

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, November 6, 2012 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

PRESENT

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

ALSO PRESENT

Tom Anderson, General Manager
Warren Jones, Administrator
Rob Conway, Manager
Brian Duncan, Manager
Nino Morano, Bylaw Enforcement Officer
Rob Harris, Bylaw Enforcement Officer
Rachelle Rondeau, Planner I
Alison Garnett, 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 seven items of listed New Business.

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 October 16, 2012, EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

Director Fraser distributed new information respecting Application No. 3-E-12ALR (Matthews) which was discussed at the October 16th EASC meeting and requested that further take place prior to forwarding a resolution to the Board.

It was Moved and Seconded
That EASC resolution respecting Application No. 3-E-12ALR (Matthews) from the October 16, 2012 EASC meeting, be referred to a future meeting for further discussion, and that the applicant be advised.

MOTION CARRIED

DELEGATIONS

D1 - Brigel

Paul Brigel was present regarding vacation rentals. He distributed further information to Committee members. Mr. Brigel stated that he owns a residence at 9766 Miracle Way in Youbou, and that he occasionally uses his property for vacation rental purposes. He requested that the Board consider permitting short term rentals.

The Committee directed questions to the delegate.

The Chair thanked Mr. Brigel for appearing.

D2 - Hall

Colin Hall was present regarding his request to amend Land Use Contract Bylaw 357 to allow backyard chickens to be permitted at 2882 Gregory Road in Shawnigan Beach Estates. Mr. Hall distributed further information to Committee members and stated he would like the bylaw amended to allow a maximum of eight chickens, and further noted that other districts have amended their bylaws to allow backyard chickens.

The Committee directed questions to the delegate.

Mr. Anderson advised that the South Cowichan Zoning Bylaw Committee will be reporting on the new draft zoning bylaw which deals with this issue in the new year.

The Chair thanked the delegate for appearing.

STAFF REPORTS

R1 - Dix

Rob Conway, Manager, reviewed staff report dated October 30, 2012, regarding Application No. 4-I-12DP/RAR/VAR (Michael Dix) to reduce the footprint of a proposed dwelling on Bill Goat Island #4.

Michael Dix, applicant, was present.

The Committee directed questions to staff.

It was moved and seconded
That Application No. 4-I-12DP/RAR/VAR (Michael Dix) be referred back to staff and the Area I Advisory Planning Commission.

MOTION CARRIED

R2 – Mill Bay Marina

Dana Leitch, Planner I, reviewed staff report dated October 31, 2012, regarding Application No. 1-A-12DVP (Mill Bay Marina) to vary parking requirements by reducing required parking stalls from 65 stalls to 53 at the Marina development at 740 Handy Road in Mill Bay.

Cam Pringle, applicant, was present and provided further information to the application.

The committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 1-A-12DVP by Mill Bay Marina to vary the parking requirements outlined in Table 1 of CVRD Bylaw No. 1001 be approved with the number of required parking stalls on Block "C", Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, except part in Plans 29781 and 30142 (PID: 001-027-433) and Foreshore Lease Lot 459 (Lease No. 112643) reduced from 65 to 51 parking stalls.

MOTION CARRIED

R3 - Whitaker

Alison Garnett, Planner I, reviewed staff report dated October 30, 2012, regarding Application No. 3-E-12DVP (Travis Whitaker) to increase the maximum permitted length of a small suite mobile home from 13 metres to 20 metres to allow the existing mobile home to remain at 5355 Omega Road.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 3-E-12DVP by Travis Whitaker to vary Section 5.23 of Zoning Bylaw No. 1840, by increasing the maximum permitted length of a small suite mobile home, from 13 metres to 20 metres on Lot 1, Section 7, Range 10, Sahtlam District, Plan VIP52637 (PID 017-420-423), be approved.

MOTION CARRIED

R4 – Bill 27, Area E

It was Moved and Seconded

That staff report dated October 30, 2012, from Alison Garnett, Planner I, regarding Area E OCP Compliance with Bill 27, be received and filed.

