposal Site”** means the Salt Spring Septage Facility, more particularly described as located off Burgoyne Bay Road, Salt Spring Island (part of the North ½ of Section 4, Range 1, South Salt Spring Island, Cowichan District).

**“Generator”** means an owner or occupier of property from which the Liquid Waste originates that is being trucked to a facility for disposal.

**“Hauler”** means a person who transports Liquid Waste from a Generator to a facility for disposal.

**“Local Service Area”** means the Local Service Area established under bylaw 2118 Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993.

**“Load of Liquid Waste”** means the measured hauling capacity of the Liquid Waste hauling vehicle.

**“Liquid Waste”** means Septage and/or Sewage Sludge.

**“Measured Volume”** means the actual volume of Liquid Waste discharged at the Designated Liquid Waste Disposal Facility as measured by the magnetic flow meter installed at the facility.

**“Municipality”** means a municipality participating in the Local Service Area and/or the Capital Regional District itself.

**“Septage”** means a combination of liquid and solid wastes and/or settled solids from residences, businesses, institutions and industries normally collected in a septic tank or holding tank.

**“Sewage Facility”** means works owned or otherwise under the control or jurisdiction of the Capital Regional District that gathers, treats, transports, stores, utilizes or discharges Liquid Waste.

**“Sewage Sludge”** means the primary or secondary sewage sludge from a sewage treatment plant.

**"Sewage Sludge"** means the primary or secondary sewage sludge from a sewage treatment plant.

**"Sewer"** means all pipes, conduits, drains and other equipment and facilities owned or otherwise under the control or jurisdiction of the Capital Regional District for collecting, pumping and transporting wastewater, either to a Sewage Facility or otherwise.

**"Trucked Liquid Waste"** means any Liquid Waste that is collected and transported from the site where the Liquid Waste originated by means other than discharge to a Sewer, including but not limited to: Septic tank waste, chemical toilet contents, oil and grease from interceptors or traps and other sludges of organic or inorganic origin."

**"Trucked Waste Manifest"** means a form provided by the Capital Regional District to be completed by the Generator, or agent acting on behalf of the Generator, and Hauler of Septage as a condition of using a Liquid Waste disposal facility.

3. User Fees:

- (a) The Liquid Waste Disposal Fee set out in Section 1 will be imposed on every person depositing Liquid Waste at the Disposal Site and shall be paid in accordance with this bylaw.
- (b) The fees charged will be calculated by multiplying the measured volume of Liquid Waste discharged by the unit rate set out in Section 1. Where no measured volume is available, the fees charged will be calculated by multiplying the unit rate by the volume of a Load of Liquid Waste.

4. Credit:

Persons depositing liquid waste at the Disposal Site on a regular basis may apply to the Regional District for credit. If the Treasurer is satisfied of the credit worthiness of the person, credit may be granted to that person, in which case payment of the charge imposed under Section 3 shall be made and credit extended on the following conditions:

- (a) The person receiving credit shall pay to the Regional District all fees in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The Regional District will invoice monthly for liquid waste delivered during the preceding month. The invoice amount will be based on the total quantity of the waste delivered during the month, and the posted rates in effect at the time of delivery.
- (b) Late payment(s) will be subject to an interest penalty of 1 ½% per month.
- (c) The Regional District reserves the right to cancel, upon five (5) days' notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the Regional District.

5. Discharges of Liquid Waste:

- (a) No person shall discharge Trucked Liquid Waste directly or indirectly to Sewer or Sewage Facility other than at the Disposal Site.

- (b) Every Generator or Hauler within the Local Service Area must discharge Liquid Waste into the Disposal Site.
- (c) Haulers must arrange for a gate access key to the Disposal Site through the Capital Regional District.
- (d) Haulers must comply with all rules of conduct governing use of the Disposal Site as prescribed in Section 7.
- (e) No person shall discharge Trucked Liquid Waste at the Disposal Site unless a Trucked Waste Manifest has been completed and deposited at the facility.
- (f) The Capital Regional District may suspend or revoke the privilege of access to and use of the Disposal Site if the Generator or Hauler falsifies or omits information on a Trucked Waste Manifest.
- (g) Sections 5(a) to 5(f) do not apply to a Municipality or agent of a Municipality, where Liquid Waste is removed from a Sewer or Sewage Facility or the Disposal Site for purposes of maintenance activities on the Sewer or Sewage Facility or the Disposal Site.

6. Offences and Penalties:

- (a) A person who contravenes this bylaw is guilty of an offence and is liable, upon conviction, to a fine not exceeding \$10,000.
- (b) Where an offence is committed, or continues on for more than one day, a person shall be deemed to have committed separate offences for each day on or during which an offence occurs or continues, and separate fines, each not exceeding \$10,000, may be imposed for each day on or during which an offence occurs or continues.
- (c) Nothing in this bylaw shall limit the Capital Regional District from utilizing any other remedy that would otherwise be available to the Capital Regional District at law.

7. Rules for Use of the Burgoyne Septage Facility:

- (a) The Burgoyne site is an unattended facility. Access to the facility is controlled by gate. The Capital Regional District will issue a gate key to a Hauler carrying out work in the Local Service Area whose application for service is approved.
- (b) Parking for Haulers' vehicles on site is permitted only while discharging Liquid Waste.
- (c) The facility is not to be used for vehicle washing or servicing.
- (d) There are no office, telephone or washroom facilities on the site for use by Haulers.
- (e) All hauling vehicles using the site must have connection devices compatible with those of the facility.
- (f) The discharge of Liquid Waste shall be conducted without spillage. Hoses shall not be drained to the ground.

- (g) The Hauler is responsible for connecting and disconnecting hoses from the hauling vehicle to the facility discharge coupling and the operation of the equipment associated with the hauling vehicle.
- (h) The Hauler shall designate on the Trucked Waste Manifest whether the discharge is septage or sewage sludge.
- (i) A flow meter is provided for the Hauler to measure the volume of each discharge. The Capital Regional District will bill each Hauler based on the total volume of Liquid Waste discharged. Haulers shall note and record the flow meter totalizer reading at the start and on completion of the discharge. The two readings shall be recorded on the Trucked Waste Manifest and the manifest form shall be deposited in the box provided on site.

.....**REGIONAL WATER SUPPLY COMMISSION'S**.....Report

Victoria, B.C. .... July 16, 2014 .....

To the Chairman  
and Directors of the Capital Regional  
District Board:

DIRECTORS:

Your .....**Regional Water Supply Commission**.....

reports and recommends as follows:

**GREATER VICTORIA DRINKING WATER QUALITY 2013 ANNUAL REPORT**

That the Regional Water Supply Commission recommend to the Capital Regional District Board:

- (a) That the executive summary of the Greater Victoria Drinking Water Quality 2013 Annual Report be received for information; and
- (b) That the full annual report be distributed to the appropriate agencies and posted to the CRD website.

(A copy of the staff report to the Commission is attached.)



**REPORT TO REGIONAL WATER SUPPLY COMMISSION  
MEETING OF WEDNESDAY, JULY 16, 2014**

---

**SUBJECT**     **GREATER VICTORIA DRINKING WATER QUALITY 2013 ANNUAL REPORT**

**ISSUE**

To present the 2013 annual report to the Regional Water Supply Commission prior to submission to the Capital Regional District (CRD) Board.

**BACKGROUND**

The CRD undertakes a comprehensive water quality monitoring program as part of its multi-barrier approach to providing a safe drinking water supply to the region. The Water Quality program reports water trends on a quarterly basis to the Commission along with a comprehensive annual report for each calendar year. The executive summary of the *Greater Victoria Drinking Water Quality 2013 Annual Report* is attached as Appendix A. The full report is distributed to Island Health and will also be posted on the CRD website upon Board approval.

**ALTERNATIVES**

That the Regional Water Supply Commission recommend to the CRD Board:

1.    (a)    that the executive summary of the *Greater Victoria Drinking Water Quality 2013 Annual Report* be received for information; and  
  
      (b)    that the full annual report be distributed to the appropriate agencies and posted to the CRD website.
2.    that the executive summary of the *Greater Victoria Drinking Water Quality 2013 Annual Report* not be received.

**ENVIRONMENTAL IMPLICATIONS**

The report indicates there is very good overall water quality associated with the source water that supplies the regional system. The system is monitored for several water quality parameters. All trends are either stable or improving and indicate excellent overall conditions. Treatment using ultraviolet radiation and a sequence of chlorination and ammoniation remains effective in managing low risks associated with our unfiltered water supply.

Monitoring results indicate that the CRD continues to meet guidelines for maintaining an unfiltered source water supply. Further monitoring within the distribution systems also indicates a good balance between managing algal and bacterial growth, and ensuring good water quality with low residual disinfectant by-products.

**ECONOMIC IMPLICATIONS**

The reporting function is included within the overall budget for the Water Quality program, which is funded from the overall Integrated Water Service budget. The reporting function is essential for ensuring there is adequate information to inform and work with Island Health officials, meet

provincial and federal regulatory requirements, and ensure CRD staff have sufficient information to maintain proper oversight of the water supply system.

### **SOCIAL IMPLICATIONS**

The full disclosure of water quality monitoring data maintains public confidence that the CRD is effectively managing the regional drinking water supply. The data and reports are available online through the CRD public website. The program also responds to direct customer concerns and questions; tracking that information and reporting out through our annual report. The Water Quality program also works within CRD operational staff, municipal staff, small system operators, and Island Health officials to ensure good communication and support for the overall system.

### **CONCLUSIONS**

The water quality monitoring program remains an important component in the delivery of a safe and abundant drinking water supply to the region. Monitoring results indicate excellent overall water quality and all parameters indicate stable general conditions. There are very low risks associated with parasites, algae and bacteria present in the treated water, and the monitoring of the distribution systems indicates a good balance between residual chlorine and treatment by-products and any taste and odour concerns.


Program staff continue to review and revise the monitoring program so that it remains effective, efficient and consistent with current science, best practices and regulatory expectations. Information is also shared with all stakeholders to ensure good public confidence in the water supply and strong management of the overall water supply system.

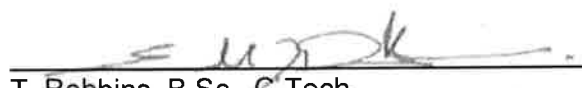
### **RECOMMENDATIONS**


That the Regional Water Supply Commission recommend to the Capital Regional District Board:

1. That the executive summary of the *Greater Victoria Drinking Water Quality 2013 Annual Report* be received for information; and
2. That the full annual report be distributed to the appropriate agencies and posted to the CRD website.

  
Glenn Harris, Ph.D., R.P.Bio  
Senior Manager, Environmental Protection

  
Larisa Hutcheson, P. Eng., General Manager  
Parks & Environmental Services  
Concurrence

  
T. Robbins, B.Sc., C.Tech.  
General Manager, Integrated Water Services  
Concurrence

  
Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

GH:cam  
Attachment: 1



**Greater Victoria Drinking Water Quality  
2013 Annual Report  
Executive Summary**

This report is the annual overview of water quality testing that was conducted in 2013 within the Greater Victoria Drinking Water System (GVDWS) (Map 1). The test results show that Greater Victoria's drinking water continues to be good quality and is safe to drink. With a few minor exceptions, all the results were within the limits of both the *Guidelines for Canadian Drinking Water Quality* and the *BC Drinking Water Protection Regulation*. This report will be posted on the Capital Regional District's (CRD) website.

**Samples and Tests.** In 2013, the Water Quality Program collected 6,012 samples from the GVDWS and analyzed those samples for 35,810 individual tests. Approximately 300 different types of analyses were conducted on these samples. The data collected in 2013 are reported in the water quality data tables (see Tables 1, 2 and 3 in Appendix A).

**Physical-Chemical-Radiological.** All physical, chemical and radiological parameters were well within the Canadian Drinking Water Guideline limits except for summer water temperatures (aesthetic limit of 15°C). In 2013, the weekly and monthly average water temperatures were above the 15°C limit for a period of about two months from late July to late September (Figure 2 and Figure 3). This is similar to the previous three years and an improvement from the time before the Sooke Lake Reservoir expansion when the water temperature was above the 15°C limit for about four months of the year. This cooler water is one of the benefits of raising the water level in Sooke Lake Reservoir and the ability to draw from deeper and cooler strata. In addition, there was one positive radiological parameter in one sample (gross beta radiation); however, at 0.11 Bq/L this is well below the guideline limit of 1.0 Bq/L.

**Bacteria in Source Water.** In 2013, as in the past few years, the level of total coliform bacteria in the raw (untreated) source water entering the Japan Gulch Disinfection Plant continued to be higher during the fall, peaking in mid-September to mid-October (Figure 3). An increase in total coliform counts was also observed when the Goldstream Reservoir System was used to supply water to the Japan Gulch Plant (December 2-6, 2013) during the period the Kapoor Tunnel was shut down for internal inspection. Nevertheless, the quality of the raw water entering the treatment plant continued to easily meet the *E. coli* limit of 20 colony forming units (CFU) per 100 mL at least 90% of the time as stipulated in the United States Environmental Protection Agency (USEPA) Surface Water Treatment Rule and, therefore, continued to qualify to remain an unfiltered surface water supply under this portion of the USEPA regulations (Figure 3A). In 2013, all of the *E. coli* positive samples contained concentrations below 20 CFU/100 mL.

**Treatment.** The treatment process used to disinfect the raw source water entering the distribution system continued to be ultraviolet (UV) disinfection followed by the addition of free chlorine and then ammonia (to produce chloramines). The chlorine dosage level was increased twice and decreased once during the year to keep the chlorine residual in the distribution system relatively constant (Figure 4). These changes resulted in monthly median total chlorine residuals ranging from 0.82 to 1.45 mg/L at the entry point to the distribution system.

**Bacteria at First Customer.** No total coliforms were found in any samples collected at the first customer sampling location below the Japan Gulch Disinfection Plant during 2013 (Figure 4). The annual total coliform-positive sample rate of 0% was lower than the previous years and much better than earlier years before the use of UV and free chlorine as primary disinfectants. No *E. coli* bacteria were found in any of the samples collected at the entry point to the distribution system. This fact provides assurance that Greater Victoria's primary disinfection process is working in a satisfactory manner.

**Bacteria in Distribution System.** When all of the results from the various municipal distribution systems are grouped together (Figure 5), the percentage of total coliform-positive samples in the Greater Victoria distribution system did not exceed the 10% Guideline limit during any month in 2013 and was, therefore, in compliance with the BC *Drinking Water Protection Regulation*. Over the last 20 years, a broad reduction in total coliform bacteria detection has been observed and, hence, an overall improvement in the bacteriological quality of the water. The relatively low level of total coliform-positive samples (1.2%) reflects the balance maintained between reasonable concentrations of chlorine in the distribution system and acceptable levels of positive bacterial samples.

**Parasites.** In 2013, no *Giardia* cysts were detected in the raw source water entering Japan Gulch Disinfection Plant (Figure 6). In addition, none of the 2013 samples contained *Cryptosporidium* oocysts (Figure 7). The 10-year average total *Giardia* cyst and total *Cryptosporidium* oocyst concentrations were only 0.020 cysts and 0.031 oocysts per 100 L, respectively (Figures 6 and 7). While these are extremely low values for a surface water supply, the addition of UV disinfection provides assurance that no infective parasites can enter the GVDWS.

**Inorganic and Organic Chemicals.** All inorganic chemicals, including metals and non-metals, were within Guideline values at the entry point to the distribution system. No organic chemicals, except benzo(a)anthracene, were detected in the raw water entering the treatment plant. It remains to be seen whether or not this represents an actual change in water chemistry or is simply a result of improved lab technology (i.e., the ability of laboratories to detect smaller and smaller quantities). Regardless, this organic chemical does not have a health-related limit in the Canadian Guidelines.

**Disinfection Byproducts.** Total trihalomethanes (TTHMs), byproducts of the chlorine disinfection process, were well below (range of 6.9-70.2 µg/L for TTHMs) the Canadian Guideline limit of 100 µg/L in the chloraminated distribution system (Figure 8). Similarly, a second group of disinfection byproducts, haloacetic acids (referred to as HAA5 because the limit is based on the concentration of a group of 5 HAAs), were low in the chloraminated distribution system (HAA5 range of 3.98-20.4 µg/L), similar to that seen in 2012 (Figure 9). The Canadian Guideline limit for HAA5s of 80 µg/L was introduced in 2008.

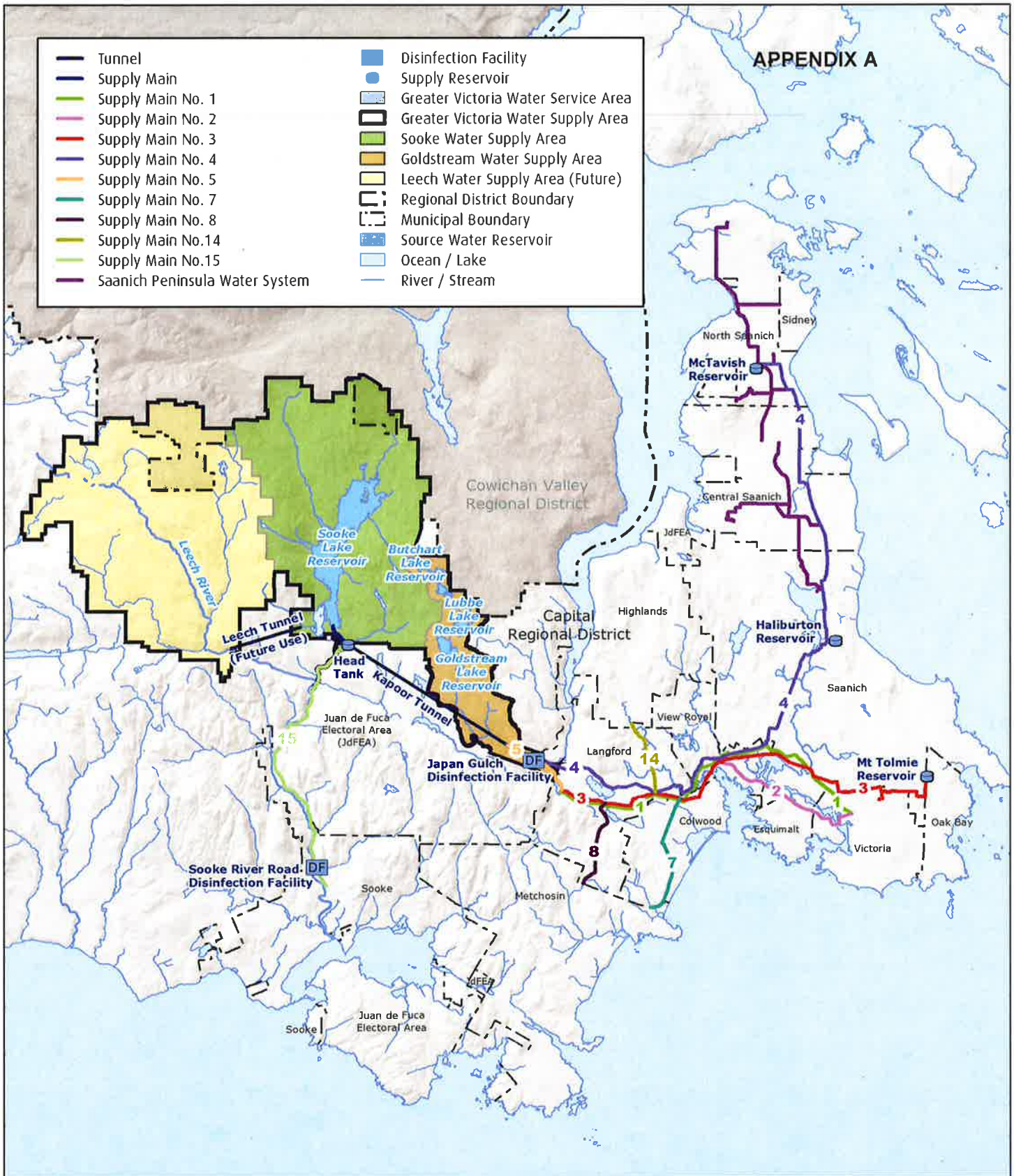
**Sooke Reservoir Biological Activity.** The overall level of algal activity in Sooke Lake Reservoir is measured using chlorophyll-a, a component of all algal cells (Figure 10). Since 2007, the concentration appears to have reached a steady state with some annual variation. In 2013, the chlorophyll-a concentration peaked in the early spring and early winter for both the south and north basins (see inset Figure 10).

**Phosphorus.** The primary contributor to the higher levels of the chlorophyll-a observed in Sooke Lake Reservoir in 2004 through 2013 was higher levels of total phosphorus, a nutrient that is needed for the algae to grow. The median concentration of total phosphorus between 2003 and 2007 was approximately 70% higher than in the years before the inundation of the new shoreline in both the north and south basins of Sooke Lake Reservoir (Figure 11). However, the levels of total phosphorus are declining as the median concentration in 2008 through 2013 was only 7.9% higher than in the years before the inundation. The highest phosphorus levels coincided with the flooding of the newly cleared lands around the margin of Sooke Lake Reservoir when the reservoir was expanded. In 2013, the phosphorus levels were similar to that in 2012 and substantially lower than during the inundation.

**Algae.** In Sooke Lake Reservoir there are a number of species or groups of species that can become dominant during different times of the year. In 2013, there was a notable peak in the chrysophyte group (the genus *Dinobryon*) in May and again in October/November (Figures 12 and 14). Two of the usually dominant algae, the diatoms *Asterionella* (Figure 13) and *Tabellaria* (Figure 15), were present in relatively low numbers compared to previous years. Overall the number of algae in the reservoir in 2013 was similar to the previous five years.

**Water Quality Complaints.** In 2013, the number of water quality complaints received by CRD Water Quality staff (Table 4) was similar to the previous three years and lower than earlier years (Figure 16).

## APPENDIX A



0 1 2 4 6 8 Kilometres

UTM Zone 10N NAD 1983



### DISCLAIMER

This map is for general information purposes only and may contain inaccuracies.

February 2014 | GreaterVictoriaDrinkingWaterSupplySystem\_8-5x11P.mxd | gis@crd.bc.ca

Greater Victoria  
Drinking Water Supply System



Making a difference...together

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, SEPTEMBER 10, 2014**

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**SUBJECT     SALT SPRING ISLAND (SSI) NOISE SUPPRESSION AMENDMENT BYLAW**

**ISSUE**

Bylaw No. 3855 "Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014" was referred out for public feedback and is being brought forward for consideration of third reading and adoption.

**BACKGROUND**

At the June 11, 2014 Capital Regional District (CRD) Board meeting, Bylaw No. 3855 "Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014" was given first and second reading. This bylaw proposes a 70 decibel limit on the activities of the SSI Rod and Gun Club (the Club) in response to ongoing complaints by the neighbours of the Club.

This bylaw amendment was the result of substantial discussion at the Electoral Area Services Committee (EASC) in response to numerous complaints filed by neighbours of the Club over the noise created by the Club's activities. This file has been active for a number of years and has included a court challenge of the CRD Noise Bylaw by the Club, numerous meetings between the SSI Director and CRD staff with both the Club and the neighbours and a number of reports to the EASC. It was hoped to find a solution that would satisfy both sides of the dispute.

Following first and second reading at the June 11, 2014 Board meeting, the CRD provided an opportunity for public feedback. This consisted of posting a notice of intent in the Gulf Islands Driftwood newspaper which provided a link to the CRD website where previous staff reports, Committee minutes and the proposed amendment bylaw were posted, with a link to provide feedback.

The CRD received almost 300 responses from the web link (Attachment 1). In summarizing the feedback, 98% of respondents did not support moving forward with the amendment bylaw. The majority of the feedback requested that no further restrictions be considered and the bylaw not be amended. Much of the feedback supporting the Gun Club listed 70 decibels as too low a limit, and suggesting enacting this level was in essence shutting down the Club's activities as it was too low to be achievable. In contrast, neighbours and others disagreed with the proposed amendment, noting the proposed 70 decibel level was too high and the noise created would still be unreasonable and a nuisance.

**Civil Litigation**

This file has been subject to a number of legal proceedings. In 2013, the Gun Club challenged the validity of the CRD Noise Bylaw and this resulted in the CRD defending the issuance of three tickets for shooting during daytime hours, and three tickets for shooting after sunset. The decision in that case (Attachment 2) held that our current bylaw is enforceable, limiting shooting to the hours of after 9am and before sunset. The judge did indicate that the CRD could take other reasonable actions to provide limitations on the Club's activities, such as limiting hours or levels of noise, however we could not use a noise bylaw to legislate the Club out of existence.

The other civil action that the Club has been involved in which is directly related to this file is an action brought against the Club by Brian Milne (*Milne v. Saltspring Island Rod and Gun Club*, 2014 BCSC 1088). The decision in that case (Attachment 3) has ordered a limited injunction against the Club, the terms of which are to be negotiated between the two parties and brought back before the court. The order notes that the agreement between the parties on the injunction is to include reduced shooting hours, soundproofing of the indoor range and addition of a door or doors, extension of the side berms of the 100 yard outdoor range and a means to collect spent lead from the ground.

In addition to the above, two civil actions have been initiated personally against bylaw enforcement staff associated with this file and are ongoing.

### **ALTERNATIVES**

1. That the introduction, first reading and second reading of Bylaw No. 3855 “Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014” be rescinded.
2. That Bylaw No. 3855 “Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014” be read a third time and be adopted.

### **IMPLICATIONS**

#### **Social Implications**

The SSI Rod and Gun Club is reported to have been in existence in one form or another for 100 years. Many residents have spoken in support of the Club as a part of SSI history and believe it should be protected as an institution. In balance, the neighbours surrounding the Club have long complained that they are unable to reasonably enjoy their properties in peace due to the nature and intensity of the noise generated by the Club’s activities. These homes were built after the facility was established, but were allowed through zoning by Island’s Trust.

#### **Environmental Implications**

The neighbours have noted environmental concerns due to lead on the property, mostly originating from trap shooting. They have brought these concerns to the Ministry of Environment and the issue was also addressed in the civil litigation, forming part of the court ordered limited injunction.

#### **Intergovernmental Implications**

This issue has also involved the Islands Trust as the land use authority for SSI. At this time, the Islands Trust has indicated that it will not be taking any further action in regards to the Gun Club.

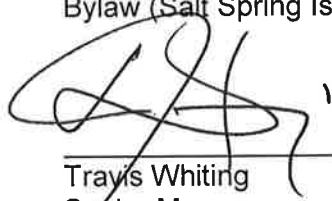
### **CONCLUSION**

Bylaw No. 3855 “Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014” has not received support from either side of this debate and is not supported overall by the community on SSI. In addition, a recent court decision has imposed a limited injunction on the Gun Club, the terms of which are to be negotiated between the Club and its neighbours. The bylaw amendment would be premature given the Club’s allowable use of their property is in the hands of the courts through the enacting of the limited injunction. Rescinding the proposed bylaw amendments will allow the matter to be settled between the parties directly with oversight by the courts.



**RECOMMENDATION**

That the introduction, first reading and second reading of Bylaw No. 3855 "Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006, Amendment Bylaw No. 1, 2014" be rescinded.



Travis Whiting  
Senior Manager  
Protective Services



Kevin Lorette, P.Eng., MBA  
General Manager  
Planning and Protective Services  
Concurrence



Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

TW:tt

Attachments: 3



Attachment 1 – Feedback Summary

## SUMMARY OF SALT SPRING ISLAND GUN CLUB FEEDBACK

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I am sure that you are well aware that a decibel level of 70 is totally unrealistic for a gun club to meet unless they use illegal silencers. If you have decided to close us down without the public realizing what you are actually doing, then come out of the trees and say it. If you did an honest survey of All of the people living in the area you would find that the complainers are a small minority and have complained about other forms of sound in the area also. How does this decision fit with the decision of the judgement over our zoning? Can you actually impose a special noise bylaw on only one segment of the population of Salt Spring Island ? What about chain saws and motor cycles and aircraft landing in the harbor?
No	Please be advised I am opposed to any further restrictions placed directly, or indirectly, on the Salt Spring Island Rod and Gun Club's ability to continue its operations. My grandparents moved to the island in 1948, my parents in 1949, and I was born and raised on Salt Spring, While I am not a member of the R&G, I am in support of retaining the rural nature of the island, and, its cultural heritage, which includes the R&G. Every neighbour who is complaining about noise from the R&G voluntarily moved into the neighbourhood knowing full well, or should have known full well, this historic institution was located nearby. Please do not let a few unreasonable complaints result in further regulations. Please do not vote in favour of this Bylaw. Thank you for your consideration.
No	I am a member of the Salt Spring Island Rod and Gun Club appealing to the CRD to reject the arguments of those seeking to close or curtail the activities of our club. I live in North Saanich, but will be moving to Salt Spring Island this fall. I have been exercising common sense and due-diligence in my search for a new home on Salt Spring Island. I won't choose a house which has bad water or sits on poor ground, is obscured by a neighbour's trees or which sits next to an industrial facility; however, if I in the end I pick a great house in such a place, I will not demand that the CRD modify my chosen environment to alter its deficiencies. This is in essence what the complainants against the SSI R&G Club are doing. They failed to exercise due diligence when selecting their properties near the gun range and now seek to force the CRD to make bylaw changes to correct their mistakes. I reject their self-serving statements of entitlement and so should the CRD. My home near the Victoria Airport gives me no right to demand the cessation of air activity. I live near the Pat Bay Highway, but have no expectation of shutting down the road to reduce the noise level. Seaplanes fly over my house continually, but I accept this as a feature of the place where I live. I strongly recommend that the CRD support the continued existence and activities of the SSI R&G Club and that the opposing residents be informed that they have no case to demand further action to destroy the club.
No	Hello: We would like to register our opinion regarding the proposed noise bylaw. We fully support the Salt Spring Island Rod and Gun Club and we view the amendments that the CRD is proposing to the Noise Bylaw will, in effect, bylaw the Club out of existence. We feel the CRD should not move ahead with these proposed amendments and allow the Club to continue its valuable contribution to our Community.
No	I am very annoyed with the CRD regarding the SSI Rod and Gun Club. Your handful of letters against the club Have outweighed all reason and common sense. We love our very well run club and you side with the big money interests. Its that simple.
No	Do not pass this bylaw. How disrespectful to a 100-year-old volunteer non-profit club. You should be ashamed of yourselves. Please Stop the harassment of this club.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	My main concern as a shooter and having to carry my restricted firearms off Island three times a week to North Saanich and the Malahat would be the threat to the public on our BC ferry system owing to the possibility of theft and accidents. 500 rounds of full load ammunition on such a public transportation system is in my opinion an accident waiting to happen. I am 65 and live in Brinkworthy and have been an avid shooter for many years, the closing of SSI Rod and Gun Club would leave us with in my case 20+ firearms in an illegal position as we have belong to a sanctioned shooting club . I think the completes of a few who new the range was there should jeopardize the safety of the Islands traveling public.
No	Regarding the proposed noise bylaw with respect to the Salt Spring Island Rod and Gun Club; This action is the result of a bombardment of complaints from a relative few people who also complain about the noise from the sea planes, harbour and music venues in Ganges. These people have even organized themselves into the "Churchill Road Group". Has anyone looked into the fact that theirs is the "best place in the house" for sound since they are located on the predominantly windward side of the harbour above everything that is making sound. I've worked on Churchill Road a number of times and was surprised in every instance at the level of sound (noise) that is constantly in the background. The people on Churchill are like office workers where the buzzing of fluorescent lights keeps them on subconsciously on edge and ready to 'blow'. The Rod and Gun Club is just an easy target. So, did the sound level readings done by the CRD show anything that might support this idea?
No	I am opposed to the proposed by-law for the following reasons: 1) unlikely to withstand a court challenge as it is attempting to bylaw out of existance a legally zoned property; 2) the decibel limit for the discharge of firearms is unreasonably low and is lower than the noise made by a lawn mower; 3) people who move next door to a legally zoned property have no right to complain about that property carrying out its legally zoned activities - will people never be held accountable for their personal decisions?
No	Relating to the CRD Bylaw to be voted on in Sept. Salt Spring Island, Noise bylaw. Salt Spring Island Range. When are the CRD Directors going to grow a backbone and stand up to the verbal minority? Neighbors of the Range Knew it was there when they moved in or purchased their land. The noise of planes flying overhead is annoying you better make a bylaw preventing it. The Ferry Fleet going by makes noise, you better make a Bylaw, chainsaws running, better make a bylaw. Cars/trucks with loud mufflers better make a bylaw, etc,etc,etc. Just stand up and tell the complainers the range was there, live with it , move or take up recreational Shooting (they might like it). Why are you wasting so much valuable time dealing with a few complainers and ignoring the majority??
No	The decibel level set in this bylaw of 70 decibels is an unreasonable level to achieve for a gun club. A lawn mower , hair dryer etc... creates this. I live in a short distance (1km) a firing range on Vancouver island and find the noise level to be acceptable between designated hours of 9 am and 7pm or dusk. It would be a lot different if it were a proposed gun club in a much more urban area. But proposing a by law amendment and setting unreasonable noise levels to suppress is pushing for a one sided agenda within a community and does not present a fair system to accommodate all aspects of recreation and decision making within a community. If i chose to live beside an athletic park and then complained of people cheering and had a say in decibel level of suppressing a kids softball game there would be no question as to how ridiculous that complaint would be. I cant very well trust in these forced proposed decisions making and those who establish these unreasonable by laws will soon be the minority ( i hope). Reasonable guide lines and limitations with all parties included to allow for future recreation for everyone is the only way, forcing impossible limitations proves a one sided agenda.-Will be forwarding this proposed by law to any others who will also focus on this ideal of decision making , im sure many will attest.
No	I strongly oppose changes to the noise bylaw on Saltspring Island which would make it more difficult or impossible for the Rod and Gun Club to operate.



SUPPORT BYLAW AMENDMENT	COMMENTS
No	The proposed 70db noise limit for gun club noise is unfair because there are many other allowed activities in our community that are much noisier than this. For example: 50' from fulford ganges road with busy traffic is 76db; a propeller airplane flyover at 1000 ft is 88db; a diesel truck moving on fulford ganges road 50' away from the road is 84db and a motorcycle is 90db; 50' away from a lawn mower or a farm tractor so 100db; a jet flyover at 1000' is 103db; a bell helicopter at 100' is 100db; live rock music is 100db or higher; and a chainsaw at 50' is 120db. All these noise sources are allowed. Are you proposing to outlaw all noisy activities louder than 70db? It would be unfair to hold the gun club to a different standard than you do to other activities on the island. Certainty limiting gun shot noise to the sound level of a chainsaw seems a fair compromise since people use chainsaws from time to time nearly everywhere on the island.
No	As a SSI resident, I respectfully request the CRD maintain the status quo for the SSI Rod and Gun club.
No	Dear Sir: The SSIR&GC has reduced its hours and performed sound mitigation and continues working on more sound mitigation in an effort to reduce noise impact on neighboring properties. The club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The last time hour restraints were brought before the CRD council you received email from approximately five hundred different people demanding actions against the SSIR&GC be tabled. Yet here we are again with the CRD harassing the SSIR&GC and looking at increased hour cuts and decibel limitations. The purposed 70 decibel limitations would shut the club down and that would be in violation of the BC Supreme Court Ruling. Also the cost and logistics of monitoring decibel readings would be a waste of tax dollars. I have to ask these questions. Why do a handful of complainants have more influence than fourteen hundred supporters? Why has the CRD not answered the request of the SSIR&GC in any way for sound mitigation engineering and funding? Why after the CRD had an independent sound engineer report proving that the indoor range does not exceed 4db above ambient level does the CRD still try and stop the use of the indoor range after sunset. Please cease tabling any further restrictions and ticketing on this club that has served the community for 100 years and is desperately trying to continue to do so. Thank you in advance for your prompt email response to my questions and please also supply a brief outline of what the CRD has done to support what may be Salt Spring Islands biggest and oldest club.
No	I am writing to support the ongoing operation of the Salt Spring Rod and Gun Club. This long-standing island organization is faced with having to adhere to unreasonable noise regulations, which I presume will apply to all Islanders' activities which exceed the 70 decibel limitation. Does this apply to lawn mowers, outdoor music, firewood cutting, etc.?
No	I do not think that the gun clubs hours should be restricted, as long the gun club operates in a respectful manner. Most likely the people that oppose the gun club moved, build, bought their houses with the gun club already in operation.
No	Do not restrict the Salt Spring Island rod and gun club. This institution has been there 60 years and has been in place longer the the surrounding neighbors. It would be like closing the Victoria International Airport because the new neighbor did not like the sound of jets. This institution and the gun range has a right to be there.
No	To Whom It May Concern, I am. Resident of Salt Spring Island and have been for 15 years. I live just down the road from the SSI Rod and Gun Club and have done so for the past 10 years. Although sounds can be heard coming from the club, I done find it to be excessive. I believe the gun club does what it can to mitigate the noise and is respectful of the surrounding community by limiting it's hours. The residents who are now complaining about this facility CHOSE to live in the location they do. No one forced them to move in next to a Rod and Gun club. It seems unfair to me that the whining noise of these "voluntary" residents could result in the closing of another long standing Salt Spring business. We have been seeing too much of this on Salt Spring in recent years and I think it is time it stops. I urge the CRD to back up and think about what they are proposing to do. If you move forward and implement the bylaw with the presently suggested changes (with noise levels which NO firearm can be within) you will be responsible for ANOTHER business being forced out of Salt Spring. Please.....don't do this.....I urge you.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	Please reconsider reducing the capacity of the Saltspring Rod and Gun Club. I am neither a member nor a nearby resident or property owner, but I do live on Saltspring Island, I and my children have used the facility from time to time and I believe it is a valuable asset to our community and should not have its ability to operate restricted further than it already is.
No	People who move to Salt Spring must do their own due diligence when purchasing a property. If they decide they are unhappy with their neighbours (in this case the Rod & Gun Club), they are NOT entitled to force those neighbours to curtail lawful activities. I feel strongly that people who move to a community need to be prepared to accept and embrace the culture of the place and not expect that community to change for their convenience.
No	Hello. Just a concerned citizen of SSI. I -really- want to see protection for institutions like the Rod and Gun club. I appreciate the variety of activities available here, and firmly believe that the responsibility falls on anyone purchasing land near the rod and gun club to research the sound levels and comfort with it. Forcing our institutions to move about is the wrong way to go about it. We must inform people before they are in the position to complain.
No	Sir, With [REDACTED] metal recycling moving to a new a properly zoned parcel of land the new neighbours are already complaining. NIBY'ism at it finest. My question to Mr. McIntyre and the rest of the CRD is, where will you be suggesting and supporting for the new location of our 100 yr old Salt Spring Is Rod & Gun club once you, the four neighbours and one wealthy land developer have successfully shut down the club ??? RSVP. please
No	This will be the same argument that you have heard over and over again....gun club there before they the complainents were and they knew what and where they were buying before they bought.....no difference then someone moving into a home near an airport or train tracks etc etc etc....i was a member for years and president. My children learned how to safely handle weapons and learn outdoor skills that they would not have been able to otherwise. Many many adults and children have benefited from rod and gun clubs over the years.....do the right thing and back an organization that has been in existence for years and years and not just a few who have ulterior motives for shutting down the club.
No	Re: proposed change to noise by law. The BC Supreme Court ruled that you cannot bylaw the club out of existence yet you are trying to do that once again. You are custom making a bylaw for the sake of 6 people and ignoring the 1400 signature petition in favour of the Club. You will find yourselves voted out of office if you cannot understand the fundamental concept of a democracy.
No	I feel very strongly that the C R D is completely wrong in the latest bylaw fiasco in regards to the SSI ROD & GU CLUB. The CRD is mandated to represent all citizens not just the complainants who are in the minority but the majority rules. The CRD has it backwards in my opinion. I am a taxpayer retired on SSI and abhor the use of elected officials to unfairly treat any citizen. The complainants have written many letters of complaint. The Rod& Gun Club has "bent over backwards to be fair to all concerned. The complainants want it their way or the highway again IMHO, and the majority are being CHEATED.
No	I am in support of the Rod and Gun Club and don't think that it should be curtailed. Anyone who moved into the neighbourhood knew what was there and should have been prepared to live near it.
No	Really????!! ☹ How can this even be Considered????!! ☹ please, Those people CHOSE!!! to Live THERE!!! They have NO RIGHT to say ANYTHING!!! This is So UNFAIR & Absolutely RIDICULOUS!!! ☹☹☹ Roflmao The Media should hear about this! ☹
No	Please leave the rod and gun club alone !

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I was born on Saltspring Island 38 years ago. The SSI Rod and Gun Club has been apart of my life and my families lives for my 38 years and for the three generations of my family on SSI before me. Besides the fact the Gun Club is an important part of rural life here, I am extremely concerned that the elected officials within the CRD feel they can thumb their noses at LAWS and please the desires of a handful of property owners who KNOWINGLY bought property near a law abiding Rod and Gun Club. What the CRD is trying to do is fundamentally wrong and in my opinion disgusting and embarrassing. Shame on you. I will continue to financially and publicly support the Gun Club in their legal defence against the CRD.
No	The shooting range has been there for over 60 years. The people who bought there would have been well aware of it's existence or would have sued the seller & the realtors for not disclosing it.. The selling price would have reflected it's existence. The realtors would have based their asking price on this fact, as would have the tax assessment people. The sellers would have accepted a lower price ,due to it's existence. The original Salt Springers and many new comers have enjoyed it since way befoe these belly achers arrived ! People are being taught the importance of gun safety, the police are practicing there. Practising is of prime importance in gun safety! Seriously would you prefer people practicing in their back yards! Someone will die!!
No	I support the Rod & Gun Club. I live on Salt Spring Island, and while I'm not a Rod & Gun club member I support their right to exist. The 70 dBa limit seems an obvious attempt to shut them down permanently, and I don't agree with it. I'd like to hear the CRD reasoning behind a 70 dBa limit.
No	DO NOT PASS THE PROPOSED BYLAW TO FURTHER RESTRICT THE SSI ROD & GUN CLUB. I am not a member of the club, but have been a member of the SSI community for 23 years and have owned property on the island for 38 years. The people who bought property near the gun club knew the gun club was there, and probably got their property below market value because of it.....they got a bargain price and now what to close the gun club.....the closure of the gun club will increase their property value.....a financial win-win for the property owners.....They knew the club was there when they purchased, they knew there would be noise, yet went ahead and built or bought anyway.....I'm sorry but that's not the way a community works.....I see greed and buyers remorse here.....If they feel they made a mistake, then sell.....STOP HARRASSING THE GUN CLUB.....
No	I wish to register my opposition to any changes to the Saltspring Island noise bylaw that would restrict the activities of the Saltspring Island Rod and Gun Club.
No	Please support the rod&gun club and do not restrict it's ability to function. It provides a valuable service and offeres one of the few recreational things a parent and his or her kids can truly do together.
No	To whom it may concern regarding the Saltspring Island Rod and Gun Club. I was a member of this club for ten years, learning safe and responsible gun handling, and attending numerous community social gatherings at the range. This facility is an important part of the community, as is! Any bylaw changes would be to the detriment of the range facility, and the island in general. It is an unfair circumstance that a few new neighbours have decided that they don't like the noise when the range has been active in this location for over 60 years! Seems to me the unhappy neighbours might think about relocating their residences instead of changing by laws to the detriment of the whole club. To do this is going to produce unlawful discharges in rural areas all over the island, and unsafe and uncontrolled firearm use at un predictable locations throughout the island, causing a larger strain on the RCMP. Please take these matters into consideration in making your decisions. [REDACTED], ten year resident.
No	I support the Rod and Gun club on Salt Spring Island. I do not want any changes to the hours and noise levels. My husband and I have lived on Salt Spring for over 20 years. Thank you.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	People! Gotta love em!!! A 100 year organization is a rarity these days. I came to Salt Spring because of the differences, not because of the similarities to other towns and cities. I am sure the complainers knew a gun club existed prior to buying their properties. Why is it people always want to change the best parts of the paradise when they get here. I belonged to a gun club growing up and learned how to safely handle guns and to enjoy comaraderie with people. If you do not like the gun club, perhaps you should move rather than expecting others to move!!!
No	Please do not allow the bylaws to be changed based on the requests of a few disgruntled neighbours. It would set a bad precedent allowing yet another small group of complainants to alter the island character and force a century old institution to restrict its hours and decibel levels against the recommendations of the Supreme Courts findings.
No	To whom it may concern, I am writing to voice my support of the Salt Spring Rod and Gun Club. To force them to stop or limit operations due to a handful of property owners with buyer's remorse is ludacris. Let the property owners take it up with their realtors, instead of suing an island institution. Thank you for your time,
No	I am so disappointed that the CRD would even be listening to 5 people over the 200 plus members of a club that has been on our island for over 100 years. There are so many young people who use this club with their families. Learning gun safety and marksmanship teaches our youth so much about safety and self control. Kids who grow up learning about guns and how to use them safely and respect them don't end up accidentally shooting other kids by mistake because the mystery is gone and they know the dangers. Have you ever heard the saying "kids who fish and hunt don't rob little old ladies"? It is the truth. The Rod and gun club before the one or two people started complaining used to be a great place for community events, weddings and other functions, for the past few years to try and give the neighbors some level of respect has not been used as such. They have not shown us the same respect by continually complaining in hopes of shutting down our club in the interest of making money by developing the land, unfortunately they bought a piece of land to develop with a neighbor that they don't like, and their solution is to try to shut us down. The club has been at that location for over 50 years, maybe the developer should move. he has only been there for a very short time. I really hope that the CRD will not take the side of one or 2 people over the well over 200 people that use our club. I have walked down Churchill rd many many times and the road noise and the noise of the seaplanes in ganges is far louder than the gun club, and this is a constant noise during daylight hours. I truly believe that this is not about the noise, it is about the developer not wanting a gun club beside his big new development because it might hurt the profit margin. I just hope the CRD is not taking the developers side for monetary gains as well.
No	I support the Rod & Gun Club and their long-standing operation in their current location. New owners of adjacent property surely did due diligence before buying and must have been aware of the R&G Club's existence. It's like new subdivisions being opened next to airports and expecting the airport to change its operating hours! Keep the Rod & Gun Club open and operating as usual. They have implemented measures to reduce their impact, but a "gun club" by definition will create noise. Please take a stand FOR the Rod & Gun Club!
No	I am writing in support of the Salt Spring Rod and Gun Club retaining its right to allow members to shoot at the club's facilities without having its hours of operation further restricted. Restricting the hours further makes it very difficult for working people to be able to use the club ranges. The club is providing important services to the community, helping to train the general public to use firearms safely and there is no need to further restricts its law-abiding members. Allowing a half dozen neighbours' complaints about something that is legal, to cause the CRD to rewrite bylaws, is setting a precedent which can cause a huge amount of pain and trouble to other citizens and the CRD staff itself, should this method of operation be repeated in other cases.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	<p>RE: Proposed changes to Salt Spring Noise Bylaw. The SSIR&amp;GC has reduced its hours and performed sound mitigation and continues working on more sound mitigation in an effort to reduce noise impact on neighboring properties. The club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The last time hour restraints were brought before the CRD council you received email from approximately five hundred different people demanding actions against the SSIR&amp;GC be tabled. Yet here we are again with the CRD harassing the SSIR&amp;GC and looking at increased hour cuts and decibel limitations. The purposed 70 decibel limitations would shut the club down and that would be in violation of the BC Supreme Court Ruling. Also the cost and logistics of monitoring decibel readings would be a waste of tax dollars. I have to ask these questions. Why do a handful of complainants have more influence than fourteen hundred supporters? Why has the CRD not answered the request of the SSIR&amp;GC in any way for sound mitigation engineering and funding? Why after the CRD had an independent sound engineer report proving that the indoor range does not exceed 4db above ambient level does the CRD still try and stop the use of the indoor range after sunset. Please cease tabling any further restrictions and ticketing on this club that has served the community for 100 years and is desperately trying to continue to do so. Thank you in advance for your prompt email response to my questions and please also supply a brief outline of what the CRD has done to support what may be Salt Spring Islands biggest and oldest club.</p>
No	<p>I strongly oppose the amendments to the noise bylaw being put forth for Salt Spring Island. The gun club provides a public service to a great number of island residents and visitors. This should be more important than a few neighbors who should have known the club was there when they purchased their property. The Club has tried to alter their hours and operations to reduce noise but it is never enough for the neighbors. This controversy will only end when the CRD stands firm in support of the Rod and Gun Club.</p>
No	<p>As a resident of SSI, I am in favour of the SSI Rod and Gun Club. It serves the community. I am opposed to further restrictions on the use of the property that would only benefit a few newcomers, to the detriment of the club, its members and their guests.</p>
No	<p>I am writing to you as I sit in the ferry taking my kids off island to play hockey on a beautiful sunny afternoon. My husband was born on the island and our children are the fourth generation of toppings that have even lucky enough to call Saltspring their home. I have read the ongoing debates that have been fueled by new property owners that have purchased land in close proximity to the rod and gun club. I am not a member, nor have I ever attended a function or event there. Having said that I feel compelled to vent my frustration that you are giving any taxpayer monies or manpower to accommodate these complaints. Flat out, they bought these properties knowing full well the club was there, and actually paid an adjusted market value for said properties that reflected the willingness of a buyer to accept the location.</p>
No	<p>This club does provide a valuable resource in a rural community where people do still hunt. Furthermore, my boys, thanks to the volunteers that teach classes about gun safety and usage..know how to properly handle, clean and discharge a firearm. We do not have guns in our house, nor do we hunt, but we as parents felt it was important to impart the knowledge to our kids, that both my son and I were given growing up. Accidents with firearms happen with inexperience or lack of safety. Simply put, you are interfering where you have no tangible issue. You are succumbing to the demands of a wealthy newcomer that is squawking.... After using the rod and gun club as a negotiating tool to pay well below market value for his property. Listen to the islanders who are signing the petition. We live here and have done so for generations. The rod and gun club is playing by the rules.</p>
No	<p>I do not agree with the proposed ammendments to the noise bylaw on Saltspring Island that are being considered because a handful of complaints from neighboring properties. These folks should have been made aware there was a gun club next door when they purchased their property and if they weren't , the fault lies with the real estate company involved in the sale. To change the bylaw based on a small group for their self interest sets a dangerous precedent and puts the CRD in unfavorable light with the majority of island residents. If the CRD really wants to be a part of the solution, perhaps the CRD should look at a land swap with the club and assist them in relocation costs.</p>

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I am not in agreement with the proposed amendment Bylaw # 3384 which directly effects the SSI Rod and Gun Club. A few cannot dictate the will of the majority.
No	I would like to say I'm against any amendments towards the existing noise by-law and the Rod and Gun club on SSI. Their has been many people living within the vicinity of the site for decades now, not one of them cares about the noise! The fact that a VERY small number off people actually wants to shut it down, is merely pathetic, and for the CRD to actually consider their pleas, is downright sad. The #1 complainant doesn't even LIVE on SSI. This man just wants to increase his property value then sell. This cannot pass, Salt Spring Island is a dying breed, and these decisions are what is destroying what little sovereignty and integrity, we as islanders have. We NEED somewhere to shoot, if we cannot have our meager little gun club, we just may have to sight our rifles in where ever the hell we feel like it..... You don't want people doing that do you? This is ultimately for the education and safe handling of firearms, and until firearms of ANY kind are illegal, we have the right to bear arms. Do not deny us a safe location, to study, practice, maintain, and enjoy our firearms. I appreciate who ever took them time to read this far, and hope you can understand this should not be a pissing match about "noise".
No	I think that the most salient point is that the R&G Club was clearly present when the complainants CHOSE to purchase property nearby. Can the buyers have failed to understand that a shooting range creates noise?
No	i have lived next to the gun club for the last 17 years, moving there fully aware that they are there. during this time they have been the greatest neighbors and i have absolutely no problem with them being there. i think their persecution is completely out of order and non called for. please let them be. they do no harm. they are a part of the community, and are needed and should be preserved to enrich salt spring, not make it less.
No	We support the Rod & Gun Club on this issue and do not feel the bylaw should be changed just to accomodate a few people that purchased or built homes close to the club and now object to it being in operation. If we move beside a farm or a restaurant with outdoor music, we would expect to live with that and not expect them to change. We believe the court made an error in their sugtgestion on this matter. We are not members of the Gun Club and have no interest in it other than feeling this is completely wrong.
No	The SS Rod and Gun Club is an integral part of our community that has existed, legally, for many years. It is zoned for the activity it conducts. Why people would move next to a gun club and then complain about the noise and try to shut it down is beyond my comprehension. If neighbours don't like the noise, they should move somewhere else. No one forced them to buy their property and the gun club was there LONG BEFORE any of the current neighbours moved in. Stop letting a few people ruin a legitimate, thriving community activity. I completely support the gun club and fully believe they should remain exempt from the noise bylaw. I am not a member of the club, but I fully support their right to be where they are, and offering recreation for our community.
No	Save the rod and gun. PLEASE.
No	RE: Proposed changes to Salt Spring Noise Bylaw. I find it difficult to believe that after court challenges and a clear ruling by the Supreme Court that was very clear about bylaws that challenge approved land use, once again a vocal minority is dragging us here. The Salt Spring Island Rod and Gun Club has taken responsibility for their actions and despite severe financial hardship have reduced hours and instituted noise remediation. This work has been carried out by club volunteers, most of whom give of their time to other island community organizations as well. As most community minded individuals, they believe that one must take responsibility for ones actions, and work for the greater good. I cannot see that the five or so complainants have done anything of the sort. Their properties were purchased at a discount on what is arguably the loudest road on the island even without the Rod and Gun Club. Should the Club be legislated out of existence after a century, do you believe noise complaints from these households will cease? It seems as if the CRD is driven only by complaints. If this is so, I would like to lodge a complaint against this Churchill Road group for wasting the time and resources of the CRD and therefore my taxes.
No	I think that it is just a very poor thing that the voice of a few is heard over the voice of many the Island has turned into a bunch of not in my back yarders and that's sad

SUPPORT BYLAW AMENDMENT	COMMENTS
No	Sad to think a few can move to this island and close down a club that been here this long they should move not the gun club
No	I would like to state my objection to the proposed bylaw restricting operations of the Salt Spring Island Gun Club. As you may be aware, the shooting range has been in existence at the current location for over 60 years. People moving to the area then complaining about the noise is simply unjustified given the long history of the club. Their failure to undertake due diligence before purchasing a property is not sufficient to warrant upsetting the status quo. It is also my understanding that changing the bylaw would also be illegal and unenforceable. The shooting range has the correct zoning for its current use and case law at the Supreme Court makes it very clear that by laws cannot supersede land use under existing zoning. The shooting fraternity has significant resources and will not accept local government interference outside their jurisdiction. It would be a shame to waste significant taxpayers money, as well as local government reputation, proving in court something that is already very clear. I therefore request that for the benefit of the shooting club and local taxpayers that you scrap this proposal immediately. Many thanks for your consideration
No	Salt spring has spoken, the rod and gun club has our support. Those who moved in next door shouldn't have if they didn't want the noise. This whole thing is ridiculous.
No	Really wondering what the reasoning is behind this. The proposed levels come from????? They are obviously set by someone with a lack of sense as this is totally unrealistic. Has the person that proposed this even attended the location? Also why the board would entertain such an amendment after the court riverboat illegals. I do not want my tax dollars wasted on another court case, no matter how wealthy the whiner is bringing forward the complaints.
No	I am writing to let you know that I think you would be making a big mistake to set the noise level at the SSI rod and gun club at 70 decibels. This is an unattainable level, which I believe you must know, and seems to all to be a go around to try and shut the 100 year old club down. How can you side with a small amount of people that moved in beside the rod and gun club only to then complain about the noise. This noise has been echoing across the land there for 60 years and now a few people move in there and you side with them. Please reconsider, at third reading, your stifling efforts and allow the club to continue operating.
No	This bylaw is offensive in the extreme. Parts are not lawful and in total it caters to the complainers in our community not to the good of the community overall. In the end it will not only reduce the Salt Spring Community but will cost a lot of tax money to try to enforce. Please do not approve this bylaw.
No	Bylaw # 3384 should not be amended to restrict the hours of Salt Spring Island Rod and Gun. The wishes of a few should not outweigh the wishes of the majority. The club has been there for over 100 years and people who move in to the area, apprised of the possibility for noise, should not then complain about the noise.
No	I am not a member but have used the club facilities as I need to use a firearm as part of livestock protection and farming. Convenient access to the range is crucial for training and practice, and forms part of the essential farm infrastructure on the island.
No	It makes no sense to do this to a group that has been there for over 60 years !!!! What about Ferries ,highways, ball fields and other sports facilites, noisy cars & trucks, farm operations, schools,fire , police & ambulances sirens. That were not there when most people bought. I was born on the Island, the Rod & Gun was part of our lives for ever. Why should people come over in the last few years and take our life style away, I don't shoot any more but my desndants do ! Come and share our island, if island life is what you really want ! But don't try to change everything after you get your cheap waterfront. I feel you should go ,not us !!!



