

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, June 2, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director M. Marcotte, Acting Chair
Director L. Iannidinardo
Director G. Giles
Director L. Duncan
Director K. Kuhn
Director K. Cossey
Director I. Morrison
Alt. Director M. Dietrich
Alt. Director R. Burgess
Absent: Director M. Dorey, Director B. Harrison

CVRD STAFF

Tom Anderson, General Manager
Mike Tippett, Manager
Rob Conway, Manager
Dana Beatson, Planner
Rachelle Moreau, Planning Technician
Brian Duncan, Chief Building Inspector
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding three 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 May 19, 2009 EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

**D1a (New Business)
Mike Cronquist**

Mike Cronquist, Vice President, Market Group from Sidney, was present regarding the Hood Canal Bridge project in Cowichan Bay. A short video made by Director Iannidinardo was played. Mr. Cronquist showed a Power Point presentation reviewing the Pontoon Refurbishment Project. He noted that the project involves potential marina usage. It was stated that anyone interested in learning more can visit Seagate Plontoon's website which contains information on the project and also includes the Power Point presentation.

A question and answer session ensued.

Director Giles suggested that Market Group host a public meeting in Cowichan Bay and that staff could work with the Group to clarify zoning issues and assist with organizing the public meeting.

The delegation presentation was given for Committee information only.

NOTE: Director Cossey arrived at this point.

D1 – Friesen

Mike Tippett, Manager, introduced the request by Wayne Friesen to have their Application (No. 2-I-05RS) put on hold.

Wayne Friesen, applicant, was present regarding their request to put Application No. 2-I-05RS on hold.

It was Moved and Seconded

That staff report back to EASC respecting the substance of Application No. 2-I-05RS (Friesen) and provide options.

MOTION CARRIED

D2 – Brown

Rob Conway, presented Application No. 8-E-08DP by Landale Signs and Neon Ltd. to permit additional fascia signs on the commercial/retail warehouse building (The Brick) located at 5380 Trans Canada Highway.

Jay Brown, representing Landale Signs, was present regarding Application No. 8-E-08DP. Mr. Brown stated that the applicant wants secondary signage approved so that they can proceed to finish the project.

A question and answer session ensued.

It was Moved and Seconded

That Application No. 8-E-08DP (Landale Signs and Neon Ltd.) to permit additional fascia signs on Lot 1, Section 14, Range 6, Quamichan District, Plan 4077 shown outlined in red on Plan 1500R, except that part shown in red on Plan 1688OS and except part in Plan 40941 (PID: 012-522-449), be denied.

MOTION CARRIED

D3 - Atwall

Application No. 2-E-08RS (Kabel Atwall) was referred to a future EASC meeting.

D4 - Parkes

Rachelle Moreau, Planning Technician, presented Application No. 6-E-08DVP by Fay Parkes to vary Zoning Bylaw No. 1840 by 2.8 metres to permit the length of the mobile home (small suite) located at 4387 Creighton Road, to be increased from 13 metres to 15.8 metres.

Fay Parkes, applicant, was present. Ms. Parkes stated that she had no further comments to add.

A question and answer session occurred.

It was Moved and Seconded

That Application No. 6-E-08DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Fay and Gordon Parkes with respect to Lot A, Section 9, Range 9, Sahtlam District, Plan VIP 59116 that would vary Section 5.23(g) of Zoning Bylaw No. 1840 by 2.8 metres to permit the length of the mobile home (small suite) to be increased from 13 metres to 15.8 metres.

MOTION CARRIED

D5 - Thom

Rachelle Moreau, Planning Technician, presented Application No. 2-I-09DP by Gerald and Caroline Thom for renovation of the dwelling located at 9254 Youbou Road and extension of the upper floors to correspond with the location of the foundation four metres from the natural boundary of Cowichan Lake.

Gerald and Caroline Thom, applicants, were present. Mr. Thom stated that he had no further comments to add.

There were no questions from Committee members.

It was Moved and Seconded

That Application No. 2-I-09DP be approved, and the Planning and Development Department be authorized to issue a Development Permit with variance to Gerald and Caroline Thom with respect to Lot 4, Block 312 and Unnumbered Portion, Cowichan Lake District, Plan VIP 56533 (PID: 018-256-295) for the renovation of the dwelling and extension of the upper floors to correspond with the location of the foundation 4 metres from the natural boundary of Cowichan Lake.

