

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, July 5, 2011 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

PRESENT

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

CVRD STAFF

Mike Tippett, Acting General Manager
Warren Jones, Administrator
Ron Austen, General Manager
Rob Conway, Manager
Brian Duncan, Manager
Brian Farquhar, Manager
Catherine Tompkins, Senior Planner
Ann Kjerulf, Planner III
Alison Garnett, Planner II
Rachelle Moreau, Planner I
Jennifer Hughes, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding four items of listed New Business and three additional items of New Business [(NB5 – Director Marcotte, North Oyster Fire Department Update); (NB6 Rob Conway, North Oyster Community Hall) and (NB7 Director Dorey, Cell Phone Towers)].

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

MOTION CARRIED

Chair Iannidinardo introduced Michael Miller, Parks Capital Projects Specialist, Parks & Trails Division, to the EASC.

M1 - Minutes

It was Moved and Seconded that the Minutes of the June 21, 2011, EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 – Mary Lowther

Mary Lowther was present and provided an overview of the installation of smart metres that BC Hydro plans to implement and requested the CVRD send a letter to the Province of BC to put a regional moratorium on the installation of “smart meters”.

The Committee directed questions to the delegate.

STAFF REPORTS

R1 - Crompt

Alison Garnett, Planner II, presented staff report dated June 27, 2011, regarding Application No. 7-G-10DP (Brian and Sandra Crompt) to legitimize previous construction of a retaining wall within the Ocean Shoreline Development Permit Area located at 3900 & 3901 Linton Circle.

Brian and Sandra Crompt, applicants, were present and provided further information to the Committee.

The Committee directed questions to the applicant.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 7-G-10DP be approved, and that a development permit be issued to Brian and Sandra Crompt for Lot 3 & 4, District Lot 34, Oyster District, Plan 22516 to legitimize previous construction of a retaining wall, subject to:

- Implementing landscaping as proposed on attached plan
- Payment of security bonding in the amount of 125% of the costs of implementing the landscaping plan

MOTION DEFEATED

It was Moved and Seconded

That Application No. 7-G-10DP (Brian and Sandra Crompt) be referred back to Planning staff for further information.

MOTION CARRIED

R2 – Mark Wyatt

Rachelle Moreau, Planner I, presented staff report dated June 29, 2011, regarding Application No. 6-A-10DP/RAR (Ocean Terrace Properties/Mark Wyatt) to consider the issuance of a Development Permit that would allow subdivision for 203 residential lots, 3 multi-family designated areas, one mixed multi-family and commercial area, a lot dedicated for a school site and designation of an area for subsequent strata subdivision (future 71 lots) at Butterfield Road and Trans Canada Highway.

Mark Wyatt, applicant, was present and provided further information to the Committee.

The Committee directed questions to staff.

The Committee directed questions to the applicant.

It was Moved and Seconded

That Application No. 6-A-10DP/RAR submitted by Mark Wyatt on behalf of Ocean Terrace Properties for subdivision for 203 residential lots, 3 multi-family designated areas, one mixed multi-family and commercial area, a lot dedicated

for a school site, and designation of an area for subsequent strata subdivision (future 71 lots) on That Part of District Lot 77, Malahat District, Lying to the South of the South Boundaries of Parcel C (DD 43694¹) and Parcel D (DD 33154¹) of Said Lot and Except Those Parts in Plans 518RW, 50504 and VIP86314 (PID: 009-346-554), Parcel C (DD 43694¹) of District Lot 77, Malahat District (PID:009-346-511), Parcel D (DD33154¹) of District Lot 77, Malahat District (PID:009-346-520) be approved subject to:

- a) Widening the highway buffer to a minimum 20 metres;
- b) Connecting Roads E and F by a road connection to provide for a secondary access from Road F, in consultation with the Ministry of Transportation and Infrastructure;
- c) Rainwater management system to provide for on-site infiltration galleries on each single family lot;
- d) Sediment erosion and control plan be developed and implemented during construction to ensure runoff waters do not contribute sediment to any fish-or amphibian-bearing streams and that the plan be provided to CVRD prior to each phase;
- e) Receipt of a tree assessment and retention plan prior to tree clearing in future phases in order to identify patches of trees/wildlife corridors that can be kept, and provide recommendations for mitigation from wind throw within park areas;
- f) Areas of natural forest be allowed to remain on residential lots, and building footprints located in a sensitive manner;
- g) Phasing to be generally in compliance with the June 9, 2011 Phasing Plan;
- h) Trails and emergency access connections to be constructed to CVRD standards;
- i) The single family lot on the northwest corner of central park be relocated and that this area be dedicated parkland;
- j) Implement a 7.5 m height restriction on the multi-family units between Sangster Road and the Trans Canada Highway;
- k) Provide a pre-emption light at the Butterfield Road and Trans Canada Highway intersection;
- l) A sprinkler system be installed, for safety purposes, in all the multi-family units;
And further that prior to issuance of the Development Permit:
- m) The site plan is revised in the manner noted above;
- n) A covenant be registered on title to secure the park dedication and park amenity commitments; and
- l) A covenant is registered on title that would assign density to the multi-family sites and secure other development permit requirements as necessary.

MOTION CARRIED

Director Iannidinardo requested that NB3 be moved to after R5.

R3 – Parhar Holdings

Rachelle Moreau, Planner I, presented staff report dated June 28, 2011, regarding Application No. 6-D-08DP/RAR to consider the issuance of a Development Permit for Phase 1 of the Parhar Business Park consisting of 3 commercial buildings with 6 accessory dwelling units totalling approximately 4,200m² of building area at 5301 Chaster Road.

Russ McArthur, applicant, was present.

It was Moved and Seconded

That Application No. 6-D-08DP/RAR submitted by Parhar Holdings for construction of the first phase of the Parhar Business Centre consisting of three buildings totalling approximately 4,200 m² on Lot 1, Section 13, Range 7, Quamichan District, Plan VIP88052 (PID: 028-237-765) be approved, subject to:

- a) Buildings constructed in accordance with the building elevations dated August 23, 2010;
- b) Installation of underground wiring;
- c) Oil/water separators be installed in the parking areas;
- d) Fencing along the Chaster Road frontage will be black or green chain link;
- e) Submission of landscape construction drawings in accordance with the Phase 1 landscape plan dated February 2, 2011 prior to installation;
- f) Landscaping installed in accordance with the plans dated February 2, 2011 to BCSLA standards, including an underground irrigation system;
- g) Submission of a service area petition to enter into a service area for maintenance of the trees within the trail area;
- h) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the February 2, 2011 Landscape Plan;
- i) Confirmation from a landscape architect that landscaping has been installed in accordance with the approved plan. 50% of the landscaping security will be returned following successful installation of the landscaping and full construction of the pathway with the remaining 50% to be returned after successful completion of a 3 year maintenance period;
- j) Refuse and recycling areas to be screened and contained within a solid fenced and gated compound(s);
- k) Rainwater management system to be in accordance with Rainwater Management Plan dated December 01, 2010;
- l) Any rooftop equipment will be screened;
- m) Minimum 94 parking spaces required in Phase 1;
- n) Sustainable building elements to include low water consumption plumbing fixtures and energy efficient windows and lighting;
- o) Trail must be completed in consultation with the CVRD Parks and Recreation Department within 12 months of issuance of the development permit for Phase 1. If construction of the pathway is not complete to CVRD standards within this time frame, CVRD may draw on the landscape security funds to construct the pathway.

MOTION CARRIED

R4 – Schon Timber Ltd.

Rachelle Moreau, Planner I, presented staff report dated June 28, 2011, regarding Application No. 2-H-10DP/RAR (Schon Timber Ltd.) for the purpose of subdividing the subject property along the road right of way of Brenton-Page Road.

Schon Timber Ltd. was present and provided further information to the application.

The Committee directed questions to staff.

The Committee directed questions to the applicant.

It was Moved and Seconded

That Application No. 2-H-10DP/RAR submitted by Schon Timber Ltd. for subdivision of Lot A, District Lots 20 and 39G, Oyster District, Plan 49261 (PID: 014-945-291) be approved, subject to :

- a) Compliance with the recommendations of Riparian Areas Regulation Assessment No. 1844 which identifies a SPEA of 18.6 metres;
- b) Landscaping installed in accordance with the proposed screening plan which includes installation of a new cypress hedge along a portion of the property and a new cedar fence;
- c) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the Proposed Screening Plan to be refunded after a successful one-year maintenance period;
- d) Continued removal of hog fuel in the manner described in the applicant's proposal dated March 31, 2011.