SUPPORT BYLAW AMENDMENT	COMMENTS
No	I do not support the current bylaw amendment for noise levels at the Salt Spring Rod and Gun Club. The proposed decibel levels are unreasonably low I also find it disturbing that the CRD would act so reflexively and unthinkingly to the complaints of just 6 complainants. Some of the complainants are not even full time residents on the island. This is not the way to run a government, let alone to demonstrate rational leadership. The Salt Spring Rod and Gun Club has a membership that far exceeds the number of complainants. It has been in existence for more than 100 years and has broad support on the island. It also provides training facilities for local groups and the RCMP. It's loss would be a detrimental impact to the culture of the Island.
No	To Wayne McIntyre, As a long time islander ( 45 years ) I recently had occasion to stop by the Rod and Gun Club and was asked upstairs to the meeting hall by a current member . Having not ever been a member but participating in events and knowing many of the past members it was like a walk back in time . The trophy case is populated with trophies bearing the names of Saltspring's builders and pioneers . Many of these have past but were fondly remembered by me . These people were generally a generation before me and offered me the guidance to become a productive percipient of a growing community . I am so happy that the membership cares enough to continue to function as a family club and that they support mentored youth activities . Please do not bend to the will of the few self interested vocal minority who would stamp out this Island tradition without a thought.
No	Please leave the gun club be. It has been there more than 100 years. The current neighbours knew exactly what they were buying into and are only trying to rate the value of their properties. If they are unhappy with the noise level, let them move and leave the Gun club alone, it was there before they were born. thank you for listening
No	I am disappointed, but not surprised, that the elected faction of the CRD is bending to the wishes of a vocal few with respect to the SSI Rod and Gun Club. As has been voiced by many, this situation is no different than someone purchasing land near an airport and then complaining about aircraft noise; the people that bought property near the Rod and Gun Club need to accept the responsibility for their decisions. Guess what? When weapons are fired at a legitimately zoned range, noise is created. Perhaps of greater concern to me is that the CRD politicians seem to be taking the politically expedient way out of this situation. This is something along the lines of the "squeaky wheel gets the grease". This is yet more justification for incorporation for Salt Spring Island. We would then have local government that implements the will of the majority.
No	Let the club continue in their 100 year tradition.
No	The Rod and Gun Club on Salt Spring Island should be allowed to continue operation as it has for decades. The few people complaining about noise should have been aware that the Club was there before they moved into the neighbourhood. It is unreasonable that their late-comer interests should outweigh the historical and responsible operation of the Salt Spring Rod & Gun Club.
No	I have just read on a news item from the Salt Spring Rod and Gun Club that the CRD's proposed bylaw to limit the noise from the gun club would allow a maximum noise level of 70 dBA and that this is below what the smallest firearm generates. You are in effect trying to make the Rod and Gun Club's legal activities illegal by passing this bylaw. The CRD does not have land use powers on Salt Spring Island, it cannot change the club's legal zoning by bylaw and it cannot pass a bylaw that prohibits lawful zoned use of property. The Rod and Gun Club is zoned for what the club is doing and its activities are completely legal. You seem to be living outside reality by trying to pass this bylaw.
No	I'm not sure to whom I'm writing this exactly, but I'm responding to the proposed noise by-law affecting your local firing range. Although I live in the Okanagan and this particular situation does not affect me personally I find it absolutely absurd that five or six people (assuming that's an accurate account) can lobby for such radical changes such as shutting down an established and important part of your community to appease such a small special interest group. I hope my words make it through to the people that make the final decisions.
No	The Rod and Gun club is permitting combat rifles to be used which are heard at 100 decibels in the yards of neighbouring residences. This is too loud for local residences and should the rod and gun club continue they should use guns that do not create that kind of noise in a residential area.



SUPPORT BYLAW AMENDMENT	COMMENTS
No	Re the Salt Spring Roda & Gun Club: I believe this is an important community organization. If people don't like the noise they shouldn't have bought property next to it.
No	The new noise level restrictions planned for the Gun Club should not be passed. They will make it impossible for anyone to fire a gun at all. I understand that people living close by do not like the noise but they are the ones who moved in next to the facility. You can't move next to a school and then demand that no noisy children play outside. The hours the bylaw has planned are understandable -- but the noise level is impossible. Thankyou.
No	The Rod & Gun Club, with its role in safety and training and recreation for many, is more important to the community than the whims of a few newcomers who came much later.
No	As a fifth generation Salt Spring Islander (my family homesteaded Salt Spring). I support the Rod & Gun Club on Salt Spring Island and am against the Bylaw No. 3855, Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006 Amendment Bylaw No. 1, 2014. I am surprised and disappointed that it going to a third reading.
No	I support the Saltspring Island Rod and Gun Club.
No	I would like to express my objection to the restriction of hours at the Rod and Gun Club. I t has been a part of this community forever. When people buy property by an organization that is established and has been for a long time they should not expect to change it.
No	In objection to Salt Spring Island Noise Suppression Bylaw No. 3855. The CRD has the authority to control or prohibit noise in the Electoral Area something they have failed to do. The proposed 10 hours of shooting a day 365 days a year contravene a court judgement that require hours be reduced.[39] and [58] Judge Myers' Reasons for Judgement. 70 dBAI equates to 82 dBA or more which is far in excess of MOE Ontario 2013 NPC-300 Guideline. Exceeds Health Canada's National Guideline, ISO R1996 [3] specified limits and EPA Victoria Australia recommended levels for an operating range. None of these recommend levels exceed 50 dBAI which is the sound measurement for Impulsive Sound. It is imperative Board members perform due diligence and review submissions presented at the EASC meetings and CRD Board meeting of June 11, 2014 before casting a vote on the 3rd reading. To pass this reading will not alleviate the NOISE NUISANCE re Judge Myers' Judgement [54]. To pass this Bylaw I believe would be an negligent act by the Board.
No	My Family purchased and subdivided property 50 years ago on Churchill Road, Leslee Drive was named after me. When we purchased the land we were fully aware of the Rod and Gun club, which at that time was very active with trap shooting every weekend and a lot during the week. It never bothered us and was always a joy that they were enjoying themselves at the club. Why do people love Salt Spring so much, purchase property and then want to change everything around them. The people that are complaining so much are all new comers compared to the Rod and Gun club and knew that it was there, so why did they purchase the property? I say leave the Rod and Gun alone, they were here before all of the complainers!!!!
No	I am strongly opposed to any changes to the noise bylaw which would make it more difficult for the Saltspring Island Rod and Gun Club to operate in the usual way.
No	I would like to submit my support for the Rod & Gun Club. We live just down the street and have NEVER been bothered by any of their operations. I think the few neighbors that have complained have too much time on their hands. Live and let live. They shouldn't have moved in beside a LONG ESTABLISHED club and then have the nerve to complain.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	In objection to Salt Spring Island Noise Suppression Bylaw No. 3855. The CRD has the authority to control or prohibit noise in the Electoral Area something they have failed to do. The proposed 10 hours of shooting a day 365 days a year contravene a court judgement that require hours be reduced.[39] and [58] Judge Myers' Reasons for Judgement. 70 dBAI equates to 82 dBA or more which is far in excess of MOE Ontario 2013 NPC-300 Guideline. Exceeds Health Canada's National Guideline, ISO R1996 [3] specified limits and EPA Victoria Australia recommended levels for an operating range. None of these recommend levels exceed 50 dBAI which is the sound measurement for Impulsive Sound. It is imperative Board members perform due diligence and review submissions presented at the EASC meetings and CRD Board meeting of June 11, 2014 before casting a vote on the 3rd reading. To pass this reading will not alleviate the NOISE NUISANCE re Judge Myers' Judgement [54]. To pass this Bylaw I believe would be an negligent act by the Board. <i>(note this was a different email address than 4 rows up - exact same comment)</i>
No	It s not right to allow newcomers to take away the rights from those that have lived here our whole lives
No	I fully support the operation of the Rod & Gun Club. How can you allow a few neighbours, who purchased property next to a shooting club, to petition you to shut the club down? They made their beds by purchasing the property knowing full well that there would be noise from firearms so let them lie in them.
No	Supreme Court Judge Myers found the noise from the Salt Spring Island Rod and Gun Club a nuisance as the sound is annoying, disturbing and unreasonably intrusive to the neighborhood. amenity. I oppose proposed Bylaw 3855. 70 dBA as measured on an Impulse Sound Level Meter means 70 dBAI which equates to 82 - 84 dBA - ref. Page 19 RCMP Shooting Ranges and Sound. 70 dBAI (82 dBA) is 8 times louder than the recommended dBA level by the MOE Ontario NPC-300 August 2013. 70 dBAI (82 dBA) is 8 times louder than the recommended dBA level by the Environmental Protection Agency,Victoria, Australia, Publication Noise from Outdoor Shooting Ranges. 82 dBA is the sound level of a gravel truck passing by at 15 m distance doing a speed of 60 km/h ref. Wakefield Acoustics Report 30/07/2012. Proposed hours of 9:00 am to 7:00 pm on the outdoor range does not address Judge Myers' condition to reduce hours nor does no restriction on activities address the condition to collect spent lead but rather promotes activities that discharge large quantities of lead. I oppose Bylaw 3855 for the above reasons.
No	Where is the 70 decibels to be measured? A limit on volume at lot line makes most sense (such as the existing 40 decibel limit). This gives the club an opportunity to create sound absorbing barriers about the firing location.
No	I'm writing to view my opposition to the proposed by-law changes affecting the Salt Spring Island gun range. While I can sympathize with the considerations behind it, the range has been in existence for years and people in the area had a choice to be near it knowingly. Instead of punishing those that have done nothing wrong, others should take more personal responsibility for the situation they find themselves
No	I believe your proposed noise level change to 70dba is extreme and impossible to comply with. This is just a move to shut the range down and I do not support this action
No	I strongly disagree with any changes to current bylaws, that would impede SSI Gun Club from carrying out it's activities for what it is currently zoned to do.
No	As a sport shooter and user of shooting ranges in your area, I would like to voice my concerns about the salt-spring-island-noise-suppression-bylaw directed at the Salt Spring Island Gun Club. This will effectively shut down shooting at the club as I believe they cannot operate under the restrictive noise limit of 70 decibels. Surly they are currently zoned as a gun club and having been operating in their location for some time I think it highly unfair to pass a bylaw that would not allow them to continue to shoot. I am not alone and I think all CRD residents that enjoy the shooting sports would not like to see you vote to pass this bylaw. To the Board of the Capital Regional District, please do not vote to adopt Bylaw No. 3855, Noise Suppression Bylaw (Salt Spring Island).

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I wish to communicate my opposition to changes in noise suppression bylaws that directly affect the shooting club. It is impossible to fire any firearm within the 70db limit. skill saw, leaf blower, vacuum etc. are all above 70db. Will these things be silenced also? The federal government forbids the use of silencers or supressors for use on firearms in Canada, so we have no avenue to remedy the problem. I feel our sport is being singled out by a group that doesn't participate in it, so feels it doesn't matter. I lived beside a park for years and was woken up early on the weekend by crowds of screaming parents at sport events and such, but it never entered my mind to file a complaint because it's something I don't do and it makes noise . Please live and let live. This is mean spirited thinking.
No	I have recently become aware of a considered by-law change that is really meant to push out the Salt Spring Island Rod and Gun Club. Although I am not a resident of Salt Spring Island, as an active member of the Greater community I am outraged that the CRD would consider a ridiculous bylaw that would restrict activities on private property to under 70dB. I can tell you that the average activity of mowing ones lawn or using a chain saw or even driving a motorcycle down the road creates noise far above 70dB. This is a motion to push out gun owners not reduce noise. If the CRD wants to push out gun owners, attack them on direct merits not on technicalities.
No	I am opposed to the proposed by-law change that would make it impossible for the Salt Spring Island Gun Club (SSI) to continue operation. The SSI has been on the island for many many years, and is a part of Salt Spring Island's culture and heritage. The proposed noise limitations are unrealistic. Owners who purchased their property in the vicinity of the SSI were well aware of the nose produced by the SSI yet chose to purchase their properties none the less. The proposed by-laws would mean the closure of the SSI due to the unrealistic noise constraints contained in the by-law. All of this to settle someone's buyer's remorse?? This is not ethically, or morally just.
No	I am opposed to the proposed by-law change in regards to the Salt Spring Island Gun Club.
No	Noise suppression bylaw amendment: 70dba sound level is only achievable with a a sound suppressor which are prohibited in Canada. Lawnmowers, garbage trucks and childrens playgrounds are all louder, none of which have the restrictive hours if activity proposed. The is a hypocritical bylaw and creates an adversarial relationship with gun owners.
No	Dear crd . I am concernd about the neighbours who bought property and move in beside a gun club and now want to shut it down and or have little to no shooting.The gun club was there long before the complaining neighbours. Please let the gun club stay running as it is. I am a neighbour and can here the range on many of the days they shoot I do not complain as it was there long before I bought my property. Thank you [REDACTED]
No	This bylaw is predatory and I greatly oppose it. The 70 dBA level is ridiculous and if you seek to limit noise to that level it should not be limited to firearms. As a point of reference normal conversation is 60 dBA. Here's a list of other things that you should ban: Lawn mowers. Garbage disposals Vacuum cleaner Hair drier Power drill Busy restaurants Balloons popping Ambulance siren Blender. I agree that loud sounds can be disruptive, but this bylaw is specifically targeting a group of people without generally addressing the problem. This bylaw is either lazy for just picking out one potential source of the problem, or very blatantly prejudicial for targeting firearms enthusiasts because you don't like their hobby. I look forward to seeing your amendments.
No	The proposed bylaw is ridiculous. 70 DBA is the equivalent of a shower, dishwasher, Living room music (76 dB); radio or TV-audio, or vacuum cleaner (70 dB). Isn't the property legally zoned ( <a href="http://www.vancouversun.com/technology/Mulgrew+Judge+quashes+noise+tickets+Salt+Spring+Island+club/8881114/story.html">http://www.vancouversun.com/technology/Mulgrew+Judge+quashes+noise+tickets+Salt+Spring+Island+club/8881114/story.html</a> )? How is such a problem now after being at the location for 50-60 years? Complaints mainly from a couple who have lived there for 8 years? Did they not do their due diligence when buying the property next to the Rod and Gun club? Salt Spring Island should be a tolerant community in which the interest of the broader community is served rather than the dictates of a few.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	The proposed noise suppression by-laws on Saltspring Island (outlined at <a href="http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw">http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw</a> ) are unreasonably restrictive and appear by all accounts to be explicitly biased and focused on eliminating recreational firearm use on Saltspring. The decibel limitations are absurdly restrictive and appear to be a discreet attempt at an indirect ban on any firearm use on the island. The noise restrictions even during daylight hours are such that no firearms use could ever be possible in a country where sound suppressors are illegal for civilian use. Furthermore, the decibel limitations would easily be exceeded by a leaf blower, lawn mower or any other back yard appliance. The the noise limiting bylaws are not going to focus on the NOISE but instead only on the FIREARMS, then there's something seriously misleading about the proposal and the true intent is being hidden to deceive the public. The proposal should be re-worded to make it clear that it is an attack on firearms or else it should be re-worded to in fact be an attack on noise, and the item producing the noise should not be relevant.
No	I believe CRD's intention is to shut down the Salt Spring Island's Shooting Range using Bylaws. Your Noise Suppression Bylaw #3855's 70db is unrealistic at best. Most vehicles make more sound than that! What you are essentially saying is that the property owners can not mow the lawn or do anything that involves machinery let alone do what the club is designed for which is target practice. You are being extremely unrealistic. If you want the club closed then say so, face to face. That way people know exactly what you are trying to do and what they can do about it.
N	As a very concerned citizen of ssi . I would like you to reconsider your stand on the gun club. I have been a member for 35 years. My son has been involved since he was 6 years old where he has learnt archery fishing and firearm safety taught to him by a dedicated group of Professional volunteers . take this away from the community and you will be going backwards in firearm safety on ssi . this is a very important issue . sincerely
No	Hi, i strongly oppose bylaw no. 3855. as a taxpaying citizen, i want you to drop this bylaw immediatly. The courts already said what you are doing is illegal. u cannot "bylaw" out of existance a legally zoned property. also to be noted. i think your bylaw is unreasonable, i think it unfarily punishes and targets taxpayers who are law abiding citizens, and quite frankly i think you guys are bullies. my lawn mower is louder then 70dba. so is my dryer and my car. i can run them all day and night long. Leave these guys alone and let them have their legitimate property to go sport shooting.
No	This is in regards to the proposed noise bylaw. I do not understand how the CRD can put forward this bylaw that will possibly cause the closure of this (100 year old) Rod & Gun club..... It is very obvious that there is FAR more support to keep this club alive. How is it that 5-6 people can force the CRD to change the bylaw to suit their needs. My family has lived on Churchill Rd. For 50 years! NEVER ONCE HAVE WE EVER HAD ANY COMPLAINTS ABOUT THE R&G CLUB. We can be sitting out in the back yard on a calm quiet day while a shoot is going on at the club and NOT hear any noise what so ever. If this 70 decibel limit is to go in effect.... Is it just aimed at the R&G club? Or is it a limit for all noise on this island? If someone was to move next door to a firehall and complain about the noise that the sirens and horns make, would there be a bylaw put into effect for that?
No	The Salt Spring Gun Club has been notified to keep the sound level to 70 decibels. A lawnmower makes more noise than that, so how can you expect a gun club to reduce noise to such a low level? Your best bet is to push the Federal Government for legislation to approve the possession and acquisition of suppressors. These suppressors are used in Europe as protection for the ears. Shutting down a facility in the manner you have proposed is essentially banning firearms. Which circumvents the time, money and daily background checks each member of the gun club have gone through to enjoy their hobby. Please reconsider Bylaw No. 3855 and find another solution (you can take the suggestion above free of charge) to this problem you are facing.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	In the words of the Mayor of Esquimalt, Ms. Barbara Desjardins (CRD Board): -"I don't understand what you're not understanding!". An unsubstantiated recommendation by Mr. Lapham, Mr. Lorette and Mr. Whiting to the EASC Committee was adopted and submitted to the Board. The Islands Trust set a precedent of 40 dBA at the property line and now stipulate clearly audible at the property line. The standard is 40 to 50 dBAI in daytime.* * Wakefield Accoustic Engineers. The CRD must cease its discrimination against the Gun Club neighbours.
No	Regarding the Salt Spring Gun Club, one would have to assume that a noise restriction placed on that organization's activities would also apply across the board to all indoor and outdoor activities within the CRD. Is this correct?
No	The proposed noise bylaw for the saltspring island range needs a rethink. A clear "hours of operation" is good, but the hours may need expanding. Perhaps in imitation of The Victoria Fish and Game protection associations. Also the noise decibal level is not based on actual sounds of firearms use. Only air rifles would suit if the law actually went ahead, so where are local hunters supposed to prep their rifles for hunting season? Use gas and ferry to come to Victoria? On the surface this appears to be a drive to push the range out of existence. A recent news article teaming enviromentalists with the club was demonstrating a promising start to a new era of understanding of the wider scope of shooting clubs and their efforts to preserve our wilderness.
No	It is unfair to close down the salt spring gun club. Its been around longer than most of the residence and if you make the new rules happen it would destroy the club i vote that you should not pass the new rules against the club
No	I am writing in concern to the unrealistic noise limit proposed on the Salt Spring Island shooting range. 70 dBA is not much louder then a conversation, and roughly on par with an operating motor vehicle. .this leads me to believe this number was arbitrarily come by in an attempt to shut down the firearms community on Salt Spring Island, with no regard to the history or cultural importance of marksmanship and firearms ownership tothe Canadian people as a whole.
No	I am a recreational shooter. I am opposed to the draft bylaw in that it will be impossible to fire any weapon and keep the noise generated to less than 70 dba. The bylaw is silent as to how and where the measurement is to be made. Is it two inches from the muzzle or at the gun range line? It will be a nightmare to enforce and will further divide and polarize the interests of shooters and adjacent property owners. Also, the bylaw does not seem to respect the legal input from your staff or the rulings of the court. I suspect costly and continuous litigation will result with no one being a winner and the CRD budget the big loser.
No	re: the noise suppression by law. How can the shooting range be expected to keep noise levels below 70db? Speech levels alone are 60-65db. ASHA lists the lowly .22 calibre firearm as 140db. " small .22-caliber rifle can produce noise around 140 dB, while big-bore rifles and pistols can produce sound over 175 dB. "http://www.asha.org/public/hearing/Recreational-Firearm-Noise-Exposure/ How can this be a fair rule?
No	To Whom It May Concern; I feel the need that I must write to you regarding what has been said about the noise of guns coming from the Salt Spring Rod and Gun Club. My family has lived on our Churchill Road property for 50 years [in 2015] and I have lived here full time for the last 14 years. At NO time has there ever been a problem with any gun noise coming from this Club. I have been out on the property when there has been shooting [ my son was at the club at the time' ] and I have heard nothing. As an old Islander what bothers me is that a Club that has been on this Island for 100 years...and at the property on Long Harbour Road for at least 50 years is now having to defend themselves in Court, and possibly loose their Club, because of the actions of, I believe to be 6 people, 2 of which are married and not living full time on the property beside the club, yet say the noise is terrible, and the other 4 who live somewhere on Churchill Road. What bothers me is that each of these people bought the properties next to and near to the Rod and Gun Club knowing that it was just that, a facility where guns were used in practice and competitions. There is no excuse for them to start making ' noise' demands from this club now, after the number of years most have them been living there...I just joined the Rod and Gun club this last year and I must say the people of the club are very community minded, providing a safe learning environment in many activities... for old and new members of all ages ...this includes the members of our RCMP Detachment who use the club as well. I felt it important to let you know that there is and nor has there ever been a problem with noise coming from the Rod and Gun Club near my home.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	<p>•setting a maximum noise level of 70 dBA for the discharge of a firearm at a shooting range. Your request is unrealistic, the vacuum cleaner, or motorbike produce more noise than 70 Db. The area was rezoned for the shooting range with all aspects the shooting range carries with. If somebody decided to build the house close to shooting range he/she has to live with the consequences. The shooting range did not appear in the area or was not imported at this spot overnight. The whole scenario is giving me the feeling that somebody from CRD is cutting to guys with deep pockets. Treat others the way you want to be treated, do not buckle under the pressure of the influential people.</p>
No	<p>Changing the rules to place impossibly restrictive conditions on the Salt Spring Island range is underhanded and unacceptable. Limiting the noise of the range to less than 70dB is requiring it to be quieter at its loudest than a vacuum cleaner. Any reasonable person can see that the goal of such a by-law is to force the closure of a club that has been in existence for over 100 years.</p>
No	<p>Re the proposed bylaw change for the Saltspring Island Rod and Gun Club.....VERY BAD IDEA! The club will not be able to function under the proposed changes. The club has been in its present location for 60 years. Anyone moving near the range and then complaining about the noise is unreasonable and unrealistic. Check out their website for more info. <a href="http://www.saltspringislandrodandgunclub.ca/">http://www.saltspringislandrodandgunclub.ca/</a></p>
No	<p>This 70db limit imposed on the Salt Spring Island Gun Club is ridiculous, and discriminatory against those who enjoy the sport. This club has been there for 100 years, and operating safely. Just because some new residents moved near the club and don't approve of the activities that are enjoyed there, doesn't mean it should be shut down. If you apply this "Noise Suppression Bylaw" to any other scenario it sounds ludicrous. Imagine if the residents of Sidney decided that the airport needed to operate at 70db or less because some new residents thought the plains were too loud. I'm sure everyone would agree that those complaining should have considered the noise of the area prior to moving.</p>
No	<p>I am writing in regards to the proposed amendment of bylaw number 3855. I agree that limiting the hours in which a firearm can be discharged at a shooting range can be a reasonable approach to noise abatement, however limiting the noise level to 70 db seems ludicrous. Various sources online, specifically 'The Engineering Toolbox', cite the volume of a person speaking from one foot away at around 72 db. As such, it seems far too restrictive to set a noise limit so low. Sport shooting is a hobby enjoyed by many, both young and old. Imposing such smothering bylaws on the SSI Gun Club will effectively render firearms unusable on the island. This will have the detrimental effect of stripping a cherished sport and past-time from the local community. I am therefore submitting this feedback to make known my opposition to the bylaw.</p>
No	<p>I am opposed to the proposed bylaw changes and restriction being imposed on the salt spring island gun club. There is a need to maintain places where individuals can safely, legally use firearms - both because it is one of our rights, and so that there are facilities and persons with the expertise to promote the safe handling and use of firearms. The SSI gun club has been in operations for many years without incident - it's not their fault that people have moved into the adjacent lands (where they should have reasonably known there would be noise spillover from the range) and now feel that their rights are above those of the users, members, and operators of the longstanding range facilities. Why not impose the same restrictions throughout the island, and require that all float plane traffic in the harbour also restrict noise levels to below 70 decibels? Bylaws which will effectively shut down a business are discriminatory and unfair. Please revise the proposed bylaws to ensure that the SSI gun club is able to continue operations, and ensure that there is a place where island residents can safely and legally use their firearms.</p>



SUPPORT BYLAW AMENDMENT	COMMENTS
No	RE: Proposed changes to Salt Spring Noise Bylaw. The SSIR&GC has reduced its hours and performed sound mitigation and continues working on more sound mitigation in an effort to reduce noise impact on neighboring properties. The club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The last time hour restraints were brought before the CRD council you received email from approximately five hundred different people demanding actions against the SSIR&GC be tabled. Yet here we are again with the CRD harassing the SSIR&GC and looking at increased hour cuts and decibel limitations. The purposed 70 decibel limitations would shut the club down and that would be in violation of the BC Supreme Court Ruling. Also the cost and logistics of monitoring decibel readings would be a waste of tax dollars. I have to ask these questions. Why do a handful of complainants have more influence than fourteen hundred supporters? Why has the CRD not answered the request of the SSIR&GC in any way for sound mitigation engineering and funding? Why after the CRD had an independent sound engineer report proving that the indoor range does not exceed 4db above ambient level does the CRD still try and stop the use of the indoor range after sunset. Please cease tabling any further restrictions and ticketing on this club that has served the community for 100 years and is desperately trying to continue to do so. Thank you in advance for your prompt email response to my questions and please also supply a brief outline of what the CRD has done to support what may be Salt Spring Islands biggest and oldest club.
No	Please don't pass a law that will close the gun club. I don't like golf or football or hockey or baseball or soccer or tennis or curling but I do like shooting. Granted, they are loud, but so are Harley's and Corvettes and ambulances taking injured hockey players to the emergency room. What's next? A bylaw against blenders or boat motors or barking dogs or slamming doors?
No	What is the driving reason for what appears to be unfair and unreasonable conditions in this bylaw. Are there publicly available minutes of meetings that discuss this bylaw and perhaps identify a special interest group and will you provide a link to same ?
No	70 decibels? Really? Are you going to prohibit the ferry or cars from using its horn ? Lawnmowers? Barking dogs. or is the 70 decibel limit a mechanism whereby the CRD is promoting the use of silencers on guns. Well, they are relaxing gun laws in Ottawa. Good one
No	I would like to voice my opposition to the proposed noise bylaw on Salt Spring Island. It is unrealistic in it's limits.
No	The proposed bylaw is nonsensical. Foremost, the courts ordered you could not change the bylaws to remove existing zones. But you ignore the courts. Moreover, a limit of 70 dB is largely impossible. Lawnmowers and hair dryers are louder than 70 dB. An average person can shout louder than that. Are you proposing to make it against the bylaw to speak loudly? The bylaw is clearly designed to ban a lawful business. There isn't a firearm on Earth legally available in Canada that can stay under 70 dB. People can't even stay under 70 dB. From what distance do you intend to measure the sound? At the muzzle? At the edge of the property?
No	Regarding the SSI Noise bylaw concerning the SSI Gun Range: Changing bylaws to drive out a person or group that conforms to current bylaws is unethical and is a form of bullying. While I understand the time restriction so as to make the evening peaceful, the 70 decibel restriction is unrealistic. It is the equivalent of saying that we won't ban heating in houses, but only wood burning stoves with a 0 ppm emission count are permitted. If people have recently moved in without checking what is in the neighbourhood, then that is their problem. Too many times the newcomers get to steamroll over the established community assets. The gun range is that – a recreational asset for the community. Do not approve a bylaw aimed at shutting it down through unobtainable restrictions.
No	Outdoor ranges are ideal for shooters to practice in all weather conditions. Shooting outdoors also teaches a basic understanding likely through trial and error of how to compensate your aim based on wind direction. There is no easy method to accurately increase shooting competency based on weather conditions, except practice, which makes outdoor ranges ideal. outdoor situations require more thought based on weather conditions. Outdoor ranges are a great way for a shooting enthusiast to take his/her skills to the next level.
No	At 70 decibels, this sure looks like an attempt to close down this range ? Law abiding gun owners have rights too ! I suggest you carefully consider your actions in this matter before voting on this amendment ! Back door gun legislation has typically been challenged successfully and this just seems like harassment .

SUPPORT BYLAW AMENDMENT	COMMENTS
No	Hello, I am writing as a member of the Salt Spring Rod and Gun Club. In response to noise complaints, the SSIR&GC has worked very hard to adapt to requirements to integrate well with the community: We have reduced its hours of operation and performed sound mitigation. In fact, we continue working on more sound mitigation in an effort to reduce noise impact on neighboring properties. Representing over 10% of the entire island's population, the club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The last time hour restraints were brought before the CRD council you received email from approximately five hundred different people demanding actions against the SSIR&GC be tabled. Again, over 5% of the island's population felt strongly enough to take action. In result, we now find ourselves faced with proposals for increased hour cuts and decibel limitations. The proposed 70 decibel limitations would shut the club down and that would be in violation of the BC Supreme Court Ruling. Also the cost and logistics of monitoring decibel readings would be a waste of tax dollars. We at the club are interested in answers to the following questions: Why do a handful of complainants have more influence than fourteen hundred supporters? Why has the CRD not answered the request of the SSIR&GC in any way for sound mitigation engineering and funding? Why after the CRD had an independent sound engineer report proving that the indoor range does not exceed 4db above ambient level does the CRD still try and stop the use of the indoor range after sunset. We ask that you please table any further restrictions and ticketing on this club that has served the community for 100 years and is desperately trying to continue to do so. Thank you in advance for your prompt email response to my questions and I ask also that you supply a brief outline of what the CRD has done to support what may be Salt Spring Islands biggest and oldest club.
No	I will keep this message brief. I am opposed to the CRD making new by-laws that are to be used to put a legal sporting activity out of business. The Saltspring Island shooting range is a legitimate club for target practice for individuals involved in marksmanship, sport and hunting. Please allow them to continue.
No	I do not support the amendment of bylaw 3384 for the purposes of further restricting the noise level from the firearm shooting range on Saltspring Island. This amendment is likely to effectively shut this range down by making use of that facility for its original intended purpose impossible.
No	This long-standing, community supported, and entirely appropriate fixture of the CRD scene needs to be left alone and allowed to operate as it has done for decades. The desires of a minority of newcomers to the area, who purchased land with the understanding that it was near an operating gun range, should not trump the desires of the greater community, nor should steps be taken beyond the CRD's typical mandate to appease a select group of dedicated complainers. Leave Salt Spring Island Gun Club alone.
No	Hi, I am not a gun owner or a member of the Saltspring gun club, but I feel strongly that places like this should exist, as they do a lot of good in the community. They provide a place for like minded people to get together and make friends, and they end up doing a lot of great community work, fundraising, events, and so on. People are trying to get the racetrack closed down now too, and it seems like a few grumpy people in Victoria try to close down every facility for every hobby in existence. It's so harmful to do that, especially after all the effort that hobbyists put into building up their facilities and making them great places. Please don't shut down the gun club, or the racetrack, or any other facility because of noise complaints.
No	Please don't turn the CRD into a nanny state by coddling everyone who has a noise complaint. The Salt Spring Island Rod and Gun Club has existed in its current location decades before their current neighbours purchased their homes. These neighbours also purchased these properties at a premium do to their location next to a firearms range, and are merely looking to increase the financial value of their homes. I know guns are not a popular issue these days, but Canadian law is very strict in regards to firearms. Handgun owners would have no where to enjoy target practice without this Rod and Gun club. If people do not have a safe and regulated place to discharge and enjoy their firearms they will turn to crown land and logging roads. This will decrease safety and increase the amount of spent cartridges and bullets littering the wild. If I moved next door the sewage treatment plant and demanded its closure because I don't like the smell I would be laughed out of your office. Please keep the CRD a sane place for non-manipulative to live.



SUPPORT BYLAW AMENDMENT	COMMENTS
No	Seriously? 70dB? That isn't physically possible. Either call the ban a ban or scrap it.
No	I have been a long time supporter of the rod and gun club. The CRD needs to stop bullying this club. Start support local clubs. Not drive them away
No	Based upon the available material I have read, your Bylaw No. 3855, Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006 Amendment Bylaw No. 1, 2014 appear to be grossly unfair to a law abiding and existing target shooting range. I would like to express my opposition to your bylaws that would effectively end their lawful use as a shooting sport site. I have already seen one range closure due to the encroachment of new development and must object when it seems to be happening again nearby.
No	If you are going to set a noise bylaw of 70 db, then it should apply to all noise producing things in the community. Cars, motorcycles, lawnmowers, etc. I assume the driving force behind this bylaw are people who have not been there since 1913 when the range started. The range was there first, leave them alone.
No	A 70db limit is ridiculous. Most air compressors run at 89-90. This is nothing more than a blatant attempt at constructively forcing them to close. This is like if somebody told me I can use my car, but I can't buy fuel for it.
No	I would like to voice my opposition to the noise bylaw changes to the SaltSpring Island gun club .
No	hello, iam writing in regards to the proposed by law change that would make it impossible for salt spring gun club to continue operations. iam opposed to the change because it would lead to the closure of the club and could possibly set a precedent that could lead to the closure of more shooting clubs in the future. Thank you.
No	I support the Salt Spring Island Rod and Gun club and their continued existence. The Rod and Gun club was operating long before those residents lived nearby. If they don't like living next to the Rod and Gun club, they should consider moving, not demanding that the well established club, enjoyed by numerous generations and residents close. That is actually preposterous when you really think about it. Please don't accommodate these whiny people.
No	i vote no
No	The 70 decibel limit is unreasonable. It can only serve to cut membership at the Gun Club to cause it's collapse. What good is a Gun Club where you cannot shoot guns ? This flies in the face of the Supreme Court decision. While your attempt to do an end run around the Supreme Court may be successful at destroying the Club, it will result in more costly litigation because other Gun Clubs will contribute to our legal fund. This law is blatant discrimination.
No	While noise control is an important issue in an ever louder world, it is totally unreasonable to impose impossible standards on a currently existing, legal facility that is used by many members of the community. The noise limit of 70 db proposed in the amendment to the bylaw for Salt Spring Island would effectively ban the discharge of almost all firearms. If this same standard were applied generally, lawnmowers, motorcycles and a host of other noise producing devices would be outlawed. Furthermore, where will hunters and target shooters go once this standard is applied? Remember, this is legal activity.
No	I was appalled to read the recent blog post by the Salt Spring Island Rod and Gun club. Perhaps I do not have all the facts but if what they are saying is accurate then the homeowners nearby have absolutely no reason to request noise restrictions on a club that has been in the same spot for over 60 years. Perhaps if they had researched their property purchase before buying they would not be in this position. The CRD should use its authority in the best way possible, by telling these land owners that being a bully is not tolerated and their complaint has no merit.
No	I am writing to you to let you know I am completely opposed to the proposed "Salt Spring Island Noise Suppression Bylaw". This is nothing more than an attempt by a few landowners to shut down a valuable resource to the Saltspring Island community.
No	Hi, I don't shoot or even own a gun but this is complete garbage. The people who bought housing there did so with the club there. The club has been there for 60 years, pushing them out is unfair and stinks of graft and or greed.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I find the assignment of 70 db level for Salt Spring proposed bylaw to be completely inappropriate since even weed trimmers ; etc , exceed this level . Even many bathroom fans cannot meet this sound level . Any sound level measurements should ALWAYS have a distance component to be sensible ...i.e ...85db@ 25m . Please get it right ....look at Worksafe regulations as a start !
No	Leave the Gun Club alone. You are ignoring the courts by creating a bylaw to outlaw a legally zoned piece of land.
No	This feedback is in regards to the Salt Spring Island Noise Reduction Bylaw that is proposed. I am whole heartedly against this bylaw. This range has been around for 100 years, and is a part of that community with members active participants in local events. The range is a safe place where individuals can teach the islands youth gun safety and safely practice with legally owned firearms. The complaints coming from local residents who bought property around the range are unfounded. They bought property knowing a gun range was there, and only after their purchase did they complain. This is the equivalent of them complaining about the ferry traffic nearby, or noise from the Victoria Airport. Instead of passing a bylaw that would make the range unusable, I strongly encourage the CRD work with the Range Executive to find alternatives. This has worked with other ranges in the gulf islands.
No	In regards to the proposed noise level of 70dBA, this would prevent operations of the rod and gun club. Suppressors are not legal in Canada and the smallest caliber rifles exceed these levels. These changes would negatively impact many more people than the small few it would benefit that bought cheap property beside a club that has been in operation for over 60 years. The alternative option to a range is shooting in an uncontrolled environment which personally I find unappealing due to increased risk. This bylaw will increase this activity and affect the responsible gun owners that choose to pay for membership to have access to a controlled safe area to shoot. An appropriate level should be investigated that would control some of the loudest firearms so that the club could require the use of an insulated tube for certain calibers. That could solve some of the loudest noise for local residents while allowing the club to continue. The current proposal is unacceptable and unlawful. It needs to be greatly modified or removed.
No	I support the SSI Rod and Gun club, and do not think it should be shut down because of noise complaints from a few neighbours, who KNEW what they were buying into when they purchased their properties.
No	Dear Board Members, The presentation of Bylaw 3855 is very disappointing, to the local community, and also all gun owners in Canada. If it can happen here, it will start to happen elsewhere. Please set a precedence, that legal gun owners are not considered to be infringing on the rights of their communities. The club has a well established history, the owners of the neighbouring property knew they were buying a property beside a gun range, it has been zoned that way for many, many years. Apparently we live in an era where legal gun owner rights and privileges are constantly infringed upon. The proposed bylaw restriction, of 70 dBa, is completely unreasonable, a lawnmower is louder. The 7pm curfew is completely unreasonable, most people work a full time job and can't shoot during the day. During 3 seasons of the year there is appropriate shooting daylight well past 7pm. I invite the board members to review this chart, for comparisons of dBa measurements....will you also impose bylaw restrictions on gas lawn mowers? <a href="http://www.dot.ca.gov/dist2/projects/sixer/loud.pdf">http://www.dot.ca.gov/dist2/projects/sixer/loud.pdf</a> Just recently, our Public Safety Minister proposed a series of changes to gun control legislation, referred to as the "Common Sense Firearms Licensing Act." Perhaps, the CRD Board members might also parallel that line of thinking, and condone use of common sense in rejecting Bylaw 3855. All my support to the Salt Spring Island Range on this matter!

SUPPORT BYLAW AMENDMENT	COMMENTS
No	<p>I already sent in one message but thought I'd write again to ask you how you can possibly attempt to set the noise level of a shooting club at 70 dBA. Since 70 dBA is the equivalent of "Normal Speech at 3 ft" you know they don't have a hope in Haddies of attaining that level and the level you are asking them to reach is unreasonably low. It is akin to asking someone to walk across a pond without touching the water. It also seems like you are trying to take an end run around being told by the courts that you are not supposed to 'bylaw' out of existence a legally zoned property. We all see this. I would think with all the missteps the CRD has taken of late, such as the composting and sewage blunders, this one would seem fairly easy to get right. The club has already taken steps to reduce the noise from the property and restricted the times they allow people to shoot in an effort to appease their neighbours, but really, it all comes down to someone moving in next door to a gun club and then complaining about the noise. Please don't buckle to this kind of pressure. The club has been in existence for 100 years and in their present location for 60 of those years. The club provides a service to the local law enforcement community as well as provides a place for people to get educated and training in the safe use of firearms. Without such a club on Salt Spring I wonder if people will just go "find a place in the woods" to do some target practice. Do the right thing and allow the club to continue on for another 60.</p>
No	<p>This comment has been removed.</p>
No	<p>The purposed amendment of Bylaw No. 3384 is another example for a few people trying to push their agenda on a minority group. The salt spring island rod and gun club has been a part of the community for 100 years and this attack to try and shut it down because of the noise it creates during daylight hours is mind boggling. Have some morals and treat the club that is part of your community with some respect. They have done nothing wrong and if a few of the residence have an issue with some of the noise they should deal with the minor disturbance or move as they where not forced to move there but they are forcing a bylaw that will force the closer of the rod and gun club that has been in its current location for 60 YEARS!!!!!! Please do the right thing and say NO to the changes. Stand up for a group that has been part of your community for 100 years.</p>
No	<p>Closing a firearms range would push more of the garbage and riffraff out to the bush. We almost got nowhere to hunt or shot already. I will make a big deal about this we need more ranges not less. People are like rabbits and theres gonna be more people not less. Open your eyes. Guns were here before you. Would you rather shooting in the bush where you might be camping or know its done in a safe designed area ?</p>

SUPPORT BYLAW AMENDMENT	COMMENTS
No	<p>Re: Saltspring Island Noise Supression Bylaw #3855. Thank you for the opportunity to respond to this issue. The Saltspring Rod and Gun Club is an important member of the community. The range offers a safe and controlled environment for hunters that want to sight in their rifles, sport shooters that enjoy honing their aim and practising accuracy and precision skills, and it offers a space for local law enforcement members to maintain current with their firearm proficiency. The club offers a place where young people are taught how to handle firearms properly and to treat them with the respect they deserve with respect to safety. The parties that are petitioning the CRD for this noise bylaw are also on record as complaining about noise from the seaplane base, and also from certain restaurants in Ganges. This type of behavior is akin to someone who benefits by purchasing land at a favorable price near the airport, then petitions to limit the noise in order to achieve a profit on the sale of the land. The range was there before the complainants were, and I am sure they were aware of the existence of the range when they purchased the property. It is clear that these people do not have the best interest for the community in mind. The noise limitations proposed for the range is unrealistic. 70 dB is roughly the level of elevated conversation. Adopting this bylaw would effectively close the range, which, I am sure, is the goal of the complainant. Should this bylaw be adopted, the complainant, all property owners, and the CRD would be in violation of the noise bylaw for various reasons as follows: City Traffic (inside car) - 85 dB, Hand drill - 98 dB, Power Mower (at 3') - 107 dB, Motorcycle - 100 dB, Power Saw (at 3') - 110 dB. If the complainants were worried about the noise, it is suggested that they do what the shooters do - wear adequate hearing protection. Thank you for your consideration.</p>
No	<p>I am writing in regards to the issue of Bylaw No. 3855, Noise Suppression Bylaw (Salt Spring Island) in regards to the Salt Spring Island Rod and Gun Club. I believe that the Salt Spring Island Rod and Gun Club provides a valuable service to individuals and the community and provides a safe and controlled environment for a shooting range for both guns and archery. This is a much preferable environment for people to learn and practice the safe use of guns and bows than on their own, less controlled and supervised properties. The bylaw proposal to disallow sound levels over 70 dBA is almost as ridiculous as the noise complaints from neighbours who purchased their homes with the full knowledge that there is a shooting range in the neighbourhood. Their complaints have no more validity than someone purchasing a home near a hospital and complaining that the ambulances were too loud and should only be used during the day. What concerns me most is that the CRD's own staff has recommended against the 70 dBA limit and that the CRD does not actually have the authority to enforce this bylaw which goes against previous court rulings. Please reconsider this proposal entirely.</p>
No	<p>I oppose the proposed bylaw change, not supposed to 'bylaw' out of existence a legally zoned property.</p>
No	<p>Regarding Salt Spring Island Noise Suppression Bylaw. Myself and my family and friends all agree that the noise suppression bylaw for the gun range is an infringement on legally licensed gun owners of Canada and could result in some serious law suits. Operating and possessing firearms is a MAJOR Canadian heritage and we all believe that these actions by the CRD are completely UNJUSTIFIED and Non-Canadian. Allow the gun range to operate without a dBA limit and stop interfering with an active Canadian sport. If your going to put a limit on sound you MUST enforce it at every single residence and establishment!</p>
No	<p>In regards to <a href="http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw">http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw</a>. This is a outrage that CRD would try and zone a well established club out of existance due to noise complaints from neighbors. People buying in the area should have realized that for a 100 years there has been a gun club and shooting range at this location. 70 decibal limit will shut the club down, not only this that is lower than what a lawn mower would be and just above a normal conversation in a busy restaurant (60db). I have afixed a chart (<a href="http://nelsonjameson.com/learn/assets/images/common_sounds.gif">http://nelsonjameson.com/learn/assets/images/common_sounds.gif</a>) that shows if you are restricting it for safety reason you will also have to restrict all commuter bus traffic since while inside of a bus it will often be 90db. It should not be up to the CRD to police things like this when all it would have needed was some reseach on the part of the people buying and developing near this location to realized the sound. I live near a power substation but you don't hear me complaining to the CRD about the noise, or maybe I should be, maybe I should get all my neighbors to complain and then you will change a bylaw to make them move. Then I will start with the next thing I know that is in my area that is making noise. Please for the first time CRD use some common sense.</p>

SUPPORT BYLAW AMENDMENT	COMMENTS
No	Perhaps the neighbours complaining of the noise from a long-established range should have considered the proximity of the range BEFORE purchasing their homes. A rod and gun club provides a safe place for youth to learn about many aspects of outdoorsmanship, and is a valuable asset in any community. Complaining about the noise from a range that has been in existence for over 60 years, is akin to moving next to a golf course, and complaining about errant golf balls. The fault in this situation clearly does not lie with the rod and gun club.
No	Following up on my last message....The average intensity of a 12 Gauge Shotgun blast is 165 dB at around 1-3 meters. Some basic physics would say that the 70 dB limit would have to be imposed at a distance of at least 50 meters from the source of the blast to be anywhere close to this arbitrary limit you are imposing. Keep in mind the dial tone from a phone when against your ear is approximately 80 dB, and the average intensity of a conversation at 1 meter is 65 dB. Suppression systems for firearms are prohibited under Canadian law. Bylaw No. 3855 is in clear violation of this section of the National Firearms Act if you are forcing the members of this club to suppress the sound of their firearms. Either that, or you are legislating the SSI Rod and Gun out of existence which is a clear overreach of the CRD's authority. Once again please don't let the CRD be abused by special interest groups that look only to gain financially.
No	Re: proposed amendment to Bylaw 3855, Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006 Amendment Bylaw No. 1, 2014. Hello, I am concerned by this bylaw amendment, as it does not give a reasonable provision for firearms users to carry on their lawful activities. The limiting of hours in which the discharge of firearms is allowed to the earlier of 7pm or sunset is not reasonable during the summer months given the length of the day during this time. Many individuals, due to work or other daytime commitments, are not free to undertake any firearms-related activities during the majority of this time window. It should be noted that these timings are reasonable for winter months, as most if not all shooting ranges already stop all shooting activities at sundown. Of greater concern is the noise level provision. Good source materials are difficult to find on this topic; in this email I reference a study* out of New Zealand describing tests of noise levels during rifle firing. The study indicates a median noise level, during intermittent firing of 5.56mm rounds, of 114dBA. The civilian version of this cartridge, the .223, is in the lower-middle of the range of rifle calibers (sorted by power) typically found in use at a rifle range, such as that of the Salt Spring Island Rod & Gun Club, or by hunters. Since the sound produced by firearms is caused by the same mechanism and same chemical reaction across multiple calibers and round types, it is reasonable to assume that higher-power calibers would produce slightly more noise levels, and lower-power calibers slightly less noise levels, while remaining in the same ballpark noise level range. It follows that no firearms can be discharged without exceeding an environmental noise level of 70dBA. Imposing a strict 70dBA limit on noise levels is, in this context, effectively a statement of intent to prohibit use of firearms. If that was not the intent of this provision, the selection of this noise level value must have been made without consultation of anyone with any knowledge of firearms, nor anyone with the ability to perform a quick Google search. This is hardly a good basis for creating municipal bylaws. Since I cannot imagine that the CRD would develop bylaws in this manner, I must assume that it is an attempt to find a means to prohibit firearms use on Salt Spring Island. As the recent related BC Supreme Court ruling confirmed, a bylaw cannot prohibit lawful use of a properly zoned property. Thus, this provision directly conflicts with that ruling in the case of the SSI R&G Club. It would appear that this bylaw provision is at best a waste of tax money on yet another legal challenge waiting to happen, or at worst an attempt to bypass the SC's ruling to stop the lawful activities of the SSI R&G Club. I urge the CRD to examine this issue again and not to pass Amendment 3855. This issue has the potential to appear again in the future, as development encroaches on other shooting clubs around other regions of the CRD. It is not reasonable to alter bylaws in favor of a few property owners, in particular those who purchase properties knowing they are near a shooting range, at the expense of an entire community of shooting sports enthusiasts. These issues are best solved through dialog between all concerned parties, perhaps under arbitration, with all parties knowing that under the circumstances they must reach a compromise.
No	how dare you ignore the courts direction to not bylaw out of existence a legally zoned property , you will face a bitter end on this issue the same way your ignorance and incompetence has led to the sewage mess we are in on southern Vancouver Island .
No	70DB is far too low that it is unrealistic to expect. Even a lawnmower is louder than that, let alone a rifle. Shame on the CRD for even proposing it. It is the same whether you move next to an airport for a shooting range, expect noise.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	It is unrealistic to expect less than 70 decibels of noise to come from a shooting range. If residents living around the range are complaining about noise levels, they shouldn't have moved there. Its like building a home next to a nuclear power plant and complaining about the plant being there after the fact. What is the point of property zoning and laws if CRD is going to break them and force people out anyway?
No	I am strongly opposed to the proposed Saltspring Island noise suppression by-law change, bylaw 3855. If this proposed change goes through it would make it impossible for the Salt Spring Island Gun Club (SSI) to continue operations. I feel that it imperative that we promote and encourage the use of range facilities like SSI in the capital region not pass bylaw that close them down and force even more people to shoot firearms in uncontrolled and unsupervised locations out in 'the bush' with possibly lethal consequences. This is a very serious matter that should be very carefully examined before a hasty decision is made. I know I would rather continue with safe enjoyment of our vast wilderness without increasing the chances of a bullet ripping through my campsite and injuring or killing my family due to increased firearms activity in our many forested areas. All ranges within the capital region should be forever exempted from any future changes that could force them to close. They are an asset to our region and require deserved protection. Eliminating a firearms range will not prevent or eliminate any public nuisances, it will only create even more dangerous ones...
No	The proposed bylaw to limit 70 dBA @ the gun club on SSI is too low. Half the rifles & handguns couldn't be discharged at that level.
No	This proposed bylaw is an obvious attack on the legal discharge of firearms at the Salt Spring Island Gun club. Setting an acceptable discharge level at 70dBA is quite frankly, unacceptable. Considering average speaking levels are between 60-65dB, what's next? No yelling across the street? I really hope you can figure out a real proposal that allows continued use of the range at the same time as appeasing the neighbours adversely affected by the noise. Below is one very probable solution that require all parties to get involved. -allow use of firearm noise suppressors on approved ranges in Canada. Gun owners have been lobbying the govt to legalize and allow use of these "prohibited" (illegal) devices for years. Not only are they a great safety device for shooters/visitors of the range, they could also greatly reduce noise levels in those areas outside of the range. This, in my opinion, would be an excellent solution to both parties. Residents can enjoy their outdoor activities without the continuous sound of gunfire and members can continue to enjoy their sport at the SSI gun club. With urban development encroaching ranges all across the country, it's time we find a solution that everyone can get on board with and continue to lobby the govt for the necessary changes to the law to allow use of these devices.
No	Restricting the noise level to 70dB is madness. Where did you come up with this number? Who will measure it? How far away will the reading be taken? Any idea as to how loud a lawn mower is? How about a vacuum cleaner? Both are 70dB. Restrict the time the range can be open sure, but do not attempt to limit the noise to a level that will basically prevent the use of a rifle range.
No	Don't shut it down!
No	Your proposal to restrict the sound levels at the range is unreasonable unless you also intend to prevent people from using any vehicles, lawn equipment, radios, sound equipment, tools or machinery which exceeds 70 db.
No	I am opposed to the proposed By-Law change for the Salt Spring Island Gun Club
No	The 70 Decibels limit will put the range out of business which seems to be the intent of the C.R.D. This is unreasonable and tyrannical. Try to make the same demands on an air port why don't you?
No	I am opposed to the efforts by CRD to close the Salt Spring Island Gun Club. By setting a knowingly imposible noise limit, the CRD is using a by law change to deliberately shut down a legitimate enterprise. I believe this is expressly prohibited by the courts. Additionally, if gun clubs are made imposible to operate, due to imposible to zoning regulations, where are gun owners and enthusiasts to practice and become safe, capable owners? It's a vital to gun ownership that shooters practice in a safe and controlled environment. Shutting down shooting ranges forces people to find other less suitable and more dangerous places to practice, or worse yet, makes it so that they are unable to practice at all. Every effort should be made to encourage gun owners to go to their local range or gun club frequently, where they can become better and safer shooters and learn about responsible gun ownership with other enthusasts..



