

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, January 19, 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 L. Iannidinardo
Director K. Kuhn
Director I. Morrison
Director L. Duncan
Director M. Dorey
Director G. Giles
Director K. Cossey

CVRD STAFF

Tom Anderson, General Manager
Mike Tippett, Manager
Rob Conway, Manager
Alison Garnett, Planning Technician
Jill Collinson, Planning Technician
Brian Farquhar, Parks and Trails Manager
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included moving agenda item D7 to D1, add-on items to Delegations D2, D3 and D4 and to Staff Reports SR9, and one item 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 EASC meeting of December 1, 2009, be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D7 -Morgan

Roland Morgan spoke respecting the Hood Canal bridge which is presently being moored in Cowichan Bay. Mr. Morgan asked when the bridge will be removed and how it came to be allowed to arrive in the first place.

Mr. Anderson, General Manager, advised that the CVRD has consulted with the bridge owners, the Ministry and CVRD solicitors. He noted that the bridge is simply being stored at the present location which is permitted under our zoning bylaws but cannot become a permanent structure. We have been told verbally that it will be removed by the end of April of this year.

The Committee directed questions to staff.

Mr. Roland asked who to contact at the Ministry of Environment and Mr. Anderson suggested to contact Peter Law.

The Chair thanked Mr. Roland for appearing.

It was Moved and Seconded

That the Board Chair forward a letter to John Mulligan of Western Stevedoring, seeking confirmation that the Hood Canal Bridge will be leaving Cowichan Bay in April 2010.

MOTION CARRIED

It was Moved and Seconded

That staff be directed to write to the various provincial and federal ministries expressing concern about the sensitive environment present in the Cowichan Estuary and request that studies be undertaken to determine whether or not any environmental damage has occurred from the Hood Canal bridge being located in the Estuary for approximately a year, and further that these studies be made available to the Cowichan Valley Regional District upon their conclusion.

MOTION CARRIED

D1 - Tomaszewski

Mike Tippett presented Application No. 5-A-08RS (Mill Bay Marina Residences Ltd.) to permit full-time occupancy of the proposed 28 hotel unit structure at 740 Handy Road.

Max Tomaszewski was present and provided further information to the application. He stated that they want permanent residences permitted, allow extension of the marina, and allow a 10 metre building height.

Committee members directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 5-A-08RS (Mill Bay Marina Residences Ltd.) to permit full-time occupancy of Block C, Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, except part in Plans 29781 and 30142 through a zoning amendment, be denied and that the appropriate refund be given to the applicants in accordance with the provisions of CVRD Development Applications Procedures and Fees Bylaw No. 3275.

MOTION CARRIED

D2 - Gourley

Jill Collinson, Planning Technician, presented Application No. 1-C-09DVP (Marilyn Gourley) to relax the setback from a watercourse to allow for four supporting deck posts and a deck at the residence located on Marine Drive in Arbutus Ridge.

The Committee directed questions to staff.

Barry Kanard and Andrew Tidman were present on behalf of the applicant, and provided further information.

Director Giles suggested that the application be referred to the strata council for comment.

It was Moved and Seconded

That Application No. 1-C-09DVP (Gourley) be referred to the Arbutus Ridge strata council for their consideration and recommendation, and further that the application be referred back to staff to clarify if covenant conditions exist.

MOTION CARRIED

D3 - Ahola

Alison Garnett, Planning Technician, presented Application No. 2-G-09DP (Dennis and Leigh Ahola) to allow construction of two decks, a staircase to the beach, resurface a boat ramp and build two retaining walls at 3729 Gardner Road.

Dennis Ahola, applicant, was present and provided further information to the application.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 2-G-09DP be approved, and that a development permit be issued to Dennis and Leigh Ahola for Lot 3, District Lot 34, Oyster District, Plan 18197, subject to the following:

- Development to be in substantial compliance with D & L Ahola Residence Renovations and Additions Landscape Plan, revised version dated December 15, 2009, and;
- Development must comply with the recommendations noted in Lewkowich Engineering Associates Ltd report, dated January 7, 2010.

MOTION CARRIED

D4 – Te-Zen Liu

Alison Garnett, Planning Technician, presented Application No. 2-D-09DP (Grand Motel/Te-Zen Liu) to allow construction of an addition to the motel located at 5325 Trans Canada Highway which will enclose the existing entrance canopy located on the south side of the building.

The applicant's son was present and presented further information to the application.

The Committee directed questions to staff and the applicant.

Some committee members felt that existing sign issues on the property should be dealt with prior to considering the application.

It was Moved and Seconded

1. That application No. 2-D-09 DP be approved, and that a development permit be issued to Te-zen Liu of 0786355 BC Ltd, for Lot 1, Section 13, Range 7, Quamichan District, Plan 2298, Except Part in Plans 40941 and 1036 RW, to permit the enclosure of the existing carport, subject to:
 - The proposed enclosure of the carport must be in substantial compliance with the attached image labelled "Proposed Addition".
 - The exterior finish, colour scheme and overall design of the enclosure must be consistent with, and complementary to, the existing building.
2. That application No. 2-D-09 DP be held in abeyance, pending receipt and approval of an acceptable signage plan that meets the relevant development permit guidelines.

