



STAFF REPORT TO COMMITTEE

DATE OF REPORT February 27, 2025

MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 19, 2025

FROM: Development Services Division
Land Use Services Department

SUBJECT: Application No. RZ21C02 (Hutchinson Road/PID: 006-906-401)

FILE: RZ21C02

PURPOSE/INTRODUCTION

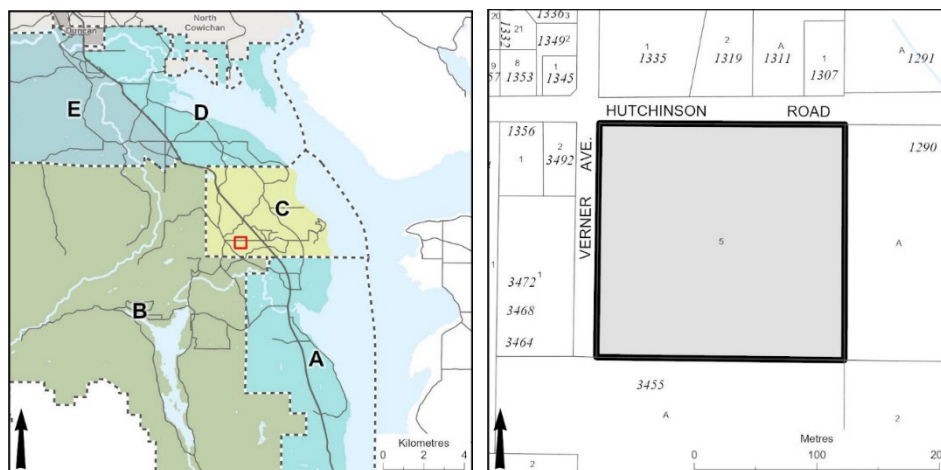
The purpose of this report is to present a revised application to re-designate the subject property from Rural Residential to Village Residential, include it in the Cobble Hill Growth Containment Boundary (GCB), and rezone from RR-2 Rural Residential 2 to the R-3 Village Residential 3 zone, with site specific regulations.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Application No. RZ21C02 (Hutchinson Road, PID: 006-906-401), be referred to the following external agencies and First Nations:

1. Electoral Area C – Cobble Hill Advisory Planning Commission;
2. Electoral Area C – Cobble Hill Community Parks Advisory Commission;
3. BC Transit;
4. Cobble Hill Improvement District;
5. Cowichan Tribes;
6. Malahat Nation;
7. Ministry of Transportation and Transit; and
8. School District No. 79.

LOCATION MAP



BACKGROUND

The subject property is located at the southeast corner of Hutchinson Road and Verner Avenue, with direct access via Hutchinson Road to the Trans Canada Highway (TCH) and Cobble Hill Road. The subject property is approximately 3.9 hectares (ha) in area.

Neighbouring parcels consist of R-3 Village Residential zoned parcels to the north and Rural Residential (RR-2 and RR-3) zoned parcels to the south, east and west. The higher density residential neighbourhood “Twin Creeks” is located to the northwest across Hutchinson Road.

This application was previously considered by the EASC on [April 5, 2023](#), and the Board on [April 12, 2023](#), where the application was referred to external agencies. Since that time, the application has been revised to reduce the proposed density to be more consistent with the proposed Official Community Plan Bylaw No. 4373, which is not yet in effect.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

Official Community Plan for the Electoral Areas Bylaw No. 4270 (OCP):

The subject property is designated Residential regionally and Rural Residential locally, and is outside the Cobble Hill GCB.

The proposal would re-designate the parcel to Village Residential in the Area C Local Area Plan (LAP) and include the parcel within the Cobble Hill GCB. The Village Residential land use designation is intended to accommodate a range of housing types in the Cobble Hill GCB; future development will be achieved through infilling the existing residential areas. Village Residential objectives endeavor to balance a sufficient supply of housing for future growth, while maintaining the small-scale and rural village character, and ongoing development and enjoyment of greenspace, parks, trails and recreational lands. LAP Policy 2.1.2.1 does not support servicing to lands outside the GCB.

The subject property is within Development Permit Area (DPA) 1 Riparian Areas Protection, DPA 2 Sensitive Ecosystem Protection and DPA 4 Aquifer Protection. Any future development of the site, including subdivision, would be subject to the DPAs and a Development Permit would be required prior to subdivision and development.

Proposed Official Community Plan Bylaw No. 4373:

Proposed Bylaw No. 4373 was given 1st reading at the December 11, 2024, Board meeting. The bylaw has no force and effect until adopted.

The subject property and surrounding properties to the south, east and west are currently identified within the Large Lot Suburban land use designation in Schedule L of Proposed Bylaw No. 4373. The Large Lot Suburban designation is intended for detached homes with a maximum density of five (5) units per hectare, plus permitted suites. “Detached home” is defined as:

A building with a dwelling unit that does not share walls with another dwelling unit, except in the case of a permitted suite.

