



PUBLIC HEARING REPORT
Bylaws No. 3685, 3686, 3687 and 3688

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3685 and Zoning Amendment Bylaws No. 3686, 3687 and 3688 (Parshel Holdings Ltd.), applicable to Electoral Area A – Mill Bay/Malahat and Electoral Area B – Shawnigan Lake, held on Thursday, May 9, 2013, at the Kerry Park Recreation Centre, McLean Room, 1035 Shawnigan Mill Bay Road, Mill Bay, BC at 7:00 p.m.

**HEARING
DELEGATES**

Director M. Walker, Electoral Area A – Mill Bay/Malahat, Chair
Director B. Fraser, Electoral Area B – Shawnigan Lake
Director M. Dorey, Electoral Area G – Saltair/Gulf Islands

**CVRD STAFF
PRESENT**

Mr. R. Conway, Manager, Planning & Development Department
Ms. R. Rondeau, Planner I, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:
There were 6 members of the public present.

CALL TO ORDER

Director M. Walker chaired the Hearing and called the meeting to order. The Chair introduced the Hearing Delegates and CVRD staff present.

PROCEDURES

Ms. Rondeau explained the requirements under Section 890 of the *Local Government Act*. She advised that notice of the Public Hearing was advertised in two consecutive issues of the *Leader Pictorial* (Wednesday, May 1, 2013 and Friday, May 3, 2013) and *Citizen* (Wednesday, May 1, 2013 and Friday, May 3, 2013) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3685 proposes to amend South Cowichan Official Community Plan Bylaw No. 3510 applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill. The purpose of the proposed amendment bylaw is to re-designate the portion of the property within Electoral Area A from Rural Resource to Industrial. The portion within Electoral Area B – Shawnigan Lake is currently designated Industrial.

Zoning Amendment Bylaws No. 3686 and 3687 propose to amend Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 and Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985, by creating a new Zone – the Rural Transition Light Industrial Zone, and rezoning Lot B, District Lot 214, Malahat District, Plan VIP78588 from F-1 (Primary Forestry) to the proposed Rural Transition Light Industrial Zone, which would permit a variety of light industrial uses.

Zoning Amendment Bylaw No. 3688 proposes to amend the DRAFT South Cowichan Zoning Bylaw No. 3520, by creating a new zone – the Rural Transition Light Industrial Zone, and rezoning Lot B, District Lot 214, Malahat District, Plan VIP78588 from I-1 (Light Industrial 1) and RUR-1 (Rural

Resource 1) to I-1F (Rural Transition Light Industrial), which would permit a variety of light industrial uses.

The purpose of Amendment Bylaws No. 3685, 3686, 3687, and 3688 is to permit light industrial uses on the property.

Ms. Rondeau stated that one piece of correspondence had been received from the date the advertising was placed within the local newspapers to the opening of the Public Hearing.

Correspondence

The following item was received and is attached to the Minutes as an Exhibit:

- 1) Email dated May 9, 2013, from Mary Desmond, Shawnigan Lake Watershed Watch (EXHIBIT 1).

Location of the File

Chair Walker advised that the Information Binder was available for review on the back table along with copies of the proposed Amendment Bylaws and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

**APPLICANT,
Kent Sheldrake/
Kevin Parker**

Kent Sheldrake and Kevin Parker were present with regard to Rezoning Application No. 2-A-12RS.

Kent Sheldrake stated the following:

- He and his partner started their business some years ago and as the business has grown they have outgrown their present zoning on the property. In order for them to continue with their business on the property, they decided to apply for rezoning.
- New zone created uses that will work for their business and hopes it works for everyone else in the area.

QUESTION PERIOD

Chair Walker opened the public question period of the Public Hearing. He stated that the Public Hearing Delegates and staff members could answer questions at this time, and that after the close of the Question Period and the opening of the official Public Hearing there could be no questions taken, only comments received.

Rachelle Rondeau

- Clarified that the amendment bylaws contain the list of proposed permitted uses.
- Subject property is presently zoned F-1 and it permits uses such as a residence, home based business, bed and breakfast, agriculture and aggregate extraction. The proposed new Zone also contains a list of permitted light industrial uses.

Director Walker

- Asked for questions from the public present.

Jennifer Young,

- 670 Shawnigan Lake Road, Malahat
- What types of business will be conducted on the site?
- Concerned about the possible storage of a lot of fuel on the site and the potential for spillage into the riparian area that flows from the subject property down into the Saanich Basin.

Kent Sheldrake

- Not sure if the new zone would permit a lot of fuel storage on site?

Rachelle Rondeau

- Presently listed in the Zone as an accessory use.

- Kent Sheldrake** ➤ Is there a volume limit listed?
- Rachelle Rondeau** ➤ No.
- Kent Sheldrake** ➤ Presently they have several gravel trucks and excavators that travel down to different fuelling stations in Victoria to fill them up and they would like to reduce their carbon footprint by having fuel storage permitted on their site for their equipment.
- If fuel storage is permitted on site they would have to adhere to the Provincial storage regulations with regard to tank specifications, potential spills and a fuel recovery system.
- Not sure how much fuel they will have stored on site as their business presently does not require very much. It could possibly range from 1,000-10,000 litres of fuel but noted that as their business changes that could also change.
- Provincial regulations require that safeguards must be in place for possible spillage.
- Jennifer Young** ➤ Property will not be like a big card lock?
- Kent Sheldrake** ➤ Absolutely not, will only be for their own equipment and the zoning would not permit commercial or wholesale fuel sales.
- Rachelle Rondeau** ➤ Confirmed that the Zone would not permit commercial or wholesale fuel sales on the site.
- Jennifer Young** ➤ Presently concerned with the noise generated from the number of trucks that travel down South Shawnigan Lake Road and the possibility that one of those trucks one day may perhaps need fuel.
- Kevin Parker** ➤ Would not be permitted under the zoning to sell/provide them with any.
- Kent Sheldrake** ➤ It would not work for them to provide a truck driver fuel who is not within the company, as they would have no control over volumes being provided and they have no way to determine costs. Fuel is presently stored in tidy tanks on trucks on their site for their own use and they do not want to supply fuel for anyone else.
- Kevin Parker** ➤ Safer to have a larger truck transporting rather than smaller trucks transporting.
- Director Walker** Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3685 and Zoning Amendment Bylaws No. 3686, 3687 and 3688.

**PUBLIC
COMMENTS**

The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Walker reminded the public that the Information Binder was available for review located on the back table along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.

Darrel Murray

- 2655 Courtenay Way
- Supports the rezoning so the applicants can continue their business on site.
- Hopes in the future that a member of his family could work in the community where they live instead of having to drive the Malahat every day.

ADJOURNMENT


Chair Walker asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaws No. 3685 and Zoning Amendment Bylaws No. 3686, 3687 and 3688.

Chair Walker declared the Public Hearing closed at 7:14 p.m.

COPY

CERTIFICATION:

We attended the Public Hearing on Thursday, May 9, 2013, and hereby certify that this is a fair and accurate report of the Public Hearing.


Director Mike Walker, Chair

Date June 4/2013


Director Bruce Fraser

Date June 4 2013


Director Mel Dorey

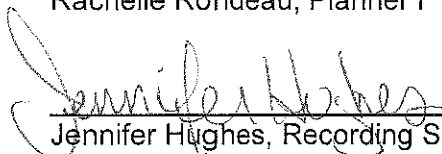
Date June 12, 2013


Rob Conway, Manager

Date May 31, 2013


Rachelle Rondeau, Planner I

Date May 30, 2013


Jennifer Hughes, Recording Secretary

Date May 30, 2013