

# Municipality of North Cowichan

## Public Hearings

### MINUTES

September 26, 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

Ted Swabey, Chief Administrative Officer (CAO)  
George Farkas, General Manager, Planning, Development and Community Services  
Talitha Soldera, General Manager, Corporate Services  
Barb Floden, Manager, Communications and Public Engagement  
Clay Reitsma, Director, Engineering  
Glenn Morris, Development Planning Coordinator  
Heather Power, Legislative Coordinator  
Jennifer Aldcroft, Climate Change Specialist  
Michelle Martineau, Corporate Officer  
Neil Pukesh, Director, Parks and Recreation  
Rob Conway, Director, Planning and Building  
Sarah Foulkes, Development Planner  
Shawn Cator, Director, Operations  
Teri Vetter, Director, Financial Services

**1. CALL TO ORDER**

There being a quorum present, Mayor Douglas called the meeting to order at 7:30 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 No. 3919, 2023**

**3.1.1 Call public hearing to order**

Mayor Douglas called the public hearing for Zoning Amendment Bylaw No. 3919, 2023 (6344 Woodgrove Way) to order at 7:31 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 were 10 late submissions received after the agenda was published.

Two of the emails received were in support of the bylaw and the Corporate Officer summarized the submissions as follows:

- (1) Surjit Randawa was in support.
- (2) Kiranjit Randawa felt that the lot was large enough to accommodate the dwelling and still maintain the neighbourhood's character.

The eight emails received that were opposed to the bylaw were from Janice Hartshorn, Neil Anderson, Dennis B Del Torre and Lou Evans, Nancy Dower, Cynthia Montgomery, Katherine Stone, Bryan Senft and Isabel Rimmer. Comments in opposition included:

- impacts to privacy
- future use of the existing suite
- potential increases to noise levels and traffic
- that the property is outside of UCB
- the need to preserve rural character and charm of the neighbourhood
- that it would set a precedent for future applications
- it would lead to poor planning
- it would increase the pressure on septic field and water supply
- the property is not serviced by the municipal sewer system
- it would not increase the housing supply
- development within the riparian area, and
- impacts to neighbouring properties due to construction

Copies of the late correspondence was made available to the public in Council Chambers and for virtual attendees by including them in the information package published to the public hearings' webpage so that members of the public could view and comment on these submissions.

### **3.1.4 Introduction of the proposal**

The Development Planning Coordinator, Glenn Morris, presented the proposed bylaw amendment and answered questions from Council.

### **3.1.5 Summary of correspondence**

The Corporate Officer, Michelle Martineau, noted that four emails had been received in opposition to the bylaw that were included in the agenda from Peter Rusland, Lorna Jaynes, Marie Olausson and Laura Anderson in relation to densification, neighbourhood appearance, UCB containment, sewage and the existence of a secondary suite within the primary home.

### **3.1.6 Presentation by proponent**

The applicant, Griffin Halme and Meredith McAdam, provided a brief verbal

presentation that outlined their application. There were no questions from Council.