The proposal for nineteen (19) lots aligns with the Large Lot Suburban designation, if single detached dwellings were the building type to be constructed on the lots. However, the applicant has also proposed duplexes – which would double the permitted density, equating to ten (10) units per hectare at full build-out.

The subject property is currently included in the GCB in Schedule G of Proposed Bylaw No. 4373.

South Cowichan Zoning Bylaw No. 3520:

The subject property is zoned RR-2 Rural Residential 2, which holds a 2 ha minimum parcel size for subdivision.

The proposal would rezone the parcel to the R-3 Village Residential 3 zone, with a site-specific regulation to permit duplexes, along with other permitted uses in the R-3 zone, including: single detached dwelling; detached suite or attached suite; bed and breakfast accommodation; home-based business; and unlicensed daycare and group daycare.

The minimum parcel size for subdivision in the R-3 zone is:

- Parcels serviced by both community water and community sewer system – 900 m²
- Parcels serviced by community water only – 2,000 m²
- No community water or sewer service – 1 hectare

The proposal would be for fully serviced parcels with a minimum parcel size of 900 m².

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

Considerations from CVRD divisions referral comments are summarized as follows:

- Public roads must meet provincial Ministry specifications and design parameters; each Eligible Residence must have an unobstructed length of road for carts; any turn, corner, cul-de-sac, or dedicated vehicle turnaround must permit safe travel and efficient operation of CVRD waste collection vehicles; wildlife resistant cart storage enclosure should be provided (**Recycling & Waste Management**);
- Potential to connect to Cobble Hill Village sewer system; developer may need to pay for an assessment of the existing infrastructure to ensure the current system can accommodate additional flow, or if upgrades to the system are required; any system upgrades would need to be paid by the developer, as well as connection costs and applicable fees (**Utilities**);
- Rainwater management and drainage plan should be developed which considers impacts to neighbouring properties, and surface water and groundwater resources; measures should consider both traditional engineered infrastructure and enhancement of natural assets, including trees and water resource features (**Environmental Services**);
- Nearest bus stop located approximately 800 m away, standards recommend bus stops within 400 m walking distance; routing changes or additional funding to support expansion of transit system to service this and other nearby development; improved pedestrian and cycling amenities along Hutchinson Road and Cobble Hill Road (off-road pathway) are recommended (amenity contributions) (**Facilities and Transit**);
- Cobble Hill Community Parks & Trails Master Plan (2012) identifies a proposed shoulder pathway (separated pathway) along Hutchinson Road to connect Verner Road to Telegraph Road. As an amenity contribution as part of this rezoning, a financial contribution could be provided towards the cost to construct the roadside pathway. The Master Plan also identifies the construction of a connector trail along the section of undeveloped road right of way of Verner Road to the north of Hutchinson Road to connect north from Hutchinson Road to the developed section of Verner Road. The applicant could alternatively provide a financial amenity contribution towards the construction of this connector trail. These amenity contributions would be secured through a section 219 covenant registered prior to adoption of amendment bylaws and would be triggered at subdivision stage. Under s. 510 of the *Local Government Act*, the proposed density would trigger park dedication (or cash in lieu) at time of subdivision, separate from the rezoning (**Parks & Trails**).

Referrals were forwarded to external agencies and First Nations, in accordance with Board resolution 23-155-15. Comments received to date are found in Attachment C. Since this application has been revised, it is recommended referrals are sent back to the following for comments:

- Electoral Area C – Cobble Hill Advisory Planning Commission
- Electoral Area C – Cobble Hill Community Parks Advisory Commission
- Cobble Hill Improvement District (Water)
- Cowichan Tribes
- Malahat Nation
- Ministry of Transportation & Transit
- School District No. 79
- BC Transit

PLANNING ANALYSIS

OCP Considerations:

The proposal is inconsistent with the Rural Residential designation in the Area C Local Area Plan (LAP), which is intended to provide a rural lifestyle option outside the Cobble Hill GCB. The applicant is proposing to re-designate to Village Residential and include the parcel within the Cobble Hill GCB.

OCP policies 3.2.1.2.3 and 3.2.1.2.5 support new development within GCBs, consistent with servicing capacity and the surrounding context, and where servicing has capacity for growth. OCP Policy 3.2.1.4.2 supports housing consistent with the surrounding context and character of the existing neighbourhood. Proposed parcel sizes will be approx. 1000-2000 m², and would increase permitted density on the subject property from one single detached dwelling to nineteen (19) dwellings (plus suites); the proposal also includes “duplex” as a permitted use.

Servicing:

The subject property is currently not connected to community water or community systems. The applicant is proposing to connect to the Cobble Hill Improvement District (CHID) community water system and to the CVRD Cobble Hill Village Sewer System.

CHID had previously indicated that the water system could provide fire flows and storage requirements for single-detached units. Given that some time has passed since CHID’s comments were provided, staff have recommended CHID as a referral agency again.

CVRD Utilities Division has indicated there is potential to connect to the Cobble Hill Village Sewer System, provided an assessment of the existing infrastructure is completed to ascertain whether upgrades are needed to accommodate additional flow. Costs are born by the applicant, including infrastructure upgrades.

