

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, April 3, 2012 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

**PRESENT**

Director M. Walker, Chair  
Director L. Iannidinardo  
Director P. Weaver  
Director I. Morrison  
Director B. Fraser  
Director L. Duncan  
Director G. Giles  
Director M. Marcotte  
Director M. Dorey

**CVRD STAFF**

Tom Anderson, General Manager  
Mike Tippett, Manager  
Rob Conway, Manager  
Brian Duncan, Manager  
Warren Jones, Administrator  
Rob Hutchins, Board Chair  
Maddy Koch, Planning Technician  
Rachelle Rondeau, Planner I  
Dana Leitch, Planner II  
Ann Kjerulf, Planner III  
Brian Dennison, General Manager  
Cathy Allen, Recording Secretary

**APPROVAL OF AGENDA**

The Chair noted changes to the agenda which included adding six items of listed New Business, and six items of unlisted 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 March 20, 2012, EASC meeting be adopted.

MOTION CARRIED

**BUSINESS ARISING**

There was no business arising.

**DELEGATIONS**

**D1 - Rafidi**

Anita Rafidi, owner of Sun Lotus Art House, was present to request that the Board rescind the injunction against the operation of their business while the rezoning application is being processed, or request that the rezoning application to P-2 zoning be expedited. Ms. Rafidi stated that they were under the wrong impression that they could continue operation while the rezoning application was being processed. Sun Lotus has pre-booked 8 wedding events for the 2012 summer season and they would like the CVRD to permit those bookings to proceed during the rezoning process, and further stated that

cancellation of the events would put them in a serious financial hardship position.

There were no comments or questions from Committee members.

The Chair thanked Ms. Rafidi for her presentation and advised that due to litigation reference, the subject will be discussed in closed session, and that staff will contact her.

**D2 - Kolosoff**

Director Marcotte declared a conflict of interest due to her long standing personal relationship with the delegate, and left the room at this point.

Doug Kolosoff, delegate, was present to request a one year extension to their Development Permit No. 3-H-09DP.

The Committee directed questions to staff.

It was Moved and Seconded

That Development Permit No. 3-H-09DP (Kiwi Cove Lodge/Kolosoff) be extended for one year until April 14, 2013.

MOTION CARRIED

Director Marcotte returned to the meeting at this point.

Tom Anderson, General Manager, arrived to the meeting at this point.

**STAFF REPORTS**

**R1 – Van Basten**

Maddy Koch, Planning Technician, reviewed staff report dated March 28, 2012, regarding Application No. 2-F-11DVP (Stan Van Basten) to permit construction of a cantilevered deck and dormers on the dwelling located at 10143 South Shore Road.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 2-F-11DVP by Stan Van Basten to vary Section 3.22 of Zoning Bylaw No. 2600 on Lot 34, Section 35, Renfrew District, (situate in Cowichan Lake District), Plan 40628 by reducing the minimum setback from a water course from 15 metres to 3 metres for the purpose of constructing a cantilevered deck and dormers, be approved.

MOTION CARRIED

**R2 - Wyatt**

Dana Leitch, Planner II, reviewed staff report dated March 28, 2012, regarding Application No. 1-A-11TUP (Wyatt/Malahat Holdings) for a temporary use permit to permit rock processing at property located on the TCH south of Butterfield Road.

The Committee directed questions to staff and applicant.

Mark Wyatt, applicant, was present and provided further information to the application.

It was Moved and Seconded

That Application No. 1-A-11 TUP submitted by Mark Wyatt on behalf of Malahat Holdings Ltd. Inc. for a Temporary Use Permit on 8.0 ha of District Lot 72, Malahat District Except Those Parts in Plans 518W and 49974 and VIP 86314 proceed to a public meeting in accordance with South Cowichan Official Community Plan Policy 12.23.

MOTION CARRIED

**R3 - Williams**

Rachelle Rondeau, Planner I, reviewed staff report dated March 27, 2012, regarding Application No. 2-E-12ALR (Williams) to construct a small suite on property located at 4930 Waters Road.

