

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, September 4, 2012 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

PRESENT

Director M. Walker, Chair
Director G. Giles
Director L. Iannidinardo
Director L. Duncan
Director I. Morrison
Director M. Marcotte
Director M. Dorey
Director P. Weaver
Alt. Director K. Musselwhite
Absent: Director B. Fraser

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager
Mike Tippet, Manager
Brian Duncan, Manager
Brian Farquhar, Manager
Rob Hutchins, Board Chair
Warren Jones, Administrator
Nino Morano, Bylaw Enforcement Officer
Alison Garnett, Planner I
Maddy Koch, Planning Technician
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included two un-listed items of new business.

It was Moved and Seconded
That the Agenda as amended be accepted.

MOTION CARRIED

M1 - Minutes

It was Moved and Seconded that the Minutes of the July 31, 2012, EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Lawrence

Tamara Lawrence, delegate, was present on behalf of the Creekside Residents Association regarding concerns about short term vacation rentals in Creekside.

Ms. Lawrence stated that the residents are not in favour of short term renting of residential homes. A letter from Tamara Lawrence was submitted along with several form letters from Creekside residents who oppose any short term rentals.

There were no questions directed to the delegate.

The Chair thanked Ms. Lawrence for appearing.

D2 - Speirs

Drew Speirs and Laurie Speirs, delegates, were present regarding concerns with ongoing issue of summer rental on Miracle Way in Youbou.

The delegates stated that they agree with statements made by the previous speaker, and that they have the same concerns. They stated that they support the recommendation of the staff report from Rob Conway.

There were no questions directed to the delegates.

The Chair thanked Mr. & Mrs. Speirs for appearing.

STAFF REPORTS

R1 – Short Term Rentals

Rob Conway, Manager, presented staff report dated August 29, 2012, regarding Short Term Rentals of Residential Dwelling Units.

The Committee directed questions to staff.

It was Moved and Seconded

That a policy be established to allow short term rentals that are customarily incidental to residential use and that enforcement action be taken against vacation rentals for terms of less than one month.

MOTION CARRIED

R2 - Allen

Maddy Koch, Planning Technician, reviewed staff report dated August 23, 2012, regarding Application No. 3-I-12DP (Allen) to permit construction of a dwelling on Lot 35, Sa-Seen-Os Crescent.

Greg Allen, applicant, was present.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 3-I-12DP be approved, and that a development permit be issued to Greg and Laurie Allen to permit construction of a dwelling on Lot 35, District Lot 32, Cowichan Lake District, Plan 1003 except part in plan 1584RW (PID: 006-544-851), subject to:

- Compliance with the measures and recommendations outlined in RAR assessment report No. 2369 by Ted Burns, dated May 5, 2012.

- Narrowing of the footpath to 1.5 metres, in accordance with the Watercourse Protection Development Permit Area requirements of CVRD Bylaw No. 2650

MOTION CARRIED

R3 - McKenzie

Maddy Koch, Planning Technician, reviewed staff report dated August 29, 2012, regarding Application No. 1-D-12DVP (McKenzie/Kell) to permit construction of a garage at 2054 Cowichan Bay Road.

The applicants were present.

There were no questions directed to staff or the applicants.

It was Moved and Seconded

That Application No. 1-D-12DVP by Maureen McKenzie and Rod Kell to vary Section 8.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum setback from a rear parcel line from 4.5 metres to 1 metre on Lot B, Section 8, Range 3, Cowichan District, Plan VIP87075 (PID: 028-096-649), for the purpose of constructing a garage, be denied.

MOTION CARRIED

R4 - Kozak

Alison Garnett, Planner I, reviewed staff report dated August 27, 2012, regarding Application No. 10-B-12DP (Kozak/Fothergill) to permit subdivision of one new lot at 3700 Kingburne Drive.

The applicants were present.

There were no questions directed to staff or the applicant.

It was Moved and Seconded

That Application No. 10-B-12DP be approved, and that a development permit be issued to Wayne Kozak and Lucinda Fothergill on Lot 2, Section 14, Ranges 2 & 3, Shawnigan District, Plan 30904 (PID 001-211-960) to permit subdivision of one new lot, subject to:

- a) Subdivision will be in substantial compliance with the approved plans and RAR report No. 2395;
- b) Prior to issuance of a building permit on the new lot, a qualified professional provides advice on low-impact development techniques and recommendations to manage rainwater water on-site and in a manner that protects the natural environment.

MOTION CARRIED

R5 - Jackson

Alison Garnett, Planner I, reviewed staff report dated August 28, 2012, regarding Application No. 1-A-10RS (Philips/Jackson) to amend the existing W-2 Zone to include private docks as a permitted use to allow a private dock at the foreshore to 605 Kilmalu Road.

The applicant was present and provided further information to the application.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 1-A-10RS (Phillips for Jackson) be denied, a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275, and the file referred to the Inspections and Enforcement Division.

MOTION CARRIED

R6 – Oceanfront Suites Hotel

Mike Tippett, Manager, reviewed staff report dated August 17, 2012, from Ann Kjerulf, Planner III, regarding proposed community facilities at the Cowichan Bay Oceanfront Suites Hotel.

It was Moved and Seconded

That staff report dated August 17, 2012, from Ann Kjerulf, Planner III, regarding proposed community facilities at the Cowichan Bay Oceanfront Suites Hotel, be referred to the Electoral Area D Parks Commission for discussion.