As there is no available community drainage system, stormwater must be managed onsite. OCP Policy 4.8.4.5 seeks to ensure that residential developments are compatible with the physical site conditions of slope, soil types and drainage patterns. Given this proposal will increase permitted density, should this application proceed, staff will recommend the applicant provide a stormwater management plan that appropriately addresses drainage onsite as required under the CVRD Development Approval Information Bylaw No. 4545.

Environmental Considerations:

The submitted Overview Ecological Assessment by Madrone Environmental Services, dated November 18, 2021, updated March 7, 2025 (Attachment A), provides a preliminary assessment of the natural features and ecosystems on the parcel, identifying a mature second growth forest.

The assessment was based on Development Permit guidelines under the repealed South Cowichan Official Community Plan Bylaw No. 3510, and will require updating. CVRD mapping also identifies the property entirely within a Mature Forest sensitive ecosystem, and within DPA 2 Sensitive Ecosystem Protection. As part of a subdivision, a Development Permit will be required and may require retaining vegetated areas. OCP Policy 3.2.2.2.6 supports retaining areas of mature tree cover and preserving other natural features, and particularly in environmentally sensitive areas.

There is an onsite wetland that does not support fish or connect by surface flow to potential fish habitat; therefore, the report indicates that the provincial *Riparian Areas Protection Regulation* (RAPR) is not applicable. The report notes that there are still important and unique habitat for several native plant/tree species and amphibians; feeding opportunities for birds and bats; water retention and purification ecosystem functions; and forested green space for both wildlife and people.

The conceptual layout plan (Attachment A) includes a 5 m landscape buffer along Hutchinson Road, and 7.5 m “no disturbance” buffer and 15 m “no building” buffer around the wetland.

Should this application proceed, staff will recommend an updated environmental assessment be submitted that includes a wetland study by a qualified environmental professional to identify an appropriate buffer width to prevent disturbance of the wetland, and an assessment of existing trees to identify opportunities for retaining tree coverage. To ensure protection of environmental features, staff will recommend that a s. 219 covenant be registered prior to adoption of bylaws.

Community Amenity Contributions:

The applicant had previously agreed to the following voluntary community amenity contributions (CAC), which was considered by the Area C Parks Advisory Commission (PAC) on November 6, 2023:

- Financial contribution toward the cost of the construction, or the actual construction of, a connector trail along the section of undeveloped Verner Road right-of-way to the north of Hutchinson Road to connect north from Hutchinson Road to the developed section of Verner Road; and
- Financial contribution toward future development of a roadside pathway along Hutchinson Road, in front of the proposed development lands, to eventually connect Verner Road to Telegraph Road.

Since revisions to the application included reducing the proposed density, staff consider it appropriate to reconsider CACs offered by the applicant. Staff have included the Area C PAC as a referral agency, as they will need to consider the revised application and provide comments to the Board. It is noted that a s. 219 covenant will need to be registered prior to adoption of amendment bylaws to secure CACs at the time of subdivision.

Recommendation:

Given this application has been revised since the original application, staff have recommended the application be referred back to a select list of referral agencies and First Nations for comments.

As an alternative option, staff have identified additional information to be provided to ensure appropriate conditions for the proposed intensified development on the property.

OPTIONS

Option 1: (Recommended, refer back to external agencies and First Nations)

That it be recommended to the Board that Application No. RZ21C02 (Hutchinson Road, PID: 006-906-401), be referred to the following external agencies and First Nations:

1. Electoral Area C – Cobble Hill Advisory Planning Commission;
2. Electoral Area C – Cobble Hill Community Parks Advisory Commission;
3. BC Transit;
4. Cobble Hill Improvement District;
5. Cowichan Tribes;
6. Malahat Nation;
7. Ministry of Transportation and Transit;
8. School District No. 79.

Option 2: (refer back to staff, staff to draft bylaws, requirements to be met prior to adoption)

That it be recommended to the Board:

1. That Official Community Plan and Zoning Amendment Bylaws for Application No. RZ21C02 (Hutchinson Road/PID: 006-906-401), be prepared and forwarded to the Board for consideration of 1st and 2nd reading.
2. That a public hearing be scheduled for Application No. RZ21C02.
3. That prior to a public hearing, the following be submitted:
 - a. A stormwater management plan designed by a Professional Engineer providing an analysis of the pre-development and post-development natural hydrological conditions including peak flows and recommendations on low impact development features and design of on-site drainage works, and including an erosion and sediment control plan;
 - b. An environmental assessment report by a Qualified Environmental Professional that provides an assessment and determination of appropriate buffer width for the existing wetland, and an assessment of existing habitat trees to be retained;
 - c. A proposed subdivision plan by a B.C. Land Surveyor;
 - d. A draft Section 219 covenant to secure the following conditions:
 - i. Installation and maintenance of on-site drainage infrastructure in accordance with an approved stormwater management plan designed by a Professional Engineer;
 - ii. Establish a no-development buffer area around the existing wetland, as outlined in a report by a Qualified Environmental Professional;
 - iii. Establish a vegetation buffer to be retained along Hutchinson Road.
4. That prior to consideration of adoption of the proposed amendment bylaws, a Section 219 covenant be registered in favour of the CVRD to secure community amenity contributions.