The Committee directed questions to staff and applicant.

Doug Williams, applicant, was present and provided further information to the application.

It was Moved and Seconded

That Application No. 2-E-12ALR by Douglas Williams made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct a small suite on the subject property, be forwarded to the Agricultural Land Commission with a recommendation to approve the application subject to decommissioning of the existing cabin.

MOTION CARRIED

**R4 - Corby**

Rachelle Rondeau, Planner I, reviewed staff report dated March 27, 2012, regarding Application No. 5-E-12DP/RAR/VAR (Donna Corby) to permit construction of a dwelling 25.9 metres from the stream located at 4547 Cowichan Lake Road.

There were no questions to staff from Committee members.

It was Moved and Seconded

That Application No. 5-E-12DP/RAR/VAR by Donna Corby for a variance to Section 5.18 of Bylaw No. 1840 in order to reduce the required Streamside Protection and Enhancement Area setback from 7.5 metres down to 2.8 metres on Lot B, Section 8, Sahtlam District, Plan VIP53018 (PID: 017-475-503) be approved, subject to compliance with the recommendations of RAR Report No. 2294.

MOTION CARRIED

**R5 – DP extensions**

Rob Conway, Manager, reviewed staff report dated March 23, 2012, from Alison Garnett, Planner I, regarding amendments to the Development Application Procedures and Fees Bylaw No. 3275.

It was Moved and Seconded

That staff be directed to prepare an amendment bylaw to CVRD Development Application Procedures and Fees Bylaw No. 3275, to address requests to extend the validity of a development permit or development variance permit, specifically by creating an application form and fee, providing a list of application requirements and an outline of the process.

MOTION CARRIED

**R6 – Composting**

Maddy Koch, Planning Technician, reviewed staff report dated March 28, 2012, regarding composting and recycling permitted uses in electoral area zoning bylaws.

General discussion ensued.

It was Moved and Seconded

That CVRD Zoning Bylaws No. 2000, 985,1405, 1015, 1840, 2600, 1020 and 2465 be amended to remove recycling and composting uses from all zones, while simultaneously developing a new recycling/ composting zone that may be applied to appropriate parcels upon successful rezoning application, and that a public hearing be held in the north, south, central and west sectors of the Regional District; and further, that the following referral agencies be notified of the proposed amendment: Ministry of Transportation and Infrastructure, Ministry of Environment, Regional District of Nanaimo, Capital Regional District, City of Duncan, Town of Lake Cowichan, Town of Ladysmith, North Cowichan District, Stz'uminus First Nation, Lake Cowichan First Nations, Ditidaht First Nation, Cowichan Tribes and Malahat First Nation.

MOTION CARRIED

**R7 – Parks Capital  
Projects Schedule**

Ryan Dias, A/Manager, reviewed staff report dated March 27, 2012, regarding 2012 Capital Projects schedule for community and sub-regional parks.

It was Moved and Seconded

That the 2012 Major and Minor Capital Work Program Schedule for Community and Sub-Regional Parks be endorsed as the order and priority list for undertaking completion of capital project work approved in the 2012 budget.

MOTION CARRIED

**R8 – Parks Program  
Priorities**

Ryan Dias, A/Manager, reviewed staff report dated March 29, 2012, regarding community parks and trails 2012 program priorities.

It was Moved and Seconded

That the staff report dated March 29, 2012, from Ryan Dias, A/Manager, parks and Trails Division, regarding Community Parks and Trails 2012 Program Priorities, be received and filed.

MOTION CARRIED

**R9 – Heritage  
Recognition**

Ann Kjerulf, Planner III, reviewed staff report dated March 28, 2012, regarding heritage resource recognition and protection.

It was Moved and Seconded

That the staff report dated March 28, 2012, from Ann Kjerulf, Planner III, regarding Heritage Resource Recognition and Protection, be received and filed.

