

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, March 5, 2013 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

PRESENT

Director L. Iannidinaro, Chair
Director M. Walker
Director I. Morrison
Director M. Marcotte
Director M. Dorey
Director P. Weaver
Director B. Fraser
Director L. Duncan
Director G. Giles
Director R. Hutchins, Board Chair

ALSO PRESENT

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

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding eight items of listed New Business, add one New Business item not listed, and move agenda item R11 to the first staff report.

It was Moved and Seconded

That agenda item R13, staff report dated February 26, 2013, from Rob Conway, Manager, regarding Cowichan Bay Campground (2289 Lochmanetz Road) and agenda item NB2, letter dated March 5, 2013, from Morgan Maples Holdings Ltd. regarding 2289 Lochmanetz Road, be referred to the next EASC meeting.

MOTION CARRIED

It was Moved and Seconded

That the Agenda as amended be approved.

MOTION CARRIED

MINUTES

It was Moved and Seconded

That the minutes of the February 5, 2013 EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

There were no delegations

STAFF REPORTS

**R11 – Cowichan Bay
Float Home Study**

Mike Tippett, Manager, reviewed staff report dated February 27, 2013, from Ann Kjerulf, Senior Planner, regarding Cowichan Bay Float Home Study.

Scott Northrup, Project Manager for Hemmera who produced the Cowichan Bay Float Homes and Live-aboards report, was present to answer questions.

The Committee directed questions to staff and Mr. Northrup.

It was Moved and Seconded

That the Cowichan Bay Float Homes and Live-aboards report dated February 2013 prepared by Hemmera, be received as information, and that CVRD staff proceed with regulatory bylaws respecting the recommendations provided within the report.

MOTION CARRIED

R1 - Bokrossy

Maddy Koch, Planning Technician, was present regarding Application No. 18-B-12DP (Bokrossy) to permit subdivision of property located at 1548 Shawnigan Mill Bay Road.

The applicant was present.

The Committee directed questions to staff.

It was Moved and Seconded

1. That Application No. 18-B-12DP/RAR by Carole Bokrossy on behalf of owners Maureen Jaeger and Victor Bokrossy, for a Shawnigan Village Development Permit for Lot G, Section 2, Range 5, Shawnigan District, Plan 1101 except part lying to the north of the road to Mill Bay and except Plan VIP56665, be approved subject to:
 - Ongoing removal of Scotch Broom, Himalayan Blackberry and any other invasive plants from the subject property;
 - Permanent marking of the 10 metre Stream Side Protection and Enhancement Area, by way of strategically-placed signage, in accordance with the recommendation within RAR report No. 2687, prepared by Justin Lange;
 - Any new driveways to be constructed using pervious surfacing such as gravel;
 - Retention of, and compliance with, a report prepared by a qualified professional, which makes detailed rainwater management recommendations, at the time of any future building permit application for the subject property and;
 - Reasonable retention of trees and vegetation.
2. That the Regional Board authorize the release of Covenant No. FB436100 concurrently with subdivision registration, upon all conditions of subdivision approval being met.

MOTION CARRIED

R2 - McLeod

Dana Leitch, Planner II, reviewed staff report dated February 27, 2013, regarding Application No. 3-B-11RS (McLeod) to rezone property located on Peterbrook Road to permit a seven lot residential subdivision.

Steve McLeod, applicant, was present.

The Committee directed questions to staff.

It was Moved and Seconded

- a) That the Zoning and OCP amendment bylaws for Application No. 3-B-011RS (Steve and Alexandra McLeod) be forwarded to the Board for consideration of 1st and 2nd reading.
- b) That a public hearing be scheduled with Directors Fraser, Giles, and Morrison as delegates, subject to the submission of a draft parks covenant acceptable to the CVRD.
- c) That prior to final adoption of the amendment bylaws that the applicants provide written confirmation to the CVRD that the subject property has been included in the Shawnigan Lake Fire Protection Improvement District.
- d) That the Board Chair and Corporate Secretary be authorized to sign a Section 219 covenant to secure park land dedication, with the cost of preparing the covenant borne by the applicants.

