

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, April 5, 2011 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

**PRESENT**

Director L. Iannidinardo, Chair  
Director B. Harrison, Vice-Chair  
Director M. Dorey  
Director G. Giles  
Director I. Morrison  
Director K. Kuhn  
Director M. Marcotte  
Director L. Duncan  
Absent: Director K. Cossey

**CVRD STAFF**

Tom R. Anderson, General Manager  
Brian Farquhar, Manager  
Mike Tippett, Manager  
Rob Conway, Manager  
Brian Duncan, Manager  
Rachelle Moreau, Planner I  
Alison Garnett, Planner II  
Nino Morano, Bylaw Enforcement Officer  
Warren Jones, Administrator  
Cathy Allen, Recording Secretary

**APPROVAL OF AGENDA**

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

It was Moved and Seconded that the agenda be amended be approved.

MOTION CARRIED

**MINUTES**

It was Moved and Seconded  
That the minutes of the March 15, 2011, be amended by changing page 6, item C1-C6, grants-in-aid, first bullet, "Electoral Area C – Cobble Hill" to "Electoral Area A – Mill Bay/Malahat", and that the minutes, as amended, be adopted.

MOTION CARRIED

**BUSINESS ARISING**

Director Giles requested that the resolution on Page 5, item R10 (File 2-C-10DVP) be reconsidered and referred back to staff.

It was Moved and Seconded  
That the resolution passed at the March 15, 2011 EASC meeting regarding proposed change to covenant language concerning a vegetative screen (Application No. 2-C-10DVP, South Cowichan Storage Ltd.), be reconsidered, and referred back to staff.

MOTION CARRIED

**DELEGATIONS**

**D1 - Gallagher**

Brandy Gallagher, delegate, was not present. A request has been made by OUR Ecovillage to be allowed a special allowance for a fund raising event similar to the event in Cowichan Bay that was recently approved by the CVRD.

Director Giles advised that Director Cossey asked her to move a motion, in his absence, to approve the request.

It was Moved and Seconded

That the request by O.U.R. Ecovillage to hold a multicultural music and community development fundraising event titled "Nheema North" to be held July 13<sup>th</sup> to 18, 2011, at the Ecovillage site, 1565 Baldy Mountain Road, Shawnigan Lake, be approved.

MOTION CARRIED

**STAFF REPORTS**

**R1 - Carbonneau**

Rob Conway presented staff report dated March 18, 2011, regarding Application No. 8-I-10DP/RAR/VAR (Ken Carbonneau) to allow replacement of an existing dwelling located at 10171 Youbou Road with a new single family dwelling.

The Committee directed questions to staff.

Ken Carbonneau, applicant, was present and provided further information to the application.

It was Moved and Seconded

That Application No. 8-I-10DP be approved, and that a development permit be issued to Ken Carbonneau for Parcel A (DD 27619W) of Lot 26, District Lot 22, Cowichan Lake District, Plan 4922 (PID: 006-016-651), with a variance to Section 3.20 of Zoning Bylaw No. 2465 to reduce the setback from a watercourse from 15 metres to 10 metres for the purpose of building a new single family dwelling, subject to the following:

- Strict compliance with the recommendations in Riparian Assessment Report No. 1777, submitted by Qualified Environmental Professional Trystan Willmott, of Madrone Environmental Services, on September 9, 2010;
- That the 10 metre SPEA be clearly demarcated with the use of flagging materials prior to commencement of development activities;
- The applicant providing a survey confirming compliance with approved setbacks.

MOTION CARRIED

**R2 - Kerravala**

Rob Conway, Manager, presented staff report dated March 28, 2011, regarding Application No. 7-A-10DP/RAR/VAR (Rohinton Kerravala) to construct a detached garage at 2434 Mill BayRoad within the Riparian Areas Regulation DPA and 1.25 metres from the side interior parcel line.

Rohinton Kerravala, applicant, was not present.

The Committee directed questions to staff.

