



STAFF REPORT TO COMMITTEE

DATE OF REPORT February 19, 2025
MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 5, 2025
FROM: Development Services Division
Land Use Services Department
SUBJECT: Application No. RZ23A03 (Stonebridge)
FILE: RZ23A03

PURPOSE/INTRODUCTION

The purpose of this report is to provide an update on the application to consolidate and update zoning for the Stonebridge lands in Mill Bay.

This application was first received by the Electoral Area Services Committee (EASC) on [October 18, 2023](#) and was referred to external agencies for feedback. A follow up report was received by the EASC on [April 17, 2024](#), and the Board passed Resolution 24-188. Resolution 24-188 remains outstanding.

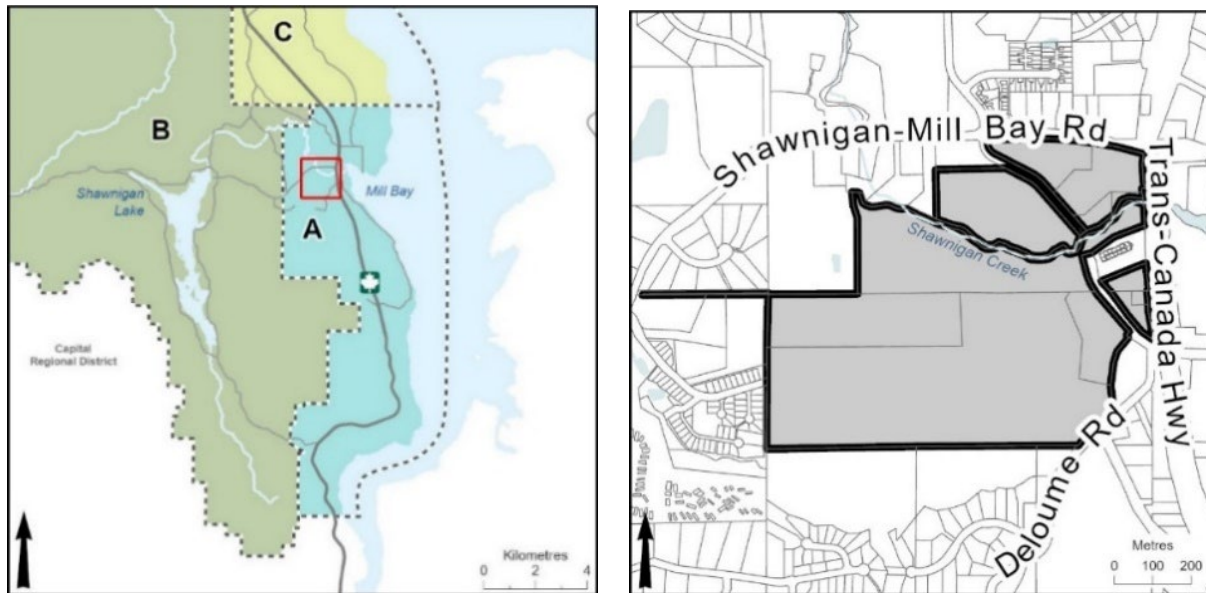
The developer has indicated an interest in modifying the proposal to require minimal updates to the existing amenities covenant to help advance the application.

RECOMMENDED RESOLUTION

That it be recommended to the Board:

1. That the draft Official Community Plan Amendment for Application No. RZ23A03 (Stonebridge) be prepared by staff and forwarded to the Board for consideration of 1st and 2nd reading; and that a public hearing be scheduled for the Official Community Plan Amendment separate from the Zoning Amendment Bylaw;
2. That the draft Zoning Amendment Bylaw for Application No. RZ23A03 (Stonebridge) be prepared by staff and forwarded to the Board for consideration of 1st reading;
3. That the existing amenity covenant be maintained with limited modifications to ensure alignment with the proposed zoning;
4. That the draft Zoning Amendment Bylaw include provisions for amenities, including:
 - a. Transfer of two serviced parcels, each suitable for the construction of duplex;
 - b. A \$300,000 amenity contribution to the Electoral Area A - Mill Bay/Malahat Parks Capital Reserve Fund;
 - c. Dedication of all riparian assessment areas as park;
 - d. Transfer of at least 8 ha of contiguous park area; and
 - e. Transfer of at least 0.06 ha for a 'tot lot park'.
5. That prior to consideration of 2nd reading of the Zoning Amendment Bylaw, staff provide updated comments from the Ministry of Transportation and Transit (MOTT) on MOTT review and recommendations from the Traffic Impact Assessments for the north portion and south portions of the proposed Stonebridge development.

LOCATION MAP



BACKGROUND

The Stonebridge lands are located in Electoral Area A – Mill Bay/Malahat, and include PIDs: 010-208-089, 025-942-310, 000-278-131, 009-488-286, 009-487-247, 009-487-221, 009-528-601, 004-173-287, 029-533-601 and 009-497-803.

The application consists of three key elements:

1. Rezoning the subject properties to a new Comprehensive Development zone.
2. Amendments to the Official Community Plan to re-designate some of the lands to *Commercial (Mixed Use)* and to *Stonebridge Comprehensive Development Designation*.
3. Updating and consolidating the community amenity covenant associated with the Stonebridge lands.

CVRD staff estimate that based on the land area and existing zoning, the total number of dwelling units that could be constructed is approximately 753 dwelling units and 176 congregate care (seniors housing) units, for a total of 929 units. The applicant proposes zoning that would allow potential build-out of 1,000 units.

Some progress has been made on the previous April 2024 Board Resolution No. 24-188:

1. *That the Board require that a public information meeting be held for Application No. RZ23A03 (Stonebridge) at the applicant's expense prior to a public hearing being held.*
 - The applicant held a public information meeting on June 6, 2024 at their expense; staff provided support as there was significant public interest in the meeting; and the Developer has provided a transcript of the public meeting (Attachment A).

2. *That staff work with the applicant for Application No. RZ23A03 (Stonebridge) to provide the draft terms of an updated parks and amenities covenant in preparation for the public information meeting.*
 - The applicant provided draft covenant language on June 21, 2024; CVRD Parks & Trails Division advises that, while progress has been made, there are outstanding issues and work remains on-going.
 - The applicant has indicated a preference to refocus amenity contributions in the proposed zone and limit modifications to the existing amenities covenant (Attachment B) to ensure alignment with the proposed zone.
3. *That prior to consideration of first reading of OCP and zoning amendment bylaws for Application No. RZ23A03 (Stonebridge), staff provide updated comments from the Ministry of Transportation and Infrastructure (MOTI) on MOTI review and recommendations from Traffic Impact Assessments for the north portion and south portions of the proposed Stonebridge development.*
 - The Ministry's last feedback to the CVRD was on February 13, 2025 advising that MOTT is not in acceptance of the applicant's Traffic Impact Assessment.
4. *That staff provide a report to the Electoral Area Services Committee regarding potential amendments to development permit guidelines for form and character.*
 - This report is separate from the current rezoning application; however, form and character guidelines may be included with the zoning amendment.
5. *That staff work with the applicant for Application No. RZ23A03 (Stonebridge) in defining a more descriptive allowable use for drive-through facilities.*
 - The preliminary (Draft) zone includes provisions for drive-through facilities.
6. *That staff prepare a report to the Electoral Area Services Committee regarding potential amendments to development permit guidelines for water conservation*
 - This report is separate from the current rezoning application; however, water conservation guidelines may be included with the zoning amendment.

Note: the previous Board Resolution No. 24-188 has already provided staff direction to:

1. *provide a report to the Electoral Area Services Committee regarding potential amendments to development permit guidelines for form and character; and*
2. *prepare a report to the Electoral Area Services Committee regarding potential amendments to development permit guidelines for water conservation.*

These directions will remain in effect.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

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

Attachment B provides a breakdown of the zoning, size, current OCP designation, proposed OCP designation, and location of each lot under application.

