

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, June 1, 2010 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 K. Kuhn  
Director I. Morrison  
Director M. Dorey  
Director L. Duncan  
Alt. Director John Krug  
Alt. Director G. Gutensohn  
Alt. Director L. Heinio  
Absent Director K. Cossey, Director G. Giles, Director L. Iannidinaro

**CVRD STAFF**

Tom Anderson, General Manager  
Rob Conway, Manager  
Mike Tippett, Manager  
Brian Farquhar, Parks and Trails Manager  
Jill Collinson, Planning Technician  
Brian Duncan, Chief Building Inspector  
Cathy Allen, Recording Secretary

**APPROVAL OF  
AGENDA**

The Chair noted changes to the agenda which included adding five listed New Business items, and one additional New Business item.

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 May 18, 2010, EASC meeting, be accepted.

MOTION CARRIED

**BUSINESS ARISING**

There was no business arising.

**DELEGATIONS**

**D1 – Weaver**

Lynn Weaver was present on behalf of the Matoto Multicultural Arts Society to request CVRD support to hold the SLAM Street Festival in Shawnigan Lake Village on September 18, 2010.

Ms. Weaver advised that the Ministry of Transportation and Infrastructure requires approval from the CVRD before a permit is issued for a street closure and noted that the road closure will occur from 11:00 am to 7:00 pm.

The Committee directed questions to the delegate.

It was Moved and Seconded

That the Cowichan Valley Regional District support the SLAM Street Festival proposed by the Matoto Multicultural Arts Society in Shawnigan Lake Village on September 18, 2010.

**MOTION CARRIED**

**D2 – Grisdale/  
Grondin**

Jill Collinson, Planning Technician, presented Application No. 1-A-10DVP (Grisdale/Grondin) to vary the setback to front parcel line by 3.0 metres to allow construction of an addition to existing dwelling at 2581 Partridge Road. It was noted that no comments have been received from adjacent property owners.

David Grisdale, applicant, was present.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 1-A-10DVP by David Grisdale and Isabel Grondin for a variance to Section 8.4.A(b)(3) of Zoning Bylaw No. 2000 to decrease the setback to the front parcel line from 7.5 metres to 4.5 metres, and to decrease the setback to the side exterior parcel line from 4.5 metres to 3.18 metres on Lot 1, District Lot 18, Malahat District, Plan 21362 (*PID 002-706-849*), be approved, subject to a legal survey confirming compliance with approved setbacks.

**MOTION CARRIED**

**D3 - Fitzpatrick**

Rob Conway, Manager, presented Application No. 5-D-09DP/VAR (Fitzpatrick) to rebuild a stilt home at 1781 Cowichan Bay Road, in accordance with the Cowichan Bay Village DPA.

Peter Fitzpatrick, applicant, was present.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

1. That Application No. 5-D-09DP/VAR by Peter Fitzpatrick for a development permit on District Lots 199 and 200, Cowichan District, for the construction of a dwelling be approved, subject to:
  - a) Construction in strict compliance with the attached plans by Pacific West Home Design Ltd., dated May 26, 2010,
  - b) Construction in compliance with the recommendations and mitigation measures specified by the Cowichan Estuary Environmental Management Committee, and the Castor Consultants report, dated October 9, 2009,
  - c) That non-combustible building materials be used for the platform supports, deck and building sides of the proposed structure,
  - d) That the underside of the floor system be constructed at 2.95 metre elevation, and that approval from a geotechnical engineer is required prior to building permit to ensure the proposal is safe for the intended use.
2. And that the following variances be granted regarding Application No. 5-D-09DP/VAR:
  - a) Relax Section 12.7 (b)(3) of Zoning Bylaw 1015 to reduce the front parcel line from 7.5 metres to zero, the west and east side parcel lines from 1.5 metres to zero to allow for construction of the deck, and
  - b) Relax Section 4.1 of Off-street Parking Bylaw No. 1001 to reduce the number of required off-street parking spaces for a single family home from two to zero.

MOTION CARRIED

**D4 - Koutougos**

Rob Conway, Manager, presented Application No. 3-A-09RS (Koutougos) to create a new residential duplex zone and rezone the property located at 2691 Mill Bay Road from R-3A to the new zone.

The Committee directed questions to staff.

It was Moved and Seconded

1. That the draft OCP amendment bylaw respecting Application No. 3-A-09RS (Koutougos) be amended by deleting the words "It is recommended that" under #2 of the Duplex Development guidelines; and that the draft amendment bylaws (as amended) be referred to the Regional Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
2. That the following be provided prior to a public hearing:
  - Draft Section 219 Covenant which requires the appropriate disposal of invasive plants, roots systems and soil of affected areas, under the direction of a qualified invasive plant species biologist, prior to the development of the land.
  - Draft Section 219 Covenant which requires a 3 metre wide trail dedication along Mill Bay Road.

3. That a public hearing be scheduled with Directors Harrison, Morrison and Giles appointed as Board delegates.
4. That application referrals to the Ministry of Transportation and Infrastructure, Malahat First Nation, Mill Bay Waterworks, Mill Bay VFP, School District No. 79, the Vancouver Island Health Authority, the Ministry of Community and Rural Development, the CVRD's Parks, Recreation and Culture Department, and Engineering and Environmental Services Department, be accepted.