MOTION CARRIED

D6 - Shatzko

Rachelle Moreau, Planning Technician, presented Application No. 3-D-08DP by Hylton McAlister and Elizabeth Shatzko to construct a stilt home at 1783 Cowichan Bay Road.

The application was discussed at the May 5, 2009 EASC meeting where additional information was requested. Ms. Moreau noted further information which is contained in the May 27th Staff Report.

Hylton McAlister and Elizabeth Shatzko, applicants, were present. Mr. McAlister provided further information to the application.

A member of the Cowichan Bay Fire Department was present regarding clearance and building material concerns.

A question and answer session occurred.

It was Moved and Seconded

That Application No. 3-D-08DP be approved, and that a development permit be issued to Hylton McAlister and Elizabeth Dianne Shatzko for District Lot 202, Cowichan District for the construction of a dwelling subject to:

- a) Construction of the dwelling occurs subject to compliance with the recommendations and mitigation measures specified in the Streamline Environmental Consulting Ltd. report prepared July 9, 2008;
- b) Reduction of the number of deck pilings to eight or fewer; and
- c) That the platform of the stilt home including supports and decks be constructed of non- combustible material.

And further, that the following variances be granted:

- a) Relax Section 12.7(b) of Zoning Bylaw 1015 to reduce the front parcel line setback from 7.5 metres to zero, the west side parcel line setback from 0.762 metres to 0.6 metres and the east side parcel line setback from 0.762 metres to zero;
- b) Relax Section 4.1 of Off-street Parking Bylaw No. 1001 to reduce the number of required off-street parking spaces for a single family dwelling from two to zero.

MOTION CARRIED

D7 - Wall

Dana Beatson, Planner, presented a potential rezoning application by the Cowichan River Bible Camp In. to rezone the existing legal non-conforming Bible Camp located at 5070 West Riverbottom Road from P-1 to P-2.

Gerry Wall, delegate, was present on behalf of the Bible Camp regarding the potential rezoning application. Mr. Wall stated that he had no further information to add.

Mr. Tippett added that the proposal could be considered a house keeping amendment.

A question and answer session occurred.

It was Moved and Seconded

That the CVRD initiate a zoning amendment for 5070 West Riverbottom Road (Cowichan River Bible Camp), Electoral Area F, to change the zoning from P-1 to P-2, and further that the appropriate amendment bylaw be prepared and forwarded to the Regional Board for consideration of 1st and 2nd readings; and further that the public hearing be waived pursuant to Section 890(4) of the *Local Government Act*.

MOTION CARRIED

D8 - Cooper

Dana Beatson, Planner, presented Application No. 1-F-06RS by Paul Cooper to permit residential uses on properties located at the junction of Kapoor Road and Old Cowichan Lake Road.

The application was discussed at the April 7th EASC meeting and was referred back to staff for clarification.

Ms. Beatson advised of three key differences with the revised application. The applicant is no longer applying to rezone the 20 hectare portion of land on the west side of the hydro R/W; the applicant is proposing four lots on the east side of the hydro R/W rather than two lots; and the applicant is proposing that Lot 4 be gifted to the CVRD as parkland.

Paul Cooper, applicant, was present. Mr. Cooper further confirmed amendments to the previous application.

A question and answer session occurred.

It was Moved and Seconded

1. That a Zoning Amendment Bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to rezone a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, from Forestry Resource 1 (F-1) to Rural Residential 1 (R-1), and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;
2. That an Official Community Plan amendment bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to redesignate a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984 from Forestry to Suburban Residential, and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;

3. That Application No. 1-F-06RS be referred to the Area F Parks Commission and the Cowichan Tribes for comment; and that following receipt of comments from these groups, that the application be referred to a public hearing, and that Directors Morrison, Marcotte, and Dorey be delegated to the hearing.

MOTION CARRIED

STAFF REPORTS

SR1 – Training Sessions

Staff Report dated May 25, 2009, from the Administrator, regarding CVRD training session costs was received as information.

SR2 – Campground Closures

Staff Report dated May 27, 2009, from Brian Farquhar, Parks and Trails Manager, regarding campground closures was received as information.