Development Permit Areas:

The subject property is currently subject to the following Development Permit Areas (DPA): DPA-1 [Riparian Protection](#); DPA-2 [Sensitive Ecosystem](#); DPA-4 [Aquifer Protection](#); DPA-5 [Wildfire Hazard](#); DPA-9 [Intensive Residential](#); DPA-10 [Multi-Family Residential](#); DPA-11 [Commercial and Mixed-use](#) and DPA-13 [Energy and Water Conservation; Greenhouse Gas Emissions Reduction](#).

South Cowichan Zoning Bylaw No. 3520:

The subject property is split into eight distinct zones: [CD-8](#) – Village Comprehensive Development 8 – Stonebridge; South [CD-9A](#) – Village Comprehensive Mixed Use 9A; [CD-9B](#) – Village Compressive Residential 9B; [RM-3](#) – Medium Density Multiple Family Residential 3; [R-2](#) – Village Suburban Residential 2; [C-5](#) – Village Commercial 5; [CD-6](#) – Village Comprehensive Development 6 – Congregate Care; and, [P-1](#) – Parks 1.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS:

With respect to the April 2024 Board Resolution *“That prior to consideration of first reading of OCP and zoning amendment bylaws for Application No. RZ23A03 (Stonebridge), staff provide updated comments from the Ministry of Transportation and Infrastructure (MOTI) on MOTI review and recommendations from Traffic Impact Assessments for the north portion and south portions of the proposed Stonebridge development.”* MOTT has advised that:

- Prior to further comments on the rezoning, MOTT will need to receive and review a Traffic Impact Assessment (February 2024);
- The Ministry is only accepting designs that comply with Chapter 1400 of the Supplement to TAC (August 2024);
- The Ministry has not accepted the developer’s Traffic Impact Assessment (TIA). MOTT has advised that changes are needed to the TIA (December 2024); and
- Since September 2024, there have been several reviews and amendments requesting changes [to the TIA] and that process is still in the works. The TIA has not been accepted or approved and the review is still taking place (February 2025)

With respect to the April 2024 Board Resolution that *“staff work with the applicant for Application No. RZ23A03 (Stonebridge) to provide the draft terms of an updated parks and amenities covenant in preparation for the public information meeting”*:

- The applicant provided draft terms on June 21, 2024; and
- CVRD Parks & Trails Division advises that they continue to work with the applicant to determine if it is possible to reach an agreement on the terms of a consolidated covenant – but there remain issues that have not been resolved.

NOTE: Option 1 would shift the focus on amenities into the draft zoning bylaw and may only trigger minor modifications to the existing covenant.

PLANNING ANALYSIS

Public Information Meeting:

Following the CVRD’s introduction of the application and developer’s presentation, the public in attendance had variety of questions, comments and concerns, including:

1. Details on traffic impacts and proposed road networks;
2. Timing for traffic related improvements;
3. Timeline for starting and completing development;
4. Questions about which company will operate the Seniors care facility;
5. Anticipated speed limits and sire walk networks;
6. Questions about how the development will be serviced by water;
7. Concerns about the proposed Access via Bourbon Road;
8. The extent of the proposed trail system on site;
9. Concerns about impacts to Shawnigan Creek and it's associated riparian areas and floodplains;
10. Concerns about the extent of blasting and tree removal; and
11. Comments about the benefits and drawbacks of drive through facilities.

Many of the concerns regarding traffic impacts are dealt with at the Ministry of Transportation and Transit. The Traffic Impact Assessment is presently under review. Impacts to the watercourses are matters addressed at time of development permit.

Traffic Impact Assessment:

MOTT provided feedback to both the CVRD and applicant that the Ministry is not in acceptance of the TIA, and that further changes are required.

