

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, November 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, Vice-Chair  
Director L. Iannidinardo  
Director G. Giles  
Director K. Kuhn  
Director I. Morrison  
Director M. Dorey  
Director L. Duncan  
Director K. Cossey

**CVRD STAFF**

Tom Anderson, General Manager  
Mike Tippett, Manager  
Rob Conway, Manager  
Alison Garnett, Planning Technician  
Warren Jones, Administrator  
Cathy Allen, Recording Secretary

**APPROVAL OF  
AGENDA**

The Chair noted changes to the agenda which included three items of correspondence, two 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 November 3, 2009, EASC meeting be amended on page 2 by moving the sentence "Director Harrison turned over the position of Chair to the Vice-Chair for the next delegation" to from agenda item D3 to D2, and that the minutes , as amended, be accepted.

**MOTION CARRIED**

**BUSINESS ARISING**

**DELEGATIONS**

**D1 - Silvey**

Nino Morano, Bylaw Enforcement Officer, reviewed File No. 1-G-09BE (Charlene Silvey) regarding unsightly premises and unsafe building at 10505 Maytree Road, Saltair.

Charlene Silvey was not present.

There were no questions from Committee members to staff.

It was Moved and Seconded

Pursuant to the provisions of Section 73 of the Community Charter and the Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, IT IS HEREBY RESOLVED that the owners and occupiers of the respective premises set forth below are required to remedy the unsafe condition by demolishing the remains of the fire damaged house, and remove the accumulation thereon of the unsightly materials and rubbish specified or take such remedial measures as are specified:

Property Description: Lot 1, Section 3, Oyster District, Plan 14037, PID 004 502 299

Location: 10505 Maytree Road, Saltair (Area G), B.C.

Unsafe Condition–Section 73 Community Charter: Remaining structure is unsafe.

Unsightly Accumulation – Section 725 Local Government Act and CVRD House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341: Accumulation of rubbish and burnt down house and contents.

Remedial measures: Demolish and remove the remaining structure and clean up and remove remains of the house and its contents and all other rubbish down to grade.

AND BE IT FURTHER RESOLVED that the CVRD Bylaw Enforcement Official BE AND IS HEREBY AUTHORIZED in default of such demolition and removal or remedial measures being undertaken by the owners or occupiers, within thirty (30) days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner or occupier. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

MOTION CARRIED

**D2 - Harvey**

Alison Garnett, Planning Technician, presented Application No. 2-I-08DP (Jan and Gary Harvey) to expand an existing house located at 7786 Sunset Drive, that is located with the Watercourse Protection DPA.

Gary Harvey, applicant, was present and stated that he had nothing further to add to the staff report.

The Committee directed questions to staff.

It was Moved and Seconded

That Development Permit Application No. 2-I-08DP by Jan and Gary Harvey for the expansion of a single family dwelling on Lot 1, Block 4, DL 72, Cowichan Lake District, Plan 16535, be approved, subject to compliance with the measures and recommendations outlined in RAR report No. 1011.

MOTION CARRIED

**D3 - Scott**

Alison Garnett, Planning Technician, presented Application No. 7-B-09DVP by Frank and Lynn Scott, to relax the setback of an accessory building located at 2692 Sunny Glades lane.

Frank Scott, applicant, was present and stated he had nothing further to add to the Staff Report.

The Committee directed questions to staff.

It was Moved and Seconded

That Development Variance Permit Application No. 7-B-09DVP by Frank and Lynn Scott for a variance to Section 8.5(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to an exterior parcel line for an accessory building from 4.5 metres down to 3 metres on Lot 1, Shawnigan Suburban Lots, Shawnigan District, Plan 25740, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.

MOTION CARRIED

**D4 - Parkinson**

Application No. 2-G-08RS (Parkinson) was taken off the agenda to be discussed at a later meeting.

**D5 - Kolenberg**

Rob Conway presented Application No. 1-D-09RS (Kolenberg) to permit a motor vehicle sales lot on the property located on Koksilah Frontage Road.

Randy Kolenberg and son, applicants, were present. Mr. Kolenberg stated that they would be happy with the existing C-2 with an amendment to allow auto sales as they don't have a need for the rest of C-3 listed uses. He also stated they are willing to do landscaping as required.

The Committee directed questions to staff and applicants.

It was Moved and Seconded

That Rezoning Application No. 1-D-09RS (Kolenberg) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

MOTION CARRIED

**D6 - Underwood**

Director Cossey left the meeting at this point and declared a conflict of interest due to his employer's association with the next delegation.

Lorne Underwood, a Village of Tsawout Band member, was present and spoke respecting First Nations inherent rights and tile related to the Bamberton proposal. Mr. Underwood read from his letter, received date November 17, 2009, which he submitted to staff. He advised of issues that a Regional Growth Strategy could address. He requested that \$50,000 be invested into an impact assessment study.

The Committee directed questions to the delegate.

The Chair thanked the delegate for his presentation.

Director Cossey returned to the meeting at this point.

**STAFF REPORTS**

**SR1 – South  
CowichanOCP  
Committee**

It was Moved and Seconded  
That Doug Higginson be appointed to the South Cowichan Official Community  
Plan Steering Committee.

MOTION CARRIED

**SR2 – ICF  
Transportation  
Committee**

It was Moved and Seconded  
That Tom Anderson be appointed to the Island Corridor Foundation  
Transportation Workshop Advisory Planning Commission.

MOTION CARRIED

**APC**

**AP1 - Minutes**

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

MOTION CARRIED

**AP2 - Resignation**

It was Moved and Seconded  
That the resignation of Jenny Searle from the Area D Advisory Planning  
Commission be accepted and that a letter of appreciation be forwarded to Ms.  
Searle.

MOTION CARRIED

**PARKS**

**PK1 to PK3 - Minutes**

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area C Parks meeting of September 21, 2009
- Minutes of Area H Parks meeting of September 24, 2009
- Minutes of Area G Parks meeting of October 5, 2009

MOTION CARRIED

**PK4 - Resignation**

It was Moved and Seconded

That the resignation of Ron McKenzie from the Area F Parks Committee be accepted and that a letter of appreciation be forwarded to Mr. McKenzie.

MOTION CARRIED

**CORRESPOND-  
ENCE**

**C1 to C5 – Grants-in-  
Aid**

It was Moved and Seconded

That the following grants-in-aid be accepted:

- That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$1000 be given to Frances Kelsey Secondary School, to provide a bursary to a deserving Shawnigan Lake graduating student.
- That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$975 be given to Cowichan Bay Improvement Association, to assist with costs for recycling bins and signage.
- That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$1000 be given to CMS Foodbank Society, to assist with local community needs.
- That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School, to provide a bursary to a deserving Saltair graduating student.
- That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation, to provide a Saltair Community Bursary.

MOTION CARRIED

**NEW BUSSINESS**

**1 – Subdivision Bylaw** Director Cossey requested an update on the progress of the new subdivision servicing bylaw. Mr. Anderson advised that the project is progressing slower than hoped. The Steering Committee is set to review the final draft bylaw, and discussions are still needed with Ministries of Transportation and Environment and then will be brought to the EASC for consideration.

**2 – Youbou Lands** Director Morrison requested a status report regarding Youbou Lands bylaws. Mr. Conway advised that the bylaws were forwarded to the Ministry in August 2009 for their approval after third reading. He noted that the Ministry has recently contacted staff for more information.

**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 4:00 pm.

**RISE** The Committee rose without report.

**ADJOURNMENT** It was Moved and Seconded  
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 4:25 p.m

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary