

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, February 3, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC

PRESENT

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

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager, Development Services Division
Brian Duncan, Chief Building Inspector
Brian Farquhar, Parks and Trails Manager
Dan Derby, General Manager
Kathleen Harrison, Deputy Manager
Warren Jones, Administrator
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included referring item D2 to the next meeting, adding one item to Parks and one item 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 January 20, 2009 EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 – Tom Jarvis

Leslie Clarke, Planning Technician, presented Application No. 7-A-08DVP (Tom and Corrine Jarvis) to decrease the front line setback to 0.02 metres and decrease the exterior side lot line to 0.0 metres to locate an accessory building at 1695 Sandy Beach Road.

A question and answer session occurred.

Tom Jarvis, applicant, was present. He provided further information to his application.

There were questions to the applicant from Directors.

It was Moved and Seconded

That Application No. 7-A-08DVP by Tom Jarvis for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a front lot line to 0.02 m. (0.06 ft.) and decreasing the exterior side lot line to 0.0 m. (0.0 ft) for an accessory building on Lot 3, District Lot 79, Malahat District, Plan 13099, PID 004-716-655), be approved, subject to construction of a fence and receipt of engineer's drawing ensuring safety of the building.

MOTION DEFEATED

It was Moved and Seconded

That Application No. 7-A-08DVP by Tom Jarvis for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a front lot line to 0.02 m. (0.06 ft.) and decreasing the exterior side lot line to 0.0 m. (0.0 ft) for an accessory building on Lot 3, District Lot 79, Malahat District, Plan 13099, PID 004-716-655), not be approved.

MOTION CARRIED

D2 – Doug Denham

Application No. 8-I-08DP referred to the next EASC meeting.

STAFF REPORTS

**SR1 – Mesachie Lake
Fire Engine**

It was Moved and Seconded

1. That the services of Bob Hamilton Enterprises Inc. be obtained to undergo negotiations, inspection and purchase of a used fire engine on behalf of the CVRD prior to the adoption of the CVRD 2009 five-year financial plan.
2. That the sole source purchase of a used fire engine for the Mesachie Lake Volunteer Fire Department, with overall expenditure not to exceed \$120,000, be approved.
3. That \$50,000 in short term borrowing for the purchase of a used fire engine for the Mesachie Lake Volunteer Fire Department to be paid over five years under the Liabilities Section 175 of the Community Charter, be approved.
4. That the necessary Reserve Fund Expenditure Bylaw be prepared and that the Bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

Director Marcotte arrived to the meeting at this point.

D3 – Warren Johnny Tom Anderson, General Manager, presented Application No. 3-H-07RS (Chemainus First Nation) to manage a portion of the seabed of Ladysmith Harbour for active management and harvesting of shellfish resources; and to rezone the subject Crown Foreshore from W-1 and W-2 to proposed W-4A Zone.

A question and answer session occurred.

Warren Johnny, applicant, was present. He provided further information to the application.

There were no questions to the applicant from Directors.

It was Moved and Seconded

1. That Application No. 3-H-07RS (Chemainus First Nation) for a defined portion of Crown seabed in Ladysmith Harbour for the purposes of active management of the subject area's shellfish resource, be approved and that the subject Crown Foreshore be rezoned from W-1 and W-2 to a new W-4A Zone (Shellfish Culture), with predator netting being specifically excluded from the proposed zone, and further that the appropriate amendment bylaw be prepared and forwarded to the Regional Board for consideration and 1st and 2nd readings;
2. That a public hearing be arranged to be held in North Oyster, and that Directors Marcotte, Dorey and Kuhn be delegated to the Hearing;
3. That the referral of this application to the Ministry of Environment, Transport Canada, Town of Ladysmith, Integrated Land Management Bureau and Fisheries and Oceans Canada, be accepted.

MOTION CARRIED

SR2 – 4-E-06RS
(Kaelble)

It was Moved and Seconded

That staff report dated January 26, 2009, from Mike Tippett, Manager, Regional and Community Planning Division, regarding Application No. 4-E-06RS/Bylaws 3139/3140 (Kaelble), be tabled.

MOTION CARRIED

SR3 – Covenant
7420 Nantree Rd

It was Moved and Seconded

That the CVRD allow the owners of 7420 Nantree Road to register a new covenant to replace existing covenant CA37414I which will facilitate a two year extension for the completion of Building Permit #I-10-07 (Brooks).