MOTION CARRIED

R5 – Phase 12 to 19 of Mill Springs

Rob Conway, Manager, presented staff report dated June 28, 2011, regarding Application No. 3-A-11DP (Phase 12 to 19 of Mill Springs) to consider issuance of a development permit for Phases 12 to 19 of the Mill Springs development, in accordance with the Mill Bay Development Permit Area Guidelines.

Aecom Canada/Daryl Henry, applicant, were present and provided further information to the application.

The Committee directed questions to staff.

The Committee directed questions to the applicant.

It was Moved and Seconded

That Development Permit Application No. 3-A-11DP be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for Phases 12 to 19 of Mill Springs, subsequent to the lands being serviced with Community Sewer as defined in Area A Zoning Bylaw No. 2000, and subject to the following conditions:

- a) All wiring to be installed underground;
- b) Deloume Road North to be opened prior to subdivision of Phase 12;
- c) Landscaping to be installed in the Phase 16 roadway median;
- d) That the reserve field be dedicated to the CVRD at the time the sewer system is taken over by the CVRD.

MOTION CARRIED

Director Iannidinardo requested that R7 be moved to follow after R5 and that NB3 follow after R7.

Director Cossey declared a Conflict of Interest due to his employer's perspective with regard to R7 and left the meeting at 5:33 p.m.

R7 – Application No. 1-A-11RS (Bamberton Industrial Lands)

Staff report dated June 28, 2011, prepared by Mike Tippett, Manager, regarding Application No. 1-A-11RS (Bamberton Industrial Lands).

Ross Tenant and Jack Julseth, Bamberton Properties LLP, were present.

Committee members directed questions to staff.

It was Moved and Seconded

1. That second reading of OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511 (Bamberton Business Park/Industrial) be rescinded;
2. That Zoning Amendment Bylaw No. 3498, Schedule A map, be amended by adjusting the boundary of the I-3 Zone in accordance with the sketch prepared by Polaris Land Surveying;
3. That OCP Amendment Bylaw No. 3511 be amended by adding Figure 10A to include the same boundaries as Figure 2A in Bylaw 3497;
4. That the development permit sections of both OCP Amendment Bylaws 3497 and 3511 be amended by clarifying that only DP guidelines related to environmental protection, safety and the view protection from Saanich Inlet waters be applicable to areas that are zoned as I-2; and further
5. That OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511, as amended, be considered for second readings.

MOTION CARRIED

Director Cossey returned to the meeting at 5:48 p.m.

**NB3 – Development
Impact Mitigation of
Proposed Lambourn
Estates Sewer
System Expansion**

Ann Kjerulf, Planner III, presented staff report dated July 4, 2011, regarding Development Impact Mitigation of Proposed Lambourn Estates Sewer System Expansion.

Committee members directed questions to staff.

It was Moved and Seconded

That staff be directed to prepare covenants or development agreements to mitigate the environmental and public health and safety impacts associated with subdividing and developing the properties, proposed to be brought into the Lambourn Estates Sewer System, including:

- Lot 3, Section 4, Range 6, Cowichan District;
- Lot B, Section 5, Range 6, Cowichan District;
- Lot 1, Section 4, Range 7, Cowichan District;
- Lot 7, Section 4, Range 6, Cowichan District; and
- Lot 1, Section 5, Range 6, Cowichan District;

and that such covenants be referenced as conditions of approval of the respective servicing agreements to be established between the CVRD and owners of these properties.

MOTION CARRIED

R6 – South Cowichan Zoning Bylaw

Catherine Tompkins, Senior Planner, presented staff report dated June 20, 2011, regarding South Cowichan Zoning Bylaw.

Committee members directed questions to staff.

It was Moved and Seconded

That the South Cowichan Zoning Bylaw proposed work plan as identified within the staff report dated June 20, 2011, by Catherine Tompkins, Senior Planner, be accepted.

MOTION CARRIED

RECESS

The Committee took a 5 minute break at 6:10 p.m. and reconvened at 6:15 p.m.

