

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, May 1, 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 P. Weaver
Director I. Morrison
Director B. Fraser
Director L. Duncan
Director G. Giles
Director M. Marcotte
Director M. Dorey

CVRD STAFF

Tom Anderson, General Manager
Mike Tippett, Manager
Rob Conway, Manager
Brian Duncan, Manager
Alison Garnett, Planner I
Warren Jones, Administrator
Rob Hutchins, Board Chair
Dana Leitch, Planner II
Ann Kjerulf, Planner III
Rachelle Rondeau, Planner I
Tanya Soroka, Parks and Trails Planner
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding 14 items of listed New Business, two items of listed Closed Session items (add-on to CSR2, and closed session parks minutes), adding three additional new business items, and moving agenda item NB14 after D2.

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 April 17, 2012, EASC meeting be amended on page 3 by adding the following referral agency to R6, #1, point 2: "South Cowichan RCMP" and that the minutes, as amended, be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - deLure

George deLure was present on behalf of concerned Youbou residents regarding Application No. 1-I-09RS (Cottages at Marble Bay). Mr. deLure advised he is also a member of the Area I APC, and he distributed further information to Committee members. Area I residents request that traffic flow issues be resolved prior to any future development in Marble Bay Bald Mountain peninsula lands.

The Committee directed questions to the delegate.

The Chair thanked the delegate for attending.

D2 - Bamford

Mike Fall was present on behalf of Gordon Bamford and concerned Area H residents regarding Application No. 1-H-11ALR (Ray Smith). Mr. Fall advised he is also a member of the Area H APC, and he distributed further information to Committee members. Area H residents request that the subject property be preserved for food production.

There were no questions to the delegate.

The Chair thanked the delegate for appearing.

STAFF REPORTS

NB14 – Contaminated Soil

Tom Anderson, General Manager, reviewed Staff Report dated May 1, 2012, regarding Contaminated Soils.

A general discussion ensued.

It was Moved and Seconded

WHEREAS much of the area of the Cowichan Valley Regional District (CVRD) is underlain with significant aquifers; and

WHEREAS large numbers of residents of the Cowichan Valley rely on these aquifers for their potable water supply; and

WHEREAS residents of the Cowichan Valley have chosen to live in an area that has been minimally disturbed by industrial activity and wish to ensure that measures are taken to preserve these values; and

WHEREAS residents in specific areas have concerns about treatment of contaminated soils on sites in the Cowichan Valley; and

WHEREAS with expected growth and development on Vancouver Island there will be a continuing need for soil relocation; some of which may contain some degree of contamination; and

WHEREAS some estimates point to the need to find a place for hundreds, if not thousands, of truckloads of soil – most of which will be harmless, but some requiring varying degrees of treatment for contaminants; and

WHEREAS the CVRD lacks direct regulatory control of soil relocation and contamination treatment; and

WHEREAS the sources of soils being relocated in the Cowichan Valley are often outside the regional district boundaries; and

WHEREAS control over soils relocation and contaminated soils treatment rests largely with the provincial government; and

WHEREAS the CVRD has no desire to block movement of soils into the region; and

WHEREAS the CVRD wishes to work with senior levels of government and neighbouring local government jurisdictions to ensure that there is a cooperative and collaborative approach to managing this strategic issue in the interest of local residents.

THEREFORE, be it resolved that the Cowichan Valley Regional District formally request other local governments join with the CVRD's petition that provincial and federal agencies develop policies and procedures that will be sensitive to local concerns in managing this strategic issue that would include, but not be limited to:

1. Develop an easily accessible regional database that would identify the source and ultimate destination of soils being relocated within and across local government bodies;
2. Develop a working protocol to ensure local governments are informed in a timely manner about applications for soils relocation and/or treatment (this would include input from local government on any specific application);
3. Make it clear that those receiving relocated soils must be able to certify the safety of those soils for use as fill;
4. Clearly identify site requirements for businesses wishing to receive relocated soils and for those wishing to engage in contaminated soils treatment;
5. Develop and implement a public education program targeted toward those involved in the land development business to ensure broadly based appreciation and understanding of the rules and regulations regarding soils relocation and contaminated soils treatment; and
6. Staff prepare a full report to bring the CVRD Board up-to-date on the issues of contaminated soil, including inviting Ministry of Environment representatives to make a presentation to the CVRD Board.