SUPPORT BYLAW AMENDMENT	COMMENTS
No	Regarding the SSI gun club noise issue, 70 decibals restriction ????? a vacuum cleaner or lawn mower produce 70 db hardly a fair parameter for a gun club, maybe contact the club and you can: <u>MAKE A DIFFERENCE...TOGETHER</u> , just like your logo says.
No	Wasn't the CRD already told by the courts that they were not supposed to 'by-law' out of existence a legally zoned property? Limiting the noise to less than 70 decibels? Please tell me this is not serious! Do you know how many household appliances exceed this level? I am opposed to your proposed by-law change and will make sure that more people are made aware of it. I surely hope you will reconsider this issue.
No	Are you really serious about the proposed amendment Bylaw No. 3384 ?????? setting a maximum noise level of 70 dBA for the discharge of a firearm at a shooting range. What about cutting grass after suggested time... 70 dBA is less than your hair dryer...Come on! Do some homework before passing this.
No	I am opposed to your Noise Suppression Bylaw No. 3855 proposal. 70 decibels is a ridiculous number. Will the CRD get rid of weed eaters, lawnmowers hedge trimmers, chainsaws, Harley Davidson's, Sport bikes, delivery trucks and emergency vehicles. None of these would meet that bylaw. Vehicles with boom boxes, people working on home projects with chop saws and angle grinder would be in violation if they could only work on their project after work. Even the federal government has realized that firearms owners should stop being bullied so they are changing their rules. The CRD needs to quit focusing on gun clubs. If you do it on Saltspring then with this bylaw precedent, you can target the SVI Rangers and Victoria Fish and Game. <u>Enough already and focus on other issues which you are paid to do.</u>
No	I disagree with the proposed amendment 3855. The practice of limiting the hours of operation is a common and effective way to balance the needs of a noise producer with the needs of nearby residents. We see this in many instance in industry and transportation. In this way, those who choose to move into proximity to a noise producer are still guaranteed times without noise. This proposed amendment seems to provide nearby residents with 14hrs a day of "quiet time", which seems more than equitable for someone who ought to have known that living nearby to a firearms range would result in listening to firearms being discharged. Since that particular range has been there for decades, I doubt many nearby residents lived there before the range did. Therefore I find the limitation of hours to be a reasonable accommodation. However, the introduction of a decibel limit to the sound producing equipment which is necessary to the legal operations occurring on a property and for which the operator has no legal means to alter in order to achieve, is not a legitimate or reasonable amendment. Given that most firearm discharges are in the 120-170 decibel range it seems to me that the level of 70 decibels is arbitrarily low. A normal conversation at 3 feet will produce 60-65 db, so this proposal wants to reduce the sound of firearms to a level just above everyday conversation? Has the CRD conducted field testing at the closest existing residence? If so, can the proposed level be achieved? The decibel level will decrease over distance depending on wind, ambient temperature, ground absorption, humidity, temperature gradients, barriers, and trees. Assuming for a moment that the CRD has field tested and found 70 db to be achievable, since some of these factors are variable, is there sufficient margin of error to prevent compliance varying from day to day? Why is this proposed 70 db level being applied only to the range? and not to all? Wouldn't any noise exceeding the proposed 70db level be an issue? I can't help but feel that this proposal has the agenda of closing down a range to appease a few people who chose to live next to it. I think the reduced hours of operation is reasonable but the proposed decibel level is not.
No	The proposed bylaw to effectively shut down the Salt Spring Island Rod and Gun Club is ludicrous. The club provides a safe place for members and guests to enjoy their sport. This must be a kneejerk reaction to the NIMBY syndrome of recent residents. As the sound of conversational speech is in the 60-65 dB range you might as well ban all sports where cheering and yelling surely exceed the 70 dB limit you impose on the SSI club. Or how about a bylaw that prevents recent residents from laughing out loud outside? The SSI club has been providing a community service for over 100 years. Isn't there a court ruling preventing this sort of manipulating bylaw creation? Shame on you!
No	violin 84-103 dB, cello 82-92 dB, oboe 90-94 dB, flute 85-111 dB, piccolo 95-112 dB, clarinet 92-103 dB, french horn 90-106 dB, trombone 85-114 dB, timpani & bass drum rolls 106 dB. Also, a regular conversation between two people can reach above 70db at times.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	This response is to advise that I am opposed to the proposed by-law change that would make it impossible for the Salt Spring Island Gun Club (SSI) to continue operations.
No	<p>Just a few questions in no particular order; Has the CRD ? -- ascertained Mr [REDACTED]' short and long term goals for the property, eg subdivision, condos ect. Remember the property is a long existing farm. --considered reinstating the clubs exemption to the noise bylaw.--read and fully understand the Supreme Court Ruling stating that the club cannot be regulated out of existence or so severely curtailed as to cause undue hardship for the club and it's membership.--considered that all complaints come four to six residents and one commercial land developer. -- considered there are many more residents who have not only not complained but live much closer to the club. --considered that there is a movement on Churchill Road of residents that are fed-up with being lumped into the " Churchill Group ", as they do not agree with the four people and one developer who are doing all the complaining and further more support the club and it's existence. --considered the vast amount of support from Salt Spring Island and Gulf Islands in general through it's citizens and businesses. --taken into account that the Chief Range Officer of BC considers the club, in its present location, is one the safest Shooting Ranges in BC and has his departments full support. --considered that anytime a concern has arisen the club has immediately acted on and dealt with that concern. -- considered that those at the heart of all the complaints will never be satisfied with anything other than a full shut down and disbandment of the 101 yr old Salt Spring Island community Rod and Gun Club. -- considered that these same four residents have a long list of superfluous complaints; -- music from the Tree House café -- Moby's street dance -- extraction fans on Ganges Restaurants -- traffic noise from Ganges hill --the list goes on and on, perhaps the CRD should look up the entire list and then consider the source. --considered the hundreds of thousands of dollars worth of work, both machine and individuals, that has already been spent to ensure that the is the best possible Island Citizen and community member -- considered that the four residents, since buying their properties and being well aware of the club and it's activities, other than a continual letter writing campaign and barrage of complaints, have done nothing to mitigate any sound to their properties. A little forethought and a few fast growing specialty cedar trees would have gone a long way to help in the short time of their residency. --considered that there were no complaints before a previous CRD director took it upon himself to quash the clubs noise exemption and that if the exemption were to reinstated, other than the four Churchill Road residents and one wealthy land developer, there would be no further complaints and no further need for the CRD to consider the destruction of the Salt Spring Island Rod and Gun Club...--had any discussions with the local Chamber of Commerce with respect to the loss of revenues because the two hundred plus members of the Club will have to go off island to continue with their hobbies, the shooting sports, and while off island will fill in their day with all their shopping, gas and other purchases.</p>
No	<p>Dear CRD Board of Directors and Staff: The Salt Spring Island Rod &amp; Gun Club (SSIR&amp;GC) has reduced its hours and performed sound mitigation and continues working on more sound mitigation in an effort to reduce noise impact on neighboring properties. The club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The purposed 70 decibel limitations will shut down the SSIR&amp;GC, violating the BC Supreme Court Ruling. The cost and logistics of monitoring decibel level will be a tremendous waste of tax money. A tiny group complainants must not be allowed to over-rule more than fourteen hundred supporters. The CRD has yet to answer requests by the SSIR&amp;GC for sound mitigation engineering support or funding. The CRD has already commissioned an independent engineer report that proved the indoor range does not exceed 4 decibels ambient noise. How then, can the CRD orchestrate to shut down the Island's only indoor range? As a citizen of Salt Spring I request that the CRD withdraw the restrictions and new bylaw and cease ticketing this club. The Club has served the Island for 100 years and is an integral part of fabric of our pastoral community culture. I look forward to an official response and immediate attention to this escalating issue.</p>



SUPPORT BYLAW AMENDMENT	COMMENTS
No	The CRD should not be on salt spring
No	Good day, i am writing to express my dissatisfaction with the CRD attempt to legislate a business out of existence. The decibel level is beyond foolish. This will open up all gun ranges to the possibility of being closed. no gun can be discharged at that decibel range without silencers, which are not legal in Canada. The attempt to punish a law abiding business that has been in place long before the individuals who moved next to a gun range then decided to complain about it, demonstrates short sightedness on the CRD part. There are thousands of target shooters in BC that rely on ranges to be able to practice their hobby. These people are voters as well and their concerns should be taken into account as well. If you move next to a range you have to expect noise at times. The federal government has recently made changes to the Canadian firearms acts that show a reasonable attempt to fix some of the countries antiquated firearms laws, in favour of the large electorate in this country, your attempt to pass this bylaw is a polar opposite of what the rest of the country is doing to recognize the rights of gun owners. Please reconsider your actions and don't reward a fool for moving next to a gun range and being surprised it makes noise. Lucky they didn't move next to a fire hall, you would have to push the trucks out so they didn't disturb the neighbours.
No	This bylaw is not fair. This club has been at this location for 60 years, they were there first. If this bylaw passes, you must pass a similar bylaw restricting the Victoria airport.
No	I am strongly opposed to bylaw 3855. The operating hour restriction is reasonable, but the decibel limit is ridiculous. No firearms are even close to 70 decibels. You're essentially trying to condemn the range and it's despicable.
No	This bylaw is ridiculous. All firearms operate above the decibel level specified in the bylaw. This bylaw will force the Salt Spring Island Gun Club to shut down.
No	All the shooting ranges in the CRD area are very respectful of their neighbours. Everyone who bought near a gun club knew, or ought to have known, that there would be loud noise coming from the range. This law is overly restrictive of a lawful sport and hobby and will hinder the membership and enjoyment of the range. Please reject this proposed by-law and support the the spirit and traditions of Canadians, shooting sports are part of our heritage.
No	I would like to inform you of my support to [REDACTED], the president of Salt Spring Island Gun club. That I am opposed to the proposed by-law change that would make it impossible for the Salt Spring Island Gun Club (SSI) to continue operations.
No	Outdoor activities including recreational shooting are part of what makes this country great. Look back in history to see what happens to countries that have been stripped of this right. Pass this bylaw and then sleep well knowing you have eroded one more part of this countries heritage/safety.
No	Your noise requirement justification and apparent disregard of the law is out of control on this issue. I for one am opposed to this.
No	I am very much opposed to your proposed restrictions against the SSI gun club. The club has been there for a long time and the property has been zoned in this way. If neighbors complain about possible noise levels they should have moved some place else!
No	The shooting range was there first. It is a sporting range and should be permitted to operate. Noise limits are non factors in its operation.
No	I am sure that you are well aware that there isn't a gun out there that shoots at 70dbs or below. Most guns fired legally would be between 140-180dbs so your wording would put the range out of business. There is some big business out there like the Western Speedway, and the Victoria Fish and Game that would be very upset if a proposal like this passed.
No	I am writing this to let you know that I do not support your plan to shut down the SSI gun club. The gun club was there first, if people don't like the sound of guns why did they move near a gun club? I beleive people should be allowed to pursue their hobbies, like riding their quads, mountain biking, shooting, hunting ect. and it's up to you to make sure enough space is provided to do so legally. There is enough property on this planet for everyone to enjoy their hobby.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I wish to provide strong feedback to the CRD, noting that I am most opposed to the proposed by-law change that would make it impossible for the Salt Spring Island Gun Club (SSI) to continue operations. In particular, I have been informed that the CRD is proposing some sort of noise suppression bylaw to limit noise to 70 decibels. I am a member of three shooting ranges on Vancouver Island. I also have a MSc in Acoustics and Oceanography. I believe that such a proposal to be poor science, as well as terrible public policy. I specifically request answers to the following questions: How did you establish this particular threshold level of noise? What peer reviewed human health science states that this is a defensible number? What is the reference level for the 70 db? What legislation gives the CRD the power to 'bylaw' out of existence a legally zoned property? Finally, are my ranges next? I look forward to your responses.
No	maybe instead of shutting down the saltspring range you can clean your own org. of bylaw officers that have affairs with thier workers or those that are drunks and wife beaters..CRD wastes more money then any municipal government combined,
No	I opposes this bylaw as it is only for the purpose of pushing out gun owner and making it impossible for them to enjoy there chosen sport. you can make 8000 bike lanes for a few riders but we cant have an assessable gun range for our sport. shame on you all. stay out of our sport and concentrate on dog owners who don't pick up there dogs waste. that is more of a nuisance than our gun ranges!
No	Leave the saltspring rod and gun club alone.
No	CRD Directors, I'm very disgusted with the fact you want to set a 70db limit on a gun range,this is ridiculous!!! The gun range was there long before the neighbour bought his property and now youu are pleasing him? Where is the common sense here? I hope you reconsider.
No	In regards to the Noise Suppression Bylaw (Salt Spring Island) forcing the Salt Spring Island gun club to close down with unreasonable restrictions. How is a noise limit of 70 decibels even achievable by the range? a lawnmower, vacuum cleaner and even your blowdryers are louder than that! The CRD has been told by the courts that they were not supposed to 'bylaw' out of existence a legally zoned property, however,they seem to be ignoring that. If people who live around the gun range are upset about the noise, perhaps they should not have moved in next to it. The Bylaw is clearly not a working solution for all people involved, and I would suggest that you work with the people of the Saltspring island gun club for a realistic solution.
No	After reading the existing bylaw #3384, and the proposed amendment #3855, I am completely against this restrictive amendment. Bylaw #3384 provides ample controls, adding 70db limits is simply not necessary or feasible for a gun range or anyone else, heavy equipment, lawnmowers, even older heat pumps would not meet the proposed bylaw, this gun range has been in operation for 100 years, and should not be bylawed out of existance, by a handfull of people that knew the range was there when they moved to the area.
No	My whole family enjoys shooting, I like trap shooting, my shotgun produces around 140 decibel if I can't go to the rang where do I go, the forest? Both my girls have several rifles each and enjoy .22 Silhouette shooting where would I send them? My son shots all disciplines , He worked hard to by his firearms and sends hours at the range. My father shots black powder he can't believe you want to take away the fun of three generations. The70 decibels level is an impossible level to expect from a firearms range. I would ask that BYLAW NO. 3855 not be passed.
No	I think that a club that has been in existence for as long as the SSI has been,and subsequently has development happen around them, should be allowed to continue to operate. To change the bylaws to suit the CrRD after the fact is wrong
No	I believe that your planned by-law change to the Saltspring Island Fish and Game Clue is unfair to the extreme. That club has been in existence for decades and operated within the letter of the law. To suddenly add some ill-conceived noise by-law to cater to people who have moved into the vicinity of the Fish and Game Club knowing already that there may be sound issues is extremely illogical, and unfair to the Fish and Game Club. The proposed noise level limit of 75 db is ridiculously low. This level would preclude humans enjoying a wide range of activities. I strongly advise taking a much more reasonable and fair stance on this issue.
No	Taking away Salt Springs gun range is not your responsibility half of crds equipment and cars and trucks are above the said limet
No	It is unreasonable that you should force the SSI Gun Club out of operation with a noise bylaw. You should either amend the bylaw or grandfather the SSI.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	Please do not amend Bylaw No. 3384 to set a maximum noise level of 70 dBA at the Saltspring shooting range. That is so unrealistic, you will completely shut it down. I understand restricting hours of operation, but not the unrealistic 70 decibel maximum considering a .22 caliber firearm is approx 120 decibels. I'm sorry you are getting complaints from people that purchased land so close to the range and didn't think about the fact that firearms make noise.. but that is not fair to all of us that have been obeying the law, using the gun range and enjoying the sport of safe shooting. Where would you suggest we are to practice if the range closes down? Go ahead and implement a time restriction, but I sincerely and humbly ask you please do not put unreasonable restrictions on the noise.
No	RE: Proposed changes to Salt Spring Noise Bylaw. The SSIR&GC has reduced its hours and performed sound mitigation and continues working on more sound mitigation in an effort to reduce noise impact on neighboring properties. The club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The last time hour restraints were brought before the CRD council you received email from approximately five hundred different people demanding actions against the SSIR&GC be tabled. Yet here we are again with the CRD harassing the SSIR&GC and looking at increased hour cuts and decibel limitations. The purposed 70 decibel limitations would shut the club down and that would be in violation of the BC Supreme Court Ruling. Also the cost and logistics of monitoring decibel readings would be a waste of tax dollars. I have to ask these questions. Why do a handful of complainants have more influence than fourteen hundred supporters? Why has the CRD not answered the request of the SSIR&GC in any way for sound mitigation engineering and funding? Why after the CRD had an independent sound engineer report proving that the indoor range does not exceed 4db above ambient level does the CRD still try and stop the use of the indoor range after sunset. Please cease tabling any further restrictions and ticketing on this club that has served the community for 100 years and is desperately trying to continue to do so. Thank you in advance for your prompt email response to my questions and please also supply a brief outline of what the CRD has done to support what may be Salt Spring Islands biggest and oldest club.
No	In light of the BC governments moves to promote responsible hunting " <a href="http://www.newsroom.gov.bc.ca/2013/02/wildlife-act-amendments-grow-hunter-recruitment.html">http://www.newsroom.gov.bc.ca/2013/02/wildlife-act-amendments-grow-hunter-recruitment.html</a> " I find it incredulous that the CRD is attempting to shutdown the Salt Spring Island Gun Club through bylaw manipulation. Like any other skill or sport, safety and marksmanship can only be attained by training and practice. Gun clubs fulfill both those requirements as well as promoting responsible stewardship of the environment. I suspect the real issue is development and new monied owners wanting to dictate to those that were already there. It would be akin to someone moving next to an airport and then demanding it be shut down because of the noise. Or knowingly building next to an established farm and then complaining about the smell. The propose bylaw is both backhanded and wrong.
No	Please amend or defeat Bylaw 3384. The Saltspring Island Noise bylaw. Passing this bylaw will result in the closure of that facility. The proposed noise limit of 70db is impossible to meet. Hand clapping can be that loud; snoring has been recorded at over 100 db, normal road traffic is that loud, and certainly dog barks exceed that limit. If the bylaw passes, you can be assured of floods of complaints that far exceed the intentions of this decision. If it is neighbour's complaints driving this issue, I am sure that all of them moved in to the area with full knowledge that a firing range existed, and took full advantage of whatever lower property price that may have brought about. Classic NIMBY ism.
No	Very disappointed that the CRD is wasting my taxes again, trying to close an institution that has been a benefit to the Salt Spring Island communities for over one hundred years. The way you are attacking the Salt Spring Island Gun Club is in direct contravention to the directions of the Supreme Court of BC. What are you thinking??? Using this criteria for noise abatement throughout the island will bring some interesting results. Sorry you can no longer mow your lawn. Most motorcycles banned, forget playing your stereo on your deck for your next summer barbeque with friends. The organ at church carries out onto the street, well close that up to. People chose to live on the island knowing full well there was a range here long before they arrived. The CRD's pandering to a bunch of over moneyed Johnny-Come-Latelys with this sort of sleazy law making is extremely offensive. Kindly stop wasting out time and money attacking a perfectly legal safe family activity.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	Don't change the by-law. Not that I believe you care what citizens have to say. Nothing personal, obviously, just cynicism.
No	Don't amend Bylaw No. 3384. Doing so would make it impossible for Salt Spring gun club to continue their long-standing business.
No	People move next to an airport and then complain about the noise. They move next to a farm and complain about the smell, sprinklers etc. Now I suspect people have complained about the Salt Spring Island Gun Club and you are listening to them In fact you are trying to shut them down. If you ever wonder why people not longer support you in your efforts to govern and manage the Capital Region it's because of your lack of ????? What's wrong with telling them "If you don't like it why did you move there?"
No	CRD re: Amendment to Noise Bylaw 3385 in regards Salt Spring Island Rod and Gun Club. Dear Sir/Madam, July 28, 2014. I am writing in support of the Salt Spring Rod and Gun Club and to register my disagreement with the CRD proposed amendment to Bylaw 3385. In setting the allowable noise level at 70 dBA without any mention of where and how to measure this level, the CRD is either not familiar with noise levels produced by sports shooting or is signaling its intention to shut down the gun range! We have owned property near the said gun range since before its inception and although able to hear the sound of gunfire have always tolerated it knowing the enjoyment and recreation value it brings to its participants. Ironically we have over those same years had to tolerate much more objectionable noise from the increased vehicle traffic and sounds of late night campers/revelers walking between the downtown and an adjacent campground. The shooting sports sounds are infrequent in comparison to the everyday sounds of vehicular and aircraft noise in this same area (I know as our family has lived here for years). Anyone planning to build in the area would very soon realize that there were gunfire sounds created by the gun range and if not tolerant of those sounds should even before having invested in such affected lands, changed their plans. To at a much later date attempt to stop the ongoing activities of the pre-existing gun club is in my view both selfish and inflammatory. The gun range was originally well situated in one of the few areas that was both easily accessible and shielded by hills and heavy timber on all sides. Originally there were fewer than a handful of homes near the club (including ours). My recollection is that one of the founding club supporters both lived and owned land adjacent to the club. Again ironically development in the area has removed much of the timber that reduced sounds of shooting sports. The Salt Spring Rod and Gun Club has over half a century taught Islanders how to safely handle firearms and promoted the enjoyment of shooting sports, wildlife management and care of our environment. Also the Club has provided camaraderie to generations of Islanders. I have had the pleasure of knowing many of the members of the club and can say that they have been drawn from most of the pioneer families of Salt Spring and have immeasurably contributed to the development of Salt Spring. The Club fosters a safe environment in which to use firearms; without it firearms might be discharged in unauthorized areas of the Island, endangering residents and causing noise elsewhere. I know that Salt Spring has changed in character over the years as more and more residents are now drawn from the city and are not familiar with shooting sports, archery and/or hunting. However, Salt Spring's charm and character were forged by many of the past and present members of the Club and I feel should be awarded the leeway to continue to enjoy those sports they grew up with and value. Now for some noise statistics: 70 dBA is an arbitrary number that has been generally associated with "normal background noise" of the populated urban areas of the western world. This sound level does not take into account momentary or short term noises we encounter and tolerate in everyday life, e.g. trucks, buses, construction. Normally encountered rural sounds: a chainsaw is 110 dB, a lawnmower 90 dB, sirens 119 dB – these sounds are often continuous for many minutes at a time unlike sporadic gunfire. Should we ban chainsaws, lawnmowers and sirens as well? The smallest and most popular North American firearm is the .22 calibre rifle; this firearm produces a momentary noise level of 130 dB while a hunting rifle like a .308 calibre rifle could produce 156 dB. A 12 gauge shotgun with a 28" barrel could produce 152dB sound levels. Typically a shorter firearm barrel length produces a louder report; so a common 9mm handgun could produce a 160 dB report. Yes, gunfire is loud, but fortunately it is also of extremely short duration. A good rule –of-thumb would be to not build near a gun range, or if so at one's own risk! I am against this bylaw and believe the Club should be able to continue in a responsible manner at its present location.
No	To Whom It May Concern: The CRD was told by the courts that they were not supposed to 'bylaw' out of existence a legally zoned property, however by pursuing the noise suppression project (referenced below), -- it seems that the CRD is ignoring that directive. <a href="http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw">http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw</a> . I write in support of the Salt Spring Island Gun Club to express my opposition to this CRD initiative, and object to both the intent and process of this project.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	I read your proposed Bylaw 3855 relating to noise suppression at Saltspring Island shooting ranges. Considering that conversational speech is 60 - 65 dB, your 70 dB limitation is simply unattainable for any lawful firearm. Noise-suppressed firearms are illegal in Canada. The smallest caliber, quietest handguns in Canada are approximately 115 dB and most handguns exceed 150 dB. Rifles typically exceed 160 dB.
No	Re: Bylaw 3855 Salt Spring Is. Gun Club noise level of 70 dBA. Dear CRD, I would like to express my opposition to the above bylaw change. The Saltspring Is Gun Club has operated on the island for over 100 year and in their present location for 60 years. The neighbors complaining of noise moved into the area in full knowledge that a gun range was in operation. The range provides a venue for members and their families to be outdoors and practice gun skills in a safe environment. As well firearms and gun ranges are closely monitored and controlled by Provincial and Federal legislation. The proposed noise level maximum of 70 dBA would in effect put the gun range out of business. Musical instruments such as the Flute, Oboe and Violin produce dBA levels at greater than 70dBA, normal conversation is at a dBA level in the range of 60 to 65. How can the CRD expect a gun range to be as quiet as a group of people having normal conversation. The CRD is taking an extremely unfair stance in trying to shut down a club that the BC courts have said have a legal right to operate the range on the property that it is zoned for. I urge you not to pass that bylaw
No	I strongly object to the proposed noise bylaw amendment that unfairly and illegally has been perpetrated against the Saltspring gun range. The CRD directors should not give any consideration to complaints from the "Johnny come lately" residents who knowingly purchased a residence near the gun range. I would like to remind you that shooting sports is part of the winter and summer Olympics, and our current and future competitors learn and train at gun clubs across Canada. Now here is the real shocking fact: that these facilities for shooting sports are not paid for by the public purse! You should show respect for a group of people who pay their own way and provide a safe environment, mentoring and training the shooting community. You should thank these community minded people, and instead of abusing them with underhanded legislation, consider helping them with youth training programs.
No	I am disheartened to hear of the issues concerning the Salt Spring Gun Club and the future state of their range. I am saddened to know the CRD would revoke longstanding usage rights. Undoubtedly, action is complaint driven on Salt Spring as anywhere else; however, the lack of planning on forethought on the part of new neighbours should never warrant action against the original inhabitant. We've seen similar issues around airports and roadways, and in each case the affected party assumes no responsibility for their decision to move into the location of their choosing. In any other context this would constitute bullying. Please do not condone this behaviour.
No	I urge you to amend Bylaw No. 3384 to limit hours and noise levels at the Salt Spring Island Rod and Gun Club.
No	With regards to bylaw 3855. Frogs in a pond at night are louder than this limit. We need to practice with high powered rifles to hunt ethically. If we can't do this in a controlled range facility people will be forced to target practice in the woods or on logging roads. We need to have places available to practice designated activities or you will just get the same activity in a disorganized manner and at higher risk.
No	Re: The Gun Club Noise Bylaw. Gentlemen: This past weekend we again carried out noise tests at the club and according to our meter, traffic is louder and drowns out the sound of our guns. Clearly we must hope that traffic goes from sporadic to continuous to raise the background level to so much noise that the guns cannot be heard. We should be addressing real noise issues. Sunday morning my neighbour woke me continually from 7 AM on. Last week the air ambulance came directly over my house at 2 AM which was distressing because I have to get up for work at 5 AM. The Gun Club does not cause problems like this. The Air ambulance is forgivable but must I rally 5 of my neighbours to have a Custom Made CRD Bylaw against the early Sunday morning person. I would be far more justified in my complaint than the 5 Churchill Road wieners who have difficulty hearing us over the sound of planes taking off and traffic driving past. Clearly you give credence to tiny numbers of people. I would like to know what it takes to get into such a preferential group because my early morning noise problems are legitimate and harmful to my health.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	With regards to Saltspring Island noise By-law # 3855. <a href="http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw">http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw</a> . I am a tax payer in the Capital Regional District who is also a responsible firearms owner and user. The proposal to shut down a nearly 100 year old shooting club is unacceptable. If this noise by-law can be twisted to exclude by decibel level the operation of any and all firearms, you are putting a 100 year old firearms club out of business. Would the same by-law be enforced in the CRD near an airport ? Perhaps we can get Victoria International shut down because a neighbor is disturbed by the noise of an airplane. A 70 db limit (if measured on or near a firing range) is an unrealistic number. A farmer on Saltspring Island that is running a tractor would exceed 70 db. If moving your residence next to an existing airport, race track, industrial business or 100 year old shooting club gives you subsequent rights to have have them shut down based on the noise their business has always generated, expect many more law suites in the future.
No	Where will the 70dBA be measured from? On common scales for example I see that a gas lawn mower is 100dBA at three feet but 70dBA at a 100 feet. I assume common sense will prevail and if 70dBA remains in the bylaw that it will be defined as measured at a safe distance from the discharged firearm, e.g. 500 feet.
No	Two observations about feedback regarding the Salt Spring Rod and Gun Club: Many of the opponents to the CRD noise bylaw amendment are not from Salt Spring; in fact, many are not even in the CRD as the club has requested members from other gun clubs to protest on their behalf. That is a downside of what is a relatively anonymous comment form to sign. Secondly, it is unfortunate that animals residing near the club do not have a voice in this as some of the ultra loud rifles being fired cause them noticeable stress. We are a relatively rural area and there are lots of farm animals and domestic pets nearby.
No	The Rod and Gun Club has been on their current property for 60 years and should not have recent property owners dictate restrictions to them. I am against the noise and time restrictions bylaw.
No	Dear CRD, Please do not amend Bylaw No. 3384 to set a maximum noise level of 70 dBA at the Saltspring shooting range. That is unrealistic, you will completely shut it down. I understand restricting hours of operation, but not the 70 dBA maximum considering a .22 caliber firearm is approx 120 dBA. It is too bad that you are getting complaints from people that purchased land beside the range and didn't think about the fact that firearms make noise.. but that is not fair to the responsible gun owners that have been legally using the gun range and enjoy the sport of safe shooting. Where would you suggest we are to practice if the range closes down? Also, anyone who owns a handgun is required by law to have a range membership. You would be forcing local Saltspring residents to have to sign up to a range off island. Doesn't make sense. Go ahead and implement a time restriction, but I sincerely and humbly ask you please do not put unreasonable restrictions on the noise. Thank you so much for your consideration.
No	Please do not "By-law" the Salt Spring Island Range out of business! I hope you hear from all 43000+ of the members of the BCWF.
No	I oppose proposed bylaw 3855. 70db is far to great for people living in a residential area. Current standards are 50 db. Justice Myers ruled that there is noise nuisance emitting from the Saltspring Gun club and current standards should apply to this club.
No	This is another anti-gun campaign and the CRD representatives are playing pawns in it. They are hiding behind a 'noise' bylaw instead of being honest in their opposition to firearms. Why not come clean and just it, "the CRD - not guns in our region bylaw?" Regardless, anyone with any experience in noise measurement would know that 70 db is so unrealistic. It's funny that I could blast music to annoy my neighbours later into the evening than I could shoot a gun. I'm very disappointed in our elected officials who have opted to try something else when the courts didn't rule in their favour. I will encourage voters to remember those involved in this poorly drafted legislation in the next election.
No	I was born on SSI in 1969 and have always known the Rod and Gun Club in a very positive way. It is a community oriented club and they have raised money for children to get cancer treatment and have provided a venue for weddings. It is a great place and very well run. I am shocked to see how badly they are being treated, just from the complaints of a couple of neighbours who bought their land recently. The gun club is a 100 year old SSI tradition and it is not noisy.
No	I wish to make it known to you that I am OPPOSED to Bylaw 8355. It is draconian, prejudicial and a unilateral action without majority support.



SUPPORT BYLAW AMENDMENT	COMMENTS
No	I just want to let the CRD know I support the Salt Spring Island Gun Club, and I appose the efforts of the CRD to "bylaw" the club out of existance ie: the 70 decibel noise limit.
No	The SSI Rod and Gun Club is a Hertiage site for Salt Spring its been here for 100 yrs. Why for some unforeseen reason it should become a blight on the island? This confuses me. What happened? What happened was a single minded entreprenuer decided it would make really good money sense to try to expropriate some pretty decent propertyy for next zip. Why would you sell 'lots' adjacent a gun range and not expect some complications from the residents. Surely they must have known what THEY WERE GETTING INTO. It just doesn't smell right
No	Please scrap the proposed noise bylaw that could possibly shut down the rod & gun club. We need this club on our island. Thank you for your time.
No	I am interested to know how a club that has been on the island for over what 50 years or is it 100 year is getting so much attention regards noise, when a house down the road on Holmes Rd can have concerts outside 3-4 a month for more then over 100 people in attendance in a residential area I would think the noise from a band playing for 4 hours is far more offensive then a shot once in awhile just saying shut down one shut down everyone is that what the island has come to
No	I am totally against any bylaw that will take away any rights the rod and gun club have to operate the way do now.It is terrible that a few people with money can try to run roughshod over others and cause the problems they are.they knew the club was there when they bought their property at a lower price then normal.
No	I am opposed to the Bylaw No. 3855, Noise Suppression Bylaw (Salt Spring Island) No. 1, 2006 Amendment Bylaw No. 1, 2014. It would make a conforming legal zoned activity impossible. Please do not pass this bylaw. Thank you
No	I am concerned that the Salt Island gun club is losing their range due to by-law changes. This club should not be closed. Please work with these folks and find a better solution than closing this facility
No	Re: Proposed Noise bylaw against SSI Gun Club. Gentlemen: 70 decibels is a ridiculously low number to impose on a gun club. Soccer and music events would fail that level. If such a level is enacted in your law it would again find us in B.C. Supreme Court. That would be expensive to us both. If your intention is to financially break us with legal costs, you will find out how much support an obviously biased law will generate for us from across Canada.
No	Leave the gun range alone. They have been there far longer than these people who just show up out of the blue without doing any research and then attempt to force everyone else with roots infinitely deeper than their own to conform to their own definition of how things should be.
No	It seems to me that if you are going to impose a 70 decibel limit on sound from the Rod and Gun Club because of a few complaints, then that noise level should be measured at the place where these complaints originate, namely the houses where these people spend most of their time. If this is not the case then how do you justify 70 decibels as an upper limit when these same people are subjected to much higher levels just about anywhere they go on Salt Spring from cars, motorcycles, trucks and even people talking loudly. To be fair, you must impose these same limits on all of the sources of sound created on Salt Spring by whatever means, otherwise this is a case of harassment clearly aimed at the Rod and Gun Club, which has a zoning expressly meant to serve exactly the sort of conditions these few people object to. Should we maybe throw out the concept of zoning since on Salt Spring zoning seems to be little protection for those who have followed the rules ? A good example being the new location of the metal recycling service which, I understand is already facing many complaints.

SUPPORT BYLAW AMENDMENT	COMMENTS
No	<p>I am a member of the victoria fish and game conservancy organization, I am deeply concerned at your willingness to pander to the wealthy minority. A few individuals purchased land close to the sidney island gun club, as their realtors would have been legally required to disclose, they should have been aware that they were purchashing property close to a facility that makes noise during the daylight hours. Very similar to buying property next to an airport for instance. You have received a petition with close to 1400 names on it, yet you are still favouring the wealthy minority on setting overly restrictive sound limits of 70 db, thats equivalent to a residential vacuum cleaner. No firearms can hope to even approach that level of noise even with the use prohibited devices (sound suppressors). Your current actions will set dangerous precedent for every range in british columbia and the rest of ranges in canada removing all safe avenues for hunters and sportsman to practice their craft in safe and secure environments, the closure of said ranges will lead to sportsmen taking to crown land for discharge of firearms where permitted thru the federal firearms regulation, I respectfully request you think about all that the saltspring island rod and gun club does for providing a safe and secure location for sportsmen to practice.</p>
No	<p>As usual a very small group of people that recently moved into the vicinity of a 100 year old, historical shooting club expect that club to be "shackled" by unjust regulations that they could not possibly comply with. The proposed 70 db limit for the firearms that they discharge is a joke and impossible to comply with. I hope that you do not give in to a bunch of "neighbourhood newbie" whiners that expect the Salt Spring Island Gun Club to be subjected to unjust regulations just because they did not do enough research about their adjacent properties and what they do, or worse yet bought their properties knowing full well that shooting generates some noise, but expected the club to bow to "their" lofty wishes as the new neighbours. I truly hope that the club will get some fair treatment and that their long standing as a historically significant club on Salt Spring Island will weigh heavily in their favour when you are voting!</p>
No	<p>It is extremely disappointing to discover that the Noise Suppression Bylaw is even being considered. Canada is widely respected for its historical respect for private property, yet in this case, government seeks to snatch away some of the value of certain properties engaged in long-permitted and valuable use, and redistribute that value to those who are not entitled to it. This sort of regulatory taking is, at best, dishonourable, and at worst, criminal. Those who object to the noise emanating from those properties engaged in thus-far-legal activities are at liberty to purchase said properties and put them to quieter uses. That being costly, they have instead elected to use the government to provide them the benefits they desire at the expense of others. These special interests are as shameful as any corporate lobbyist, and I hope to see you deny them their greedy, selfish wishes.</p>
No	<p>With a 70 db level the Salt Spring Island Range will have to close. This is a very back door way of shutting down something that has existed for many years, simple to appease a very small but well placed and vocal minority.</p>
No	<p>Hi, I am opposed to this bylaw: <a href="http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw">http://www.crd.bc.ca/project/salt-spring-island-noise-suppression-bylaw</a>. The noise levels in the proposed bylaw are clearly unrealistic. If noise really is a problem, then the noise level should be applied equally across all activities. There is no justice in singling out a particular type of noise. And of course, since there are a large number of every day activities that exceed 70 dBA (such as lawn mowers) the level would need to be set to a much more realistic level.</p>
No	<p>First, please note that I am a P.Eng. with a Master's degree in Acoustics. Regarding the proposed bylaw, perhaps there are additional details regarding how far away measurements would be made that would make the 70 dB requirement reasonable in this case. However, as the bylaw is presented on the website, one can only assume that it implies at the limit of the range property, and that is completely unreasonable when compared to what is required of everyone else on the island. For instance, if any private citizen were subject to such a requirement, they probably could not start up their vehicle in their driveway without exceeding this limit, let alone mow their grass or perform any construction work on their house. Even loud conversation at the fence line could exceed it. Indeed, if Saltspring Island citizens cannot accept impact noises exceeding 70 dB at the limit of their property, as a minimum, all aircraft, motorcycle, boat and truck traffic should be immediately forbidden on the island, as well as all but the smallest cars! As an acoustician, I am in principle in favor of more noise control in our neighborhoods, but would only support noise control measures that treat all businesses and citizens equally and fairly, and, that allow businesses generating reasonable noise levels during business hours to operate. As it is written on the webpage, this proposed bylaw does not appear to be fair to the range.</p>



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No	It is disgusting that you would enact bylaws (ileagal) to destroy a wonderful club like the rod and gun just so that a few people can benefit. Obviously someone/all your staff is being paid to look the other direction especially when the club has so much support from the community. You are what is wrong with our system and should all be removed from your jobs posthaste.
No	I am astounded that the Noise Suppression Bylaw is even being considered. It is unreasonable that government seeks to snatch away some of the value of certain properties engaged in long-permitted and valuable use, and redistribute that value to those who are not entitled to it. If I moved into a house near the airport, would you then pass a by-law restricting their activities if I was able to persuade you to do so? Those who object to the noise emanating from those properties engaged in thus-far-legal activities for the last 100 years or so are at liberty to purchase property elsewhere. That being costly, they have instead elected to use the government to provide them the benefits they desire at the expense of others. These special interests are as shameful as any corporate lobbyist, and I hope to see you deny them their greedy, selfish wishes. Our club has a membership of over 2,800 recreational target shooters - with shooting being part of Olympic events and a strong part of our Canadian heritage, this sort of regulatory taking is, at best, dishonourable, and at worst, criminal. Canada is widely respected for its historical respect for private property, yet in this case, it appears otherwise. I hope that you do not give in to a bunch of "neighbourhood newbie" whiners that expect the Salt Spring Island Gun Club to be subjected to unjust regulations just because they did not do enough research about their adjacent properties and what they do, or worse yet bought their properties knowing full well that shooting generates some noise, but expected the club to bow to "their" lofty wishes as the new neighbours. I truly hope that the club will get some fair treatment and that their long standing as a historically significant club on Salt Spring Island will weigh heavily in their favour when you are voting!
No	I don't think enough research has been done. 70 decibels? Don't be ridiculous. A lawn mower is louder than that.
No	I am writing to express my dismay and concern regarding your proposed by-law change that is an obvious ploy to shut the Saltspring shooting range. I have to wonder why? Pressure from whom? Further more, one wonders if this by-law, seemingly instigated to specifically shut the range is actually fully legal? If the CRD pursues this, I hope you expand your 70db limit to all areas, no motorcycles, leaf blowers, lawn mowers.....etc etc. Lousy politic-ing CRD.
No	This is to inform you that I am opposed to the proposed by-law change that would make it impossible for the Salt Spring Island Gun Club (SSI) Gun Club to continue operations. Obviously this change has been devised by a group of people who have done no research into the subject of reasonable noise levels over which they are attempting to legislate. In the process (or lack, thereof), they have flouted the pertinent laws – or apparently have not researched those, either. They do not even realize that they are bent on prohibiting the use of leaf blowers, diesel trucks, lawn mowers, Skil saws and a myriad of other everyday devices in order to do away with an organization that has every right to legally exist as it has done for many years before its accusers arrived in the vicinity. It is glaringly obvious that this bylaw change is an attempt to avoid the Committee's having to spend any more time or effort in order to resolve this problem in a fair and legal way. Instead, they choose to make the problem go away by the simplest means, "Persecute the most vulnerable party, and at least OUR problem will be solved." Cc: Sun News
No	Submission to CRD regarding noise control, specifically from the Salt Spring Island Rod and Gun Club. With the introduction of a decibel level of 70DBA measured with an impulse type meter in the proposed Bylaw #3384, there is certainly an effort on the part of the CRD to address this contentious issue. However, we would like to submit the following information regarding the decibel standard proposed. The following four items result from research regarding this subject: #1 Noise Annoyance and Community Noise Standards. From: Los Altos Rod and Gun Club: Shooting Noise Assessment <a href="http://www.sccoplanning.com/Portals/2/County/Planning/devrev/LARGC_NoiseAssessment_Report_1.pdf">http://www.sccoplanning.com/Portals/2/County/Planning/devrev/LARGC_NoiseAssessment_Report_1.pdf</a> . Table A – Percent of Population Highly Annoyed At Various DNL Noise Exposure Levels: DNL (dB) Percent of Population. Highly Annoyed 30 0.2, 40 0.6, 50 2.1, 60 7.5, 70 23.3, 80 53.3, 90 81.0, 100 94.1. #2 Clay Target Shooting: Guidance on the Control of Noise: Chartered Institute of Environmental Health, 2008 <a href="http://www.cieh.org/library/knowledge/environmental_protection/clayshootingcop.pdf">http://www.cieh.org/library/knowledge/environmental_protection/clayshootingcop.pdf</a>

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No	<p>"At shooting noise levels below the mid 50's dB(A) there is little evidence of significant levels of annoyance at any site, whereas for levels in the mid to high 60's, significant annoyance is engendered in a majority of sites. For levels in between however, the extent of the annoyance varies considerably from site to site. Thus a level of, say, 60 dB(A) may be deemed acceptable at one site, but not at another." #3 Report regarding what is happening in Ontario Canada <a href="http://www.durhamregion.com/news-story/4634535-on-target-gun-range-by-law-approved-in-uxbridge/">http://www.durhamregion.com/news-story/4634535-on-target-gun-range-by-law-approved-in-uxbridge/</a>. The link posted above refers to a newspaper article from the Durham region of Ontario and points the way forward for other municipalities and regional districts regarding close contacts between gun ranges and residential neighbourhoods. "The first deadline Uxbridge Shooting Sports faces is Aug. 31, 2015, a date by which it will be required to have decibel levels from the sound of shotguns on the property at 60 or less." "By 2016, the club will be required to have sound decibel levels less than 50. The club will also pay a \$300 licensing fee." Ontario Ministry of the Environment's standards NPC-300 sets a 45-decibel limit for sound at the property line, as opposed to the 70-decibel mark with NPC-232 - #4 - From: RCMP report: "Shooting Ranges and Sound" <a href="http://www.biathlonontario.ca/Coach_Resources/Docs/ShootingRangesSound.pdf">http://www.biathlonontario.ca/Coach_Resources/Docs/ShootingRangesSound.pdf</a>. "Sudden or unexpected noise can evoke a startle reflex, where the body is prepared for "fight or flight." The body normally returns to the pre-exposure condition over a period of a few minutes. However, it is suggested that sustained or repeated exposure could lead to persistent changes in the neurophysiological, endocrine, sensory, digestive and cardiovascular systems, which in turn could cause deterioration in health." 4.2.1 Outdoor Ranges (from RCMP report). "Consider Receivers Up to 3 km Distant: Considering the nature of the noise source, directivity, topography and climatic conditions, receivers (particularly residences) as far as 1 to 3 km away may be affected, especially downrange." Locations to Avoid (from RCMP report) "Several types of topography should be avoided, as they either help the propagation of sound or make it inherently difficult to provide noise controls. Noise control is particularly difficult when a shooting range is located near water (i.e. water between the source and receive), bare rocks or large paved surfaces. As previously mentioned, sound propagates very well over a valley, particularly if the shooter is aimed over the valley." These examples of recommendations, reports and legislation define the commonly acceptable DB(a) level as 50, not 70 as proposed in the CRD/Salt Spring bylaw. It is our opinion that if there are to be basically no restrictions on hours of operation during day light, the lower level of DBA(a) of 50 should be the standard. Ontario has adopted this standard, which research indicates is widely accepted in the acoustic industry both in Canada and internationally. Concerns voiced by the CRD staff in reports regarding this approach (measurement of decibel levels) on the issue of gunfire noise ELECTORAL AREA SERVICES COMMITTEE - Notice of Meeting on Wednesday, April 16, 2014 at 1:30 pm. "Use of decibel levels has not been included in the recommended amendments due to the lack of case law demonstrating those levels being successfully enforced." REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE MEETING OF WEDNESDAY, SEPTEMBER 19, 2012. "Capital Regional District (CRD) legal advice recommends that if decibel readings were added to the noise bylaw that they compliment, not replace the existing general prohibitions." "Legal advice suggests that the Noise Bylaw should not rely on decibel readers and noise standards as the most effective way of establishing a noise regulation." A summary of our concerns: A statement by the Salt Spring Director that the CRD cannot regulate hours is contradictory, as there ARE regulated times in the bylaw: 9am - 7pm. This fact seems to suggest that the CRD does have the authority to stipulate regulated times. The surrounding neighbourhood deserves the assurance of daylight times when gunfire will NOT be heard. As it stands now, the Bylaw provides the gun range 10 daylight hours a day, 7 days a week, 365 days a year. This is not a restriction, it is an exemption, and is evidence that protecting the rights of the neighbourhood majority of residents is secondary to the demands of a very vocal neighbourhood property owner. The unfairness of this exemption was very much illustrated when shooting occurred over a two hour period at the Gun Club on Christmas Day, 2013. We were advised by the Bylaw enforcement officer, Mr. Don Brown, that the CRD would wait for the results of the BC Supreme court case regarding Mr. [REDACTED] and the Club, however, this latest version of the bylaw not only was published prior to the announcement of the court ruling but would appear to anticipate and attempt to sidestep the result of a possible court ruling regarding restrictions of operating hours. The statement by the Salt Spring Director provides evidence of this: "That the Islands Trust be informed that any further land use restrictions with respect to hours and days of the gun range operation are the responsibility of the Islands Trust." Minutes of a Meeting of the Electoral Area Services Committee Held Wednesday, May 21, 2014, Our inquiries to the Islands Trust conclude that the Trust is not in a position to regulate hours of operation under</p>