It was Moved and Seconded

That application No. 7-A-10 DP/RAR/VAR be approved, and that a development permit with variance, be issued to Rohinton Kerravala for the construction of an accessory building 1.25 metres from the side interior parcel line on Lot A, District Lot 101, Malahat District, Plan 29059 (*PID 000-182-141*), subject to :

- compliance with the measures and recommendations outlined in RAR assessment report No. 1927 by Dave Munday, Golder Associates, including
  - Erection of temporary fencing along the top of bank of the ravine across the width of the property during construction activity
  - Construction of a permanent split rail fence along the top of bank once construction of the accessory building is complete to prevent future encroachment into the SPEA
- the applicant providing a survey confirming compliance with approved setbacks.

MOTION CARRIED

**R3 - Milford**

Alison Garnett, Planner II, presented staff report dated March 30, 2011, regarding Application No. 1-D-11ALR (Dwight Milford) to construct an additional residence at 5155 Samuel Road for farm help on the second story of a new agricultural building.

The Committee directed questions to staff.

Dwight Milford, applicant, was present.

It was Moved and Seconded

That Application No. 1-D-11ALR, submitted by Dwight Milford for Tanner Elton, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct an additional residence for farm help on the second story of an agricultural building be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

MOTION CARRIED

**R4 - Morgan**

Rachelle Moreau, Planner I, presented staff report dated March 30, 2011, regarding application No. 3-E-10RS to amend the existing I-5 Zone to include "equipment repair, sales and rental" as a permitted use.

The Committee directed questions to staff.

Roger Morgan, applicant, was present and provided further information to the application.

It was Moved and Seconded

That Application No. 3-E-10RS (Wandering U. Inc.) proceed, and that proposed Zoning Amendment Bylaw No. 3465 be forwarded to the Board for consideration of first and second reading; and further that a Public Hearing be scheduled and Directors Duncan, Iannidinardo, and Giles be named as delegates of the Board.

MOTION CARRIED

**R5 - McCullough**

Rob Conway, Manager, presented staff report dated March 29, 2011, regarding Application No. 1-H-10DVP (Brian McCullough) to construct a single family dwelling with attached garage in the southern corner of the lot located at 4991 Reiber Road.

Brian McCullough, applicant, was present and provided further information.

Director Marcotte requested that the application be referred to the next meeting to investigate septic system concerns.

It was Moved and Seconded

That Application No. 1-H-10DVP (Brian McCullough) be referred to the next EASC meeting.

MOTION CARRIED

**R6 – Feasibility Study**

Mark Keuber, General Manager, provided an update on the feasibility study fund. He noted that the fund was established in 2004 for use by all nine electoral areas only.

A question and answer session ensued.

The Administrator stated that he will come up with some ideas to resolve Committee's concerns and report back.

**R7 – Town of Lake Cowichan OCP**

Mike Tippett, Manager, presented staff report dated March 29, 2011, regarding referral of Town of Lake Cowichan draft OCP.

The Committee members directed questions to staff.

It was Moved and Seconded

That the CVRD contact the Town of Lake Cowichan to congratulate them on their new draft Official Plan and advise that the CVRD supports the plan overall but respectfully requests that the reference in the plan to the possible annexation of industrial lands in the Meade Creek area be deleted from the text.

MOTION CARRIED

**R8 – Nanaimo Regional District OCP**

Mike Tippett, Manager, presented staff report dated March 29, 2011, regarding Nanaimo Regional District draft OCP.

Director Marcotte reported that she attended the public hearing where 1/3 of public attendees were from CVRD Area H. Main concern was shared watershed and aquifers. Director Marcotte requested that the CVRD express concerns to the RDN.

The Administrator suggested that staff contact Regional District of Nanaimo senior staff to advise that the CVRD Electoral Area Services Committee has discussed their draft OCP and advise of concerns regarding protection of aquifers and shared resources.