MOTION CARRIED

**R1 – Schools
Heritage Society**

Ann Kkerulf, Planner III, reviewed staff report dated April 10, 2012, regarding Cowichan Valley Schools Heritage Society.

Lois Joyce of the Cowichan Valley Schools Heritage Society was present regarding the Society's request for a letter of support for their tribute to educational history in the Cowichan Valley and plans to erect commemorative signage at historic school sites. Ms. Joyce advised that they need local government support in order to be eligible for a grant and noted that they already have support from the Municipality of North Cowichan and City of Duncan.

The Committee directed questions to Ms. Joyce.

It was Moved and Seconded

1. That the CVRD approves of the initiative by the Cowichan Valley Schools Heritage Society to recognize former and historic public schools within the region and that a letter of support be forwarded to the Society supporting the tribute to educational history in the Cowichan Valley.
2. That the following school sites be added to the CVRD Community Heritage Register: Bench #1 School, Area D – Cowichan Bay, Cobble Hill High School, Area C – Cobble Hill; Bamberton School, Area A – Mill Bay; Kissinger School, Area I – Youbou; and Honeymoon Bay School, Area F – Cowichan Lake South.

MOTION CARRIED

R2 - Bourque

Dana Leitch, Planner II, reviewed staff report dated April 25, 2012, regarding Application No. 1-I-09RS (Rick Bourque/Cottages at Marble Bay), to rezone 50 parcels in Marble Bay to permit occupancy of the existing recreational cottages from 22 weeks to up to 52 weeks in a calendar year.

Rick Bourque, applicant, was present and provided further information in support of the application.

The Committee directed questions to staff and applicant.

It was Moved and Seconded

1. That Application No. 1-I-09RS (Rick Bourque/Cottages at Marble Bay) be referred to a public meeting.
2. That the CVRD forward a letter to the Ministry of Transportation and Infrastructure expressing local government and public concerns regarding traffic flow/safety/road access/intersection issues in the Meade Creek/Youbou Road/Marble Bay Road areas.

MOTION CARRIED

R3 - Smith

Rachelle Rondeau, Planner I, presented staff report dated April 23, 2012, regarding Application No. 1-H-11ALR (Raymond/Robin Smith) to construct a second dwelling at 13150 Cameron Road.

Raymond Smith, applicant, was present, and distributed further information to Committee members.

The Committee directed questions to staff and applicant.

It was Moved and Seconded

That Application No. 1-H-11ALR (Raymond/Robin Smith) be referred to the next Regional Agricultural Advisory Commission meeting for review and comment.

MOTION CARRIED

R4 - Daviau

Dana Leitch, Planner II, reviewed staff report dated April 25, 2012, regarding Application No. 1-C-12DVP (Susan/Dominique Daviau) to permit construction of a single family dwelling on property on Lot 2, Soren Place, Area C.

Susan Daviau, applicant, was present.

The Committee directed questions to staff.

It was Moved and Seconded

That Development Variance Permit Application No. 1-C-12DVP by Susanne and Dominique Daviau to vary Section 8.3 (b)(3) of Zoning Bylaw No. 1405 by reducing the minimum setback from a front parcel line from 7.5 metres to 4.5 metres on Lot 2, Section 13, Range 6. Shawnigan District, Plan VIP86182, for the purpose of constructing a single family residential dwelling, be approved subject to the applicant providing a legal survey confirming compliance with approved setbacks.

MOTION CARRIED

R5 - Creelman

Rachelle Rondeau, Planner I, reviewed staff report dated April 25, 2012, regarding Application No. 6-B-12DP (Beckett/Creelman) to permit subdivision of one lot at 2657 Nora Place.

John Beckett, applicant, was present.

There were no questions from Committee members.

It was Moved and Seconded

That Application No. 6-B-12DP submitted by John Beckett on behalf of Shelley Creelman for subdivision of one lot on Lot 2, Section 1, Range 6, Shawnigan District, Plan 43946 (PID: 004-623-126) be approved, subject to:

- a) Tree removal being limited to the general building site and driveway locations, and retention of a treed 3 – 4.5 metre buffer area on the north and east side of subject property; and
- b) Rainwater to be managed on site, with confirmation at the time of building permit from an engineer or professional with experience in rainwater management that post-development runoff does not exceed pre-development runoff for a five year storm event.

