

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, December 7, 2010 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 M. Dorey
Director G. Giles
Director L. Iannidinardo
Director I. Morrison
Director K. Kuhn
Director K. Cossey
Director L. Duncan

CVRD STAFF

Tom R. Anderson, General Manager
Mike Tippett, Manager
Rob Conway, Manager
Alison Garnett, Planner II
Carla Schuk, Planning Technician
Dave Leitch, Manager
Catherine Tompkins, Senior Planner
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding 12 items of new business, and two items of closed session new business.

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

MOTION CARRIED

M1 - MINUTES

It was Moved and Seconded
That the minutes of the November 23, 2010 EASC meeting, be amended by adding "Schuk, Planning Technician" after "Carla" to D2 page 2, and that the minutes as amended be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

Vice-chair Marcotte assumed the Chair at this point.

D1 - Parker

Rob Conway, Manager, presented Staff Report dated November 30, 2010, regarding Application No. 5-A-10RS (Mill Bay Marina) to develop 14 residential townhouses on the upland portion of the Mill Bay Marina property located at 740 Handy Road.

The Committee directed questions to staff and the delegate.

Mr. Parker requested a two or three minute extension to the 10 minute delegation limit.

It was Moved and Seconded

That Mr. Parker be permitted an extension to the delegation time limit.

MOTION CARRIED

Terry Parker reviewed his letter dated November 24, 2010, and presented power point photos regarding concerns with the rezoning and development application for the Mill Bay Marina.

D2 - Pringle

Cam Pringle, applicant, regarding Application No. 5-A-10RS (Mill Bay Marina) reviewed his proposal to develop a new marina and 14 residential townhouses at 740 Handy Road, and provided a power point presentation.

The Committee directed questions to staff and the applicant.

Director Cossey arrived to the meeting at this point.

It was Moved and Seconded

1. That Application No. 5-A-10RS (Mill Bay Marina) proceed subject to the following:
 - That the marina be built prior to the condominiums being constructed;
 - That a bond be put in place to ensure the boat launch ramp is built;
 - That no boat shelters be permitted;
 - That the applicants work with the Ministry of Transportation and Infrastructure regarding safety concerns at the corner of Handy Road and Mill Bay Road.
2. That draft OCP and Zoning amendment bylaws for Application No. 5-A-10RS (Mill Bay Marina) be forwarded to the CVRD Board for consideration of first and second reading.

3. That application referrals to the Ministry of Transportation and Infrastructure, Mill Bay Volunteer Fire Department; Ministry of Environment, the Archaeology Branch of the Ministry of Tourism, Culture and the Arts, Fisheries and Oceans Canada, Cowichan Tribes, Malahat First Nation, Transport Canada, the Integrated Land Management Bureau and Mill Bay Waterworks, be accepted.
4. That a public hearing be scheduled with Directors Harrison, Cossey and Dorey appointed as Board delegates.

MOTION CARRIED

D3 - Hartwig

Rob Conway, Manager, presented Application No. 2-A-10DP (Mill Springs/Gerald Hartwig) for Phase II of the Mill Springs development located north of Bucktail Road, east of Deloume Road and Tudor Way, in order to subdivide 17 residential lots.

Gerald Hartwig, applicant, provided further information to the application.

The Committee directed comments/questions to the applicant and staff.

It was Moved and Seconded

1. That Application No. 2-A-10DP (Phase II of Mill Springs) be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for a 17 lot phase of subdivision on District Lot 46, Malahat District, except parts in Plan VIP68911, VIP78297, VIP82480 and strata Plan VIS4795 (Phase 3, and 5 to 10) and Except Plan VIP83878, and VIP85356 and VIP85745.
2. That Staff be directed to arrange a meeting with officials from the Ministry of Transportation and Infrastructure to discuss opening Deloume Road at the north boundary of Mill Springs.

MOTION CARRIED

D4 - Drader

Alison Garnett, Planner II, presented Application No. 2-A-10RS (Drader) to rezone from R-1 to C-4 to permit an expanded commercial use of property located at 304 Trans Canada Highway, and to permit RV storage adjacent to the existing campground.

The Committee directed questions to staff.

Neil Drader, applicant, provided further information to the application.

It was Moved and Seconded

1. That draft OCP and Zoning Amendment Bylaws for Application No. 2-A-10RS (Neil Drader) be forwarded to the CVRD Board for consideration of first and second reading.
2. That the application referrals from the Ministry of Transportation and Infrastructure, Malahat Volunteer Fire Department, Vancouver Island Health Authority and Malahat First Nation be accepted;

3. That a public hearing be scheduled with Directors Harrison, Cossey and Duncan appointed as delegates of the Board, following receipt of a draft covenant for the following:
 - a 3 metre wide strip of the subject property along the road frontage for the purpose of protecting the Malahat Drive view corridor which prohibits the installation of signage, the removal of vegetation and the parking of vehicles, unless specifically authorized by the CVRD;
 - a provision to ensure that oil containment measures are implemented under all parked recreational vehicles, for the protection of the natural environment.