Option 3: (deny the application)

That it be recommended to the Board that Application No. RZ21C02 (Hutchinson Road, PID: 006-906-401), be denied.

GENERAL MANAGER COMMENTS

Installation of active transportation pathways within the MOTT road right-of-way would be required to meet MOTT engineering standards, and would be considered by MOTT in conjunction with a license of occupation application by the CVRD to MOTT. CVRD would be responsible for the

ongoing maintenance and related costs of active transportation infrastructure within the road right-of-way under a license agreement with MOTT.

Prepared by:


Jaime Dubyna
Planner III

Reviewed by:


Michelle Pressman, RPP, MCIP, MPlan
Manager


Ann Kjerulf, MCP, RPP, MCIP
General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

☒ Corporate Officer

Financial Considerations:

☒ Chief Financial Officer

ATTACHMENTS:

- Attachment A – Application Submission incl. Rationale, Conceptual Lot Layout and Updated Ecological Assessment, Madrone Environmental Services, March 7, 2025
- Attachment B – Overview Ecological Assessment, Madrone Environmental Services, November 18, 2021
- Attachment C – Referral Responses

**Cowichan Engineering Services LTD.**

6468 Norcross Road
Duncan BC
V9L 6C5
Phone 250-737-1440
Fax 250-737-1551
cowichanengineering@shaw.ca

December 13, 2024

Our File: 1401-C

Cowichan Valley Regional District
175 Ingram Street
Duncan BC
V9L 1N8

Attn: Jamie Dubyna – Planner III

RE: HUTCHINSON-RZ21C02 – LETTER OF RATIONALE

Application

In addition to our re-zoning application for the above noted file, we issue this letter identifying the rationale behind the submission. Currently the property lies just outside of the growth containment boundary for the Cobble Hill Village with the boundary being the centerline of Hutchinson Road. It's our understanding from staff that under the forth coming Official Community Plan (OCP) the property will be included in the containment boundary.

Given the upcoming inclusion, proximity to Cobble Hill Village and the ability to be serviced by community water and sewer it seemed logical to use the current Area C Village Residential 3 Zone (R-3) as a base line. The application follows the main components of the R-3 zone (min. area, site coverage etc) which are consistent with the upcoming OCP while our proposed additions to "Permitted Uses" such as duplex's and carriage housing adhere to feedback we have received from the community and would comply with the new OCP. We have removed the animal component of the zone as we do not think it would be beneficial.

CVRD Referral Response Summary**Application No. RZ21C02**

Organization: Electoral Area C Cobble Hill Advisory Planning Commission Name/Title: Area C APC	Date of Response: June 15, 2023 Level of Support: Support with Conditions
MOTION: <i>It was Moved and Seconded that it be recommended that RZ21C02 be supported, with consideration given to increasing lot sizes to allow for secondary suites.</i> MOTION CARRIED	
Organization: Ts'uubaa-asatx Nation Name/Title: Monty Horton	Date of Response: June 27, 2023 Level of Support: not provided
Comments: This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.	
Organization: Mill Bay Fire Department Name/Title: Chris McInerney, Fire Chief	Date of Response: July 11, 2023 Level of Support: Support with Conditions
Comments: <ul style="list-style-type: none"> • Fire hydrants should be spaced to applicable standards • FireSmart practices should be followed when possible 	
Organization: Ministry of Transportation and Infrastructure Name/Title: Ardell Piche, Senior Development Officer	Date of Response: July 25, 2023 Level of Support: No Objections
Comments: The MOTI has no objections to the rezoning and OCP amendment to Bylaw No. 3520 and Bylaw No. 4270, allowing the rezoning of the property located at Hutchinson Road (PID: 006-906-401) from Rural Residential 2 to Comprehensive Development and redesignating from Rural Residential to Village Residential. This proposal does not fall within Section 52 of the <i>Transportation Act</i> and no formal Ministry approval or signature is required.	

Please note, approval of rezoning/OCP amendment does not constitute approval of subdivision and a separate application to the Ministry will be required.

