

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, May 5, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

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

CVRD STAFF

Tom Anderson, General Manager
Rob Conway, Manager, Development Services Division
Mike Tippett, Manager, Community and Regional Planning Division
Rachelle Moreau, Planning Technician
Brian Duncan, Chief Building Inspector
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included adding 17 items of New Business.

It was Moved and Seconded
That the agenda, as amended, be accepted.

MOTION CARRIED

M1 - MINUTES

It was Moved and Seconded
That the minutes of the April 21, 2009 EASC meeting be amended on Page 7 by changing the words "That staff research..." to "That Executive Office staff research...", and that the minutes as amended be accepted.

MOTION CARRIED

BUSINESS ARISING

Director Morrison referred to material that was read out at the April 21st meeting and stated that he felt proper process was not followed. Mr. Anderson stated that there is no formal process and that Directors may bring material forward as felt needed. Mr. Anderson stated that the two sentences of a letter read by Director Giles was not new information and was relevant to the discussion at hand.

D1 – Basskin

Rachelle Moreau, Planning Technician, presented Application No. 3-D-08DP (Hylton McAlister/Elizabeth Shatzko) to build a stilt home with an approximate area of 107m2 on a residential water lease lot located at 1783 Cowichan Bay Road.

The Committee directed questions to the Planning Technician.

Cathy Basskin, delegate, owner of property located at 1785 Cowichan Bay Road, was present regarding opposition to Application No. 3-D-08DP. Ms. Basskin noted concerns regarding loss of views, loss of sunlight and loss of privacy if the application receives approval.

The Committee directed questions to the delegate.

D2 – McAlister

Hylton McAlister, applicant, was present regarding Application No. 3-D-08DP. Mr. McAlister presented further information to the application.

The Committee directed questions to Mr. McAlister.

It was Moved and Seconded

That Application No. 3-D-08DP (McAlister/Shatzko) be referred back to staff for further clarification respecting fire protection service, liability concerns, and elevation and setback issues.

MOTION CARRIED

D3 - Friesen

It was Moved and Seconded

That Application No. 2-I-05RS (Friesen) be referred to the next EASC meeting.

MOTION CARRIED

D4 - Pitcher

Rachelle Moreau, Planning Technician, presented Application No. 1-D-09ALR to subdivide property at 1885 Wilmot Road under Section 946 of the Local Government Act.

There were no questions to the Planning Technician from Committee members.

Gail Pitcher, applicant, was present regarding Application No. 1-D-09ALR. Ms. Pitcher provided further information to the application.

There were no questions to the delegate from Committee members.

It was Moved and Seconded

That application No. 1-D-09ALR submitted by Ron and Gail Pitcher made pursuant to Section 21(2) of the Agricultural Land Commission Act to subdivide the subject property under the provisions of Section 946 of the Local Government Act be forwarded to the Agricultural Land Commission for their consideration without recommendation.

MOTION DEFEATED

It was Moved and Seconded

That Application No. 1-D-09ALR submitted by Ron and Gail Pitcher made pursuant to Section 21(2) of the *Agricultural Land Commission Act* to subdivide the subject property under the provisions of Section 946 of the *Local Government Act* be forwarded to the Agricultural Land Commission with a recommendation to deny noting the following comments:

- the existing property is already smaller than permitted by the current zoning, and subdivision would worsen the problem of parcel sizes that were unsustainable for farming;
- the principle of protecting farm land is a core value for many residents; and
- ALR rules permit sale of property to finance farm improvements but the approval process is onerous.

MOTION CARRIED

D5 – Landale Signs

It was Moved and Seconded

That Application No. 8-E-08DP (Landale Signs & Neon Ltd.) be tabled.

MOTION CARRIED

STAFF REPORTS

NB14 – Seasonal Cabins

It was Moved and Seconded

As a “seasonal cabin” is a dwelling which is not intended for year round residential occupancy, has a self contained sanitation facility and may contain cooking, eating, living and sleeping facilities;

And, as a seasonal cabin’s use is limited to 180 days per year and cannot exceed 74 sq. m. in floor area.

That the Regional Board adopt a policy which defines dwellings meant for seasonal use (maximum 180 days per year) that, because of their unique location, cannot be connected to a piped potable water system or a public/private sewer system.

MOTION CARRIED

SR1 – Boating Signs

It was Moved and Seconded

That “Safe Boating” signage be erected along the highway right-of-way at appropriate points in both the Shawnigan Lake and Cowichan Lake areas, and at specified CVRD boat launch sites; that a public relations program be set up to help address boat noise and safety concerns on the two lakes; and further, that the CVRD contribute \$13,000 towards a cost share program with the RCMP to ensure that weekend summer boat patrols are performed.

MOTION DEFEATED

It was Moved and Seconded

That “Safe Boating” signage be erected along the highway right-of-way at appropriate points in both the Shawnigan Lake and Cowichan Lake areas, and at specified CVRD boat launch sites; and further, that a public relations program be set up to help address boat noise and safety concerns on the two lakes.

