

Municipality of North Cowichan

Public Hearings

MINUTES

January 18, 2023, 7:00 p.m.

Municipal Hall - Council Chambers & Electronically

Members Present	Mayor Rob Douglas Councillor Mike Caljouw Councillor Bruce Findlay Councillor Chris Istace Councillor Christopher Justice Councillor Tek Manhas Councillor Debra Toporowski
Staff Present	George Farkas, General Manager, Planning, Development and Community Services Talitha Soldera, General Manager, Corporate Services Alyssa Meiner, Information Management Officer Anthony Price, Development Planner Barb Floden, Manager, Communications and Public Engagement Chris Osborne, Manager, Planning Clay Reitsma, Director, Engineering David Conway, Director, Engineering Projects Heather Power, Legislative Coordinator Michelle Martineau, Corporate Officer Patricia Taylor, Planner Rob Conway, Director, Planning and Building Shawn Cator, Director, Operations

1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 7:36 p.m.

2. APPROVAL OF AGENDA

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as circulated.

CARRIED

3. PUBLIC HEARINGS

3.1 Public hearing for Zoning Amendment Bylaw (Infill Residential Neighbourhood - R3-N) No. 3887, 2022

3.1.1 Call public hearing to order

Mayor Douglas called the public hearing for Zoning Amendment Bylaw (Infill Residential Neighbourhood - R3-N) Bylaw No. 3887, 2022 to order at 7:38 p.m.

3.1.2 Explanation of the public hearing process

Mayor Douglas outlined the public hearing process.

3.1.3 Acceptance of petitions and late correspondence

The Corporate Officer, Michelle Martineau, noted that there were no petitions submitted, however, there was 1 late submission received after the agenda was published. The Corporate Officer summarized the submission as follows:

- (1) Heather Malvena had concerns regarding the rezoning of 3016 George Street to the new R3-N infill residential neighbourhood zone due to the potential for increased noise and traffic and asked that Council support her in minimizing the noise and maximizing her privacy.

A copy of the email was made available to the public by including it in the information package in Council Chambers and publishing it to the public hearings webpage so that members of the public could view and comment on this submission.

3.1.4 Introduction of the proposal

The Development Planner, Anthony Price, presented the proposed bylaw amendment. There were no questions from Council.

3.1.5 Summary of correspondence

The Corporate Officer, Michelle Martineau, noted that there had not been any correspondence received that was published in the agenda, therefore, did not provide a summary.

3.1.6 Presentation by proponent

The applicant, Kevin Doyle, NexDoor Investments Ltd., offered to answer any questions from Council. Council had no questions.

3.1.7 Comments from the public

The Mayor called for submissions from members of the public who were participating electronically through the Cisco Webex platform or in Council Chambers.

There were no submissions from the public. The Mayor called a second and third time, for which there were no comments.

3.1.8 Close of first public hearing

The Mayor declared the public hearing for Zoning Amendment Bylaw (Infill Residential Neighbourhood - R3-N) Bylaw No. 3887, 2022, closed at 7:48 p.m.

3.2 Public hearing for Zoning Amendment Bylaw (Retaining Walls & Fences) No. 3891, 2022

3.2.1 Call second public hearing to order

Mayor Douglas called the public hearing for Zoning Amendment Bylaw (Retaining Walls & Fences) Bylaw No. 3891 to order at 7:49 p.m.

3.2.2 Explanation of the public hearing process

Mayor Douglas outlined the public hearing process.

3.2.3 Acceptance of petitions and late correspondence

The Corporate Officer, Michelle Martineau, noted that there were no petitions submitted, however, there were 3 submissions received after the agenda was published. The Corporate Officer summarized those submissions as follows:

- (1) Chris Clement asked that the bylaw be amended to allow retaining walls to be constructed at subdivision;
- (2) Bruce Muir agreed that rules around the construction of retaining walls was needed but asked that the bylaw accommodate the practical needs and timelines of contractors; and,
- (3) Bruce Muir suggested that a reasonable approach to providing rear yard access on sloping lots be given.

Copies of the emails were made available to the public in the information package that is available in print format in Council Chambers and was published to the public hearings webpage so that members of the public may view and comment on these submissions.

3.2.4 Introduction of the proposal

The Planner, Patricia Taylor, presented the proposed bylaw amendment and answered questions from Council. There were no questions from Council.

3.2.5 Summary of correspondence

The Corporate Officer, Michelle Martineau, noted that there were two emails submitted in response to the notices published in the newspaper. The Corporate Officer summarized those submissions as follows:

- (1) Randy Noble commented that retaining walls in excess of 1 metre in height should be required to have structural drawings prepared by an engineer; and,
- (2) Nicholas Schwetz was in support of the bylaw but had concerns where watercourses and waterbodies were impacted and suggested that retaining walls or fences not be allowed below a ravine top of bank.

The submissions were included in the agenda and published in the public hearing information package located on the Public Hearings webpage.

3.2.6 Presentation by proponent

No proponent, bylaw was initiated by the Municipality.

3.2.7 Comments from the public

The Mayor called for submissions from members of the public who were participating electronically through the Cisco Webex platform or in Council Chambers.

The following people were heard by Council in person from Council Chambers:

- (1) Robyn Kellen had concerns about a development application that they currently have open with North Cowichan since last year. Would like Council to consider grandfathering applications that are active.
- (2) Chris Clement commented that the bylaw looks like it would work well for homeowners and builders after subdivisions are complete. Would like subdivision to continue the current process of going directly through staff. Problems/struggle with the construction approval phase.
- (3) Cameron Williams in agreement with Chris Clement, stated that from a design point, applicants currently submit Geotech drawings at the approval phase and would like this considered in the Bylaw.

There were no comments from members of the public who were participating electronically. The Mayor called a second and third time and there were no further comments.

3.2.8 Close of second public hearing

The Mayor declared the public hearing for Zoning Amendment Bylaw (Retaining Walls & Fences) Bylaw No. 3891, closed at 8:03 p.m.

4. BYLAWS CONSIDERED AFTER PUBLIC HEARING

4.1 Zoning Amendment Bylaw (Infill Residential Neighbourhood - R3-N) No. 3887 for third reading

IT WAS MOVED AND SECONDED:

THAT Council give 3rd reading to "Zoning Amendment Infill Residential Neighbourhood Bylaw No. 3887, 2022".

CARRIED

5. ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Certified by Corporate Officer

Signed by Mayor