MOTION DEFEATED

It was Moved and Seconded

That Application No. 3-B-11RS (Steve and Alexandra McLeod) be denied.

MOTION CARRIED

**R3 – Van Isle
Waterfront Dev. Corp.**

Dana Leitch, Planner II, reviewed staff report dated February 27, 2013, regarding Application No. 1-I-09RS (Van Isle Waterfront Dev. Corp.) to rezone The Cottages at Marble Bay from C-4 to new LR11 Zone to remove the restriction of occupancy of the cottages to a maximum of 22 weeks in a calendar year.

It was Moved and Seconded

That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 (Van Isle Waterfront Dev. Corp./R. Bourque/Application No. 1-I-09RS) be referred to a new public hearing to receive public input on the proposed \$50,000 road network and pedestrian safety improvement contribution, with Directors Weaver, Morrison and Dorey appointed as delegates.

MOTION CARRIED

R4 - Godfrey

Rob Conway, Manager, was present regarding Application No. 1-E-13ALR (Godfrey) to permit an annual three day music event (Rock of the Woods) at 4911 Marshall Road and special occasion license for the 2013 event from July 26 to July 28th.

The applicant/owners were present.

The Committee directed questions to staff and applicants.

It was Moved and Seconded

1. That Application No 1-E-13ALR (David Godfrey/Rock of the Woods) made pursuant to Section 20(3) of the Agricultural Land Commission Act to host an annual three day music event at 4911 Marshal Road in Glenora, be forwarded to the Agricultural Land Commission with a recommendation to approve the application.
2. That a Special Occasions License be approved for a three day music event (Rock of the Woods) at 4911 Marshal Road, from July 26 to July 28, 2013, provided the per day attendance does not exceed 500.

MOTION CARRIED

R5 - Dhillon

Rachelle Rondeau, Planner I, reviewed staff report dated February 27, 2013, regarding Application No. 1-B-13DVP (Dhillon) for a variance to reduce the required front setback to allow construction of a new house at 2024 Cullin Road.

There were no questions from Committee members.

It was Moved and Seconded

That Application No. 1-B-13DVP (Inveresk Design Build Inc./Ramina Dhillon) for a variance to Section 8.5(b)(3) of Bylaw No. 985 to reduce the required front parcel line setback from 7.5 metres to 6.33 metres on Lot A, Shawnigan Lake Suburban Lots, Plan 22742 (PID: 000-105-759), be approved.

MOTION CARRIED

R6 - Parshel

Rachelle Rondeau, Planner I, reviewed staff report dated February 27, 2013, regarding Application No. 2-A-12RS (Parshel Holdings Ltd.) to forward draft amendment bylaws to the Board for consideration of 1st and 2nd readings.

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

The Committee directed questions to staff and applicant.

It was Moved and Seconded

That proposed OCP Amendment Bylaw No. 3685 (Parshel Holdings Ltd./Application No. 2-A-12RS) be forwarded to the Board for consideration of first and second reading; and that proposed Zoning Amendment Bylaws No. 3686, 3687, and 3688 be revised to delete "laboratory" from the proposed permitted uses and that they be forwarded to the Board for consideration of first and second readings.

MOTION CARRIED

**R7 – Warburton/
Mckenzie**

Rob Conway, Manager, reviewed staff report dated February 27, 2013, from Alison Garnett, Planner I, regarding Application No. 3-I-12DVP (Warburton/Mackenzie) to permit a boundary adjustment on two adjacent parcels on Coon Creek Road and Willow Road in Youbou.

It was Moved and Seconded

That Application No. 3-I-12DVP (Warburton/Young/Mackenzie) be referred to the Area I Advisory Planning Commission for review and recommendation.

MOTION CARRIED

**R8 – Timberwest
Forest 1 Ltd.**

Director Iannidinardo stated that her son is a Manager at Timberwest and therefore declared a conflict of interest and left the meeting at this point.