### 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 person from Council Chambers.

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

- (1) Steve Jones (spoke twice) spoke against the Bylaw stating it is not consistent with the new (OCP). Property not within the (UCB). There is a commitment towards preserving the rural character of this neighbourhood and approving the application sets a dangerous precedent for this area. Updating the 1997 Bylaw is a priority by Council. Urges Council to honour the intentions of the 2023 OCP and deny this request.
- (2) Janice Hartshorn spoke opposing the bylaw amendment, stating it ignores the new OCP and its intent and the wishes of locals in the area. Concerns about the future of the riparian area on the property and their privacy.
- (3) Bryan Senft (spoke twice) commented that the neighbouring property is being stripped of its privacy should this bylaw be approved. Against densification of rural areas that are outside of the UCB. Construction brings noise and possible damages to the neighbourhood. Suggested that Council move to deny this application. Concerns about septic issues.
- (4) Isabel Rimmer (Letter read by Beverly McKeen) in opposition of the application. The newly crafted OCP focuses on appropriate deification within the UCB which this property is not. Concerns about the possible effects on the riparian areas in the area.
- (5) Beverly McKeen (spoke twice) in opposition of the application, referencing a weekly magazine, The New Scientist, from the UK. The article, "High Times we dusted off the Limits to Growth", referenced an article from 50 years ago, The Limits to Growth, requesting world leaders recognize there are limits to growth, when addressing climate change.
- (6) Nancy Dower, requested Council deny the application. The new OCP created in 2022 moved this property out of the UCB to address zoning issues in the area. The property is restricted by septic and riparian covenants which forces the ADU to be built close to the neighbouring properties.
- (7) Catherine McNeil (read by Mary Anne McAdam) a letter of support for the bylaw citing the shortage of rentals in the area. The proposal is in line with the Second Dwelling Lands Policy as they relate to the application of the ADU.
- (8) Mary Anne McAdam (spoke three times) in favour of the bylaw. This application would appear to be supported by s. 3.2.19.c of the 2023 OCP. Maximizing housing without further subdivision where adequate, onsite common septic treatment can be achieved. The septic flow/capacity is not

changing as the current suite is being decommissioned. The property is already zoned for a duplex so no change in density.

- (9) Christopher Evens & Lorraine Adams (Letter read by Mary Anne McAdam) in support of the application stating that the property owner will be decommissioning the suite and the property is easily large enough to accommodate a second dwelling.
- (10) Laura Anderson, wanted more consultation with the community, stating inadequate notice was given to the surrounding neighbourhood. Concerns about septic system on the property close to the riparian area.

The Mayor called a second and third time, for which no further speakers came forward.

### **3.1.8 Close of first public hearing**

The Mayor declared the public hearing for Zoning Amendment Bylaw No. 3919, 2023 closed at 8:24 p.m.

## **3.2 Public hearing for Zoning Amendment Bylaw No. 3925, 2023**

### **3.2.1 Call public hearing to order**

Mayor Douglas called the public hearing for Zoning Amendment Bylaw No. 3925, 2023 at 3211 Malcolm Road to order at 8:25 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 and no late correspondence was received.

### **3.2.4 Introduction of the proposal**

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

### **3.2.5 Summary of correspondence**

The Corporate Officer, Michelle Martineau, noted that there had been one email received that was published in the agenda. The email that was from Gregg and Tracey Halfyard included several questions regarding the proposed bylaw which staff was able to answer to their satisfaction, therefore had they no concerns with the bylaw.

### **3.2.6 Presentation by proponent**

The applicant, Carl Veistrup, stated they were available to answer any questions of Council.

**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 person from Council Chambers.

Bryan Senft spoke in favour of the application from Council Chambers.

The Mayor called a second and third time, for which no further speakers came forward.

**3.2.8 Close of second public hearing**

The Mayor declared the public hearing for Zoning Amendment Bylaw (3211 Malcolm Road) Bylaw 3925, 2023 closed at 8:32 p.m.

**4. BYLAWS CONSIDERED AFTER PUBLIC HEARING**

**4.1 Zoning Amendment Bylaw No. 3919 for third reading**

IT WAS MOVED AND SECONDED:

THAT Council deny third reading of Zoning Amendment Bylaw No. 3919, 2023.

(Opposed: Caljouw, Findlay, Istace, Manhas)

DEFEATED

IT WAS MOVED AND SECONDED:

THAT Zoning Amendment Bylaw No. 3919, 2023 be given third reading.

(Opposed: Douglas, Justice, Toporowski)

CARRIED

**4.2 Zoning Amendment Bylaw No. 3925 for third reading and adoption**

IT WAS MOVED AND SECONDED:

THAT Zoning Amendment Bylaw No. 3925, 2023 be given third reading.

CARRIED

IT WAS MOVED AND SECONDED:

THAT Zoning Amendment Bylaw No. 3925, 2023 be adopted.

CARRIED

**5. ADJOURNMENT**

The meeting adjourned at 8:55 p.m.

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Certified by Corporate Officer

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Signed by Mayor