

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, July 31, 2012 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

**PRESENT**

Director M. Walker, Chair  
Director G. Giles  
Director B. Fraser  
Director L. Iannidinardo  
Director L. Duncan  
Director I. Morrison  
Director M. Marcotte  
Director M. Dorey  
Director P. Weaver

**CVRD STAFF**

Tom Anderson, General Manager  
Rob Conway, Manager  
Brian Duncan, Manager  
Brian Farquhar, Manager  
Rob Hutchins, Board Chair  
Warren Jones, CAO  
Ann Kjerulf, Planner III  
Alison Garnett, Planner I  
Jennifer Hughes, Recording Secretary

**APPROVAL OF  
AGENDA**

The Chair welcomed the audience to the EASC meeting.

It was Moved and Seconded that the Agenda be amended with the addition of the following four (4) New Business Items:

- NB1 Add-on material respecting agenda Item R1 – Staff Report from Rob Conway, Manager, regarding Re-development of Former Seaside Trailer Park, 11255 Chemainus Road
- NB2 Staff Report dated July 30, 2012, from Brian Farquhar, Manager, regarding Shawnigan Cobble Hill Farmers Institute and Agricultural Society Request to Use the Cobble Hill Common For Cobble Hill Fair
- NB3 Minutes of Area C, Cobble Hill Parks & Recreation Commission of July 26, 2012
- NB4 Verbal Report by Director L. Duncan regarding Rock Concert

**MOTION CARRIED**

Brian Duncan, Manager, Inspections & Enforcement Division, introduced Rob Harris, new CVRD Bylaw Enforcement Officer. Mr. Duncan advised that, under his direction, Mr. Harris will be working closely with the Engineering Department and Parks Division on waste management and parks issues, along with Mr. Morano who has been briefing him on various matters within the Electoral Areas and that if the Directors had any concerns to please contact him.

The Committee welcomed Mr. Harris to the CVRD.

**M1 - Minutes** It was Moved and Seconded that the Minutes of the July 3, 2012, EASC meeting be adopted.

MOTION CARRIED

**BUSINESS ARISING** There was no business arising.

**DELEGATIONS**

**D1 – Harvey Schmidke, Alcatel-Lucent/Telus** Harvey Schmidke, Agent for Alcatel-Lucent, on behalf of Telus was present and provided an overview of the process that has occurred for the proposed cell site at 3730 Trans Canada Highway, Cobble Hill.

The Committee directed questions to Mr. Schmidke.

The Chair thanked Mr. Schmidke for attending.

**D2 - Durnford** Sherry Durnford, Ray Bradford, Lynn Smith and Andrew were present and each provided an overview expressing their concerns regarding property located at 11255 Chemainus Road (former Seaside Trailer Park) in Electoral Area G – Saltair/Gulf Islands and CVRD Staff Report (R1) dated July 24, 2012, prepared by Rob Conway, Manager.

The Chair thanked the Delegates for attending.

**D3 – Kivela Contracting Ltd.** Kevin Kivela (Kivela Contracting Ltd.) was present and stated that the property owners, Messrs. Oldridge and Gilroy, were unable to attend the meeting. Mr. Kivela provided an overview of what has occurred on the property located at 11255 Chemainus Road (formerly Seaside Trailer Park) in Electoral Area G – Saltair/Gulf Islands.

The Committee directed questions to Mr. Kivela.

The Committee directed questions to staff.

The Chair thanked Mr. Kivela for attending.

**STAFF REPORTS**

**R1 – Re-Development of Former Seaside Trailer Park – 11255 Chemainus Road** Rob Conway, Manager, reviewed staff report dated July 24, 2012, regarding Re-Development of Former Seaside Trailer Park located at 11255 Chemainus Road, Saltair.

The Committee directed questions to staff.

Director Giles left the meeting at 4:30 p.m.

Director Giles returned to the meeting at 4:40 p.m.

It was Moved and Seconded  
That staff seek a legal opinion regarding the non-conforming status of the

former Seaside Trailer Park, located at 11255 Chemainus Road, in Electoral Area G – Saltair/Gulf Islands.

**MOTION CARRIED**

**R2 – Doug Makaroff/Living Forest Planning Consultants**

Rob Conway, Manager, reviewed staff report dated July 24, 2012, regarding Application No. 7-B-12DP (Elkington Forest – Midlands Phase) for a 25 lot bare land strata subdivision and associated development located on South Shawnigan Lake.

