



TOWN OF LAKE COWICHAN

Minutes of a Public Hearing
Held and transmitted electronically via the Council Chambers
located at 39 South Shore Road, Lake Cowichan, BC
on Tuesday, September 24th, 2024

PRESENT:	Councillor Kristine Sandhu, Deputy Mayor Councillor Carolyne Austin Councillor Aaron Frisby Councillor Lorna Vomacka
REGRETS: (with prior notice)	Mayor Tim McGonigle
STAFF:	Joseph A. Fernandez, Chief Administrative Officer Ronnie Gill, Director of Finance Roni-Lee Roach, Executive Secretary Jas Sandhu, Superintendent, Public Works and Engineering Services Dalton Smith, Manager, Cowichan Lake Education Centre James vanHemert, Contract Planner
PUBLIC:	16

Deputy Mayor Sandhu called the meeting to order at 5:00 pm.

1. OPENING REMARKS

- (a) The Deputy Mayor explained the process for the public hearing.

The purpose of the hearing was to give the public an opportunity to provide input on the proposed amendments to the Town of Lake Cowichan Zoning Bylaw No. 1055-2021.

The Deputy Mayor established the rules for the conduct of the hearing.

Deputy Mayor Sandhu then asked if there were questions on the process she had laid out for the public hearing. She added that the input should be strictly on the bylaw that is the subject of the public hearing.

Hearing no questions on the process, Deputy Mayor Sandhu then called on the Chief Administrative Officer to introduce the amending bylaw.

2. BYLAW NO. 1105-2024

- (a) The Chief Administrative Officer introduced the amendment proposed for the Town of Lake Cowichan Zoning Bylaw No. 1105-2024.

The proposed Town of Lake Cowichan Zoning Bylaw No. 1106-2024 is intended to amend the Town of Lake Cowichan Zoning Bylaw No. 1055-2021 by adding a rental only designation to certain properties within the Town of Lake Cowichan. Rental only means the form of tenure which restricts residential dwellings to rental only use.

The Chief Administrative Officer further advised the following:

Those affected by the rental only restriction have been notified of the proposed changes.

The public notices as required under the *Local Government Act* had been issued and all statutory requirements have been met. Written submissions had been received by the close of the business day, three against and one in favour of the proposed bylaw.

The public has had the opportunity to review documentation relating to the bylaw amendments, in the meantime.

The Chief Administrative Officer stated that it may be appropriate to have the Consulting Planner add his comments at this point.

3. PUBLIC INPUT

Deputy Mayor Sandhu asked if the Town’s contract planner could address the meeting.

James vanHemert, Contract Planner provided a summation of rental only zoning opportunities proposed in the Zoning amendment bylaw.

He stated that this was in line with the Official Community Plan which provides policies for the Town. The initiative was being driven by the Housing Accelerator Funding which was received in December, 2023.

The properties included in the rental only Zoning amendment were reviewed by the Advisory Planning Commission. The principles used to identify the properties were consistent with the Official Community Plan.

(a) The Chair issued the first call for public input.

Mark Bennett

Mark Bennett, property owner on Edgewood Drive asked what properties had been removed from consideration of the rental only designation.

The Contract Planner responded that one property with a P-1 (Public and Institutional) designation which was a former School District site was excluded.

(b) The Chair issued a second call for public input for verbal submission.

Jennifer Allen

Jennifer Allen, property owner on Coronation Avenue and realtor for the Trails Edge development spoke on the change to zoning use on the two lots identified on Edgewood Drive which she felt was unfair and not right with the risk of bankruptcy and the inability to fulfill the intended use of the property and with the new rental only designation, no developer in their right mind would purchase. She suggested that the Town should look at their own properties for such use.

In closing, Ms. Allen stated that it was not right to downgrade the zoning for these properties.

Tara Wiersma

Tara Wiersma, property owner of 2 properties on Elk Road spoke on how the proposed rental only designation would be devastating to her small family owned company due to the high cost of construction and limited accessibility for funding for private sector developments.

Ms Wiersma requested clarification on the triplex and 4-plex designation and asked if a duplex with suite is included in that scenario. The Contract Planner responded in the negative; the rental use does not include duplex with suite.

Sharon Horsburgn

Sharon Horsburgn, representing the property owner of 15 South Shore Road was on hand to speak on about the concerns raised with allocating the property as rental only and discussed the difficulties that it would entail for the development of the property.

Ms. Horsburgn detailed the owner’s requirement to meet RAR regulations which would limit the property for the building envelope, provision of parking on-site, the lack of density allowed at the current time and the cost of off-site servicing and construction costs. She requested that Council consider relaxing its requirement of 50% tenure as it was extremely ambitious.

- (c) The Chair issued a third call for public input for verbal submission.

Selena Hayes

Selena Hayes, property owner on Edgewood Drive stated that she had reviewed the analysis and matrix utilized for consideration of the rental only properties. She requested clarification on whether the Town had a mandate and quota to meet. She stated that there were some inconsistencies on some of the properties chosen in the bylaw for rental only tenure and that some of the properties tenure for 100% may be unfair and unrealistic. She suggested that the Town reconsider only those with 4 ratings and that anything less would seem that the Town was imposing its requirements onto the owner(s).

Kurk Feltrin

Kurt Feltrin, owner of the Trails Edge development shared that he has expended significant costs on the development to date with development permits, hydro servicing, civil and engineering costs to make the development meet the Town’s requirements. He felt, the lack of communication on this proposal to designate portions of his development as rental only by the Town blow his mind.

Mr. Feltrin pointed out that another development on the other side of the Town does not allow for suites, and that development alone could provide another 100 additional rental units. As a private owner, he has been diligent to pay taxes, laying out investment dollars to have the property developed and rezoned and that this new rental only designation, was not fair. The property owners were on hand this evening because his company sold them lots and Trails Edge was a small community and the property values are dropping as it was not on bus route, nor is it a core area of Town. He suggested for the Town to look at areas suggested by Ms. Allen earlier in the meeting.

In closing, he asked why the private sector should take on the burden for what the government is imposing on its citizens.

The Chair called for further input.

Karmen Cozens

Karmen Cozens, property owner on Maplewood Rise stated she would rather see the Trails Edge be a single residential unit community, rather than a large rental housing unit area.

Hearing no further input, the Chair stated that no further submissions would be accepted after the meeting.

4. ADJOURNMENT

Deputy Mayor Sandhu declared the public hearing for the proposed Bylaw No. 1106-2024 closed and advised that the bylaw would be returned to Council for further consideration (5:40 pm).

Certified correct _____.

Confirmed on the _____ day of _____, 2024.

Deputy Mayor