

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, March 17, 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
Mike Tippett, Manager, Community & Regional Planning
Rob Conway, Manager, Development Services Division
Brian Duncan, Chief Building Inspector
Brian Farquhar, Parks and Trails Manager
Brian Dennison, General Manager
Joe Barry, Corporate Secretary
Warren Jones, Administrator
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included two items to Correspondence, one item to Parks, one item to APC, and two items of New Business.

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

MOTION CARRIED

**M1 & M2 -
MINUTES**

It was Moved and Seconded
That the minutes of the March 3, 2009 EASC meeting be accepted.

MOTION CARRIED

It was Moved and Seconded
That the minutes of the Special March 3, 2009 EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no Business Arising.

DELEGATIONS

D1 – Geoff Millar

Geoff Millar, Economic Development Officer, was present to provide a review and update regarding UBCM Funding Program.

Mr. Millar provided a PowerPoint presentation to Committee members.

A question and answer session ensued.

D2 – Jarvis

Rob Conway, Manager, Development Services Division, presented Application No. 7-A-08DVP (Tom Jarvis) to decrease the setback front lot line and exterior side lot line to allow an accessory building at 1695 Sandy Beach Road.

Note: The Regional Board, at their February 11th meeting, referred Application No. 7-A-08DVP back to the EASC.

Tom Jarvis, applicant, was not present.

Discussion and questions ensued.

It was Moved and Seconded

That Application No. 7-A-08DVP be reconsidered.

MOTION CARRIED

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, to decrease the setback to a front lot line to 0.02 m. (0.06 ft.) and decrease the exterior side lot line to 0.0 m. (0.0 ft) on Lot 3, District Lot 79, Malahat District, Plan 13099, PID004-716-655, be approved, subject to a fence being constructed along the edge of the property, and submission of a structural engineer's report if required.

MOTION CARRIED

D3 – Van de Mortel

Rachelle Moreau, Planning Technician, presented Application No. 2-D-09ALR (Anthony Van de Mortel) to place a small suite at 2258 Cowichan Bay Road.

Ms. Moreau noted corrections to the Staff Report wherein the property is served by the Cowichan Bay Waterworks system not a well; and that a previous subdivision application was simply a boundary adjustment.

The applicant, Anthony van de Mortel, was present.

Questions were directed to the Planning Technician and the applicant.

It was Moved and Seconded

That Application No. 2-D-09ALR by Anthony Van de Mortel made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to place a small suite on the subject property be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

MOTION CARRIED

Note: Director Marcotte arrived to the meeting at this point.

D4 - Stokes

Rachelle Moreau, Planning Technician, presented Application No. 1-E-09ALR (Brian & Josephine Stokes) to allow a second dwelling at 4805 Wilson Road.

Brian & Josephine Stokes were present. They had nothing further to add to the report.

The Planning Technician and applicant answered questions from Committee members.

It was Moved and Seconded

That Application No. 1-E-09ALR by Brian and Josephine Stokes made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to place a second dwelling on the subject property be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

MOTION CARRIED

D5 – Johnston

Rob Conway, Manager, Development Services Division, presented Application No. 2-D-08RS (Wessex Inn/Mark Johnston) to rezone 0.9 hectares at 1846 Cowichan Bay Road to allow an existing motel building to be converted to 34 affordable rental housing units.

Questions were directed to the Manager from Committee members.

The applicant, Mark Johnston, was present. Mr. Johnston provided further information to his application and answered questions from Committee members.

It was Moved and Seconded

1. That Zoning Amendment Application No. 2-D-08RS (Wessex Inn) be presented at a public meeting to obtain community input and that the application be reviewed at a future EASC meeting with a report documenting public input and draft bylaws and a draft housing agreement.
2. That the applicant provide confirmation from the Engineering and Environmental Services Department that the subject property has a sufficient number of sewer units to service the proposed residential conversion prior to scheduling and notification of the public meeting.

3. That dedication of the land south of RW1961 to the CVRD for protection of Blue Heron habitat be a condition of rezoning approval.

MOTION CARRIED

D6 - Motherwell

Mike Tippett, Manager, Community and Regional Planning Division, presented Application No. 1-C-09RS (South Cowichan Storage Ltd.) to change the permitted uses of the Light Industrial B Zone by adding outdoor storage. Mr. Tippett noted that the APC recommends requirement of a restrictive covenant.

Questions were directed to the Manager from Committee members.

The applicant, Bill Motherwell, was present. He stated that he had nothing further to add to the staff report. There were no questions to the applicant.

It was Moved and Seconded

1. That Application No. 1-C-09RS by South Cowichan Storage Ltd be approved subject to the following:
 - That a restrictive covenant be registered on title to ensure all outdoor storage uses discontinue by the year 2015;
 - That a screen slat be inserted into the chain link fence;
 - That the landscape buffer between the subject property and School District 79 property be provided;
 - That diapers and drip pans be utilized and maintained on all RV's;
 - That outdoor storage be limited to RV's and boats only.
2. That "outdoor storage" be added as a permitted use in the I-1B Zone in proposed Zoning Amendment Bylaw No. 3142; that second reading of Bylaw 3142 be rescinded, and that Bylaw 3142, as amended, be presented to the Board for consideration of second reading.
3. That a Public Hearing be arranged respecting Official Community Plan Amendment Bylaw No. 3141 and Zoning Amendment Bylaw No. 3142, and that Directors Giles, Cossey and Harrison be delegated to the hearing.
4. That the referral of the proposed amendments to the Ministry of Transportation and Infrastructure, Ministry of Community Development, and also Cobble Hill Improvement District, be accepted.

MOTION CARRIED

STAFF REPORTS

SR1 – Post Election

Joe Barry, Chief Election Officer, and Warren Jones, Administrator, were present for discussions regarding post-election concerns.