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	<p>its current provincial mandate. This situation is untenable, and in our opinion the CRD clearly has the ability to regulate operational hours. Our CRD director apparently is waiting for the gun club to agree to some form of restriction which if recent and past history is anything to go by, they refuse to do. We are torn in that that this amendment is a step in the right direction, but considering that the CRD staff consider it unenforceable and that the noise threshold is higher than commonly acceptable standards, we find that we are unable to support it. As the membership of the gun club apparently refuses to be restricted in any way, even with a court ruling requiring them to limit their activities, it will be interesting to see if the club has enough control over its membership going forward to live within any form of agreement or regulation. We can only hope that the well-considered Supreme Court ruling will somehow prevail.</p>
No	<p>Attention: [REDACTED] - Salt Spring Island Rod and Gun Club. PO Box 442 Ganges Post Office, Salt Spring Island, BC, V8K 2W1. July 16, 2014. RE: Bizarre Irony of Noise Complaint By Mr. [REDACTED]. Dear Sir, I'm writing to comment on the fact that a neighbor of mine, who is very noisy, has made a noise complaint about your club. He doesn't live on the property he knowingly bought next to a gun club—but I have to live next to him. A bit about me; I live with my mother adjacent to the Creekside Nature Preserve. I had to take early retirement at 34 due to a brain aneurysm that left me with catastrophic brain damage. I greatly value the tranquility and easy-going character of this community, probably more than I can express, that's why we chose this quiet spot. I love my creekbed, I know it's probably uncool to say so, but the surviving stretches of it are the most beautiful thing I know. When I first moved here in 1997, it was possible to follow the creek trail all the way up to the lake, or all the way down to the beach. [REDACTED]'s saws first came through the woods and into the creekbed for that bloody big culvert he had put in at the estuary at least six years ago now, and there has not been a day of peace since. The way sound carries up the creekbed, if someone farts at one end you can hear it at the other, so instead of waterfall, wind and trees we hear every saw, every truck, every crack, every grinding noise that echoes up that formerly lovely creekbed, and have for years now, ever since the [REDACTED] arrived. First came the massacre of the forest on his property, and the dumping of tons of broken rock into the creekbed, allowing for the installation of the 12 foot culvert. The path to the clam-bed at shore beyond the estuary has been blocked ever since, as the new residents have no intention of sharing access. The area between the Creekside conservation area and the Deep Ridge reserve is horribly degraded and may be irreparable. The cutting went right to the edges of the preserved area, as if to send a message. No buffer was left. At least finally this year there has been no further felling. Considering this community went to great lengths, under [REDACTED], to protect that piece of rainforest from a numbered company that would not reveal its name (shielded by [REDACTED]), it's hard to believe [REDACTED] has bought the estuary at the end of this delicate piece of land, and is intent on ripping up the landscape he "stewards". Years into it, however, the trucks still roll in and out; we hear can earth-moving machinery constantly at work at god knows what kind of pointless "development." The big trucks started rolling in and dropping large clunking objects at about 8:15 this morning. Yesterday it was earlier. If you want to sit outside on your deck and enjoy a morning coffee, you will be treated to the sounds of "development." The only time we can enjoy the neighbourhood as we knew it before the [REDACTED]' arrival is after working hours and on weekends, although in the first years they often had workers in on Saturdays. I wish I had filed a noise complaint...not sure why I didn't. Being a good neighbor? Assuming it would end soon? Just not the Salt Spring way? My question remains, how much is left to do? What is the project eventually supposed to be? The tomb of Ozymandias? Is he ever going to give this world-famous landscape and his long-suffering neighbours a break? Or does someone like this move here to this special place and undertake this non-stop earth moving because he's restless, bored, and annoyed by Nature? In closing, I'd like to share my philosophy, totally opposite to [REDACTED]'s, which is that living on a small island is all about making small ass and sharing. Life on this particular island is all about having an un-degraded landscape to live in. These people demean the quality of life so sought after here in a pointless, and apparently endless way. I hope you will stand up to him. I'm not sure how this letter may benefit your plight at the Rod and Gun club, but perhaps just pointing out the sheer irony of this particular person, who doesn't even live on the property next to your club, making a noise complaint (FFS!) will be of some assistance. He certainly doesn't care about bothering his neighbours around here.</p>

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No	<p>Are complainers being rewarded for purchasing cheaper property next to a legal, known public, and occasionally noisy use, and for not doing due diligence in researching their neighbourhood or not finding it a problem when they purchased their homes. I am told one house was built within 45 feet of the range. Some of these same individuals have also made complaints about the use of the marina and the boaters, as well as the noise from big trucks on the Ganges hill, and the airplanes (a few of us would agree with them here when they fly low over houses). But it has also effectively shut down music on the weekends in Ganges, which is now having its hours 'voluntarily' restricted – at the cost of the local businesses and to the benefit of this few who don't like noise. I don't either. And that's why I purchased property in a more noise-free location, not in the bay of a busy island town. The bankrupting of the rod and gun club through continued and excessive regulatory costs could lead to numerous community problems. The CRD should note that environmentalists are concerned that any further reduction in hunting will lead to a greater explosion of the deer population which is now endangering not only native shrubs and species, such as near-extinct orchid and lily species, but is now also endangering and driving to extinction flower-specific bumblebee populations, as well as making a major contribution to the rapid decline in migratory bird populations that nest at shrub level. The shutting down of the club will also close the best archery range in town that our young people are training at. True, they will be able to practise their sport in other places, but without the insurance, the guidance, the professional setup, the mentoring of the club and its volunteers. Is the CRD prepared to pay the subsequent increase in policing costs caused by islanders having nowhere to practise their shooting and the sighting-in of new firearms except on private acreages around the island? Is the CRD trading the range for converting the entire island into an illegal shooting area? Your current effort will also mean that ignorant or rogue firearm users will not have a place where they can be mentored and massaged into community service and respect. How will young hunters practice? How will they be mentored in the ways of safety and respect, as they are now? Will this mean unleashing any new, unskilled young hunters without proper firearm training, accuracy, technical knowledge, and ethical training to hunt on the island? On the subject of policing expenses. The police department funds membership for its members in the club, so they are able to retain their firearms proficiency requirements. Does the CRD not care that this will compel police officers to spend extra hours and ferry costs in order to maintain their proficiency attending off-island ranges? Will the CRD be covering these new policing costs, or will that too fall onto local tax payers via the provincial property tax? If the gun range fails, it will probably end up in a fire-sale by the banks. If this property were to be combined with the properties around it in which a known developer already has financial interest it would be a likely candidate, being so close to Ganges, for an intensive multi-family rezoning proposal. Is the CRD adopting policies to circumnavigate the community plan by opening up new rezoning potential to developers? The entire island should not be punished due to the claims of a few citizens who will conveniently profit on their increased land values or developments if the club finally fails. It also concerns me that it appears the CRD is utilizing the unsavory bureaucratic tactic of forced closure of a business by harassment and astronomic legal defence costs. Finally, it also concerns me that the CRD is making itself liable (and thus the taxpayers) for damages by continuing this policy of intentionally stalking a historic community group and legal business with a history half a century older than the CRD itself.</p>
No	<p>Gentlemen; You are in luck !!! The way I understand the most recent Supreme Court Ruling, [REDACTED] verses Salt Spring Rod and Club, the judge has left it up to [REDACTED] and The Club to work things out. To me this means that the CRD should either stop it's present course of restricting the Club or at least put off Third reading until the Supreme Court comes back with a final decision. At this point all parties should be putting off all further activities that would or could upset the courts. My suggestion to the CRD is satis-quo. Leave things as they are and make smarter more informed decisions when and only when the Courts have spoken. As the Club is not breaking any rules and is fact zoned for it's activities, let matters play out in the courts. The CRD should also consider looking into ways to help the Club. A little help from the CRD has proven to go a long way in improving the over all situation in other cases. One would think that the CRD would be very interested in helping to keep our one hundred and one year old club alive and vibrant. Some help from the top would help improve and promote peace within the greater community. Once again thank you for your time,</p>

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No	<p>I have been living and practicing medicine on this island since 1973. When I arrived at that time the population was 2200. It was a wonderful gem of a place when I arrived and it still is, no small part of which is that it has held on to its amazing rural charm which so captivated me when I arrived. I think that is because almost uniquely in a world of rapid change it has been able to hold on to the idea and values of a true community. The people that have come here over the past 40 years have valued both its natural beauty, and also the diverse people who have made the community a success- those before them and those after they arrived. The Rod and Gun Club was there when I arrived, and I lived for 3 years as a neighbour of the club on Churchill Road. I could hear the shooting on occasion, but it was part of rural life that my neighbours enjoyed. In fact the roar of the float planes was much louder and more frequent, but that too was part of living on the water in Ganges Harbour. My youngest son and I were able to avail ourselves for the first time of our historic Rod and Gun Club. We both took our Firearm Safety course at the club, and were able to obtain a local hunting licence this past fall. We both enjoyed the experience, and as a farming family, the ability to access this club in our own island community. Whatever it takes, any regulations must allow the club to survive continue with its activities, as it has for the past 100 years.</p>
No	<p>I oppose the SSI Noise Suppression Bylaw amendment that would impose a 70 dba limit on the Gun Club. This would drastically alter the use of the facilities (shotgun trap shooting) that has existed for some 50 years. The club has made significant improvements for sound reduction and continues to do so. The cost of monitoring, enforcement and court challenges to regional taxpayers is excessive. Who can define what 'significant' mitigation by the club will satisfy who? I am concerned that the CRD rep only met with neighbours and not the club executive to understand their concerns. The bylaw amendments will have an unreasonable impact on the club... this includes the island's RCMP members. It would be better for the CRD to invest in solutions with the club, rather than stricter bylaw conditions. Thank you.</p>
No	<p>I feel that the proposed Bylaw No. 3855 is an important step in the right direction. However, I am concerned that the bylaw does not go far enough to address Judge Myers' Reasons for Judgement. I am concerned that passing this bylaw with the current decibel level limit of 70 dBAI will not alleviate the noise nuisance noted by Judge Myers. 70 dBAI (82 dBA) is far in excess of MOE Ontario 2013 NPC-300 Guideline, and also Exceeds Health Canada's National Guideline, ISO R1996, for an operating gun range. It is recommended by these guidelines that levels for impulsive sound not exceed 50dBAI. I am also concerned that this bylaw does not address Judge Myers' requirement that shooting hours be reduced. As it stands, this bylaw would allow 10 hours of shooting a day 365 days a year, which contravenes the court judgement. In addition, there is no provision in the bylaw that addresses the condition to collect spent lead from the premises to prevent further environmental contamination. With these concerns addressed, an amended bylaw would go a long way to addressing and hopefully resolving an issue that has been plaguing this community for years.</p>
No	<p>Hello, I am writing in regards to the Saltspring noise suppression bylaw. I am appalled that the CRD's intention is to bylaw the Saltspring Gun Club out of existence. My assessment this is a gross example of abuse of authority. Is it the intent of the CRD to prosecute every resident with a lawn mower or weed eater? I think not. The purpose of this is forward the agenda of a small group of individuals for whom the Saltspring Gun Club is an inconvenient reality.</p>
No	<p>I am proud to say that I was one of the five founders of Victoria Women's Shooting Club who stepped into being the Executive Director of this group for over two years. Prior to this, I had no firearm knowledge and carried with me my own sense of stigma about firearms and gun clubs. I soon realized that many women were surrounded like me with a passion to see the use of firearms as being competitive, yet fun, challenging, yet feasible...and passionate about the social connections that took place within our own gun club. I am in full support that we teach, reduce stigma and help young Canadians to grow in their thirst for adventure and the love of the shooting sports. Not one person walked away after trying a firearm for one day, that they were going to go out and now shoot a person. Not one person, walked away and thought I am going to kill a deer for the hell of it. In fact, I saw every person after taking an Introduction shoot for their first time, have a deep appreciation for the sport and the environment. It truly was a sense of community being built right before my eyes. Now, voices like mine will be heard and I will not stop, roll over to political, social and media pressures telling me to turn the other cheek. I stand strong and say to you that it is you that needs to endure a real slap on the cheek if you walk away in judgment. Put aside your differences and learn to accept a growing community make a difference!</p>

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No	I really hope you do whatever it takes to keep the Salt Spring Rod and Gun Club operating at its full potential. I think it is an important part of our community, and gives shooters a safe controlled environment to practice their sport. The club has been there longer than any of the people complaining about the noise. Next they will be having you shut down the float plane traffic and banning outdoor music... If they want peace and quiet they should not have moved in next to a gun club in the first place.
No	I am opposed to the closure of the SSI gun range.
No	RE: Proposed changes to Salt Spring Noise Bylaw. The SSIR&GC has reduced its hours and performed sound mitigation and continues working on more sound mitigation in an effort to reduce noise impact on neighboring properties. The club has presented the CRD with approximately fourteen hundred signatures requesting the noise exception be reinstated and the BC Supreme Court has ruled that the club cannot be by-lawed out of business. The last time hour restraints were brought before the CRD council you received email from approximately five hundred different people demanding actions against the SSIR&GC be tabled. Yet here we are again with the CRD harassing the SSIR&GC and looking at increased hour cuts and decibel limitations. The purposed 70 decibel limitations would shut the club down and that would be in violation of the BC Supreme Court Ruling. Also the cost and logistics of monitoring decibel readings would be a waste of tax dollars. I have to ask these questions. Why do a handful of complainants have more influence than fourteen hundred supporters? Why has the CRD not answered the request of the SSIR&GC in any way for sound mitigation engineering and funding? Why after the CRD had an independent sound engineer report proving that the indoor range does not exceed 4db above ambient level does the CRD still try and stop the use of the indoor range after sunset. Please cease tabling any further restrictions and ticketing on this club that has served the community for 100 years and is desperately trying to continue to do so. Thank you in advance for your prompt email response to my questions and please also supply a brief outline of what the CRD has done to support what may be Salt Spring Islands biggest and oldest club.
No	Hello, I am concerned about what appears to be a mistake in the proposed new section 3.7 of bylaw No. 3855. It is proposed to state: "Despite any other provision of this bylaw, no person, when discharging a firearm at a Shooting Range, shall make or cause a noise or sound that exceeds 70 dB at a Point of Reception when measured on an Impulse Sound Level Meter set to measure impulse response." However, the statements made by Justice Bowden in BCSC 1612, "It would be absurd to think that the permitted activity of discharging firearms on the petitioner's property only allows the discharge of firearms that do not create noise." Leads me to note that the restriction of 70dB at the point of reception appears to be incorrectly set. Yes, firearms cause noise, in fact the recorded sound level of a Winchester Model 870 12 gauge shotgun firing #8, 2.5 Dram of powder (Rather common shotgun, and shot shell for clay shooting sports.) was 165dB at the point of origin. At 90 degrees to the direction of shooting and 155 yards across a grass field, the measured sound is still 95dB. Supposedly, through a set of trees, over a high berm and over 200 meters away the sound could be as low as 80dBA~. Wouldn't that therefore be the correct level to set the bylaw at? Otherwise, the result will be "Bylawing out" a legally entitled club that has been going strong for longer than any of those individuals complaining have been alive (100+ years!) Please keep in mind that the proposed 70dB is actually the same volume that Telus sets their dial-tone volume at. That means that it can be heard, of course, but just because a sound is heard, doesn't appear to be a reason to outlaw it. I am not a member of the club, and do not live on Salt Spring Island, but I regularly travel to the Island with the express purpose of visiting and competing at the club. While there I always spend time in the town, contributing to the economy with my dining, shopping, and lodging. Please protect the things that bring people to the Island. Finding a compromise that causes the least impact to the most people seems to be the best choice. In Okanagan Land Development Corporation v. City of Vernon, 2012 BCCA 332, Levine J.A. stated at para. 50: "... municipal bylaws are to be interpreted "benevolently" and supported if possible."
No	Vote NO to bylaw 3384
No	I also find it astonishing that the CRD has been spending thousands of tax dollars to end up with a by-law that could bankrupt the club yet spectacularly enhance the property values of complainers. Will the current actions of the CRD thus lead to even more nuisance complaints?



SUPPORT BYLAW AMENDMENT	COMMENTS
No	<p>AN OPEN LETTER TO THE CRD: A community is a complex multi-cellular organism. Different cells have different needs. Some are repelled by others. Some are intent on making beauty, others fulfill necessary, but not always popular or pretty functions. The Salt Spring Rod and Gun Club is one of those cells that a whole community needs, even if it is unpopular with a few islanders. This club has a dedicated membership of a couple of hundred people, as well as hundreds more occasional users and guests. This 100 year old community group has been receiving consistent abuse mostly from a cabal of people who've come to be known as the "Churchill Street Complainers," though it should be noted this clique is only a few of the residents on that street. I've been informed their neighbours have not made any complaints. A developer with interests in the two properties adjoining the range has also made complaint and launched private lawsuits. While 1400 hundred different individuals have signed a petition supporting the range, the half dozen people out to kill the club have also written around 1400 hundred letters, unfortunately, the vast majority of which are by a single, determined individual, which tells us something of the nature of the assault on this venerable club. Recent polls on Salt Spring show that between 75-80% of islanders do not approve of the CRD inflicting any further damage on the club. Your directors now appear to be wilfully demonstrating intent to shut down this 100 year old historic island club by threatening them with a new noise-enforcement bylaw, although I've been told a government inspector already found the noise at the range did not exceed the noise level of traffic on the Upper Ganges Road as well as lawn mowers. It's clear the CRD will not be fining lawn mower operators nor truck drivers, but it has stated it will be scrutinizing and fining the Rod and Gun Club. While the club has managed to raise more than the \$100,000 dollars already spent in its defence. Islanders' pockets are not endless, unlike the CRD which has spent many thousands of tax payer dollars in its prosecution of the club. The club has already so reduced its hours that its logs only show 18 hours average use a month, aside from a few special events like father's day. It probably won't survive its hours (including indoor range hours) being reduced even further, though it has already given up so many working hours and accomplished many noise abatement measures in attempts to assuage its unassuageable neighbours. It is also true that there have been times where there was excess noise, as well as a 'special day' that was an inappropriate choice on a holiday, but those issues have been dealt with quickly by the volunteers who run this organization. It's also a fact that if this clique and the CRD had been more supportive and reasonable, the club could have worked with them on even more, expensive, noise abatement measures instead of using up its funds while being forced into debt defending its right to exist. I also find it astonishing that the CRD has been spending thousands of tax dollars to end up with a by-law that could bankrupt the club yet spectacularly enhance the property values of complainers. Will the current actions of the CRD thus lead to even more nuisance complaints? Are complainers being rewarded for purchasing cheaper property next to a legal, known public, and occasionally noisy use, and for not doing due diligence in researching their neighbourhood or not finding it a problem when they purchased their homes. I am told one house was built within 45 feet of the range. Some of these same individuals have also made complaints about the use of the marina and the boaters, as well as the noise from big trucks on the Ganges hill, and the airplanes (a few of us would agree with them here when they fly low over houses). But it has also effectively shut down music on the weekends in Ganges, which is now having its hours 'voluntarily' restricted – at the cost of the local businesses and to the benefit of this few who don't like noise. I don't either. And that's why I purchased property in a more noise-free location, not in the bay of a busy island town. The bankrupting of the rod and gun club through continued and excessive regulatory costs could lead to numerous community problems. The CRD should note that environmentalists are concerned that any further reduction in hunting will lead to a greater explosion of the deer population which is now endangering not only native shrubs and species, such as near-extinct orchid and lily species, but is now also endangering and driving to extinction flower-specific bumblebee populations, as well as making a major contribution to the rapid decline in migratory bird populations that nest at shrub level. The shutting down of the club will also close the best archery range in town that our young people are training at. True, they will be able to practise their sport in other places, but without the insurance, the guidance, the professional setup, the mentoring of the club and its volunteers. Is the CRD prepared to pay the subsequent increase in policing costs caused by islanders having nowhere to practise their shooting and the sighting-in of new firearms except on private acreages around the island? Is the CRD trading the range for converting the entire island into an illegal shooting area? Your current effort will also mean that ignorant or rogue firearm users will not have a place where they can be mentored and massaged into community service and respect. How will young hunters practice? How will they be mentored in the ways of safety and respect, as they are</p>

SUPPORT BYLAW AMENDMENT	COMMENTS
	<p>now? Will this mean unleashing any new, unskilled young hunters without proper firearm training, accuracy, technical knowledge, and ethical training to hunt on the island? On the subject of policing expenses. The police department funds membership for its members in the club, so they are able to retain their firearms proficiency requirements. Does the CRD not care that this will compel police officers to spend extra hours and ferry costs in order to maintain their proficiency attending off-island ranges? Will the CRD be covering these new policing costs, or will that too fall onto local tax payers via the provincial property tax? If the gun range fails, it will probably end up in a fire-sale by the banks. If this property were to be combined with the properties around it in which a known developer already has financial interest it would be a likely candidate, being so close to Ganges, for an intensive multi-family rezoning proposal. Is the CRD adopting policies to circumnavigate the community plan by opening up new rezoning potential to developers? The entire island should not be punished due to the claims of a few citizens who will conveniently profit on their increased land values or developments if the club finally fails. It also concerns me that it appears the CRD is utilizing the unsavory bureaucratic tactic of forced closure of a business by harassment and astronomic legal defence costs. Finally, it also concerns me that the CRD is making itself liable (and thus the taxpayers) for damages by continuing this policy of intentionally stalking a historic community group and legal business with a history half a century older than the CRD itself.</p>
Yes	<p>I support further noise abatement for the Salt Spring Rod &amp; Gun Club, and hence bylaw 3384. I live 1.5 Km away from the club and have never complained but this past wkend the noise was very disturbing. We we driven inside on a nice day as a result.</p>
Yes	<p>I was a previous owner and resident of 291 Long Harbour rd which is the neighbouring property of the Gun Club on Saltspring Island. It seems to me there is one piece of history that the Gun Club executive and members seem to forget. There was an offer made to the Gun club a few years ago now (aprx 20) to exchange their current property with a property that was more remote and not in such close vicinity to any residential area, as they currently are. This offer was made in good faith with the best interests of the Gun Club and community in mind and was an offer that would not have cost the gun club a cent except their own moving expenses and set up of the new property. As it was they chose not to take up the very generous offer and opted spent a great deal of money (On the insistence of their insurance company, because of the risk to neighbours of their sport) changing around the lay of the land. Currently they continue to shoot into the base of the highway to the Long Harbour ferry terminal. I do not believe this action to be in the best interests of the surrounding residents and neighbours or Island community since it benefits the few members that are interested in this type of sport - a minority on the Island. Plus there remains a question of the safety of the general community when traveling along Long Harbour road. Subsequent to living on the neighbouring property of the gun club I moved to a residence on Carlin Ave and am still bothered by the noise that comes from the club when they have outdoor shoots. It is not only local residents that are plagued by the impact of firing guns on their peace and quiet. As a long standing member of the Saltspring Island community I do not believe the Gun Club takes into consideration the best interests of the community it serves with regard to its noise pollution and safety. For this reason I believe its is essential for the CRD to protect the community with controls that limit the noise and expose the least number of community members to the risks inherent on firing guns on this island.</p>
Yes	<p>I am strongly in agreement with a noise bylaw that not only restricts the noise at the gun club on SSI but is also acceptable and enforceable throughout the entire region managed by the CRD. Noise can be reduced or controlled if those causing the problem take the necessary steps. As it is, the management and members of the gun club have not done so. In fact, they have done the opposite and have gone out of the way to increase the noise of late to make some kind of a statement to those who dare question their activities and the problems that they are causing.</p>
Yes	<p>Hi, What is a rod &amp; gun club doing at a heavenly place such as Salt Spring Island. Sounds like an oxy moron if ever I heard one. The noise. The aggression. For what purpose would firearms be required on a peaceful lovely place such as Salt Spring. I would not say change the hours for quiet. I would recommend shutting it down. Thank you for reading this.</p>



SUPPORT BYLAW AMENDMENT	COMMENTS
Yes	Over the last few years there has been a significant increase in the frequency of guns discharged at the SaltSpring Gun Club and an escalation in the loudness of the shots. Controls need to be placed on the Gun Club to limit its hours and days of shooting and to reduce the excessive noise of the shots. The use of elephant guns should not be allowed as the blasts and reverberations are shockingly loud and jarring. Noise mitigation measures, as decreed by the B.C. Supreme Court, <sup>3</sup> must be adhered to and completed by the Gun Club in an effort to reduce the far-reaching disturbance emanating from the gunfire. The Gun Club needs to take responsibility also for the environmental concern of lead contamination in the area's soil and water.
Yes?	<i>y (please note that this "y" was the only thing in the text portion of the email)</i>
	I would like to view Bylaw No. 3855, and review the background staff reports to provide feedback. Can you E-mail me a copy or direct me to a website were I can read the proposed Bylaw No. 3855.

# IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *Salt Spring Island Rod and Gun Club v.  
Capital Regional District*,  
2013 BCSC 1612

Date: 20130903  
Docket: S69775  
Registry: Nanaimo

Between:

**Salt Spring Island Rod and Gun Club**

Petitioner

And

**Capital Regional District**

Respondent

Before: The Honourable Mr. Justice Bowden

## **Reasons for Judgment**

Counsel for the Petitioner:

J.P. Millbank

Counsel for the Respondent:

T.J.DeSouza

Place and Date of Chambers Petition:

Nanaimo, B.C.  
August 1, 2013

Place and Date of Judgment:

Nanaimo, B.C.  
September 3, 2013

**I. INTRODUCTION**

[1] The petitioner, Salt Spring Island Rod and Gun Club, seeks a declaration that sections 2 and 3(6) of Bylaw No. 3384, a Noise Suppression Bylaw on Salt Spring Island, are invalid and that municipal tickets issued to the petitioner thereunder be quashed.

**II. FACTUAL BACKGROUND**

[2] The petitioner was incorporated as a registered society in 1961 and has operated for many years both before and after that year. It operates on land on Salt Spring Island that is within the jurisdiction of the Capital Regional District ("CRD").

[3] Since 1961, the petitioner has established on its lands a clubhouse, an indoor and outdoor shooting range, a trap shooting field, an archery field and other facilities. Outdoor shooting activities have been carried on consistently since that time.

[4] Over the past two years the CRD has received numerous complaints from neighbours adjacent to the petitioner's property about the noise from the discharge of firearms.

[5] As a result, three tickets were issued to the petitioner under section 2, and three tickets were issued under section 3(6) of Bylaw No. 3384. Before proceeding with a dispute of the tickets, the petitioner commenced these proceedings to challenge the validity of those sections.

**III. STATUTORY FRAMEWORK AND BYLAW HISTORY**

[6] Section 724(1) of the *Local Government Act*, R.S.B.C. 1996, c. 323, provides, in part:

**724** (1) If a regional district provides a service referred to in section 797.1 (1) (d), the board may, by bylaw, do one or more of the following:

(a) regulate or prohibit the making or causing of noises or sounds in or on a highway or elsewhere in the regional district

(i) that disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience

of the neighbourhood, or of persons in the vicinity, or

(ii) that the board believes are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

[7] Pursuant to its authority under the *Local Government Act*, the CRD has enacted bylaws to regulate noise on Salt Spring Island.

[8] The first noise bylaw on Salt Spring Island was enacted in 1986. Section 2 of Bylaw No. 1441 provided:

No person shall make, cause to be made, or to continue to make any objectionable noise in, or on, a highway, at, in or on, streets, wharves, docks, beaches or elsewhere in the electoral area.

[9] Section 4(7) of that Bylaw provided the following exemption:

Discharge of firearms at outdoor rifle ranges or trap fields operated by a lawfully operated gun or rod and gun club, after nine o'clock in the forenoon and before sunset.

[10] Bylaw 2047, enacted in 1992, replaced the earlier general noise bylaw with the following in section 2:

No person shall make, cause to be made, or continue to make any noise or sound in the Electoral Area which creates a noise that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons at or near the source of such noise or sound.

[11] Bylaw 2047 continued the exemption for the discharge of firearms at a gun club.

[12] Bylaw No. 3384 (the "Bylaw"), enacted in 2006, included the same general noise bylaw in section 2 but the exemption was deleted. Section 3(6), described as a "specific prohibition," was added and provided:

No person shall discharge a firearm before 9:00 am or after sunset that disturbs other people as described in Section 2 of this Bylaw.

[13] Prior to its enactment, notice of the proposed Bylaw was published in the local newspaper and the public was permitted to inspect the proposed Bylaw at the CRD's Salt Spring Island office or on the internet. The notice stated:

The purpose of Bylaw No. 3384 is to ensure the peace and enjoyment of the residents in the Salt Spring Island Electoral Area by establishing regulations and penalties to assist with and encourage the abatement and control of disturbing noise.

[14] The current zoning of the land where the petitioner is situated permits "non-commercial active outdoor recreation." The respondent accepts that this permits the shooting activities that take place on the petitioner's property.

#### **IV. POSITION OF THE PARTIES**

[15] The petitioner challenges the validity of section 2 on the basis of vagueness and says that an ordinary member of the petitioner club cannot understand what noise is permitted when they discharge a firearm. That section does not define what sort of noise is prohibited and what sort is permissible.

[16] The petitioner also argues that the Bylaw is a collateral attack on the permitted use of the land under the applicable zoning. It argues that since the making of noise by discharging firearms is necessarily a feature of an outdoor shooting range, a noise bylaw that prevents the firing of guns that may tend to disturb someone close by, effectively denies the petitioner the right to carry on activities authorized by the zoning. Further, in effect, by issuing tickets the CRD is seeking to prevent the lawful use of the land which involves the discharge of firearms.

[17] The petitioner also submits that the Bylaw is discriminatory but accepts that the evidence does not support that position.

[18] The petitioner also argues that while section 3(6) appears to permit the noise from the discharge of firearms between 9:00 a.m. and sunset, the CRD considers that the general noise restriction in section 2 applies to that period of time although

the three tickets issued under section 3(6) all relate to the discharge of firearms after sunset.

[19] The respondent submits that case authorities dealing with materially identical provisions to section 2 of the Bylaw have upheld their validity.

[20] With regard to section 3(6), the respondent says that the discharge of firearms is permitted from 9:00 a.m. until sunset unless the noise emitted is unreasonably loud and disturbs persons as provided in section 2. The respondent says that unless that qualification is made there would be no limit to the volume or intensity of a noise emitted by the discharge of firearms between 9:00 a.m. and sunset.

[21] The respondent also submits that the Bylaw does not make the petitioner's permitted land use activities impossible to exercise. The respondent says that the Bylaw is regulatory and restricts but does not prohibit the use. Section 2 is a general regulation applicable to all persons, not just members of the petitioner club and section 3(6) restricts the discharge of firearms outside the period from 9:00 a.m. to sunset, not just to the discharge of firearms by members of the petitioner.

## **V. ANALYSIS**

[22] In considering whether a bylaw is invalid because of its vagueness, Levine J.A. said at para. 47 of *Okanagan Land Development Corporation v. City of Vernon*, 2012 BCCA 332:

There are well-established principles for interpreting municipal bylaws to determine if they are vague or uncertain.

[23] The test for uncertainty articulated by Oppal J. in *Dhillon v. Richmond (Mun.)*, [1987] B.C.J. No. 1566, was approved by the Court of Appeal. Oppal J. stated:

The general approach to examining a municipal bylaw whose validity is challenged on the grounds of uncertainty or vagueness is that the vagueness must be so pronounced that a reasonably intelligent person would be unable to determine the meaning of the bylaw and govern his actions accordingly. A mere difficulty in interpretation will not be sufficient.

[24] In *Okanagan Land Development Corporation*, Levine J.A. stated at para. 50:

... municipal bylaws are to be interpreted “benevolently” and supported if possible. What is required is that a reasonably intelligent person be able to determine the meaning of the bylaw and govern his or her actions accordingly. ...

[25] In *Dhillon*, this Court considered whether a noise control bylaw was invalid because of its uncertainty. The impugned bylaw read as follows:

A person shall not make nor permit to be made, by any animal, or by any bird or fowl, or by any vehicle, conveyance, vessel, machinery, equipment or device, or by any activity, a noise, which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.

[26] The noise in question was that which emanated from noise making devices used on a blueberry farm to frighten away birds.

[27] At para. 26, Oppal J. stated:

Although there are some subjective elements in the words “tend to disturb”, “quiet”, “peace”, “rest”, “enjoyment”, “comfort” and “convenience” the use of the expression “tend to disturb”, I do not think that these subjective elements cause special or particular problems in interpretation. Moreover, the words “neighbourhood or vicinity” should not lead to any confusion in that it would be a matter of evidence in each individual case.

[28] In *Coquitlam (City) v. Vivanco*, [1993] B.C.J. No. 3201, this Court considered the validity of the following bylaw:

No person shall make or cause, or permit to be made or caused, any noise in or on a public or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.

[29] In that case, counsel for the City of Coquitlam argued that the *Dhillon* decision should be followed and the bylaw upheld. At para. 12, Shaw J. stated:

I am in agreement with the submission of counsel for Coquitlam. In my view, the addition of a definition of noise in the Coquitlam bylaw is not a sufficient basis to distinguish it from the bylaws addressed in *Dhillon* and the cases that have followed *Dhillon*, nor does the bylaw definition warrant a different conclusion being arrived at in the case before me. *Dhillon* is well recognized

jurisprudence in this court, and, in my view, I should follow it, and I do so. I respectfully decline to follow Harvey.

[30] The reference to *Harvey* was a decision of the then County Court of B.C., *R. v. Harvey*, [1988] B.C.J. No. 1285, relied on by the petitioner in the case at bar, which distinguished *Dhillon*.

[31] I am in agreement with the respondent that materially identical general noise bylaws have been considered and upheld by this Court and I am not satisfied that there is any reason to distinguish those cases in considering the impugned Bylaw in this case. In my view, section 2 of the Bylaw is valid and not void for vagueness or uncertainty.

[32] Based on my interpretation of the combined effect of sections 2 and 3(6) of the Bylaw I also do not consider that the Bylaw prohibits the activities of the petitioner that are permitted on its property by the zoning bylaw. In particular, the specific prohibition in section 3(6) provides a time period when the discharge of firearms is implicitly not prohibited.

[33] There is no question that the discharge of any firearm creates noise, and such noise might well tend to disturb someone in the vicinity of the petitioner's property. Accordingly, in my view, section 3(6) contemplates that there will be noise when firearms are discharged between 9:00 a.m. and sunset, and that such noise is not subject to the general noise bylaw in section 2. Indeed, even if a firearm is discharged outside that period of time, it is only prohibited if the noise therefrom disturbs the neighbourhood as provided in section 2.

[34] If the respondent's interpretation of section 3(6) is correct, namely, that section 2 limits the noise emanating from the discharge of firearms at any time, including the period from 9:00 a.m. until sunset, then in my view the combined effect of sections 2 and 3(6) would be to prohibit the activity of discharging firearms on the petitioner's property as permitted under the current zoning.



[35] Clearly, the activity of discharging firearms on an outdoor shooting range will create noise and if the effect of sections 2 and 3(6) of the Bylaw is to prohibit noise, as described in section 2, emanating from the petitioner's property at any time, then the discharge of firearms on the petitioner's property at any time will offend the Bylaws. As the petitioner says, that result will effectively deny the gun club the right to carry on the activities authorized by the zoning bylaw. It would be absurd to think that the permitted activity of discharging firearms on the petitioner's property only allows the discharge of firearms that do not create noise.

[36] Romilly J.'s comments about a dog kennel in *Coquitlam (City) v. Crawford et al*, 2007 BCSC 146 at para. 5, could well apply to the operation of a gun club:

... There is also no suggestion that when the City permitted the commercial kennel on the Respondents' property it was intended that only silent dogs should be kept there. The fact is that dogs bark. This fact must have been realized by the City when they allowed the Respondents to operate a commercial kennel on their property.

[37] Just as dogs bark, firearms make noise when discharged. This must have been realized by the Islands Trust when the zoning bylaws were passed, allowing activities which include the discharge of firearms on the petitioner's property.

[38] The respondent argued that some restriction on noise emanating from the petitioner's property between 9:00 a.m. and sunset is necessary. Using the example of the discharge of a Howitzer, the respondent says that clearly such noise would be disturbing to the neighbourhood.

[39] In my view, while the example used by the respondent is unrealistic or, at least, not supported by any evidence, it does point to the desirability of some reasonable standard applying to noise emanating from the petitioner's property between 9:00 a.m. and sunset.

[40] While I consider that the Bylaw, as currently drafted, does not restrict the noise emanating from the discharge of firearms on the petitioner's property between 9:00 a.m. and sunset, it is my view that the CRD could enact bylaws that clearly define impermissible noise from that source by reference to criteria such as the

decibel level as measured on a sound level measuring device or other objectively determinable criteria.

[41] In the end result, the petition is dismissed. With regard to the municipal tickets, if any of them relate to the discharge of firearms between 9:00 a.m. and sunset, they are quashed. Otherwise, the petitioner is free to dispute the tickets based upon the facts and circumstances of the alleged violations.

[42] Costs are awarded to the respondent at Scale B.

“Bowden J.”

# IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *Milne v. Saltspring Island Rod and Gun Club*,  
2014 BCSC 1088

Date: 20140617  
Docket: 11-4650  
Registry: Victoria

Between:

**Brian Milne and Jean Barakett**

Plaintiffs

And

**The Saltspring Island Rod and Gun Club**

Defendant

Before: The Honourable Mr. Justice Myers

## **Reasons for Judgment**

Counsel for the Plaintiffs:

Gregory N. Harney  
Jarrett A. Plonka

Counsel for the Defendant:

John W. Horn, Q.C.

Place and Date of Trial:

Duncan and Victoria, B.C.  
July 16-19, 22-26,  
October 17-18, 2013

April 9, 2014

Defendant's motion to re-open evidence

March 26, 2014

Place and Date of Judgment:

Vancouver, B.C.  
June 17, 2014

## **I. INTRODUCTION**

[1] The plaintiffs claim for nuisance with respect to noise and alleged lead pollution and deposits emanating from the land owned by the defendant gun club on Saltspring Island. The 22-acre property beneficially owned by the plaintiffs is adjacent to the Gun Club.

[2] There are four firearm shooting areas: an indoor range, a trap shooting range, a rifle range, and a "cowboy action" range. The latter three are outdoor ranges. The cowboy action range is a mock setup where the shooter fires at western-style targets. It is currently only used by one couple.

[3] There is no dispute that the shooting can be heard on the plaintiffs' property. The issue is whether the noise is unreasonable given the character of the neighbourhood. The Gun Club says that the character of the neighbourhood must take into account that the Gun Club has been there since at least 1959 and that the plaintiffs purchased their property in 2006.

[4] The complaint about lead is of two sorts. The first is lead pellets on the plaintiffs' property. The defendant does not dispute that lead pellets were deposited by the Gun Club, but says that occurred when the plaintiffs' land was owned by one of the Gun Club's founders, who consented to the deposit, and before the ranges were re-oriented to avoid any future deposits. The second is alleged lead contamination in a stream running through the land of both parties. The defendant denies that there are any increased lead levels in the water. No argument was made by the plaintiffs as to a remedy for the lead issues, other than an injunction shutting down the Club.

[5] Land use disputes are often heated issues, and this is no exception. There is a history of complaints, discussions and failed attempts at reaching an accommodation. The acrimony between the parties led to the trial taking longer than it should, with some evidence being adduced that was of, at best, tangential assistance. The time required for the trial was underestimated; it therefore took

place over three hearing dates. There was also a motion to re-open the case before argument was made, but that was abandoned at the hearing of the motion.

[6] The plaintiffs, understandably, say that the main issue for them is the continuing enjoyment of their property. The primary remedy they seek is an injunction, with damages claimed as an alternative. Assuming that the noise constitutes a nuisance, one of the issues will be whether the Gun Club needs to be shut down or whether there is an intermediate position that reconciles the legal interests of both parties. The parties agree that I have the jurisdiction to grant a partial injunction, and to allow them to monitor the results and come back to the court for further orders.

[7] Some of the evidence elicited, or sought to be elicited, by the plaintiffs was relevant to safety concerns. As the Gun Club pointed out, safety was not pleaded as an issue and there was no application to amend. That evidence is therefore not relevant to any issue in this litigation.

[8] The Gun Club acknowledges that the plaintiffs are the beneficial owners of their property with the status to bring this action. For the sake of brevity I will not describe the details of the title, and refer to and treat the plaintiffs as the owners.

## **II. FACTS**

[9] The Gun Club is located at 221 Long Harbour Road, Saltspring Island. The plaintiffs' property is at 291 Long Harbour Road. The current zoning permits "non-commercial active outdoor recreation."

[10] The Gun Club has been at its present home since 1959, when Club members began clearing and using land owned by Mr. Vic Jackson, himself a member, for shooting. There were no zoning bylaws in place at the time. In 1961, the Gun Club was incorporated as a registered society and it completed the purchase of both the cleared property and an adjoining parcel of land. An indoor pistol and rifle range and a clubhouse were built. An outdoor rifle and pistol range and a trap shooting range were laid out. The cowboy action range was added more recently.

[11] The Club currently has approximately 190 members. In addition, it allows the RCMP to make use of the Club's facilities for training purposes.

[12] When Mr. Jackson sold the property to the Gun Club, he retained an adjoining lot. This is the land that the plaintiffs now own, having bought it from intermediate owners, the Kriegers.

[13] Both outdoor ranges were originally aligned to shoot toward the lot that Mr. Jackson had retained. Although a berm was erected as a backstop, there was no natural feature, other than trees, to prevent shot from landing on Mr. Jackson's property, especially from the trap range. He permitted the Club to shoot in that manner and participated in that shooting.

[14] After the Jackson property was purchased by Mr. and Mrs. Krieger in January 1986, Mr. Krieger complained to the Club about shotgun pellets falling on his property and, by January 1987, the two outdoor ranges had been realigned to avoid further deposits. This is the basis for the Gun Club's argument that any lead on the plaintiffs' property was deposited with the consent of the former owner before the range was realigned.

[15] The Club's shooting ranges were inspected, and range operating permits were issued, first by the Provincial Firearms Officer and later by the Federal Chief Firearms Officer for British Columbia. As I mention later, the Gun Club is not in compliance with its permit.

[16] The plaintiffs are husband and wife. Mr. Milne is a retired or semi-retired businessman, having sold his companies, which were involved in the animal nutrition and animal pharmaceutical industries. After he sold his companies he wanted to retire to a tranquil location and raise purebred sheep.

[17] In 2006, when living in Vancouver, Mr. Milne saw an advertisement in a newspaper for the property. As I stated above, it was owned by Mr. and Mrs. Krieger, who had bought it from Mr. Jackson. The advertisement and materials sent to them by the real estate agent described the property as pristine and did not

mention the adjacent Gun Club. Each of the plaintiffs visited the property separately and they purchased it in 2006 for \$4,000,000. In 2008 they purchased an adjacent lot and have purchased other property on Saltspring.

[18] The plaintiffs say that when they purchased the property they did not know the Gun Club adjoined it, and did not learn of it until 2010. At the time they purchased the property, there was a sign at the entrance to the Club, but they plaintiffs say they did not see it. The real estate agent for the transaction knew of the Club's existence, but did not mention it to the plaintiffs.

[19] The plaintiffs do not reside on the property, and have never done so. After the purchase, the Kriegers stayed in the main home on the property for some time and then the plaintiffs leased the home to the Child Honouring Society. In 2011, Mr. Rokeby-Thomas leased the home and was residing in it at the time of trial.

[20] The plaintiffs use the property as a farm and keep animals on it. They now have 30 ewes and have also raised turkeys and hens.

[21] The farm is mostly tended to by Mr. Milne; Ms. Barakett says she has not gone back to the property since the first loud gunshot she heard. She said that when they first bought the property she tended to the animals and heard what she described as the "tap-tapping of gunfire". Mr. Krieger happened to be visiting and he told her that there was a gun club next door. On September 17, 2011, she heard a very loud gun shot – she said the words to describe it were not in her vocabulary. Her dog "shot" into the car and the sheep "scurried" about.

[22] Mr. Milne estimated that he is on the property six or seven times per week, and hears shooting from the Gun Club approximately twice per week in the morning and three times in the afternoon. He described the sound of the shooting as "almost like an explosion" and painful to the ears despite his hearing problems (he wears a hearing aid). He says that the volume of the shooting frequently startles his sheep, although a video put into evidence showed them more sauntering than running to

the barn. He says the noise has caused his turkeys to pile up and suffocate, resulting in the death of fifteen of them on one occasion.

[23] Mr. Rokeby-Thomas testified that the noise is frequent and unpredictable. He works outside of the home designing a turbine and says the noise interferes with his ability to concentrate.

[24] Mr. Rokeby-Thomas said he has knowledge of firearms and the ability to distinguish between various calibers. He described once hearing a semi-automatic firearm at the Gun Club discharging 17 to 21 consecutive shots. Based on his knowledge, he has says he has been able to discern from the sound of gunshots that members regularly fire .50 calibre guns and shoot at metal targets. He described the rapid firing of medium caliber pistols, and testified that it sounds comparable to a war zone. He testified that the gunshots make the sheep and chicks run into the barn and huddle into a pile.

[25] There is a smaller cottage on the property. Mr. Milne says he is unable to rent it because of the shooting noise.

[26] A number of other neighbours testified as to the noise. They obviously reside in different locations than the plaintiffs, but their evidence does corroborate the plaintiffs' evidence of the nature of the noise emanating from the Club. I will come back to that later.

[27] The plaintiff provided an expert report on noise levels prepared by Duane Marriner, a mechanical engineer and consultant for Wakefield Acoustics. He was called as a witness. A table from his report shows the noise levels at the plaintiffs' property and that of some neighbours:



**Table 1 Residential Noise Exposures from Salt Spring Island Rod & Gun Club**

Date	Start Time	Stop Time	Address	Location	LAI (dBAI)
August 20, 2011	10:38	11:00	173 Churchill Road	40 m from residential facade	70-87
June 17, 2012	10:10	12:54	291 Long Harbour Road	150 m from residential facade	84-104
June 17, 2012	10:10	12:54	291 Long Harbour Road	30 m from residential façade	65-85
June 26, 2012	14:20	14:53	291 Long Harbour Road	200 m from residential façade	90-98

This noise level range has been estimated based on relative distances involved and terrain shielding. Measured levels were extrapolated to the point of reception 30 m from facade by adjusting levels downward a total of 18 dBAI (8 dBAI for the increased distance of 120 m and 10 dBAI for terrain shielding assuming that the firearm noise source is a point source).

[28] Mr. Marriner attempted to put the sound levels in context by reference to an RCMP report he located. His report says:

#### **Guidelines for Residential Exposure to Firearm Noise**

The document Shooting Ranges and Sound [1] has been adopted as a relevant guideline for residential exposure to the sounds of firearms. Section 2.1.2 states "...the 'threshold for annoyance' due to impulsive noise is from 65 to 70 dBAI." Further, references are cited that specify that the noise level range for limited community reaction to firearm sound is between 50 and 70 dBAI.

This document provides guidance on the selection of a suitable point of reception for conducting a sound level assessment of firearm noise. Section 2.2 recommends selecting a point of reception with 30 m of a residential dwelling when located in rural surroundings.

Health Canada's National Guideline for Environmental Noise Control [2] recommends noise levels should not exceed 50 dBAI at the point of reception.

ISO R1996 [3] specifies a limit of  $L_{eq}$  (1 hour) 40 dBA for daytime for residences in rural surrounds (see Appendix A). This standard takes into account the background noise of the surroundings. In addition, under ISO 1996-1:2003(E) [4], a 12 dBA penalty is to be applied to highly impulsive noise sources such as firearm noise.

(In his evidence he clarified that the reference to s 2.1.2 should be to 2.1.1.)

[29] Mr. Marriner explained that an increase in sound from 65 to 75 decibels is perceived by the human ear as a doubling in sound. Accordingly, an increase from

65 to 85 decibels is perceived as a quadrupling in sound. His evidence was that the noise exceeded what CRD Bylaw 3384, discussed below, contemplated as "peace, quiet, and enjoyment."

[30] Mr. Marriner gave evidence that some readings from the Gun Club were as high as 104 decibels, and compared that to readings from the Gabriola Gun Club, which were substantially lower.

[31] The Gun Club points to what it says are several deficiencies in the report, largely focussing on issues related to the character of the neighbourhood:

- a. The report attempts to answer the question of "...whether noise levels from the Gun Club's activities were higher than those considered reasonably acceptable in a rural residential area?" The Gun Club challenges that characterisation of the neighbourhood.
- b. Mr. Marriner did not know who produced the RCMP report on "Shooting Ranges and Sound" on which he relied, or for what purpose the report was made. The RCMP report itself states at page 8, section 1, that it "...solely reviews various guidelines, regulations and limits for shooting noise; it does not set nor recommend limits", and "This document should not be used for design purposes, as the sound levels of shooting noise are dependent on many factors, all of which must be considered in a particular situation". The report itself does not attempt to answer the question, which should have been posed by Mr. Marriner, as to whether the sound levels were excessive for a gun club located *in this particular neighbourhood*. It was not appropriate to judge the level of tolerance of an average person by a report developed for quite another purpose.
- c. In a similar vein, the RCMP Shooting Ranges and Sound Guidelines adopted by Mr. Marriner were framed as a guide to *residential*

exposure to the sound of firearms and as a guide for determining what is an acceptable limit to humans of the impulsive noise of firearms.

- d. In relying upon three studies mentioned in the RCMP report, Mr. Marriner (at page 3) adopts the study by Smoorenburg to determine that "the threshold for annoyance due to impulsive noise is from 65 to 70 dBAI," and the study by Arntzen to determine that "limited community reaction to firearm sound is between 50 and 70 dBAI" without noting that the RCMP Report, at page 19, sections 2 and 2.11, rejects fixed criteria to describe "the annoyance of a noise", because it takes no account of difference in localities and time of day.

[32] I will return to the noise level issue later.

[33] As mentioned, several other neighbours testified as to the noise from the Gun Club on their properties. The admissibility of this evidence with respect to the level of the noise (as opposed to its frequency) was a matter of contention; as the Gun Club pointed out, the neighbours were not plaintiffs and the character of the noise on their properties might be different. Given the Gun Club's portrayal of Mr. Milne as a "neighbour from hell", a complainer and a professional litigator, I found that the effect of the noise on multiple neighbours was admissible to corroborate his evidence. I have discussed the evidence of Mr. Rockaby-Thomas. While not a plaintiff, he lives on the plaintiffs' property and there is no issue as to the admissibility of his evidence or its direct relevance.

[34] The neighbours found the shooting noise as disturbing as the plaintiffs did. Some said they could not eat outdoors in the summer. Most said they could hear the shooting when they were indoors. All of the witnesses said they could not enjoy their property.

[35] I have no evidence as to what measures are taken by other gun clubs to mitigate noise, or to any standard in the "industry" for their construction or operation. However, the Gun Club acknowledged that soundproofing and a door could be

added to the indoor range. That would obviously mitigate the noise to some extent. Also, the side berms for the outdoor range are not in compliance with the requirements set out in the Club's permit. While that is a safety issue, which is not something pleaded here, the Gun Club acknowledged that proper berming might mitigate noise from that range. The Club has the wood on hand to do the work, but has not done so.

[36] The regulating authority for Saltspring Island is the Capital Regional District. Until 1986 there were no noise bylaws for the Island. The 1986 CRD bylaw prohibited the making of "any objectionable noise", but exempted noise from the "discharge of firearms at outdoor rifle ranges or trap fields operated by a lawfully operated gun or rod club after nine o'clock in the forenoon and before sunset".

[37] In 1992, a new noise bylaw was enacted that maintained the firearms exemption, but replaced the general noise restriction term with:

No person shall make, cause to be made, or continue to make any noise or sound in the Electoral Area which creates a noise that disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons at or near the source of such noise or sound.

[38] The firearms exemption was removed in 2006, and the following added when CRD Bylaw 3384 was enacted:

No person shall discharge a firearm before 9:00 am or after sunset that disturbs other people as described in Section 2 of this Bylaw.

No noise bylaw tickets were issued to the defendant until 2012. Recently, three noise bylaw tickets issued under s. 2 were quashed on legal points not related to the merits, and three issued under s 3(6) were sent on for trial: see *Salt Spring Island Rod and Gun Club v. Capital Regional District*, 2013 BCSC 1612.

[39] The posted shooting hours at the Club are:

- Indoor range: 10 am to 9 pm, Monday through Sunday

- Outdoor Ranges: 10 am to 7 pm, Monday to Thursday; 10 am to 5 pm, Saturdays; closed Sunday except for archery.

The Club allows shooting outside these hours for special events, such as on Father's Day.

[40] However, both the actual hours and days that the Club is used, as well as the intensity of use, were matters of substantial debate. Members are required to log in. While the Club keeps the log sheets, there were gaps in them. The plaintiffs and some of the neighbours also kept notes of the shooting hours and challenged the accuracy of the logs, up to the end of trial. Each side provided its own analysis of the logs (not done by experts), which did not match up.

[41] I do not think it necessary for me to resolve this conflict in the evidence for two reasons. The first is that I do not think the historic shooting pattern is germane: what is relevant is whether the noise constitutes a nuisance now. I can determine that from the evidence given by the plaintiffs and other witnesses. Second, I accept the evidence that shooting has taken place outside of the officially-allowed hours and I do not need to determine the precise parameters of that.

### **III. THE LEGAL PRINCIPLES**

[42] The legal principles of nuisance are well established and uncontroversial. Nuisance is the unreasonable interference with a person's enjoyment of his or her land or physical damage to that land. Some judgments and texts refer to a requirement of the interference being serious, but logically that can be subsumed in the "unreasonable" analysis.

