



PUBLIC HEARING REPORT
Bylaw No. 3502

Following is a summary of the proceedings of the Public Hearing for Zoning Amendment Bylaw No. 3502 (Conner), applicable to Electoral Area B – Shawnigan Lake, held on Monday, November 19, 2012, at the Shawnigan Lake Community Centre, 2804 Shawnigan Lake Road, Shawnigan Lake, B.C. at 7:00 p.m.

**HEARING
DELEGATES**

Director B. Fraser, Electoral Area B – Shawnigan Lake, Chairperson
Director G. Giles, Electoral Area C – Cobble Hill
Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls

**CVRD STAFF
PRESENT**

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

Members of the Public:
There were approximately 8 members of the public present.

CALL TO ORDER

Director B. Fraser chaired the Hearing and called the meeting to order. The Chairperson 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 *Citizen* (Friday, November 9, 2012 and Wednesday, November 14, 2012) and *Leader Pictorial* (Friday, November 9, 2012 and Wednesday, November 14, 2012) 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. 3502 proposes to amend Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985 by creating a new zone – C-2C Local Commercial Zone, and rezoning Parcel A (DD 420571) of Lot 8, Block 4, Sections 3 and 4, Range 4, Shawnigan District, Plan 218 from R-3 (Urban Residential) to C-2C (Local Commercial) Zone.

The purpose of Amendment Bylaw No. 3502 is to permit commercial uses on the property, which would allow a restaurant, ice cream shop and coffee bar in addition to the residence. The proposed C-2C Local Commercial Zone would permit the following commercial uses:

- Retail stores, excluding convenience stores and external storage of goods;
- Offices, banks, credit unions, and other financial establishments;
- Restaurants, catering, excluding drive-through;
- Personal service establishment;
- Bed and breakfast; and
- Single family dwelling.

No letters of response 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 (November 19, 2012) at 4:30 p.m.

Correspondence

No correspondence was received.


Location of the File	Director Fraser advised that the Information Binder was available for review on the back table along with copies of proposed Zoning Amendment Bylaw No. 3502 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, Deborah and Daryl Conner	<p>Deborah and Daryl Conner, applicants, were present with regard to Rezoning Application No. 2-B-10RS.</p> <p>Daryl Conner stated the following:</p> <ul style="list-style-type: none"> ➤ The idea of opening an organic low fat ice cream shop came forward after much internet research and also during that time they also discovered there were was not a lot of suppliers for that product. ➤ As well as opening up an ice cream store the idea of opening a coffee shop would be good too. ➤ They previously lived in the Beach Estates until the subject property came available on the market noting its great location across from Mason's Beach; it's at a busy intersection which is also good for business and its close proximity to Shawnigan Village. ➤ The ice cream shop and coffee house would be located on the ground floor in the house which requires a full commercial kitchen and they then decided to open a small restaurant upstairs on the main floor and their living quarters are located in the loft/attic above. ➤ The house is a beautiful heritage home built in 1922 with its original fir flooring; renovations were carried out on the inside and exterior floors and their living loft/attic area. ➤ Living and working on the property is a benefit for them. ➤ Will not be a busy restaurant as they will be limited to only 30 seats as per the on-site septic system restrictions. <p>Deborah Conner stated:</p> <ul style="list-style-type: none"> ➤ The restaurant will offer local fresh organic foods that are also family affordable.
QUESTION PERIOD	Director Fraser 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.
Speaker	<ul style="list-style-type: none"> ➤ Is BC Assessment Authority contacted regarding the proposed zoning change during the rezoning process?
Rachelle Rondeau	<ul style="list-style-type: none"> ➤ Not part of the CVRD process to notify BC Assessment. ➤ CVRD referred the application to the following Agencies: Vancouver Island Health Authority (septic), Lidsteck Holdings (community water system), local Fire Department, Ministry of Transportation and various CVRD Departments.
Brian Jackson, 2460 Renfrew Road	<ul style="list-style-type: none"> ➤ What change will there be to the commercial tax base for Shawnigan?
Director Fraser	<ul style="list-style-type: none"> ➤ Commercial tax rate is higher.
Scott 2740 Dundas Road	<ul style="list-style-type: none"> ➤ There is a lack of use of the existing commercial space already in Shawnigan Lake and with the proposed zoning that would open up more.