The CVRD has reviewed the September 2024 Draft TIA, and note that:

- The TIA anticipates a maximum density of 667 units on the “North” side, and notes that the TIA will be updated every 3 years as needed should conditions change (*note: The TIA classifies the “North” and “South” sides differently than the proposed zone*);
- The TIA presupposes road networks that the agent has advised are ‘conceptual only’ to the CVRD;
- It is unclear if any road widening is required to accommodate the extension of the northbound left turn lane at Highway 1/Shawnigan-Mill Bay Road to 220 m (as Recommended in the TIA);
- Comment in 7.0(6) of the TIA states that “*Internal roads are to be urban cross sections as long as a drainage improvement area is created*”
 - Previous feedback from the Ministry, advising that they only accept designs that comply with Chapter 1400 of the Supplement to TAC, and will not accept variables to those standards.
 - There is a CVRD moratorium (*Board Resolution No. 24-375*) for any new applications on the expansion of existing CVRD drainage services and the acquisition of any new or existing drainage services.
 - The agent has since confirmed that they are aware of the MOTT design requirements for rural roads (Feb 2025).

The Draft Bylaw for Application No. RZ23A03 (Stonebridge) could advance to 1st reading to confirm the parks and amenities requirements. Changes to the bylaw can be made during 2nd reading (if needed) pending the result of the MOTT acceptance of the TIA. MOTT recommendations from the TIA may- or may not- affect the zoning amendment. Conditions of the TIA could also affect future subdivision and development permit processes. Should the CVRD Board advance Option 3 or Option 4, MOTT approval is required prior to final bylaw adoption.

Next Steps:

The agent has advised that they would like to advance to bylaw readings while the MOTT review is under way. They have indicated a willingness to refocus amenities as density contributions in the proposed zone, and retain the existing covenant with minor amendments to ensure consistency with the rezoning application.

A draft zoning bylaw amendment has been prepared by staff (Attachment C). This preliminary draft was published for the purposes of holding a public information meeting – should the CVRD Board pass Option 1, staff will work to finalize the draft bylaw for consideration of 1st reading. The finalized bylaw is expected to include:

1. *Additional conditions for drive-through facilities such as a minimum 1.5 meter wide landscaped buffer between the drive-thru lane and parking lot maneuvering area and a requirement that drive through facilities be at least 60 meters in length to provide sufficient space for ten (10) vehicles*
2. Density bonusing provisions to reflect the existing commitments in the CD-9B and CD-8 Zones and existing covenant which include:
 - a. Two serviced parcels, each suitable for the construction of duplex;
 - b. A \$300,000 amenity contribution to the parks Capital Reserve Fund;
 - c. Transfer of all riparian assessment areas for park conservation purposes;
 - d. Transfer of at least 8 ha of contiguous park area; and
 - e. Transfer of at least 0.06 ha for a 'tot lot park'.
3. Minor modifications to ensure consistency with the existing parks covenant

Changes to the bylaw may be recommended prior to consideration of 1st or 2nd reading.

An Official Community Plan amendment may be prepared by staff and can advance separate from the zoning amendment. All zoning bylaws enacted or works undertaken by the CVRD must be consistent with the official community plan. Amendments to the Official Community Plan are required to re-designate some of the lands to *Commercial (Mixed Use)* and to *Stonebridge Comprehensive Development Designation*.

In the interim, there is zoning in place to allow for commercial and residential development. The CVRD provided preliminary comments on the subdivision application for phase 1 on March 7, 2024. The Agent advises that they have been waiting for MOTT to provide a Primary Layout Review (PLR) Letter prior to addressing CVRD subdivision requirements (such as application for a development permit).

OPTIONS

Option 1 Recommended (Advance the application to 1st reading for the subject property):

That it be recommended to the Board:

1. That the draft Official Community Plan Amendment for Application No. RZ23A03 (Stonebridge) be prepared by staff and forwarded to the Board for consideration of 1st and 2nd reading; and that a public hearing be scheduled for the Official Community Plan Amendment separate from the Zoning Amendment Bylaw;
2. That the draft Zoning Amendment Bylaw for Application No. RZ23A03 (Stonebridge) be prepared by staff and forwarded to the Board for consideration of 1st reading;
3. That the existing amenity covenant be maintained with limited modifications to ensure alignment with the proposed zoning;

4. That the draft Zoning Amendment Bylaw include provisions for amenities, including
 - a. Transfer of two serviced parcels, each suitable for the construction of duplex;
 - b. A \$300,000 amenity contribution to the Electoral Area A - Mill Bay/Malahat Parks Capital Reserve Fund;
 - c. Dedication of all riparian assessment areas as park;
 - d. Transfer of at least 8 ha of contiguous park area; and
 - e. Transfer of at least 0.06 ha for a 'tot lot park'.
5. That prior to consideration of 2nd reading of the Zoning Amendment Bylaw, staff provide updated comments from the Ministry of Transportation and Transit (MOTT) on MOTT review and recommendations from the Traffic Impact Assessments for the north portion and south portions of the proposed Stonebridge development.