[43] The difficulty in nuisance cases is applying the concept of reasonableness. Determining whether something is a nuisance always involves balancing the interests between the parties. The principle is stated succinctly in *Clerk & Lindsell on Torts*, 20th ed. (London: Thomson Reuters (Legal), 2010) at para. 20–10:

**Question of degree** In nuisance of the third kind, "the personal inconvenience and interference with one's enjoyment, one's quiet, one's personal freedom, anything that discomposes or injuriously affects the senses or the nerves", there is no absolute standard to be applied. It is always a question of degree whether the interference with comfort or convenience is sufficiently serious to constitute a nuisance. The acts complained of as constituting the nuisance, such as noise, smells or vibration, will usually be lawful acts which only become wrongful from the circumstances under which they are performed, such as the time, place, extent or the manner of performance. In organised society everyone must put up with a certain amount of discomfort and annoyance caused by the legitimate activities of his neighbours. Ordinary domestic use of premises therefore cannot constitute a nuisance, even though interference with the enjoyment of neighbouring premises is caused, if that interference results solely from construction defects for which the defendant is not responsible. In attempting to fix the general standard of tolerance the vague maxim *sic utere tuo ut alienum non laedas* has been constantly invoked. But the maxim is of no use in deciding what is the permissible limit in inconvenience and annoyance between neighbours, and the courts in deciding whether an interference can amount to an actionable nuisance have to strike a balance between the right of the defendant to use his property for his own lawful enjoyment and the right of the claimant to the undisturbed enjoyment of his property. No precise or universal formula is possible, but a useful test is what is reasonable according to ordinary usages of mankind living in a particular society.

[Footnotes and quotation omitted.]

[44] The character of the neighbourhood is, as the Gun Club emphasizes, an important consideration. The matter was stated in a manner that might now be regarded as somewhat quaint by Thesiger L.J. in *Sturges v. Bridgman* (1879), 11 Ch.D. 852 at 865 (C.A.), in which he noted that "what would be a nuisance in *Belgrave Square* would not necessarily be so in *Bermondsey*".

[45] The matter is put as follows in the seventh release of Lewis N. Klar et al., *Remedies in Tort*, loose-leaf (Toronto: Thomson Reuters Canada, 1987) in chapter 17 at §32:

**§32** ...Where material damage to the plaintiff's premises or property occurs as a result of the activities of the defendant, the plaintiff is entitled to redress, irrespective of the locality. However, where personal discomfort is at issue, the character of the locality is of importance in determining the standard of comfort that an occupier may reasonably claim, as individuals living in society must be prepared to submit to that amount of discomfort as is necessary for the legitimate and free exercise of the trade of their neighbours. The standard against which the plaintiff's discomfort is measured is that

expected by the ordinary reasonable and responsible person in the particular area. Accordingly, to establish a nuisance, the plaintiff may be required to show that he has suffered sensible discomfort and inconvenience which exceeds the standard given the nature of the locality.

[Footnotes omitted.]

[46] The alleged lack of utility of the Gun Club's conduct is a factor emphasized by the plaintiffs; however, even if the plaintiffs' characterization of that conduct is accepted, that is a consideration to be given little weight in this case. While the social utility of the conduct complained of must be weighed against the significance of the injury caused and the value of the interest sought to be protected, as per *Royal Anne Hotel Co. Ltd. v. Ashcroft*, [1979] 2 W.W.R. 462 at 467-68, 95 D.L.R. (3d) 756 (B.C.C.A.), the lack of social utility of a defendant's activities cannot transform an otherwise reasonable use of land into a nuisance.

[47] Compliance with bylaws or regulations is not a defence to a claim of nuisance: see, for example, *Suzuki v. Munroe*, 2009 BCSC 1403.

#### **IV. ANALYSIS**

[48] I will deal first with the character of the neighbourhood.

[49] Saltspring Island is not wilderness. The plaintiffs are not far from the town of Ganges, which is served by a floatplane service, the noise of which can be heard on the plaintiffs' property. The plaintiffs and other neighbours can hear the noise from the bars in Ganges, and traffic from the ferry runs through the neighbourhood.

[50] That said, the neighbourhood is not high-density urban. It is not next to an airport like YVR. It is not industrial. Most of the witnesses said they moved there for the peace and quiet offered by the neighbourhood when compared to an urban environment.

[51] Turning to the noise, I accept the evidence of the plaintiffs and the neighbours that the noise is disturbing. It is percussive. It is irregular in its intervals and therefore unpredictable. It can be frightening. That is clearly in contrast to the sound of a floatplane, no matter how loud that might be (Mr. Marriner said the sound

of a Beaver floatplane at 50 feet would be about 150db). It is also a different quality of noise than what emanates from the bars in Ganges.

[52] Those conclusions may be reached without the aid of Mr. Marriner's report.

[53] The Capital Regional District has allowed the establishment of small-acreage residential neighbourhoods bordering the Club. The neighbourhood is not the same as it once was. A landowner does not retain vested rights when a neighbourhood changes – he must comport himself in accordance with the character of the neighbourhood as it evolves.

[54] I find that the shooting as currently practised constitutes a nuisance.

[55] The question then becomes whether a complete injunction should be granted requiring the Gun Club to cease operations or whether a limited injunction should be given imposing restrictions on the Club's operations. As I said earlier, both sides agreed that I have the ability to grant such an order and to leave it open to the parties to come back before me if they disagree on the effectiveness of particular provisions. Further, counsel also agreed that if I provided some parameters they might be able to agree on the terms of a limited order.

[56] In my view it is preferable to grant a limited injunction. One of the difficulties in crafting an injunction in this case is the fact that, as I said above, I have no evidence as to the standards recommended for gun club construction and operation.

[57] I leave it to the parties to attempt to come to terms on a limited injunction on the basis that the matter may be brought back before me after a trial period.

[58] Any arrangement would have to provide for the following:

- reduced shooting hours from what exists at present;
- soundproofing the indoor range and adding a door or doors;
- extending the side berms of the 100-yard outdoor range; and



- a means to collect spent lead from the ground.

[59] Given that only one couple uses the cowboy action range, I suggest the Gun Club consider eliminating it.

[60] I will not deal with damages since those were sought as an alternative to an injunction.

“E.M. MYERS, J.”

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, SEPTEMBER 10, 2014**

---

**SUBJECT**     **Juan de Fuca Land Use Committee and Advisory Planning Commission  
Bylaw Amendments**

**ISSUE**

To amend the Juan de Fuca Land Use Committee and Advisory Planning Commission Bylaws to allow for a four year term.

**BACKGROUND**

In conjunction with the Local Government Elections, staff conduct an elector assent process for the Juan de Fuca Land Use Committee (LUC) and the Juan de Fuca Advisory Planning Commission (APC) whereby the electors nominate individuals to the LUC and APC. These nominees are put forward to the Board for appointment. This requirement is set out in Bylaw Nos. 2945 and 3735 respectively.

The appointment process for the LUC and APC follows the Local Government Election cycle and the bylaws indicate that the term of office for the LUC and APC members is three years. Earlier this year, the term of office for the local government elections was changed from three to four years. Given this recent change, it is necessary to amend Bylaw Nos. 2945 and 3735 so that the elector assent process can be held at the same time as the General Local Election.

**ALTERNATIVES**

*Alternative 1:*

1. That Bylaw No. 3735, "Capital Regional District Advisory Planning Commission Bylaw No. 1, 2002, Amendment Bylaw No. 3, 2014" be introduced, read a first and second time, read a third time and given final adoption;
2. That Bylaw No. 3983, "Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 6, 2014" be introduced, read a first and second time, read a third time and given final adoption.

*Alternative 2:*

That the report be received for information.

**IMPLICATIONS**


Not amending the bylaws would mean that the elector assent process for the LUC and the APC would be out of sync with the General Local Election process. It is advantageous for the Juan de Fuca Electoral Area Director and the LUC and APC members to share similar terms and work together over the full length of the term. Change after three years would be disruptive. In addition, an elector assent process outside of the regular General Local Election cycle would incur additional costs. Currently, costs for the polling station and election staff are shared with the General Local Election process.

## **CONCLUSION**

With the recent change to the term of office for local government elections from three to four years, it is necessary to amend the Juan de Fuca Land Use Committee and Juan de Fuca Advisory Planning Commission bylaws to increase the term of office of the appointees to four years.

## **RECOMMENDATIONS**

1. That Bylaw No. 3735, "Capital Regional District Advisory Planning Commission Bylaw No. 1, 2002, Amendment Bylaw No. 3, 2014" be introduced, read a first and second time, read a third time and given final adoption;
2. That Bylaw No. 3983, "Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 6, 2014" be introduced, read a first and second time, read a third time and given final adoption.

  
\_\_\_\_\_  
Sonia Santarossa, MA  
Senior Manager  
Legislative & Information Services  
\_\_\_\_\_  
Robert Lapham, MCIP  
Chief Administrative Officer  
Concurrence

SS

Attachments: A – Bylaw No. 3735  
B – Bylaw No. 3983

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3735

\*\*\*\*\*  
**A BYLAW TO AMEND BYLAW 2945, "CAPITAL REGIONAL DISTRICT ADVISORY  
PLANNING COMMISSION BYLAW NO. 1, 2002"**  
\*\*\*\*\*

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

1. Bylaw No. 2945 "Capital Regional District Advisory Planning Commission Bylaw No. 1, 2002" is amended as follows:
  - a) In section 2.9 by striking out the word and number "three (3)" in the second sentence and substituting "four (4)".
2. This Bylaw may be cited as the "Capital Regional District Advisory Planning Commission Bylaw No. 1, 2002, Amendment Bylaw No. 3, 2014".

READ A FIRST TIME THIS	day of	2014
READ A SECOND TIME THIS	day of	2014
READ A THIRD TIME THIS	day of	2014
ADOPTED THIS	day of	2014

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3983

\*\*\*\*\*

**A BYLAW TO AMEND BYLAW 3166, "CAPITAL REGIONAL DISTRICT LAND USE  
COMMITTEE BYLAW NO. 1, 2004"**

\*\*\*\*\*

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

1. Bylaw No. 3166 "Capital Regional District Land Use Committee Bylaw No. 1, 2004" is amended as follows:
  - a) In section 2.9 by striking out the word and number "three (3)" and substituting "four (4)".
2. This Bylaw may be cited as "Capital Regional District Land Use Committee Bylaw No. 1, 2004, Amendment Bylaw No. 6, 2014."

READ A FIRST TIME THIS	day of	2014
READ A SECOND TIME THIS	day of	2014
READ A THIRD TIME THIS	day of	2014
ADOPTED THIS	day of	2014

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, SEPTEMBER 10, 2014**

---

**SUBJECT**     **BYLAW NO. 3819, OTTER POINT OFFICIAL COMMUNITY PLAN**

**PURPOSE**

The purpose of this report is to rescind third reading for Bylaw No. 3819 and to give third reading to revised Bylaw No. 3819.

**BACKGROUND**

The Capital Regional District (CRD) Board gave third reading to proposed Bylaw No. 3819, "Official Community Plan for Otter Point, Bylaw No. 1, 2014" on August 13, 2014. Subsequent to the meeting, staff discovered a mapping error on Map 6: Development Approval Information Area (DAIA) that affected a portion of a large parcel and that all maps were missing road names.

Section 6.8 of the Official Community Plan establishes the DAIA designation area for all parcels greater than 2 ha in area and the designation enables the CRD to request information in connection with an application for an amendment to a land use or zoning bylaw or a development permit. As this parcel is greater than 2 ha it should all have been coloured on the map.

All of the maps have been revised to include road names and Map 6 has been revised to incorporate the missing portion of the parcel into the DAIA. Proposed Bylaw No. 3819 has been revised to incorporate the new maps. Section 894 of the *Local Government Act* allows the CRD Board to alter a bylaw after a public hearing provided that the alteration does not alter the use, increase the density, or without the owner's consent, decrease the density. Legal counsel has advised that the insertion of maps does not trigger the requirement for further notice or hearing.

**ALTERNATIVES**

1. That third reading of Bylaw No. 3819, "Official Community Plan for Otter Point, Bylaw No. 1, 2014" be rescinded and revised Bylaw No. 3819, as shown in Appendix 1, be read a third time.
2. That third reading of Bylaw No. 3819, "Official Community Plan for Otter Point, Bylaw No. 1, 2014" be rescinded and further readings be denied.

**SUMMARY**

Bylaw No. 3819 was given third reading and minor mapping errors were identified. The CRD may alter the proposed bylaw without further notice or hearing as the amendment does not affect land use or density. The proposed bylaw has been revised to incorporate the new maps.

**RECOMMENDATION**

1. That third reading of Bylaw No. 3819, "Official Community Plan for Otter Point, Bylaw No. 1, 2014" be rescinded;
2. That revised Bylaw No. 3819, as shown in Appendix 1, be read a third time.



---

June Klassen, MCIP, RPP  
Manager, Local Area Planning



---

Kevin Lorette, P.Eng., MBA  
General Manager,  
Planning and Protective Services  
Concurrence



---

Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

Appendix 1 – Proposed Bylaw No. 3819

Appendix 1: Revised Bylaw No. 3819

**OTTER POINT  
OFFICIAL COMMUNITY PLAN**

**Bylaw No. 3819**

**September 2014**



**Acknowledgements**

This Official Community Plan (OCP) was developed through a collaborative effort which involved a broad cross-section of Otter Point residents and stakeholders. This OCP would not have been possible without the hard work and dedication of those involved. The CRD would like to acknowledge and thank all those who participated in the OCP review. Special thanks go out to the Otter Point OCP Review Citizens' Committee and the team from Golder-HB Lanarc, to the Otter Point Advisory Planning Commission, and to the Sooke Region Museum historian, who all devoted a significant amount of time and energy to produce this document.

**Otter Point OCP Review Citizens' Committee:**

Arnie Campbell, Chair  
Marlaina Elliott, Vice-Chair  
John Brohman  
Gordon Cameron  
Paul Clarkston  
Bud Gibbons  
Sid Joma  
Frank Limshue  
Les Monnington  
Sandy Sinclair  
Wally Vowles

**Golder-HB Lanarc:**

David Read  
Tracy Vaughn  
Daryl Harrison

**Sooke Region Museum:**

Elida Peers

**Otter Point Advisory Planning Commission:**

Sid Joma, Chair  
Sandy Sinclair, Vice-Chair  
Bud Gibbons  
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Al Wickheim

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The preparation of this sustainable Community Plan was carried out with assistance from the Green Municipal Fund, a Fund financed by the Government of Canada and administered by the Federation of Canadian Municipalities. Notwithstanding this support, the views expressed are those of the Capital Regional District. The Federation of Canadian Municipalities and the Government of Canada accept no responsibility for them.

CAPITAL REGIONAL DISTRICT  
BYLAW NO. 3819

\*\*\*\*\*

A BYLAW TO ESTABLISH AN OFFICIAL COMMUNITY PLAN FOR OTTER POINT

\*\*\*\*\*

A WHEREAS the Capital Regional Board wishes to update the Community Plan for the Otter Point area of the Regional District;

B AND WHEREAS the residents of Otter Point, the adjacent municipality and various external provincial and federal government agencies have reviewed this Community Plan;

C AND WHEREAS this community plan has been considered in conjunction with the Capital Regional District's Financial and Capital Expenditures program and the Capital Regional District's Regional Growth Strategy;

D AND WHEREAS Sections 876, 877, 919.1, 920, 920.01 and 920.2 of the *Local Government Act* authorize the Capital Regional District to develop a bylaw to address all of the following issues:

- The development of an Official Community Plan
- The establishment of Green House Gas reduction targets
- The designation of Development Permit Areas
- The designation of Development Approval Information Areas
- The designation of Temporary Use Permit areas

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

SECTION 1 GEOGRAPHIC AREA OF THE BYLAW

This bylaw covers the area referred to as Otter Point, which is a part of the Juan de Fuca Electoral Area within the Capital Regional District, as outlined on Map 1 – Plan Area, which is attached to and forms a part of this bylaw.

SECTION 2 SEVERABILITY

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

SECTION 3 INCORPORATION OF SCHEDULES AND MAPS

Schedule "A", Appendix 1 and Maps numbered 1 to 6 attached hereto are hereby made a part of this bylaw.

SECTION 4 REPEAL OF BYLAWS

The following bylaw is hereby repealed:

The Capital Regional District Bylaw No. 3719, cited as the "Official Community Plan for Otter Point Bylaw No. 1, 2010".



Schedule "A" of Capital Regional District Bylaw No. 3819

Otter Point Official Community Plan

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**PART 1.0 COMMUNITY BACKGROUND INFORMATION**

**1.1 Introduction**

As shown on Map 1, the Otter Point area is located within the Juan de Fuca Electoral Area and is adjacent to the District of Sooke, bound on the north by the Rural Resource Lands, to the west by the Shirley/Jordan River area and to the south by the Strait of Juan de Fuca. The area is comprised of approximately 3,344 hectares. It is primarily a rural community with large tracts of forest and Agricultural Land Reserve (ALR) lands, and single-family rural residential parcels. There are 2 commercial parcels, 41 industrial parcels, most of which are located at the Sooke Business Park, a large Scouts Canada facility located at Camp Barnard, and 2 institutional parcels including the Otter Point Fire Hall and the Juan de Fuca Local Area Services Building.

**1.2 Demographics**

Based upon the 2006 Census Canada information, the Otter Point population was estimated to be approximately 1,650. The age breakdown of the population was as follows:

**2001 to 2011 Population Breakdown**

Age Group	2001	2006	2011
0 to 4 years	55	60	90
5 to 9 years	85	60	100
10 to 14 years	75	120	90
15 to 19 years	85	105	105
20 to 24 years	60	70	70
25 to 29 years	80	50	60
30 to 34 years	60	70	105
35 to 39 years	120	125	130
40 to 44 years	145	125	110
45 to 49 years	140	155	135
50 to 54 years	120	130	190
55 to 59 years	90	170	200
60 to 64 years	90	130	155
65 to 74 years	110	85	180
75 + years	90	90	90
<b>TOTAL</b>	<b>1415</b>	<b>1650</b>	<b>1810</b>

Note: Total population varies due to rounding

The population increase for 2001 to 2006 was 235 persons, or a growth of 17%. The population in 2011 was 1,810 which indicates there is a declining rate of growth for 2006 to 2011 with 160 persons or a growth of 9%. The average annual population growth for 2006-2011 was approximately 1.8%. Using this annual average, the population of Otter Point in 2018 is estimated at 2,050.

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2001 to 2011 Total number of private households by household size

	2001	2006	2011
Total private households	600	690	750
1 person	140	180	175
2 persons	265	290	325
3 persons	70	75	110
4 to 5 persons	115	125	120
6 or more persons	10	15	20
Average number of persons per households	2	2.3	2.4

The total number of private households has increased by 25% since 2001 with the majority being two person households. The average number of persons per household in Otter Point has risen due to the increase in 2 and 3 person households.

2001 to 2011 Family Structure

Total couple families by family structure	2001	2006	2011
Total	370	455	505
Married couples	305	355	385
Without children at home	175	220	245
With children at home	130	135	145
1 child	55	40	60
2 children	60	65	65
3 or more children	20	25	20
Common-law couples	65	95	120
Without children at home	60	55	65
With children at home	0	40	55
1 child	0	25	25
2 children	0	15	15
3 or more children	0	0	5
Total lone-parent families by sex of parent	70	60	60
Female parent	55	55	45
1 child	35	30	25
2 children	10	20	10
3 or more children	15	0	5
Male parent	10	10	20
1 child	10	0	15
2 children	10	0	5
3 or more children	0	0	5

The family structure in Otter Point continues to be predominately married or common-law couples without children but the number of families with children is increasing.

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2001 to 2011 Occupations

Occupation	2001	2006	2011
Total	735	980	885
Occupation - Not applicable	20	10	0
All occupations	715	970	885
A Management occupations	45	130	100
B Business, finance and administration occupations	90	115	150
C Natural and applied sciences and related occupations	25	65	45
D Health occupations	45	40	80
E Occupations in social science, education, government service and religion	20	100	105
F Occupations in art, culture, recreation and sport	40	35	0
G Sales and service occupations	205	185	195
H Trades, transport and equipment operators and related occupations	145	180	150
I Occupations unique to primary industry	50	75	30
J Occupations unique to processing, manufacturing and utilities	40	30	0

There was a decline in total occupation from 980 in 2006 to 885 in 2011. The largest decline was in occupations in art, culture, recreation and sport and in primary industry. Increases were in health and business.

Total Employed Population by Place of Work

Total employed population 15 years and over by place of work status	2001	2006	2011
Total	660	950	865
Worked at home	110	115	145
Worked outside Canada	0	0	0
No fixed workplace address	130	155	155
Worked at usual place	420	680	575

Most of the jobs are located at a fixed place and are located outside Juan de Fuca Electoral Area but remain within the region. The proportion of those working at home, about 16% in 2011, has remained fairly constant since 2001.



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Total Employed Population by Mode of Transportation

Total employed population 15 years and over with a usual place of work or no fixed workplace address by mode of transportation	2001	2006	2011
Total	550	835	725
Car, truck, van, as driver	470	870	565
Car, truck, van, as passenger	45	70	35
Public transit	10	60	85
Walked	25	20	0
Bicycle	0	10	0
Other method	0	10	0

The single occupant vehicle remains the main mode of travel for workers in Otter Point, with about 83% of work trips in 2011. This is a continuing decline from about 94% from 2001. This dependence on private vehicles reflects the fact that most of the jobs are located outside the Juan de Fuca Electoral Area and the limited transit service to the area. There was an increase in the public transit riders from 2% in 2001 to 12% in 2011. This may reflect the impact of the Otter Point community bus service.

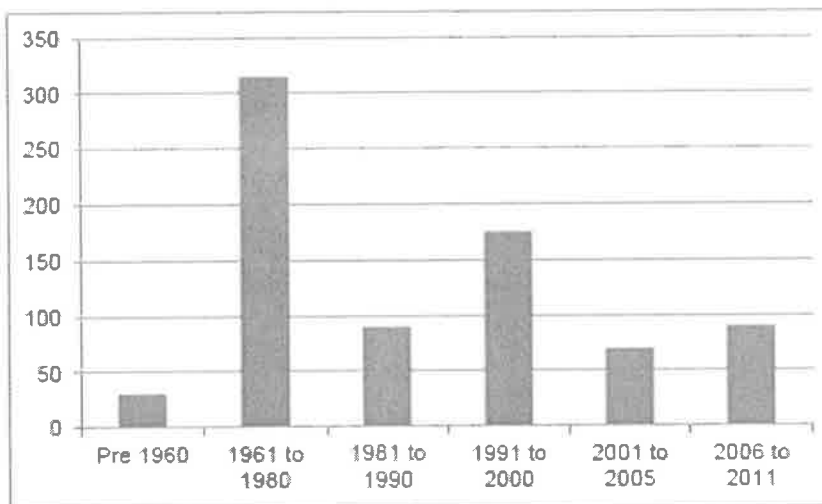
1.3 Building Permit Trends

The predominant type of dwelling in Otter Point is a single-family dwelling unit at about 88% of all dwelling dwellings. The other dwelling types are apartments and mobile homes.

Occupied Dwellings 2001 to 2006

Number of occupied private dwellings by structural type of dwelling	2001	2006
Total	600	685
Single or Duplex	485	615
Apartment or Movable	110	65

Occupied Private Dwellings by Year of Construction



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New Dwelling Unit Permits 2006 – 2013

	2006	2007	2008	2009	2010	2011	2012	2013	Total
Building Permits Issued	44	10	21	8	20	25	10	13	157

Permits issued for Otter District includes single family, two-family, multi-family and mobile homes

The building permit record indicates a wide annual variation from 2006 to 2013 with an average of 20 permits per year.

#### 1.4 Housing Demand

Given that the population by 2018 is estimated at 2,050 and using the 2006 average persons per household of 2.3, a total of 892 dwellings are needed to accommodate population growth. Given the existing inventory of 750 private households and the potential for additional parcels there is sufficient housing capacity in the Otter Point area for the next five years.

#### 1.5 Development Potential

The 2007 OCP designated the Otter Point area as Agricultural Land Reserve, Settlement Area and Settlement Containment Areas. The Settlement Containment Areas had a desired parcel size in the 1 ha range and the Settlement Area had a desired parcel size of 2 ha or greater. To calculate the development potential of the 2007 designations the desired parcel size for each designation was used. The ALR area did not have a desired parcel size, and as subdivision is only permitted at the discretion of the Agricultural Land Commission (ALC) for agricultural reasons, a development potential has not been provided for these lands. This approach provides a high estimate of potential parcels as site specific characteristics such as topography and public access and development permit requirements which can significantly reduce this potential are not considered. The number of potential parcels does not readily translate into dwellings as about 290 of the parcels are zoned Rural A which permits multiple dwellings per parcel.

The potential of the 2007 OCP Land Use Designations for rural residential development is approximately 1,885 parcels. The community supports maintaining the development potential below the 2007 OCP level.

2007 OCP Land Use Designations	Parcel Development Potential
Settlement Area	1140
Settlement Containment Areas	745
<b>Total</b>	<b>1885</b>

#### 1.6 Physiography of the Area

Based upon a review of a report titled *An Introduction to the Ecoregions of British Columbia*, the study area is a part of the Georgia Depression Ecoprovince, the Georgia-Puget Basin Ecoregion and the Juan de Fuca Strait Ecoregion. This suggests the following:

- The ocean and the Strait of Georgia modify temperatures throughout the area.
- The southern parts of this ecoprovince, which includes Otter Point, have the highest annual amounts of sunshine in the province.

#### General Topographical Information and Main Topographical Features

Most soils in the Otter Point area are well to rapidly drained soils and the general topography can be characterized as moderately rolling to hilly. The elevation above sea level ranges from 0-150 metres in areas nearer the coast and reaches as high as 200-300 metres in more northern areas, such as near Broom Hill. In addition, many beach areas have steep slopes associated with them. Rock outcrops are also common throughout the area.

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Geological Setting and Soil Characteristics

The following soil associations have been identified in the Otter Point area.

Soil Units of the Otter Point Area

Soil Units	Drainage Rating	Usual Texture	Slope Range in Percent (Degrees)	Developed in	General Topographical Characteristics
Coastal Beach (CB)	-	-	-	Marine deposits	-
Dashwood (D)	Well	Very gravelly loamy sand to gravelly sandy loam	2-15 (5-8)	Fluvial, fluvioglacial and/or marine deposits	Moderately rolling. Normally less than one meter over compact morainal deposit
Fairbridge (F)	Imperfect moderate	to Silty loam	2-9 (1-5)	Deep silty and/or clayey marine deposits	Undulating to gently rolling. Minor gullied areas may be present; Perched water table in winter
Hawarth (HA)	Rapid	Very gravelly to gravelly loamy sand	5-15 (3-8)	Fluvial, fluvioglacial and/or marine deposits	Moderately rolling with some areas of gentle rolling
Qualicum (Q)	Rapid	Very gravelly to gravelly loamy sand	2-5 (1-3)	Fluvial, fluvioglacial and/or marine deposits	Undulating
Qunsam (QN)	Well	Gravelly, sandy loam	5-15 (3-8)	Morainal deposits	(tā) Moderately rolling with some areas of gentle rolling
Robertson (RB)	Rapid	Cobbly, gravelly, sandy loam to cobbly gravelly loam	15-30 (5-17)	Colluvial morainal deposits	or Strongly rolling
Rock Outcrop (RO)	-	-	-	Bedrock	-
Rosewall (RL)	Rapid	Cobbly, sandy gravelly loam or cobbly, gravelly loam (some areas can be very gravelly sand)	9-60 (5-33)	Colluvial morainal deposits	or Moderately rolling to hilly; Often between 10-50 cm over bedrock (some areas are very hilly)
Shawnigan (S)	Well	Gravelly, sandy loam or gravelly loamy sand	5-15 (3-8)	Morainal deposits	(tā) Gently rolling to moderately rolling
Squally (SL)	Rapid	Gravelly loamy sand or gravelly sandy loam	9-60 (5-33)	Colluvial morainal deposits	or Moderately rolling to hilly

Source: Soils of Southern Vancouver Island, MOE Technical Report, 1985

Many of the soil types identified here have developed in morainal deposits, suggesting that the area may have several gravel deposits.

Sand and Gravel

The Province is responsible for management of mineral and aggregate resource extraction, and the CRD's role is limited to provisions under the Juan de Fuca Electoral Area Soil Removal or Deposit Bylaw. Gravel extraction sites within Otter Point are indicated on Map 2.

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1.7 Dominant and Sensitive Ecosystems

A Sensitive Ecosystem Inventory was conducted for the Otter Point area by Raincoast Applied Ecology/HB Lanarc using the same methodology as the Sensitive Ecosystems Inventory carried out by the Canadian Wildlife Service for other CRD communities. The purpose of the Otter Point Sensitive Ecosystems Inventory (SEI) was to identify, classify and map remnants of rare and fragile terrestrial ecosystems. Conserving sensitive ecosystems is important as they provide ecosystem services for a healthy economy and for social well-being. They help maintain clean water, prevent erosion, support fish and wildlife, and help define Otter Point's rural character and natural beauty. Conservation planning for sensitive ecosystems and other ecological features will be integrated with a variety of land use planning decisions as part of the OCP.

Map 4 illustrates the locations of the seven classes of sensitive ecosystems occurring in the study area, and these were broken down into subclasses that describe their physiognomy and/or plant community composition: Woodland Ecosystems; Herbaceous Ecosystems (coastal herbaceous, spit and shrub-dominated); Riparian Ecosystems (medium and high bench floodplains, fringe, gully and river); Wetland Ecosystems (fen, marsh, swamp and shallow water); Freshwater Ecosystems (pond subclass); Cliff Ecosystems (inland cliff subclass); and Sparsely Vegetated Ecosystems (rock outcrop and shrub dominated subclasses). Two other important ecosystems are mapped in SEIs: Mature Forests (coniferous subclass) and Seasonally Flooded Agricultural Fields. The SEI also identified five marine shoreline habitat types including Bedrock, Mixed Gravel-Cobble Substrate, Sparsely-Vegetated, Wetland, and Developed.

There were 370 SE polygons mapped in the study area. They range from 0.02 ha to 85.6 ha in size (mean of 4.8 ha). Most polygons represent a single class and subclass, while the remainder were mapped as complexes containing two or three ecosystem types (e.g. 80% woodland mixed with 20% sparsely vegetated). In total, there were 429 occurrences of sensitive ecosystem types and 63 occurrences of other important ecosystems. Riparian Ecosystems (126 occurrences accounting for 388 ha) and Woodland Ecosystems (114 occurrences accounting for 394 ha) were the most common sensitive ecosystems found. Of the riparian ecosystems, the most common type was Riparian Fringe (72% of riparian ecosystems by area), as it can be found along most streams and lake or pond edges. The third most common sensitive ecosystem class was Sparsely Vegetated Rock Outcrop (184 ha across 76 occurrences). Approximately 70 ha of Wetland Ecosystems were mapped, 77% of which were swamp ecosystems, and the remainder marsh, fen or shallow open water ecosystems. Deeper Freshwater Ponds accounted for 39 ha of the study area. Cliff and Herbaceous Ecosystems were the most rare, totaling roughly 3 ha each. While some older trees were found, no Old Forest stands found in the study area.

These sensitive areas will be protected through a Watercourses, Wetlands and Riparian Development Permit Area and a Sensitive Ecosystems Area Development Permit Area. Any proposed land use change will require the identification of the impacts the proposed development will have on the environment and the mitigative measures recommended to offset the impacts or remediate the area.

The rural and mostly natural setting of the Plan area provides good habitat for wildlife, as well as containing marine habitat. There is abundant second-growth forest in the area, which is important not only in socio-economic terms for its contribution to the forestry industry but also in terms of providing the following products and uses:

- wildlife corridors for connecting habitat patches;
- buffers around more sensitive areas such as wetlands or streams;
- habitat for a broad range of wildlife;
- non-timber forest products such as salal, wild mushrooms, and wild berries; and
- green space.

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**Watercourses, Wetlands and Lakes**

Map 4 shows the general locations of streams and water bodies within Otter Point based upon provincial TRIM data. Many streams in the Otter Point area are important salmon-spawning streams and support a variety of riparian biota including native plants, amphibians, and other fish and wildlife.

Most of these streams and water bodies are important fish bearing watercourses and support sculpin, trout and salmon. The Sooke Salmon Enhancement Society operates the Jack Brooks hatchery on Rocky Creek. The Society works to raise Chinook Salmon, Coho Salmon and Steelhead Trout and releases the fish into local spawning streams, including DeMamief Creek, to enhance survival of these species.

There are several other ephemeral streams located throughout the area as well as several wetland areas. Wetlands are important due to their capacity to:

- store water, and retain storm water runoff;
- maintain water quality by reducing the levels of sediment, nutrients, and toxic chemicals in outflow water;
- provide excellent habitat for a wide variety of biota; and
- provide additional greenspace and recreational value.

**1.8 Community Water Systems and Sewage Disposal**

The only known community water system is that of the Kemp Lake Waterworks District, which currently provides chlorine treated water to approximately 410 households in the area as identified by the Kemp Lakes Waterworks Improvement District. Map 2 indicates the service area.

The Kemp Lake Waterworks Improvement District manages the distribution of water, maintains the current infrastructure, and works to inform residents and visitors to use caution in the watershed in order to maintain a safe water supply. Recently, the Kemp Lake Waterworks District undertook a watershed risk assessment. The Waterworks District anticipates that it would have the capacity to service approximately 100 new connections and currently has no plans for future expansion of servicing but continues to investigate alternative water sources. Since many households rely on water from Kemp Lake as their primary source of water, it is important to maintain the quality of water within the lake and to minimize the amount of pollutants entering the watershed.

In addition to the Kemp Lake Waterworks Improvement District, there may be some private waterlines associated with strata development. Many residents in Otter Point, outside the Kemp Lake Waterworks Improvement District, use wells to access groundwater; the use of cisterns for additional water storage is also quite common and a few households depend on water licenses. This Official Community Plan stresses the need to protect the groundwater supply and that any additional wells should not interfere with the water supply of current residents. As such, the maintenance of wetland ecosystems may be particularly important for the services they provide in water storage and filtration for the Otter Point area.

Residences in the Otter Point area are serviced by private septic systems and which regulated under the provincial *Sewerage System Regulation*.

**1.9 Local Community Parks**

There are several local community parks in the Plan area totaling 18.65 ha (0.54% of Plan area). See Map 2, which shows the general locations of local parks in Otter Point. The following list provides the names of the parks. Details on each park can be found in the Juan de Fuca Electoral Area Community Parks Strategic Plan.

- Amanda Place
- Brotherstone Park
- Carpenter Road Park
- Corby Park
- Eaglecrest Park

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- Elrose Park
- Elrose Park II
- Otter Point Park
- Otter Point Access Park
- William Simmons Memorial Park
- Demamiel Park

1.10 Public Access to Water/Right-of-Way

A report titled *Juan de Fuca Electoral Area Foreshore Access Report 2003*, commissioned by the CRD through the Economic Development Commission, outlines various constraints and opportunities associated with the development of Ministry of Transportation and Infrastructure (MOTI) public road right-of-way for water access pursuant to Section 75 of the *Land Title Act* and this information was incorporated into the Juan de Fuca Electoral Area Community Parks Strategic Plan. The following is a list of the public access locations in Otter Point. Details on each location is provided in the Juan de Fuca Electoral Area Community Parks Strategic Plan. The Juan de Fuca Electoral Area Parks and Recreation Advisory Commission is not responsible for these accesses. However, the CRD, through consultation with the Juan de Fuca Electoral Area Parks and Recreation Commission Advisory Commission, may consider acquiring MOTI permits for selected recreational sites. Additional public access to water will be considered when new development applications adjacent to lakes, streams and the ocean are submitted.

- Blackfish Road
- Blue Jay Way
- Breakers Place
- Carpenter Road
- Chisholm Road
- Fillippo Road
- Ford Lane
- Orveas Bay Road
- Poirier Lake
- Razzo Road
- Romeo Lane
- Shoemaker Road
- Surf Lane
- West Coast Road #1 (Name unknown)
- West Coast Road #2 (Name unknown)
- West Coast Road at King Creek

1.11 Otter Point Heritage Sites and Areas of Historical Interest

There is a long history of settlement in the Otter Point area. To capture and retain this history, a report titled *Otter Point Heritage Sites and Areas of Historical Interest* was prepared as background to the OCP review. This report identifies many of the historic dwellings and areas of historical interest in Otter Point. However, First Nation archaeological sites have not been identified due to their sensitive nature. Many sites have been identified by the Archaeological Branch of the Ministry of Forests, Lands and Natural Resource Operations and information can be obtained from the Ministry.

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This historical information involved a review of materials at the Sooke Region Museum and meetings and conversations with older residents of the Otter Point area. This information is provided to raise awareness of the rich history of the Plan area and for consideration of protection of these resources.

1.12 Archaeological Sites

Part of the Plan area's heritage includes archaeological sites - the physical evidence of how and where people lived in the past. For 98% of the time people have lived in this area, no written records were made. Archaeological sites and oral tradition are the only vestiges of this rich history extending back many thousands of years. The Plan area contains recorded archaeological sites and has the potential to contain more. The Province protects these sites, whether known or unrecorded, through the *Heritage Conservation Act*. This protection applies to both private and Crown land and means that applicants must have a provincial heritage permit to alter or develop in proximity to an archaeological site. Archaeological site locations are not identified in this OCP due to their sensitive nature.

1.13 Other Land Use

Agricultural Land Reserve (ALR)

There are several parcels designated as ALR in the Otter Point area. See Map 3, which shows the locations of parcels of land within the ALR. Within the ALR, land use and subdivision decisions are largely governed by the *ALC Act and Regulations*.

Camp Barnard

Camp Barnard is a Scouts Canada facility that has operated in Otter Point since 1945. The Camp includes about 101 ha of lake, forest and wetlands. A Camp Ranger and a part-time grounds-keeper live on the property year round. Residential style camping facilities include two lodges accommodating about 75 persons and two kitchen/dining buildings with adjoining sleeping cabins accommodating 96 campers. In addition, there are several semi-cleared wilderness camping areas. There has been a significant increase in the number of camper nights from about 7,000 in 2003 to 12,000 in 2010. Campers are primarily scouting groups but other outdoor programs and youth groups access the camp as well. See Map 2.

Crown Lands

There are several Crown parcels located in Otter Point and it is acknowledged that the Province has jurisdiction over these lands. The Crown land is designated as a Woodlot Licence (W1526(Blocks A & B)) held by T'Sou-ke Nation or as BC Timber Sales lands. Local bylaws including the OCP do not apply to forest management activity relating to the production and harvesting of timber on provincial Crown land under the *Forest Act*. Should these lands no longer remain under Crown ownership, the OCP provisions will apply.

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## PART 2.0 ADMINISTRATIVE STRUCTURE OF THE PLAN

### 2.1 Purpose

This Official Community Plan (OCP) sets out the long-term vision for the Otter Point community within the Juan de Fuca Electoral Area and provides goals and policies that guide land use decisions. Once adopted, further bylaws adopted by the Capital Regional District (CRD) Board or works of the CRD must be consistent with the Plan. This includes decisions about land use, density, other regulatory bylaws and the installation of services.

This Plan is an update of the previous OCP approved in 2007. It reflects community values and addresses new issues. The Plan acknowledges the concept of sustainability and the key issues of environmental protection and climate change. A Sensitive Ecosystems Inventory was completed and provides a sound foundation to the Plan.

Issues identified through community consultation include:

- amenity provisions;
- groundwater protection;
- provision of community water;
- watershed protection;
- archaeological and First Nations cultural site policies; and
- food security.

This OCP is intended to guide land use and development decisions, provide detailed planning direction with respect to community development and establish regulatory functions for the Otter Point area. It is the intention of the community to maintain this area for rural residential and resource use. In adopting the Otter Point OCP, it is not the intention of the CRD to create conflicts with provincial enactments.

### 2.2 Scope

An OCP is authorized by the *Local Government Act (LGA)* and is a statement of objectives and policies to guide decisions on planning and land use management in the area covered by the OCP.

This OCP includes statements and Land Use Designations for:

- approximate location, amount, type and density of residential development to meet anticipated housing needs over a period of at least five years, required by the LGA;
- approximate location, amount and type of commercial, industrial, institutional, agricultural, recreational, and public utility land required to meet anticipated needs;
- approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- establishment of objectives for development to meet water conservation, energy conservation and Green House Gas reduction targets;
- restrictions on the use of land that is subject to hazardous conditions or is environmentally sensitive to development;
- establishment of objectives for the form and character of proposed multi-family residential, commercial and industrial development;
- approximate location and phasing of any major road, sewer and water systems;
- approximate location and type of present and proposed public facilities such as schools, water treatment, waste treatment, parks, trails, and disposal sites; and
- housing policies of the local government that affect affordable housing, rental housing and special needs housing.



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The Plan includes policy statements, including social policies, agricultural policies and policies regarding the protection and restoration of the natural environment.

This OCP designates Development Permit Areas. These Development Permit Areas allow that development in such areas is given extra care and attention to address issues relating to safety, sustainability or aesthetic quality.

This OCP designates a Development Approval Information Area. This Development Approval Information Area allows the thorough analysis of environmentally sensitive features to be completed prior to development taking place.

This OCP also establishes a Temporary Use Permit designation. This designation allows the CRD to issue temporary commercial or industrial use permits throughout the Plan area, subject to the policies of this Plan, enabling entrepreneurs to respond to temporary, short-term business opportunities in keeping with the rural character of the area, in areas where commercial or industrial zoning does not exist.

**2.3 Plan Area and Time Frame**

This OCP applies to the Otter Point area as shown on Map 1, which is attached to and forms a part of this bylaw. The intent of this OCP is to provide direction on how the area may change over the next five to ten years while also looking further forward. Periodic updates and amendments may be undertaken as required. It is also recognized that the Plan may require amendment in response to future changes in legislation, changing community values and the adoption of the new Regional Sustainability Strategy.

**2.4 Goals, Objectives and Policies**

Most sections within the OCP include goals, objectives and policies.

Goals represent the long term vision for the community and are a broad statement of what each section seeks to achieve. All goals are based on community values and shape the objectives and policies for each section.

Objectives are measurable and tangible expressions of the OCP goals. They serve as the mechanism to translate broad goals into policies. In instances where objectives are beyond the jurisdictional scope of the CRD, this OCP states the broad objectives of the Otter Point community. There is no hierarchy as to the importance of each objective listed in each section.

Policies provide guidance for subsequent CRD decision making in order to accomplish the goals and objectives of the Plan.

**2.5 Public Consultation**

This OCP update was a collaborative process that involved extensive community consultation and technical analysis. A consultation plan was approved by the Juan de Fuca Land Use Committee which outlined a consultation framework, roles and responsibilities of participants, and addressed First Nation consultation. The consultation approach was based upon a series of meetings and workshops with an appointed Citizens' Committee, the Otter Point Advisory Planning Commission and public events for Otter Point residents. An extensive list identified federal, provincial and regional agencies that were consulted on Plan development.

The initial consultation was undertaken by Golder-HB Lanarc working with the Otter Point Citizens' Committee to develop recommendations for changes to the OCP. The Otter Point Advisory Planning Commission worked with CRD Planning staff to review and revise the draft OCP bylaw. In addition, the CRD Juan de Fuca Electoral Area website provided information on the planning process, gave access to draft versions of the Plan and to background information, and solicited public comments.

The draft Plan was referred to federal, provincial and regional agencies and First Nations with an interest in the area, as well as numerous stakeholder groups. Referral comments were considered and many were incorporated into the final Plan.

**2.6 First Nations**

The Otter Point area is within the traditional territory of the T'Sou-ke Nation. In addition, other First Nations and Treaty Groups have identified an interest in the Otter Point area: these include the Pacheedaht, Scia'new, Halalt, Lake Cowichan, Lyackson, and Stz'uminus First Nations, the Cowichan

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Tribes, the Penelakut Tribe, and the Hul'qumi'num and Te'Mexw Treaty Groups. The area has been used for settlement, hunting, fishing, foraging and cultural activities. First Nations are in treaty negotiations with the Province and have interest in some of the Crown lands within the OCP area. The OCP has recognized Crown lands as Otter Point Rural Lands due to their being under provincial control and their being considered as part of the treaty process. The Province signed an agreement in 2013 which will see the T'Sou-ke Nation acquire two 60 hectare parcels (Lots 40 and 41, Sooke Land District). One parcel has been transferred to the T'Sou-ke Nation at the signing of the Incremental Treaty Agreement. The other parcel will be transferred when the T'Sou-ke Nation signs the agreement-in-principle. Due to the long use of the area by First Nations, significant archaeological resources exist in the area. Policies for the identification and preservation of these resources are addressed in Section 5.5 of the OCP.

2.7 Regional Growth Strategy Consistency

The CRD adopted a Regional Growth Strategy (RGS) in 2003. Section 849 (1) of the LGA states that "the purpose of a regional growth strategy is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources."

Section 865 of the LGA requires that since the RGS has been adopted, all bylaws adopted by the Board must be consistent with the RGS.

Therefore, this OCP was prepared to comply with the initiatives and actions of the RGS as they relate to protecting the integrity of rural communities, protecting regional green/blue spaces, managing natural resources and the environment sustainably, and strengthening the regional economy. The RGS states that OCPs for the Juan de Fuca Electoral Area will be updated in a manner that maintains a long-term rural vision. The development policies of this OCP work towards the goals of the RGS. The following paragraphs outline how this OCP supports these goals.

The RGS has eight goals as follows.

1. Keep urban settlement compact.
2. Protect the integrity of rural communities.
3. Protect regional green/blue spaces.
4. Manage natural resources and the environment sustainably.
5. Build more complete communities.
6. Improve housing affordability.
7. Increase transportation choices.
8. Strengthen the regional economy.

Firstly, in order to keep settlement compact, this OCP designates both Rural Lands and Settlement Areas. The goal is to have smaller rural residential parcels contained within Settlement Areas, and larger parcels in the Rural Lands. The Rural Lands maintain the integrity of rural communities through preservation of large parcels. Additionally, this OCP protects the environment by identifying environmentally sensitive areas and by designating these as Development Permit Areas.

To the extent possible, as permitted through the LGA, Development Permit Areas will assist the CRD in managing the environment of Otter Point in a sustainable manner.

Island Health governs the *Sewerage System Regulation*, which is responsible for all daily domestic sewage flows of less than 22,700 liters/day and disposals greater than this flow are governed by the Ministry of Environment under the *Waste Management Act*. The CRD supports these agencies in controlling and regulating waste discharge in a sustainable manner.

Management of natural resources is regulated and controlled through federal and provincial agencies, and the CRD will comment on referrals within the context of sustainable development in order to assist these external agencies. While the CRD does not have direct jurisdiction over the management of any natural resources, it anticipates working cooperatively so that all decision-making within the Plan area gives priority to options that maintain the ecological integrity of local ecosystems.

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Residents are encouraged to participate in local initiatives and any regional programs that promote the principles of reducing, reusing and recycling.

In order to build more complete communities and strengthen the regional economy, as envisioned by the Regional Growth Strategy, the Plan supports the development of home based business, agriculture, and tourism within the Plan area and the establishment of a community centre. Housing affordability is improved by including secondary suites, detached accessory suites and manufactured homes in the types of housing accepted within the Plan area.

Lastly, in order to increase transportation choice, the OCP encourages the Ministry of Transportation and Infrastructure (MOTI) to provide cycling lanes on West Coast Road, Otter Point Road and Kemp Lake Road, and encourages BC Transit to increase the frequency and expand the service areas for community bus service. The OCP also supports the creation of a network of trails for pedestrians, cyclists and equestrians to link key land uses, parks, and recreation sites within Otter Point and to connect to the Rural Resource Lands and the District of Sooke. It permits the use of amenity bonusing, as opportunities arise, to acquire land for parks, trails, and park-and-ride sites. It is also anticipated that, with increasing local economic opportunities, fewer car trips may be generated.

The RGS also outlines three land use policy designations in the Growth Management Concept Plan that affect the Otter Point area:

1. Renewable Resource Lands Policy Area;
2. Rural/Rural Residential Policy Area; and
3. Unprotected Green Space Policy Area.

The Renewable Resource Lands Policy Area refers to lands where the intent is to support the long-term use of the lands as renewable resource working landscapes such as agricultural and forestry lands. The 2007 OCP designated these lands as ALR or as Settlement Area. This Plan has designated these lands as Rural Lands to reflect the resource use and larger parcel size. This change in designation provides a 56% reduction in the 2007 development potential of these lands.

In the Rural/Rural Residential Policy Area, it is proposed that lands identified as rural/rural residential should remain rural in character. The 2007 OCP designated these as Settlement or Settlement Containment Areas with a density of 2 ha and 1 ha respectively. This OCP has designated these lands as Settlement Areas 1, 2 and 3 where rural residential use is proposed but having differing densities.

The Unprotected Green Space Policy Area designation applies to a small portion of the Plan area that was identified in the Regional Green/Blue Spaces Strategy as unprotected and that may have ecological, recreational or scenic values that were not fully inventoried and not included in the Capital Green Lands Policy Area. These lands have been designated to the Rural Lands Area primarily due to their potential consideration in treaty negotiations with First Nations.

The existing community features of Otter Point are maintained. The primary goal of this Plan is to maintain the rural character and protect the environment of the Otter Point area in the context of resource and economic uses. The Plan accommodates rural residential, agricultural, industrial, resource extraction, tourism, and recreational uses in appropriate locations. Furthermore, the community has expressed a desire for community water service, reflecting the vulnerability of potable water from groundwater and surface water in much of the area. The provision of community water service is predicated upon maintaining the residential density provisions of the 2007 OCP.

## 2.8 Transportation

The Ministry of Transportation and Infrastructure (MOTI) is responsible for road development and maintenance in the Juan de Fuca Electoral Area.

The community supports increasing transportation options through integrating land use and transportation policies, enhancing alternatives to driving alone, managing transportation systems to maximize mobility and safety, and managing transportation investments in a fiscally responsible and strategic manner. Another important strategy in rural areas is providing travel alternatives by means of providing attractive linkages of cycling networks in order to minimize auto dependence. Such policies are outlined in the CRD's TravelChoices document, the Regional Pedestrian and Cycling Master Plan and the Regional Transportation Corridor study.

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There is also a request for MOTI to develop different road classifications for roadways in Otter Point. There is specific interest in lower standard for roads in small subdivisions similar to the private roads that serve the separate dwellings in building stratas.

In addition, due to the risk of a natural disaster such as an earthquake closing Highway 14 access to the community, MOTI and CRD Emergency Services are requested to establish an alternate emergency access using existing forestry roads so that supplies and resources can be provided to the community.

**2.9 Regional and Agency Collaboration**

The CRD will strive to work in collaboration and partnership with First Nations, the ALC, provincial ministries, Island Health, the District of Sooke and other nearby communities and all other necessary agencies and groups to address infrastructure, transportation, energy and emissions management, and environmental concerns. In this regard, the CRD and the District of Sooke have signed a Memorandum of Understanding which provides a framework for reaching agreements on the provision of services, land use planning, development and environmental concerns, shared and cross-boundary issues and economic opportunities.

**2.10 External Agency Authorities**

The community supports the efforts of the provincial Approving Officer and other public agents to work with landowners to maintain public access to beaches, riparian areas, streams and other waterbodies, scenic viewpoints and the backcountry.

Acknowledging the jurisdiction of the Ministry of Transportation and Infrastructure, the community supports the placement of paths along road right-of-ways.

**2.11 Working Boundaries with Shirley/Jordan River**

Muir Creek identifies the boundary between the Otter Point and the Shirley/Jordan River OCP areas. There is significant potential benefit to both areas in collaborating on future land uses around this common boundary, particularly in regard to the establishment of park land and the protection of ecosystems. The Otter Point community supports the sharing of information and working towards complementary land use policies affecting Muir Creek and its foreshore area.

**2.12 Green House Gas Reduction**

Green House Gas (GHG) emissions are generated within a community by electricity and fossil fuel energy use, transportation and the quantity and composition of waste and disposal methods. The provincial government does not prescribe types of targets or levels of targets, but looks to local governments to demonstrate leadership and take aggressive action on tackling climate change by establishing meaningful and achievable targets in their communities. The Province is actively developing ways to provide information to communities regarding their energy use and GHG emission in order to support local governments in setting targets, policies and objectives and monitoring their progress. The Province has created a Community Energy Emissions Inventory which will provide baseline community-wide energy and emissions information. Information is available for the Juan de Fuca area as a whole and may not be for individual communities.