MOTION CARRIED

SR4 - AAC

It was Moved and Seconded

That the Agricultural Land Commission be requested to forward a proposal to CVRD staff for review and comment providing direction on how to structure an Agricultural Advisory Committee, how to establish Terms of Reference for such a Committee, and further, outline how the Land Commission and the CVRD together could enforce the *ALC Act* (further reaffirming previous Board Resolution no. 08-673.2 passed October 8/08).

MOTION CARRIED

SR5 – Post Election

It was Moved and Seconded

That staff report dated January 27, 2009, from Tom Anderson, General Manager, regarding Post-Election Discussion, be tabled to a future EASC meeting, and that the CVRD Corporate Secretary, and representatives from School District #79 and #68 be invited.

MOTION CARRIED

SR6 – Director Training

Discussion ensued regarding staff report dated January 28, 2009, from Tom Anderson, General Manager, respecting Director training sessions and conferences. (Note: report generated discussion only.)

**CORRESPOND-
ENCE**

C1 – Grant-in-Aid

It was Moved and Seconded

That a grant-in-aid (Electoral Area E – Cowichan Station/Sahtlam/Glenora) in the amount of \$1,000 be given to the Cowichan Agricultural Society to assist with education/ workshop expenses.

MOTION CARRIED

PARKS

PK1 - Minutes

It was Moved and Seconded

That the minutes of the Area D Parks Commission meeting of November 4, 2008, be received and filed.

MOTION CARRIED

PK2 - Minutes

It was Moved and Seconded

That the minutes of the Area I Parks Commission meeting of January 13, 2009, be received and filed.

MOTION CARRIED

PK3 - Minutes

It was Moved and Seconded

That the minutes of the Area H Parks Commission meeting of January 7, 2009, be received and filed.

MOTION CARRIED

PK4 – Community well sites, Area C

It was Moved and Seconded

That staff proceed to work with the provincial government and the Cobble Hill Improvement District to determine the necessary requirements and approvals with respect to amending the Section 219 covenant on Galliers Park limiting use of the land to public purposes only, and to amend the existing crown lease for Fairfield Road Park held by the Regional District to permit establishment of a community wellhead by the Cobble Hill Improvement District at both of these sites, subject to the following conditions:

- i. That the wellhead location, underground services and design/construction of the wellhead enclosure meet with CVRD Parks approval, including the Area C Parks and Recreation Commission.
- ii. That a one-time financial contribution be made by the Cobble Hill Improvement District to the Area C Community Parks function in the amount of \$3,450 for granting of the statutory right of way in favour of the Cobble Hill Improvement District to permit construction and operation of a wellhead within Galliers Park.
- iii. Execution of the necessary amendments to the Section 219 covenant on the Galliers Park property to permit installation of the necessary wellhead works.
- iv. Public access through an Alternative Approval Process being obtained permitting registration of a statutory right-of-way or like tenure on the Galliers park property in favour of the Cobble Hill Improvement District pursuant to Section 27 of the Community Charter.

MOTION CARRIED

PK5 – Work Crew Truck

It was Moved and Seconded

That a used 4x4 six passenger crew cab diesel truck and biodiesel storage tank be purchased through short term financing up to a maximum of \$30,000 with repayment of the loan to be apportioned through the annual Parks Summer Student Work Crew budgets in functions 231,232,233,234,235,239,280,281, and 282.

MOTION CARRIED

Against: Director K. Kuhn

PK6 – Maintenance Contract, Area H

It was Moved and Seconded
That the Staff Report dated February 3, 2009, from Brian Farquhar, Parks and Trails Manager, regarding Area H Parks Maintenance Contract Award, be referred to Closed Session.

MOTION CARRIED

PK7 – Cenotaph Revitalization

It was Moved and Seconded
That application be made to the federal Cenotaph/Monument Restoration Program for a \$25,000 grant towards planned revitalization of the Cobble Hill Cenotaph site located within Liberation Park within Cobble Hill Village.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded
That the December 2008 building report, be received and filed.

MOTION CARRIED

NEW BUSINESS

1 – Youbou Bar & Grill

Tom Anderson advised that a resolution is required to request an extension to respond to the Liquor Control Branch respecting an application by the Youbou Bar & Grill.

It was Moved and Seconded
That the CVRD contact the Liquor Control and Licensing Branch to request a further 90 day extension to submit a response respecting the Liquor License Application from the Youbou Bar and Grill to increase the maximum indoor capacity to 117 persons and the outdoor capacity to 78 persons for a total capacity of 195 persons.

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 5:13 pm.