Option 2 (Advance the Application to public hearing and 3rd reading):

That it be recommended to the Board for Application No. RZ23A03 (Stonebridge):

1. That the draft Zoning Amendment Bylaw and Official Community Plan Amendment for Application No. RZ24E01 (RZ23A03 (Stonebridge)), be prepared by staff and forwarded to the Board for consideration of 1st, 2nd, and 3rd reading;
2. That the existing amenity covenant be maintained with limited modifications to ensure alignment with the proposed zoning.
3. That the draft Zoning Amendment Bylaw include provisions for amenities, including:
 - a. Transfer of two serviced parcels, each suitable for the construction of duplex;
 - b. A \$300,000 amenity contribution to the Electoral Area A - Mill Bay/Malahat Parks Capital Reserve Fund;
 - c. Dedication of all riparian assessment areas as park;
 - d. Transfer of at least 8 ha of contiguous park area; and
 - e. Transfer of at least 0.06 ha for a 'tot lot park'.
4. That a public hearing be scheduled for Application No. RZ23A03 (Stonebridge).
5. That prior to the consideration of Adoption of the Zoning Amendment Bylaw staff prepare a report to the Electoral Area Services Committee regarding Ministry of Transportation and Transit's (MOTT's) approval of the Traffic Impact Assessment (TIA).

NOTE: Once 3rd reading is complete changes can still be made to the bylaw, however, third reading must be repealed and the bylaw read again a third time. If third reading is repealed there is a risk that this could also trigger a new public hearing.

Option 3 (Request Additional Information): That it be recommended to the Board that the preliminary staff report for Application No. RZ23A03 (Stonebridge), be referred back to staff for the following information [*requested information to be provided by the Board*], prior to further consideration.

Prepared by:

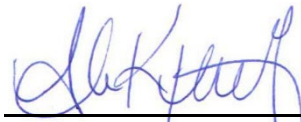


Richard Buchan, B.A., M.A.
Planner III

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 – Public meeting Transcript
Attachment B – Existing Amenity Covenant
Attachment C – Draft Zone
Attachment D – Traffic Impact Assessment

STONEBRIDGE PROJECT PUBLIC INFORMATION MEETING - TRANSCRIPT

DATE: Thursday June 6, 2024.

TIME: 7:00 PM

LOCATION: Kerry Park Recreation Centre

Presenters:

Richard Buchan, Cowichan Valley Regional District (CVRD)

Wayne Hopkins, Merdyn Group for Stonebridge Project

Mike Baier, Limona Group for Stonebridge Project

Presentation

Richard Buchan, CVRD

1. Can I get a quick show of hands just to see who can hear me. Perfect. That's what I want to hear.
2. My name is Richard Buchan. I'm a planner with the CVRD. Before the developer introduces their proposal, CVRD staff have prepared a brief script to describe the nature of the application, process for approval, and will be available for technical questions should they arise.
3. The application before us today consists of three key elements, rezoning the subject properties to allow for a new comprehensive development zone, amendments to the Official Community Plan to redesignate some of the properties to commercial mixed use, and updating and consolidating the Community Amenity Covenant associated with the Stonebridge lands.
4. With respect to the OCP amendments, the application proposes to redesignate some of the lands to commercial mixed use and to Stonebridge comprehensive development. This would impact the land that is presently zoned for Seniors Congregate Care. If the Official Community Plan amendment is approved, commercial and personal service uses may be standalone as principal uses, where previously they would have to be part of the Congregate Care facility. This would permit more of the land to be combined with the Commercial Plaza, formerly known as Pioneer Square Plaza.
5. This would also impact lands that are zoned Medium Density Multiple Family adjacent to the existing Commercial Plaza where the Tim Hortons and McDonald's are located. Existing zoning presently permits mixed use commercial residential. If the Official Community Plan amendment is approved, both commercial and residential uses may be stand-alone principal uses. In other words, not mixed use.
6. With respect to density, staff estimates that, based on the land area, a total number of approximately 929 units, 753 dwelling, 176 congregate care, could be developed under existing zoning. The developer proposed zoning that would build out potentially 1,000 units over a 15-year time frame. However, there are some water and sewer constraints that may limit that build-out.

