

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, April 19, 2011 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director L. Iannidinardo, Chair
Director M. Dorey
Director G. Giles
Director I. Morrison
Director K. Kuhn
Director M. Marcotte
Director K. Cossey
Director L. Duncan
Alt. Director R. Burgess
Absent: Director B. Harrison

CVRD STAFF

Tom R. Anderson, General Manager
Brian Farquhar, Manager
Mike Tippett, Manager
Rob Conway, Manager
Brian Duncan, Manager
Alison Garnett, Planner II
Ann Kjerulf, Planner III
Nino Morano, Bylaw Enforcement Officer
Warren Jones, Administrator
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding five items of listed new business

It was Moved and Seconded that the agenda, as amended, be approved.

MOTION CARRIED

M1 - Minutes

It was Moved and Seconded
That the minutes of the April 5, 2011 EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 – North Cowichan Scott Mack, Planner from the District of North Cowichan requested a time extension to present their draft OCP to Committee.

It was Moved and Seconded

That the request by the District of North Cowichan to extend the delegation time limit to 20 minutes be approved.

MOTION CARRIED

Scott Mack and Bridget Reynolds, Planners for the District of North Cowichan were present to provide an overview of North Cowichan’s draft Official Community Plan. A powerpoint presentation provided history, OCP process, Plan overview, Plan goals, objectives and policies, and review process. The OCP has had 1st 2nd readings with the public hearing process to be in May/June and adoption in June/July.

The Committee directed questions to North Cowichan staff.

It was Moved and Seconded

That the CVRD Board supports the District of North Cowichan’s 2011 Official Community Plan Bylaw No. 3450, and recommends the following amendments:

- Policy statements 2.5.7.4(b) and (c) with reference to the South End Waste Water Treatment Plan and waste water system upgrades should include CVRD Electoral Area D; and
- A policy statement be included in the plan which speaks to coordination at a regional level on the development of affordable, supportive, and special needs housing policies and strategies.

MOTION CARRIED

STAFF REPORTS

R1 - Dix Rob Conway, Manager, presented staff report dated April 13, 2011, regarding Application No. 3-I-10DP/RAR (Michael Dix) to allow a single family dwelling at Island #4, Cowichan Lake.

Michael Dix, applicant, advised of proposed revisions to the footprint of the proposed dwelling. The EASC requested revisions at their meeting of March 15, 2011.

The Committee directed questions to the applicant.

It was Moved and Seconded

That Application No. 3-I-10DP/RAR (Michael Dix) for a single family dwelling and associated development at Island #4, Cowichan Lake (Block 1455, Cowichan Lake District, as shown on Plan 40413), be denied.

MOTION CARRIED

R2 - McCullough

Rob Conway, Manager, presented staff report dated April 13, 2011, regarding Application No. 1-H-10DVP (McCullough) to construct a single family dwelling at 4991 Reiber Road. Application was referred from the April 5th EASC meeting.

The Committee directed questions to staff and the applicant.

Brian McCullough, applicant, was present, and provided further information to the application.

It was Moved and Seconded

That Application 1-H-10 DVP, made by Brian McCullough, for a variance to Section 5.13(a) of Zoning Bylaw No. 1020, to decrease the setback from the ocean from 15 metres to 9.1 metres on Lot 1, District Lot 23, Oyster District, Plan 18300 be approved, subject to:

1. Compliance with the recommendations of the Environmental Assessment report prepared by Toth and Associates Environmental Services, dated February 21, 2011;
2. Compliance with the Geotechnical Evaluation report prepared by Lewkowich Engineering Associates Ltd, dated February 4, 2011;
3. Removal of only trees 1 to 4 identified in the Tree Risk Assessment report prepared by B. Furneaux, dated March 22, 2011;
4. Registration of a restrictive covenant on the slope between the marine natural boundary and the top of bank to preclude tree removal and slope disturbance, other than trees 1 to 4 identified in the Tree Risk Assessment Report and works recommended in the Environmental Assessment Report;
5. Confirmation by legal survey that the dwelling is no closer than 9.1 metres to the natural boundary of the ocean;
6. Supervision and monitoring of construction and submission of a report from a Registered Professional Biologist confirming that all conditions of the development variance permit have been complied with prior to issuance of an occupancy certificate.

MOTION CARRIED

R3 - Decksheimer

Alison Garnett, Planner II, presented staff report dated April 12, 2011, regarding Application No. 2-F-10DVP (Decksheimer) to remove four aging buildings, upgrade current septic system, and replace with a new two story residence at 7313 Walton Road.

The Committee directed questions to staff.

Randy Decksheimer, applicant, was present and provided further information to the application.

