

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, July 7, 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 K. Kuhn
Director I. Morrison
Director M. Dorey
Director L. Duncan
Alt. Director G. Gutensohn
Absent: Director K. Cossey

CVRD STAFF

Mike Tippett, Acting General Manager
Rachelle Moreau, Planning Technician
Warren Jones, Administrator
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding five 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 June 16, 2009 EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

Director Duncan advised that he would like to amend the previous motion passed at the June 16th EASC meeting respecting item SR6 – Boat Patrols.

It was Moved and Seconded
That the previous motion respecting boat patrols on Cowichan and Shawnigan Lakes passed at the June 16, 2009 EASC meeting be amended to read as follows: “That the CVRD provide funding in the amount of \$13,000 to the RCMP on a one time basis to assist with costs for additional summertime lake patrols and that the funds be extracted from Bylaw Enforcement Budget Function 328, and further, that alternative enforcement and funding models be structured for 2010.”

MOTION CARRIED

DELEGATIONS

D1 - Kimpfel

Mike Tippett, Acting General Manager, presented Application No. 1-D-09DP by Wendy and George Kimpfel to construct a single family dwelling at 1790 Pritchard Road which is within the Habitat Protection DPA.

The Committee directions questions to Mr. Tippett.

It was Moved and Seconded

That Application No. 1-D-09DP (Wendy and George Kimpfel) be referred to the Area D APC for comment and that a further staff report with the APC comments be brought back to the EASC for recommendation.

MOTION CARRIED

D2 - Pilcher

Rachelle Moreau, Planning Technician, presented Application No. 1-H-09ALR by Maureen Pilcher to subdivide under Section 946, 3.88 hectares located at 13785 Hill Road to provide a residence for the applicant's son to assist with their horse training business.

Maureen Pilcher, applicant, was present on behalf of owner Bonita Tolley (also present) and provided further information to the application.

The Committee members directed questions to the applicant.

It was Moved and Seconded

That Application No. 1-H-09ALR (Maureen Pilcher for Bonita Tolley) be referred back to staff to consult with the applicant respecting adjustment of proposed subdivision boundaries.

MOTION CARRIED

D3 - Ker

Mike Tippett, Acting General Manager, presented Application No. 3-E-09DP by Michael Ker to permit construction of an automotive sales building at 2930 Allenby Road.

The applicant Michael Ker was present.

The Committee members directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 3-E-09DP be approved and that the Planning and Development Department be authorized to issue a development permit to DEF Autoworld Properties Ltd. for Lot 1, Range 6, Section 13, Plan 9381, Quamichan District for the construction of an automotive sales building with conditions in the development permit including replacement of the existing chain link fencing along Koksilah Road with decorative wooden fencing, and requirement for underground irrigation; and further that an irrevocable letter of credit in the amount of 125% of the estimated cost of landscaping be submitted to the CVRD, to be released once the landscaping has been completed and the vegetation is established for one year.

MOTION CARRIED

D4 - Davison

Rachelle Moreau, Planning Technician, presented Application No. 2-E-09DP by Robert Davison to construct a new warehouse and retail building at 2800 Roberts Road.

Robert Davison, applicant was present, and provided further information to the application.

Committee members directed questions to staff and the applicant.

It was Moved and Seconded

That application No. 2-E-09DP be approved, and that a development permit be issued to Top Shelf Feeds Inc. for Lot A, Section 12, Range 7, Quamichan District, Plan 21549, Except Part in Plans 22632, 27248 and 29799 for the construction of a new warehouse and retail building, subject to the following:

- a. Underground wiring be installed;
- b. Landscaping be installed to BCSLA standards in the amount and location as illustrated on the Revised Landscaping Plan, including an underground irrigation system;
- c. Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the revised landscape plan be provided with 75% of the security being refunded once the landscaping has been installed and the balance being returned after successful completion of a one year maintenance period.

MOTION CARRIED

**SR1 – RONA Bike
Tour**

It was Moved and Seconded

That the application from the MS Society of Canada to hold their 9th annual RONA MS Bike Tour event on August 8th and 9th in the Cowichan Valley, including having a rest stop in West Shawnigan Lake Provincial Park and a lunch stop in Hecate Park to be approved subject to the following conditions:

1. Proof of a minimum \$2 million liability insurance coverage be provided by the organizers which covers the event and also includes the CVRD as an additional insured;
2. A Course Marshall Plan is submitted prior to the event for CVRD review and approval;
3. Confirmation that there will be appropriate flag persons at all road crossings along sections around West Shawnigan Lake Provincial Park and Hecate Park in Cowichan Bay.

MOTION CARRIED

**SR2 – Fire Protection
Service Area
Expansion**

It was Moved and Seconded

1. That the *Certificate of Sufficiency* confirming that the petitions for inclusion in the Lake Cowichan Fire Protection Service Area is sufficient, be received.
2. That CVRD Bylaw No. 1657 be amended by extending the boundaries of the service area to include the following two properties:
 - District Lot A, VIP 82489, (PID 026-953-315) Owner -711933 BC Ltd.;
 - District Lot 1, Block 117 (except Plan VIP 84239 & Block 180), Plan VIP#82490, (PIC 026-953-374) Owner – Cowichan Lake Holdings
3. That the Lake Cowichan Fire Protection Service Area amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
4. That Schedule A to the agreement with the Town of Lake Cowichan to provide fire protection to the Lake Cowichan Protection Service Area, be amended to include the expanded boundary.
5. That the Chair and Corporate Secretary be authorized to sign the amended Lake Cowichan Fire Protection Service Area agreement.