For the purpose of Section 877 of the LGA, the target for the reduction of GHG emissions in the Region is 33% below 2007 levels by 2020. That is consistent with the provincial target. The CRD has established a Climate Action Program which acts as a regional hub and facilitator on climate change issues. It works with local governments, non-profit societies, public institutions, and the private sector to help reduce emissions today and plan for future climate change. The Otter Point community will work to reduce GHG emissions within the Plan area by 3% below 2007 levels by 2020, as its contribution to the CRD target.

This target will be met by the CRD as follows:

1. Developing a carbon reduction plan for the CRD operations in the Otter Point area; and
2. Undertaking the following:
  - a. Educating residents, businesses and tourists about climate change as it relates to community priorities.
  - b. Implementing policies and objectives within the OCP to:

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- promote use of green building techniques and materials;
  - maintain agricultural and forestry lands;
  - promote cycling and transit use;
  - preserve environmentally sensitive areas;
- c. Collaborating with other governments in examining and implementing GHG reduction strategies on a regional basis through one or more of the following:
- development of GHG reduction standards for buildings by addressing each issue such as energy performance, local material, orientation and density;
  - development of additional infrastructure for cycling, walking, transit and carpooling as alternatives to single occupant vehicle use;
  - waste reduction including enhanced waste diversion of recyclable and compostable materials;
  - protection of ecosystems through the conservation and enhancement of forested areas;
  - development of a renewable energy generation plan;
  - development of programs and policies that increase local food security and local food supply options.

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## PART 3.0 GOALS AND OBJECTIVES OF THE PLAN

### 3.1 Otter Point's Rural Character

Otter Point is a rural community adjacent to the more urban centre of Sooke towards the south-east, the rural communities of Shirley and Jordan River to the west and the Rural Resource Lands to the west and north. Significant community features such as gravel quarries, community parks and public access to water right-of-way points are denoted on Map 2. The Rural Resource Lands provide much of the economic activity in the region; this includes forestry, fishing, mining, wildcrafting, recreation and tourism.

Residents of Otter Point value the rural character of their community, including its tranquility and privacy and the prevalence of green space. While they value the quiet, they also desire the freedoms associated with rural living. They do not mind the noises associated with a farm, or the occasional chainsaw or use of machinery. They place a high value on the natural environment and connections to parks and trails. They have expressed a strong desire to protect the Rural Resource Lands for the purpose of sustaining the economy and to provide access to the land. They are concerned with the protection of forest, wetland and fish habitat. They engage in salmon enhancement activities.

Recreation is important to the residents of Otter Point. Typically this includes horseback riding, hiking, fishing, mountain biking and motorized sports, where appropriate. Community trails offer the opportunity for daily walking and cycling. Citizens value their "Wild West Coast" and proximity to regional assets such as the Kludahk Trail and the Juan de Fuca Marine Trail, the Sea to Sea Green/Blue Belt, the Sooke Potholes and other excellent parks and trails.

Residents of Otter Point typically earn their living from the Rural Resource Lands, in the more urban communities, or from home based business. Many are retired with their income base outside the region.

Farming and the provision of locally grown food are increasingly important. Internet related employment is a growing economic niche requiring access to high-speed internet and cellular service throughout Otter Point. Residents depend on the municipalities to the east for shopping, cultural events, health care and administration, and see this continuing into the future. The automobile with its inherent flexibility will continue to be their primary mode of transportation; however, improvements to public transportation, and pedestrian and cycling facilities are expected to reduce automobile use.

Citizens have expressed a desire for limited development with an emphasis on protecting the environment, providing parks and trails, and preserving green space, and the rural character of Otter Point. This Official Community Plan is designed to protect these values. Residents also value their property rights and seek to protect these rights.

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3.2 Goals of the Plan

Otter Point's vision is encapsulated in the following principles, which should guide decision-making arising from this Plan:

- retain both the rural and natural character of the area;
- protect and enhance the natural environment, its ecosystems and biological diversity;
- protect and enhance community recreation parks and trails;
- manage residential development to avoid conflicts with agricultural, forestry, commercial, tourism, industrial and recreational activities;
- consider and protect aboriginal lands and resources and;
- preserve the existing land use and density rights of land owners.

The community has identified the following issue specific goals and objectives. Reference to directly related policies is noted.

3.2.1 Environment and Habitat Goal and Objectives

The Otter Point community honours and wishes to protect the natural environment and give priority to supporting ecosystem health through the preservation of indigenous species, vital wildlife corridors and waterways.

Objectives

- Reduce Green House Gas emissions.
- Support green building practices.
- Improve wildfire interface precautions.
- Protect watersheds with recognition of watershed purpose and source area.
- Protect groundwater resources.
- Manage use in the offshore (300 m).
- Protect marine and foreshore areas.
- Protect the environment, ecosystems and biological diversity.
- Protect forest ecosystems, with different standards for working forests and rare or endangered forest types.
- Protect species at risk.
- Protect wildlife corridors.
- Encourage protection of agricultural land and encourage farming.

Related Policies

Sections 5.3, 5.6, 6.4, 6.5, and 6.6

3.2.2 Sense of Place Goal and Objectives

Otter Point residents are passionate about the community's rural and natural character and the protection of archaeological and preservation of heritage sites and buildings.

Objectives

- Protect archaeological sites.
- Preserve heritage buildings.
- Retain rural and natural character.

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- Support retail business in the District of Sooke rather than creating a commercial shopping or service hub in Otter Point.
- Preserve significant views.
- Establish a multi-functional community centre/emergency shelter.

**Related Policies**

Sections 5.5 and 5.7.2

**3.2.3 Residential Types and Location Goal and Objectives**

Maintaining the character of rural housing character is a top priority. Planning for sustainable growth is focused on achieving the goals for protecting the environment, sense of place and water supply.

**Objectives**

- Support planned development to protect views, avoid hillside grading scars, and preserve rural character and natural settings.
- Site buildings to maintain rural appearance by encouraging vegetative buffers and minimizing environmental impact by clustering and siting to protect sensitive areas.
- Create a mixed residential area with a variety of parcel density, and minimum parcel sizes to maintain a rural character and avoid development that results in unappealing uniformity of houses in the same location on the same size lots.
- Encourage achievable alternatives to "4 on 10" building stratas: in other words, make bare land strata or fee simple parcels a preferred option.
- Support rural forms of affordable housing e.g., manufactured homes, two-family dwellings, secondary suites and detached accessory suites.
- Use parcel averaging and amenity bonus approaches to encourage provision of trails, open space and amenities.

**Related Policies**

Section 4.1 and 4.2

**3.2.4 Drinking Water and Infrastructure Goal and Objectives**

The Otter Point community's safe and clean supply of water is always top of mind. The community wants to protect the watersheds and practice water conservation to reduce water use.

**Objectives**

- Identify alternative water sources to Kemp Lake.
- Pursue rainwater capture, water conservation, and groundwater and wellhead protection.
- Future development should not deplete or contaminate existing wells.
- Recognize the importance of dependable potable water sources to support agricultural activity.

**Related Policies**

Sections 5.6 and 5.8.2

**3.2.5 Economic Development Goal and Objectives**

Small industry, home based business, agriculture, forestry and recreational tourism contribute to environmental goals and support self-reliant lifestyles. Local networks promote economic success.

**Objectives**

- Accommodate limited industrial and commercial development with a focus on the Sooke Business Park.



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- Recognize and support Camp Barnard.
- Support home based business.
- Support forestry, agriculture, wildcrafting, apiaries and local food production.
- Support tourism.
- Support multiple dwellings on farm properties for relatives and farm workers.
- Support continued forestry operations on Woodlot W1526 and BC Timber Sales lands.

**Related Policies**

Sections 4.2.1, 4.4 and 6.7

**3.2.6 Parks, Trails and Transportation Goal and Objectives**

Otter Point residents prioritize an extensive network of multi-use trails that support recreation and connect to bus stops, parks and to the District of Sooke. Safety is a primary focus for these connections, separating motorized vehicles from horses, pedestrians and cyclists.

**Objectives**

- Develop a system of linked parks and trails.
- Support a regional or private licensed motorized recreation park in the Rural Resource Lands separate from Otter Point.
- Improve recreational access to fresh and salt water.
- Expand community public transit in Otter Point.
- Encourage local organizations to develop community forest and community farming areas.
- Consult with public and private landowners of the Rural Resource Lands to identify opportunities for public access.
- Develop customized rural road standards applicable to certain local road classes in Otter Point such as narrower lanes and gravel surfaces in smaller subdivisions.
- Develop roadside amenities such as bus stop pull-offs, cycling lanes and jogging paths and “slow water” infiltration ditches.
- Use amenity bonusing to provide trails, parks and other community amenities.
- Encourage an alternative emergency access route to/from Otter Point.
- Where trails are proposed within or adjacent to ALR lands, adequate separation between the trail and the agricultural land will be provided to minimize land use conflicts.

**Related Policies**

Sections 5.1, 5.2 and 5.8.1

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## PART 4.0 LAND USE DESIGNATIONS

The policies in this section apply to the areas designated on Map 3 which is attached to and forms a part of this bylaw. Land Use Designations include:

- Settlement Areas 1, 2 and 3
- Rural Lands Area
- Marine Area

The Settlement Areas designate lands primarily for rural residential uses. The Rural Lands Area is designated primarily for renewable resource use. A Marine Area designation is established to recognize use of the surface of the Juan de Fuca Strait and integration with the foreshore uses.

### Land Use Designation Statistics

Land Use Designations	Number of Parcels	Approximate Land Area (Hectares)	Approximate Land Area (Acres)	Percentage of OCP Area
Settlement Area 1	640	779	1925	23%
Settlement Area 2	124	417	1030	12%
Settlement Area 3	3	239	590	7%
Rural Lands	118	1700	4201	49%
Other Lands	114	312	771	9%
<b>TOTAL</b>	<b>999</b>	<b>3447</b>	<b>8518</b>	
Agricultural Land Reserve		305	754	
Crown Land		402	993	
Marine Shoreline		240	593	

Three Settlement Area designations are proposed, specifically Settlement Area 1, Settlement Area 2 and Settlement Area 3 as shown on Map 3. Settlement Areas 1 and 2 have an average parcel size of 1 ha and Settlement Area 3 has an average parcel size of 2 ha. They are intended for rural residential uses and account for 42% of the area.

The Rural Lands Area includes land designated as Renewable Resource Lands in the Regional Growth Strategy. These lands have an average parcel size of 4 ha. They are intended for long-term agriculture or forestry use and account for 49% of the area.

Other lands include common property, commercial, institutional and industrial parcels.

To calculate the development potential of the Land Use Designations, the average parcel size was used. This approach provides a high estimate of potential as site specific characteristics such as topography, public access and Development Permit requirements which can significantly reduce this potential are not considered.

Although there is a significant increase in the lands with an average parcel size of 1 ha, it is offset by the increase in parcel size from 2 ha to 4 ha for the Rural Lands Area. The development potential resulting from the Land Use Designation is below the 2007 OCP level.

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Land Use Designations	Development of Potential Parcels
Settlement Area 1	948
Settlement Area 2	417
Settlement Area 3	119
Rural Lands	350
<b>TOTAL</b>	<b>1833</b>

This land use pattern will be supported through strategies that:

- consider parcel averaging;
- consider an increase in density through a reduction of 20% in the average parcel size through rezoning when amenities are provided;
- consider environmental factors in all land use planning decisions;
- establish mitigation strategies to limit or minimize any potential impact that new development may have on the natural environment;
- promote land uses that protect the natural environment;
- minimize soil erosion, water pollution or increased water runoff or negative impacts on existing groundwater sources;
- protect the marine ecosystems;
- support compatible land uses and parcel sizes within a zone;
- support practical measures to prevent and/or reduce forest and wild fires; and
- support agriculture, forestry, wildcrafting, apiaries and local food production.

#### 4.1 Settlement Area Designation

The Settlement Area designation signifies that the predominant land use is rural residential; however, agriculture, resource extraction, commercial, industrial, tourism and park and trail uses are also permitted. This designation also includes Kemp Lake, Poirer Lake and McKenzie Lake. The OCP is required by law to ensure that the housing stock available in the Plan area meets the needs and requirements for residential housing for at least five years. These needs can readily be accommodated according to current population projections. The Settlement Area designations are shown on Map 3.

Residential housing may include but is not limited to private ownership, special needs housing, and rental housing. As well, housing may be provided as single-family, two-family, or multi-family dwellings, homes, mobile homes, secondary suites or detached accessory suites. The housing stock may or may not be occupied on a full-time basis. Home based businesses are considered as opportunities for additional economic activity for residents within the Settlement Areas.

Additional uses within the Settlement Areas include the following:

- a. neighbourhood commercial uses on lands zoned commercial; and temporary commercial uses with a valid Temporary Use Permit on non-commercial zoned lands;
- b. tourism development activities, such as but not limited to, bed and breakfasts and agri-tourism uses;
- c. industrial uses on lands zoned industrial and temporary industrial uses with a valid Temporary Use Permit on non-industrial zoned lands;
- d. home based business uses that are ancillary to the primary residential use and are compatible with the community's character) e.g., having minimal traffic, parking, noise or nuisance impacts);

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- e. parks and trails;
- f. institutional uses such as fire halls and community centres; and
- g. agricultural uses on non-ALR lands.

**4.1.1 Settlement Area Policies**

1. More intensive development such as rural residential subdivisions should locate within Settlement Areas where development is currently more concentrated and new development conforms to the settlement policies, goals and objectives of this Plan.
  - a. The desired average parcel size for residential development within Settlement Area 1 is one hectare with a minimum parcel size of 0.5 hectare;
  - b. The desired average parcel size for residential development within Settlement Area 2 is one hectare with a minimum parcel size of 0.8 hectare;
  - c. The desired average parcel size for residential development within Settlement Area 3 is two hectare with a minimum parcel size of 1 hectare;
  - d. Parcels with multiple dwellings constructed or building stratas registered prior to adoption of this Plan, may be considered for rezoning to permit subdivision to create the equivalent number of parcels which may not meet the average parcel size; however, park and road dedication may be required.
2. Affordable housing is encouraged in the community and shall conform to the following policies:
  - a. Two-family dwellings are permitted in all Settlement Areas subject to the Land Use Bylaw.
  - b. Multiple-family dwellings are permitted in all Settlement Areas subject to the Land Use Bylaw.
  - c. One secondary suite or one detached accessory suite shall be permitted in all Settlement Areas where permitted by the Land Use Bylaw.
  - d. Mobile homes shall be permitted as the principal dwelling unit in Settlement Areas.
  - e. Home based business shall be a permitted use in Settlement Areas as defined by the Land Use Bylaw.
  - f. Subdivisions under Section 946 of the LGA are permitted if approved by the provincial Approving Officer.
3. Development may be supported subject to the following:
  - a. The development of the site will have minimal impact on the existing man-made and the natural physical features of the area.
  - b. The development is designed to control surface runoff.
  - c. The development is designed to prevent the depletion or contamination of existing wells.
  - d. All development must respond to the physical constraints of the site and must be consistent with the retention of the visual landscape of natural areas, especially on or near hilltops and ridges.
  - e. All residential development should endeavor to protect the natural native vegetation cover.
4. In any consideration of an application for rezoning, CRD Planning and community support for the rezoning is more likely where it can be demonstrated that community values and features can be protected subject to the following criteria:

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- a. there is evidence from a Qualified Professional, or it is determined by CRD Planning staff, that the land is suitable for the intended use, there is an assessment of geotechnical and environmental constraints, there is evidence that potable water and sewage disposal can be supported on the parcel, and that development will not deplete or contaminate existing wells;
  - b. the scale of the proposal supports the rural character of the community;
  - c. the proposal demonstrates protection and preservation of the integrity of natural features and sensitive environmental features and includes adequate setbacks and vegetated buffers;
  - d. a means of protection is provided for lands that are considered regionally or locally significant; this includes natural features that are valued by the community or provide public access to points of interest; protection will be provided as an amenity, and may be done by such means as transfer to the CRD, statutory right-of-way, covenant, or stewardship agreement with a conservation society;
  - e. construction using the best "green" techniques and materials is proposed; and
  - f. works, services or community benefits required to mitigate the impact of development are proposed.
5. Community-sponsored facilities and buildings, programs and activities that serve to enhance the community's lifestyle may be considered.
6. Density bonusing can be considered if a proposal provides community amenities such as the conservation of natural features, the provision of trails or funding dedicated towards a community centre;
7. Development of land adjacent to any ALR designated parcel shall be carried out with consideration of the *Landscape Buffer Specifications* publication produced by the Agricultural Land Commission and the Ministry of Agriculture's *Guide to Edge Planning* and the *Planning Subdivisions near Agriculture* publication.
8. Roads that provide "access to lands beyond" should not abut the Agricultural Land Reserve areas.
9. For parcels assessed as farm by the BC Assessment Authority or zoned Agriculture under the Land Use Bylaw, the community supports additional temporary dwellings for farm family members and farm workers. However, the ALC does not support additional dwellings for family members except as provided under Part 2.3 (1) (b) of the *Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002* and may support additional dwellings for farm workers where a clear long term need has been substantiated for full-time farm help and the dwelling has been approved by the ALC.
10. The community supports rezoning of parcels to a new Farm Village zone which would permit additional permanent dwellings for farmers subject to a covenant requiring the removal of the dwellings should the farm use be discontinued.
11. Developers who propose a mixed commercial/residential use must adhere to the following policies:
  - a. any mixed-use development must be compatible with the form and character of neighbouring land use;
  - b. adequate parking space is to be provided for the required commercial use and the residential use;
  - c. the commercial parking spaces are to be physically separated from the required residential parking spaces;
  - d. the residential use must be protected from any adverse impact from the commercial activities;

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- e. the area to be used for residential purposes is to be physically separated from the commercial area. The residential use and commercial use may be either in the same building, and separated by either a wall or floor, or on the same parcel but in two separate buildings. Preference will be given to mixed-use developments that are in a single building or structure; and
  - f. adequate and well-designed off-street parking, loading and service areas are provided on the site of each mixed-use development with consideration given to:
    - i. safe movement of vehicular and pedestrian traffic on the site;
    - ii. design of a safe access and egress point; and
    - iii. type and design of signs in relation to commercial uses.
12. Private or public docks may be considered on the surface of Kemp Lake, Poirer Lake and McKenzie Lake.

4.2 Rural Lands Designation

The Rural Lands accommodate larger rural residential parcel sizes with a density of one parcel per four hectares. The primary use for the Rural Lands Area is to protect renewable resources including lands designated as ALR, and Crown lands or Private Managed Forest Lands (PMFL) used for forestry purposes. The provisions of Section 4.2 will not apply to the ALR without the approval of the ALC or to Crown lands or PMFL lands until they are removed from Crown ownership or the PMFL designation is removed.

4.2.1 Rural Lands Policies

- 1. The desired average parcel size within Rural Lands designation is 4 hectares with a minimum parcel size of 2 hectares, subject to the provisions of 4.2.1.5 with respect to land within the ALR.
- 2. Private or public docks may be considered on Young Lake.
- 3. Continued use of Young Lake for fish enhancement activities is supported.
- 4. Affordable housing is encouraged in the community and shall conform to the following policies:
  - a. Two-family dwellings are permitted on Rural Lands subject to the Land Use Bylaw.
  - b. Multiple-family dwellings are permitted on Rural Lands subject to the Land Use Bylaw.
  - c. One secondary suite or one detached accessory suite is permitted on Rural Lands subject to the Land Use Bylaw.
  - d. Mobile homes shall be permitted as the principal dwelling unit on Rural Lands.
  - e. Home based business shall be a permitted use in Rural Lands as defined by the Land Use Bylaw.
  - f. Subdivisions under Section 946 of the LGA are permitted if approved by the provincial Approving Officer.
- 5. Development may be supported subject to the following:
  - a. The development of the site will have minimal impact on the existing man-made and the natural physical features of the area.
  - b. The development is designed to control surface runoff.
  - c. The development is designed to prevent the depletion or contamination of existing wells.

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- d. All development must respond to the physical constraints of the site and must be consistent with the retention of the visual landscape of natural areas, especially on or near hilltops and ridges.
- e. All residential development should limit the removal of and endeavor to protect the natural native vegetation cover.
- 6. In any consideration of an application for rezoning, CRD Planning and community support for the rezoning is more likely where it can be demonstrated that community values and features can be protected subject to the following criteria:
  - a. there is evidence from a Qualified Professional, or it is determined by CRD Planning staff, that the land is suitable for the intended use, there is an assessment of geotechnical and environmental constraints, there is evidence that potable water and sewage disposal can be supported on the parcel, and that development will not deplete or contaminate existing wells;
  - b. the scale of the proposal supports the rural character of the community;
  - c. the proposal demonstrates protection and preservation of the integrity of natural features and sensitive environmental features and includes adequate setbacks and vegetated buffers;
  - d. a means of protection is provided for lands that are considered regionally or locally significant; this includes natural features that are valued by the community or provide public access to points of interest; protection will be provided as an amenity, and may be done by such means as transfer to the CRD, statutory right-of-way, covenant, or stewardship agreement with a conservation society;
  - e. construction using the best "green" techniques and materials is proposed; and
  - f. works, services or community benefits required to mitigate the impact of development are proposed.
- 7. The community supports rezoning of parcels to a new Farm Village zone which would permit additional permanent dwellings for farmers subject to a covenant requiring the removal of the dwellings should the farm use be discontinued.

4.2.1.1 Rural A Zoned Lands

- 1. An alternative to building strata development on Rural A zoned lands is supported. Accordingly, for Rural A parcels created prior to adoption of this OCP, the Plan supports consideration of rezoning to allow subdivision to permit a density of one parcel per hectare up to four hectares and one parcel per two hectares for each additional two hectare portion of the parcel.
- 2. Parcels with multiple dwellings constructed or building stratas registered prior to adoption of this Plan may be considered for rezoning to permit subdivision to create the equivalent number of parcels which may not meet the average parcel size; however, park and road dedication may be required.

4.2.1.2 Private Managed Forest Lands

- 1. Where forestry and forestry-related activities are practiced as a permitted use, such activities are supported and encouraged to continue.
- 2. Any privately-owned forest land that is assessed as Managed Forest under the *Private Managed Forest Land Act* should be retained and managed as long-term forestry land.
- 3. Residential uses, silviculture, aggregate extraction, agriculture, outdoor recreation, tourism including agri-tourism, parks and wilderness activities are permitted uses in this designation.

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4. Aggregate and forestry processing uses may be considered on lands within the Rural Lands designation subject to issuance of a Temporary Use Permit pursuant to Section 4.4 or through adoption of a rezoning bylaw, where the proposed uses are considered compatible with the objectives of the Plan.
5. The Ministry of Forests, Lands and Natural Resource Operations and the private forest companies are encouraged to allow for outdoor wilderness recreation including controlled use of private logging roads and areas during non-operating periods, except during times of high or extreme fire hazard.

4.2.1.3 Camp Barnard

1. Activities and development relating to Scout Canada objectives may be supported.

4.2.1.4 Crown Lands

1. Crown lands in the Otter Point area are under consideration in the treaty negotiations with First Nations. Due to the sensitivity of these negotiations, this OCP designates these lands as Rural Lands and maintains the parcel size in effect at the time this Plan is adopted.

4.2.1.5 Agricultural Land Reserve

1. Agriculture is recognized as the priority land use in the ALR and is encouraged.
2. Development adjacent to the ALR may be supported subject to the following:
  - a. the site will have minimal impact on the existing man-made and natural physical features of the area; and
  - b. a buffer between the proposed land use and the agricultural parcels of land should be considered.
3. The subdivision of any land with the ALR designation can be supported for agricultural activities only, and must be approved by the ALC.
4. For land located within the ALR as outlined on Map 3, or as those boundaries may, from time to time, be amended by the Agricultural Land Commission, the application of this bylaw is subject to the *Agricultural Land Reserve Act* and the *Agricultural Land Reserve Land Use, Subdivision and Procedure Regulation 171/2002*.
5. It is a policy of the CRD not to support subdivision for a relative (Section 946 of the LGA) in any land designated Agricultural Land Reserve.
6. The CRD supports the preservation of agricultural land and encourages farming.
7. Development of land, including trail development, adjacent to any ALR designated parcel shall be carried out with consideration of the Landscape Buffer Specifications publication produced by the Agricultural Land Commission, and the Ministry of Agriculture's Guide to Edge Planning.
8. Roads that provide "access to lands beyond" should not abut the Agricultural Land Reserve areas.
9. For parcels assessed as farm by the BC Assessment Authority or zoned Agriculture under the Land Use Bylaw, the community supports additional temporary dwellings for farm family members and farm workers. However, the ALC does not support additional dwellings for family members except as provided under the Part 2.3 (1) (b) of the *Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002* or may support additional dwellings for farm workers where a clear long term need has been substantiated for full-time farm help and the dwelling has been approved by the ALC.
10. The community supports rezoning of parcels to a new Farm Village zone which would permit additional permanent dwellings for farmers subject to a covenant requiring the removal of the dwellings should the farm use be discontinued. However, the ALC does



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not support additional dwellings for family members except as provided under Part 2.3 (1) (b) of the *Agricultural Land Use, Subdivision and Procedure Regulation, BC Regulation 171/2002* and may support additional dwellings for farm workers where a clear long term need has been substantiated for full-time farm help and the dwelling has been approved by the ALC.

**4.3 Marine Area Designation**

The Marine Area extends out from the Strait of Juan de Fuca for a distance of 300 metres. The 2013 natural boundary of the sea is shown on Map 3. The Marine Area designated is under provincial ownership; however, the CRD does have jurisdiction over the use of this area by persons other than the Crown pursuant to the CRD's ability to regulate the use of land, which includes the surface of water.

This area consists of two regions: beach/rocky shore area and confluence areas. Beach/rocky areas generally consist of rock platforms or shelves overlain with beach veneers of boulders or gravel. Confluence areas consist of the regions where the freshwater of the various intermittent and permanent streams and the saltwater of Juan de Fuca Strait meet.

**4.3.1 Marine Policies**

1. A Development Permit Area for protection of the marine shoreline is established in Section 6.4 of this Plan. Any development within the Development Permit Area is governed by the guidelines.
2. Except where otherwise permitted in the Land Use Bylaw or by a Development Permit, all uses, buildings and structures must be set back at least 15 metres (50 feet) from the natural boundary of the sea as noted on Map 5b.
3. Flood construction levels will be regulated by the applicable flood hazard management bylaw. The level is generally established by a geotechnical report which should address the potential sea level rise risk. In some cases the shoreline may be within a tsunami hazard area and such risk should be assessed prior to any development.
4. The protection, retention and restoration of natural shoreline vegetation, natural features and naturally occurring driftwood and rocks are encouraged.
5. Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.
6. Where shoreline protection is required, new or replaced protection structures should be constructed of rip-rap, large boulders or large wood material, rather than concrete walls.
7. Public recreational use of marine shorelands should be consistent with the suitability of each shore type for the proposed use, and users are encouraged to refrain from disturbing or polluting marine and related terrestrial habitats.
8. Environmentally sustainable economic ventures such as seaweed collection are supported.
9. Log booms, commercial marinas, related commercial facilities, sale or rental of docking space, services for boats or float planes are discouraged in this area.
10. Ocean fish farms are not supported by the community.

**4.4 Temporary Use Permits**

Section 921 of the LGA enables local government to issue Temporary Use Permits to allow specific land uses to occur for a short period of time. The permit can contain detailed requirements such as indicating the buildings that can be used, the time frame of the permit and other conditions. Temporary Use Permits may be issued by the CRD throughout the Otter Point area subject to the policies of this Plan. The purpose is to provide for temporary approval of transitional uses, or uses where uncertainty exists respecting appropriateness or viability of the use, and where it is premature to decide upon rezoning and long-term land use patterns. However, a Temporary Use Permit is not a substitute for a rezoning amendment.

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4.4.1 Temporary Use Permit Policies

1. Land within all of the Land Use Designations in this Plan is designated under Section 920.2 of the LGA as an area in which Temporary Use Permits may be issued.
2. No public health, public safety or negative environmental impacts shall result from the proposed activity.
3. In evaluating a Temporary Use Permit application, the CRD will consider the following:
  - a. the use must be clearly temporary or seasonal in nature;
  - b. compatibility of the proposal with adjacent uses;
  - c. impact of the proposed use on the natural environment;
  - d. intensity of the proposed use;
  - e. opportunity to conduct the proposed use on other land in the Plan area; and
  - f. remedial measures to mitigate any impact to the natural environment.
4. In issuing a Temporary Use Permit, the CRD may specify conditions including, but not limited to:
  - a. buildings to be used;
  - b. environmental protection measures;
  - c. siting;
  - d. hours of operation;
  - e. parking and traffic management;
  - f. on-site storage, buffers and screening;
  - g. external lighting, nuisance and dust and noise abatement;
  - h. waste management; and
  - i. a post-use site restoration plan and implementation strategy.
5. An applicant may be required to indemnify the CRD and to post security to ensure compliance with the conditions of a permit.
6. The CRD may expire a Temporary Use Permit if all the conditions established in the permit are not complied with by the user.

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## PART 5.0 DEVELOPMENT POLICIES

In addition to the policies related to Land Use Designations, the Plan provides policy direction regarding both the natural environment and specific land uses.

### 5.1 Park and Natural Area Policies

The CRD is responsible for Community Parks and several trails within the Otter Point area. Community parks are developed for a range of active and passive uses, which can include protected natural areas to highly manicured recreational playgrounds and sport fields. As outlined in the Juan de Fuca Electoral Area Community Parks Strategic Plan, four types of community parks can exist. These are defined as: Special Preservation Parks, Nature Parks, Natural Area Recreation Parks and Intensive Recreation Parks. Each park type addresses a different management and use need as noted below.

Type	Characteristics	Examples	Activities	Facilities Permitted
Special Preservation	<ul style="list-style-type: none"> <li>Undeveloped park land</li> <li>High ecological values</li> </ul>	<ul style="list-style-type: none"> <li>Difficult access</li> <li>Unique habitat or species</li> </ul>	<ul style="list-style-type: none"> <li>Walk-in access</li> </ul>	<ul style="list-style-type: none"> <li>None Planned</li> </ul>
Nature Park	<ul style="list-style-type: none"> <li>High natural values</li> <li>Important species or habitats</li> <li>undeveloped</li> </ul>	<ul style="list-style-type: none"> <li>Mature forests</li> <li>Riparian shoreline</li> <li>Limited disturbance</li> <li>Ocean and lake shoreline</li> </ul>	<ul style="list-style-type: none"> <li>Nature viewing</li> <li>Hiking</li> </ul>	<ul style="list-style-type: none"> <li>Trails/structures</li> <li>Benches, viewpoints</li> </ul>
Natural Area Recreation	<ul style="list-style-type: none"> <li>Good natural features</li> <li>Often subject to past human disturbance</li> <li>Informal trails</li> <li>Multiple uses</li> </ul>	<ul style="list-style-type: none"> <li>Second growth forest</li> <li>Open areas/fields</li> </ul>	<ul style="list-style-type: none"> <li>Nature viewing</li> <li>Hiking</li> <li>Cycling on trails</li> <li>Equestrian use</li> <li>Community uses</li> </ul>	<ul style="list-style-type: none"> <li>Trails/structures</li> <li>Equestrian trails</li> <li>Cycling trails</li> <li>Benches/tables</li> <li>Community flower gardens</li> <li>Picnic area</li> </ul>
Intensive Recreation	<ul style="list-style-type: none"> <li>Limited natural values</li> <li>High recreational opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Sport facilities</li> <li>Play areas</li> <li>Multiple uses</li> <li>Highly manicured</li> </ul>	<ul style="list-style-type: none"> <li>Group and individual recreation</li> <li>Multiple facilities</li> </ul>	<ul style="list-style-type: none"> <li>Tennis courts</li> <li>Soccer/ball fields</li> <li>Playgrounds</li> <li>Boat launches</li> </ul>

General objectives for the acquisition of lands for community parks are:

- The initial focus for new community park acquisitions will be west of the municipality of Sooke;
- Generally, park dedications will be preferred to cash-in-lieu in subdivision situations. In some instances, it may be more appropriate to seek cash-in-lieu than to pursue park dedication in marginal locations;
- The preservation of natural areas and the provision of community parks and trails should be considered as amenities during the rezoning process;
- Wherever possible, park dedications should be consolidated within and between subdivisions;
- To improve park accessibility by local residents, trail access should be included in park dedication or as an amenity in subdivision development.

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Policies

1. Provision of park land will help the community achieve its quality of life objectives. This can be accomplished through developers providing park land, without compensation, to the community pursuant to Section 941 of the LGA. Depending on the size and location of the parcel being subdivided and the number of parcels created, the size, location and form of park land will be determined by the CRD with input from the community through the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission. At its discretion, the CRD may ask for cash-in-lieu as the requirement for compliance with Section 941 of the LGA for the future purchase of land for parks.
2. The provision and type of any park land must be in a location that is acceptable to the CRD.
3. With respect to the locations and types of future parks, policies of the CRD include:
  - environmentally sensitive areas and sensitive ecosystems will be given priority for protection and will be considered appropriate only as natural park land or green space when appropriate recreation opportunities may be permitted without damage to the area;
  - emphasis will be given to ensuring that every neighbourhood and community is served by appropriate public park land; and
  - a set of selection criteria will be used to assess potential or proposed park and trail sites for acquisition.
4. Park identification and selection criteria may include:
  - changing population and demographics;
  - gaps in the existing types of parks and trails needed;
  - trails that connect existing parks, other trails, green spaces and public areas;
  - areas that allow families the ability to spend time together pursuing a variety of activities such as hiking, swimming and picnicking in one location;
  - improvements required at the site;
  - maintenance and liability issues;
  - location, topography and features of the parcel;
  - sensitive ecosystems;
  - presence of wildlife and important habitat;
  - integrity of watershed areas;
  - accessibility and connectivity;
  - land ownership;
  - current and past land use;
  - surrounding land uses;
  - applicable OCP policies, and
  - potable water protection.
5. Park land and trails are permitted and encouraged under all Land Use Designations.
6. Park land is supported for the preservation of locally significant environmentally sensitive features and the protection of these features through parcel averaging and density bonusing should be in addition to the minimum 5% park land dedication provided under Section 941 of the LGA.

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7. In areas where park land is desired, developers are encouraged to dedicate more than 5% park land. Park land proposals must provide a benefit for the community and those lands with no benefit to the community should not be accepted.
8. Land being considered for park land should be maintained in its natural state and should not be cleared. Cleared and disturbed lands should only be accepted where the proposed park land is to be used for recreational purposes which require cleared lands or if the land can be remediated for park purposes.
9. Volunteer and non-profit assistance in the stewardship and management of community parks and trails is supported.
10. Public involvement early in the planning process and during acquisition and development of community parks is essential for the success of community parks.
11. CRD Planning staff and the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission will collaborate with CRD Regional Parks to implement the Juan de Fuca Electoral Area Community Parks Strategic Plan and the Regional Parks Strategic Plan, to acquire parks and trails in the Plan area and to ensure connectivity between community and regional parks and trails.
12. Provincial and federal Crown lands within the Plan area form a substantial portion of the green space enjoyed by residents and access to these lands is encouraged.
13. Private managed forest land owners are encouraged to continue to make their lands available for public recreation.
14. Environmentally sensitive areas and sensitive ecosystems will be considered appropriate only as natural park land or green space not intended for human disturbance. However, appropriate recreation activities that do no damage to the area may be permitted. All trails running parallel to a stream should be located outside the Streamside Protection and Enhancement Area (SPEA) unless a Qualified Environmental Professional identifies satisfactory mitigation measures.
15. Potential or proposed park sites and trails will be identified through CRD Regional Parks and Trails plans and according to the criteria and objectives described in the OCP and in the Community Parks Strategic Plan. High potential park and trail opportunities within the Otter Point area include:
  - a. regional park and local community interests in a wildlife and recreational corridor along Muir Creek and Tugwell Creek;
  - b. the Admiral's Forest as a community forest/park;
  - c. protection of the bluffs overlooking the Sooke Pot Holes Regional Park;
  - d. regional trail connection between the Galloping Goose Regional Trail and the Juan de Fuca Provincial Park Marine Trail;
  - e. additional public access to the ocean, lakes and watercourses;
  - f. an inter-connected network of trails through the Plan area linking community parks and trails, access to water and to the District of Sooke. Key trails would provide access linking William Simmons Memorial Park, Young Lake, the Rural Resource Lands, the District of Sooke and the Galloping Goose Trail, and;
  - g. provision of paths using wide shoulders on road right-of-ways in new subdivisions, where possible, through the provincial subdivision approval process.
16. Encourage the acquisition of land for trails in conjunction with the park land dedication features of the LGA by such means as, but not limited to:
  - using bequests and donations;
  - setting up conditional gifts;

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- using management agreements;
- utilizing an option-to-purchase approach; and
- working with any local, provincial, or national land trust or similar organization.

5.2 Off-Highway Vehicle Recreation Areas

There is a demand for areas for the use of off-highway vehicles (e.g., ATVs and motorcycles) in the Electoral Area. However, these uses are not supported within community or regional parks or in the Otter Point Plan area generally due to the proximity to residences. This OCP supports off-highway vehicle uses being located in the Rural Resource Lands OCP area and on appropriate Crown or private lands with management agreements between the owners and self-insured recreational societies.

5.3 Environmentally Sensitive Areas

The Plan area contains environmentally sensitive areas as shown on Map 4, which is attached to and forms a part of this bylaw. It is an objective of the Plan to protect watercourses, wetlands, riparian areas, and sensitive ecosystems that provide habitat for rare and endangered species, and this is effected through the designation of Development Permit Areas in Part 6.0. The *Riparian Areas Regulation (RAR)* sets out the criteria for the determination of the riparian protection and streamside protection enhancement areas in connection with development in riparian areas.

As noted in Section 1.7, a Sensitive Ecosystem Inventory was completed in 2010 to identify, classify and map remnants of rare and fragile terrestrial ecosystems. Conserving sensitive ecosystems is important as they provide ecosystem services for a healthy economy and for social well-being. They help maintain clean water, prevent erosion, support fish and wildlife, and help define Otter Point's rural character and natural beauty. The following principles for environmentally sensitive areas include:

1. Retain a range of biodiversity to maintain and re-establish indigenous and endangered species.
2. Maintain water quality in surface water, groundwater and aquifers.
3. Encourage rehabilitation, restoration and enhancement of environmentally sensitive areas which have been disturbed.
4. Where a development proposal would adversely affect a sensitive ecosystem or species of concern as determined by a Qualified Environmental Professional, the CRD should only consider development applications where the identified impacts can be mitigated in a manner recommended by the Qualified Environmental Professional.

5.3.1 Watercourse, Wetland and Riparian Areas Policies

1. In order to protect streams and watercourses and watercourse ecosystems and in keeping with the intent of the *Riparian Areas Regulation*, the retention in their natural state of all streams and watercourses and the land within 30 metres of the high water mark on both sides of the streams is recommended.
2. The streams and wetlands that are subject to the *Riparian Areas Regulation* are designated as Development Permit Areas and are shown on Map 5c.
3. Non-fish bearing streams and watercourses and watercourse ecosystems are also designated as Development Permit Areas and shown on Map 5c.

5.3.2 Sensitive Ecosystems Policies

1. In order to protect sensitive ecosystems and to ensure that they are not negatively impacted by development, areas as shown on Map 5d are designated as a Development Permit Area.
2. Where a development proposal would adversely affect a sensitive ecosystem or species of concern as determined by a Qualified Environmental Professional (QEP), the CRD should only consider development applications where the identified impacts can be mitigated in a manner recommended by the Qualified Environmental Professional.

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3. Except where otherwise permitted by a Development Permit, all uses, buildings and structures should be located outside of sensitive ecosystem areas.

5.4 Natural Hazard Areas Policies

1. Areas with a slope exceeding 30% are designated as Development Permit Areas, as shown on Map 5a.
2. Areas that are potentially subject to flooding or erosion are designated as Foreshore Development Permit Areas and Watercourses Development Permit Areas and are shown on Maps 5b and 5c.
3. Areas considered to be at high risk of wildfire, as identified in the *Wildfire Risk Management System Otter Point Wildfire Protection Plan* prepared in July 2011 by Blackwell and Associates, are shown on Map 2. Within these areas, it is recommended that a 10 metre buffer to provide a fuel-free zone for fire protection be maintained between buildings and forested areas in new subdivisions where these areas are adjacent to forest land and woodlots of 20 hectares or more.
4. Within wildfire hazard areas, all development activities, subdivision and rezoning applications should be planned and implemented in a manner that will reduce risks associated with wildfires.
5. Owners/applicants are responsible for reviewing all subdivision proposals and rezoning applications in accordance with relevant provincial fire protection guidelines and policies.
6. Any development or structural improvements within or at the edge of forested lands should address the requirements established in National Fire Protection Association (NFPA) Standards 1142 (Water Supplies for Suburban and Rural Fire Fighting) and NFPA 1144 (Protection of Life from Wildfire), and the Ministry of Forests, Lands, and Natural Resource Operations Home Owners FireSmart Manual.

5.5 Archaeological Sites Policies

1. Part of the Plan area's heritage includes archaeological sites—the physical evidence of how and where people lived in the past. Archaeological sites, whether known or unknown, are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch. Protected archaeological sites include any site with physical evidence of past human habitation or use that predates 1846, or any burial place or aboriginal rock paintings (pictograph) or carvings (petroglyph) regardless of age. Archaeological site types include but are not limited to, shell middens, known ancient village sites, petroglyphs, pictographs, petroforms, culturally modified trees and individually found artifacts. Any development that occurs within the Plan area must not alter or damage a protected archaeological site unless a permit has been issued by the Archaeology Branch, Ministry of Forests, Lands and Natural Resource Operations.
2. Prior to submission of a development application, a proponent should contact the Archaeology Branch for information regarding archaeological sites or the potential for unknown archaeological sites within the development area. An online request for archaeological information may be made through the online data request form through the Ministry. Alternatively, a proponent can engage an eligible consulting archaeologist to determine if detailed archaeological studies of the parcel are required. An eligible consulting archaeologist is one who is able to hold a provincial heritage permit that allows them to conduct archaeological studies.
3. It is the responsibility of the development proponent to have any provincially required archaeological studies or permits in place prior to development.

5.6 Surface Water and Groundwater Supply Policies

A portion of the community which relies on individual wells and water licenses for drinking water is concerned about the impact of development on existing wells, water bodies used as water supplies, and groundwater recharge areas.

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1. To protect groundwater recharge areas the OCP designates about 51% of the Plan area as Rural Lands to allow for low density development.
2. All subdivision applications must include a letter from a community water system stating the proposed development can be provided potable water or else proof of sufficient potable water from individual drilled wells as determined by a Qualified Professional.
3. All users that rely on groundwater are encouraged to conserve water.
4. All development should protect groundwater sources and not deplete or contaminate existing wells.

**5.7 School Site Dedication and Community Centre Policies**

**5.7.1 School Site Dedication**

School site acquisition charges are payable in respect of development in accordance with Division 10.1 of Part 26 of the LGA. However, no new school is anticipated in the Plan area.

**5.7.2 Community Centre**

The community has identified a need for a community centre to provide a venue for programs and activities. Establishing the community centre will require a sustainable funding source for land acquisition, building construction and centre operation. The centre could be administered through a community-based non-profit society that would raise funds to construct and operate the facility. Grants and other sources of funding may be available to assist with the project. The centre could be funded through taxation if a new recreation service was established and a specific tax allocation requisitioned. This would result in an overall tax increase.

**5.8 Roads and Servicing**

The provision of roads and services on the land could play a role in shaping the land use development patterns in the Otter Point Plan area. No major roads, sewer or water systems are planned for the Otter Point area at the time of preparation of this Plan.

**5.8.1 Road Development Policies**

1. The Ministry of Transportation and Infrastructure (MOTI) road standards and requirements will be adhered to.
2. MOTI is encouraged to improve the level of maintenance of the roads in the area.
3. MOTI is encouraged to provide a reduced right-of-way road standard for small rural residential subdivisions.
4. MOTI is encouraged to provide pedestrian and cycling facilities along West Coast Road, Otter Point Road and Kemp Lake Road, as either separate facilities or as extra-wide shoulders, to provide for alternative modes of transportation and to reduce Green House Gas emissions.
5. MOTI, with the support of the CRD and the forestry companies is encouraged to provide an alternative emergency route from Otter Point through the forest lands to address closure of West Coast Road during a significant emergency event.
6. MOTI is encouraged to permit the use of undeveloped road right-of-ways for the development of pedestrian and cycling infrastructure.

**5.8.2 Servicing Development Policies**

1. It is the intent of this OCP that, if not already serviced by a public water system, Settlement Areas designated on Map 3 of this bylaw may be serviced by a public water system in the future.
2. It is unknown when the Settlement Areas will be serviced. However, servicing of these areas should be provided in an efficient progression.
3. In accordance with the CRD's Regional Growth Strategy, water and sewer services will not be extended, nor hookup permitted, outside Settlement Areas identified on Map 3. To



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address extraordinary circumstances of risk to public and environmental health from water contamination, or from wildfire hazard, or to service agriculture, the CRD Board may permit the extension of water service, beyond the designated Settlement Areas, providing:

- a. a proposal to extend water services is prepared that identifies and documents the extraordinary circumstances of risk to public and environmental health from water contamination or from wildfire hazard, and is supported by the appropriate public health and/or fire protection officials;
- b. the proposal is submitted to the CRD's General Manager of Planning and Protective Services for review in concert with the General Manager of CRD Water Services, with a resolution of support from the Juan de Fuca Land Use Committee;
- c. the proposal, the supporting resolution of the Juan de Fuca Land Use Committee and the recommendations of the General Manager of Planning and Protective Services and the General Manager of Water Services are reviewed and considered by the Planning, Transportation and Protective Services Committee which then makes a recommendation to the full CRD Board regarding either approval or refusal of the proposal to extend water services; and
- d. the full CRD Board passes a resolution giving approval for the extension of water services.

5.9 Public Facilities

The location of public facilities, such as schools, water distribution systems and waste treatment and disposal sites could play a role in shaping the land use development patterns in the Otter Point Plan area. No new public facilities are planned for the Otter Point area at the time of preparation of this Plan. When public uses are contemplated for an area, there must be community infrastructure to support the proposed uses.

5.10 Sand and Gravel Deposits

Five gravel quarry permits were identified at the time of preparation of this Plan and are noted on Map 2. The location and operation of existing and future sand and gravel extraction activities are subject to the requirements of the *Mines Act*.

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## PART 6.0 DEVELOPMENT PERMIT AREAS

Development Permits are a planning tool for sites, buildings and structures that warrant special protection or development control. Unless authority is delegated, Development Permits must be approved by the CRD Board and may require some sort of security to ensure that the conditions in the Development Permit have been achieved. The guiding principle for the use of Development Permits is found within Section 919.1 of the LGA. Development Permit Areas can be designated for purposes such as, but not limited to the following:

- to protect the natural environment, its ecosystems and biological diversity;
- to protect development from hazardous conditions;
- to establish the form and character of commercial, industrial or multi-family residential development; or
- to promote energy conservation, water conservation and the reduction of Green House Gas emissions.

With respect to areas designated as Development Permit Areas, the OCP must:

- describe the conditions or objectives that justify the designation; and
- specify guidelines respecting the manner by which the special conditions or objectives will be addressed.

### 6.1 General Development Permit Policies

1. Where a development site lies within more than one Development Permit Area, all of the applicable permit guidelines must be met.
2. In accordance with the LGA, a Development Permit must be obtained prior to subdivision, construction, alteration of land, soil deposit or removal, or any other development or activity that would impact on any of the elements protected by a Development Permit.
3. Any additional information, including the preparation of covenants, requested by the CRD as outlined in the following sections will be provided at the applicant's expense.
4. A Development Permit is not required where it can be demonstrated that the proposed development is located outside the designated Development Permit Area. A Qualified Professional or Qualified Environmental Professional must submit a report or provide certification acceptable to the CRD that the proposed development is not within the designated Development Permit Area.

### 6.2 General Exemptions for a Development Permit

No Development Permit will be required for the following:

1. internal alterations to a building;
2. boundary adjustments between parcels when no new parcels are created and the boundary is not located within 30 metres of a watercourse or wetland;
3. external alterations, including adding a second storey, that are entirely within the building footprint;
4. landscaping, or constructing fences and not located within 30 metres of a stream or wetland;
5. structures which are not greater in area than 10.0 square metres (107 square feet) and are not located within 30 metres of a watercourse or wetland;
6. walkways, ramps and/or stairways, at-grade patios and retaining walls not requiring a building permit and not located within 30 metres of a watercourse or wetland;
7. removal of hazard trees;
8. emergency actions for flood or erosion protection;

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9. emergency works to repair or replace public utilities or infrastructure;
10. removal of invasive non-native vegetation from within 30 metres of a watercourse or wetland;
11. in-stream habitat development or restoration that complies with provincial and federal legislation and requirements;
12. agricultural activities and developments on farms on ALR lands.

References in this section to a distance from a watercourse or wetland shall be deemed to be references to a distance from the natural boundary of the watercourse.

6.3 Development Permit Area No. 1: Steep Slopes

6.3.1 Designation

That part of the Otter Point area shown as "Steep Slopes" on Map 5a, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Steep Slopes DPA", under Section 919.1(1)(b) of the LGA, for protection of development from hazardous conditions.

The "Steep Slopes DPA" boundaries include areas having slopes exceeding 30% or 16.7 degrees in slope over a minimum 10 metre run. Notwithstanding the areas identified on Map 5a, the actual Development Permit Area will in every case be verified.

6.3.2 Justification

The topography of the area, as well as the slope gradation and thin soil cover, renders the area highly susceptible to erosion hazard. Careful control of development or other alteration of these slopes is needed to reduce the risk to life and property, to prevent erosion and potential risks to down-slope properties, and to prevent destabilization of slopes. Land clearing, road construction, changes in slope profiles, construction of buildings, structures, improvements or roads or other site disturbance in these areas could increase risk to life and property and harm the environmental values of the slopes and are examples of development to be controlled.

6.3.3 Objective

To regulate development in the area with a view to protecting the integrity of the slopes and reducing the risk of injury to persons or damage to property resulting from erosion, landslide and slope slippage.

6.3.4 Guidelines

Development Permits issued in "Steep Slope DPA" will be in accordance with the following:

1. No development, subdivision or sewage disposal system will be permitted in a "Steep Slopes DPA", as specified in the Justification above, except as allowed by a Development Permit or subject to a general exemption as outlined in Section 6.2 of this Plan.
2. Avoid intrusion of development into Development Permit Areas and to minimize the impact of any activity in these areas. Development shall generally only be supported where the applicant provides compelling reasons supported by a Qualified Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances from other applicable regulations, including height, setback and location regulations may be considered in order to minimize encroachment into the "Steep Slopes DPA".
3. Development or subdivision of land should be designed to comply with the policies in Section 5.4 of the Plan.

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4. An application for a Development Permit for land within a "Steep Slopes DPA" on Map 5a, shall provide an assessment of the slope conditions on the proposed development site by a geotechnical engineer, and recommendations on the suitability and stability of the soil for the proposed development. The assessment should include recommendations for vegetation protection, enhancement or retention, where applicable. A plan prepared by a British Columbia Land Surveyor may be required as a condition of the Development Permit.
5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Professional may be required.
6. A Development Permit shall not be issued without confirmation by the Qualified Professional regarding the safety of proposed development and assurances that the development will not have detrimental impact on the environment or adjoining properties. No development or alteration of land shall occur where the Qualified Professional's geotechnical engineering report indicates that a hazardous condition may result except in compliance with all conditions recommended by the Qualified Professional's report.
7. An applicant may be required to provide a sediment and erosion plan with recommendations for implementation. Erosion control measures, during and after construction, may be specified in the permit.
8. Any development must be designed to avoid storm water runoff that could destabilize the slope or cause damage to neighbouring properties. An applicant may be required to provide a drainage plan with recommendations for implementation.
9. Removal of vegetation should be minimized to allow only for building sites, sewage disposal systems, driveways, landscaping and other permitted land uses.
10. A disturbed site should be re-vegetated using plant material indigenous to the site or other suitable non-invasive plants. An applicant may be required to provide a re-vegetation plan with recommendations for implementation.
11. An applicant may be required to register a covenant under Section 219 of the *Land Title Act* attaching a copy of the report of the Qualified Professional.
12. Where the Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.

6.4 Development Permit Area No. 2: Marine Shoreline Areas

6.4.1 Designation

That part of the Otter Point shoreline area, which includes the uplands within 15 metres (50 feet) of the natural boundary of the sea, as shown on Map 5b, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Marine Shoreline DPA", under Section 919.1(1)(a) and (b) of the *LGA*, for protection of the natural environment, its ecosystems and biological diversity and for protection of development from hazardous conditions.