MOTION CARRIED

D5 - Butler

Alison Garnett, Planner II, presented Application No. 2-D-10RS (Butler) to rezone property located at 1721 Pritchard Road, Cowichan Bay, from R-3B to a new duplex limited height zone.

The Committee directed questions to staff.

The applicant was not present. Director Iannidinardo provided further information.

It was Moved and Seconded

That Application No. 2-D-10RS (Butler) be referred to the next EASC meeting in January 2011, so that the applicant can be in attendance.

MOTION CARRIED

D6 - Gisborne

Carla Schuk, Planning Technician, presented Staff Report dated December 7, 2010, regarding Application No. 2-H-10ALR (Gisborne) to subdivide property located at 13465 and 13467 Cedar Road, into two lots.

Greg Wyndlow, was present on behalf of applicant, and provided further information to the application.

The Committee directed questions and comments to staff and the applicant.

It was Moved and Seconded

That Application No. 2-H-10ALR (Gisborne), regarding the subdivision of Lot A, District Lot 39, Oyster District, Plan 29596 (PID: 000-031-071) into two lots, be forwarded to the Agricultural Land Commission with a recommendation to approve.

MOTION CARRIED

**D7 – Hummel/
Paterson**

Carla Schuk, Planning Technician, presented Application No. 6-I-10DP (Hummel/Paterson) to allow construction of a single family dwelling on Lot 62, Cypress Road, in accordance with the Watercourse Protection DPA.

The committee directed questions to staff.

It was Moved and Seconded

That Application No. 6-I-10DP be approved, and that a development permit be issued to Dana Hummel and Ken Paterson for Lot 62, Block 7, Cowichan Lake District, Plan 8301 except parts in Plans 10217, 10479, and 29280 (PID: 005-533-431), subject to the following:

- Strict compliance with the recommendations in Riparian Assessment Report No. 1099, submitted by Qualified Environmental Professional Trystan Willmott, of Madrone Environmental Services, on September 23, 2008;
- Completion of a survey, by professional surveyors, of the 15m SPEA and that the SPEA be clearly demarcated with the use of flagging materials prior to commencement of development activities;
- Registration of a covenant on the title of the property for the protection of the 15m SPEA;
- Contracting a certified arborist to identify hazardous dead standing snags within the SPEA that are to be topped or taken down as specified by the arborist, remains of which are to stay within the SPEA as course woody debris;
- Submission of mid-construction and post-construction monitoring reports by the Qualified Environmental Professional via the Ministry of Environment RAR notification system prior to expiry of the development permit.

MOTION CARRIED

**New Business
D8 - Tompkins**

Catherine Tompkins, Senior Planner, provided a power point presentation giving an update on the South Cowichan Official Community Plan.

The Committee directed comments and questions to staff.

The Committee then recessed for a five minute break.

STAFF REPORTS

Chair Harrison resumed the Chair at this point.

**R1 – S. End Parks
Service Amendment**

It was Moved and Seconded
That CVRD Bylaw No. 3447 be amended by changing the bylaw citation to read “South Cowichan Community Parks Service Amendment Bylaw, 2010”, and that Bylaw No. 3447, as amended, be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

**R2 – Saltair Parks
Service Amendment**

It was Moved and Seconded
That CVRD Bylaw No. 3446 – Saltair Community Parks Service Amendment Bylaw, 2010, be amended by adjusting the proposed requisition amount to be \$0.43 per \$1,000, and that Bylaw No. 3446, as amended, be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

**R3 – Innovations
Fund Applications**

It was Moved and Seconded
That a combined GSPF/IF capacity building/ICS planning application of \$370,000 be submitted for the “Cowichan Basin Water Management Plan Implementation” project.

MOTION CARRIED

It was Moved and Seconded
That a General Strategic Priorities Fund Capital Project application of \$600,000 be submitted for the “Peerless Road Recycling Depot Upgrades & Ash Fill Remediation” project.

MOTION CARRIED

It was Moved and Seconded
That an Innovations Fund Capital Project application of \$1,000,000 be submitted for the “Saltair Power Generation” project.

MOTION CARRIED

**R4 – Towns for
Tomorrow**

It was Moved and Seconded
That an application of \$400,000 to the Towns for Tomorrow Funding Program be submitted for the “Cobble Hill Sewer System” project.

MOTION CARRIED

**R5 – AVICC
Resolution**

It was Moved and Seconded
That the proposed AVICC Resolution drafted by Director Dorey be forwarded to the Board for submission.
MOTION NOT VOTED ON

It was Moved and Seconded
That the proposed AVICC Resolution regarding “Reducing the Price of Farmland through Taxation” be referred to staff to re-define.

MOTION CARRIED

R6 - Sidewalks

It was Moved and Seconded
That Staff Report dated December 2, 2010, from Tom R. Anderson, General Manager, regarding sidewalks on MoTI road rights-of-way be referred to staff for review.