Doug Makaroff, applicant, was present.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Development Permit Application No. 7-B-12DP (Elkington Forest – Midlands Phase) be approved, and that a development permit be issued to Living Forests GP Ltd. for a 25 lot bare land strata subdivision and associated development subject to:

- a. Compliance with RAR assessment report for the Midlands Phase;
- b. Demarcation of SPEA boundaries with fencing and signage and submission of a post-development report prepared by a Qualified Environmental Professional prior to subdivision;
- c. Registration of a restrictive covenant to confirm permitted uses and to preclude further subdivision of the proposed lots;
- d. Registration of a restrictive covenant to preclude development of the identified Streamside Protection and Enhancement Areas and the protective zones identified in the RAR assessment report;
- e. Compliance with Covenants CA1648147 and CA1648148 (Fire Protection);
- f. Compliance with Covenants CA1648144 and CA1648145 (Parks);
- g. Compliance with Covenant CA1648146 (Servicing);
- h. Demonstration that the applicable zoning bylaw has been amended to permit residential use of the subject lots and that proposed dwellings comply with criteria listed on Schedule 7 prior to issuance of a building permit;
- i. Submission and approval of a drainage design that incorporates the storm and rain water management concepts described Schedule 8, prior to subdivision of lots in the Midlands Phase.

**MOTION CARRIED**

**R3 – McKenzie/Kell**

Staff report prepared by Maddy Koch, Planning Technician, dated July 25, 2012, regarding Application No. 1-D-12DVP (Maureen McKenzie & Rodney Kell) to consider the issuance of a Development Variance Permit for the purpose of constructing a garage on property located at 2054 Cowichan Bay Road.

It was Moved and Seconded

That Application No. 1-D-12DVP (Maureen McKenzie & Rodney Kell) be referred back to staff.

**MOTION CARRIED**

**R4 – Mike & Kari Thompson**

Alison Garnett, Planner I, reviewed staff report dated July 20, 2012, regarding Application No. 3-B-12DVP (Thompson) to consider the issuance of a Development Variance Permit by increasing the maximum permitted height of a fence from 1.2 metres to 1.8 metres on property located at 1787 Thrush Road.

Mike & Kari Thompson, applicants, were present.

There were no questions directed to the applicants or staff.

It was Moved and Seconded

That Application No. 3-B-12DVP by Mike and Kari Thompson to vary Section 5.10 of Zoning Bylaw No. 985 by increasing the maximum permitted height of a fence from 1.2 metres to 1.8 metres along the front parcel line of Lot B, Shawnigan Suburban Lots, Shawnigan District, Plan 18509 (PID 003-754-880), be approved.

MOTION CARRIED

**R5 – Lindsay**

Alison Garnett, Planner I, reviewed staff report dated July 20, 2012, regarding Application No. 4-B-12DVP (Lindsay) to reduce the minimum setback from a side exterior parcel line from 4.5 metres to 1.8 metres for the purpose of recognizing an existing workshop building on property located at #8-2180 Renfrew Road.

James and Lisa Lindsay, applicants, were unable to attend the meeting.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 4-B-12DVP by James and Lisa Lindsay to vary Section 8.5 (b)(3) of Zoning Bylaw No. 985, by reducing the minimum setback from a side exterior parcel line from 4.5 metres to 1.8 metres for strata lot 8, Shawnigan Lake Suburban Lots, Shawnigan District, Strata Plan 731, for the purpose of recognizing an existing workshop building, and furthermore, to vary part 6 of Land Use Contract F27348 by reducing the required setback of a building from 3 metres to 1.8 metres, be approved.

MOTION NOT VOTED ON

It was Moved and Seconded

That Application No. 4-B-12DVP by James and Lisa Lindsay be referred back to staff to inspect the building to ensure there are no living accommodations located on the 2<sup>nd</sup> floor.

MOTION CARRIED

**R6 – Marbre Construction/C & C Holdings Ltd.**

Alison Garnett, Planner I, reviewed staff report dated July 25, 2012, regarding Application No. 8-E-12DP (Marbre Construction for C & C Holdings Ltd.) to construct ten mini-warehouse buildings on property located on Allenby Road,

Koksilah Industrial Park (Lot 1, Section 13, Range 6, Quamichan District, Plan 37379.

