

Minutes of the Regular meeting of the Electoral Area Services Committee of the Cowichan Valley Regional District, transmitted electronically, via 175 Ingram Street, Duncan, BC, on Wednesday, November 15, 2023, at 1:33 PM

PRESENT: Director A. Nicholson, Chair
Director M. Wilson
Director H. Abbott
Director K. Deck <until 4:28 PM>
Director B. Maartman
Director J. McClinton
Director I. Morrison
Director K. Segall
Alternate Director A. Champ

ALSO PRESENT: A. Stone, Board Chair
D. Myles Wilson, Chief Administrative Officer
K. Harrison, Deputy Corporate Officer*
T. Bowen, A/Corporate Financial Officer*
A. Kjerulf, General Manager, Land Use Services Department
B. Mohan, General Manager, Corporate Services Department
D. Mooney, General Manager, Operations Department*
C. Postings, General Manager, Strategic Services Department*
M. Pressman, Manager, Development Services Division
M. Tippet, Manager, Community Planning Division*
I. MacDonald, Senior Manager, Inspections & Enforcement Division
R. Harris, Manager, Inspections & Enforcement Division
B. Farquhar, Manager, Parks & Trails Division
T. Schroeter, Manager, Parks Planning & Stewardship
C. Breen, Manager, Planning-Strategic Initiatives Division*
A. Garnett, Planning Coordinator
R. Schouler, Fire Rescue Services Coordinator*
S. Bryski, Chief Building Inspector
P. Phelan, Building Inspector
T. Brown, Planner III
C. Boyle, Planner II
J. Dubyna, Planner II
C. Convery, Support Technician*
A. Ferguson, Office Coordinator
J. Hughes, Recording Secretary

* participated remotely

ABSENT: Director S. Acton

APPROVAL OF AGENDA

It was moved and seconded that the agenda be amended to include a New Business Item from Director Deck Re: Notice of Motion and:

- R2 Add supplemental correspondence received for R2 Re: Report from the Development Services Division Re: Application No. Application No. DVP23H01 (11698 Fairtime Road/PID: 004-008-855):**
- 1. Attachment G – Development Variance Permit with Attachments;**
 - 2. Letter dated September 27, 2023, from Sharon and Brad Heppner;**
- and**

that the agenda be approved, as amended.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Electoral Area Services Committee Meeting of November 1, 2023

It was moved and seconded that the minutes of the Electoral Area Services Committee meeting of November 1, 2023, be adopted.

MOTION CARRIED

DELEGATIONS

D1 Jane Kilthei and David Slade, Cowichan Climate Hub, Re: Request the CVRD to Implement British Columbia's *Zero Carbon Step Code* at Level 4 (EL4)

Jane Kilthei and David Slade, Cowichan Climate Hub, provided an overview of the *Zero Carbon Step Code* and the British Columbia's *Zero Carbon Step Code* at Level 4 (EL4), for information and responded to questions from the Committee.

CORRESPONDENCE

C1 Grant-in-Aid Request, Electoral Area A – Mill Bay/Malahat Re: Frances Kelsey Secondary School

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$2,000 be provided to the Frances Kelsey Secondary School for two \$1,000 Bursaries for two graduating students that reside in Electoral Area A – Mill Bay/Malahat to support their future education or training.

MOTION CARRIED

C2 Grant-in-Aid Request, Electoral Area B – Shawnigan Lake Re: Frances Kelsey Secondary School

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area B – Shawnigan Lake, in the amount of \$1,000 be provided to the Frances Kelsey Secondary School for two \$500 Bursaries for two graduating students that reside in Electoral Area B – Shawnigan Lake to support their future education or training.

MOTION CARRIED

- C3** Grant-in-Aid Request, Electoral Area B – Shawnigan Lake Re: Cowichan Secondary School

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area B – Shawnigan Lake, in the amount of \$1,000 be provided to the Cowichan Secondary School for two \$500 Bursaries for two graduating students that reside in Electoral Area B – Shawnigan Lake to support their future education or training.

