

# Municipality of North Cowichan Special Council MINUTES

May 15, 2017, 6:00 p.m.  
Municipal Hall - Council Chambers

Members Present            Mayor Jon Lefebure  
                                    Councillor Joyce Behnsen  
                                    Councillor Rob Douglas  
                                    Councillor Maeve Maguire  
                                    Councillor Kate Marsh  
                                    Councillor Al Siebring  
                                    Councillor Tom Walker

Staff Present                Mary Beth MacKenzie, Acting Director of Corporate Services  
                                    Scott Mack, Director of Development Services  
                                    David Conway, Director of Engineering and Operations  
                                    Kyle Young, Assistant Manager of Planning and Subdivision  
                                    Natasha Horsman, Community Planning Coordinator

## 1.     **CALL TO ORDER**

There being a quorum present, Mayor Lefebure called the meeting to order at 6:01 p.m.

## 2.     **APPROVAL OF AGENDA**

It was moved and seconded:  
That Council approve the agenda as circulated.

**CARRIED**

## 3.     **PUBLIC HEARING**

### 3.1    **Bylaw 3614 - "Zoning Amendment Bylaw (No. 2 - Donnay Drive), 2016"**

Public Hearing Report – Council commenced a public hearing at 6:02 p.m. to allow the public to make representations to Council respecting proposed Bylaw 3614. Mayor Lefebure outlined the public hearing order of business and read aloud Council’s policy that it will not receive verbal or written communications from the public regarding the proposed zoning amendment bylaw after the closure of the public hearing. He then invited those in attendance to submit any last-minute correspondence. There was none. Mayor Lefebure then noted the location of the public hearing binder and invited the public to review it during the meeting. The Acting Director of Corporate Services advised that approximately 75 pieces of correspondence received from the public regarding the application had been forwarded by email to Council and included in the public information binder.

Council then received a presentation reviewing the proposal from the Director of Development Services, advising that in order to address public concerns, the applicant agreed to decrease the density of the proposed subdivision and increase some lot sizes.

Jeff Tomlinson, J.E. Anderson and Associates, provided a brief overview of the proposal.

Council heard from the following persons:

1. Doreen Dinsdale (1456 Maple Bay Road);
2. Curly Newman (1462 Maple Bay Road);
3. J. Dunlop (1840 Stamps Road);
4. Neil Anderson (1524 Maple Bay Road);
5. Philippe Boname (1444 Maple Bay Road);
6. Nancy Dower (1944 Stamps Road);
7. Harry Driver (6482 Pacific Drive);
8. Sharon Horsburgh (6499 Genoa Bay Road);
9. Tracy Carson (3850 Cobble Hill Road);
10. John Chudyk (1461 Maple Bay Road);
11. Steve Jones (6362 Woodgrove Way);
12. Ken Mayea (6080 Sterling Drive);
13. Nigel Dinsdale (1756 Maple Bay Road);
14. Marilyn Palmer (1444 Maple Bay Road);
15. Vanessa Bramhill (6356 Woodgrove Place);
16. Sheryl Sametz (1369 Donnay Drive);
17. Barb Olender (6270 Ambleside Place);
18. Brian Gemmell (6284 Selkirk Terrace);
19. Michael Sawyer (1717 Westlock Road);
20. Bruce Matthews (6341 Milson Place);
21. Sarah Nelles (6024 Chippewa Road); and
22. Katie Hartshorn (6462 Woodgrove Way).

Comments from those opposed to the rezoning included:

- concerns with the effects of development on Quamichan Lake water quality, streams and ponds;
- a wish for early public engagement and a democratic process for proposed developments;
- a request to review perceived breaches of procedure;
- safety concerns regarding increased traffic and street parking in close proximity to Maple Bay Elementary School;
- the need to protect heritage farms and protect the area's natural beauty and environment;
- potential for erosion and impacts on wildlife;
- increased traffic and need for transit services along the Maple Bay Road corridor;

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- smaller lots and suites not fitting with the form and rural character of the existing neighbourhoods;
- contaminated water leaching into the ground and polluting agricultural land;
- the need for a moratorium on development in the Quamichan Lake watershed to prevent the influx of nutrients and other contaminants into the lake;
- Council's obligation to be fair, listen to the wishes of the community and find common ground;
- concerns that the Municipality identifies Donnay Drive as a major urban road;
- concerns about increased density and the need to direct it closer to commercial core areas;
- a request to ask the developer to come back with another proposal;
- a general consensus that the public is not opposed to development within the existing R1 zoning, but is not in favour of increased density in the area;
- the need for a streamlined development process that works;
- concerns that the developer may sell the rezoned lands to another developer who may have a different vision for the property;
- speculation that the developed properties will be too expensive and not achieve the goal of providing affordable housing for the targeted market; and
- a presentation on conservation subdivision design offering alternative development options with fewer dwelling units and more amenities.

Council took a brief recess at 8:00 p.m. and reconvened the meeting at 8:12 p.m.

Comments from those in favour of the rezoning included:

- the proposed subdivision will provide homes for families within walking distance of Maple Bay Elementary School;
- the development requires connection to the Municipal sewer system as opposed to septic systems which may be affecting the quality of water in Quamichan Lake;
- the proposed subdivision meets the requirements of Municipal bylaws;
- sewer connections will be gravity-fed and will not require lift stations;
- the developer changed the original site plan in response to public concerns;
- the proposed subdivision will enhance the community;
- the quality of water from runoff will be improved as part of development design;
- a comment noting that not everyone attending the March 2017 public information meeting was opposed to the proposed development;
- public rumours and untruths have affected the progress of the application; and
- the willingness of the developer to work with the neighbours to address concerns.

Dan Wright and Deb Savory-Wright, the proponents, provided an overview of their proposed subdivision noting their commitment to work with both the Municipality and the community and adjust their development plan based on feedback. Council heard that waste water will be treated onsite through a storm water management pond to manage runoff into Quamichan Lake. Mr. Wright provided photographs of neighbouring residences in the area with similar-sized lots and setbacks, and expressed his belief that

the proposed subdivision will complement the surrounding area.

Council then asked technical questions of staff and clarified comments made by the public.

Mayor Lefebure asked three times if anyone else wished to speak. No one else spoke so Mayor Lefebure closed the public hearing at 9:56 p.m.

It was moved and seconded:

That Council read a third time "Zoning Amendment Bylaw (No. 2 - Donnay Drive", No. 3614, as amended to

a) increase the minimum permitted lot size in section 80.12 (3) from 450 m2 (4,844 sq. ft.) to 500 m2 (5,382 sq. ft.), and

b) decrease the maximum number of dwelling units in section 80.12(5)(a) from 39 to 38.

(Opposed: Douglas; Maguire; Marsh)

**CARRIED**

It was moved and seconded:

That Council adopt "Zoning Amendment Bylaw (No. 2 - Donnay Drive", No. 3614.

(Opposed: Douglas; Maguire; Marsh)

**CARRIED**

#### **4. ADJOURNMENT**

The meeting ended at 10:39 p.m.

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Signed by Mayor

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Certified Corporate Officer

(Minutes certified "correct" and Public Hearing report certified "fair and accurate")