**CORRESPONDENCE**

**C1 to C6 – Grants in Aid**

It was Moved and Seconded

That the following grants in aid be approved:

- Electoral Area A – Mill Bay/Malahat in the amount of \$300 to Cobble Hill Farmers Institute to assist with advertising the 102<sup>nd</sup> annual Cobble Hill Fall Fair.
- Electoral Area A – Mill Bay/Malahat in the amount of \$1,500 to Frances Kelsey Secondary to provide three \$500 student bursaries for post secondary education.
- Electoral Area C – Cobble Hill in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102<sup>nd</sup> annual Cobble Hill Fall Fair.
- Electoral Area C – Cobble Hill in the amount of \$500 to Cowichan Wooden Boat Society to assist with their 3<sup>rd</sup> annual prawn festival.
- Electoral Area D – Cowichan Bay in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102<sup>nd</sup> annual Cobble Hill Fall Fair.
- Electoral Area B – Shawnigan Lake in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102<sup>nd</sup> annual Cobble Hill Fall Fair.

MOTION CARRIED

**INFORMATION**

**IN1 – Riparian Areas Regulations**

Tom Anderson, General Manager, expressed concern regarding lack of government participation with riparian areas regulations. He requested that EASC members provide comments and concerns and then staff will provide a report with suggestions for improvements.

Roundtable discussion ensued. Suggestions included having the CVRD assume the responsibility to hire the QEP, and increase fines.

Director Kuhn left the meeting at this point.

**IN2 to IN5 - Minutes**

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area A APC meeting of March 8, 2011
- Minutes of Area G Parks meeting of February 14, 2011
- Minutes of Area C Parks meeting of March 16, 2011
- Minutes of Area G Parks meeting of March 8, 2011

MOTION CARRIED

**NEW BUSINESS**

**NB1 and NB2 – Grants in Aid**

It was Moved and Seconded

That the following grants-in-aid be approved:

- Electoral Area G – Saltair in the amount of \$500 to Saltair Ratepayers Association to assist with costs to build a fence on Saltair waterfront property for safety reasons.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,250 to Cowichan Lake Salmonid Enhancement Society to assist in funding fry salvage operations.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,250 to Cowichan Lake Lady of the Lake Society to assist with costs for the Lady of the Lake Ambassador Program.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$450 to Lake Days Celebration Society to assist with costs to sponsor the community breakfast during the 68<sup>th</sup> annual Lake Days event.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$3,000 to CIVC Community Radio to assist with costs in acquiring a Class A radio license.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,000 to Lake Cowichan Secondary School Dry Grad to assist with costs to sponsor dry grad team building adventure activities.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$500 to Lake Cowichan Secondary School to provide a bursary for a student residing in Area F.

MOTION CARRIED

**NB3 – Smart Metres**

Director Morrison expressed concern regarding BC Hydro's plans to install smart metres at every residence in BC. He suggested that a resolution be taken to AVICC regarding concerns.

Director Giles suggested that further research be done and then send a resolution to UBCM instead.

Committee members expressed concern that UBCM would be too late.

**NB4 – Sign Bylaw**

Director Duncan expressed concern regarding lack of regulations in the sign bylaw respecting LED/scrolling/flashing signs in Area E and suggested that an appropriate policy be created.

Mr. Anderson stated that staff needs to look at development permit controls and bring back a report to EASC.

Director Harrison questioned if the new South Cowichan OCP addresses sign concerns. Mr. Tippett advised that the OCP has a series of sign guidelines in the new OCP.

It was Moved and Seconded

That staff be directed to review the CVRD Sign Bylaw regarding existing regulations for LED signs and provide suggestions for amendments regarding flashing/scrolling signs, and that a report be brought back to the EASC.

MOTION CARRIED

**NB5 – Landscape bonds**

Director Duncan expressed concern regarding lack of regulations respecting landscape bonds and suggested that an appropriate policy be created respecting landscape commitments and bond security.

General discussion ensued.

It was Moved and Seconded

That staff be directed to prepare a policy for consideration by the Committee and Board with respect to administering and dispensing of security for completion of amenities and/or site improvements per conditions of Development Permits or through other requirements as imposed by the Regional District (i.e. conditions of rezoning approvals).

MOTION CARRIED

**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 5:40 pm.

**RISE**                      The Committee rose without report.

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

MOTION CARRIED

The meeting adjourned at 6:20 pm

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Chair

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Secretary