6.4.2 Justification

The marine shoreline upland is a coastal sensitive area for aquatic life and has high ecological and aesthetic values and may contain unstable slopes subject to erosion and land slip. Due to their physical and biological characteristics and situation, development on the upland must be managed in order to avoid potential negative impacts to the shoreline.

An emerging concern is a rise in sea level. While the exact rise is unknown, it is expected that the sea level on the west coast of Vancouver Island will rise somewhere in the vicinity of one metre by the year 2100. Any development along the coastline must take this into consideration in an attempt to anticipate and minimize any negative impacts that rising sea levels may have on the built environment and the safety of residents.

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**6.4.3 Objective**

To protect the ecological integrity and the stability of the marine upland slopes and shoreline, alteration of adjacent lands must be regulated.

**6.4.4 Guidelines**

Development Permits issued in "Marine Shoreline DPA" will be in accordance with the following:

1. No development, subdivision, or sewage disposal system will be permitted in a "Marine Shoreline DPA", as specified in the Justification above, except those allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.
2. Avoid intrusion of development into Development Permit Areas and minimize the impact of any activity in these areas. Development shall generally only be supported where the applicant provides compelling reasons supported by a Qualified Environmental Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances from other applicable regulations, including height, setback and location regulations may be considered in order to minimize encroachment into the Development Permit Area.
3. Development or subdivision of land should be designed to comply with the Marine policies in Section 4.3.1 of this Plan.
4. The applicant for a Development Permit for land within the "Marine Shoreline DPA" on Map 5b, the Development Permit must provide an assessment by a Qualified Environmental Professional on the environmental conditions, and an assessment by a Qualified Professional on the shoreline conditions on the proposed development site and recommendations on the suitability of the site for the proposed development. The assessment should include proposals for vegetation protection, enhancement or retention, where applicable. A plan prepared by a British Columbia Land Surveyor may be required as a condition of the Development Permit.
5. Compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional or Qualified Professional may be required.
6. A Development Permit shall not be issued without confirmation by the Qualified Professional regarding the safety of proposed development and assurances that the development will not have detrimental impact on the environment or adjoining properties. No development or alteration of land shall occur where the geotechnical engineering report indicates that a hazardous condition may result.
7. An applicant may be required to provide a sediment and erosion plan with recommendations for implementation. Erosion control measures, during and after construction, may be specified in the permit.
8. Planting of indigenous vegetation may be required on the site to reduce erosion risk, restore the natural character of the site, improve water quality or stabilize slopes and banks. An applicant may be required to provide a re-vegetation plan with recommendations for implementation.
9. Where a shoreline stabilization device is proposed, the applicant may be required to provide a report from a Qualified Professional assessing the risk of erosion and the suitability of the parcels for such a device. The report must also assess the impacts on adjacent parcels as a result of installing or not installing the proposed device. Shoreline stabilization devices are not supported on parcels that are not subject to active erosion.
10. The use of marine retaining walls and other hard surfaces such as rip-rap shall only be supported where a Qualified Professional has determined that alternative approaches to shoreline stabilization such as vegetation enhancement, upland drainage control or gravel placement are not appropriate given site specific conditions.
11. Shoreline stabilization measures near the natural boundary of the sea that obstruct

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pedestrian access to and along the public foreshore area are not supported.

12. All new developments or modifications to existing developments must be designed so as to avoid any increase in storm water runoff. An applicant may be required to supply a drainage plan with recommendations for implementation.
13. An applicant may be required to register a covenant under Section 219 of the *Land Title Act* attaching a copy of the report prepared by the Qualified Environmental Professional or Qualified Professional.
14. Where the Qualified Environmental Professional or Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.

6.5 Development Permit Area No. 3: Watercourses and Wetlands Areas

6.5.1 Designation

That part of the Otter Point area, within 30 metres (100 feet) of the natural boundary of watercourses, wetlands and lakes as outlined on Map 5c, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Watercourses DPA", under Section 919.1(1)(a) of the *LGA*, for protection of the natural environment, its ecosystems and biological diversity.

The "Watercourses DPA" applies to all streams subject to the provincial *Riparian Areas Regulation* as well as mapped lakes, wetlands, ponds and other watercourses which are not subject to the *Riparian Areas Regulation*. For a stream subject to the *Riparian Areas Regulation* the assessment area is defined by the *Regulation*.

6.5.2 Justification

Riparian ecosystems occur adjacent to lakes, streams, creeks, wetlands and rivers, where the increased soil moisture supports and enhances plant communities distinct from the adjacent terrestrial areas.

The Province of British Columbia's *Riparian Areas Regulation*, under the *Fish Protection Act*, aims to protect riparian areas for the protection of fish habitat. This regulation requires that an assessment by a Qualified Environmental Professional be conducted for all proposed development in a Riparian Assessment Area. The purpose of this assessment is to ensure the protection of the natural environment in accordance with the *Fish Protection Act* by protecting the features, functions, and conditions critical to support fish processes and ensuring appropriate measures are in place for the protection of the natural environment.

In addition to protecting the features which are required to support fish, this DPA is also intended to address other important values associated with aquatic and riparian ecosystems such as the maintenance of the natural hydraulic regime, and the role that aquatic and riparian ecosystems play in supporting plant and animal species.

6.5.3 Objective

To regulate development adjacent to water features, watercourses and riparian areas in order to protect the community's water supply, to maintain the ecological value of these areas, to support the viability of fish habitat and guard against environmental impact on aquatic and riparian habitat.

6.5.4 Guidelines

General Guidelines

Development Permits issued in the "Watercourse DPA" will be in accordance with the following:

1. No development, subdivision, or sewage disposal system will be permitted in a "Watercourses DPA", except those allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.
2. Avoid intrusion of development into Development Permit Areas and minimize the impact of any activity in these areas. Development shall generally only be supported where the applicant provides compelling reasons supported by a Qualified Environmental Professional's recommendations for mitigation to support the request or if there are no

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alternate building locations. Variances from other applicable regulations, including height, setback and location regulations may be considered in order to minimize encroachment into the Development Permit Area.

3. Development or subdivision of land should be designed to comply with the policies in Section 5.3.1 of the Plan.
4. The application for a Development Permit for land within the "Watercourses DPA" on Map 5c, must provide an assessment by a Qualified Environmental Professional on the environmental conditions on the proposed development site and recommendations on the suitability of the site for the proposed development. The assessment should include recommendations for vegetation protection, enhancement or retention, where applicable. A plan prepared by a British Columbia Land Surveyor may be required as a condition of the Development Permit.
5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional may be required.
6. Construction at a time of year and using construction methods that minimize the impacts on rare and sensitive species may be required.
7. Development must be designed so as to maintain the quality of any storm water flowing toward or into the identified water features and so as to prevent any increase in volume and peak flow of runoff. An applicant may be required to provide a drainage plan with recommendations for implementation.
8. Indigenous vegetation may be required to be planted on the site to reduce erosion risk, restore the natural character of the site, improve water quality, or stabilize slopes and banks. An applicant may be required to provide a re-vegetation plan from a person qualified and the development permit may include conditions intended to implement the recommendations.
9. Modification of channels, banks or shores which could result in significant environmental harm or significantly alter local hydrological conditions will not be permitted.
10. Landscaping and other related residential activities should be sited so as to prevent nutrient-rich water from entering natural water features.
11. A buffer zone within which land alteration or structures will be limited to those compatible with safeguarding the characteristics of the water feature in accordance with the professional report may be required and the specific or general location of the buffer zone may be designated.
12. Conditions relating to road and driveway construction in these areas will ensure that:
  - a. watercourse crossings are located so as to minimize disturbance of water feature banks, channels, shores, and vegetation cover;
  - b. wherever possible, bridges are used instead of culverts for crossings of fish-bearing watercourses; and
  - c. culverts are sited below the seasonal low water level to allow unrestricted movement of fish in both directions.
13. Where the Qualified Environmental Professional or Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.
14. In order to ensure unnecessary encroachment does not occur into the Development Permit Area at the time of construction, permanent or temporary fencing measures may be required.

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15. Development should be designed to minimize stream crossings. However, any required crossing should be in compliance with all conditions recommended by the Qualified Environmental Professional's report.
16. If any temporary stream alteration or diversion takes place, streams should be rerouted through their original channels with provincial or federal approval.
17. The removal of gravel and soil from streambeds of watercourses is prohibited unless provincial or federal approval is received.
18. In reviewing a Development Permit application the CRD shall consider the site-specific natural features, ecological processes that support riparian function, wildlife ecology, and unique ecosystems. These include, but are not limited to:
  - a. maintenance of an effective visual and sound (natural vegetated) buffer around nesting trees or other sensitive features;
  - b. vegetation, trees, snags, and root systems;
  - c. rare and uncommon species and plant communities;
  - d. soils and soil conditions (moisture, nutrients and permeability);
  - e. birds and other wildlife species and their habitats, such as shelter, nesting trees, perch trees, and breeding areas;
  - f. maintenance of linkages with adjacent riparian ecosystems to minimize fragmentation;
  - g. topography and relative orientation of features on neighbouring properties; and,
  - h. appropriate timing of construction.

**Additional Guidelines Applicable to All Streams Subject to the RAR:**

The Development Permit Area includes the following, having reference to the *Riparian Areas Regulation*:

- (a) the 30 metre strip on both sides of the stream measured from the high water mark;
  - (b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
  - (c) for a ravine 60 metres wide or greater, a strip of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.
1. For all development within the riparian assessment area of all streams subject to the *Riparian Areas Regulation*, a report prepared by a Qualified Environmental Professional and submitted to the Ministry of Environment pursuant to the *Riparian Areas Regulation* is required.
  2. An applicant may be required to provide an explanatory plan of the Streamside Protection and Enhancement Area (SPEA) including the registration of a covenant prohibiting development and use in the SPEA and securing the measures required to protect it.
  3. The owner shall implement all measures necessary to maintain the integrity of the SPEA as specified in the Qualified Environmental Professional's report and such measures may be included as conditions of the Development Permit.
  4. In addition to implementing the measures contained in the Qualified Environmental Professional report, to ensure future encroachment into the SPEA is reduced, the land owner may consider the following:
    - a. dedicating back to the Crown provincial or CRD all or part of the SPEA;
    - b. gifting to a nature conservation organization (tax receipts may be issued) all or part of the SPEA; or



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- c. registering restrictive covenant(s) or conservation covenant(s) securing the measures prescribed in the Qualified Environmental Professional assessment report;
5. Developers are encouraged to exceed the minimum standards set out in the RAR.
6. Development Permits may include requirements for environmental monitoring where riparian areas must be protected, remediation must be completed or where construction requires environmental controls. Environmental monitoring reports, when required, must be prepared by the Qualified Environmental Professional.

**Additional Guidelines Applicable to Non-RAR Lakes, Wetlands, and Other Watercourses:**

1. Before development is permitted in a "Watercourses DPA" not subject to a RAR, the applicant may be required to supply an assessment, prepared by a Qualified Environmental Professional. The report must inventory the site to identify existing environmentally sensitive feature(s) and assess the environmental impact of the proposed development. The report must provide recommendations for construction, mitigation, and protection of environmentally sensitive features and sensitive habitat, to ensure that the impacts of development are minimized and to preserve and/or restore the natural ecosystem components and processes which are important to maintain ecosystem function and health.
2. Compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional may be required in a development permit.

**6.6 Development Permit Area No. 4: Sensitive Ecosystems Areas**

**6.6.1 Designation**

That part of the Otter Point area within the boundaries of areas marked "Cliffs", "Seasonally Flooded Agricultural Fields", "Herbaceous", "Mature Forest", "Sparsely Vegetated" and "Woodland" on Map 5d, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Sensitive Ecosystems DPA", under Section 919.1(1)(a) of the LGA for the protection of the natural environment, its ecosystems and biological diversity.

The "Sensitive Ecosystems DPA" boundaries include Seasonally Flooded Agricultural Fields and the following ecosystems identified in the Sensitive Ecosystem Inventory prepared in July 2011 by Raincoast Applied Ecology/HB Lanarc: Herbaceous, Mature Forest, Sparsely Vegetated and Woodland.

**6.6.2 Justification**

These are important vegetation communities that have been identified by the Sensitive Ecosystem Inventory. Maintaining this vegetation is important to the protection of habitat and the natural environmental character of Otter Point. Land clearing, tree cutting, construction of buildings or roads, or other site disturbance in these areas could harm their functions and value to the community.

**6.6.3 Objective**

The primary objective of this Development Permit Area designation is to minimize the impact of development on the natural environment. The natural environment provides essential habitat and corridors for plants, fish, birds and other organisms. Furthermore, as concerns over climate change grow, it should be recognized that functioning ecosystems are more efficient at consuming carbon dioxide as well as carbon storage.

Sensitive ecosystems support a number of provincially Red and Blue-listed species (extirpated, endangered, threatened, and vulnerable) and federally listed species at risk. This Development Permit Area is intended to protect habitat for rare and endangered species of native vegetation or wildlife and to provide wildlife corridors and secondary habitat within Otter Point.

**6.6.4 Guidelines**

Development Permits issued in "Sensitive Ecosystems DPA" will be in accordance with the following:

1. No development, subdivision or sewage disposal system will be permitted in the "Sensitive Ecosystems DPA", except as allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.

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2. Avoid intrusion of development into Development Permit Areas and to minimize the impact of any activity in these areas. Development shall generally only be supported where the applicant provides compelling reasons supported by a Qualified Environmental Professional's recommendations for mitigation to support the request or if there are no alternate building locations. Variances from other applicable regulations, including height, setback and location regulations may be considered in order to minimize encroachment into the Development Permit Area.
3. Development or subdivision of land should be designed to comply with the policies in Section 5.3.2 of the Plan.
4. The applicant for a Development Permit for land within the "Sensitive Ecosystems DPA" must provide an assessment by a Qualified Environmental Professional on the environmental conditions on the proposed development site and recommendations on the suitability of the site for the proposed development. The assessment must include recommendations for vegetation protection, enhancement or retention, where applicable. A plan prepared by a British Columbia Land Surveyor may be required as a condition of the Development Permit.
5. As a condition of the issuance of a Development Permit, compliance with any or all conditions recommended in the report prepared by the Qualified Environmental Professional may be required.
6. Disturbance to existing vegetation that is not directly affected by the footprint of building, ancillary uses, and driveways must be minimized. Any disturbed areas shall be rehabilitated with appropriate landscaping and habitat compensation measures. Loss of natural habitat shall be minimized.
7. A buffer zone within which land alteration or structures will be limited to those compatible with the characteristics of the sensitive ecosystems, or those that can be mitigated in a manner recommended by a Qualified Environmental Professional may be required and the specific or general location of the buffer zone may be designated.
8. In order to ensure unnecessary encroachment does not occur into the Development Permit area at the time of construction, permanent or temporary fencing measures may be required.
9. Environmentally sensitive areas and the habitat requirements for wildlife species at risk as defined in the federal *Species at Risk Act* should remain in their natural state and should not be developed or disturbed.
10. Where possible, large tracts of wildlife habitat or continuous habitat corridors should be preserved, in order to facilitate movement of wildlife. In addition, where possible, landscape plans should enhance, expand or create wildlife habitat such as wetlands, native aquatic and terrestrial plants.
11. Planting of invasive species adjacent to or within designated "Sensitive Ecosystems DPA" will not be permitted.
12. Changes in the land surface which could affect the health of vegetation or the biodiversity of any plant communities and disturbance of mature vegetation and under-storey plants will be minimized.
13. Any development must be designed to avoid storm water runoff and the development or subdivision may be required to be carried out in accordance with recommendations contained in a drainage plan that the applicant may be required to provide.
14. Removal of gravel, sand, soil or peat in "Sensitive Ecosystems DPA" will be strictly limited and only permitted if impacts can be mitigated in a manner recommended by a Qualified Environmental Professional.
15. Development should generally conform to *Develop with Care 2012: Environmental Guidelines for Urban and Rural Land Development in British Columbia*.

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16. Development may be required to incorporate environmentally sound building practices where appropriate, such as natural drainage, or use of permeable paving materials.
17. A subdivision application which proposes the creation of parcels less than the average parcel size supported by this Plan and located within a smaller footprint of the parent parcel may be supported where the conditions are secured for the permanent on-going protection or restoration of environmentally sensitive features without an amendment to this Plan. However, the overall number of parcels must be consistent with the Land Use Designation.
18. Where the Qualified Environmental Professional or Qualified Professional recommends re-vegetation or remediation works, a landscaping plan and security deposit may be required.

**6.7 Development Permit Area No. 5: Commercial and Industrial Development Areas**

**6.7.1 Designation**

That part of the Otter Point area marked "Commercial DPA" and "Industrial DPA" shown on Map 5e, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area, the "Commercial and Industrial DPA", under Section 919.1(1)(f) of the LGA for the form and character of commercial and industrial development.

The "Commercial and Industrial DPA" boundaries include lands zoned commercial or industrial under the Land Use Bylaw.

**6.7.2 Justification**

The various commercial and industrial areas in Otter Point merit designation as Development Permit Areas for the form and character of commercial and industrial development due to their unique location and their relationship to surrounding land uses.

**6.7.3 Objective**

To encourage a building design theme and form that is complementary to and respectful, as possible, of the natural setting and the rural character of Otter Point.

**6.7.4 Guidelines**

Development Permits issued in "Commercial and Industrial DPA" will be in accordance with the following:

1. No development, building, subdivision or sewage disposal system will be permitted in the Commercial and Industrial Development Permit Area, as specified in the Justification above, except as allowed by a Development Permit or subject to the general exemptions as outlined in Section 6.2 of this Plan.
2. Design buildings to take advantage of natural contours and features of the landscape so that buildings and structures fit into the natural surroundings.
3. Design buildings in a form which can make best use of the natural setting, which allows for retention of natural vegetative cover and which reinforces existing aesthetic and natural advantages of the area.
4. Retain existing second-growth forest and native understorey plants in areas where there are no buildings, structures, parking areas or other constructed features.
5. Minimize outdoor storage and screen outdoor storage and loading/unloading facilities from neighbouring properties through the retention of trees and native understorey plants, or through the planting of native or complementary species, or by using fencing.
6. Screen parking areas to the greatest extent possible with existing and new landscaping, as described in subparagraph (5).
7. Install outdoor lighting which is of low intensity and pedestrian-oriented or which is directed down and away from surrounding residential areas so as to reduce and minimize glare into the environment.

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8. The range of building materials used for new buildings should be complementary to existing buildings. The front entrances should be designed to use a combination of exterior surface textures.
9. Where parcels are located adjacent to a trail established by the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission, buildings should be set back from the property line to prevent the trail being in constant shadow, and landscaping provided to screen the commercial or industrial use from the trail.
10. Roof-top equipment should be kept to a minimum and integrated into the overall building design.
11. Parking, loading, and access and egress areas should be designed to accommodate commercial vehicles and ensure safe vehicular movement.
12. To ensure that all landscaping requirements and/or site remediation works of the Development Permit Area are undertaken, applicants may be required to provide a detailed landscape estimate. Prior to issuance of any permit, the applicant may be required to provide a security deposit.

6.8 Development Approval Information Area Designation

6.8.1 Designation

That area of the Otter Point OCP area (being parcels greater than two hectares in area at the time of adoption of the OCP) as shown in pale green on Map 6, which is attached to and forms a part of this bylaw, is designated as a Development Approval Information Area.

6.8.2 Justification

1. The natural environment of the Otter Point Plan area supports an ecosystem of great diversity which includes rare species of flora and fauna and supports human habitation. All of the living things in Otter Point depend on the quantity and quality of the available groundwater. Any development has the potential to deplete groundwater and otherwise interfere with wetlands. The extent to which a new well may have interfered with existing wells cannot be reliably judged except from actual interference testing of the affected wells.
2. Any new large-scale development creating 20 or more parcels will increase the traffic flow along the various roads within Otter Point. Information is required for reviewing the potential impact that the greater traffic flows may have on the various roads.
3. New development may affect the provision of fire and police protection in Otter Point. Information is required on the possible impact that development may have on the provision of fire and police protection.
4. Given the topography and the rich biodiversity of Otter Point, the Plan area has numerous environmentally sensitive features that require a thorough analysis be completed prior to development taking place. This includes an analysis of any liquid waste, to ensure that it will have no adverse effect on human health or the natural environment.

6.8.3 Objective

The purpose of this designation is to enable the CRD to obtain information in connection with an application for an amendment to a land use or zoning bylaw or a Development Permit that could affect one or more of the following:

- a. the natural environment;
- b. traffic flows in the case of a zoning amendment or a Development Permit that may create 20 or more parcels;
- c. the provision of community services, including but not limited to schools, fire protection, policing and similar services; and
- d. the local infrastructure, including water service, sewage treatment and disposal, and other services and utilities.

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**Otter Point Official Community Plan**

**6.8.4 Guidelines**

1. As a part of applications for a zoning change or the issuance of a Development Permit, applicants must provide, at their expense, an assessment by a Qualified Professional or Qualified Environmental Professional, as outlined in the Development Approval Information Bylaw, of the impact that the proposed development may have on any of the above-referenced matters (6.8.3).

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**APPENDIX 1: DEFINITIONS**

In this bylaw, which includes Schedule "A", the following definitions apply:

**A**

**ACCESSORY BUILDING** means a building or structure, the use of which is ancillary to the principal building;

**ACCESSORY USE** means a use which is incidental or subordinate to the principal use;

**AGRICULTURAL LAND RESERVE (ALR)** means lands designated pursuant to the *Agricultural Land Commission Act* to be preserved for agricultural use or uses compatible with agricultural purposes;

**AGRICULTURE** means a farm use as defined in the *Agricultural Land Commission Act* in the Agricultural Land Reserve but, outside the ALR, does not include Intensive Agriculture or any manufacturing, processing, and storage and repairs;

**AGRICULTURE BUILDING or FARM BUILDING** means a building which is

- (a) associated with and located on land devoted to the practice of farming; and
- (b) used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds;

**AGRI-TOURISM** means a tourist activity, service or facility that provides an opportunity for visitors to experience agricultural life by participating in or watching farming activities or purchasing and consuming farm produce on a farm;

**AMENITY** means an item of benefit to the community that is determined through the development approvals process, and may include park land, community trails, infrastructure, special housing, parking areas, and community facilities or a natural feature that is a community benefit;

**AMENITY BONUSING** means an increase in the allowable density on a parcel of land in exchange for an amenity provided by the developer for the community to be implemented through density bonus provisions in the applicable bylaw under Section 904 of the *Local Government Act*;

**ASSESSMENT REPORT** means a report prepared in accordance with the *Riparian Area Regulations* assessment methods to assess the potential impact of proposed development in a riparian assessment area, which is certified by a Qualified Environmental Professional or any report prepared by a Qualified Professional in support of an application for a development approval or development approval information area requirements;

**AQUIFER** means an underground water body, which may be overlain with permeable material such as gravel or impermeable material such as clay.

**B**

**BED AND BREAKFAST** means a home based business which provides for temporary accommodation accessory to the principal residential use of a parcel, but which does not provide meals, other than breakfast, or kitchen facilities for guests;

**BIODIVERSITY** means the variety of life on earth in all its forms including genera, species and ecosystems and the natural processes that link and maintain them;

**BOARD** means the Board of Directors of the Capital Regional District;

**BUFFER** means an area of land separating adjacent land uses that is managed to mitigate impacts of one use on another and includes any combination of setbacks, existing vegetation, ditches, roads, landscaping, berming, and fencing;

**BUILDING** means any structure used or intended for supporting or sheltering any use or occupancy;

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C

**CABIN** means a structure or building with a floor area of not more than 90 m<sup>2</sup> which is used as temporary accommodation; and which may or may not include kitchen or sanitary facilities;

**CAMPGROUND** means a site operated as temporary accommodation for travellers in travel trailers, recreational vehicles or tents; but excludes mobile home parks, motels and hotels; the site may include sanitary and laundry facilities;

**CATCHMENT AREA** means an area from which rainfall flows into a stream.

**COMMUNITY CARE FACILITY** means housing units or facility licenced under the *Community Care and Assisted Living Act*;

**COMMUNITY WATER SYSTEM** means a system of waterworks which is owned, operated and maintained by a water users' community under the *Water Act*, by an improvement district, or by the Capital Regional District and is permitted by Island Health;

**CONSERVATION COVENANT** means a covenant under Section 219 of the *Land Title Act*, registered against the title to land, in which a land owner covenants and agrees to protect the land or amenities in respect of the land or amenities in respect of the land in specified ways;

D

**DELETERIOUS SUBSTANCE** means any substance that would degrade or alter the quality of the environment so that it becomes damaging to fish or fish habitat or other wildlife and flora, or becomes unsuitable for human consumption or any other use for which it is legally licensed;

**DENSITY** means a measure of development intensity on a parcel, measured in dwelling units per hectare for residential uses, or in parcels per hectare;

**DESIGNATED FLOOD** means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unrelated history flood records or by regional analysis where there is inadequate streamflow data available; where the flow of a large watercourse is controlled by a major dam, the designated shall be set a site specific basis;

**DESIGNATED FLOOD LEVEL** means the observed or calculated flood elevation for the designated flood, which is used in the calculation of the flood construction level.

**DETACHED ACCESSORY SUITE** means an accessory dwelling unit detached from the principal residential building;

**DEPLETION OF EXISTING WELLS** means to reduce the quantity of existing adjacent wells below the minimum requirements established by the Land Use Bylaw;

**DEVELOPMENT** means any of the following residential, commercial or industrial activities or ancillary activities:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) removal or deposit of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impermeable or semi-impermeable surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors; and
- (j) subdivision as defined in Section 872 of the *Local Government Act*;

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**DEVELOPMENT PERMIT AREA** means an area that has been designated in the Official Community Plan pursuant to Section 919.1 of the *Local Government Act* as requiring issuance of a Development Permit prior to the commencement of development;

**DISTURBANCE** means a discrete force that causes significant change in the composition of soil or terrain through human-caused events such as cutting trees, or clearing land;

**DUPLEX** means **DWELLING, TWO-FAMILY**;

**DWELLING UNIT** means one or more rooms which comprise a self-contained unit used or intended to be used for habitation by one or more residents, including living and sleeping areas, sanitary facilities and a single kitchen; this includes mobile homes, modular homes or prefabricated dwellings meeting CSA-A277 or CSA-Z240 (mobile) standards or equivalent, but not recreational vehicles, tents, buses, travel trailers or other vehicles;

**DWELLING, MULTI-FAMILY** means a residential use in a building with three or more principal dwelling units;

**DWELLING, SINGLE-FAMILY** means a residential use in a building for one principal dwelling unit;

**DWELLING, TWO-FAMILY** means a residential use in a building which is divided into two principal dwelling units which are either placed one above the other or side-by-side, and share a common wall; specifically excludes dwelling units attached by carport, sundeck, breezeway or other similar structures and secondary suites;

E

**ECOSYSTEM** means a functional unit consisting of all the living (biotic) and non-living (abiotic) factors of a definable portion of the landscape, together with the processes that link and affect them including nutrient cycling and energy flow;

**ENVIRONMENTALLY SENSITIVE AREA** means any parcel of land or area that has environmental attributes worthy of retention or special care and for the purposes of this bylaw has been identified as Development Permit Area;

**EROSION** means a combination of processes by which materials of the earth's surface are loosened, dissolved or worn away, and transported from one place to another by natural or human agents;

F

**FARM** means an area of land used for agriculture or land classified as a farm under the *Assessment Act*, or both;

**FISH** means all stages of salmonids, game fish and regionally significant fish;

**FLOOD CONSTRUCTION LEVEL** means a designated flood level plus freeboard, or where a designated flood level cannot be determined: a specified height above the natural boundary, natural ground elevation, or any obstruction that could cause ponding;

**FLOODPLAIN** means an area susceptible to flooding from a watercourse, lake, or other body of water designated in Part 5 of the Land Use Bylaw;

**FOOD SECURITY** means a condition in which all the residents, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life;

**FORESHORE** means the area of the shore located below the natural boundary;

G

**GREEN BUILDING** means a building that incorporates a variety of features such energy and water efficiency, natural storm water management, locally sourced materials, low site impact and healthy indoor environmental quality;

**GREEN HOUSE GAS** means any or all of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and any other substance proscribed by regulation;



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**GROUND WATER** means water below the surface of the ground;

**GROUND WATER RECHARGE** means the movement of rainwater down through the soil and into the aquifers beneath;

**H**

**HABITAT** means the natural home of a plant or an animal including all the associated biotic and abiotic elements;

**HAZARDOUS TREE** means a diseased or damaged tree that poses a danger to a person or property or is likely to cause harm to persons or property;

**HIGH WATER MARK** means **NATURAL BOUNDARY**;

**HOME BASED BUSINESS** means any occupational or professional use conducted for gain and secondary to the residential use of a parcel pursuant to the Land Use Bylaw;

**I**

**IMPROVEMENT DISTRICT** means, as the context requires, either the public corporate body or the tract of land incorporated under the *Local Government Act* and includes an improvement district constituted under a former Act;

**INDUSTRIAL USE** means a use providing for the processing, fabricating, assembling, storing, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking or salvaging of goods, materials, or things, and heavy equipment sales/rentals, and retail sales accessory to a principal industrial use; and includes the operation of truck terminals, docks, railways, vehicle paint and body shops, and soil improvement operations; specifically excludes the burning of things salvageable;

**INVASIVE SPECIES** means a species that is non-native to the ecosystem under consideration and which, if introduced, may cause economic or environmental harm (including harm to human health);

**L**

**LANDSLIP** means the downward and outward movement of slope-forming material composed of natural rock, soils, artificial fills, or combinations of these materials, which movement may proceed by any one of three principal types of movement such as, or combination of, falling, sliding or flowing;

**LOT** means **PARCEL**;

**M**

**MANUFACTURED HOME** means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried;

**MOBILE HOME** means **MANUFACTURED HOME**;

**MOBILE HOME PARK** means any parcel on which are installed, or intended to be installed, for use as dwelling units, three or more mobile homes; and which is regulated by Capital Regional District Mobile Home Bylaw;

**N**

**NATURAL BOUNDARY** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself. In addition, the natural boundary includes the edge of dormant or old side channels and marsh areas;

**O**

**OUTDOOR RECREATION** means a recreational use or activity undertaken where the outdoor setting and landscape is a significant element in the use or activity and includes: parks, trails, open space, playing fields, playgrounds, low-impact wilderness camping, fishing, and hunting;

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P

**PARCEL** means any lot, block, parcel or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the *Bare Land Strata Regulations* pursuant to the *Strata Property Act*, but specifically excludes a building strata created pursuant to Section 241 of the *Strata Property Act*;

**PARCEL, MINIMUM SIZE** means the smallest size of a parcel created by subdivision;

**PARCEL AVERAGING** means the calculation of the number of parcels that may be permitted by dividing the gross area by the average parcel size;

**PARK** means a park established under the *Park Act* or the *Park (Regional) Act* or any land dedicated under the *Local Government Act* or *Land Title Act*;

**POTABLE WATER** means water which meets the standards in the *Drinking Water Protection Act* and *Drinking Water Protection Regulation*;

**PRINCIPAL BUILDING** means the building which contains the principal use;

**PRINCIPAL USE** means the chief or main purpose or function to which land, buildings and structures are designed, intended to be put, or put;

**PRIVATE MANAGED FOREST** means private land which has a management commitment and is classified as private managed forest land under the *BC Assessment Act* and regulated by the *Private Managed Forest Land Act*;

**PROCESSING USE** means the use of land, buildings or structures for the sorting, crushing, washing, screening, scaling, milling, processing, or storage of material;

Q

**QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP)** means an applied scientist or technologist, acting alone or together with another Qualified Environmental Professional if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, and
- (b) the individual's area of expertise is recognized by the CRD in its assessment methods as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

**QUALIFIED PROFESSIONAL (QP)** means an applied engineer or geotechnical scientist, acting alone or together with another Qualified Professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, and
- (b) the individual's area of expertise is recognized by the CRD in its assessment methods as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

R

**RECREATIONAL VEHICLE** means any vehicle, trailer or combination of vehicles and accessories used or designed to be used primarily for accommodation during travel or recreation; does not include mobile homes;

**REGIONAL BOARD** means the Board;

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**REGIONAL GROWTH STRATEGY (RGS)** means an agreement, developed and approved by the CRD and its member municipalities and electoral areas, in accordance with the provincial legislation contained under Part 25 of the *Local Government Act*;

**RESIDENTIAL USE** means the use of a building or part thereof as a dwelling unit;

**RESOURCE EXTRACTION** means the removal of resource products, such as but not limited to forest or mining products, by either physical labour or with machinery or by a combination of the two;

**RESTRICTIVE COVENANT** means a covenant between the landowner and the Province of British Columbia, a local government or another agency, registered under Section 219 of the *Land Title Act* which restricts certain activities that may occur on that land;

**RIPARIAN AREA** means an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream;

**RIPARIAN ASSESSMENT AREA** means, as defined by the *Riparian Areas Regulation*:

- (a) for a stream, the 30 m strip on both sides of the stream, measured from the high water mark;
- (b) for a ravine less than 60 m wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 m beyond the top of the ravine bank; and
- (c) for a ravine 60 m wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 m beyond the top of the ravine bank;

S

**SECONDARY SUITE** means an accessory self-contained dwelling unit with cooking facilities, located in a single-family dwelling;

**SILVICULTURE** means all activities related to the production and harvesting of timber including the removal of harvestable timber stocks but specifically excluding the processing of wood or wood products;

**STORM WATER MANAGEMENT** means measures to control rainwater run-off where development has affected natural drainage systems or water quality;

**STREAM** includes any of the following that provides:

- (a) a fish habitat;
- (b) a watercourse, whether it usually contains water or not;
- (c) a pond, lake, river, creek or brook;
- (d) a ditch, spring or wetland that is connected by surface flow to something referred to in (a) or (b);

**STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA)** means an area the size of which is determined according to the *Riparian Areas Regulation* on the basis of an assessment report provided by a Qualified Environmental Professional in respect of a development proposal;

**STRUCTURE** means anything which is constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, and includes a satellite dish, antenna or retaining wall;

**SUBDIVISION** means the division of land into two or more parcels, whether by plan, descriptive words, or otherwise, and includes a plan consolidating two or more parcels into the same or a lesser number of parcels but excludes a building strata;

**SWALE** means a shallow linear depression that accommodates water drainage;

T

**TEMPORARY ACCOMMODATION** means accommodation for not more than 60 consecutive days or a total of 185 days per calendar year;

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**TOP OF THE RAVINE BANK** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

**TOURISM USE** means a use for tourists including recreation, cabins, campgrounds, recreational vehicle sites, resorts and tourist lodges;

**TSUNAMI HAZARD AREA** means the upland area extending from the high tide line to an inundation zone elevation determined by Emergency Management BC;

**W**

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

**WATERSHED** means the geographic region where all watercourses and all of the land drains into a common catchment area;

**WETLAND** means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries, and similar areas that are not part of the active floodplain of a watercourse;

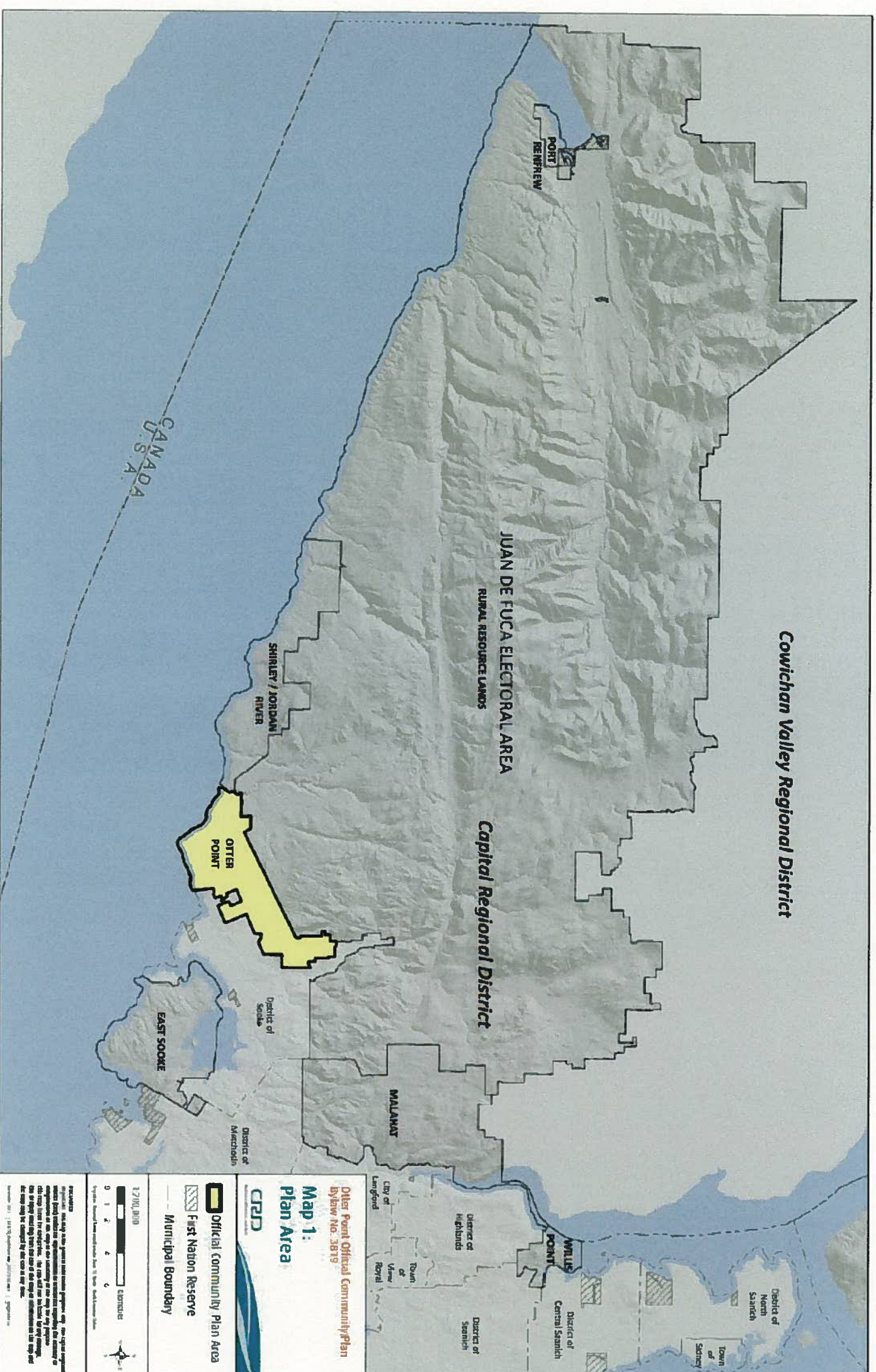
**WILDCRAFTING** means the practice of harvesting plants from their natural or wild habitats, whether marine or land-based, for food, medicinal, or topical uses and applies to uncultivated plants wherever they may be found and is not necessarily limited to wilderness areas;

**WILDFIRE INTERFACE** means an area of land where residential and other types of development are found in close proximity to forested areas, where a forest fire is likely to become an interface fire capable of consuming developed and forested areas simultaneously;



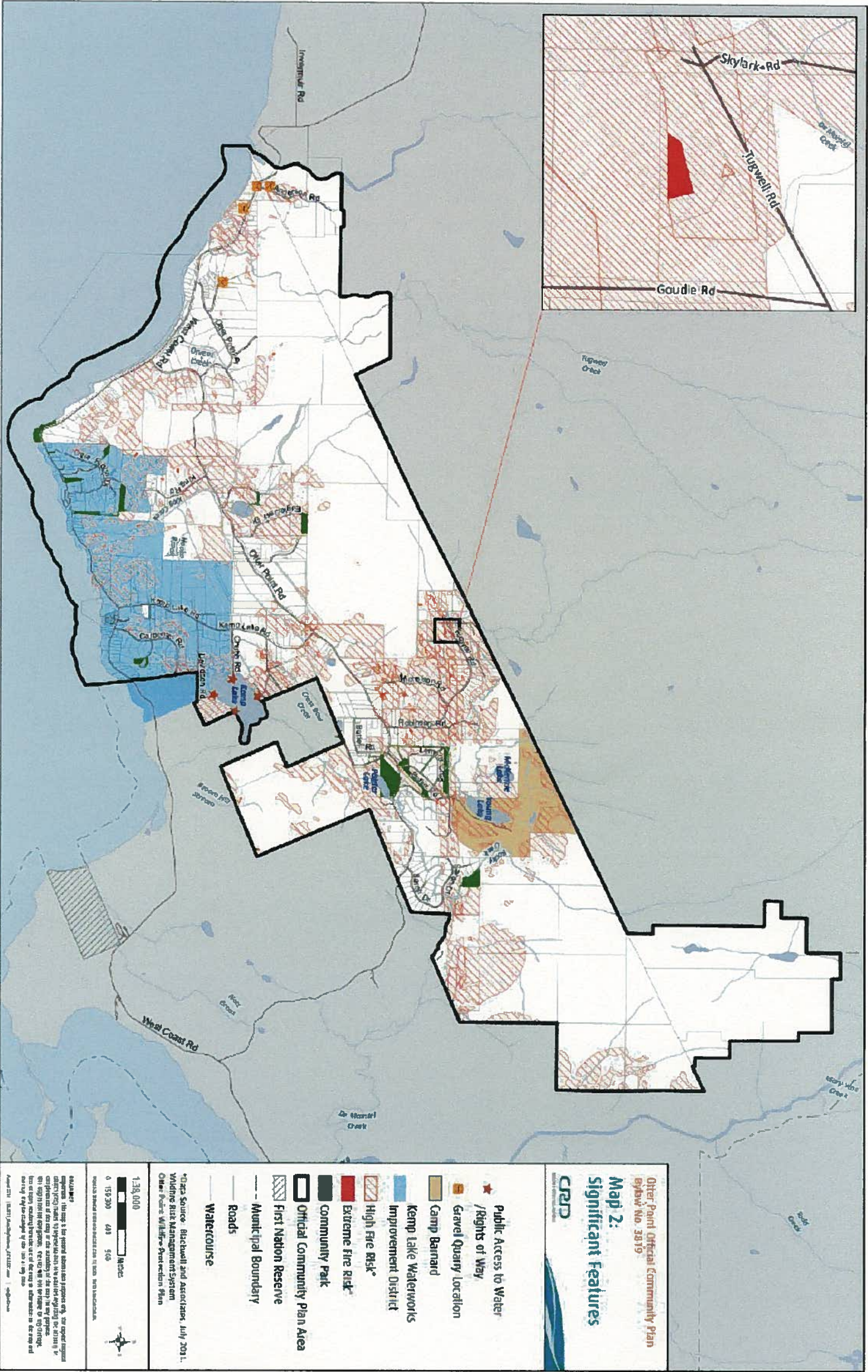
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## APPENDIX 2: OTTER POINT OCP MAPPING



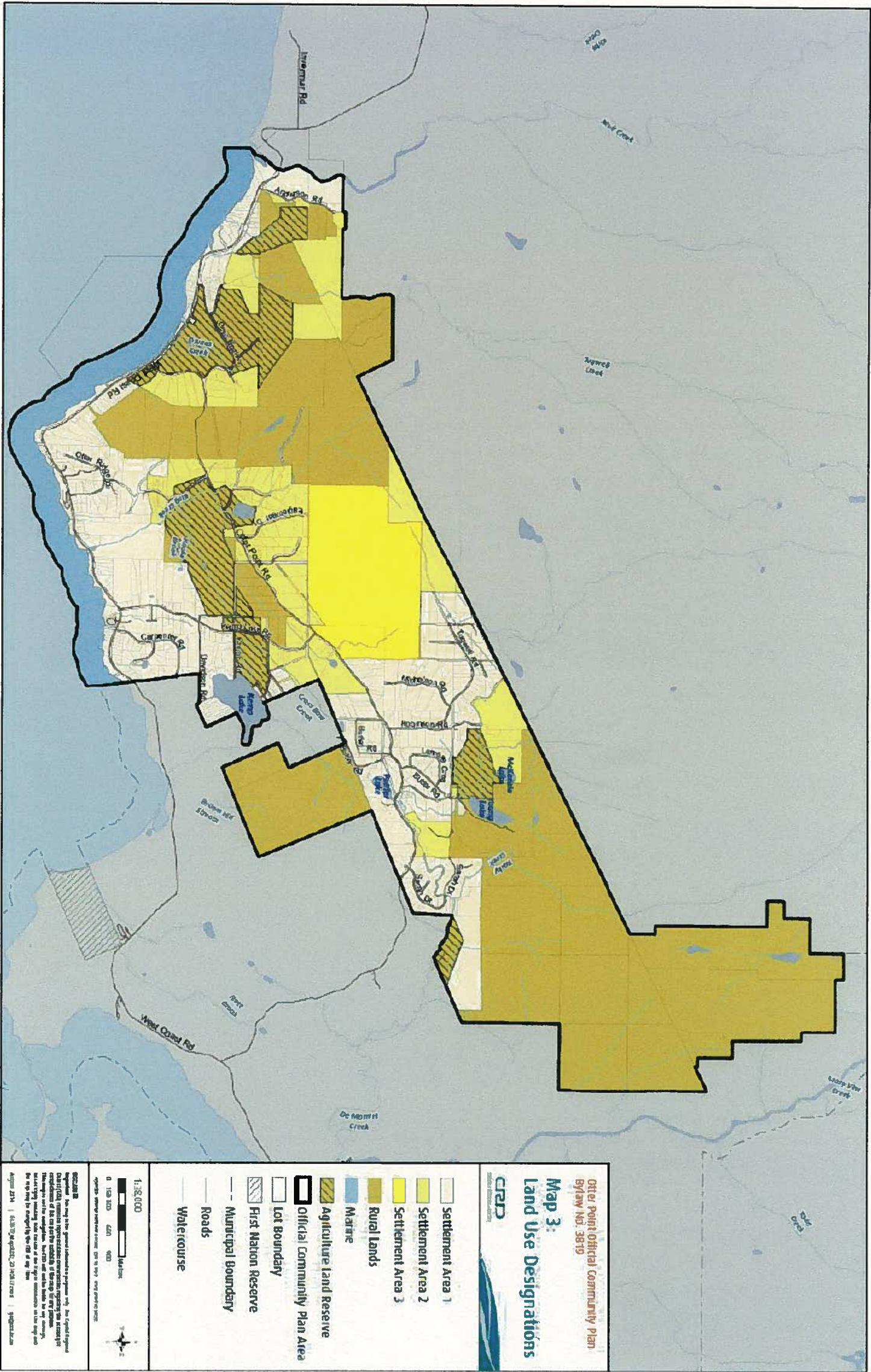


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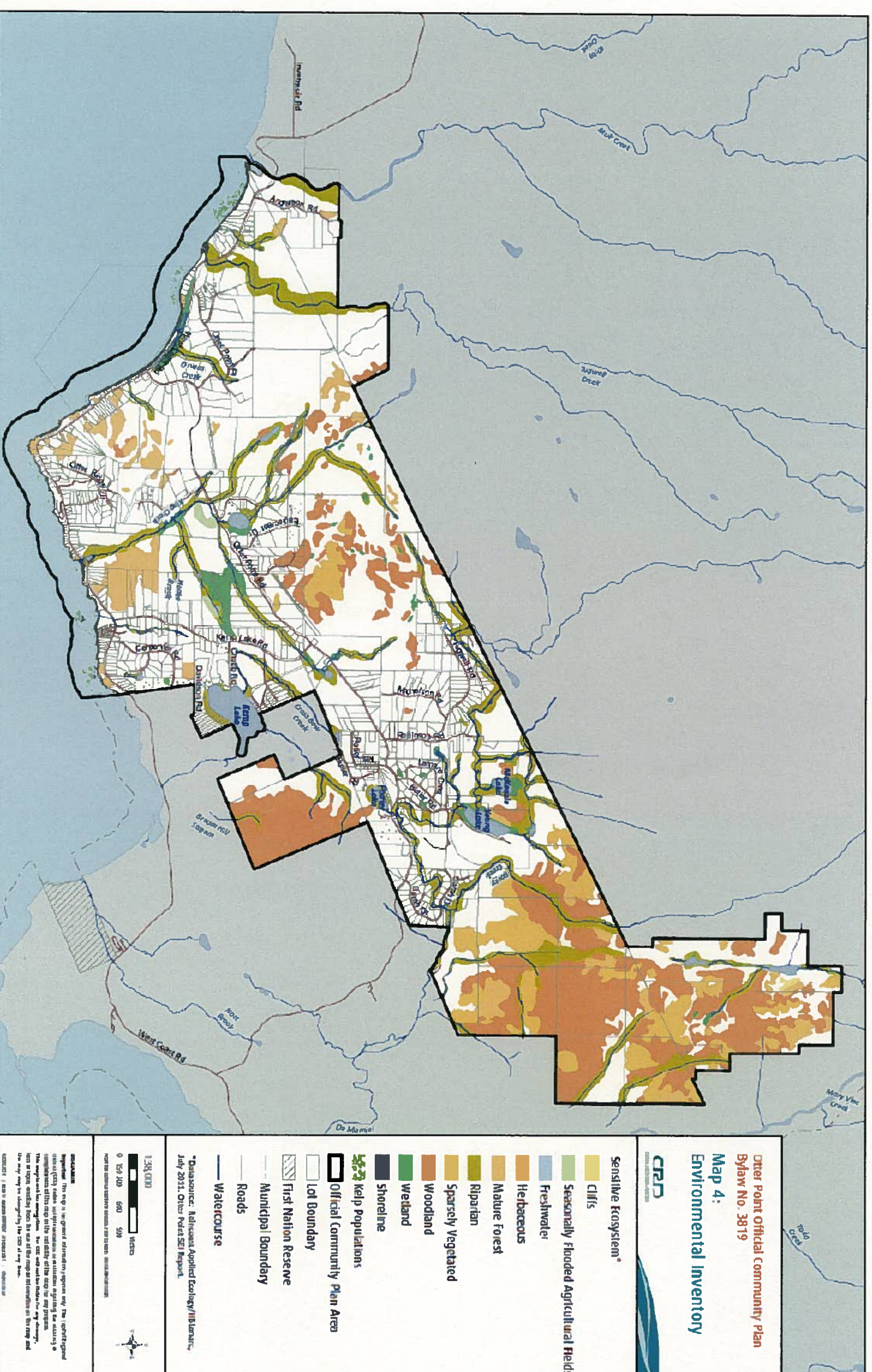


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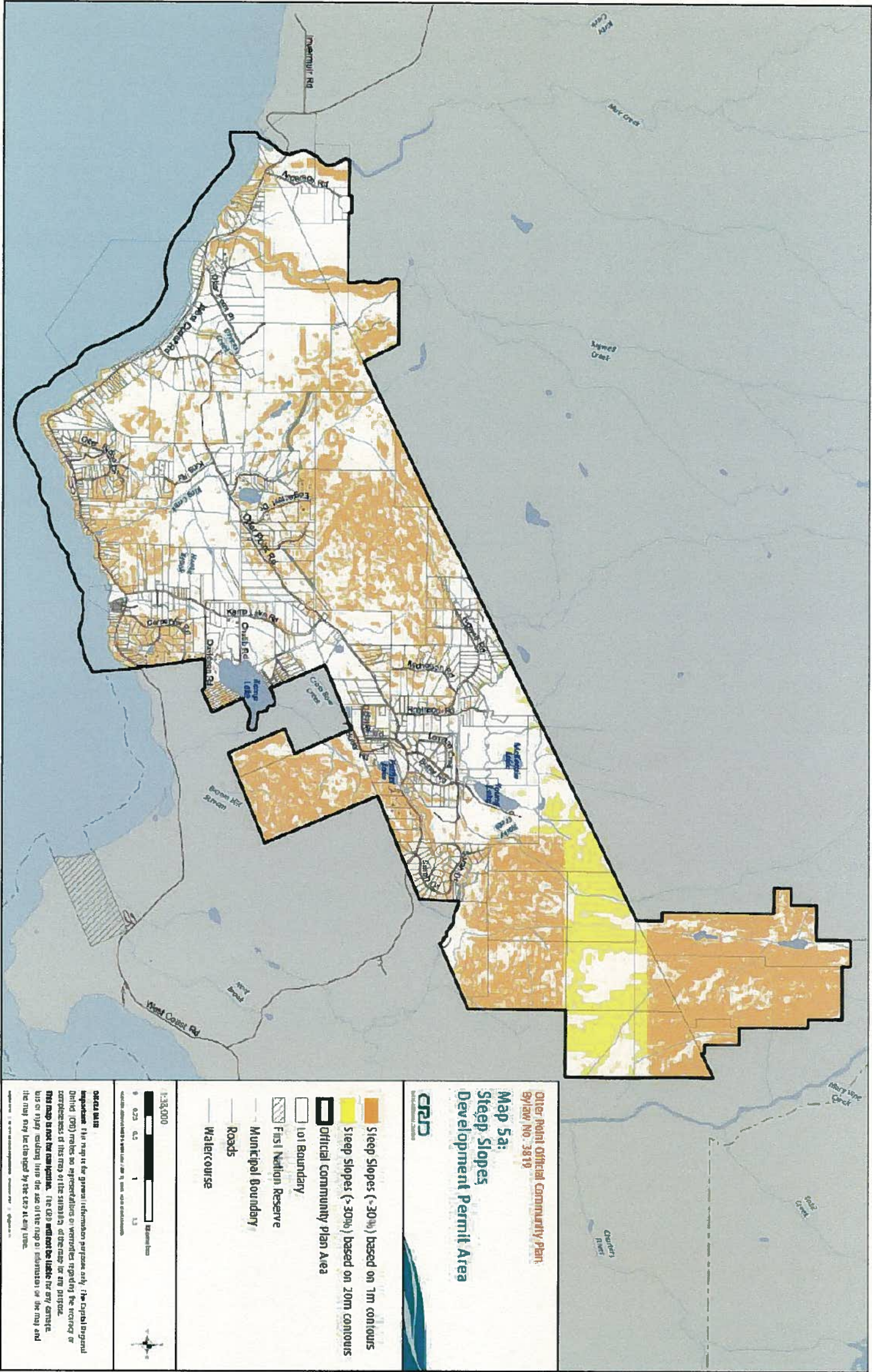