7. With respect to show homes, the developer is proposing zoning amendments that would allow for multiple lot buildings to be built on larger lots capable of further subdivision. This would permit show homes without increasing density.
8. With respect to setbacks, there's some setback reductions, and this is to standardize zoning requirements across the board.
9. There's presently ten different parcels that are subject to eight different zones with different standards. In the north portion, some of the building heights are limited to 10 meters, some to 23, some to 18, and some to 7.5, depending on the type of use.
10. There's also a proposal for workforce housing to allow for a hotel that could be used for long-term and short-term rental options, and drive-thru uses as accessory uses in commercial areas.
11. Before the board considers the bylaw amendment, they have directed that staff work with the applicant to provide draft terms of an updated Parks and Amenities Covenant. This should help to provide clarity on the parks and trails.
12. Staff have also been asked to get updated comments from the Ministry of Transportation and Infrastructure, as they are currently reviewing a traffic impact assessment for the lands. This could also help to provide some clarity on the road layouts and avenues.
13. The CVRD has not considered the bylaws yet, and they have not been drafted for board consideration. This is one of the next steps before we get to considering bylaws. If the board brings forward the bylaw amendments, it will be subject to further public engagement such as a public hearing.
14. If the changes do not advance, the agent could continue to develop the property under existing zoning, and they have submitted an application for the first 31 lots under existing zoning requirements.
15. On a related note, the Ministry of Transportation has advised that it won't maintain drainage or street lighting. However, the developer has requested the CVRD consider establishing a service area for this development. That request is under review and will be considered by the board. If it is not accepted, a more rural road will be required.
16. I will be here for questions and the developer will introduce their application.

Presentation

Wayne Hopkins, Primary Presenter

Mike Baier, Supporting Presenter

17. Hello everybody. Can you all hear me fine? I'm going to be trying to do the multimedia pointing and reading at the same time, so please bear with me. I will also try to talk slowly so I don't go too quick.
18. For those I haven't met before, my name is Wayne Hopkins. I am now one of the owners of the Stonebridge Lands. Also here tonight is Mike Baier who is one of the owners of the Limona Group who has been involved with the lands for quite some time.

19. I want to thank you all for coming out tonight. I also want to make a quick note that there was some confusion between myself and CVRD over the last couple weeks about this meeting date. I thank CVRD for helping to make sure it did happen and go ahead after the ad was placed. Because of the confusion with the dates, unfortunately Director Segal could not be here tonight, as well as Directors Abbott and Morrison, all three of them are away at the FCM conference. I believe their alternates may be here, and notwithstanding they'll get a full update from staff and we will try to transcribe the meeting for everyone's review.
20. Both Mike and I have worked in the CVRD independently for well over 15 years. Me in Area I on a large project called Woodland Shores, and Mike has worked in a couple different areas within CVRD for probably over 20 years. Basically we are very aware of all things CVRD and the complexities of working in a regional district dealing with Ministry of Transportation and Highways and in this circumstance also having a separate water district.
21. For those that may not have a full understanding of why we're here and how we got here, just a couple of minutes to give a brief history of the project;
- a. Limona Group has been involved in the land in Mill Bay since about 2006, so just basically 18 years now.
 - b. I see smiles because you've probably been following it for about that long. The first parts of the property were actually zoned about 20 years ago before Limona's involvement, and there have been two rezonings I believe since, all of these areas comprise the entire project.
 - c. The last rezoning was in 2017. Just to be clear, he (Mike Baier) was around for that, I've only been here for about a year.
22. My company is called Merdyn Group, Mike's company is called Limona Group, and both of our companies have a very similar focus in relation to housing in the market. We both tend to focus on attainable homes. Neither one of our companies builds high-end residential homes, we build homes for average families. That's one of the reasons why we're working together on Stonebridge, because our company and our philosophies are very similar.
23. Stonebridge today under the current zoning, before the zoning amendment, and afterwards, will be CVRD's largest master plan community. We will also be one of the largest residential home providers on Vancouver Island, and in CVRD, and Stonebridge will be one of the largest creators of park resulting from a residential project in CVRD's history.
24. The question is how did we get here? When I became involved about a year ago, one of the first things I did was met with planning staff. I wanted to discuss the zoning, make sure I understood it. We had found a couple of errors and inconsistencies in the zoning. The zoning was 20 years old, so it's to be expected. And during those conversations we talked about ways of improving the zoning to expand the housing spectrum with more opportunities for attainable and affordable housing.