MOTION CARRIED

**D5 - Thom**

Gerald Thom, was present as a taxpayer, and as a member of the Area I APC, the Cowichan Lake and River Stewardship Group, and Cowichan Stewardship Roundtable, regarding concern of development of F-1 lands west of Youbou. The concern is that F-1 lands are being sold as group purchases and used as recreation lots.

Mr. Thom stated that recreation is not a permitted use in the F-1 zone and wants CVRD staff to enforce the zoning, and also stated that there has been serious destruction of riparian areas.

Director Kuhn confirmed the concerns of the delegate and stated he is in favour of moving forward with enforcement and appropriate action.

Mr. Anderson, General Manager, also confirmed the problems and noted that Real Estate agencies need to be reminded of CVRD regulations. He stated that direction is required for staff to investigate the matter further after which a report could be brought back to Committee with options.

General discussion ensued.

It was Moved and Seconded

That the matter respecting F-1 zoned lands in Area I be referred to Closed Session.

MOTION CARRIED

**SR1 – Release of  
Covenant**

It was Moved and Seconded

That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to release Covenant EV117674 in favour of the Cowichan Valley Regional District, concurrent with the registration of the subdivision of District Lot 151, Malahat District (PID 002-019-817).

MOTION CARRIED

**SR2 – Youbou Lands** Rob Conway, Manager, reviewed Staff Report dated May 25, 2010, regarding Youbou Lands Rezoning draft covenants.

It was Moved and Seconded  
That Staff Report dated May 25, 2010, from Rob Conway, Manager, regarding Youbou Lands rezoning – draft covenants, be received and filed.

MOTION CARRIED

**APC**

**AP1 & AP2 - Minutes** It was Moved and Seconded  
That the minutes of the Area A APC meeting of May 11, 2010, and the minutes of the Area B APC meeting of May 5, 2010, be received and filed.

MOTION CARRIED

**CORRESPOND-  
ENCE**

**C1 – Grant in Aid** It was Moved and Seconded  
That a grant in aid (Area E) be given to Cowichan Station Area Association in the amount of \$2000 to assist with repair and restoration costs for the Cowichan Station train station.

MOTION CARRIED

**PARKS**

**PK1 - Minutes** It was Moved and Seconded  
That the minutes of the Area E Parks Commission meeting of April 29, 2010, be received and filed.

MOTION CARRIED

**NEW BUSINESS**

**NB1 – D1 Add-on** Add-on information (SLAM Festival web site) for agenda item D1 regarding Shawnigan Lake Street Festival.

**NB2 - Delegation** NB2 dealt with as new agenda item D5 (Gerald Thom).

**NB3 – RONA bike tour**

Brian Farquhar, Parks and Trails Manager, reviewed Staff Report dated June 1, 2010, from Tanya Soroka, Parks and Trails Planner, regarding 10<sup>th</sup> Annual RONA MS Bike Tour.

It was Moved and Seconded

That the application from the MS Society of Canada to hold their 10<sup>th</sup> annual RONA MS Bike Tour event on August 14<sup>th</sup> and 15<sup>th</sup> in the Cowichan Valley, including having a rest stop in West Shawnigan Lake Park and a lunch stop in Hecate Park, be approved, subject to the following conditions:

1. Proof of a minimum \$2 million liability insurance coverage be provided by the organizers which covers the event and also includes the CVRD as an additional insured;
2. A Course Marshall Plan is submitted prior to the event for CVRD review and approval;
3. Confirmation that there will be appropriate flag persons at all road crossings along sections around West Shawnigan Lake Park and Hecate Park in Cowichan Bay.

MOTION CARRIED

**NB4 – Teresen Gas**

Brian Farquhar, Parks and Trails Manager, reviewed Staff Report dated June 1, 2010, from Ryan Dias, Parks Operations Superintendent, regarding Teresen Gas Utility through Hollings Creek Park.

It was Moved and Seconded

1. That the request from the Developer of Briarwood Green for installation of a Teresen gas service adjacent existing water and sewer utilities previously authorized by the CVRD Board through Hollings Creek Park in Electoral Area A, be approved.
2. That the Board Chair and Corporate Secretary be authorized to execute the necessary legal land registration documents as required in favour of Teresen Gas for a utility gas corridor through Hollings Creek Park for the gas service.

MOTION CARRIED

**NB5 – Parks Minutes**

It was Moved and Seconded

That the minutes of the Area D Parks Commission meeting of May 17, 2010, be received and filed.

MOTION CARRIED

**NB6 - Conferences**

Mr. Anderson reviewed the list of Directors who have requested to attend the Building Sustainable Communities conference in Kelowna in November. Director Marcotte and Morrison noted that they had also requested to attend so requested that their names be added to the list.

It was also confirmed that Directors Duncan, Marcotte, Harrison and Dorey have requested to attend the next FCM conference.

**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 4:07 pm.

**RISE**

The Committee rose without report

**AJDOURNMENT**

It was Moved and Seconded  
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 4:27 pm.

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Chair

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Recording Secretary