

**Municipality of North Cowichan
Council - (Public Hearings and Public Meetings)
MINUTES**

**April 17, 2019, 6:00 p.m.
Municipal Hall - Council Chambers**

Members Present Mayor Al Siebring
 Councillor Rob Douglas
 Councillor Christopher Justice
 Councillor Tek Manhas
 Councillor Kate Marsh
 Councillor Rosalie Sawrie
 Councillor Debra Toporowski

Staff Present Karen Robertson, Corporate Officer
 Jacqueline East, General Manager, Development and Engineering Services
 Rob Conway, Director of Planning
 Glenn Morris, Development Planning Coordinator
 Mairi Bosomworth, Community Planner
 Larissa Barry-Thibodeau, Planning Technician

1. CALL TO ORDER

There being a quorum present, Mayor Siebring called the meeting to order at 6:00 p.m.

2. APPROVAL OF AGENDA

It was moved and seconded:

That Council adopt the April 17, 2019 Council (Public Hearings and Public Meetings) agenda, as circulated.

CARRIED

3. PUBLIC MEETINGS

3.1 Temporary Use Permit - 2003 University Way (Women's Shelter)

Councillor Sawrie declared a conflict of interest as she is employed with Social Planning Cowichan who indirectly receives funding on an unrelated contract from the Cowichan Women Against Violence Society and left the Council Chambers at 6:01 p.m.

The Corporate Officer advised that prior to the meeting 10 pieces of correspondence were received from the public and previously circulated to Council, 9 in support, and 1 opposed.

Council heard from the Director of Planning who provided an overview of the application submitted for the women's winter response shelter.

Council then heard from the applicant.

Council then heard from 4 members of the public who spoke in favour of the application and one member who spoke in opposition of the application.

It was moved and seconded:

That Council amend Temporary Use Permit No. TUP00017 to remove the condition that use of a temporary women's shelter at 2003 University Way be restricted to between November 1 and March 31.

(Opposed: Manhas)

CARRIED

Councillor Sawrie returned to the Council Chambers at 6:57 p.m.

Councillor Marsh left the meeting at 6:57 p.m.

4. PUBLIC HEARINGS

4.1 Bylaw 3743 "Zoning Amendment Bylaw (1038 Herd Road), 2019" - a bylaw to amend the Residential Rural Zone (R1) to permit a second detached residential building at 1038 Herd Road

Public Hearing Report – Council commenced a public hearing at 6:58 p.m. to allow the public to make representations to Council respecting proposed Bylaw 3743.

Mayor Siebring outlined the public hearing order of business and stated that Council is unable to receive verbal or written communications from the public regarding proposed zoning bylaws after the closure of public hearings. The location of the public hearing information binder was pointed out and the public was invited to examine it during the hearing.

The Corporate Officer advised that prior to the hearing no correspondence was received from the public regarding the application.

Council received a presentation regarding the proposal from the Planning Technician who advised that since the bylaw was given second reading, staff were made aware that a non-authorized secondary suite in the primary residence, with no permits, was in place. She indicated that a secondary suite is a permitted use under the zoning bylaw but a building permit is required. She further highlighted that if the zoning bylaw before Council is passed, the applicant would be required to decommission the secondary suite, or alternatively legalize the suite and not move forward with the application.

Council heard from the applicant Mr. Neil Sorsdahl. He noted that he and his wife live in the downstairs suite and his son lives upstairs so he was unaware that living as a single family, in one dwelling, would deem the suite illegal. He stated that he did not need a stove in the secondary suite but expressed his reluctance to take out the custom cabinetry and countertop.

Council then heard from the following persons who were opposed to the rezoning:

Patrick Thomson who lives on Herd Road noted that the existing house is a single family dwelling and because most of Maple Bay is R1, keeping it single family helps to maintain

the rural nature. He highlighted that the suite in the house was done illegally and encouraged Council not to consider the unlawful bed and breakfast.

Helen Schuckel of Herd Road conveyed that houses in Maple Bay have a hard time passing a perc test so if a precedent is set that single family dwellings in an R1 zone are allowed to run a business, the drain fields will seep. She stated that there are health issues associated with communities that do not have a proper sewer system and Maple Bay is one of them.

Mayor Siebring asked three times if anyone else wished to speak to the application. No one spoke so Mayor Siebring closed the public hearing at 7:31 p.m.

It was moved and seconded:

That Council deny Zoning Amendment Bylaw No. 3743 (1038 Herd Road) to permit a second residential building at 1038 Herd Road.

CARRIED

4.2 Bylaw 3746 "Zoning Amendment Bylaw (Micro Cannabis Production Facility), 2019" - a bylaw to define and permit Micro Cannabis Production Facilities in the Commercial Service Zone (C3)

Public Hearing Report – Council commenced another public hearing at 7:40 p.m. to allow the public to make representations to Council respecting proposed Bylaw 3746.

The Corporate Officer advised that prior to the hearing no correspondence was received from the public regarding the application.

Council received a presentation regarding the proposal from the Community Planner.

Council then heard from Steve Brensma who was opposed to the application citing concerns about the potential for odours coming from the micro cannabis production facilities that could affect residential neighbourhoods living close to the C3 zones. He wondered what recourse Council would have if the odours were a problem.

The Mayor referred to the staff report which stated that Health Canada's requirements for the facilities' HVAC systems are stringent and the minimum expectation is zero odour emissions.

Mayor Siebring asked three times if anyone else wished to speak. No one spoke so Mayor Siebring closed the public hearing at 7:55 p.m.

It was moved and seconded:

That Council read a third time Bylaw 3746 "Zoning Amendment Bylaw (Micro Cannabis Production Facility), 2019" to define and permit Micro Cannabis Production Facilities in the Commercial Service Zone (C3).

CARRIED

5. ADJOURNMENT

It was moved and seconded:

That Council adjourn the April 17, 2019 Council (Public Hearings and Public Meetings) meeting at 8:00 p.m.

CARRIED

Certified by Corporate Officer

Signed by Mayor