

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, February 7, 2012 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director M. Walker, Chair
Director L. Iannidinardo
Director M. Marcotte
Director P. Weaver
Alt. Director J. Krug
Director I. Morrison
Director M. Dorey
Director B. Fraser
Director L. Duncan
Absent: Director G. Giles

CVRD STAFF

Tom Anderson, General Manager
Mike Tippett, Manager
Rob Conway, Manager
Brian Farquhar, Manager
Brian Duncan, Manager
Dana Leitch, Planner II
Alison Garnett, Planner I
Rachelle Rondeau, Planner I
Maddy Koch, Planning Technician
Warren Jones, Administrator
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding three items of listed New Business, three items of additional new business, and moving agenda item C1 after R1.

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

MOTION CARRIED

M1 - Minutes

It was Moved and Seconded that the Minutes of the January 17, 2012, EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Ross

Robert Ross, delegate, was present regarding compliance with CVRD Resolution No. 09-216.16 in order to obtain a building permit for his 1974 mobile home and locate it at 2943 Mountain Road. Mr. Ross requested compassion from the Committee to allow the mobile home.

The Committee directed questions to the delegate.

Brian Duncan, Manager, read from his staff report dated February 9, 2009 regarding relocated mobile homes. Mr. Duncan stated that the owner needs to verify that the mobile meets Z240 standards.

The Committee directed questions to staff.

It was Moved and Seconded

That staff be requested to prepare a report to the next EASC meeting that elaborates on the staff report dated February 9, 2009, regarding relocated mobile homes, which will assist EASC members to consider a request by Robert Ross to determine if his mobile home is in compliance with CVRD Board Resolution No. 09-216.16.

MOTION CARRIED

D2 - Nicholson

Alison Nicholson, delegate, was present to provide an update from the Cowichan Station Area Association respecting progress, issues, opportunities, and the Hub at Cowichan Station. Ms. Nicholson provided a power point presentation.

The Committee directed questions to the delegate.

The Chair thanked Ms. Nicholson for providing the update.

R1 - Johnston

Maddy Koch, Planning Technician, presented staff report dated January 27, 2012, regarding Application No. 2-B-11DVP (Mark Johnston) to develop Phase 3 of the Estates at Shawnigan Station subdivision which proposes 51 lots.

The Committee directed questions to staff.

Mark Johnston, applicant, was present on behalf of Arbutus Mountain Estates, and provided further information to the application. Mr. Johnston provided slides showing examples of proposed homes that would be located on the site. Mr. Johnston stated that they support staff amended option 2.

The Committee directed questions to the applicant.

It was Moved and Seconded

That application No. 2-B-11DVP for a variance to Section 9.21 of the CVRD's Mobile Home Park Bylaw be approved subject to:

- provision of an electrically-serviced storage building, no less than 15 square metres in area, at a location chosen by the strata council;
- provision of a fully-fenced playground- including benches, tables and other amenities- of no less than 150 square metres on the common property recreation area south of Lot 82.

MOTION DEFEATED

It was Moved and Seconded
That Application No. 2-B-11DVP (Mark Johnston/Arbutus Mountain Estates) be referred back to staff for a supplemental report in response to issues of amenities and affordable housing.

MOTION CARRIED

CORRESPONDENCE

**C1 – Shawnigan
Station Est.**

Mark Johnston of M.H. Johnston & Associates Inc., was present regarding letter dated December 21, 2011, requesting that they be permitted to stick frame homes on site during phase 3 construction at The Estates at Shawnigan Station (Lot A, Section 7, Township 1, Malahat District, Plan 4777).

It was Moved and Seconded
That the request by M.H. Johnston & Associates Inc. to permit stick framing of homes at their Shawnigan Station Estates development on Lot A, Section 7, Township 1, Malahat District, Plan 4777, be approved.

MOTION CARRIED

STAFF REPORTS

R2 - Mann

Rachelle Rondeau, Planner I, presented staff report dated February 1, 2012, regarding Application No. 7-B-11DP/RAR to permit deposit of fill and restoration of land within the riparian area of property located on Shawnigan Lake Road.

The Committee directed questions to staff.

Jordan Mann, applicant, was present and provided further information to the application.

It was Moved and Seconded
That Application No. 7-B-11DP/RAR, submitted by Jordan Mann on behalf of Don Mann Excavating Ltd., for deposit of fill and restoration of land within the riparian area described in RAR Report No. 2147 on Lot 6, District Lot 50, Malahat District, Plan VIP85007, Except Part in Plan EPP13409 (PID 027-514-382), be approved, subject to:

- a) Compliance with RAR Assessment Report No. 2147 prepared by Wm. Patrick Lucey R.P.Bio and the restoration letter prepared by Aqua-Tex Scientific Consulting dated September 21, 2011.
- b) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the restoration described by the Qualified Environmental Professional.
- c) That covenant FB174939 be amended to reflect the new Riparian Areas Regulation report and Streamside Protection and Enhancement Areas.