MOTION CARRIED

R5 – Fire Department Appointments

It was Moved and Seconded

That the following appointments to the CVRD Volunteer Fire Departments for a two (2) year term to expire December 31, 2014, be approved:

- Mesachie Lake VFD: Gary Eve, Fire Chief; David Middlemost, Deputy Fire Chief
- Youbou VFD: Orest Smycniuk, Fire Chief; Stu McKee, Deputy Fire Chief
- North Oyster VFD: Jason deJong, Fire Chief; Jason Layman, Deputy Fire Chief
- Honeymoon Bay VFD: Keith Bird, Fire Chief; Brian Peters, Deputy Fire Chief

- Malahat VFD: Rob Patterson, Fire Chief; Tanya Patterson, Captain; Nick Patterson, Lieutenant
- Sahtlam VFD: Allan Reid, Fire Chief; Mike Lees, Deputy Fire Chief

MOTION CARRIED

**R6 – Parks & Trails
Master Plan**

Tanya Soroka, Parks and Trails Planner, reviewed staff report dated October 30, 2012, regarding Community Parks and Trails Master Plan for Area C.

It was Moved and Seconded

That the Cobble Hill Community Parks and Trails Master Plan be received as the basis to define the future direction, policies, priorities and actions of the Community parks and Trails program in Electoral Area C over the next 10 to 20 years (2012-2032), and that the Parks and Trails Master Plan Bylaw be forwarded to the Board for three readings and adoption.

MOTION CARRIED

**R7 – Covenant
(Perrett)**

Tanya Soroka, Parks and Trails Planner, reviewed staff report dated October 31, 2012, regarding Release of Covenant (Perrett) for subdivision at 1994 West Shawnigan Lake Road.

It was Moved and Seconded

That the appropriate documents be executed to release Covenant FB227735 (1994 West Shawnigan Lake Road/Perrett) in favour of the Cowichan Valley Regional District registered November 6, 2008, as the subject conditions within the covenant referring to the dedication of 611.2 sq.m. of land for park purposes to the CVRD, will be appropriately executed at the time of subdivision approval and will no longer be relevant within the covenant terms and conditions.

MOTION CARRIED

**R8 – Covenant
(Baranti)**

Tanya Soroka, Parks and Trails Planner reviewed staff report dated October 31, 2012, regarding Partial Release of Covenant (Baranti) for completion of Phase 1 of subdivision at the end of Rozen Road.

It was Moved and Seconded

That the appropriate documents be executed for a partial release of Covenant CA1851109 (Rozen Road/Baranti) over the new Lot A, Lot B, Lot C, and Lot E, District Lots 77 and 80, Malahat District, Plan EPP21145, as the subject conditions within the covenant referring to the dedication of land for park purposes to the CVRD, over this portion of the property will be appropriately executed at the time of subdivision approval and will no longer be relevant within the covenant terms and conditions.

MOTION CARRIED

R9 – CIIF, Area I

Tanya Soroka, Parks and Trails Planner, reviewed staff report dated October 31, 2012, regarding community infrastructure improvement grant application for revitalization of Arbutus Park in Area I.

It was Moved and Seconded

That the submission to the Western Economic Diversification Canada Community Infrastructure Improvement Fund (CIIF) for \$117,500 in grant funding towards the revitalization of Arbutus Park in Electoral Area I – Youbou/Meade Creek, be supported; and that a Reserve Fund expenditure bylaw be prepared authorizing expenditure of no more than \$117,500 from the Electoral Area I Community Parks Capital Reserve Fund for the purpose of capital improvements to Arbutus Park; and further, that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

R10 – Fundraising Event

Brian Farquhar, Manager, reviewed staff report from Dan Brown, Parks and Trails Technician, regarding request to use Glenora Trailhead Community Park for a fundraising event.

It was Moved and Seconded

That the application from Miles and James Cutt, backed by the Cowichan Valley Stingrays Club, to host the Fast, Food Run in support of the Cowichan Valley Food Bank at Glenora Trailhead Park on Sunday, November 25, 2012, be approved subject to the following conditions:

1. Proof of the \$5,000,000 liability insurance that the event organizer has to cover the event which also identifies the CVRD named as additional insured;
2. Confirmations 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; and,
3. Confirmation that the proposed running route on the Cowichan Valley Trail has been approved by the Province of British Columbia, as owners of the former railway corridor.

MOTION CARRIED

R11 – Short Term Rental Policy

Rob Conway, Manager, reviewed staff report dated October 31, 2012, regarding short term rental enforcement policy.

It was Moved and Seconded

That the draft Short Term Rental of Single Family Dwellings Policy be maintained with enforcement action commencing after a single complaint, and that the Policy be adopted by the Board as proposed.