MOTION CARRIED

- C4** Grant-in-Aid Request, Electoral Area B – Shawnigan Lake Re: CMS Food Bank

It was moved and seconded that it be recommended to the Board that a Grant-in -Aid, Electoral Area B – Shawnigan Lake, in the amount of \$1,000 be provided to the CMS Food Bank to assist with expenses for services to the Cobble Hill, Mill Bay and Shawnigan Lake communities.

MOTION CARRIED

- C5** Grant-in-Aid Request, Electoral Area C – Cobble Hill Re: Young Seniors Action Group

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$500 be provided to the Young Seniors Action Group to assist with advertising fees associated with the recruitment of seniors.

MOTION CARRIED

INFORMATION

- IN1** Electoral Area I – Youbou/Meade Creek Community Parks Advisory Commission Minutes – October 10, 2023, was received for information.

REPORTS

- R1** Report from the Development Services Division Re: Application No. SA23B05 (301 Stebbings Road/PID: 031-411-703) - Frontage Exemption Request

It was moved and seconded that it be recommended to the Board that the proposed Lots A and B in Subdivision Application No. SA23B05 (301 Stebbings Road, PID: 031-411-703), be exempted from the minimum parcel frontage requirement in accordance with Section 512 of the *Local Government Act*.

MOTION CARRIED

It was moved and seconded that it be recommended to the Board that the applicant of proposed Lots A and B in Subdivision Application No. SA23B05 (301 Stebbings Road, PID: 031-411-703) provide a cash amenity contribution of \$20,000.00 to the Electoral Area B – Shawnigan Lake Community Parks Capital Reserve Fund.

MOTION CARRIED

- R2** Report from the Development Services Division Re: Application No. DVP23H01 (11698 Fairtide Road/PID: 004-008-855)

It was moved and seconded that it be recommended to the Board that Development Variance Permit No. DVP23H01 (11698 Fairtide Road, PID: 004-008-855), be issued.

MOTION CARRIED

- R3** Report from the Development Services Division Re: Application No. DP22E05 Floodplain Exemption (2801 Roberts Road/PID: 031-700-900)

It was moved and seconded that it be recommended to the Board that an exemption to the CVRD Bylaw No. 4381 – Cowichan/Koksilah Rivers Flood Management Bylaw, 2022 to reduce the flood construction level from 10.0 m geodetic to 9.0 m geodetic, be granted for Application No. DP22E05 Floodplain Exemption (2801 Roberts Road, PID: 031-700-900), for the proposed addition to the existing building, subject to the following conditions:

1. That areas below the FCL not be used for the installation of furnaces, major electrical switchgear, or other fixed equipment susceptible to damage by floodwater; and
2. That a “save harmless” covenant be registered against the Title prior to building permit issuance.

MOTION CARRIED

- R4** Report from the Development Services Division Re: Application No. RZ23A01 (2530 Mill Bay Road/PID: 023-004-193)

It was moved and seconded that it be recommended to the Board that Application No. RZ23A01 (2530 Mill Bay Road, PID: 023-004-193), be referred to the following external agencies and First Nations:

1. Electoral Area A – Mill Bay/Malahat Advisory Planning Commission;
2. BC Transit;
3. Cowichan Valley School District (SD 79);
4. Island Health;
5. Mill Bay Improvement District (Fire);
6. Mill Bay Waterworks District;
7. Ministry of Transportation and Infrastructure;
8. Malahat Nation; and
9. Cowichan Tribes.

MOTION CARRIED

2:41 PM The Committee agreed by consensus to recess at 2:41 p.m.

2:51 PM The Committee meeting resumed at 2:51 p.m.