MOTION CARRIED

R3 - Webb

Alison Garnett, Planner I, presented staff report dated January 31, 2012, regarding Application No. 5-A-11DP (Alf Webb) to permit a four lot subdivision on property located at 2660 Partridge Road.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 5-A-11DP (Webb/Ogden) be approved, and that a development permit, pursuant to the Mill Bay Village Development Permit Area, be issued to Alf Webb on behalf of Reginald and Doris Ogden for Lot 11, Block F, Section 1, Range 9, Shawnigan District, Plan 1720 except Part in Plan 22573 and Plan 50586 (PID: 000-639-583), for the 4 lot subdivision of the subject property, subject to the following:

1. Receipt of a letter of credit, covering 100% of the cost of invasive plant species removal, appropriate disposal, and two years successive treatments;
2. Compliance with a rain and stormwater management plan, to be prepared by a Qualified Professional Engineer at the time of any future building permit application, which is designed to:
 - Promote the use of low impact development techniques
 - Maximize infiltration from frequently occurring rain events and not permit the volume of drainage flows from exceeding pre development levels
 - Maintain or improve water quality from the development site
 - Maintain the site's discharge hydrogeology from a 5 year peak flow event
 - Locate rain and storm water management facilities so as to minimize impacts to natural areas.
3. Compliance with Riparian Areas Regulation report no. 1976, prepared by Paul Harder, RP Bio, dated April 5, 2011.

MOTION CARRIED

R4 - Dix

Rob Conway, Manager, presented staff report dated February 1, 2012, regarding Application No. 3-I-11DP/RAR (Michael Dix). The application was denied by the Board on May 11, 2011, and the applicant is requesting reconsideration.

The Committee directed questions to staff.

It was Moved and Seconded

That reconsideration of application 3-I-11DP/RAR (Dix) be deferred until May 11, 2012, in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

MOTION DEFEATED

It was Moved and Seconded

That Section 16 of Development Application Procedures and Fees Bylaw No. 3275 be varied to allow reconsideration of Application No. 3-I-11DP/RAR (Dix) in advance of the required 12 month waiting period.

MOTION CARRIED

R5 – Bike Race Event

Brian Farquhar, Manager, presented staff report dated February 1, 2012, from Dan Brown, Parks Trail Planning Technician, regarding Cross Country Mountain Bike Rave Event Request.

It was Moved and Seconded

That the application from The Everti Cycling Club to hold a cross-country mountain bike race on designated trails within Quarry Nature Park and the Cobble Hill Mountain Regional Recreation Area on Sunday, March 18, 2012, be approved subject to the following conditions:

1. Proof of the \$5,000,000 liability insurance that the company has to cover the event which also identifies the CVRD and the Province of BC named as additional insured,
2. A damage deposit of \$500 must be provided to the CVRD for confirmation that the company will clean up all garbage and fix any damaged trails on the race route upon completion of the event and that all racers will stay on designated trails identified on CVRD parkland.
3. Confirmation that there will be notices of the even posted along the trail in advance of, and during the day of, the event that will advise other trail users of the race.
4. Alpine Stables is notified at least two weeks in advance of the event by the event organizers of the trails to be used to allow sufficient time for equestrian riding routes to be modified for the day of the event.
5. That both porta-potties within Quarry Nature Park are pumped out and cleaned following the race at the cost of the race organizers, payment of which will be provided by cheque along with the damage deposit.
6. That the Cobble Hill Parks Commission has endorsed the use of Quarry Nature Park in Cobble Hill as a staging area for the event.

MOTION CARRIED

R6 – Trail License Agreement

Brian Farquhar, Manager, presented staff report dated February 1, 2012, from Dan Brown, Parks Trails Planning Technician, regarding Stocking Creek Park Trail License Agreement.

It was Moved and Seconded

That a trail license agreement be entered into with Stocking Creek Strata #VIS3754 permitting the Regional District to construct and maintain a public trail across Common Property VIS 3794, Oyster Land District as an extension to the trail system in Stocking Creek Park.

MOTION CARRIED

R7 – Thicke Rd. Trail Brian Farquhar, Manager, presented staff report dated February 2, 2012, regarding Renewal of Thicke Road Trail Access Lease, Stocking Creek Park.

It was Moved and Seconded

That a one year lease renewal inclusive of two renewal terms of one year each be approved for the Stocking Creek Park lease across Lot 14 (DD 71247N), District Lot 14, Oyster District, Plan 4039 (PID: 002-221-721) for the purpose of trail access to the park.

MOTION CARRIED

R8 – Mill Bay Marina Rob Conway, Manager, presented staff report dated January 11, 2012, regarding Amendment to Development Permit No. 2-A-11DP, Mill Bay Marina.

Cam Pringle, was present on behalf of Mill Bay Marina, and provided further information.

The Committee directed questions to staff and the delegate.

It was Moved and Seconded

That Development Permit No. 2-A-11DP(Mill Bay Marina) be amended to remove the requirement for permeable pavers in the parking lot areas, provided oil/water/grit separators are provided to protect water quality and the decorative treatment of the driveway and parking areas is maintained.

