

CVRD Area A - Advisory Planning Committee
Meeting of September 3, 2014
6:00PM
Minutes

Attending:

Area A

Ron Parsons (Chair), Glenn Terrell (Secretary), Archie Staats, Kerry Davis, Margo Johnston, Laurie Vasey, Jennifer Young

Regrets:

CVRD:

Mike Walker (Director Area A), David Crowe (Alternate Director)
Rob Conway (Planning)

Applicant:

Duane Shaw

**Application 3-A-14DP/VAR
Development Permit Application
Mil Bay Marina Group for Bridgeman's Bistro**

Meeting called to order 6:00PM
Ron Parsons in the chair

Ron asked if everyone had the three-ring binder with APC info. All agreed that they had the information.

Motion: Moved by Archie, Second by Margo: That the minutes of the April APC meeting be approved.- CARRIED

Introductions:

Duane Shaw introduced himself as the applicant.
Self-introduction of members

Rob was asked to review the history to date.
Zoning on upland portion rezoned to residential.
Development permit issued for town houses and marina.
Feb 2012 application for variance to parking requirements, marina 1 parking stall for 2 slips changed to 1 space per four slips approved from 65 to 51 stalls. Some included for town house parking.

Current application deals with enclosing patio. Normally the bylaw requirements are not applied since a patio or deck is seasonal. Once enclosed, the patio is not considered seasonal as it is used all year round.

This triggered a requirement for additional parking. Since there is no available parking, the owner applied for a variance.

Chair asked Rob about the boat ramp as was promised in original proposal. When rezoned, a commitment was made by the developers to redevelop the boat ramp. A bond was posted at the time and is still in effect. The ramp has been delayed due to permits and focus on building the marina. Recently, a new proposal to build on native land with better parking options has come forward.

Director Walker brought us up to speed on the new proposal. In April the Malahat Band Chief disclosed they had a plan in the works for two years. Staff reviewed and expressed interest. No agreements signed yet but ongoing meetings. Director Walker indicated that they need to see progress by December or we are back to the Handy Road ramp re-development.

Chair expressed concern about the boat ramp and losing the public access. Other opinions expressed about advantages to new proposal. Director Walker expressed concern about volume of pedestrian traffic and parking of trailers. One way or the other, the Handy Rd ramp will be either improved for kayaks and walking etc. or improved as originally proposed. Deadline December.

Comments by APC members:

There should always be trailer access.

Concern that the new ramp on Native land may not last.

Important to keep the existing boat ramp.

Director Walker provided additional information about the Native proposal.

The Applicant was then asked to address the Application.

Mr. Shaw showed a copy of ramp diagrams as approved today.

He spoke about the new proposal and how it could be modified. DFO required that if the new proposal went ahead, then the existing ramp would have to be removed. (Concept of maintaining the same sea-bed area that is lost.) Other options exist to discuss with DFO.

The applicant went on to explain that they built a retractable awning and heaters with side panels. Also built framework to install a deck for BBQ and space to provide dinner music. When the issue of the development permit came up they stopped any further development. Discussion about why they thought they could build without permit.

The applicant explained that prior to enclosing the deck they had tents and heaters.

He went on to say that there is no area left on property for parking stalls. There are 42 seats on patio, 92 seats in total. July business off 19%. He advised that the occupancy stamp has always been for 92 seats. Roof can't be used in high winds, heavy rains or hot sun.

They have considered additional parking ideas. Nothing worked. He felt that while the parking is tight during summer months it is never a major concern. In the winter, when the marina users are not there, there is plenty of parking.

He went on to say that they have tried to build a nice project. Apologized for error in not applying for permit.

Patio has been full almost from first day. Restaurant has been busy. Enclosure makes more comfortable. The restaurant provides shuttle van but couldn't get people outside of regular hours. Seating number is important to maintain the business and has significant impact on the profitability of the restaurant. Parking not a problem in the winter time as marina is not as busy. July 2013 to 2014 customer numbers dropped by 19%. The employ 50 people in summer. 30 year round. If they were not able to continue with existing seating, they would have to reduce staff.

Questions were asked about the BBQ area and what the plans were for music. One night a week, BBQ special. Other nights could have music.

Director Walker explained that music has to stay within hours of operation and meet specific decibel volume at property line.

The applicant explained about the Patron participation music application. Some private parties want to dance. They do not want to turn the restaurant into a pub and are prepared to stipulate hours of operation in writing if necessary. Can put glass and roof around the artist area to keep noise down.

No additional seating in BBQ area.
Concerns expressed about noise issues and quality of life.
Prepared to put things in writing relative to end result.

There was then a general discussion on the application and options.

Motion:

Moved by Ron, seconded by Jen; That the application be referred to the next APC meeting in order to give the applicant time to return with a proposal to address the concerns of the APC members relative to the original boat ramp renovation and additional parking spaces.

CARRIED

The meeting was adjourned at 8:00PM