MOTION CARRIED

**R7 – Parks year end
transfer to reserve**

It was Moved and Seconded
That the staff report dated December 7, 2010, from Brian Farquhar, Parks and Trails Manager, regarding 2010 Community parks Yearend Transfer to Reserve, be received and filed.

MOTION CARRIED

APC

AP1 to AP3 - Minutes

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

- Minutes of Area D APC meeting of November 17, 2010
- Minutes of Area I APC meeting of November 2, 2010
- Minutes of Area A APC meeting of November 9, 2010

MOTION CARRIED

PARKS

PK1 to PK5 - Minutes

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

- Minutes of Area D parks meeting of November 15, 2010
- Minutes of Area F parks meeting of October 7, 2010
- Minutes of Area G parks meeting of November 1, 2010
- Minutes of Area H parks meeting of September 23, 2010
- Minutes of Area H parks meeting of November 6, 2010

MOTION CARRIED

INFORMATION

**IN1 – FCM
Conference**

It was Moved and Seconded
That all Electoral Area Directors be approved to attend the FCM Sustainable Communities Conference on February 8-10, 2011 in Victoria, at a cost of \$635 each for registration plus expenses.

MOTION CARRIED

NEW BUSINESS

**NB2 – Restrictive
Covenant (Lintaman)**

Rob Conway, Manager, presented Staff Report dated December 3, 2010, regarding restrictive covenant on Lot 2, Stebbings Road (Lintaman/McMillan, File No. 7-B-10DP/RAR).

It was Moved and Seconded
That the Regional District approve the release of Covenant FB304195 subject to it being replaced with a new covenant to secure fire protection commitments; And Further, that \$7,675.50 of the \$19,675.50 security held in trust to secure commitments associated with Covenant FB304195 be released, with the remainder released upon completion of fire protection works.

MOTION CARRIED

NB3 – AVICC

It was Moved and Seconded
That the CVRD forward the appropriate forms to AVICC nominating Director Mary Marcotte for the “Electoral Area Representative” position on the AVICC.

MOTION CARRIED

**NB4, NB5, NB6 –
Grants in Aid**

It was Moved and Seconded
That the following grants in aid be approved:

- That a grant in aid, Area B – Shawnigan Lake, in the amount of \$1,000 be given to CMS Food Bank to assist with the food bank’s needs.
- That a grant in aid, Area C – Cobble Hill, in the amount of \$1,000 be given to CMS Food Bank to assist with the food bank’s needs.
- That a grant in aid, Area A – Mill Bay/Malahat, in the amount of \$1,000 be given to CMS Food Bank to assist with the food bank’s needs.

MOTION CARRIED

NB7 – Fuel Management Program

It was Moved and Seconded
That the letter dated October 5, 2010, from the Cowichan Valley Naturalist Society expressing displeasure with work done at the Mill Bay Nature Park using money from the UBCM Fuel Management Program, be received and filed.

MOTION CARRIED

NB8 – DP requirement

It was Moved and Seconded
That a development permit be required for construction work being undertaken at 1787 Cowichan Bay Road (File No. 7-D-09DP/Mueller).

MOTION CARRIED

NB9 – Butler Gravel Permit

Tom Anderson, General Manager, presented Staff Report dated December 7, 2010, regarding Gravel Permit Referral (Butler Bros. Ltd.) on Langtry Road.

It was Moved and Seconded
That the Ministry of Energy, Mines and Petroleum Resources be requested to hold a public meeting for the proposed gravel permit at Lots 1, 2, 3 and 4, Section 9, Range 6, Plan 41254, and a portion of Lot 2, Section 9, Range 5, Plan 87193, and MoT Right of Way marked Road on Plan 41254, in order to address community concerns over the proposed gravel extraction, aquifer, and local waterworks.

MOTION CARRIED

NB10 – Grant in Aid

It was Moved and Seconded
That a grant in aid, Area C – Cobble Hill, in the amount of \$500 be given to Shawnigan Cobble Hill Farmers Institute to assist with a community celebration.

MOTION CARRIED

NB11 – Leaking vessel, Cow Bay

Director Iannidinardo updated the Committee regarding the leaking vessel in Cowichan Bay waters. She advised that copper fittings had been stolen from the vessel which was causing the leaking. The Coast Guard has said that the hull is sound. Divers from Transport Canada have expressed concerns about fuel on board.

NB12 – Medical Grow-op

Director Marcotte expressed concerns regarding a medical grow-op that is located across the street from the North Oyster Elementary School and the Community Centre.

Mr. Anderson requested Director Marcotte to provide him with the address of the operation and he would contact Health Canada regarding the various concerns of such an operation being located across from a school and community centre.

**NB13 – Appreciation
dinner, Area E**

Director Duncan stated that he would like to provide an appreciation dinner for his Commission in January 2011, and wants to be assured that money is available in the budget to do so.

Mr. Anderson noted that each Director is allotted \$600 every year for appreciation dinners. He advised Director Duncan that if his allotment was not used in 2010, it could be rolled over. The Committee stated that they had no problem with rolling money over until next year for that purpose.

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 6:57 pm.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:12 pm.

Chair

Recording Secretary