

Municipality of North Cowichan

Public Hearings

MINUTES

July 17, 2024, 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
Members Absent	Councillor Debra Toporowski
Staff Present	Amanda Young, Director, Planning and Building Kayla Reid-Starck, Legislative Coordinator Tricia Mayea, Corporate Officer

1. **CALL TO ORDER**

There being a quorum present, Mayor Douglas called the meeting to order at 7:01 p.m.

2. **APPROVAL OF AGENDA**

The agenda was amended by combining Items 3.1 and 3.2 so they are considered concurrently.

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended.

CARRIED

3. **PUBLIC HEARINGS**

3.1 **Public Hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023 [1771 Robert Street]**

3.1.1 **Call public hearing to order**

Mayor Douglas called the public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023, for 1771 Robert Street to order at 7:02 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, Tricia Mayea, noted that there were no petitions submitted and no late correspondence was received.

3.1.4 Introduction of the proposal

The Director, Planning and Building, Amanda Young, presented the proposed bylaw amendments [Bylaw No. 3914 and 3915] and there were no questions from Council.

3.1.5 Summary of correspondence

The Corporate Officer, Tricia Mayea, noted that there were three submissions received in response to the notice published on the website, social media, the local newspapers and distributed to properties within 60 metres of 1771 Robert Street.

- (1) Letter from Lorne Zawislak [1742 Meagan Street, Crofton] in opposition.
- (2) Email from Ellen and Danny Williams [1787 Robert Street, Crofton] in opposition.
- (3) Letter from Richard and Louise Ritco [1738 Meagan Street, Crofton] who listed concerns.

The Corporate Officer summarized the submissions as follows:

- Loss of privacy in backyard
- The units will have decks overlooking their backyard causing fishbowl living
- Exposure to multiple years of construction traffic and noise
- Removal of trees and grading of land has already caused water runoff onto neighbouring property creating erosion issues which has cost Lorne Zawislak \$40,000 to address
- Will guarantees be in place that correct drainage so neighbouring properties are not washed out from water runoff?
- Can the Crofton water/sewer infrastructure support the proposed development?
- Concerns that people who do not use the sewer system will be taxed for upgrades
- Crofton Elementary School is not large enough to accommodate new students
- Wondering whether there will be height restrictions so not to obstruct ocean view
- Concerns about construction times, reducing dust and dirt with a water truck, and water runoff from the site

Copies of these submission were made available to the public in the information package that is available in print format at the door to Council Chambers and has been published to the public hearings' webpage so that members of the public may view and comment on this submission.

3.1.6 Presentation by proponent

The applicant, Scott Mack of Townsite Planning provided a brief presentation that outlined their application and answered 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 Council Chambers.

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

- Marlaine Williams, 1787 Roberts Street, was opposed to the Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023 [1771 Robert Street]. Mrs. Williams advised that she resides west of the proposed development and noted that it was interesting that there were no photos provided for that direction, only north, south and east. She noted that her property is not hooked up to the municipal sewer system because it does not come up that way. She has borne the cost of having new septic put in. She is concerned about fencing and height restrictions. She notes fencing will essentially cut off any current ocean view that they are privileged to have. She has concerns about a devaluation of their property because the ocean views and the landscape are enhancing and that makes it far better for them to sell and when the development starts, they won't have that opportunity. She has grandchildren who attended Crofton Elementary School for 6 years. She feels her grandchildren should have been in Crofton Elementary School for 7 years, but the grade 7 students were shipped up to Chemainus to be with the grade 12 students that are doing things that are not appropriate for grade 6 or 7 student. With Crofton Elementary School being a new school, she also has concerns about capacity and whether grade 6 students will be shipped up to Chemainus to accommodate this proposed development. Mrs. Williams had concerns about the proposed pond to be used for drainage, as well as the development's pond encroaching onto their property as well as the neighbour behind their property. Mrs. Williams is wondering who will maintain the pond and who will be responsible for the liability related to the pond. She feels there is more planning to be done before this proposed development should go ahead. Mrs. Williams thanked Mayor and Council for their attention and time.

The Mayor called for a second time for input from the public. No members of the public came forward on the Mayor's second call for submissions.

The Mayor called for a third time for input from the public.

- Joyce Behnson, North Cowichan, commented on the well-planned proposed development and knowing the concerns of neighbors in the area, questioned whether the applicant would consider a portion of the development adjacent to the existing homes, not as a park, but as an area that is separated from housing put up in such a way that it is like a park with plants that can be used as a hang-out area, or a walking area green space to create a separation between the proposed development and the existing adjoining properties. She commented that the proposed development looks good and is very well planned.

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

3.1.8 Close of public hearing

The Mayor declared the public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023 [1771 Robert Street] closed at 7:27 p.m.

4. BYLAWS CONSIDERED AFTER PUBLIC HEARING

4.1 Official Community Plan Amendment Bylaw No. 3914, 2023 for third reading and adoption

IT WAS MOVED AND SECONDED:

THAT Council give third reading to Official Community Plan Amendment Bylaw No. 3914, 2023. (Opposed: Douglas, Justice)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council adopt Official Community Plan Amendment Bylaw No. 3914, 2023.

(Opposed: Douglas, Justice)

CARRIED

4.2 Zoning Amendment Bylaw No. 3915 for third reading

IT WAS MOVED AND SECONDED:

THAT Council give third reading to Zoning Amendment Bylaw No. 3915, 2023. CARRIED

5. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

Certified by Corporate Officer

Signed by Mayor