Organization: BC Transit	Date of Response: July 27, 2023
Name/Title: Aaron Thompson, Transit Planner	Level of Support: Do Not Support
Comments: <i>See attached letter.</i>	

Organization: Ministry of Water, Land and Resource Stewardship	Date of Response: August 9, 2023
Name/Title: Ashley Long, Senior Policy Analyst, Aquatic Ecosystems Branch	Level of Support: not provided
<p>Comments: For any development as defined in the RAPR, within the Riparian Assessment Area (RAA) (30m from any stream/stream boundary as defined in the RAPR) a RAPR assessment will need to be completed by a Qualified Environmental Professional (QEP) and submitted to the Province through the Riparian Areas Regulation Notification System (RARNS) for review and approval prior to any development (as defined in the RAPR) occurring.</p> <p>Please note that trails, vegetation clearing and fencing are considered development and would require a RAPR assessment if proposed in the RAA and would not be allowed in the Streamside Protection and Enhancement Area (SPEA) as identified in the RAPR approved RAPR assessment.</p> <p>Please refer to the RAPR for appropriate RAA and Riparian protection standards. 15m setbacks are not sufficient to meet or beat RAPR standards. Recommend updating this with "greater than 30m" or provide language regarding the RAA, RAPR assessments, submission, review, and approval protocol (see above and the regulation for further detail).</p> <p>*Note: The only legal exemptions to the RAPR for residential, commercial, or industrial development are in section 3 (2) & 3(3) of the RAPR.</p>	

Organization: Cobble Hill Improvement District	Date of Response: August 15, 2023
Name/Title: Board of Trustees	Level of Support: Support with Conditions
<p>Comments: The current CHID water system can provide fire flows and storage requirements for <u>single-family units</u> of the proposed Hutchinson Road development.</p> <p>All design and construction drawings are to be provided to CHID for review and approval as the project progresses.</p>	

Organization: Electoral Area C Cobble Hill Community Parks Advisory Commission	Date of Response: November 6, 2023
Name/Title: CPAC	Level of Support: Support
<p>MOTION: <i>It was moved and seconded that it be recommended that Application No. RZ21C02 go forward as presented.</i></p>	

MOTION CARRIED

Organization: Island Health Name/Title: Angela Wheeler, Healthy Built Environment Consultant	Date of Response: November 23, 2023 Level of Support: not provided
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Comments: *See attached letter.*

Organization: Ministry of Transportation and Infrastructure Name/Title: Tara Breysen, Development Services Officer	Date of Response: June 4, 2024 Level of Support: not provided
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Comments:

Any Roads within this Development would have to be designed and built to MOTI Chapter 1400 Standards. A Storm Water Management Plan would need to be approved for on-site drainage management. No drainage is to be directed to MOTI ditches. Enclosed drainage will not be considered.

Development Referral Response

July 27, 2023

Development Location: Hutchinson Road and Verner Avenue

Local Government: Cowichan Valley Regional District

Transit System: Cowichan Valley Regional Transit

Local Government Referral Number: RZ21C02

Development Proposal

The Official Community Plan and Zoning Bylaw amendment application proposes the following:

- To redesignate the subject property from Rural Residential to Village Residential and to rezoning the property from Rural Residential 2 to a Comprehensive Development Zone.

Transit Context

Is not currently served by transit and is not included in any long-term plans for transit service. The proposed development greater than 700 metres from the nearest bus stop, which is located on Shawnigan Lake Road at Hutchinson Road.

Policy

Neither the Transit Future Plan nor the Transit Future Action Plan identify adding service along Hutchison Road in the foreseeable future.

Transit-Supportive Land Use and Design

BC Transit recommends to following:

- Development of appropriate street treatments along Hutchinson Road and Verner Avenue including fully accessible sidewalks
- Provide on-site pathways to connect buildings and uses to public sidewalks

Transit Infrastructure

Bus Stops and Stations

There are no bus stops within 400 metres of the development. The nearest bus stop is located on Shawnigan Lake Road at Hutchinson Road.

Discussion and Recommendations

BC Transit's recommendations are as follows:

- We do not support the proposed development. However, if the development does get approved, we would recommend improving pedestrian infrastructure along Hutchison Road and Verner Avenue to connect with Shawnigan Lake Road.

BC Transit Level of Support

- BC Transit does not support the inclusion of the redesignation of the subject property from Rural Residential to Village Residential nor the rezoning to a Comprehensive Development Zone as the subject property is outside the Cobble Hill Growth Containment Boundary and not served by transit and there are no plans to provide transit service to the area.

Thank you for the opportunity to review this proposed development. If you have any questions or would like further comments on this proposal, please contact:

Aaron Thompson
Transit Planner
BC Transit
athompson@bctransit.com



November 23, 2023

Jaime Dubyna
Planner III, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Sent via email to: Jaime.Dubyna@cvrld.bc.ca

Dear Jamie Dubyna:

Re: Review – Hutchinson Road (PID 006-906-401) CVRD OCP/Zoning Amendment

Thank you for the opportunity to comment on the OCP/Zoning Amendment for Hutchinson Road. The past few years have seen significant advances in linking urban planning with a variety of health outcomes. These include, encouragement of physical activity, healthier eating, greater safety, cleaner air and healthier living environments, access to health services, food security, age friendly communities, and improved social interaction.