It was Moved and Seconded

That the application by Brenda and Randy Decksheimer (2-F-10DVP) respecting Lot 2, Block D, Section 15, Renfrew District, Plan 1501, to increase the permitted height of a residence from 10 metres to 10.6 metres, and decrease the setback to Cowichan Lake from 15 metres to zero, be approved as proposed on the attached plans, subject to:

- a) Prior to receiving a building permit, a professional engineer is retained by the applicant to design and certify a sewerage system that is to be located above 164 metre elevation, and to provide written confirmation that the sewerage system, in its entirety, will not create a health hazard;
- b) Development to proceed in accordance with the recommendations of the qualified environmental professional and all relevant best management practices, as noted in the Section 9 application of the *Water Act*, dated October 4, 2010;
- c) The use of fill at the base of the proposed residence is not permitted, unless required by a geotechnical engineer;
- d) The storage of fuel on the property is not permitted;
- e) Measures are taken to improve fish habitat along the natural shoreline, including planting of native shrubs and soft bioengineering, in consultation with a qualified environmental professional;
- f) Confirmation that the floor system is constructed above the 167.3 metre 200 year floodplain elevation;
- g) A legal survey is provided to confirm the approved setback distance and building height, as required by CVRD Building Inspector.

MOTION CARRIED

It was Moved and Seconded

That staff be directed to develop a policy with respect to redevelopment of lots below the high water mark in the Walton Road area of Honeymoon Bay.

MOTION CARRIED

R4 - Maartman

Rob Conway, Manager, presented staff report dated April 13, 2011, regarding request for accessory building fixtures at 13480 Michael Road (Ben Maartman).

Ben Maartman, applicant, was present.

The Committee directed questions to staff.

It was Moved and Seconded

That the request by Ben Maartman and Jan Jones to allow additional bathroom and kitchen fixtures consisting of shower/tub, kitchen sink and stove, and washing machine, dryer and bath tub, in addition to two permitted plumbing fixtures, within an accessory building at 13480 Michael Road (Lot 1, District Lots 26 and 105, Oyster District, Plan 30755 PID: 001-227-238), be approved subject to registration of a covenant prohibiting occupancy of the accessory building as a dwelling.

MOTION CARRIED

**R5 – CRD
greenhouse gas
amendments**

Mike Tippett, Manager, presented staff report dated April 12, 2011, regarding Capital Regional District draft OCP Green House Gas amendments.

It was Moved and Seconded

That the CVRD express its support for the proposed amendments to the Capital Regional District's Malahat Official Community Plan, and recommends that a reference to recent efforts to link the CRD's segment of the Trans-Canada Trail through to the CVRD's segment of the TCT (Cowichan Valley Trail) be mentioned in the appropriate section of the Plan, and further that the CVRD has no affected interests respecting the Shirley/Jordan River, East Sooke or Otter Point OCPs.

MOTION CARRIED

**R6 – Agriculture
Zone, Area E**

Mike Tippett, Manager, presented staff report dated April 13, 2011, regarding new Agricultural zone for Area E.

It was Moved and Seconded

That staff report dated April 13, 2011, from Tom R. Anderson, General Manager, regarding new Agricultural Zone for Electoral Area E, be received and filed.

MOTION CARRIED

CORRESPONDENCE

C1 – Grant in Aid

It was Moved and Seconded

That a grant in aid, Electoral Area E – Cowichan Station/Sahtlam/Glenora, be given to Cowichan Green Community in the amount of \$1,500, to assist with costs to produce the second edition of the Cowichan Food Map.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded

That the March 2011 Building Report be received and filed.

MOTION CARRIED

IN2 - Minutes

It was Moved and Seconded

That the minutes of the Area C Parks Commission meeting of April 7, 2011, be received and filed.

MOTION CARRIED

IN3 - Minutes

It was Moved and Seconded
That the minutes of the Area I Parks Commission meeting of February 8, 2011, be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – R2 add-on

Add-on material regarding agenda Item R2, Application No. 1-H-10DVP, McCullough) was received as information.

NB2 – Release of Covenant

It was Moved and Seconded
That the Board Chair and Corporate Secretary be authorized to execute the appropriate documents to release Covenant CA1652858 concurrent with the subdivision and registration in favour of the CVRD a 3.0 metre wide trail corridor (0.033 hectare) per the conditions of the covenant.

MOTION CARRIED

It was Moved and Seconded
That staff be directed to prepare a report for consideration by the Committee on the administrative process to release covenants and other commitment requirements as permitted under provincial regulations that would not require subsequent approval by the Committee and Board.

MOTION CARRIED

NB3 to NB 5 – Grants In Aid

It was Moved and Seconded
That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Ecole Mill Bay PAC in the amount of \$500 to assist with costs for their Ecostravaganza Event.

MOTION CARRIED

It was Moved and Seconded
That a grant in aid, Electoral Area E – Cowichan Station/Sahtlam/Glenora, be given to Cowichan Green Community in the amount of \$500 to support their Salmon are Sacred dinner auction fundraiser.

MOTION CARRIED

It was Moved and Seconded
That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, be given to Honeymoon Bay Community Society in the amount of \$500 to assist in defraying costs of hosting their Heritage Days

MOTION CARRIED