Majid Varasteh of Marbre Construction, applicant, was present.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 8-E-12DP, submitted by Marbre Construction for C&C Holdings, for construction of ten mini-warehouse buildings on Lot 1, Section 14, Range 6, Quamichan District, Plan 37379 (PID: 001-048-171) be approved, subject to the following conditions:

- Development is in substantial compliance with the attached plans;
- An irrevocable letter of credit in a form suitable to the CVRD is received, equivalent to 125% of the landscaping costs, to be refunded after two years if the plantings are successful and to the satisfaction of a qualified professional;
- Compliance with a rain and stormwater management plan prepared by a Qualified Professional at the time of building permit application, which is designed to promote low impact development techniques and onsite rainwater management.

**MOTION CARRIED**

**R7 – Landmark  
Sign/Countryview  
Centre**

Rob Conway, Manager, on behalf of Rachelle Rondeau, Planner I, reviewed staff report dated July 25, 2012, regarding Application No. 1-C-12DP/VAR (Landmark Sign) for a Development Permit with Variance to permit a free-standing sign located at 1400 Cowichan Bay Road.

Brooke Tomlin, Landmark Sign, and Brett Large, property owner, were present.

The Committee directed questions to the applicant.

The committee directed questions to staff.

It was Moved and Seconded

That Application No. 1-C-12DP/VAR (Landmark Sign) be approved, and that a development permit with variance be issued to permit a free-standing sign with a maximum sign area of 9.7 m<sup>2</sup> for the Valleyview Centre on Lot 1, Section 18, Range 5, Shawnigan District, Plan 8038 (PID: 005-633-133) with the height of the sign in compliance with the Development Permit Area Guidelines that recommend the maximum height of 5 m and further that the sandwich board signs be removed from the property.

**MOTION DEFEATED**

It was Moved and Seconded

That Application No. 1-C-12DP/VAR (Landmark Sign) be referred back to Planning staff.

**MOTION DEFEATED**

It was Moved and Seconded

That Application No. 1-C-12DP/VAR (Landmark Sign) be approved, and that a development permit with variance be issued to permit a free-standing sign with a maximum sign area of 9.7 m<sup>2</sup> for the Valleyview Centre on Lot 1, Section 18, Range 5, Shawnigan District, Plan 8038 (PID: 005-633-133), subject to reduction of the sign height by 2 feet from what was presented at the July 31<sup>st</sup> EASC meeting.

MOTION CARRIED

**R8 – Draft Electoral Area D – Cowichan Bay Official Community Plan**

Ann Kjerulf, Planner III, reviewed staff report dated July 23, 2012, regarding Draft Electoral Area D – Cowichan Bay Official Community Plan.

It was Moved and Seconded

That the draft Electoral Area D – Cowichan Bay Official Community Plan be received for information.

MOTION CARRIED

**R9 – Former Hayes Site**

Brian Farquhar, Manager on behalf of Tanya Soroka, Parks and Trails Planner, reviewed staff report dated July 20, 2012, regarding Former Hayes Site – Amendment to the Log Sort Water Lot Lease #105062 in Cowichan Bay.

It was Moved and Seconded

That the Regional District be authorized to amend the current Provincial Water Lot Lease No. 105062 located at the former Hayes site in Cowichan Bay (legally described as District Lot 160, Cowichan District) from a log sort use to a community use and enter into a renewable 10 year term.

MOTION CARRIED

**R10 – Encroachment in Fern Ridge Park, Electoral Area A – Mill Bay/Malahat**

Brian Farquhar, Manager on behalf of Tanya Soroka, Parks and Trails Planner, reviewed staff report dated July 21, 2012, regarding Encroachment in Fern Ridge Park, Electoral Area A – Mill Bay/Malahat.

It was Moved and Seconded

- 1) That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to enter into a Land Exchange Agreement with Alexander Jacob to equally subdivide a portion of their land (Lot 15, District Lot 107, Malahat District, Plan VIP63859) and a portion of CVRD land, (PARK, District Lot 107, Malahat District, Plan VIP57604) namely Fern Ridge Park and exchange them in order to complete a boundary adjustment between both lands.
- 2) That a bylaw be prepared authorizing an AAP process for approval of the electorate to subdivide and exchange the said lands; and
- 3) That the Board Chair and Corporate Secretary be authorized to sign necessary documents in order to complete the subdivision and exchange of these lands.

MOTION CARRIED

**R11 – Don’s Park,  
Electoral Area E –  
Cowichan  
Station/Sahtlam/  
Glenora**

Brian Farquhar, Manager on behalf of Tanya Soroka, Parks and Trails Planner, reviewed staff report dated July 24, regarding Don’s Park in Electoral Area E – Cowichan Station/Sahtlam/Glenora.