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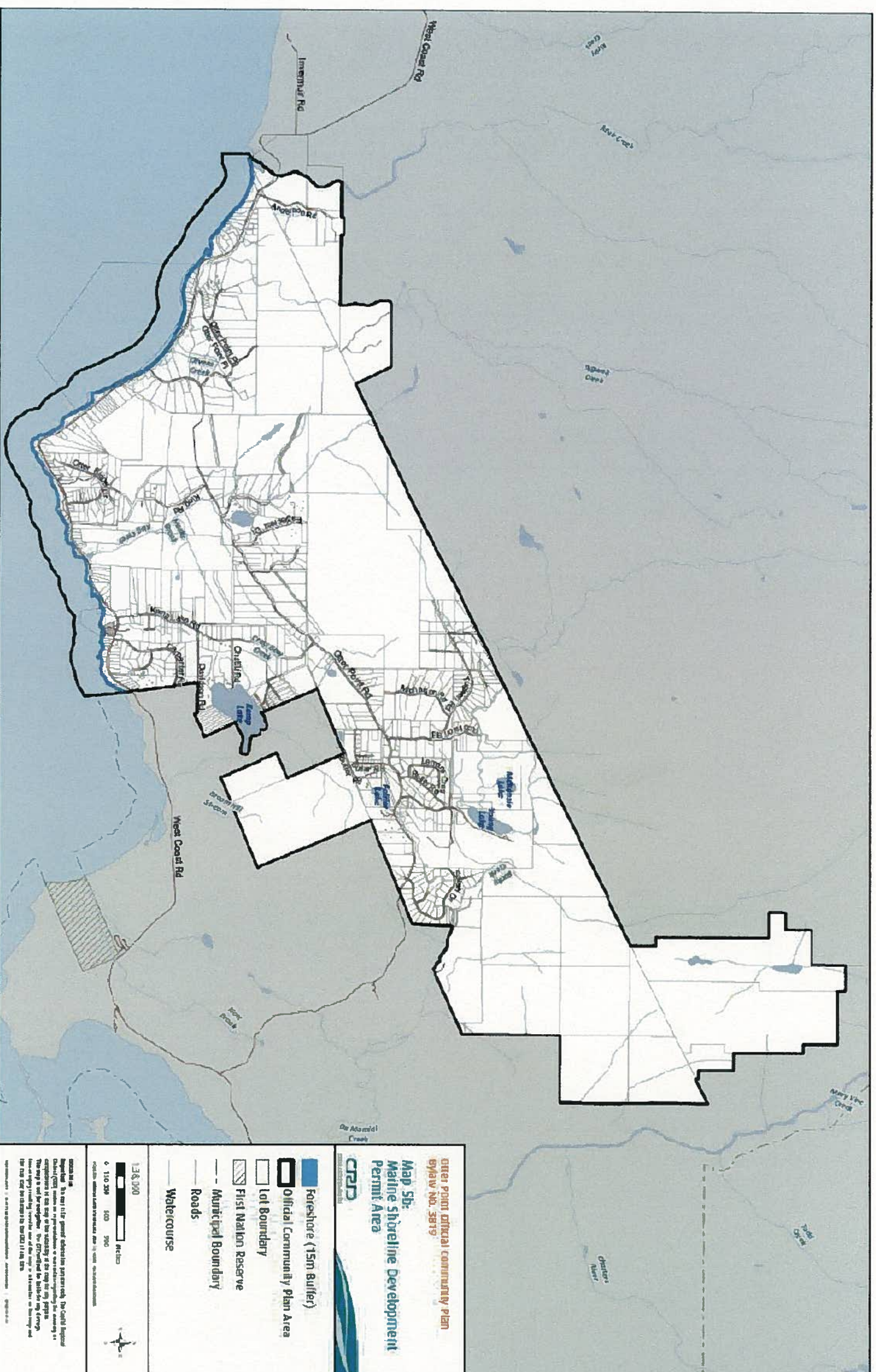


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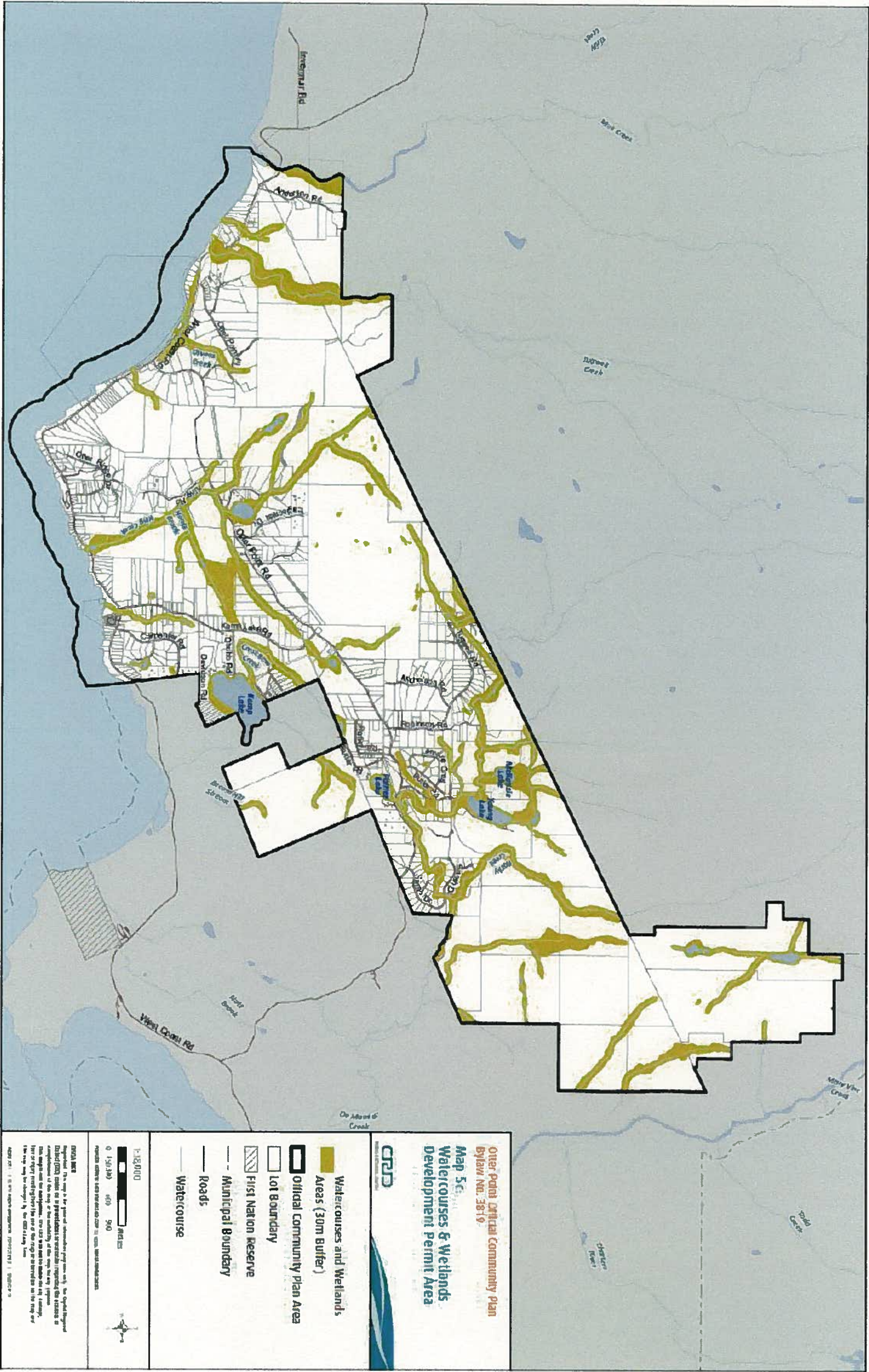


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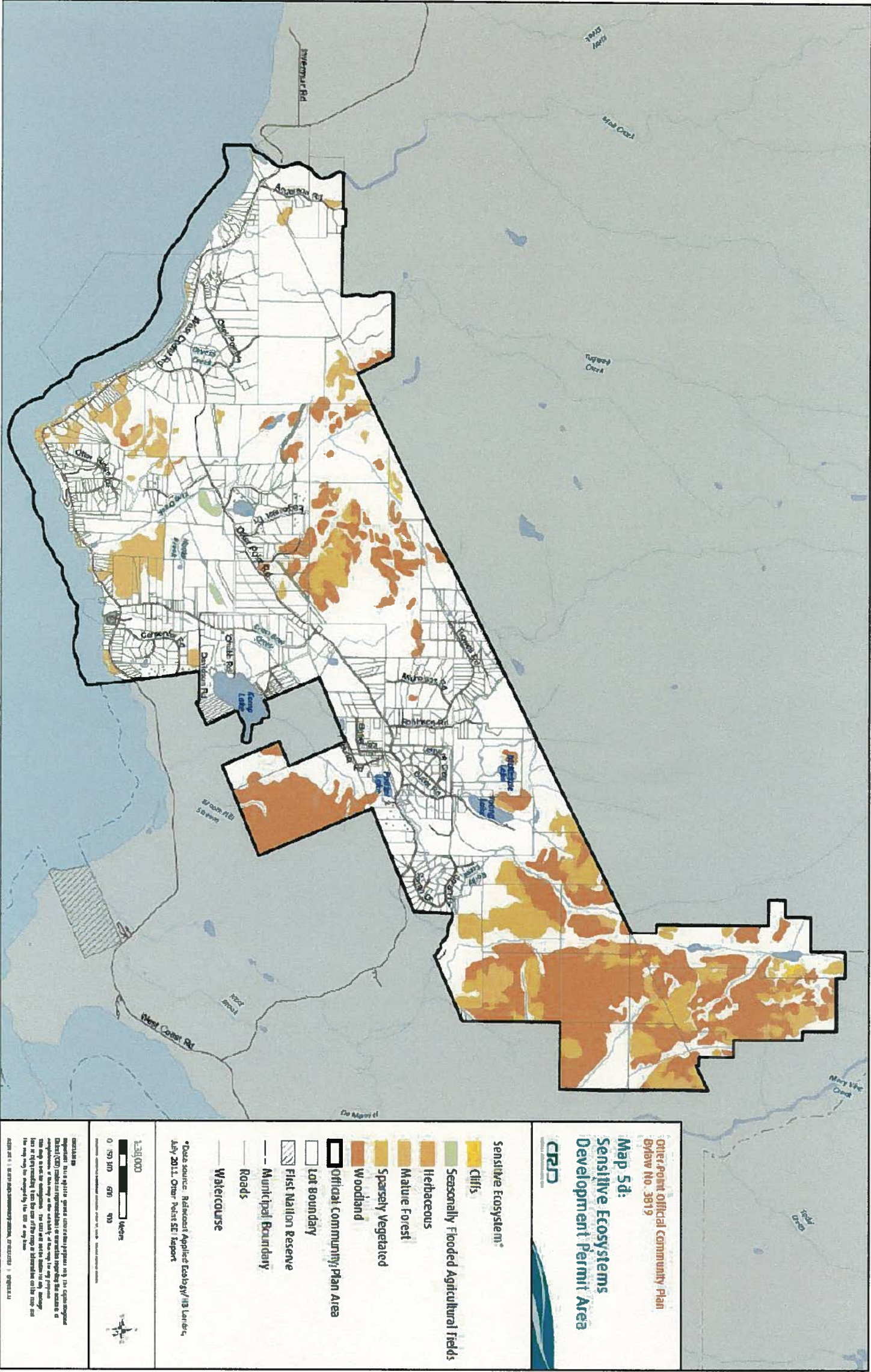


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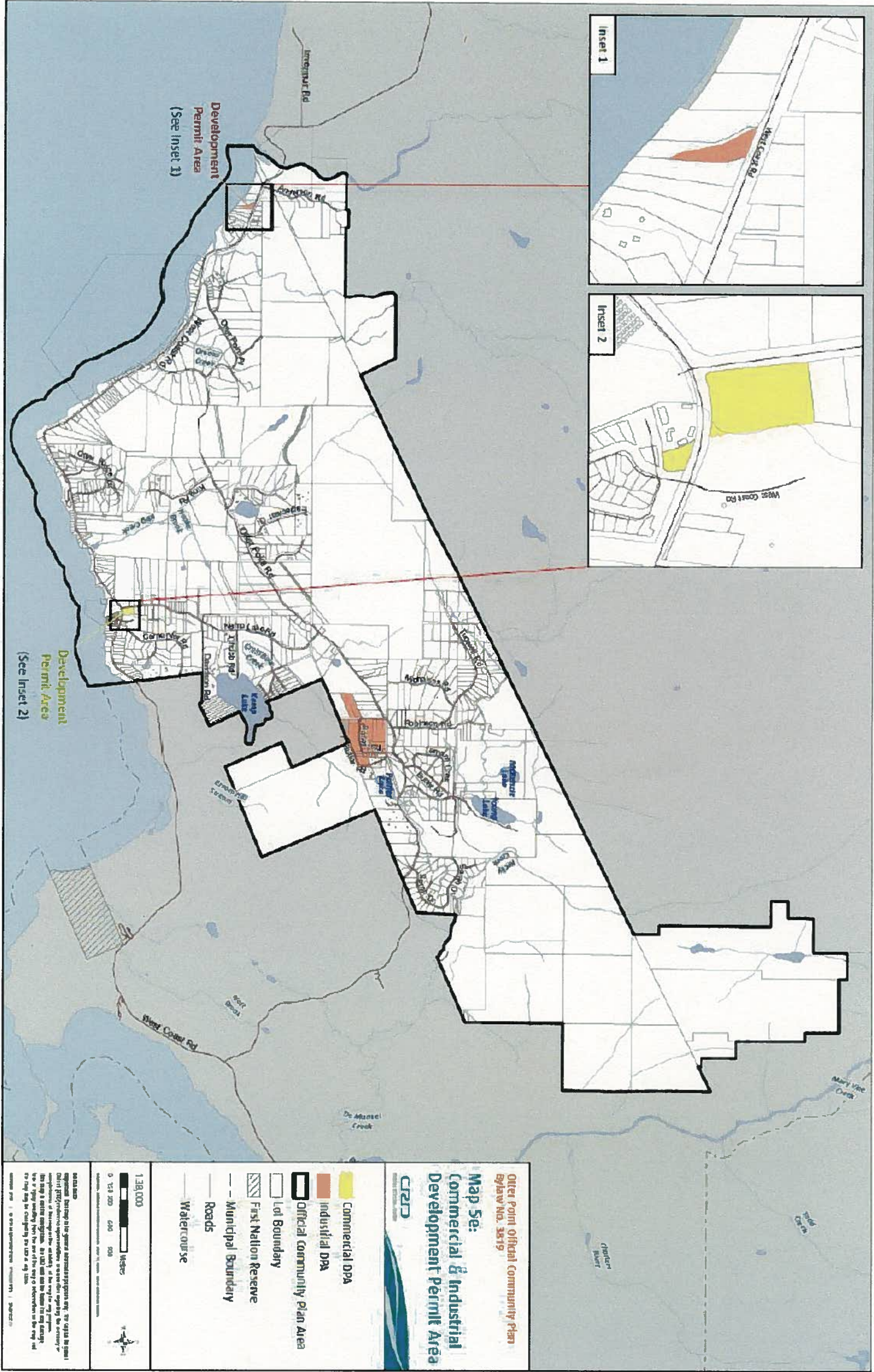


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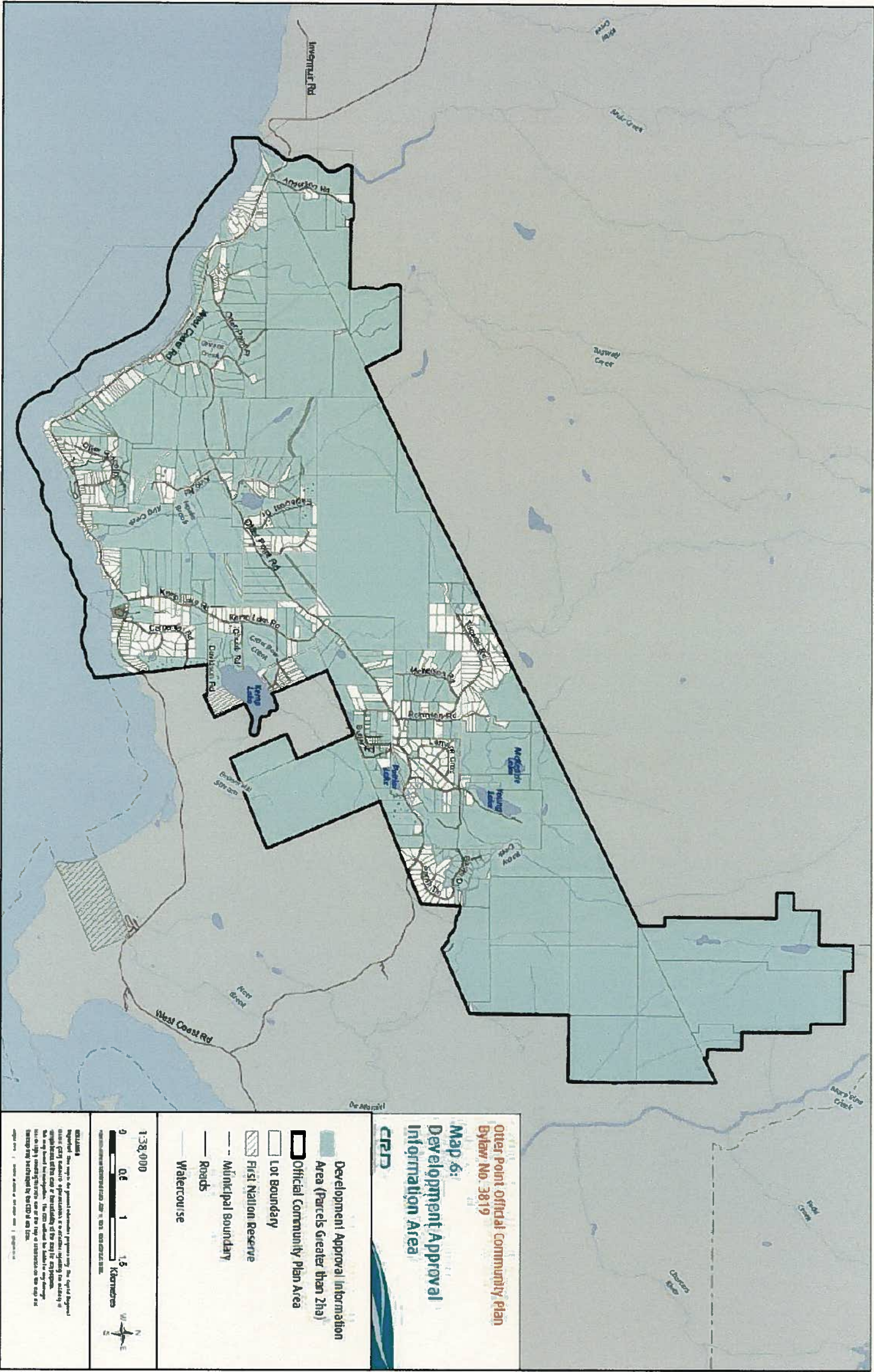


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Making a difference...together

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, SEPTEMBER 10, 2014**

---

**SUBJECT**      **Salt Spring Island (SSI) Transportation Service Assent Voting for Bylaw No. 3956 – Documentation Corrections**

**ISSUE**

To correct errors in the documents required for the SSI Transportation Service Assent Voting Process, including: Section 5(3)(b) of Bylaw 3956; the wording of the referendum ballot question; and the wording of the bylaw synopsis. Additionally, implementing these corrections offers the opportunity to describe the bylaw purpose more accurately in its title.

**BACKGROUND**

At its meeting of August 13, 2014, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 3956, and approved the referendum process elements by appointing the Chief Election Officer, establishing the ballot question, establishing the general and advance voting opportunities, and approving the bylaw synopsis for advertising purposes.

Subsequently, a financial error was discovered in the bylaw regarding the property value tax rate. As such, the bylaw will require amending, as will the wording of the referendum question and the bylaw synopsis. The recommended corrections are annotated in the attached bylaw (Appendix A), the referendum question wording provided herein, and the attached bylaw synopsis (Appendix B).

**IMPLICATIONS**

The correction to the property value tax rate is from \$1.346 to \$0.1346 /\$1,000 of net taxable value of land and improvements within the Local Service Area. This relates to a rate of \$4.29/\$1,000 or \$20.33 per average household assessed at 2014 rates. This is in contrast to the rates of \$7.97/\$1,000 or \$37.80 per average household previously reported to the Board on July 9, 2014.

**RECOMMENDATIONS**

1. That third reading of Bylaw No. 3956, Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014, be rescinded;
2. That Bylaw No. 3956 be amended (as annotated) by:
  - Correcting the descriptive portion of the bylaw title by specifying “for the purpose of funding further improvements to the North Ganges Village Transportation Management Plan”;
  - Modifying citation B under WHEREAS;
  - Replacing Section 5(3)(b) with the following:  
“an amount equal to the amount that could be raised by a property value tax rate of \$0.1346 per One Thousand (\$1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area.”
3. That Bylaw No. 3956, as amended, be read a third time;

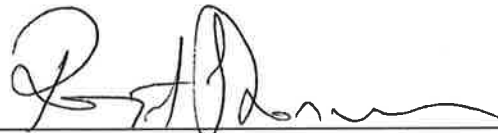
4. That the wording of the bylaw question for the purposes of the ballot shall be as follows:

*Are you in favour of the Capital Regional District Board adopting Bylaw No. 3956, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014" authorizing the CRD to increase the maximum annual requisition for the transportation service until 2018 so that it will be the greater of THREE HUNDRED NINETY-SIX THOUSAND TWO HUNDRED FIFTY DOLLARS (\$396,250) or \$0.1346 per ONE THOUSAND DOLLARS (\$1,000.00) of taxable land and improvements for the purpose of funding the capital and operating costs of the transportation service, including further improvements to the North Ganges Village Transportation Management Plan. YES or NO?;*

5. That the amended synopsis of Bylaw No. 3956, attached as Appendix B, be approved for advertising purposes.



Rajat Sharma, MBA, CPA, CMA  
Senior Manager, Financial Services



Diana E. Lokken, CPA, CMA  
General Manager, Finance and Technology Dept.  
Concurrence



Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

RS:sb

Attachments: A – Bylaw No. 3956 (amendments highlighted)  
B – Synopsis of Bylaw No. 3956 (amendments highlighted)



## CAPITAL REGIONAL DISTRICT

## BYLAW NO. 3956

\*\*\*\*\*

**A BYLAW TO AMEND BYLAW NO. 3438  
TO AMEND THE MAXIMUM REQUISITION FOR THE TRANSPORTATION SERVICE  
~~FOR THE ACTIVE TRANSPORTATION SAFETY UPGRADE OF RAINBOW ROAD  
AND LOWER AND UPPER GANGES ROAD- FOR THE PURPOSE OF FUNDING FURTHER~~  
IMPROVEMENTS TO THE NORTH GANGES VILLAGE TRANSPORTATION MANAGEMENT  
PLAN**

\*\*\*\*\*

**WHEREAS:**

- A. Under Bylaw No. 3438, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007", the Board of the Capital Regional District established a service for the purpose of a community transit and transportation service on Salt Spring Island;
- B. The Regional Board wishes to increase the maximum amount that may be requisitioned for the Transportation Service, for the years 2015 through and including 2018, for the purpose of funding further improvements to the North Ganges Village Transportation Management Plan (NGVTMP)-Phase 2 implementation;
- C. Participating area approval by assent of the electors is required under Section 801.2 of the *Local Government Act*;
- D. The approval of the Inspector of Municipalities is required under Section 802(3) of the *Local Government Act*.

**NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled enacts as follows:

- 1. Bylaw No. 3438, "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007", is amended as follows:

By adding the following as Sections 5(3) and 5(4):

"(3) In accordance with section 800.1(1)(e) of the *Local Government Act*, and despite the provisions of Section 5(2), for the years 2015 through and including 2018, the maximum amount that may be requisitioned for the cost of the Transportation Service is the greater of:

(a) Three Hundred Ninety-Six Thousand Two Hundred Fifty Dollars (\$396,250); or

(b) an amount equal to the amount that could be raised by a property value tax rate of ~~\$1.346~~ \$0.1346 per One Thousand (\$1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area.

(4) For greater certainty, for the year 2019 and following, the maximum amount that

may be requisitioned for the cost of the Transportation Service shall again be as provided under Section 5(2)."

2. This Bylaw may be cited as the "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014".

READ A FIRST TIME THIS 9<sup>th</sup> day of July 2014

READ A SECOND TIME THIS 9<sup>th</sup> day of July 2014

READ A THIRD TIME THIS 9<sup>th</sup> day of July 2014

RESCINDED THIRD READING THIS 13<sup>th</sup> day of August 2014

READ A THIRD TIME, AS AMENDED, THIS 13<sup>th</sup> day of August 2014

RESCINDED THIRD READING THIS <sup>th</sup> day of 2014

READ A THIRD TIME, AS AMENDED, THIS <sup>th</sup> day of 2014

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS <sup>th</sup> day of 2014

RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTION 801.2 OF  
THE *LOCAL GOVERNMENT ACT* THIS <sup>th</sup> day of 2014

ADOPTED THIS <sup>th</sup> day of 2014

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS <sup>th</sup> day of 2014

**SYNOPSIS OF BYLAW NO. 3956**

This synopsis is not an interpretation of the bylaw.

The intent of Bylaw No. 3956, *Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007, Amendment Bylaw No. 3, 2014*, is to amend Bylaw No. 3438 by increasing the maximum amount that may be requisitioned annually for the Salt Spring Island Transportation Service until December 31, 2018 to be the greater of:

- (a) Three Hundred Ninety-Six Thousand Two Hundred Fifty Dollars (\$396,250), or
  - (b) an amount equal to the amount that could be raised by a property value tax rate of ~~\$1.346~~ \$0.1346 per One Thousand (\$1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area,
- for the purpose of funding further improvements to the North Ganges Village Transportation Management Plan ~~Phase 2 implementation~~.

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 3849**

\*\*\*\*\*

**A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"**

\*\*\*\*\*

The Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended:

**A. Schedule A, Part 1, Section 2.0 DEFINITIONS**

- (a) By amending the definition of "HEIGHT" by inserting the words "of the highest roof plane" after the words "mean level";
- (b) By amending the definition of "INSTITUTIONAL ZONE" by adding the word "P-2CB" after the word "P-2" and adding the word "P-4" after the word "P-3";
- (c) By amending the definition of RURAL RESIDENTIAL zone by inserting the word "RR-AK" after the word "RR-A" and by inserting the word "RR-3K" after the word "RR-3".

**B. Schedule A, Part 1, Section 4.0 GENERAL REGULATIONS**

- (a) By deleting from Section 4.01 (2) (a) the words "for a one storey building" after the word "height".
- (b) By deleting from Section 4.20 DETACHED ACCESSORY SUITES subsection (g) the words "of a one storey detached building" after the word "roof".
- (c) By deleting from Section 4.20 DETACHED ACCESSORY SUITES subsection (h) the word "front," after the word "same".

**C. Schedule A, Part 2, Section 3.0 FORESTRY ZONE – AF**

- (a) By adding to Section 3.01 a new permitted use (f) which states:  
(f) Secondary Suite pursuant to Part 1, Subsection 4.19;
- (b) By adding to Section 3.01 a new permitted use (g) which states:  
(g) Detached Accessory Suite pursuant to Part 1, Subsection 4.20.
- (c) By deleting from Section 3.03 the title "Number of Dwelling Units" and adding a new title "Density" and adding the words "One secondary suite or one detached accessory suite per lot is permitted."
- (d) By deleting from Section 3.07 the words ", except that for lots larger than 1 ha and where residential uses exceed a Total Floor Area of 418m<sup>2</sup>, minimum side yards shall be 15 m each side" after the word "15m".

**D. Schedule A, Part 2, Section 4.0 AGRICULTURAL ZONE - AG**

- (a) By adding to Section 4.01 a new permitted use (i) which states:  
(i) Secondary Suite pursuant to Part 1, Subsection 4.19;
- (b) By adding to Section 4.01 a new permitted use (j) which states:  
(j) Detached Accessory Suite pursuant to Part 1, Subsection 4.20 on ALR lands with the approval of the Agricultural Land Commission;
- (c) By adding to Section 4.01 a new permitted use (k) which states:  
(k) Detached Accessory Suite pursuant to Part 1, Subsection 4.20 on non-ALR lands without an additional dwelling pursuant to section 4.07.

(d) By deleting Section 4.03 and replacing with the words:

"Density On non-ALR lands, one one-family dwelling plus one additional dwelling unit is permitted on a lot.

On ALR lands, one one-family dwelling plus two additional dwelling units are permitted on a lot with the approval of the Agricultural Land Commission."

2. This bylaw may be cited as Bylaw No. 3849, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014".

READ A FIRST TIME THIS 11<sup>th</sup> day of June , 2014.

READ A SECOND TIME THIS 11<sup>th</sup> day of June , 2014.

READ A THIRD TIME THIS 13<sup>th</sup> day of August , 2014.

APPROVED by the Minister of Transportation and Infrastructure THIS day of , 2014.

ADOPTED THIS day of , 2014.

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CHAIR

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CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 3922**

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**A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"**

\*\*\*\*\*

The Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended:

**A. Schedule A, Part 1, Section 2.0 DEFINITIONS**

- (a) By adding a new definition for "INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION" after the definition for "INTENSIVE AGRICULTURE" as follows:

"INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION means a use related to the growing, production, possessing, selling, provision, shipping, delivering, transporting, destroying, research, exporting and/or importing of marihuana for medical purposes undertaken by a medical marihuana licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119*."

- (b) By adding a new definition for "MEDICAL MARIHUANA LICENSED PRODUCER" after the definition for "MEDICAL HEALTH OFFICER" as follows:

"MEDICAL MARIHUANA LICENSED PRODUCER means a licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119* authorized to grow, produce, possess, sell, provide, ship, deliver, transport, destroy, research, export and/or import marihuana for medical purposes."

**B. Schedule A, Part 2, Section 4.0 AGRICULTURAL ZONE - AG**

- (a) By adding to Section 4.01 the words "(c) Intensive Agriculture – Medical Marihuana Production on lands within the Agricultural Land Reserve" after the words "(b) Intensive Agriculture" and re-numbering the section accordingly.
- (b) By adding a new Section 4.11 after Section 4.10 which includes the words "Yard Requirements for Intensive Agriculture – Medical Marihuana Buildings a) Front, side, flanking and rear yards shall be a minimum of 30 m."

2. This bylaw may be cited as Bylaw No. 3922, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 118, 2014".

READ A FIRST TIME	THIS	14th	DAY OF	May	2014
READ A SECOND TIME	THIS	14th	DAY OF	May	2014
READ A THIRD TIME	THIS	13th	DAY OF	August	2014
APPROVED by the Minister of Transportation and Infrastructure					
	THIS		DAY OF		2014
ADOPTED	THIS		DAY OF		2014

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

## CAPITAL REGIONAL DISTRICT

## BYLAW NO. 3923

\*\*\*\*\*  
A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"  
\*\*\*\*\*

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended:
  - (a) Schedule A, TABLE OF CONTENTS, PART 2 – ZONING DISTRICTS add the following:
    - i. By adding "27A.0 M-2MM General Industrial Medical Marihuana" after "M-2 General Industrial"
  - (b) Part 2, DEFINITIONS
    - i. By adding "M-2MM" to the definition of INDUSTRIAL ZONE.
  - (c) Part 1, 3.0 ADMINISTRATION AND ENFORCEMENT, Section 3.07 ZONES
    - i. By adding "General Industrial Medical Marihuana – M-2MM" to the list of zones after "General Industrial – M-2"
  - (d) Part 2 – ZONING DISTRICTS
    - i. By creating a new zone, General Industrial Medical Marihuana Zone – M-2MM, to be inserted after Section 27.0, and to read as follows:

**"27A.0 GENERAL INDUSTRIAL MEDICAL MARIHUANA M-2MM"****27A.01 Permitted Uses**

In addition to the uses permitted by Section 4.15 of Part 1 of this bylaw, the following uses and no others are permitted in the General Industrial Medical Marihuana M-2MM Zone:

- (a) General Industrial Uses excluding:
  - (i) Uses for which a permit is required under the *Environmental Management Act* or Regulation;
  - (ii) Refuse and garbage dumps;
  - (iii) The burning of vehicles and other salvage;
- (b) Offices accessory to the principal use;
- (c) Drive-in theatres;
- (d) Vehicle Sales/rentals;
- (e) Equipment Sales/rentals;
- (f) Bulk fuel sales;
- (g) Auction rooms and places;
- (h) Retail sales of lumber and/or building supplies;
- (i) Gravel processing;
- (j) One dwelling unit for the use of a caretaker;
- (k) Unenclosed storage;
- (l) Intensive Agriculture - Medical Marihuana Production.

**27A.02 Minimum Lot Size for Subdivision Purposes**

The minimum lot size shall be 900 m<sup>2</sup>.

**27A.03 Minimum frontage for Subdivision Purposes**

The minimum lot frontage shall be 16 m.



**27A.04 Minimum Lot Width for Subdivision Purposes**

The minimum average lot width shall be 16 m.

**27A.05 Number of Dwelling Units**

One dwelling unit per lot is permitted.

**27A.06 Height**

- (a) Maximum height shall be 14 m for all buildings and structures;
- (b) Maximum height of any unenclosed storage use shall be 3.5 m within 30 m of a Residential Zone, Multiple Family Residential Zone, Commercial Zone, Rural Zone, Agricultural Zone or Institutional Zone.

**27A.07 Lot Coverage**

Maximum lot coverage shall be 60 percent.

**27A.08 Required Yards**

- (a) Front yards shall be a minimum of 7.5 m;
- (b) Side yards shall be a minimum of 4.5 m, except:
  - (i) when the lot abuts a Residential, Rural Residential, or Multiple Family Residential Zone, the side yard shall be a minimum of 15m;
  - (ii) when the lot abuts an Industrial Zone, the side yard may be zero;
  - (iii) when the lot abuts any other Zone, the side yard shall be a minimum of 3 m;
- (c) Flanking yards shall be a minimum of 6 m CTS;
- (d) Rear yards shall be a minimum of 7.5 m, except:
  - (i) where a rear lot line abuts a Residential, Rural Residential, or Multiple Family Residential Zone the rear yard shall be a minimum of 15 m;
  - (ii) where a rear lot line abuts an Industrial Zone, the rear yard may be reduced to not less than 4.5 m.

**27A.09 Storage**

Storage shall not be permitted in required yards adjacent to any Residential or Multiple Family Residential Zone."

**(e) Part 4 – SIGNS**

- i. By amending Section 1.12 SIGN AREAS subsection (c) by adding "GENERAL INDUSTRIAL MEDICAL MARIHUANA" after "GENERAL INDUSTRIAL".

**(f) Schedule B ZONING MAPS**

- i. By amending Map 2: Otter Point Zoning to incorporate the amendment as shown on Plan No. 1 attached to and forming part of this bylaw.

- (g) By deleting from the General Industrial (M-2) zone, and adding to the General Industrial Medical Marihuana (M-2MM) zone, for the purpose of permitting a medical marihuana production facility licensed by Health Canada on Strata Lot 14, Section 16, Otter District, Plan VIS7096, as shown on Plan No. 1, attached to and forming part of this bylaw.

2. This bylaw may be cited as Bylaw No. 3923, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 119, 2014".

READ A FIRST TIME THIS	14 <sup>th</sup>	day of	May,	2014.
READ A SECOND TIME THIS	14 <sup>th</sup>	day of	May,	2014.
READ A THIRD TIME THIS	11 <sup>th</sup>	day of	June,	2014.
APPROVED by the Minister of Transportation and Infrastructure THIS		day of	,	2014.
ADOPTED THIS		day of	,	2014.

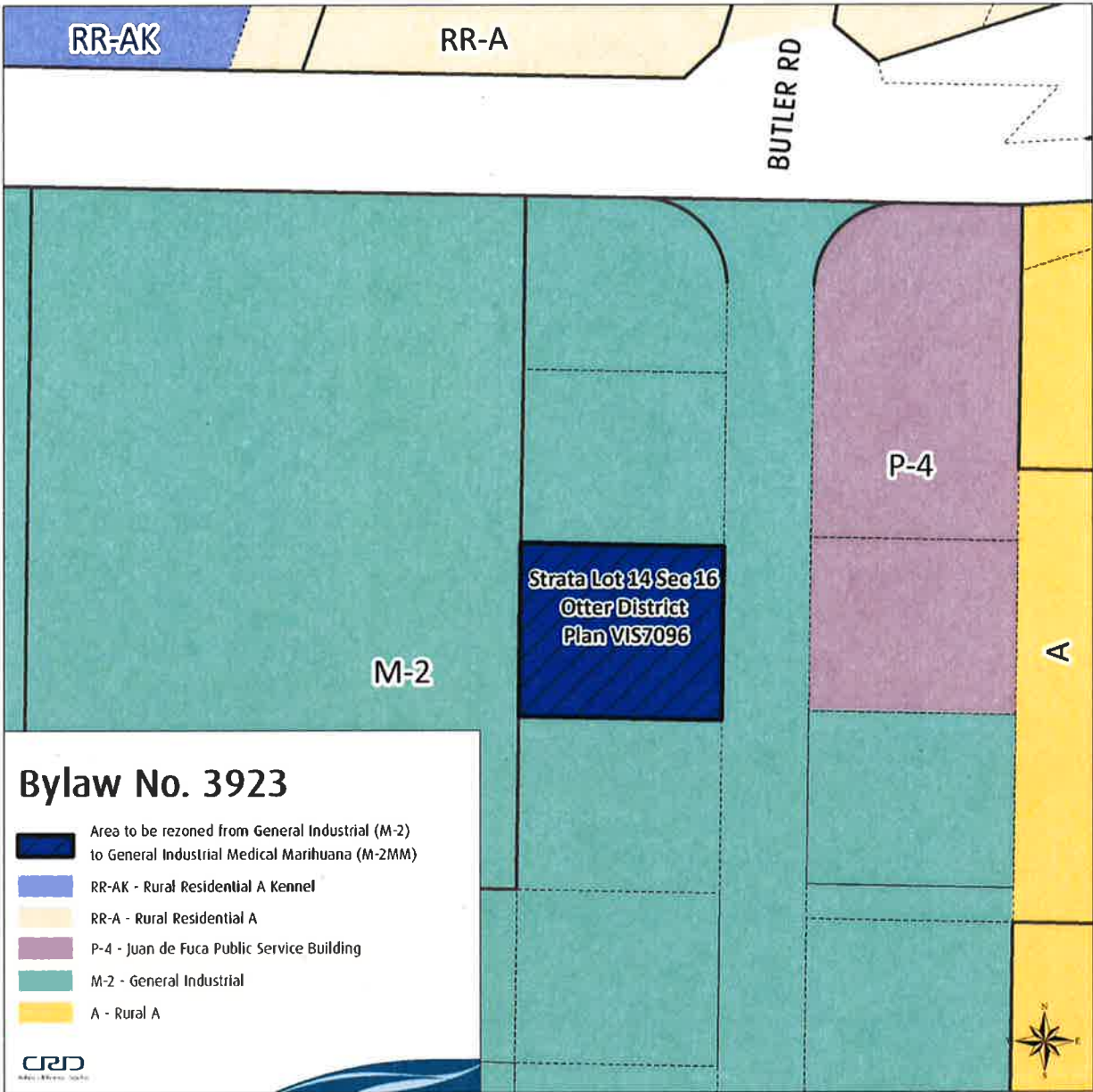
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CHAIR

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CORPORATE OFFICER

Plan No. 1



## CAPITAL REGIONAL DISTRICT

## BYLAW NO. 3929

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A BYLAW TO AMEND BYLAW NO. 3109, THE "COMPREHENSIVE COMMUNITY DEVELOPMENT PLAN  
FOR PORT RENFREW BYLAW NO. 1, 2003"

\*\*\*\*\*

The Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 3109, being the "Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003" is hereby amended:

**A. SCHEDULE B, PART 1, SECTION 1.0 DEFINITIONS**

- (a) By adding a new definition for "INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION" before the words "INTERIOR SIDE PARCEL LINE" as follows:

"INTENSIVE AGRICULTURE – MEDICAL MARIHUANA PRODUCTION means a use related to the growing, production, possessing, selling, provision, shipping, delivering, transporting, destroying, research, exporting and/or importing of marihuana for medical purposes undertaken by a medical marihuana licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119*, on lands within the Agricultural Land Reserve or where the use is expressly permitted by a zone."

- (b) By adding a new definition for "MEDICAL MARIHUANA LICENSED PRODUCER" before the words "OFFICE USES" as follows:

"MEDICAL MARIHUANA LICENSED PRODUCER means a licensed producer pursuant to the *Marihuana for Medical Purposes Regulation, SOR/2013-119* authorized to grow, produce, possess, sell, provide, ship, deliver, transport, destroy, research, export and/or import marihuana for medical purposes."

2. This bylaw may be cited as Bylaw No. 3929, "Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 6, 2014".

READ A FIRST TIME	THIS	14 <sup>th</sup>	DAY OF	May	2014
READ A SECOND TIME	THIS	14 <sup>th</sup>	DAY OF	May	2014
READ A THIRD TIME	THIS	13 <sup>th</sup>	DAY OF	August	2014

APPROVED by the Minister of Transportation and Infrastructure

	THIS	DAY OF	2014
ADOPTED	THIS	DAY OF	2014

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CHAIR

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CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3962**

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**A BYLAW TO PROMOTE CLEAN AIR BY REGULATING  
ENVIRONMENTAL TOBACCO SMOKE**

\*\*\*\*\*

**W H E R E A S:**

- A. By Supplementary Letters Patent dated May 16, 1974, the powers, duties and obligations of all participating member Municipalities and any other local authorities to perform the function conferred on the Capital Regional District pursuant to Division XI – Community Health were transferred to the exclusive jurisdiction of the Capital Regional District, including, but without limiting the generality of the foregoing, the health powers conferred upon the Council of a municipality by the *Community Charter*, S.B.C. 2003, c. 26;
- B. The Board of the Capital Regional District may, by bylaw, pursuant to section 523 of the *Local Government Act*, R.S.B.C. 1996, c. 323, regulate and prohibit for the purposes of maintaining, promoting and preserving public health and maintaining sanitary conditions and undertake any other measures it considers necessary for those purposes;
- C. The Capital Regional District has been granted the additional power to exercise the powers conferred on a council of a municipality under section 8(3)(i) of the *Community Charter*, S.B.C. 2003, c. 26, in accordance with section 14 of the Capital Regional District Regulation, B.C. Reg. 65/90;
- D. Section 9(4) of the *Community Charter*, S.B.C. 2003, c. 26, and the Public Health Bylaws Regulation, B.C. Reg. 42/2004, requires that a bylaw to be adopted under section 2(a) or (b) of B.C. Reg. 42/2004 not be adopted unless the bylaw or a copy of it is first deposited with the Minister of Health and the local government has consulted with the Medical Health Officer responsible for health matters within the Capital Regional District;
- E. A copy of this bylaw has been deposited with the Minister of Health and the Board of the Capital Regional District has consulted with the Medical Health Officer;
- F. Environmental Tobacco Smoke has been designated a Class A carcinogen, similar to benzene and asbestos, by Health Canada and the Environmental Protection Agency of the United States of America, and is a health hazard to the inhabitants of the Capital Regional District;
- G. It is generally recognized by scientific and medical communities that no level of Environmental Tobacco Smoke exposure is safe and scientific research has determined that outdoor areas where smoking occurs contain significant levels of Environmental Tobacco Smoke; and

- H. It is desirable for the purposes of maintaining, promoting and preserving the public health of the inhabitants of the Capital Regional District to prohibit, regulate and impose requirements in relation to smoking in the Capital Regional District.

**NOW, THEREFORE,** the Board of the Capital Regional District, in open meeting assembled **HEREBY ENACTS AS FOLLOWS:**

## **1. INTERPRETATION**

In this Bylaw:

“*business*” means carrying on a commercial or industrial undertaking of any kind or nature or the provision of a professional, personal or other service and includes an activity carried on by a government, government agency, Crown corporation, educational institution, municipality, regional district, or charitable organization;

“*bus stop*” means a place on a bus route marked by a sign at which buses stop to pick up and drop off passengers and includes a transit shelter;

“*Community Charter*” means the *Community Charter*, SBC 2003, Chapter 26;

“*designated public space*” means public playing fields, public playgrounds and public squares;

“*Enforcement Officer*” means a person appointed as a bylaw enforcement officer or contractor by the Capital Regional District to enforce this Bylaw;

“*Local Government Act*” means the *Local Government Act*, RSBC 1996, Chapter 323;

“*main entrance*” means a place where the name or information about a park, designated public space or school yard is posted or a place designed by a responsible person as a common entry point by the public;

“*no-smoking sign*” means a no-smoking sign prescribed by this Bylaw;

“*park*” means land acquired, reserved or dedicated as a regional park or community park in accordance with the *Local Government Act* or the *Community Charter* and land acquired, held, occupied, zoned or regulated as park by a local government and shall include, without restricting the generality of the foregoing, within such parks, all beaches, public playgrounds, public playing fields, public squares, roadways and paths, but shall not include any highway passing through such park that has been dedicated as highway by plan of subdivision or that has been laid out, constructed and maintained by the Ministry of Transportation of the Province of British Columbia, or a local government, or that is a public highway under the *Highway Act*;

“*prominently*” means placed in such a position that the text of the sign or graphic symbol is clearly visible to a person in a school yard or inside a building, structure or vehicle or passenger conveyance, except a private residence;

“*public playgrounds*” means lands held, occupied, zoned or regulated for use by the public as outdoor areas containing playground equipment;

*“public playing fields”* means lands held, occupied, zoned or regulated for use by the public as outdoor areas for sporting activities;

*“public square”* means land acquired, reserved or dedicated as a public square in accordance with the *Local Government Act* or *Community Charter*;

*“responsible person”* means the person who controls, governs or directs the activity carried on within the building, place or premises referred to in this Bylaw and includes the person actually in charge thereof;

*“school yard”* means that portion of the lands of a school as defined in the *School Act* without buildings or structures;

*“transit shelter”* means a covered structure or facility located at a designated bus stop to provide protection from the elements for passengers waiting for a bus.

## **2. PROHIBITION**

- (1) No person shall carry or have in his possession a burning cigarette or cigar or a pipe containing burning tobacco, or burn tobacco in any other manner:
  - (a) in any park except in a private vehicle;
  - (b) in any designated public space;
  - (c) in any school yard;
  - (d) inside any part of a building or structure except in a private residence, hotel or motel room or tent or trailer in a campsite;
  - (e) in any area of a business place where either or both food and beverages are served or consumed, or both served and consumed;
  - (f) in any vehicle or passenger conveyance, except in a private vehicle;
  - (g) within seven (7) metre area measured on the ground from a point directly below any point of a doorway, window or air intake in a place described in subparagraphs 2(1)(d) and (e);
  - (h) within seven (7) metres of a bus stop measured on the ground from any point of the bus stop sign.
- (2) No responsible person shall permit a person to carry or have in his possession a burning cigarette or cigar or a pipe containing burning tobacco, or to burn tobacco in any manner:
  - (a) inside any part of a building or structure, except inside a private residence, hotel or motel room, or tent or trailer in a campsite;
  - (b) in any area of a business place where either or both food and beverages are served or consumed, or both served and consumed;
  - (c) in any vehicle or passenger conveyance, except in a private vehicle;
- (3) Section 2(1) does not apply to a ceremonial use of tobacco in relation to a traditional aboriginal cultural activity.



### 3. POSTING OF SIGNS

- (1) A responsible person must display, or ensure the display of, a sign at all times, in the form established under paragraph 4(1):
  - (a) at the main entrances to a park;
  - (b) at the main entrances to a designated public space;
  - (c) at the main entrances to a school yard;
  - (d) at each entrance to a building or structure for which that person is a responsible person except a private residence, hotel or motel room, or a tent or trailer in a campsite;
  - (e) inside a vehicle or passenger conveyance, except in a private vehicle;
  - (f) at any area of a business place where either or both food and beverages are served or consumed, or both served and consumed;
- (2) A responsible person must display, or ensure the display of, a sign, at all times, on each exterior wall of a building or structure where the prohibition contained in section 2(1) applies, that states:

"Smoking is prohibited within seven (7) meters of openings into this building or structure including doors and windows that open and any air intake."

### 4. SIGNS

- (1) A no-smoking sign shall state,
  - (a) the phrase "no smoking", or
  - (b) a graphic symbol substantially in the form shown on Schedule "A" attached to this Bylaw, which shall be a minimum of six centimetres in diameterand may include
  - (c) the words "Capital Regional District Bylaw No. 3962 Maximum Penalty \$2,000.00."
- (2) A sign prescribed by former Capital Regional District Bylaw Nos. 2217 and 2401 is a lawful no-smoking sign for the purpose of this Bylaw.
- (3) No person shall remove, alter, conceal, deface, write upon or destroy any sign posted pursuant to this Bylaw.

### 5. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court, the section, subsection, sentence, clause or phrase may be severed from the remaining portion of this Bylaw.

### 6. OFFENCE

- (1) A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than Two Thousand Dollars (\$2,000.00), the costs of prosecution and any other penalty or order imposed pursuant to the *Local Government Act, Community*

*Charter* or the *Offence Act* (British Columbia). Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

- (2) The penalties imposed under Section 6(1) shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

## 7. **INSPECTION**

An Enforcement Officer is authorized to enter onto and into any land, building, structure or premises for the purposes established by sections 268 and 314.1 of the *Local Government Act* and any other authority to enter property granted in the *Local Government Act*, *Community Charter*, or another Act in accordance with the provisions of section 16(1)-(5) of the *Community Charter*, or other conditions of entry, if any, set out in the *Local Government Act*, *Community Charter* or another Act.

## 8. **REPEAL**

Capital Regional District Bylaw No. 2401 is hereby repealed.

## 9. **TITLE**

This Bylaw may be cited as the "Capital Regional District Clean Air Bylaw No. 1, 2014."

## 10. **EFFECTIVE DATE**

The effect of this Bylaw is suspended until April 1, 2015 and this Bylaw shall come into force effective April 1, 2015.

READ A FIRST TIME THIS	9 <sup>th</sup>	day of	July	2014
READ A SECOND TIME THIS	9 <sup>th</sup>	day of	July	2014
AMENDED THIS	13 <sup>th</sup>	day of	August	2014
READ A THIRD TIME THIS	13 <sup>th</sup>	day of	August	2014
DEPOSITED WITH THE MINISTER OF HEALTH THIS	25 <sup>th</sup>	day of	August	2014
ADOPTED THIS		day of		

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CHAIR

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CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT CLEAN AIR BYLAW NO. 3962**

**SCHEDULE "A"**

The following graphic symbol is prescribed for the purpose of Section 4(1).

