

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, April 21 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

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

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager, Development Services Division
Rachelle Moreau, Planning Technician
Brian Duncan, Chief Building Inspector
Brian Farquhar, Parks and Trails Manager
Warren Jones, Administrator
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding nine 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 April 7, 2009 EASC meeting be amended by adding Director Cossey as being present, and changing "88 unit strata" on item D3 to "50 unit strata", and that the minutes, as amended, be accepted.

MOTION CARRIED

BUSINESS ARISING

Director Morrison requested to see the letter from Cowichan Tribes that was partially read out by Director Giles at the April 7th meeting. Director Giles noted that letter in question is included in the April 21st agenda on pages 86-88.

DELEGATIONS

D1 – Mashinchi

Rachelle Moreau, Planning Technician, presented Application No. 1-A-09DVP (Robert & Jodi Cantwell) to increase the maximum permitted height of a single family dwelling on Cooper's Hawk Rise in Sentinel Ridge, from 7.5 m to 10 m.

Application No. 1-A-09DVP was referred back to staff at the April 7th EASC meeting. Ms. Moreau presented new information as requested at the previous meeting.

Ms. Moreau responded to questions from Committee members.

Omid Mashinchi, owner of 2336 Coopers Hawk Rise, was present respecting the prospective owner. He stated that his house would be devalued if the variance application was approved. Wants the EASC to take a proactive approach to opposition shown to the application. He stated that everyone who buys a lot in the subdivision is aware of the height restriction.

The Committee directed questions to the delegate.

D2 – Dueck

Norm Dueck, 2327 Coopers Hawk Rise (Lot 52), was present regarding opposition to Application No. 1-A-09DP. He stated that he would lose a significant portion of his view if the variance was approved. He stated that he did his homework before he bought his lot and feels that the applicant did not do theirs.

The Committee directed questions to the delegate.

**D3 – Barton/Parker/
Sharples**

Diana Barton, owner of Lot 52, was present regarding opposition to Application No. 1-A-09DP. She stated that she is one of three resident owners of Lot 52. Ms. Barton stated that she feels everyone should be treated equally and have the same rules, and requested that the application be denied.

There were no questions from the Committee to the delegate.

Nancie Parker, owner of Lot 50, was present regarding opposition to Application No. 1-A-09DP. She stated that she is opposed to the variance request and is concerned about loss of privacy. She stated that they built their home according to the rules and expects everyone to do the same.

The Committee directed questions to the applicant.

Rob Sharples, a contractor at Shore Island Developments, was present to answer questions.

The Committee directed questions to the delegate.

D4 - Cantwell

Ms. Nagy, was present on behalf of Jodi and Robert Cantwell, applicants, regarding Application No. 1-A-09DP. Ms. Nagy provided further information to the application.

The Committee directed questions to the applicant.

It was Moved and Seconded

That application 1-A-09 DVP by Robert and Jodi Cantwell for a variance to Section 8.4.A(b)(2) of Zoning Bylaw No. 2000, by increasing the maximum permitted height of a single family dwelling from 7.5 metres (24.61') to 9.5 metres (31.17') on Lot 51, District Lot 80, Malahat District, Plan VIP83417 (PID 027-128-300), be denied.

MOTION CARRIED

D5 - Ricketson

Rachelle Moreau, Planning Technician, presented Application No. 1-I-09DP and 1-I-09DVP, by Charles Ricketson, to construct an addition to the existing dwelling located at 8140 Sa-Seen-Os Crescent, to be 1.5 metres from the side parcel line.

Charles Ricketson, applicant, was present and advised that he met with his neighbour to the east and that he has no concerns with the variance.

There were no questions from Committee members.

It was Moved and Seconded

That application No. 1-I-09DP and 1-I-09DVP be approved, and the Planning and Development Department be authorized to issue a development permit and development variance permit to Charles Ricketson for the construction of an addition to the dwelling on Lot 41, District Lot 32, Cowichan Lake District, Plan 1003, Except Part in Plan 1584 RW (PID: 002-477-882) that would permit the addition to be 1.5 metres from the side parcel line and subject to:

- Compliance with RAR Report No. 1251 by Trystan Willmott;
- Flagging of the 15 m Streamside Protection and Enhancement Area prior to construction;
- Construction is located outside the 15 metre Streamside Protection and Enhancement Area, measured from the 164 metre high water mark.

MOTION CARRIED

D6 - Verch

Rob Conway, Manager, presented Application No. 1-F-09DP by Tina and Wayne Verch to reconfigure exterior decks at 6770 Forestry Road and reduce minimum setback from a watercourse from 15.0 metres to 8.0 metres.

The Committee directed questions to Mr. Conway.

The applicant had no comments to add.

It was Moved and Seconded

That application No. 1-F-09DP be approved, and the Planning and Development Department be authorized to issue a development permit to Tina and Wayne Verch for the reconfiguration of exterior decks at 6770 Forestry Road (Lot A, Section 29, Renfrew District, Plan 38780), including a variance to Section 3.22 of Zoning Bylaw 2600 to reduce the minimum setback of from a watercourse from 15.0 metres to 8.0 metres, subject to:

- Acceptance of RAR report #1167 by the Ministry of Environment.
- Strict compliance with RAR report #1167, prepared by Kelly Schellenberg, RFP
- Protection of 15 metre Streamside Protection and Enhancement Area (SPEA), other than the permitted encroachment, with high visibility fencing or temporary flagging prior to construction.
- Planting and protection of the proposed compensation area in accordance with RAR report #1167.