MOTION CARRIED

**R10 – Departmental  
Work Plan**

Tom Anderson, General Manager, reviewed staff report dated March 26, 2012, regarding 2012 departmental work plan update.

A general discussion took place.

It was Moved and Seconded

That the staff report dated March 26, 2012, from Tom Anderson, General Manager, regarding 2012 Departmental Work Plan update, be received and filed.

MOTION CARRIED

**R11 – CMS Food  
Bank**

Brian Duncan, Manager, reviewed staff report dated March 27, 2012, regarding request by CMS Food Bank Society to waive the building permit fee for application to construct an addition to the existing structure located on Lashburn Road in Mill Bay.

It was Moved and Seconded  
That the building permit fee for the proposed 380 sq.ft. addition of the CMS Food Bank on Lashburn Road, be waived.

MOTION CARRIED

**R12 – Gas Tax Fund**

Warren Jones, Administrator, reviewed staff report dated March 29, 2012, regarding gas tax community works fund.

A general discussion ensued.

It was Moved and Seconded  
That Tier II Flood infrastructure funding project be moved from Tier I priority to Tier II.

MOTION DEFEATED

It was Moved and Seconded  
That the Electoral Areas Curbside Collection project be eliminated from the gas tax funding list.

MOTION CARRIED

It was Moved and Seconded  
That the Electoral Areas Curbside Collection project be eliminated from the gas tax funding list and the \$300,000 be allocated to Tier I and Tier II projects; and further, that staff be directed to recommend to the Committee how all Tier I and II projects could fit within the available 2012-2014 gas tax funding envelope.

MOTION CARRIED

**CORRESPONDENCE**

**C1 to C12 and  
NB3 to NB8 – Grants  
in Aid**

It was Moved and Seconded  
That the following grants in aid be approved:

1. That a grant in aid, Area C – Cobble Hill, be given to South Cowichan Rotary Association in the amount of \$1,500 to assist with an addition to the CMS Food Bank.
2. That a grant in aid, Area C – Cobble Hill, be given to Cowichan Therapeutic Riding Association in the amount of \$500 to assist with their program
3. That a grant in aid, Area C – Cobble Hill, be given to Cowichan Family Caregivers Support Society in the amount of \$500 to assist with their support program.
4. That a grant in aid, Area C – Cobble Hill, be given to The Cowichan Spirit of Women Women’s Resource Centre in the amount of \$250 to assist educational programs.
5. That a grant in aid, Area C – Cobble Hill, be given to the Ecole Mill Bay Elementary School in the amount of \$500 to assist in the organization of the 2012 Ecostravaganza.

6. That a grant in aid, Area I – Youbou/Meade Creek, be given to Cowichan Lake Lady of the Lake Society in the amount of \$500 to assist with the 2012 Lake of the Lake ambassador expenses.
7. That a grant in aid, Area I – Youbou/Meade Creek, be given to Lake Cowichan Secondary School in the amount of \$500 to assist with their 2012 scholarship/bursary program.
8. That a grant in aid, Area I – Youbou/Meade Creek, be given to Cowichan Lake and River Stewardship Society in the amount of \$500 to assist with their ongoing fish habitat signage project.
9. That a grant in aid, Area I – Youbou/Meade Creek, be given to Cowichan Lake Salmonid Enhancement Society in the amount of \$500 to assist with their fry salvage program.
10. That a grant in aid, Area I – Youbou/Meade Creek, be given to Cowichan Lake District Chamber of Commerce in the amount of \$7,500 to assist with the visitor centre operating expenses.
11. That a grant in aid, Area D – Cowichan Bay, be given to the Cowichan Wooden Boat Society in the amount of \$1,000 to assist with expenses for the annual Prawn Festival.
12. That a grant in aid, Area D – Cowichan Bay, be given to the Cowichan Family Caregivers Support Society in the amount of \$500 to assist with their support program.
13. That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, be given to Honeymoon Bay Community Society in the amount of \$500 to assist with hosting the 2012 Heritage Days event.
14. That a grant in aid, Area G – Saltair/Gulf Islands, be given to Chemainus Harvest House Society in the amount of \$500 to assist with their food bank program
15. That a grant in aid, Area D – Cowichan Bay, be given to Cowichan Land Trust in the amount of \$1,000 to assist with costs of the opening celebrations of the Cowichan Estuary Nature Centre.
16. That a grant in aid, Area D – Cowichan Bay, be given to Kerry Park Men's Curling League in the amount of \$250 to assist with costs to attend the Pacific International Cup Event.
17. That a grant in aid, Area C- Cobble Hill, be given to Kerry Park Men's Curling League in the amount of \$250 to assist with costs to attend the Pacific International Cup Event.
18. That a grant in aid, Area A – Mill Bay/Malahat, be given to Kerry Park Men's Curling League in the amount of \$250 to assist with costs to attend the Pacific International Cup Event.

