



PUBLIC HEARING REPORT
Bylaw No. 3736

The following is a summary of the proceedings of the Public Hearing for Zoning Amendment Bylaw No. 3736 (Cowichan Lake Holdings), applicable to Electoral Area I – Youbou/Meade Creek, held on Monday, September 30, 2013, at the Youbou Community Hall (Lower Hall), 8550 Hemlock Street, Youbou, BC at 7:00 p.m.

**HEARING
DELEGATES**

Director P. Weaver, Electoral Area I – Youbou/Meade Creek, Chair
Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutumpah Falls
Director M. Marcotte, Electoral Area H – North Oyster/Diamond

**CVRD STAFF
PRESENT**

Ms. D. Leitch, Planner II, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:
There were 9 members of the public present.

CALL TO ORDER

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

PROCEDURES

Ms. Leitch 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* (Friday, September 20, 2013 and Wednesday, September 25, 2013) and once in the *Lake Cowichan Gazette* (Wednesday, September 25, 2013) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Zoning Amendment Bylaw No. 3736 proposes to amend the Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 by creating a new zone, the Multiple Family Residential 8 Zone (RM-8) and amending Schedule A (Zoning Map) to rezone a portion of Lot 68, Blocks 117 and 1405, Cowichan Lake District, Plan VIP 87272 as shown on the map below from RM-3 (Multiple Family Residential 3 Zone) and RM-4 (Multiple Family Residential 4 Zone) to the Multiple Family Residential 8 Zone (RM-8).

If approved, Zoning Amendment Bylaw No. 3736 would allow a portion of the subject property (i.e. ±6.5 hectares (16 acres) which is currently zoned RM-3 (Multiple Family Residential 3 Zone) and RM-4 (Multiple Family Residential 4 Zone) to be rezoned to a new multiple family residential zone, the RM-8 Zone (Multiple Family Residential 8 Zone).

The proposed RM-8 Zone permits two principal uses: single family dwelling and multiple family dwelling. The following accessory uses would also be permitted: home office, community service facility, and buildings and structures accessory to a principal use.

Zoning Amendment Bylaw No. 3736 introduces new minimum parcel sizes and density requirements for single family and multiple family dwellings. The amendment bylaw also establishes a new floor area ratio for single family and multiple family dwellings and introduces new setback requirements.

If Zoning Amendment Bylaw No. 3736 is approved, the following uses will no longer be permitted in the zoning: two family dwellings; marina, excluding boat repair; fitness studio; office; and convenience store not exceeding 100m² in area.

Ms. Leitch stated that no correspondence had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, September 30, 2013, at 4:30 p.m.

Ms. Leitch gave a Power Point Presentation (EXHIBIT 1) and stated the following:

Subject Property Slide

- Subject lands occupy approximately 6.5 ha along Marble Bay Road in Electoral Area I.
- Subject properties have been cleared, are currently vacant and are located within the Urban Containment Boundary.
- Lot 68 is expected to be the next phase of the Woodland Shores Development.
- Lot 68 contains four land use zones and this rezoning application involves only the land area zoned RM-3 (Multiple Family Residential 3 Zone) and the RM-4 (Multiple Family Residential/Commercial 4 Zone).
- The area included within this rezoning application occupies ±6.5 ha (16 acres).

Current Zoning Slide

The 6.5 ha area being rezoned is currently zoned as RM-3 (Multiple Family Residential 3 Zone) & RM-4 (Multiple Family Residential/Commercial 4 Zone).

Current OCP Designation Slide

Existing OCP designation is Bald Mountain Peninsula Comprehensive Residential.

Zoning Amendment Bylaw No. 3736 Slide

A new zone is proposed for the properties called the RM-8 Zone (Multiple Family Residential 8 Zone).

Purpose:

To merge the existing RM-3 and RM-4 zoned lands (approximately 16 acres) into a new land use zone called the RM-8 Zone Multiple Family Residential 8 Zone.

Permitted Uses:

Principal Uses: single family dwelling, multiple family dwelling.

Accessory Uses: home office, community service facility, accessory buildings and structures.

Minimum Parcel Size:

- Minimum parcel size for single family dwellings is 400 m².
- Minimum parcel size for multiple family dwelling is 8000 m².

Density:

- Maximum density for single family dwellings is 1 dwelling per parcel.
- Maximum density for multiple family dwelling is 9 units per hectare.

Floor Area Ratio:

Maximum floor area ratio (FAR) in the RM-8 Zone is 0.35 for all buildings.

Servicing:

All parcels in the RM-8 Zone shall be connected to both a community water system and a community sewer system.