MOTION CARRIED

STAFF REPORTS

SR1 – Solar Hot Water Systems

It was Moved and Seconded

That staff prepare a report outlining how the Building Inspection Division could issue permits for home owners who want to renovate in order to allow for solar hot water systems without the CVRD charging an initial building permit fee but charging a small fee for the inspection itself, and forward the report back to the EASC.

MOTION CARRIED

SR2 – Trees for Tomorrow Project

It was Moved and Seconded

1. That the Board Chair and Corporate Secretary be authorized to sign the necessary documents with the Island Corridor Foundation (ICF) and Ministry of Transportation to permit improvements upon ICF lands and within existing road rights of way around the Cobble Hill Train Station as part of the Cobble Hill Train Station “Trees for Tomorrow” Revitalization Project.
2. That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of no more than \$60,000 from the Community Parks General Reserve Fund (Area C – Cobble Hill) for the purpose of completing the Cobble Hill Train Station “Trees for Tomorrow” Revitalization Capital Project; and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

**SR3 – Sahtlam VFD
Loan Bylaw**

It was Moved and Seconded

1. That CVRD Bylaw No. 3272 – Sahtlam Fire Protection Service Area Loan Authorization Bylaw, 2009, be forwarded to the Board for consideration of three reading and following provincial and voter approval, be adopted.
2. That voter approval for CVRD Bylaw No. 3272 be obtained through an alternative approval process over the entire service area.

MOTION CARRIED

**SR4 – Insurance for
Volunteers**

Staff Report from Sharon Moss, Manager, Finance Division, dated April 8, 2009, regarding insurance coverage for Regional District volunteers, was received as information.

**SR5 – Parks Chairs
Meeting**

It was Moved and Seconded

That a meeting be organized between the Chairpersons of the Electoral Area Community Parks Commissions and the Manager, Parks and Trails Division, to review the 2009 Community Park and Trails Program Priorities.

MOTION CARRIED

**SR6 – Thetis Is.
Wharf**

It was Moved and Seconded

That the CVRD proceed to adopt Bylaw No. 3273 – Thetis Island Wharf Regulation Bylaw, 2009, that would prohibit overnight moorage at the Thetis Island Wharf.

MOTION CARRIED

**CORRESPOND-
ENCE**

**C1 – Timberwest
Lands sale**

It was Moved and Seconded

That Executive Office staff research the establishment of a Community to Community Committee (CVRD/Cowichan Tribes) along with Terms of Reference, and report back to the EASC.

MOTION CARRIED

PARKS

PK1 - Minutes

It was Moved and Seconded

That the minutes of the Area D Parks Commission meeting of March 31, 2009, be received and filed.

MOTION CARRIED

INFORMATION

IN1 – Building Report It was Moved and Seconded
That the March 2009 building report be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – Thetis Is. Bylaw 3273 New Business item NB1 – CVRD Bylaw No. 3273 – Thetis Island Wharf Regulation Bylaw, 2009, was dealt with agenda item SR6.

NB2 – W. Shawnigan Lake Park It was Moved and Seconded
That the Board Chair and Corporate Secretary be authorized to sign the necessary documents related to issuance of an Operations Permit by BC Parks permitting the CVRD to operate West Shawnigan Lake Park under the Electoral Area B Community Parks function for a term of five years.

MOTION CARRIED

NB3 – Parks Minutes It was Moved and Seconded
That the minutes of the Area E Parks Commission meeting of April 20, 2009, be received and filed.

MOTION CARRIED

NB4 – Parks Minutes It was Moved and Seconded
That the minutes of the Area B Parks Commission meeting of April 16, 2009, be received and filed.

MOTION CARRIED

NB5 – Grant-in-Aid It was Moved and Seconded
That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Cowichan Valley Seniors Dragon Boat Society to assist with start up costs for their new team in Cowichan Bay.

MOTION CARRIED

NB6 – Grant-in-Aid It was Moved and Seconded
That a grant-in-aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$7000 be given to Mill Bay/Malahat Historical Society to assist with costs to collect, preserve, and present the history and heritage of the Mill Bay and Malahat area.

MOTION CARRIED

NB7 – Grant-in-Aid

It was Moved and Seconded
That a grant-in-aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$500 be given to Bamberton Historical Society to assist with their historical theatre project.

MOTION CARRIED

**NB8 – Small Suites,
Area G**

Director Dorey stated that he would like staff to investigate the possibility of changing the zoning bylaw to permit small suites and/or second suites in Saltair.

It was Moved and Seconded
That staff be directed to prepare a report that addresses the situation of second suites and separate suites on larger lots in Area G to allow for extra housing.

It was Moved and Seconded
That the issue respecting small suites and second suites in Saltair be referred to the Closed Session meeting.

MOTION CARRIED

**NB9 – Area I OCP
Review**

Director Kuhn expressed concern with development applications on the west end of Cowichan Lake and feels that any applications should be deferred until the existing OCP is reviewed.

It was Moved and Seconded
That review of the Official Community Plan for Area I – Youbou/Meade Creek, including a review of lands west of Youbou, not be placed on the Planning and Development Department’s priority list until the review of the Areas D, E and H Official Plans are completed.

MOTION CARRIED

RECESS

The Committee took a short 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 5:32 pm.

RISE

It was Moved and Seconded
That the Committee rise without report.

MOTION CARRIED

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5.57 pm

Chair

Recording Secretary