

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, September 1, 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 K. Cossey
Director I. Morrison
Director M. Dorey
Director L. Duncan

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager
Rachelle Moreau, Planning Technician
Alison Garnett, Planning Technician
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding eight items of New Business, and one closed session item.

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 August 4, 2009 EASC meeting be amended by changing page 7 Area H APC minutes meeting date from June 11, 209 to June 11, 2009, and that the minutes, as amended, be accepted.

MOTION CARRIED

BUSINESS ARISING

Director Harrison reported that progress has been made regarding pre-emption lights being installed at busy intersections. A meeting was attended with the Mill Bay Co-op respecting funding. The Co-op in conjunction with other local merchants will fund the lights for the Co-op intersection. The Fire Department is likely looking at funding the Hutchinson Road intersection. Pre-emption lights were installed by the Ministry of Transportation in areas North where the Highway has been upgraded and that Mill Bay was not part of the original contract.

DELEGATIONS

D1 - CVRD

Rachelle Moreau, Planning Technician, presented Application No. 3-F-08RS on behalf of the applicant, the CVRD, to rezone 48.1 hectares on South Shore Road (Gordon Bay Provincial Park) from F-1 and A-1 to P-1.

The Committee directed questions to Ms. Moreau.

It was Moved and Seconded

That Application No. 3-F-08RS (CVRD/Gordon Bay Provincial Park) be referred back to staff for further research.

MOTION CARRIED

D2 - Cander

Rachelle Moreau, Planning Technician, presented Application No. 3-E-09DVP (Cander) to decrease the setback of a residence at 4345 Gerz Road.

The Committee directed questions to Ms. Moreau.

The applicant was present and had nothing further to add.

It was Moved and Seconded

That Application No. 3-E-09DVP by Stephen and Christina Cander for a variance to Section 7.6(b)(4) of Zoning Bylaw No. 1840, by decreasing the setback to a front parcel line for a residential structure from 7.5 metres (24.6 ft) to 4.81 metres (15.8 ft), on Lot 1, Section 9, Range 9, Sahtlam District, Plan 26014 (PID: 002-710-285), be approved, subject to the applicant providing a survey confirming compliance with the approved setback.

MOTION CARRIED

D3 - Parkinson

It was Moved and Seconded

That Application No. 2-G-08RS (Parkinson) be tabled.

MOTION CARRIED

D4 - Wiggins

Rob Conway, Manager, Development Services Division, presented Application No. 1-H-08RS (Clifford/Wiggins) to rezone 4.2 hectares on Shell Beach Road to permit subdivision into four strata residential waterfront lots.

The Committee directed questions to Mr. Conway.

Brian Wiggins, applicant, was present, and distributed an amended site plan to Committee members. Mr. Wiggins explained their proposal to create four waterfront lots with individual wells on each lot.

The Committee directed questions to the applicant.

Director Marcotte stated that she would like to proceed to public hearing and advised of a minor amendment to the proposed zoning bylaw.

It was Moved and Seconded

1. That Application No. 1-H-08RS (Clifford/Wiggens) proceed to the bylaw stage and that the draft Zoning Amendment Bylaw be amended to add the following words to section (c)9 of the proposed R-11 Zone: "If for any reason, the property is deemed to be excess to the North Oyster Fire Department requirements, the property shall revert to the community by way of being added to the Area H Community Parkland Inventory or another appropriate community land bank."
2. That the OCP Amendment Bylaw, and Zoning Amendment Bylaw (as amended) be forwarded to the Board for consideration of 1st and 2nd readings.
3. That following the submission of an archaeological overview assessment, a public hearing be scheduled and that Directors Marcotte, Dorey and Kuhn be delegated to the Hearing.
4. That the referral of this application to the Ministries of Transportation and Infrastructure, Community and Rural Development, the Agricultural Land Commission, School District 68, Chemainus First Nation, Shell Beach Water Utility, North Oyster Volunteer Fire Department and CVRD Parks Recreation and Culture, be approved.

MOTION CARRIED

D5 - Mock

Alison Garnett, Planning Technician, presented Application No. 4-E-09DVP (Mock) to decrease the setback of an agricultural building to a watercourse and side interior parcel line on property located at 3900 Rowe Road.

The applicant provided further information to the application.

The Committee directed questions to Ms. Garnett.

It was Moved and Seconded

That Application No. 4-E-09DVP (Tim and Laurice Mock) for a variance to section 7.3(b)(4) and (5) of Zoning Bylaw No. 1840 by decreasing the setback of an agricultural building to a watercourse from 30 metres to 15 metres, and decreasing the setback to a side parcel line from 15 metres to 10 metres, on Lot A, Section 9, Range 2, Quamichan District, Plan 11002, be approved, subject to the applicant providing a survey confirming compliance with the approved setbacks.

MOTION CARRIED

D6 - Ilkay

Alison Garnett, Planning Technician, presented Application No. 1-G-09DP (Ilkay) to permit removal of 7 trees on Strata Lot 6 only on Clifcoe Road in Saltair.

The Committee directed questions to Ms. Garnett.

The applicant provided further information to the application.