Director Walker, Vice- Chair, assumed the Chair.

Rob Conway, Manager, reviewed staff report dated February 27, 2013, from Alison Garnett, Planner I, regarding Application No. 7-H-12DP (TimberWest Forest 1 Ltd.) to permit subdivision of one new lot and boundary adjustments between 10 lots on property located 2 km west of Ladysmith.

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

The Committee directed questions to staff and applicant.

It was Moved and Seconded

That Application No. 7-H-12DP (Timberwest Forest 1 Ltd.) to permit the subdivision of one new lot and boundary adjustments between 10 lots, be approved subject to the subdivision proceeding in compliance with the Well Water Supply and Environmental Impacts reports by Lowen Hydrogeology Consulting Ltd, and Riparian Areas Regulation Assessment No. 2613.

MOTION CARRIED

Director Iannidinardo returned to the meeting at this point and assumed the Chair.

R9 – Bill 27, Area E

Mike Tippett, Manager, reviewed staff report dated February 26, 2013, regarding Bylaws 3680, 3681 and 3682 (Area E Bill 27 and housekeeping amendments).

It was Moved and Seconded

1. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E (Bill 27 & housekeeping), be forwarded to the Board for consideration of 1st and 2nd reading;
2. That a Public Hearing be scheduled with Directors Duncan, Iannidinardo, Fraser, and Morrison appointed as delegates; and
3. That a public information meeting be scheduled one hour prior to the start of the Public Hearing to provide an opportunity for informal explanation and discussion of the bylaws.

MOTION CARRIED

R10 – Green Building Policies

Rachelle Rondeau, Planner I, reviewed staff report dated February 27, 2013, regarding green building rezoning and private sector green building policies.

The staff report was received for information only.

R12 – Area D OCP

Mike Tippett, Manager, reviewed staff report from Ann Kjerulf, Senior Planner, dated February 27, 2013, regarding proposed Area D Official Community Plan.

It was Moved and Seconded

That second reading of Area D – Cowichan Bay Official Community Plan Bylaw 3605 be rescinded, that Bylaw 3605 be amended as per the recommended changes to Bylaw 3605 listed in the EASC staff report dated February 27, 2013, and that Bylaw 3605 be forwarded to the CVRD Board for consideration of second reading as amended.

MOTION CARRIED

R14 – South Cowichan Zoning Bylaw

Mike Tippett, Manager, reviewed staff report dated February 27, 2013, regarding amending the South Cowichan OCP and new South Cowichan Zoning Bylaw.

It was Moved and Seconded

1. That South Cowichan Official Community Plan Bylaw No. 3510 and proposed South Cowichan Zoning Bylaw No. 3520 be amended in accordance with recommendations 1-77 (Parts 1, 2, 3 and 4) of the EASC staff report dated February 27, 2013, subject to recommendation #56 (farm stay accommodation) being deleted, and recommendation #72 being approved with an Industrial OCP designation, and a policy concerning the eventual conversion of lands between the BC Hydro power line and the industrial area and I-1F zoning.

2. That proposed South Cowichan OCP Amendment Bylaw No. 3604 and proposed Zoning Amendment Bylaw No. 3656 be forwarded to the Board for consideration of 1st and 2nd readings; and that a public hearing be scheduled, with Directors Walker, Fraser and Giles as delegates of the Board,
3. That the proposed amendments be referred to School District 79, Ministry of Transportation and Infrastructure, Agricultural Land Commission, Cowichan Tribes and the Malahat First Nation.

MOTION CARRIED

R15 – Cell Tower Protocol

Tom Anderson, General Manager, reviewed staff report dated February 28, 2013 regarding Cell Tower Protocol/Policy.

It was Moved and Seconded

That staff report dated February 28, 2013, from Tom Anderson, General Manager, regarding Cell Tower Protocol/Policy, be referred to a future EASC meeting.