MOTION CARRIED

R6- All Sports

Rachelle Rondeau, Planner I, reviewed staff report dated April 25, 2012, regarding Application No. 1-F-11RS (All Sports Lands Ltd./Honey Pot Pub) to rezone the subject property at 10045 South Shore Road in Honeymoon Bay from C-5 to C-3 to permit additional commercial uses.

Mark Coombs, applicant, was present.

The Committee directed questions to staff and applicant.

It was Moved and Seconded

1. That CVRD Bylaws No. 3595 and 3596 – Area F – Cowichan Lake South/Skutz Falls Official Community Plan and Zoning Amendment Bylaws (All Sports Lands Ltd.), 2012 be forwarded to the Regional Board for consideration of First and Second reading;
2. That agency referrals to the Ministry of Transportation and Infrastructure, Ministry of Public Safety and Solicitor General – Liquor Licensing Branch, Vancouver Island Health Authority, Lake Cowichan First Nation, and Honeymoon Bay Volunteer Fire Department be accepted.
3. That a Public Hearing be held with Directors Morrison, Weaver and Iannidinardo named as delegates of the Board.

MOTION CARRIED

R7 - Crompt

Alison Garnett, Planner I, reviewed staff report dated April 24, 2012, regarding Application No. 7-G-10DP (Brian/Sandra Crompt) to legalize previous construction of a retaining wall and add steps to the sloped footpath on property located at 3900/3901 Linton Circle in Saltair.

There were no questions from Committee members.

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 and add steps to the sloped footpath, subject to:

- Remediation of the foreshore, in accordance with the Marine Foreshore Remediation Plan and attached planting scheme;
- An irrevocable letter of credit in a form suitable to the CVRD is received, equivalent to 125% of the costs associated with planting scheme, to be refunded after two years if the plantings are successful and to the satisfaction of a qualified environmental professional, and
- The portion of the block extending beyond the high water mark is removed, in accordance with CN Ryzuk Geotechnical letter, dated May 12, 2011, and that this work be completed by August 9, 2012.

MOTION CARRIED

R8 – Beausoleil/Day

Alison Garnett, Planner I, reviewed staff report dated April 24, 2012, regarding Application No. 1-I-11DP (Beausoleil/Day) to permit expansion to a recreation cabin located on Block 1, on the north side of Bald Mountain Peninsula.

Karen Day/Duane Beausoleil, applicants, were present.

The Committee directed questions to the applicants.

It was Moved and Seconded

That Application No. 1-I-11 DP (Beausoleil & Day) be approved, and that a development permit be issued to authorize the previously constructed 60 m² expansion to a recreational cabin on Block 1, Cowichan Lake District, Plan 775, PID: 000-913-847, subject to:

1. Compliance with the measures and recommendations outlined in RAR Assessment 2206 by Madrone Environmental Services, dated November 15, 2011;
2. An environmental monitor is present and provides professional advice during any required works to the foundation of the building; and
3. Prior to August 9, 2012,
 - An irrevocable Letter of Credit in a form suitable to the CVRD is received, equivalent to 125% of the costs associated with SPEA enhancement, to be refunded after two years if the plantings are successful and to the satisfaction of a qualified environmental professional, and
 - Registration of a restrictive covenant, which will protect the 30 metre Streamside Protection and Enhancement Area in perpetuity.

MOTION CARRIED

R9 – Strata Plans

Mike Tippett, Manager, reviewed staff report dated April 25, 2012, regarding Strata plans.

It was Moved and Seconded

That staff be directed to prepare a sample amendment bylaw for a zone with a specific bare land strata example for Committee review.

MOTION CARRIED

R10 – Vacation Rentals

Rob Conway, Manager, reviewed staff report dated April 25, 2012, regarding vacation rentals of single family dwellings.

It was Moved and Seconded

That staff be directed to prepare a policy outlining circumstances under which enforcement will be pursued against vacation rentals of single family dwellings.

MOTION CARRIED

CORRESPONDENCE

C1 – Funding Request

It was Moved and Seconded
That the letter dated March 12, 2012, from Regional District of North Okanagan regarding funding request for their Annexation Impact Study, be received and filed.