Electoral Area Directors shared their concerns with the Chief Election Officer. Mr. Barry advised that in the Spring of 2011 he will be coming forward with election changes.

**SR2 – Park
Dedication
amendment, Area A**

It was Moved and Seconded

1. That Mill Bay/Malahat Zoning Bylaw No. 2000 be amended by replacing the present Public Land Dedication regulation for the purposes of parklands in fully serviced areas with a new one that would grant up to 50% reductions in lot area requirements, provided appropriate servicing is in place, where lands over and above the 5% Section 941 park requirement are accepted by the CVRD as either community or regional parkland; and that the amendment bylaw be forwarded to the Board for consideration of 1st and 2nd readings;
2. That a public hearing be arranged and that Director B. Harrison, Director K. Cossey, and Director G. Giles be delegated to the hearing;
3. That referral of the proposal to the Ministries of Transportation and Community services, and the Vancouver Island Health Authority, be approved.

MOTION CARRIED

**SR3 – Procedures &
Fees Bylaw
Amendment**

It was Moved and Seconded

That CVRD Development Application Procedures and Fees Bylaw No. 2255 be amended by raising the supplementary fee schedule for residential, commercial and industrial land uses from \$100 per dwelling unit or 1000 square metres of commercial/industrial lot area proposed to \$120, and that the appropriate amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

**SR4 – Ticket Bylaw
Update**

Staff Report dated March 11, 2009, from Nino Morano, Bylaw Enforcement Officer, regarding Ticket Information Authorization Bylaw Update was discussed and received as information only.

**SR5 – Southside Inn
Liquor License**

It was Moved and Seconded

That the Liquor Control and Licensing Branch be advised that it is the decision of the Cowichan Valley Regional District not to provide comment respecting the application by the Southside Inn to extend their hours of operation, and that the LCLB undertake the process of determining resident views of the proposed change.

MOTION CARRIED

**CORRESPOND-
ENCE**

**C1 to C6 – Grants-in-
Aid**

It was Moved and Seconded

That the following grants-in-aid be approved:

1. That a grant-in-aid (Electoral Area D – Cowichan Bay) in the amount of \$750 be given to Cowichan Secondary School to provide a bursary to a student residing in Area D.
2. That a grant-in-aid (Electoral Area D – Cowichan Bay) in the amount of \$750 be given to Frances Kelsey Secondary School to provide a bursary to a student residing in Area D.
3. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$250 be given to Pacific Coast Masters Curling Association to assist with fundraising to hold a senior men’s curling competition.
4. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$350 be given to bard@ brentwood to assist with their 2009 play production costs.
5. That a grant-in-aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$250 be given to bard@ brentwood to assist with their 2009 play production costs.
6. That a grant-in-aid (Electoral Area A – Mill Bay/Malahat) in the amount or \$250 be given to Pacific Coast Masters Curling Association to assist with fundraising to hold a senior men’s curling competition.

MOTION CARRIED

PARKS

PK1 - Minutes

It was Moved and Seconded

That the minutes of the Area G Parks meeting of March 2, 2009, be received and filed.

MOTION CARRIED

PK2 - Minutes

It was Moved and Seconded

That the minutes of the Area A Parks meeting of February 19, 2009, be received and filed.

MOTION CARRIED

PK3 - Minutes

It was Moved and Seconded

That the minutes of the Area C Parks meeting of February 26, 2009, be received and filed.

MOTION CARRIED

**PK4 – Bylaw 1238
Amendment**

It was Moved and Seconded
That CVRD Bylaw No. 1238 – Electoral Area D Cowichan Bay Parks and Recreation Commission, 1989, be amended by deleting the requirement for one member to be appointed from the Cowichan Bay Waterworks District, and that the appointed members by the Electoral Area Director be increased from two (2) to three (3) members; and further, that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

APC

AP1 - Minutes

It was Moved and Seconded
That the minutes of the Area A APC meeting of February 7, 2009, be received and filed.

MOTION CARRIED

AP2 - Minutes

It was Moved and Seconded
That the minutes of the Area C APC meeting of March 12, 2009, be received and filed.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded
That the February 2009 Building report be received and filed.

MOTION CARRIED

NEW BUSINESS

1 – MOT Fencing

Director Harrison stated that the previous wooden fencing located along the Trans Canada Highway in Mill Bay has been replaced with inappropriate chain link and vinyl fencing. Director Harrison asked for support from the Board to request the Ministry of Transportation to replace it with proper concrete fencing.

It was Moved and Seconded
That the Ministry of Transportation be requested to replace the inappropriate chain link and vinyl fencing along the Trans Canada Highway through Mill Bay with proper concrete sound barrier fencing.

MOTION CARRIED

Director Marcotte stated that she would also like to ask for Board support in requesting that the Ministry of Transportation install appropriate concrete fencing along the train station underpass in Area H.

It was Moved and Seconded
That the Ministry of Transportation be requested to install appropriate concrete sound barrier fencing along the Diamond Bridge area.

MOTION CARRIED

2 – Section 946 ALR Applications

Director Duncan expressed concerns with ongoing problems associated with Section 946 subdivisions in the ALR, and stated that he would like to see standard rules put in place when dealing with these applications.

General discussion ensued.

It was Moved and Seconded
That staff be requested to investigate the issue of Section 946 subdivisions within the Agricultural Land Reserve and provide a Staff Report to the Committee with possible solutions, suggestions, and policies with respect to consistency and standardizing rules when presenting staff reports and recommendations on ALR Applications to the EASC; and further that the report also provide recommendations to amend the existing Procedures & Fees Bylaw.

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 5:35 pm.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 6:12 pm.

Chair

Recording Secretary