MOTION CARRIED

R7 – Cobble Hill Age Friendly

Mike Tippett, Manager, reviewed staff report dated August 23, 2012, from Ann Kjerulf, Planner III, regarding Cobble Hill Age-Friendly Assessment and Housing Study.

It was Moved and Seconded

That the staff report dated August 23, 2012, from Ann Kjerulf, Planner III, regarding Cobble Hill Age-Friendly Assessment and Housing Study, be received and filed.

MOTION CARRIED

R8 – Imadene Foundation

Sybille Sanderson, A/General Manager, reviewed staff report dated August 20, 2012, regarding contribution in lieu of taxes (Imadene Foundation).

It was Moved and Seconded

That a letter be sent to the Imadene Foundation requesting an annual contribution to the Mesachie Lake Fire Protection equivalent to the taxes currently exempt on the following properties owned by the Imadene Foundation:

- | | |
|-----------------|--|
| PID 003-795-403 | Roll Number 02602.000 Recreation Non Profit |
| PID 001-610-821 | Roll Number 01268.000 Business Other |
| PID 001-610-902 | Roll Number 02600.000 Business Other |
| PID 001-610-651 | Roll Number 01951.000 Business Other/Residential |

MOTION CARRIED

R9 – Land Remediation Documents

Rob Conway, Manager, reviewed staff report dated August 28, 2012, regarding draft land remediation documents (Ministry of Environment).

It was Moved and Seconded

That the 14 draft land remediation documents regarding contaminated sites, referred to the CVRD by the Ministry of Environment, be referred to the CVRD's Soil Relocation Sub-Committee for review and comment.

MOTION CARRIED

R10 - Fireworks

Brian Duncan, Manager, reviewed staff report dated August 28, 2012, regarding CVRD Fireworks Sale and Discharge Regulation Amendment Bylaw.

It was Moved and Seconded

That proposed CVRD Bylaw No. 3633 - Fireworks Sale and Discharge Regulation Amendment Bylaw, 2012, be forwarded to the Board for consideration and three readings and adoption.

MOTION CARRIED

R11 – UBCM Response

Tom Anderson, General Manager, reviewed staff report dated August 27, 2012, regarding 2011 UBCM Resolution Response.

It was Moved and Seconded

That the letter dated July 27, 2012, from Ministry of Forests, Lands and Natural Resource Operations, regarding 2011 UBCM resolution and provincial agency response.

MOTION CARRIED

R12 – Mid Year Budget

Tom Anderson, General Manager, reviewed staff report dated August 27, 2012, regarding Planning & Development Department mid-year budget report.

It was Moved and Seconded

That the staff report dated August 27, 2012, from Tom Anderson, General Manager, regarding mid-year budget report, be received and filed.

MOTION CARRIED

R13 – Budget Prep Report

Tom Anderson, General Manager, reviewed staff report dated August 27, 2012, regarding 2013 Planning and Development Department Budget Preparation Report.

Mr. Anderson suggested that Directors forward/email their requests for 2013 staff projects directly to him.

R14 – Parks & Trails Budgets

It was Moved and Seconded
That staff report dated August 28, 2012, from Brian Farquhar, Manager Parks & Trails Division, regarding community parks and trails budgets, be received and filed.

MOTION CARRIED

R15 – Area E Energy Efficiency

It was Moved and Seconded
That the subject of Energy Efficiency Issues be referred to the next EASC meeting and that a further more comprehensive staff report from Kate Miller, Regional Environmental Policy Manager, regarding Bill 27 and the proposed heat pump regulations for Area E, be provided.

MOTION CARRIED

INFORMATION

IN1- Building Report

It was Moved and Seconded
That the July 2012 Building Report, be received and filed.

MOTION CARRIED

IN2 to IN5 - Minutes

It was Moved and Seconded
That the following minutes be received and filed:

- Minutes of Area F APC meeting of June 25, 2012
- Minutes of Area C APC meeting of July 19, 2012
- Minutes of Area B APC meeting of July 5, 2012
- Minutes of Area I APC meeting of August 7, 2012

MOTION CARRIED

IN6 - Resignations

It was Moved and Seconded
That the resignation of Bob Burden from the Area F Parks Commission, and the resignation of Shirley Burden from the Area F Advisory Planning Commission, be accepted and that a letter of appreciation be forwarded to Bob and Shirley Burden.

MOTION CARRIED

NEW BUSINESS

NB1 – Application process

Director Giles stated that she has received concerns from constituents regarding the planning application process. It was suggested that applicants receive a hand-out that outlines the step-by-step application process.

Mr. Anderson advised that applicants do receive a brochure when they submit an application that outlines the application process, and noted that such things as agency referrals, requests for further studies, and new South Cowichan OCP policies may hold up processing of certain applications.

Discussion ensued.

Mr. Conway stated that more time could be spent with applicants going over the process and requirements.

Director Giles stated that concerns were more regarding the length of the process.

NB2 – EDC Bylaw

Director Giles suggested that the EASC review the Economic Development Commission bylaw to determine whether or not they are operating within their mandate.

Director Marcotte suggested that this should go to Regional Services first as feels that the whole Board should be included in discussion regarding EDC.

It was Moved and Seconded

That the Economic Development Commission bylaw be placed on the agenda of the next EASC meeting for review of the bylaw mandate/function, and that the CVRD's municipal partners be invited to participate if desired.

MOTION CARRIED

RECESS

The Committee adjourned for a five minute recess.

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 5:46 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 6:42 pm.

Chair

Recording Secretary