R5 Report from the Development Services Division Re: Application No. RZ22C01 (3450 Trans-Canada Highway/PID: 000-033-057)

That it be recommended to the Board that Application No. RZ22C01 (3450 Trans-Canada Highway, PID: 000-033-057) proceed with referrals to the Electoral Area C – Cobble Hill Advisory Planning Commission, Malahat First Nation, Cowichan Tribes and the following agencies:

- 1. BC Transit;**
- 2. Cowichan Valley School District (SD 79);**
- 3. Mill Bay Volunteer Fire Department;**
- 4. Island Health;**
- 5. Ministry of Environment and Climate Change Strategy;**
- 6. Ministry of Forests, Lands and Natural Resource Operations;**
- 7. Ministry of Municipal Affairs;**
- 8. Ministry of Transportation and Infrastructure; and**
- 9. RCMP, Shawnigan Lake Detachment.**

MOTION DEFEATED

It was moved and seconded that it be recommended to the Board:

- 1. That Application No. RZ22C01 (3450 Trans-Canada Highway, PID: 000-033-057), be referred back to staff to work with the applicant to refine the CD-3 zone to include delineating which uses are permitted on certain parts of the parcel.**
- 2. That Application No. RZ22C01 (3450 Trans-Canada Highway, PID: 000-033-057) proceed with referrals to the Electoral Area C – Cobble Hill Advisory Planning Commission, Malahat First Nation, Cowichan Tribes and the following agencies:**
 - a. BC Transit;**
 - b. Cowichan Valley School District (SD 79);**
 - c. Mill Bay Volunteer Fire Department;**
 - d. Island Health;**
 - e. Ministry of Environment and Climate Change Strategy;**
 - f. Ministry of Forests, Lands and Natural Resource Operations;**
 - g. Ministry of Municipal Affairs;**
 - h. Ministry of Transportation and Infrastructure; and**
 - i. RCMP, Shawnigan Lake Detachment.**

MOTION CARRIED

R6 Report from the Emergency Management Division – Fire Rescue Services
Re: Boundary Extension into Goldstream Heights Fire Protection Service Area

It was moved and seconded that it be recommended to the Board:

- 1. That the Certificate of Sufficiency, confirming that sufficient petitions requesting inclusion into the Goldstream Heights Fire Protection Service Area, be received.**

2. That CVRD Bylaw No. 2084 (Malahat Fire Protection Service Establishment Bylaw, 2000) be amended to include the properties described in the Certificate of Sufficiency dated September 29, 2023, for the Goldstream Heights Fire Protection Service Area.

MOTION CARRIED

It was moved and seconded that it be recommended to the Board that staff undertake a review of the provision of fire protection service inclusion and report back to the Electoral Area Services Committee with options.

MOTION CARRIED

- R7** Report from the Parks & Trails Division Re: Voluntary Community Amenity Contributions Section 219 Covenant Update for Woodland Shores Development – Electoral Area I

It was moved and seconded that it be recommended to the Board that a new Section 219 Covenant detailing outstanding voluntary community amenity contributions associated with Woodland Shores in Electoral Area I be registered on the remainder lands to be developed (legally described as Lot 1, Block 117 & 180, Cowichan Lake District VIP82490 Except Parts in Plans VIP84239 and VIP87272) to replace existing Section 219 Covenant FB109779, be approved.

MOTION CARRIED

- R8** Report from the General Manager, Land Use Services Department Re: *Short-Term Rental Accommodations Act* Principal Residence Requirements, was received for information.

NEW BUSINESS

- NB1** Director Deck - Notice of Motion:

That the CVRD take steps to implement Zero Carbon Step Code Emission Level 3 immediately and Emission Level 4 on July 1, 2024.

It was the consensus of the Committee to recognize the proposed Notice of Motion and request that a staff report be prepared for the next Electoral Area Services Committee meeting.

CLOSED SESSION

- 4:04 PM** 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) (f) Law Enforcement and adoption of the Closed Session Electoral Area Services Committee Meeting Minutes of July 19, 2023 and November 1, 2023.

MOTION CARRIED

4:28 PM Director Deck left the meeting at 4:28 PM.

RISE FROM CLOSED SESSION

4:33 PM It was moved and seconded that the Committee rise, without report, and return to the Open portion of the meeting.

MOTION CARRIED

ADJOURNMENT

4:34 PM It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 4:34 PM.

Chair

Recording Secretary

Dated: _____