MOTION CARRIED

R9 – QEP's Tom Anderson, General Manager, presented staff report dated February 2, 2012, regarding Qualified Environmental Professionals and the CVRD.

It was Moved and Seconded

That the CVRD not take on the responsibility of hiring Qualified Environmental Professionals for any land use application that requires such, and that a formal request be forwarded to the Minister of Environment to take the appropriate action that would require the Province to delegate additional resources to processing QEP reports; and further, that the following resolution be forwarded to AVICC:

MOTION CARRIED

It was Moved and Seconded

That staff be directed to assist Director Morrison in drafting the appropriate resolution to AVICC to request the Ministry of Environment to take the appropriate action to require the Province to delegate additional resources to processing QEP reports.

MOTION CARRIED

INFORMATION

IN – Grant in Aid

It was Moved and Seconded
That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$1,000 be given to West Coast Men’s Support Society, to assist with their program.

MOTION CARRIED

IN2 - Minutes

It was Moved and Seconded
That the minutes of the Area E Parks and Recreation AGM meeting of January 26, 2012, be received and filed.

MOTION CARRIED

IN3 - Minutes

It was Moved and Seconded
That the minutes of the Area C Parks and Recreation meeting of January 30, 2012, be received and filed.

MOTION CARRIED

IN4 & IN5 - Minutes

It was Moved and Seconded
That the minutes of the Area H Parks Commission meeting of November 3, 2011, and the minutes of the Area H Parks Commission meeting of January 19, 2012, be received and filed.

MOTION CARRIED

IN6 - Minutes

It was Moved and Seconded
That the minutes of the Area G Parks Commission meeting of January 9, 2012, be received and filed.

MOTION CARRIED

IN7 - Minutes

It was Moved and Seconded
That the minutes of the Area B APC meeting of January 16, 2012, be received and filed.

MOTION CARRIED

IN8 - Minutes

It was Moved and Seconded
That the minutes of the Area C APC meeting of January 12, 2012, be received and filed.

MOTION CARRIED

IN9 - Minutes

It was Moved and Seconded
That the minutes of the Area D Parks Commission meeting of January 16, 2012, be received and filed.

MOTION CARRIED

NEW BUSINESS

**NB1 – AVICC
Resolution**

It was Moved and Seconded
That the following motion be submitted to AVICC:

WHEREAS Regional District Fire Departments provide essential lifesaving and emergency response services to communities throughout BC;
AND WHEREAS the funding of essential capital infrastructure and equipment such as fire halls and emergency vehicles is very challenging for small fire departments and communities;
NOW THEREFORE BE IT RESOLVED that the Province of British Columbia work with the Union of BC Municipalities to identify mechanisms and strategies to assist in generating sustainable funding for rural fire departments.

MOTION CARRIED

**Addendum
NB1 – Add-on to
agenda R1**

It was Moved and Seconded
That the add-on material respecting agenda item R1 (Application No. 2-B-11DVP) be received and filed.

MOTION CARRIED

NB2 - Minutes

It was Moved and Seconded
That the minutes of the Area C Parks Commission meeting of February 2, 2012, be received and filed.

MOTION CARRIED

**NB3 – Simpson Field
Resource Centre**

Tom Anderson, General Manager, reviewed staff report dated February 7, 2012, regarding UVic Jeanne S. Simpson Field Studies Resource Centre on Cowichan Lake.

It was Moved and Seconded
That a letter be forwarded to David Turpin, President, University of Victoria, requesting a meeting to express CVRD's concerns regarding future plans that the University may have regarding the Simpson Field Studies Resource Centre in Marble Bay on Cowichan Lake.

MOTION CARRIED

NB4 – BC Mot

Director Duncan requested that a meeting be arranged with the Ministry of Transportation and Infrastructure to discuss various road safety concerns.

Director Marcotte also stated she would like to meet with BC Mot representatives to discuss road concerns in Area H.

It was Moved and Seconded
That staff be directed to arrange a meeting with appropriate Ministry of Transportation and Infrastructure representatives to discuss issues of concerns in Electoral Area E – Cowichan Station/Sahtlam/Glenora, and Electoral Area H – North Oyster/Diamond.

MOTION CARRIED

NB5 – Gas Tax Funding

Director Duncan requested that a resolution be passed to investigate a corporate policy regarding gas tax funding for NGOs.

It was Moved and Seconded
That the CAO investigate a corporate policy in regards to gas tax funding for NGOs who have eligible projects, and who presently have a specified area funding Bylaw in place, and receive funding annually as part of the CVRD Budget process; and that CVRD/NGO specified area defined partnerships which have proposed projects on public owned lands, be considered as eligible for year 2012 funding; and further, that a staff report on eligible NGO funding partnerships overall to be part of the gas tax project be forwarded to an upcoming EASC meeting.

MOTION CARRIED

NB6 – Public Hearing Delegates

Director Morrison requested that staff provide new Directors with the rationale and guidelines regarding selecting delegates for public hearings.

Mr. Anderson stated that he would provide information respecting selection of public hearing delegates, at a future meeting.

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

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 6:02 pm.

Chair

Recording Secretary