



PUBLIC HEARING REPORT
Bylaws No. 3703 and 3704

The following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3703, applicable to Electoral Area E and Part of Area F – Cowichan/Koksilah and Zoning Amendment Bylaw No. 3704, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora (Mercer), held on Monday, June 3, 2013, at the Sahtlam Fire Hall, 4384 Cowichan Lake Road, Duncan, BC at 7:04 p.m.

**HEARING
DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora,
Chair

Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls

Absent

Director B. Fraser, Electoral Area B – Shawnigan Lake

**CVRD STAFF
PRESENT**

Mr. R. Conway, Manager, Planning & Development Department

Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:

There were 18 members of the public present.

CALL TO ORDER

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

Director Duncan stated that at a Public Hearing there is a Code of Conduct that must be followed and advised that everyone in attendance would be permitted to provide their comments either for or against the proposed Amendment Bylaws in a safe manner.

PROCEDURES

Mr. Conway explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Public Hearing was advertised in two consecutive issues of the *Leader Pictorial* (Friday, May 24, 2013 and Wednesday, May 29, 2013) and *Citizen* (Friday, May 24, 2013 and Wednesday, May 29, 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. 3703 proposes to amend Electoral Area E and Part of F – Cowichan-Koksilah Official Community Plan Bylaw No. 1490 in order to re-designate the subject property located at 4275 Cowichan Lake Road, legally described as Lot A, Section 10, Range 10, Sahtlam District, Plan VIP61405 from Commercial to Agricultural.

Zoning Amendment Bylaw No. 3704 proposes to amend Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1405 by rezoning Lot A, Section 10, Range 10, Sahtlam District, Plan VIP61405 from C-1 (Convenience Store Commercial) to A-2 (Secondary Agriculture) Zone.

The purpose of Amendment Bylaw Nos. 3703 and 3704 is to permit residential use on the subject property.

Mr. Conway further advised that:

- Subject property is about 3000 square metres in area, or .8 of an acre. The property is currently vacant because the store that was previously on the site was destroyed by fire over a decade ago.
- C-1 zoning that presently applies to the property is a legacy of the former convenience store.
- C-1 Zone is relatively restrictive in that the only principal permitted uses are convenience store and gas bar. A single family dwelling is permitted as an accessory use to the convenience store and gas bar, but the zoning does not allow just a single family dwelling without one of the other principal uses.
- Property owner had originally applied to rezone the property to C-2 (Local Commercial) to allow a broader range of commercial use on the property. However, following review of the application by the Area E Advisory Planning Commission concerns were raised about the C-2 zoning, the applicant decided to amend the application to rezone it to A-2 (Secondary Agriculture).
- A-2 (Secondary Agricultural) zoning is the predominant zoning on the north side of Cowichan Lake Road; the proposed zoning change would be consistent with the zoning of adjacent properties and the surrounding area.
- A-2 Zone allows single family dwelling as a principal permitted use and, if the amendment is passed, the owner could construct a dwelling on the lot. The current zoning only allows a dwelling as an accessory use to a commercial use, so the dwelling is only possible now if there is a convenience store or gas bar on the property.
- A-2 Zone has a minimum parcel size of 2 ha.; it would not be possible to subdivide the property under either the current or proposed zoning.

Mr. Conway stated that no correspondence had been received from the date the advertising was placed within the local newspapers to the opening of the Public Hearing.

Correspondence

No correspondence was received.

Location of the File

Chair Duncan 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,
James Mercer**

James Mercer was present with regard to Rezoning Application No. 1-E-12RS and stated that he did not have a presentation but he was available to answer any questions that may arise.

QUESTION PERIOD

Chair Duncan 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.

Director Duncan

Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3703 and Zoning Amendment Bylaw No. 3704.

**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 Duncan 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.


ADJOURNMENT

Chair Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaws No. 3703 and Zoning Amendment Bylaw No. 3704.

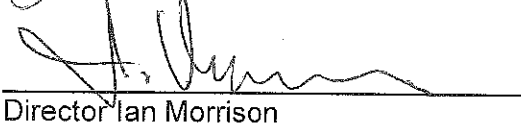
Chair Duncan declared the Public Hearing closed at 7:16 p.m.

CERTIFICATION:

We attended the Public Hearing on Monday, June 3, 2013, and hereby certify that this is a fair and accurate report of the Public Hearing.


Director Loren Duncan, Chair

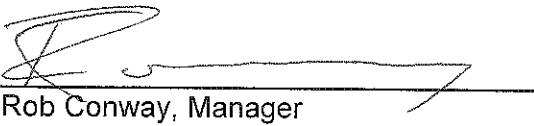
Date June 27, 2013


Director Ian Morrison

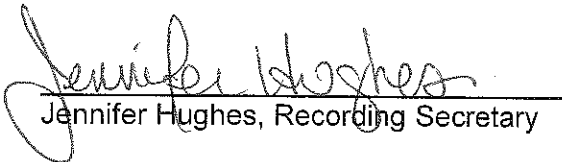
Date June 24, 2013

Absent
Director Bruce Fraser

Date June 27, 2013


Rob Conway, Manager

Date June 20, 2013


Jennifer Hughes, Recording Secretary

Date June 21, 2013