Island Health appreciates the opportunity to provide evidence based recommendations and comments for this referral, as itemized below:

Highlights

- The proposed amendment from Village Residential to site-specific Comprehensive Development to support a 45-lot subdivision for single family, duplex and multi-family dwellings will provide much needed additional housing units to the region. The options of a variety of types of living accommodation will help increase access to housing amongst income brackets. Increased access to more affordable housing decreases the frequency of moving between residences. Housing stability helps reduce stress and enables people to care for themselves and their families' better. The increase in density proposed by offering multi-family units offers more affordable options. Quality housing is associated with an increased sense of safety, decreased crime, and improved social connections. These factors help people enjoy better health and improved quality of life.
- This amendment will include the parcel within the Growth Containment Area and will add densification to support the creation of compact neighbourhoods. Densification can increase proximity to work, schools and recreational opportunities therefore reducing vehicle dependency and increasing engagement in walking, cycling and physical activity, thereby providing a positive impact on health outcomes.
- The provision of a greenspace/storm water management area while providing natural elements that help reduce stress for improved health outcomes, also provide protection against adverse weather events such as extreme heat and flooding.

Gateway Village Health Unit

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Email: Gateway_office@viha.ca

Tel: 250.519.3401 | Fax: 250.519.3402
www.islandhealth.ca

Excellent health and care, for everyone, everywhere, every time.

- The application requires 5% park acquisition upon subdivision or cash-in-lieu under Section 510 of the *Local Government Act* which requires the regional district to deposit this in a reserve fund established for the purpose of acquiring park lands. The acquisition of natural areas to increase park development will preserve/increase greenspace and outdoor recreational places for people to interact with nature and serve as a place for social connections.
- The applicant proposes the protection of the natural wetland with a buffer and tree protection for the preservation of a sensitive ecosystem. Current evidence supports a relationship between biodiversity and measures of ecosystem functioning such improved water quality, soil health and pollination. Protection of biodiversity provides positive impacts on health outcomes.

Regulatory Considerations

The application proposes to amend zoning from RR-2 to a comprehensive Development zone. Some of the permitted uses, as outlined in the letter drafted by Cowichan Engineering Services Ltd. (dated October 25, 2021) to the CVRD Development Services Department, contains a passage that appears to originate from the South Cowichan Zoning Bylaw No. 3520 Section CD-10 Village Comprehensive Development 10 – Galliers Road East, and includes:

Permitted Uses

The following principal uses and no others are permitted within the CD Zone:

- a. Single family dwelling;
- b. Duplex;
- c. Multiple family dwelling;

The following accessory uses and no others are permitted within the CD Zone:

- d. Bed and breakfast accommodation;
- e. Home-based business;
- f. Secondary suite;
- g. Unlicensed daycare and group daycare accessory to a single-family dwelling.

Some of these uses may be subject to regulatory considerations that fall under the jurisdiction of Island Health's Environmental Public Health (EPH) department, such as:

Food Premises

The Environmental Public Health department of Island Health has a regulatory role in food premises under the *Food Premises Regulation* from construction to operation. Any construction of new food premises as a home occupation must be undertaken with the appropriate construction and operating permits issued. If a property owner opens a food premises, the *Food Premises Regulation* would apply. Furthermore, some Bed and Breakfast facilities expand the scope of their services beyond a traditional B&B, and would therefore be required to comply as well. For more information, please see: <https://www.islandhealth.ca/learn-about-health/food-safety/food-safety>

Drinking Water Supply Systems

The Environmental Public Health department in Island Health has a regulatory role in accordance with the *Drinking Water Protection Act* and *Drinking Water Protection Regulation* with respect to water supply systems. Any construction, installation, alteration, or extension of (a) a water supply

system, or (b) works, facilities, or equipment that are intended to be a water supply system or part of a water supply system, must be issued a construction permit from our Public Health Engineer. As this application proposes to alter the current construction of the Cobble Hill Improvement District's water supply system to include this residential development, the operator of the water supply system is directed to consult with the Drinking Water Officer. For more information, please see: <https://www.islandhealth.ca/learn-about-health/drinking-water/drinking-water-legislation-approval>

Recreational Water: Pools

The Environmental Public Health department in Island Health has a regulatory role in recreational water (pools and hot tubs) from construction to operation. Construction of any pool must be undertaken with the appropriate construction permit. Any new or existing and unapproved pool must obtain an operating permit from our office. For more information, please see: <https://www.islandhealth.ca/learn-about-health/environment/recreational-water-beach-reports>

Child Care Licensing

The Environmental Public Health Department in Island Health has a regulatory role in the approval and licensing of child care facilities in accordance with the *Community Care and Assisted Living Act*, and the *Child Care Licensing Regulation*. For more information, please see: <https://www.islandhealth.ca/our-services/community-care-facilities-licensing/child-care-licensing>

Sewerage Systems

The applicant is advised to contact the Ministry of Environment to discuss their responsibilities under the *Environmental Management Act* and the *Municipal Waste Water Regulation*. For more information, please see: <https://www2.gov.bc.ca/gov/content/environment/waste-management>

Recommendations under Island Health's Healthy Built Environment Initiative

- With increasing concerns for hotter summers consider recommending cooling options as part of development of the parcel. Cooling options such as permeable or reflective paving materials, drought resistant vegetation, light-coloured rooftops, overhangs or awnings for west and south-west building faces, passive building cooling design features and energy efficient mechanical systems to help lessen heat related health impacts.
- Pedestrian walkways should be designed and installed for people of all abilities, such as ensuring easy access for mobility devices. Differentiation in materials from driveway and parking lot to delineate it as pedestrian use will improve safety and comfort. Provision of lights along walkways and incorporating traffic calming within the development will enhance walkability. Walkable neighbourhoods positively influence mobility and physical activity levels.
- Retain as much of the existing natural environment (i.e. mature trees) as possible. Health evidence shows a strong link between exposure and engagement to natural areas and the reduction of stress, chronic disease, depression and anxiety as well as improvements in cognitive functions. Tree/shrubbery screening also provides a barrier to noise and helps improve air pollution.