Setbacks:

The following minimum setbacks apply in the RM-8 Zone:

Height

- Principal Buildings and structures 10 m.
- Accessory buildings and structures 6.0 m.

Parcel Coverage

- 20 percent for all buildings and structures in the RM-8 Zone.

Application Process To Date:

- Advisory Planning Commission (APC) reviewed the application on May 13, 2013.
- Electoral Area Services Committee (EASC) reviewed the application on July 30, 2013 and their recommendation was ratified at the CVRD Board meeting on July 31, 2013.
- CVRD Board of Directors gave 1st and 2nd Readings to CVRD Zoning Amendment Bylaw No. 3736 on September 11, 2013.
- A Wildfire Interface Fire/Hazard Assessment was completed in August, 2013
- Public Hearing is being held tonight to receive community input.
- Public Hearing Minutes will be submitted to the Board and the CVRD Board will decide if the application proceeds.

Ms. Leitch concluded her presentation by stating that copies of the Amendment Bylaw along with the Wildfire Interface Fire Hazard Assessment that was completed for the subject lands were located on the back bench for viewing.

Correspondence

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

- 1) CVRD Power Point Presentation (EXHIBIT 1).

Location of the File

Director Weaver advised that the Information Binder was available for review on the back bench along with copies of the proposed Amendment Bylaw 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,
Cowichan Lake
Holdings**

Wayne Hopkins, applicant, was present with regard to Rezoning Application No. 1-I-13RS and stated the following:

- Met with Planning Staff to review the zoning on the property and he decided to apply to rezone to merge two existing zones into one new zone.
- New zone has less density with the same permitted uses but it excluded the commercial uses and the boat launch which were going to be shifted on the property to another location.
- Marina site was originally located in a gradual incline area and due to environmental issues boats could not go down that incline. It was decided to shift the commercial and boat launch site down the property to lands more suited for that use and those lands are located adjacent to Stoker Park.

- Next step after this rezoning process is to apply for zoning to ensure the zoning on part of Lot 68 allows the boat launch and marina uses.
- Vision for the marina/boat launch does not contain gas docks or repairs; it is only for the launching boats.
- Boat launch will be private but it will have public access.
- Parcels being rezoned allowed single family use but noted in an oversight it the setbacks were forgotten and advised that was being tweaked.
- Resort style development meaning there would be very little privately owned waterfront, it would be mostly part of the common property for the strata corporation.
- During the first phase they were expecting a younger age demographic for families but noted that did not happen and it is hoped that this new phase would attract that younger family demographic, as they do not want a playground for the rich they want to see the opportunities available for everyone in the development.

QUESTION PERIOD

Chair Weaver opened the public question period of the Public Hearing. She 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.

Rob Somers

- 7339 Lakefront Drive, Woodland Shores.
- Bought his property 3 years ago and were told at that time a marina would be under construction within 3-6 months and it has now been 3 years past.
- Proposed zoning excludes marina entirely and they have now been advised that at some time in the future the other lot would be rezoned for the marina and boat launch uses. What makes the most sense is that now seems the time for the boat launch and marina to go forward. Is it a possibility to have the boat launch and marina rezoning processed now instead of later?

Wayne Hopkins

- Has spoken with the CVRD Parks Division and they need to meet with the Area I Parks Commission regarding the layout of the boat launch and marina.
- If all parties agree to that new marina rezoning it would likely not take that long to rezone the land.
- In hindsight Lot 68 probably should have been one zone with viable density instead of having been too specific.

Dana Leitch

- Marina would have to be a permitted use in the zoning.
- Read the permitted uses from the LR-9 (Lakefront Residential 9) Zone and advised that marina is not a permitted use in the LR-9 Zone.
- To include marina into that zone the applicant would have to apply for rezoning.

Director Weaver

- Noted that Mr. Somers is a member on the Electoral Area I – Youbou/Meade Creek Parks Commission.

Director Morrison

- Would it be appropriate, as part of the CVRD's possible condition for approval of this application due to the concerns received at the Hearing regarding the marina/boat launch, that an application for rezoning to allow the marina/boat launch proposal be applied for and underway prior to adoption of Zoning Amendment Bylaw No. 3736?

Wayne Hopkins

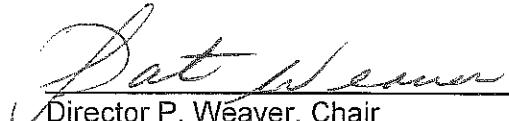
- Yes, they could make that rezoning application for the boat launch and marina.