MOTION CARRIED

CORRESPONDENCE

C1, C2, & NB7 – Grants in Aid

It was Moved and Seconded

That the following grants in aid be approved:

1. That a grant in aid, Electoral Area I – Youbou/Meade Creek, in the amount of \$2,500 be given to Youbou Community Church Society, to assist with refurbishing the church and address safety concerns.
2. That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$250 be given to Sarah Archer, to assist with costs to attend the UVIC Leadership Conference.
3. That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$5,000 be given to South Cowichan Seniors, to assist with seed funding costs.

MOTION CARRIED

C3 – Youbou Fire Appointment

It was Moved and Seconded

That the appointment of Betty Abbott for a one year term to the Youbou Fire Protection Service Commission to expire March 31, 2014, be approved.

MOTION CARRIED

C4 – Area F APC resignation

It was Moved and Seconded

That the resignation of Brian Peters from the Area F Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Mr. Peters.

MOTION CARRIED

C5 – TELUS charity program It was Moved and Seconded
That the letter dated February 1, 2013 from TELUS regarding community charitable giving program, be received and filed.

MOTION CARRIED

C6 – Ceylon Road survey It was Moved and Seconded
That the email dated February 28, 2013 from Jim McCreesh and Dean Addison regarding Ceylon Road survey, be received and filed.

MOTION CARRIED

INFORMATION

IN1 – Year End Report It was Moved and Seconded
That the 2012 Year End Report be received and filed.

MOTION CARRIED

IN2 – Building Report It was Moved and Seconded
That the January 2013 Building Report be received and filed.

MOTION CARRIED

IN3 - Minutes It was Moved and Seconded
That the minutes of the Area B APC meeting of August 9, 2012, be received and filed.

MOTION CARRIED

IN4 - Minutes It was Moved and Seconded
That the minutes of the Area D Parks meeting of February 18, 2013, be received and filed.

MOTION CARRIED

IN5 - Minutes It was Moved and Seconded
That the minutes of the Area F APC meeting of February 18, 2013, be received and filed.

MOTION CARRIED

IN6 - Minutes It was Moved and Seconded
That the minutes of the Area E Parks meeting of January 29, 2013, be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – 1-B-13DVP It was Moved and Seconded
That the add-on material (email from Fraser Ramsay) regarding agenda item R5 (#1-B-13DVP) be received and filed.

MOTION CARRIED

NB2 – 2289 Lochmanetz Rd. It was Moved and Seconded
That the add-on material (letter from Morgan Maples Holdings Ltd.) regarding agenda item R13 (Cowichan Bay Campground 2289 Lochmanetz Road), be received and filed.

MOTION CARRIED

NB3 – S. Cowichan Zoning Bylaw It was Moved and Seconded
That the add-on material (letter from Donna Parkes) regarding agenda item R14 (South Cowichan Zoning Bylaw), be received and filed.

MOTION CARRIED

NB4 – Cell Tower Protocol It was Moved and Seconded
That the add-on material (TC article/FCM announcement) regarding agenda item R-15 (Cell Tower Protocol), be received and filed.

MOTION CARRIED

NB5 – Risks of Rezoning It was Moved and Seconded
That the letter dated March 5, 2013 from Dean Addison and Jim McCreesh regarding risks of rezoning and development that violate the OCP, be received and filed.

MOTION CARRIED

NB6 – Amending Bylaw 3677 It was Moved and Seconded
That the letter dated March 5, 2013 from Dean Addison and Jim McCreesh regarding proposal to amend Bylaw 3677, be received and filed.

MOTION CARRIED

NB7 – Grant in aid Dealt with earlier in the agenda.

NB8 - Minutes It was Moved and Seconded
That the minutes of the Area A APC meeting of February 21, 2013, be received and filed.

MOTION CARRIED

**NB9 – Meeting
Calendar**

Director Marcotte reported from the day's earlier Communications Meeting respecting concern that the CVRD Committee Calendar was not up to date and advised that the calendar is in fact up to date and available on the website.

Director Giles stated that she would like to see a fuller calendar with more detail made available.

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 7:06 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 7:10 p.m.

Chair

Recording Secretary