MOTION CARRIED

R12 – Delegations Policy

Tom Anderson, General Manager, reviewed staff report dated November 1, 2012, regarding delegations to the EASC.

It was Moved and Seconded

That staff be directed to prepare the appropriate policy/amendment that would:

- Limit presentations to the EASC by delegations to a total of 10 minutes, unless agreed to by a unanimous vote of the committee (same as Regional Board).
- Establish a maximum number of delegations per committee meeting (Same as Regional Board).
- Do not allow delegations regarding development applications that require public hearings/meetings as part of the regular process. Individuals are invited to attend the public hearing/meeting and submit their comments personally or in writing at that time.
- Delegations requesting to appear on an issue that has already been decided by the Committee or Board may only appear if they have “new information” to present. An individual or group is limited to one appearance with new information. This is to reduce the possibility of an individual or group returning numerous times to say the same things regarding decisions that have already been made.

MOTION CARRIED

NEW BUSINESS

NB2 – Fireworks Amendment Bylaw

Brian Duncan, Manager, provided a report to the Committee regarding the past Halloween night around the regional district.

Mr. Duncan, Manager, and Mr. Morano, Bylaw Enforcement Officer, reviewed staff report dated November 6, 2012, regarding proposed fireworks amendment bylaw.

The Committee directed questions to Mr. Duncan and Mr. Morano.

It was Moved and Seconded

That CVRD Bylaw No. 39 – Fireworks Sale and Discharge Regulation Bylaw, 1970 (as amended), be further amended to include the following sentence to Section 4(c): “Special request dates must be approved by the CVRD Board”, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

NB3 – Fireworks Permit

Mary Marcotte declared a perceived conflict of interest respecting NB3 as she is a member of the Ladysmith Harbour Christmas Lights Cruise Committee.

Nino Morano, Bylaw Enforcement Officer, reviewed staff report dated November 6, 2012, regarding request for a fireworks discharge permit.

It was Moved and Seconded

That a Fireworks Discharge Permit be issued to the Ladysmith Harbour Christmas Lights Cruise to discharge fireworks on December 8, 2012.

MOTION CARRIED

Director Marcotte returned to the meeting at this point.

CORRESPONDENCE

C1 – Grant in Aid

It was Moved and Seconded

That a grant in aid, Area D – Cowichan Bay, in the amount of \$750 be given to Cowichan Estuary Nature Centre, to purchase a recycle bin and craft supplies.

MOTION CARRIED

C2 – Canada Post

It was Moved and Seconded

That the letter dated October 18, 2012, from Canada Post regarding installation of community mail boxes in new developments, be received and filed.

MOTION CARRIED

C3 – Telus cell Tower proposal

It was Moved and Seconded

That the letter received October 16, 2012, from Dorothea Banman regarding Telus cell tower proposal on the Trans Canada Highway, be referred to a future EASC meeting when Telus representatives are present.

MOTION CARRIED

INFORMATION

IN1 to IN6 - Minutes

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area B Parks meeting of September 13, 2012
- Minutes of Area A Parks meeting of June 21, 2012
- Minutes of Area A Parks meeting of September 20, 2012
- Minutes of Area D Parks meeting of September 17, 2012
- Minutes of South Cowichan Parks Commission meeting of October 1, 2012
- Minutes of Area D Parks meeting of October 15, 2012

MOTION CARRIED

IN7 – Building Report It was Moved and Seconded
That the September 2012 Building Report be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – Add-on to R1 Add-on material regarding Application No. 4-I-12DP/RAR/VAR was received for information.

NB4 – Sidewalk Authority It was Moved and Seconded
That a meeting be arranged with the new Minister of Community Sport and Cultural Development to discuss the CVRD's request for additional service authority for sidewalks within the Regional District.

MOTION CARRIED

NB5 - Minutes It was Moved and Seconded
That the minutes of the Cobble Hill Parks Commission meeting of October 23, 2012, be received and filed.

MOTION CARRIED

NB6 and NB7 – Grants in Aid It was Moved and Seconded
That the following grants in aid be approved:

1. That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, in the amount of \$1,100 be given to Cowichan Lake and District Chamber of Commerce, to assist with producing their 2013-2015 desktop maps.
2. That a grant in aid, Area I – Youbou/Meade Creek, in the amount of \$1,100 be given to Cowichan Lake and District Chamber of Commerce, to assist with producing their 2013-2015 desktop maps.

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 5:37 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 5:50 p.m.

Chair

Recording Secretary