SR3 – Heritage Register

It was Moved and Seconded

1. That the following resolution to create a Community Heritage Register (CHR) be adopted:

WHEREAS the Cowichan Valley Regional District, pursuant to the provisions of Section 954 of the *Local Government Act*, may, by resolution, establish a local government community heritage register;

AND WHEREAS the Board of Directors wishes to establish a local government heritage register for the benefit of the following electoral Areas: Electoral Areas A, B, C, D, E, F, G, H, and I;

NOW THEREFORE the Board of the Regional District, in open meeting assembled, enacts as follows:

1. Citation
This resolution may be cited for all purposes as “Cowichan Valley Regional District Community Heritage Register Resolution No. xxxx”
2. Establishment of the Register
 1. In the Cowichan Valley Regional District, a Community Heritage Register is established called the “Cowichan Valley Regional District Heritage Register”
 2. The Board may maintain the Community Heritage Register in the CVRD Community Heritage Conservation Service Area;
 3. For the purposes of maintaining a Community Heritage Register, the following provisions in relation to the heritage properties shall apply:
 - a) *Local Government Act*
Section 954 – Community Heritage Register;
Section 974 – Giving Notice to owners and occupiers;

Section 977-Giving Notice to the minister responsible for the *Heritage Conservation Act*

3. Participating Areas
 1. The boundaries of the extended service area are the entire Cowichan Valley Regional District, excluding the member municipalities.
 2. The participants in the Community Heritage Register established in clause 2.1 are the following: , which encompasses lands within Electoral Areas A, B, C, D, E, F, G, H, and I.

4. Amendment to the Community Heritage Register
 1. The Regional District Board may add or remove a building, structure, landscape, artifact, or site from the Community Heritage Register by resolution. The owners of the subject building, structure, landscape, artifact, or site shall be advised of the Board's decision pursuant to Section 974 of the *Local Government Act*.

 2. That the Board place the Kinsol Trestle on the CVRD Community Heritage Register.

 3. That the Planning and Development Department initiate a process for on-going implementation of the CHR.

MOTION CARRIED

It was Moved and Seconded
That the Board place the Mill Bay Historical Church and Koksilah School on the CVRD Community Heritage Register.

MOTION CARRIED

**SR4 – Procedures
Bylaw**

It was Moved and Seconded
That the draft Procedures and Fees Bylaw No. 3275 be approved to replace existing Bylaw No. 2255, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

**CORRESPOND-
ENCE**

**C1 – Directors
Meeting**

It was Moved and Seconded
That any interested Electoral Area Directors be authorized to attend the UBCM Electoral Area Directors Meeting on June 26, 2009 in Vancouver, and that associated costs be approved.

MOTION CARRIED

C2 – Rona MS Bike Tour It was Moved and Seconded
That the Fax dated May 6, 2009, from MS Society of Canada regarding the 2009 RONA MS Bike Tour, be received and filed.

MOTION CARRIED

C3 – Grant in Aid It was Moved and Seconded
That a grant-in-aid request (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation to provide a bursary to a deserving student who resides in Saltair and attends Ladysmith Secondary.

MOTION CARRIED

C4 – Grant in Aid It was Moved and Seconded
That a grant-in-aid request (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School to provide a bursary to a deserving student who resides in Saltair.

MOTION CARRIED

APC

AP1 –AP4 - Minutes It was Moved and Seconded
That the following APC minutes be received and filed:

- Minutes of Area A APC meeting of May 6, 2009
- Minutes of Area H APC meeting of April 9, 2009
- Minutes of Area H APC meeting of May 14, 2009
- Minutes of Area H APC site visit meeting of April 15, 2009

MOTION CARRIED

INFORMATION

IN1 – Building Report It was Moved and Seconded
That the April 2009 building report, be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – Section 946 subdivisions Discussion regarding Section 946 ALR subdivision applications.
Mr. Tippett provided background information to Section 946 subdivision legislation and suggested the matter be referred back to Legal Council for an updated opinion.

It was Moved and Seconded

That staff seek an updated legal opinion respecting Section 946 ALR subdivision applications and report back to the EASC.

MOTION CARRIED

NB4 – Parks Minutes

It was Moved and Seconded

That \$1,500 be granted to the Sahtlam Fire Department to complete the Sahtlam community kiosk sign and map project, and that the funds be drawn from the Electoral Area E Community Parks budget.

MOTION CARRIED

It was Moved and Seconded

That development of the east parking lot area at the Glenora Staging Area Community Park to provide for equestrian trail riding be supported, with funding to undertake the work to be drawn from the Electoral Area E Community Parks budget.

MOTION CARRIED

It was Moved and Seconded

That the minutes of the Area E Parks and Recreation Commission meeting of May 21, 2009 be received and filed.

MOTION CARRIED

RECESS

The Committee adjourned for a short recess.

CLOSED SESSION

It was Moved and Seconded

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 6:34 pm.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 6:54.

Chair

Recording Secretary