R8 – City of Duncan Public Health Smoking Protection Bylaw No. 2084

Brian Farquhar, Manager, presented staff report dated June 27, 2011, regarding City of Duncan Public Health Smoking Protection Bylaw No. 2084.

Committee members directed questions to staff.

It was Moved and Seconded

That the Staff Report dated June 27, 2011, from Brian Farquhar, Manager, regarding City of Duncan Public Health Smoking Protection Bylaw No. 2084 be received and filed.

MOTION CARRIED

R9 – Special Event Request – Bright Angel Park

Ryan Dias, Parks & Trails Operation Superintendent, presented staff report dated June 26, 2011, regarding Special Event Request – Bright Angel Park.

Committee members directed questions to staff.

It was Moved and Seconded

- 1) That the Cowichan Valley Starfinders Astronomy Club be permitted to pre-book for the next four (4) years in advance one (1) weekend per year at Bright Angel Park for their annual Star Party fundraising event which does not conflict with any other annual special events in the Park;
- 2) That the request for a booking fee waiver for the ball field and upper picnic shelter not be endorsed for this annual event;
- 3) Furthermore that the booking permit overnight stays by registered Club member astronomers during the event.

MOTION CARRIED

R10 – Interim License Extension – Scout Camp in Bald Mountain Community Park

Brian Farquhar, Manager, presented staff report dated June 28, 2011, regarding Interim License Extension – Scout Camp in Bald Mountain Community Park.

It was Moved and Seconded

That the Board Chair and Corporate Secretary be authorized to execute the necessary documents related to granting an Interim License of Use and Occupation renewal for up to two years to Scout Properties (BC/Yukon) Ltd.

for the scout camp located in CVRD's Bald Mountain Community Park in Electoral Area I.

MOTION CARRIED

INFORMATION

IN1, IN2, & IN3

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area G Parks meeting of May 9, 2011
- Minutes of Area C Parks meeting of June 14, 2011
- Minutes of Area A ACP meeting of June 14, 2011

MOTION CARRIED

It was Moved and Seconded

That a letter be sent to the Ministry of Transportation & Infrastructure bringing their attention to the dangerous intersection at Handy Road in Mill Bay.

MOTION CARRIED

NEW BUSINESS

NB1 – Dorothea Siegler – Installation of Smart Meters

It was Moved and Seconded

That BC Hydro representatives be invited to appear before the Regional Board with regard to the installation of smart meters and how it may pertain to serious health concerns in the CVRD and further that prior to that meeting occurring no smart meters be installed in the CVRD.

MOTION CARRIED

It was Moved and Seconded

That the UBCM be requested to hold a seminar with regard to the installation of smart meters.

MOTION CARRIED

NB2 – Grant in Aid – Area F

It was Moved and Seconded

That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, be given to Caycuse Volunteer Firefighters Association, in the amount of \$3,500.00 to assist with equipment repair and associated expenses.

MOTION CARRIED

NB3

Moved to follow after R7.

NB4 – Area B APC Minutes

It was Moved and Seconded

That the Minutes of the Area B APC meeting of June 2, 2011, be received and filed.

MOTION CARRIED

NB5 – North Oyster Fire Hall

Director Marcotte provided a verbal update on the progress of the North Oyster Fire Hall.

Director Marcotte declared a perceived conflict of interest and left the meeting at 6:49 p.m.

NB6 – North Oyster Community Hall

Rob Conway provided a verbal update with regard to the North Oyster Community Hall.

It was Moved and Seconded
That the subdivision application fee be waived for the North Oyster Community Hall.

MOTION CARRIED

Director Marcotte returned to the meeting at 6:52 p.m.

NB7 – Cell Phone Towers

Director Dorey provided a verbal update with regard to a cell phone tower in Area G.

It was Moved and Seconded
That a letter be sent to Rogers Communications requesting that they produce a report of their technical analysis of the alternate sites to the cell phone towers and further that analysis be peer reviewed.

MOTION NOT VOTED ON

It was Moved and Seconded
That a letter be forwarded to Rogers Communications requesting that they investigate alternatives to the proposed Olsen Road cell tower site in Electoral Area G; and further, that a technical analysis of identified alternative sites be provided.

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 7:05 p.m.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:35 p.m.

Chair

Recording Secretary