- Ellen Price**
- 7324 Lakefront Drive
 - Concerned that when they purchased their lot there was supposed to be a marina/boat launch developed.
 - There is a mix in their neighbourhood with part time and full time residents and asked what is the timeframe for the proposed boat launch?
- Wayne Hopkins**
- A lot of red tape with different levels of government are involved with the application noting that they are looking at servicing late fall into the spring.
 - Possible boat launch may start next May and the marina would probably be later in the summer.
- Ellen Price**
- What is the number of units proposed and how many are they going to build?
- Wayne Hopkins**
- Density has been lowered.
- Dana Leitch**
- Overall density was 72 and is now 59.
- Ellen Price**
- Are cottages or townhouses being proposed?
- Wayne Hopkins**
- Would like to see smaller scale cabins on the site.
- Dana Leitch**
- Multiple family or single family are permitted within the zone. Two family, which would have permitted a dwelling such as a side by side, was removed from the zone.
- Director Weaver**
- Asked if she was more concerned about the boat launch rather than the marina at this time?
- Ellen Price**
- Yes, anxious to see the boat launch and slips available as that was their understanding when they purchased their lot.
- Dana Leitch**
- Read the definition of Multi Family Residence from the Area I Zoning Bylaw.
- Director Weaver**
- Asked for questions from the public present regarding Zoning Amendment Bylaw No. 3736.
- Joe Tatham,**
- 9632 Marble Bay Road.
 - How does moving the marina closer to a public swimming beach make it more compatible?
 - Is the commercial area being removed from the area or is it moving somewhere else on the property?
- Wayne Hopkins**
- Commercial component consisted of a small scale corner store and that use will shift with the marina.
- Joe Tatham**
- Is a community hall also proposed in the commercial area?
- Wayne Hopkins**
- Not a community hall but a fire hall site was dedicated on the property.
- Joe Tatham**
- There is no specific commercial site on the property?
- Wayne Hopkins**
- Correct no specific commercial site on the property but noted the marina component will still happen at some time in the future.
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- Dana Leitch**
- Existing RM-4 Zone is a residential/commercial zone and its permitted uses are marina, fitness studio and small corner store but under the new RM-8 Zone those uses are not permitted.
 - Applicant has stated that he will be applying for rezoning to shift those other permitted uses over to the new area on the site.
- Joe Tatham**
- Was not keen on the elimination of commercial from the area as there may be, at some time in the future, a large community on the site that required those types of uses.
- Wayne Hopkins**
- Community service facility is the area where the strata could gather and it was not meant to be for a community hall.
 - Presently in the design stages of the marina/boat launch as they have not yet made their formal presentation with their plans to the CVRD Parks Division.
- Director Morrison**
- Suggested that the applicant take a look at Bear Lake Park in Mesachie Lake as it contains a boat launch with an elongated walkway that turns and has a protected swimming area to ensure safety.
- Director Weaver**
- Concern was brought forward at a past Parks Commission meeting with regard to protection of the swimming area.
- Speaker**
- Will the boat launch be for the public to use or will people be charged for launching?
- Wayne Hopkins**
- Vision is that it will be used by people living in the area but there needs to be a balance also with who will be using it.
 - A parking area was already constructed on a portion of Lot 68 across the street from the proposed new launch area but noted they were still in the planning stages with regard to the details of the commercial marina and boat launch.
- Director Weaver**
- Asked for further questions from the public present three times regarding Zoning Amendment Bylaw No. 3736.
- PUBLIC COMMENTS**
- The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaw. Chair Weaver reminded the public that the Information Binder was available for review at the back of the Hall along with copies of the proposed Amendment Bylaw, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- ADJOURNMENT**
- Chair Weaver asked for public comments or submissions three times from the public present regarding Zoning Amendment Bylaw No. 3736.
- Chair Weaver declared the Public Hearing closed at 7:39 p.m.

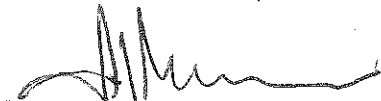
CERTIFICATION:

We attended the Public Hearing on Monday, September 30, 2013, and hereby certify that this is a fair and accurate report of the Public Hearing.




Director P. Weaver, Chair

Date Oct 15/13.



Director I. Morrison

Date OCT. 15/2013



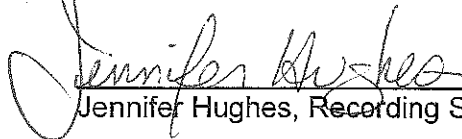
Director M. Marcotte

Date OCT 15/2013



Dana Leitch, Planner II

Date Oct 11, 2013



Jennifer Hughes, Recording Secretary

Date October 11, 2013