It Moved and Seconded

That Application No. 1-G-09DP be approved, and that a development permit be issued to Ender Ilkay of Seaside Woods Estates for Strata Lot 6 of District Lot 27, Oyster District, VIS6144, to permit the removal of 7 trees, as indicated on the site plan dated June 23, 2009, subject to:

- a) Compliance with the recommendations for tree removal noted in the March 12, 2009 report by Levelton Consultants,
- b) Receipt of a remedial landscaping plan of low-lying native vegetation prepared by a registered professional biologist or BCLSA member,
- c) Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 120% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the registered professional biologist or BCLSA member.

MOTION CARRIED

D7 - Leighton

Doug Leighton was present regarding a recently submitted OCP amendment application by Carma Developments that would add 600 hectares to the south-west of Mill Bay. Mr. Leighton requested to show a power point presentation of their proposal and stated that they require direction on procedural matters.

The Chair stated that the Committee was not ready to view a presentation at this stage and could simply respond to procedural questions at this point.

A question and answer session ensued.

It was Moved and Seconded

That the applicants for OCP Amendment Application No. 5-A-09RS (Doug Leighton/Carma) be advised that the request to process their application as outlined in their letter dated July 23, 2009, not be acted upon.

MOTION CARRIED

RECESS

The Committee adjourned for a five minute recess.

STAFF REPORTS

**SR1 – South
Cowichan OCP
Committee**

It was Moved and Seconded
That June Laraman, Geoff Johnson, Archie Staats and Ken Waldron be
appointed to the South Cowichan OCP Steering Committee.

MOTION CARRIED

SR2 – ILMB referral

It was Moved and Seconded
That the Cowichan Estuary Environmental Management Plan Committee be
requested to investigate the lease referral (File 3020-01-1405511) prior to
commenting to the ILMB, and that they be requested to host a public meeting to
consult the community.

MOTION DEFEATED

It was Moved and Seconded
Further to a previous response to the Integrated Land Management Bureau
respecting lease referral #3020-01-1405511 (Area D - Hokanson), that a letter be
forwarded to the ILMB reiterating existing zoning regulations and permitted
uses, and advising that the CVRD opposes the lease for reasons that the District
is currently reviewing the Cowichan Bay Official Community Plan and
encourages environmentally friendly practices in that area.

MOTION CARRIED

It was Moved and Seconded
That staff be directed to prepare a report to the EASC outlining how the
Cowichan Estuary Management Plan process can be supported, and further that
a copy of the CEEMP report be distributed to EASC members.

MOTION CARRIED

**SR3 – Bamberton
Final Report**

It was Moved and Seconded
That the Bamberton Regional Impact Assessment final report be received and
filed.

MOTION CARRIED

SR4 – Budget Status

It was Moved and Seconded
That the staff report dated August 17, 2009, from Tom Anderson, General
Manager, regarding mid-year budget status report, be received and filed.

MOTION CARRIED

SR5 – 2010 Planning Budget

It was Moved and Seconded
That one additional experienced Planner be hired immediately on a temporary full-time basis, and that a report be prepared which addresses the long term staffing requirements of the planning function and related resources required for consideration in the 2010 budget.

MOTION CARRIED

SR6 – Meeting Start Time

It was Moved and Seconded
That the staff report dated August 26, 2009, from Tom Anderson, General Manager, regarding EASC meeting start times, be received and filed.

MOTION CARRIED

APC

AP1 – AP2 - Minutes

It was Moved and Seconded
That the minutes of the Area A APC meeting of July 28, 2009 and the minutes of the Area G APC meeting of August 18, 2009, be received and filed.

MOTION CARRIED

PARKS

PK1 – PK2 - Minutes

It was Moved and Seconded
That the minutes of the Area D Parks meeting of May 25, 2009, and June 15, 2009, be received and filed.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded
That the July 2009 building report be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – NB4 – Grant in Aid Requests

It was moved and seconded
That a Grant-in-Aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$400 be given to Palsson Elementary School PAC to assist with costs associated with their “Stream of Dreams” education project.

That a Grant-in-Aid request (Electoral Area I – Youbou) in the amount of \$400 be given to Palsson Elementary School PAC to assist with costs associated with their “Stream of Dreams” education project.

That a Grant-in-Aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$1,250 be given to Mesachie Lake Volunteer Fire and Rescue Association to assist with costs in completing their next year's projects.

That a Grant-in-Aid request (Electoral Area B – Shawnigan Lake) in the amount of \$700 be given to 1st Shawnigan Lake Scouts to assist with costs to clean up Millicent Road Park.

MOTION CARRIED

NB5 – APC minutes

It was Moved and Seconded
That the minutes of the Area A APC meeting of August 20, 2009, be received and filed.

MOTION CARRIED

Director Giles noted appreciation for the workmanship of the APC minutes.

NB6 – News Release

Discussion only respecting the August 25, 2009 News Release respecting a sewage service connection rupture on the Cowichan Bay forecemain.

NB7 –Beekeeping

Director Morrison advised of concerns regarding an existing problem with domestic bees in Area F and stated that he would like to see bylaw consistency and a region wide approach to beekeeping issues. He requested more in-depth discussion on the matter.

It was Moved and Seconded
That staff be directed to prepare a report to the EASC outlining regulations and policies respecting “beekeeping” use and how these and/or proposed regulations can be standardized in all electoral area land use bylaws.

MOTION CARRIED

NB8 – Land Acquisition

Director Morrison questioned if lands purchased by the CVRD can be used for purposes other than parkland, and also questioned uses for old school sites. He stated that he would like to see more flexibility with use of such lands.

Mr. Anderson stated that he could check out existing legislation

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 6:25 pm.