MOTION CARRIED

C2 to C9 – Grants in Aid

It was Moved and Seconded
That the following grants in aid be approved:

1. That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$500 be given to BC Farm Women’s Network to assist with costs associated with the 25th annual seminar and AGM.
2. That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$500 be given to Cowichan Valley Jolly Dragons Senior Dragon Boat Team to assist with team expenses.
3. That a grant in aid, Electoral Area C – Cobble Hill, in the amount of \$1,000 be given to Shawnigan Cobble Hill Farmers Institute and Agricultural Society to assist with expenses for the 103rd annual Cobble Hill Fall Fair.
4. That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$500 be given to Cowichan Green Community to assist with printing costs of the 2012 Food Map.
5. That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute and Agricultural Society to assist with expenses for the 103rd annual Cobble Hill Fall Fair.
6. That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$500 be given to Cowichan Valley Jolly Dragons Senior Dragon Boat Team to help with race entry fees.
7. That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$500 be given to BC Farm Women’s Network to assist with expenses to attend the October 2012 seminar.
8. That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$2,000 be given to Cowichan Energy Alternatives Society to assist with their cooking oil collection program.

MOTION CARRIED

INFORMATION

IN1 to IN3 - Minutes

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area F APC meeting of April 2, 2012
- Minutes of Area F Parks meeting of April 2012
- Minutes of Area I Parks meeting of April 10, 2012

MOTION CARRIED

NEW BUSINESS

NB1 to NB2 - Minutes

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area H APC meeting of March 8, 2012
- Minutes of Area E Parks Commission meeting of April 26, 2012

MOTION CARRIED

NB3 to NB12 – Grants in Aid

It was Moved and Seconded

That the following grants in aid be approved:

1. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$450 be given to Lake Days Society to support the annual Breakfast in the Town event.
2. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$200 be given to Cowichan Green Community to assist with production of the 2012 food map.
3. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$500 be given to Lake Cowichan Secondary School to provide an annual bursary for a 2012 graduating student.
4. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$500 be given to Cowichan Lake and River Stewardship Society to support their fish habitat signage project.
5. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$7,500 be given to Cowichan Lake District Chamber of Commerce to support Cowichan Lake info visitor centre 2012 operations.
6. That a grant in aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$1,500 be given to Cowichan Lady of the Lake Society to support their 2012 ambassador's event.

7. That a grant in aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$300 be given to Shawnigan Cobble Hill Farmer’s Institute and Agricultural Society to help with costs to place an ad in local newspapers.
8. That a grant in aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$500 be given to Cowichan Valley Jolly Dragons Senior Dragon Team to help with boat usage fees.
9. That a grant in aid, Electoral Area I – Youbou/Meade Creek, in the amount of \$500 be given to Lake Days Celebration Society to help with their 2012 Breakfast in the Town event.
10. That a grant in aid, Electoral Area I – Youbou/Meade Creek, in the amount of \$500 be given to Cowichan Valley Community Radio Society to assist with costs to provide emergency broadcast services.

MOTION CARRIED

NB13- Marble Bay

It was Moved and Seconded
That the letter dated April 11, 2012, from the University of Victoria, regarding the Jeanne Simpson Field Studies property in Marble Bay, be received and filed.

MOTION CARRIED

NB14 – Contaminated Soil

Dealt with earlier in the agenda.

NB15 and NB16 – Grants in Aid

It was Moved and Seconded
That the following grants in aid be approved:

1. That a grant in aid, Electoral Area B – Shawnigan Lake, in the amount of \$500 be given to Brandy Gallagher (OUR Ecovillage) to support Ecovillage educational events.
2. That a grant in aid, Electoral Area D – Cowichan Bay, in the amount of \$3,000 be given to Cittaslow Cowichan to support community development coordinator work.

MOTION CARRIED

Director Fraser noted that his grant in aid to OUR Ecovillage replaces his previous grant in aid to Ecostravaganza which has been cancelled.

NB16 – Road Improvements

Director Duncan provided an update to a meeting he recently attended with Mainroad Contractors to discuss road issues in Area E. Director Duncan suggested that the CVRD work with BC MoT over the next few years to acquire gas tax monies for road improvements such as bicycles and walking paths.

A general discussion ensued. Some Directors expressed non-interest in using gas tax monies for road improvements such as bike paths.

RECESS

The Committee adjourned for a five minute recess.

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 7:07 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 7:16 pm.

Chair

Recording Secretary