- The application indicates a possible of financial contributions to the construction of a connector trail. Island Health does encourage the construction of this connector trail as part of the development of the parcel. This will increase the opportunity for physical activity and access to nature. Health evidence shows a strong link between exposure and engagement with nature and the reduction of stress, chronic disease, depression, and anxiety as well as improved cognitive functions.
- The inclusion of traffic calming methods can help reduce speed and increase pedestrian and cyclist safety as well as encourage active transportation.
- The development plan is a cul-de-sac design, likely to accommodate the preservation of the wetland ecosystem. Ideally, a grid pattern would be adopted, as it lends itself to better connectedness by providing direct routes for active transportation and reducing travel item to destinations. As a grid design may not be conducive for this site, do consider building interconnection pathways within the parcel to help achieve connectedness.

If you have any questions or comments please do not hesitate to contact the undersigned for further clarification or to discuss further.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Angela Wheeler', with a long horizontal flourish extending to the right.

Angela Wheeler, CPHI(C)
Healthy Built Environment Consultant

AW/cmd

cc: Heather Hutton, Team Lead
Alison Gardner, District Environmental Health Officer



Cowichan Engineering Services LTD.

6468 Norcross Road
Duncan BC
V9L 6C5
Phone 250-737-1440
Fax 250-737-1551
cowichanengineering@shaw.ca

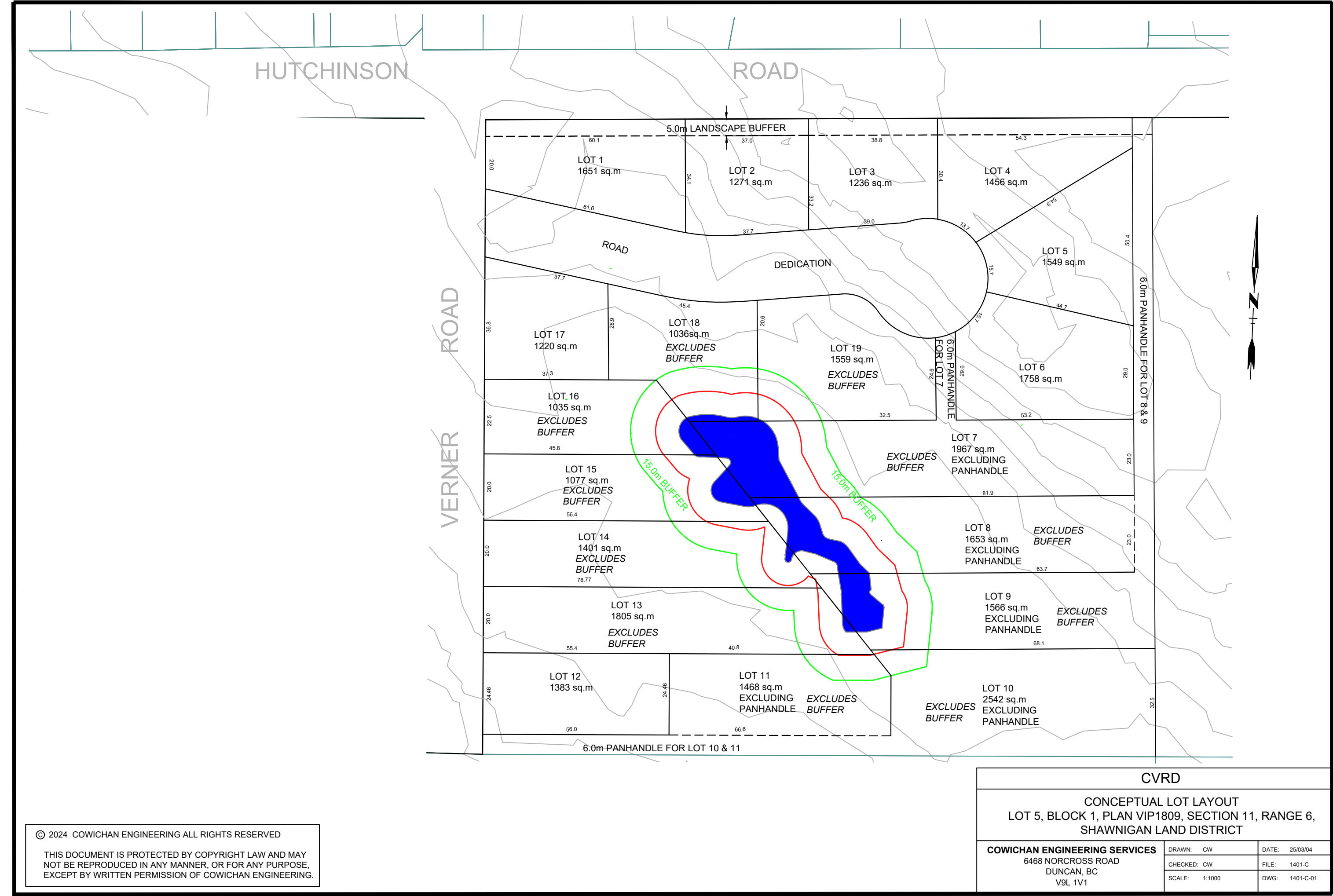
We believe this application suits the growth identified within the OCP and given the serviceability and its location in reference to the current growth boundary the proposed zone would be consistent with the Local Area Plan.