- Owns businesses in Shawnigan Village and lives by Mason's Beach and to him it looks like Shawnigan has been pieced together.
 - New strip was created along the main drag and since he has watched his business slowly decline making it look like a ghost town.
 - Opening up new commercial property in Shawnigan does not utilize what is already in place in Shawnigan Village.
 - Why are we not pushing to utilize the space that is already zoned commercial?
- Director Fraser**
- Existing commercial buildings in Shawnigan Lake is not what the Public Hearing is about but noted that it is also a concern and is recognized in the community.
 - Public Hearing is in the question and answer section and comments on the application should be made during the official comment section of the Public Hearing.
- Erin McNeon,
Dundas Road**
- Would the applicants be willing to contribute their ice cream and organic products to the wholesale market and to the other businesses in the area?
- Deborah Conner**
- Understood that wholesale was a different application process, the regulations did not permit the resale of ice cream and the sale of baked goods would have to also be checked into.
- Scott**
- Who made the decision that Shawnigan needed this use?
- Rachelle Rondeau**
- Purpose for the Public Hearing is the subject rezoning application as the applicants purchased the subject property and researched what business they would like to have on site. What they proposed was not permitted under the existing zoning and they in turn applied for rezoning to determine if it is an appropriate use for that site. It is very difficult for local government to determine if there is a market for an applicant's proposed use and this is up to the applicant to consider in their business planning and research.
- Brian Jackson**
- What is the impact on parking?
- Rachelle Rondeau**
- Access and parking is reviewed by the Ministry of Transportation as the CVRD has no jurisdiction over roads.
 - The Ministry of Transportation requires that an access permit be granted for commercial or industrial uses and that they have stated concerns regarding the number of parking spaces available on the property.
- Brian Jackson**
- Subject property and Mason's is a very bad place to come out of and make a left hand turn.
- Rachelle Rondeau**
- Ministry of Transportation would be reviewing the road issues.
- Speaker**
- Are those reports available to the public?
- Director Fraser**
- Contact person is Ross Deveau from the Ministry of Transportation.
- Daryl Conner**
- Discussions have been held with Ministry of Transportation and they have come to an understanding that access would be granted if they complied with all their requirements. Ministry of Transportation was more concerned about trucks parking on the road and they have designed their backyard in order that larger trucks can come onto the property and turn around.

- Brian Jackson** ➤ Left hand turns are of concern coming from that area.
- Daryl Conner** ➤ For better visibility they have removed a lot of the bush that was located out front of the property.
- Director Fraser** ➤ Asked for further questions from the public present with regard to Zoning Amendment Bylaw No. 3502 and also noted that the Information Binder was located on the back table for review and any letters or submissions must be received at the front table prior to the close of the Public Hearing.
- Daryl Conner** ➤ Originally looked at setting up their business in Shawnigan Village but noted that the subject property was already designated Commercial in the Official Community Plan.
- Director Fraser** Asked for further questions from the public present three times regarding Zoning Amendment Bylaw No. 3502.
- 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 Fraser reminded the public that the Information Binder was available for review located on the back table 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.
- Erin McNeon,
2748 Dundas Road** ➤ A member of the Shawnigan community and wants to see it grow but noted that her concern was the existing market in the area is already struggling and it would be a huge concern to them if another coffee shop was to open.
- John Oldfield
2740 Dundas Road** ➤ Has lived in Shawnigan Lake for approximately four years and does not want to see somebody else's business go under because of a new business coming in.
➤ Very concerned about adding more businesses in the immediate area until the whole Shawnigan strip was filled up.
- Brian Jackson** ➤ Proposed rezoning is building another C-2 Commercial property and for some reason the CVRD is dead set against his property being in C-2 Zone as it was being moved out of it. Concerned if he decided to sell in the future that he will not have that potential and that is disturbing to him.
- ADJOURNMENT** Chairperson Fraser asked for public comments or submissions three times from the public present regarding Zoning Amendment Bylaw No. 3502.
Chairperson Fraser declared the Public Hearing closed at 7:30 p.m.

CERTIFICATION:

We attended the Public Hearing on Monday, November 19, 2012, and hereby certify that this is a fair and accurate report of the Public Hearing.




Director B. Fraser

Date Dec 4 2012



Director G. Giles

Date Dec 4, 2012



Director I. Morrison

Date DECEMBER 4, 2012



Rachelle Rondeau, Planner I

Date November 30 2012



Jennifer Hughes, Recording Secretary

Date November 30 2012