MOTION DEFEATED

It was Moved and Seconded

That Application No. 2-D-09DP (Grand Motel/Te-Zen Liu) be held in abeyance pending receipt and approval of an acceptable signage plan that meets the relevant development permit guidelines.

MOTION CARRIED

D5 - Parkinson

Rob Conway, Manager, presented Application No. 2-G-08RS (Keith Parkinson) to rezone property located at 10755 Chemainus Road to allow subdivision into two parcels.

Keith Parkinson, applicant, was present and provided further information to the application.

There were questions directed to staff or the applicant.

It was Moved and Seconded

1. That staff be directed to prepare OCP and Zoning amendment bylaws for Application No. 2-G-08RS (Parkinson) that would permit one new lot and that the bylaws be forwarded to the Board for consideration of 1st and 2nd readings.
2. That a public hearing be scheduled following submission of a draft covenant by the applicants committing to dedication of a 3 metre wide trail corridor along the north property boundary at time of subdivision; and that Directors Dorey, Marcotte and Iannidinardo be delegated to the hearing.
3. That application referrals to the Ministry of Transportation and Infrastructure, the Vancouver Island Health Authority, the Ministry of Community Services, and the CVRD's Parks, Recreation and Culture Department and Engineering and Environmental Services Department be accepted.
4. That costs to remove the northern arm of the Parkinson's treatment field, as per estimate of \$5,000 by Rivela Contracting of Parksville BC, be covered by the CVRD; and further that at the time of trail construction, a cost-sharing arrangement between the CVRD and the landowner for fencing of the trail boundary be discussed.

MOTION CARRIED

D6

Rob Conway, Manager, presented Application No. 3-D-08RS (Parhar Holdings Ltd.) to permit a mixed commercial and light industrial business park at 5301 Chaster Road.

Russ McArthur was present on behalf of the applicant and provided further information to the application.

The Committee directed questions to staff and the applicant.

Director Iannidinardo suggested that the application should be referred back to staff for tidying up.

It was Moved and Seconded

That Application No. 3-D-08RS (Parhar Holdings) be referred back to staff to address additional issues.

MOTION CARRIED

RECESS

The Committee adjourned for a short five minute recess.

STAFF REPORTS

**SR1 – 2010 EASC
meeting schedule**

It was Moved and Seconded
That the 2010 EASC meeting schedule be tabled.

MOTION CARRIED

Director Giles left the meeting at this point.

SR2 – CEEMP

It was Moved and Seconded
That the Regional District provide the following in support of the Cowichan Estuary Environmental Management Plan:

- a. Meeting space and administrative support for coordinating agendas, taking and distributing minutes.
- b. Designate Kate Miller, Manager, Regional Environmental Policy, to sit on the CEEMP Committee along with existing representative, Mike Tippett, Manager, Community and Regional Planning.
- c. Direct that \$5,000 be allocated from a Regional Budget to the Community Planning budget (325) to compensate for the cost of administrative support for this support.

MOTION DEFEATED

It was Moved and Seconded
That the Regional District provide the following in support of the Cowichan Estuary Environmental Management Plan:

- meeting space and administrative support for coordinating agendas, taking and distributing minutes;
- existing representative, Mike Tippett, Manager, Community and Regional Planning, is designated to sit on the CEEMP Committee;
- \$5,000 to be allocated from a Regional Budget to the Community Planning budget (325) to compensate for the cost of administrative support for this support.

MOTION CARRIED

**SR3 – Bylaw
amendments, Area D**

It was Moved and Seconded
That staff be directed to prepare an Official Settlement Plan amendment bylaw that would adjust the existing Habitat Protection DPA to reflect the changing nesting locations of the Great Blue Herons, and further that the draft amendment bylaw be brought back to the EASC prior to being forwarded to the Board for consideration.

MOTION CARRIED

It was Moved and Seconded

That staff be directed to investigate the feasibility of drafting amendment bylaws that would allow for the keeping of chickens in residential zones in the CVRD electoral areas.

MOTION CARRIED

Director Iannidinardo left the meeting at this point.

SR4 – Bamberton Strategy

Director Cossey left the meeting at this point due to perceived conflict of interest related to his employer's involvement with the Bamberton application.

It was Moved and Seconded

That the consultation strategy as set out the Staff Report dated January 13, 2010, from Mike Tippett, Manager, regarding Bamberton OCP and Zoning Amendment Application No. 4-A-06RS be approved and that staff proceed with consultations accordingly.

MOTION CARRIED

SR5 – Island Corridor Workshops

It was Moved and Seconded

That the Regional District reimburse interested APC members for registration fees to attend upcoming Island Corridor Foundation workshops.

MOTION DEFEATED

SR6 – Medical grow-ops

It was Moved and Seconded

That the staff report dated January 12, 2010, from Tom Anderson, General Manager, regarding medical grow-ops, be received and filed.

MOTION CARRIED

SR7 to CSSR3

It was Moved and Seconded

That January 19th EASC agenda items SR7 to SR11, AP1 to AP5, PK1 to PK7, C1 to C5, IN1 to IN2, and SM1 to CSSR3 be referred to the next regular EASC meeting.

MOTION CARRIED

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:12 pm.

Chair

Recording Secretary