Please feel free to contact me at the above noted contacts with any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to be "Cam Williams", written in a cursive style.

Cam Williams, AScT
Owner, Cowichan Engineering Services Ltd.



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CVRD			
CONCEPTUAL LOT LAYOUT LOT 5, BLOCK 1, PLAN VIP1809, SECTION 11, RANGE 6, SHAWNIGAN LAND DISTRICT			
COWICHAN ENGINEERING SERVICES 6468 NORCROSS ROAD DUNCAN, BC V9L 1V1	DRAWN: CW	DATE: 25/03/04	
	CHECKED: CW	FILE: 1401-C	
	SCALE: 1:1000	DWG: 1401-C-01	



201- 470 Trans Canada Highway,
Duncan, BC
V9L 3R6

250 746 5545
info@madrone.ca
www.madrone.ca

March 7th, 2025

Mr. Chris Clement
1252316 BC Ltd.
By email to: chriscllement@shaw.ca

Dear Mr. Clement,

RE: Ecological Assessment Completed for Hutchinson Road and Verner Road Properties (PID 006-906-401)

In October 2021, I provided an overview Ecological Assessment (EA) for the above-noted property. At the time, proposed subdivision involved the intended creation of 46 Lots. I understand that the property is currently being considered for rezoning to R-3 Village Residential Zone with an associated conceptual subdivision plan to create 17 Lots (refer to attachment below).

The 2021 overview EA was completed under the lens of the South Cowichan Rural Development Permit Area (DPA), which was applicable at the time. Main findings of the overview EA conducted in 2021 were as follows:

- Identification of a wetland ecosystem on the property, which was associated with a 15 m buffer zone. This wetland is not applicable to the Riparian Areas Protection Regulation (RAPR), as it is an isolated feature. This wetland and buffer have been identified in the current conceptual subdivision plan.
- A raptor stick nest, likely constructed by Cooper's Hawks, was located on the property, which was deemed to be inactive in 2021.
- Identification of several Wildlife Trees displaying feeding activity from Pileated Woodpeckers and several mature western white pine trees (refer to attached site plan). Retention of these trees was recommended in the overview EA.
- General recommendations were provided for protection of sensitive life stages of birds during any future land disturbance and to ensure compliance with federal and provincial legislation that protect bird nests.

During the field assessment component of the 2021 EA, I identified the edges of the wetland with labelled flagging tape. Following this field identification, the wetland boundary was surveyed to enable it, and the associated buffer, to be accurately portrayed on the site plan.

I understand there have not been any changes to land use on the property since my site visit in 2021. Therefore, recommendations provided in the overview EA will need to be considered for all future land development activities.

Despite being at the rezoning phase and recognizing that there will be opportunities to update the existing report, it is worth noting that prior to any future development, an updated EA will be required under the currently applicable Cowichan Valley Regional District (CVRD) DPA process. For example, based on updated sensitive area mapping, the property is now included in Development Permit Area 2 (Sensitive Ecosystems) related to mapped mature forest polygons. In addition, updates to federal protection of Pileated Woodpecker nests (including inactive nests) that came into effect in 2022 under the Migratory Birds Regulation will need to be considered prior to any development occurring, based on confirmed occurrence of this species on the property in 2021. The raptor stick nest will also need to be checked prior to any development occurring and a search conducted for other nests that may have been constructed since 2021.

The shift to a reduced density 17 Lot conceptual subdivision plan presents better opportunities for retention of sensitive features and ecosystem types that would need to be considered under existing local, provincial, and federal legislation. This may include, but not be limited to, retention of all Wildlife Trees and mature western white pine trees. An updated EA conducted at the Development Permit stage would help ensure that these requirements are met.

Yours sincerely,

A handwritten signature in black ink, reading "Trystan Willmott". The signature is fluid and cursive, with a small dot above the 'i' in "Willmott".

Trystan Willmott, B.Sc., R.B.Tech.

Trystan.willmott@madrone.ca

MADRONE ENVIRONMENTAL SERVICES LTD.