MOTION CARRIED

**SR3 – Fire Protection
Service Area
Expansion**

It was Moved and Seconded

1. That it be recommended to the Board that the *Certificate of Sufficiency* confirming that the petitions for inclusion in the North Oyster Fire Protection Service Area is sufficient, be received.
2. That it be recommended to the Board that CVRD Bylaw No. 1689 be amended by extending the boundaries of the service area to include the following two properties:
 - District Lot 51, Oyster District, Except the Right of Way of the Esquimalt and Nanaimo Railway Company, Except Part Coloured Red on Plan Deposited Under DD272791, and Except Part Shown Outlined in Red on Plan Deposited Under DD285551 (PID 009-439-714)
 - District Lot 51, Oyster District, Shown Coloured in Red on Plan Deposited Under DD272791 (PID 000-879-185).

MOTION CARRIED

**SR4 – Bamberton
Impact Report**

It was Moved and Seconded
That staff be directed to provide a report documenting how the Bamberton Regional Impact Assessment Final Report satisfies the terms of reference for the project.

MOTION CARRIED

**SR5 – ALR
Processing Policies**

It was Moved and Seconded
That Board Resolution 99-458 be rescinded and that the following be adopted as the new CVRD ALR application policy:

- (a) *ALR subdivision applications which are subject to CVRD bylaws will only be forwarded to the ALC if:*
 - 1. *the minimum parcel size regulation is complied with; or*
 - 2. *if the minimum parcel size regulation is not complied with, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading;*
- (b) *ALR non-farm use applications will only be forwarded to the ALC if:*
 - 1. *the proposed non-farm use complies with CVRD bylaws; or*
 - 2. *if the proposed non-farm use does not comply with CVRD bylaws, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading.*

MOTION CARRIED

**APC
AP1 - Minutes**

It was Moved and Seconded
That the minutes of the Area A APC meeting of June 3, 2009, be received and filed.

MOTION CARRIED

AP2 - Minutes

It was Moved and Seconded
That the minutes of the Area E APC meeting of June 18, 2009, be received and filed.

MOTION CARRIED

PARKS

PK1 to PK3 – Minutes

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

- Minutes of Area I Parks meeting of June 9, 2009
- Minutes of Area B Parks meeting of April 16, 2009
- Minutes of Area B Parks meeting of May 21, 2009

MOTION CARRIED

NEW BUSINESS

**1 – South Cowichan
OCP**

Director Harrison requested that Area A – Mill Bay/Malahat be included in the South Cowichan OCP project.

It was Moved and Seconded

That Electoral Area A – Mill Bay/Malahat be included in the South Cowichan OCP review process, and that staff provide a progress report to the EASC in three to six months.

MOTION CARRIED

2 - Public Meeting

Director Morrison requested funds to place ads in the local papers advertising a public meeting between Areas F & I and the Town of Lake Cowichan respecting Cowichan Lake Stewardship.

Mr. Tippett advised that funds are available for electoral directors for advertising, hall rentals, etc. from the Electoral Area Services (250) account respecting community information.

**3 – Nanaimo Airport
Boundary
Adjustment**

Director Marcotte advised that the CVRD is in receipt of a letter from the Regional District of Nanaimo respecting a proposed boundary adjustment involving the Nanaimo Airport lands and requested that a letter be forwarded to the RDN advising that the CVRD does not support the boundary adjustment.

It was Moved and Seconded

That a letter of response be forwarded to the Regional District of Nanaimo advising that the Cowichan Valley Regional District does not support their proposed Nanaimo Airport lands boundary adjustment.

MOTION CARRIED

**4 – Parks Commission
Chairs**

Director Giles requested that the Parks Commission bylaw be amended to provide for the election of Chairperson and a Co-Chairperson.

It was Moved and Seconded

That the procedure section of the Parks Commission Bylaws for Areas A, C, D, G and I be amended to include the election of a Co-Chair.

MOTION CARRIED

5 – Hydro Power Surge

Director Morrison advised of a power surge on June 30th that hit the east side of Lake Cowichan and the Skutz Falls area and affected electronic equipment of several residents in Area F. He stated that residents are receiving contradictory information from BC Hydro and he would like the CVRD to send them a letter requesting that they delegate one individual to process claims.

It was Moved and Seconded

That a letter be forwarded to BC Hydro requesting them to appoint a designated individual to coordinate responses and claims by residents of Electoral Area F respecting the recent hydro power surge and resultant damages.

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 5:17 pm.

Minutes

It was Moved and Seconded

That the minutes of the Closed Session EASC meeting of June 16, 2009, be accepted.

MOTION CARRIED

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 5:18 pm.

Chair

Recording Secretary