MOTION CARRIED

**SR2 –ALR
Applications**

It was Moved and Seconded

That the CVRD Board amend Procedures and Fees Bylaw No. 2255 by deleting section 6(b) and replacing it with the following:

b) Where any application would:

i) be within a Riparian Assessment Area pursuant to the *Riparian Areas Regulation*,

ii) concern an application for a subdivision of land within the Agricultural Land Reserve that would be reliant upon Section 946 of the *Local Government Act* for subdivision approval,

iii) concern an application for subdivision or non-farm use of Agricultural Land Reserve land that is entirely consistent with CVRD land use regulations,

cases (i) and (ii) are not subject to subsections c), d) and e) below; and case (iii) is not subject to subsection c) below;

AND FURTHER that subsection b) of CVRD Board Resolution No. 99-458 be rescinded and replaced with the following:

b) ALR subdivision applications pursuant to section 946 of the *Local Government Act* where the parent parcel size is not in conformity with CVRD Section 946(4) regulations will be forwarded to the ALC with a recommendation to deny.

MOTION DEFEATED

It was Moved and Seconded

1. That applications for family subdivisions in the ALR be referred to Advisory Planning Commissions only on the request of the Director, and that the CVRD Board continue to pass individual resolutions on each application.
2. That Procedures and Fees Bylaw No. 2255 be amended to reflect referral to APC's being "on the request of the Director".

MOTION CARRIED

SR3 – Livestock Kill

It was Moved and Seconded

That Scott Stevenson be compensated \$525 for loss of livestock as a result of attacks from unknown dog(s) at 4975 Langtry Road.

MOTION CARRIED

It was suggested that an appropriate letter be drafted and forwarded to the Cowichan Tribes Chief to articulate the need to have their support to allow the local SPCA to enter Tribes land to deal with ongoing dog problems.

**CORRESPOND-
ENCE**

**C1 –C6 and
NB1 –NB13 (Grants
in Aid)**

It was Moved and Seconded

That the following grant in aid requests be approved:

That a grant-in-aid request (Electoral Area B – Shawnigan Lake) in the amount of \$350 be given to Garden House Foundation to assist the Foundation with their mandate.

That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$400 be given to Lake Days Celebration Society to assist with Lake Days event costs.

That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$150 be given to Lake Cowichan Secondary School Grad 2009 to assist with prom night expenses.

That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$125 be given to The Kaatza Art Group to assist with Kaatza Spring Art Show 2009 expenses.

That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$250 be given to Founders Independent Living Society to assist with start up expenses.

That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$1000 be given to Cowichan Lake Salmonid Enhancement Society to assist with their salmon enhancement project.

That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Cowichan Bay Improvement Association to assist with expenses for their annual Low Tide Day.

That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist with advertising costs for the Fair's 100th Anniversary.

That a grant-in-aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist in promotion of the Fair's 100th Anniversary.

That a grant-in-aid request (Electoral Area C – Cobble Hill) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist with advertising costs for the Fair's 100th Anniversary.

That a grant-in-aid request (Electoral Area E – Cowichan Station/Sahtlam/Glenora) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist with advertising costs for the Fair's 100th Anniversary.

That a grant-in-aid request (Electoral Area B – Shawnigan Lake) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist in promotion of the Fair's 100th Anniversary.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$500 be given to Lake Cowichan Secondary School to assist with their 2009 scholarship/bursary program.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$125 be given to The Kaatza Arts Group to assist with costs for the 2009 Spring Art Show.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$400 be given to the Lake Days Celebration Society to assist with costs to hold the Lake Days Community Breakfast event.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$1125 be given to the Cowichan Lake Lady of the Lake Society to assist with costs associated with the 2009 pageant function.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$125 be given to Lake Cowichan Animal Rescue Society to support the work and efforts of the Society.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$250 be given to Founders Independent Living Society to assist with the efforts of the Society to provide independent living to seniors and disabled citizens in the Cowichan Lake area.

That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$150 be given to Lake Cowichan Secondary School Grad 2009 to assist with costs to hold Prom Night 2009.

That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$1125 be given to Cowichan Lake Lady of the Lake Society to assist with costs associated with the 2009 pageant function.

MOTION CARRIED

PARKS

PK1 - Minutes

It was Moved and Seconded
That the minutes of the Area F Parks Commission meeting of March 3, 2009, be received and filed.

MOTION CARRIED

APC

AP1 – AP2 Minutes

It was Moved and Seconded
That the minutes of the Area E APC meeting of March 26, 2009, be received and filed.

MOTION CARRIED

It was Moved and Seconded
That the minutes of the Area D APC meeting of April 6, 2009, be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – Foreshore protection

Director Harrison expressed concern that home owners are encroaching into the foreshore of their water front homes and noted that bylaws are in place to protect the foreshore. Director Harrison stated that the situation needs to be monitored and bylaws enforced.

**NB2 – Hearing
Delegate discussion**

Director Cossey questioned proper protocol respecting Hearing Delegate's discussions and recommendations following public hearings and prior to bylaws going to the Board for consideration of third reading.

Mr. Anderson stated that he will consider how meetings can be coordinated between Public Hearing delegates and staff prior to bylaws being forwarded to the Board.

It was Moved and Seconded

That the General Manager, Planning and Development, consult with neighbouring municipalities regarding their post public hearing procedures and practices, and report back to the EASC.

MOTION CARRIED

**NB3 – Access to
Information**

Director Morrison expressed concern respecting Director's access/non-access to confidential information. It was decided that discussion should be considered in Closed Session.

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 6:10 pm.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded

That the meeting be adjourned

MOTION CARRIED

The meeting adjourned at 6:40 pm.

Chair

Recording Secretary