MOTION CARRIED

**INFORMATION**

**IN1 to IN5 - Minutes**

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Cobble Hill Parks Commission meeting of March 22, 2012
- Minutes of Area A Parks Commission meeting of February 14, 2012
- Minutes of Area G Parks Commission meeting of March 5, 2012
- Minutes of Area G Parks Commission meeting of March 19, 2012
- Minutes of Area B Parks Commission meeting of March 15, 2012

MOTION CARRIED

**NEW BUSINESS**

**NB1, NB2 - Minutes**

It was Moved and Seconded

That the minutes of the Area I APC meeting of March 20, 2012, and the minutes of the Joint South-End APC meeting of March 22, 2012, be received and filed.

MOTION CARRIED

**NB9 – Contaminated Soil, Area B**

Director Fraser advised Committee members that some local residents have volunteered to monitor trucks, videotape and record the numbers of trucks that have been dumping potentially contaminated soil in the south end of the Shawnigan Watershed. Unfortunately a situation has occurred where a trucker has dumped a full load of waste material in the driveway of one of the volunteers. There are now personal safety concerns involved which will add impetus to the CVRD getting proper government attention to the problem.

**NB10 – SC Joint APC**

Director Fraser expressed concerns regarding the cumbersome structure of the South Cowichan Joint APC. Director Fraser requested that staff provide suggestions on how best to reorganize the Commission's mandate.

It was Moved and Seconded

That staff be instructed to investigate the inappropriate structure of the South Cowichan Joint APC and report back with suggested amendments to the organization and mandate of the Commission.

MOTION CARRIED

**NB11 – Area C Parks appointment**

It was Moved and Seconded

That Gordon Dickinson be appointed to the vacant elected position on the Area C Parks Commission for a term to expire December 31, 2012, and that the appropriate information be provided to Mr. Dickinson.

MOTION CARRIED

**NB12 – Doupe Road**

Director Duncan advised that residents living at the end of Doupe Road are not able to enter their private property due to the fact that the road has sloughed into Glenora Creek and has affected their main access. Public Safety has been involved due to lack of emergency access to the property. Director Duncan noted that he will be meeting with BC Mot on April 18<sup>th</sup> to discuss appropriate action that needs to be taken to rectify the situation, but would like direction to have staff send a letter to the Minister if a satisfactory resolution is not reached.

It was Moved and Seconded

That the General Manager, Planning and Development Department, be directed to forward a letter to the Minister of Transportation and Infrastructure outlining concerns regarding lack of appropriate Ministry action respecting loss of public access to private properties due to a washout at the end of Doupe Road in Cowichan Station and request that the appropriate action be taken.

MOTION CARRIED

**CLOSED SESSION**

It was Moved and Seconded

That the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90(1), subsections as noted in accordance with each agenda item.

MOTION CARRIED

The Committee moved into Closed Session at 6:02 p.m.

**RISE**

The Committee rose without report.

**ADJOURNMENT**

It was Moved and Seconded

That the meeting be adjourned

MOTION CARRIED

The meeting adjourned at 6:45 p.m.

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Chair

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Recording Secretary