It was Moved and Seconded

That CVRD Board Resolution #12-098-4 dated March 14, 2012, regarding the possible disposition of Don’s Park, be rescinded.

MOTION CARRIED

**R12 – CVRD  
Newsletter**

Tom R. Anderson, General Manager, reviewed staff report dated July 25, 2012, regarding CVRD Newsletter.

It was Moved and Seconded

That the staff report dated July 25, 2012, prepared by Tom R. Anderson, General Manager, regarding CVRD Newsletter, be referred to a future EASC meeting.

MOTION CARRIED

**R13 – Application No.  
1-H-10DVP  
(McCullough)**

Rob Conway, Manager, reviewed staff report dated July 26, 2012, regarding Development Variance Permit Application No. 1-H-10DVP (McCullough)

It was Moved and Seconded

That Condition 3(iii) of Development Variance Permit No. 1-H-10DVP (McCullough) be amended to allow removal of trees 5 to 9, identified in the Tree Risk Assessment report prepared by B. Furneaux, dated March 22, 2011, subject to planting of 10 new trees with a minimum height of 2.0 metres as well as planting 5 new Arbutus trees which are native to the area and posting of an irrevocable letter of credit equivalent to 125% of tree installation, to be refunded after 2 years if the trees are successfully established, as determined by the General Manager of Planning & Development.

MOTION CARRIED

**INFORMATION**

**IN1 – June 2012  
Building Report**

It was Moved and Seconded

That the June 2012 Building Report be received and filed.

MOTION CARRIED

**IN2-IN6 - Minutes**

It was Moved and Seconded

That the Minutes of Area C – Cobble Hill APC meeting of July 19, 2012 (IN2) be referred back to the Area C APC Secretary to be corrected as Director Giles noted that they need to be amended on Page 2, 3<sup>rd</sup> line by changing RR-3 Zone to read RR-2 Zone).

MOTION CARRIED

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area E – Cowichan Station/Sahtlam/Glenora APC meeting of July 19, 2012.
- Minutes of Area I – Youbou/Meade Creek APC meeting of July 3, 2012.
- Minutes of Area C – Cobble Hill Parks and Recreation Commission meeting of July 5, 2012.
- Minutes of Area I – Youbou/Meade Creek Parks & Recreation Commission meeting of July 10, 2012.

MOTION CARRIED

**NEW BUSINESS**

**NB1 – Add-on  
Material Respecting  
Item R1**

See R1 (Re-development of Former Seaside Trailer Park – 11255 Chemainus Road.

**NB2 – Shawnigan  
Cobble Hill Farmers  
Institute and  
Agricultural Society  
Request to Use the  
Cobble Hill Common  
for Cobble Hill Fair**

Brian Farquhar, Manager, reviewed staff report dated July 30, 2012, regarding Shawnigan Cobble Hill Farmers Institute and Agricultural Society Request to Use the Cobble Hill Common for Cobble Hill Fair.

It was Moved and Seconded

That the application from the Shawnigan Cobble Hill Farmers Institute and Agricultural Society to use the Cobble Hill Common property in Cobble Hill to stage displays and events as part of the 103<sup>rd</sup> Cobble Hill Fair on August 24 and 25, 2012, be approved subject to the following conditions:

1. Proof of \$5,000,000 liability insurance that the Society has to cover the event which also identifies the CVRD named as additional insured,
2. That the activities and use of the Common by the Society is per the layout plan provided July 26, 2012.
3. That no displays or equipment are located on the planted berm and that the berm is cordoned off with temporary fencing to prevent the public from walking on the planted areas.
4. That the Society agrees to reimburse the CVRD for costs incurred to replace any damaged plants or damage to other recent improvements made within the Common incurred as a result of the Fair event.

MOTION CARRIED

**NB3 – Area C Parks &  
Recreation  
Commission Minutes**

It was Moved and Seconded

That the Minutes of the Area C, Cobble Hill Parks & Recreation Commission of July 26, 2012, be received and filed.

MOTION CARRIED

**NB4 – Rock Concert** Director Duncan reported on the Rock of the Woods which has been held previously at the Bamberton site and noted that this year the organizers held the event at Glenora Farms. He advised that he personally attended the Saturday evening event which was well managed and controlled and they did not find noise to be intrusive.

**RECESS** The Committee took a five minute recess at 6:45 p.m.

**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 6:50 p.m.

**RISE** The Committee rose without report at 6:56 p.m.

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

MOTION CARRIED

The meeting adjourned at 6:56 p.m.

\_\_\_\_\_  
Chair

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