25. As Richard knows, I was a little hesitant because I know the CVRD process and how long it can take to make even the smallest little adjustments. But in the end, the benefits to the project and to the housing spectrum were such that we decided to go ahead. I believe our first meeting was just over 14 months ago. Also, over the past year, besides working with Richard and the entire planning staff, we've also had meetings with Malahat Nation and included them in the conversations and the planning, and also recently met with the Mill Bay Historical Society to get some perspective on the history of Mill Bay so it can be incorporated into the planning as well. I do thank CVRD staff for the suggestion to do a consolidated zone.
26. I will show you the current the zoning map. [CVRD Zoning Map on Screen]. There are six zones that comprise Stonebridge mainly because they've been zoned in so many different years and so many different times when the housing needs were so much different. The primary purpose of this application is to take these six zones and create one comprehensive zone, standardizing and simplifying. I need to confirm a few things because there's a lot of talk out there in the neighborhood at times.
27. We are doing a zoning amendment, not a re-zoning as such. A re-zoning to us is if we have the ability to build 30 homes and we want to build 300, that's a re-zoning, you're changing the density of the site. This is an amendment. The zoning was approved years ago that created the project. This amendment application does not stop Stonebridge. Stonebridge is going ahead, as Richard mentioned, we've already started to move ahead under the current zoning.
28. We're not creating any new or additional density beyond the existing density. The existing zone allows, I forget what staff calculated, 930 and something units. We calculated higher, over 950 under the current zoning. But the reality is, we all know sitting here, the project's never going to get anywhere near the allowable zoning. The water resources, sewer resources are going to cap us out at some point less than that.
29. As I mentioned, the permitted uses stay the same, residential and commercial. We've added some accessory uses in the residential, such as standardizing daycare across all zones from the first phase to the last phase, so daycare can be included. We've modernized the accessory commercial uses, and as Richard mentioned, for the mixed use parcels, we can do a mixed use development, or we're saying if it's not appropriate, we can split the mixed uses into one or the other.
30. As Richard mentioned we will create a consolidated parks and amenity covenant. Currently, half the property's park dedication is controlled by zoning, the other half is controlled by zoning and covenant. Since we are consolidating the zoning, we said let's consolidate the park and amenities covenant. To be clear, there is no change, there's no reduction in park, there's no reduction in amenities, it's simply taking what's already been agreed upon and putting it into a new document.

31. During the past year, as we've been working through this with staff, we've maintained six goals every time we look at something.
- a) The first one is, the whole purpose of this process is to expand the housing spectrum to increase affordable and attainable housing options. This will include single family residential, various sized lots and homes, duplexes, townhouses, cluster housing, multiplexes, and multi-family such as subsidized seniors, assisted living seniors, purpose built rental and of course home ownership.
 - b) The second goal was to ensure that the zoning that we have on the multi-family parcels is such that it attracts the sought-after dollars for affordable housing and has the zoning that attracts the builders of purpose-built rental housing. As anybody who works in the housing industry knows, there's a real competition for those dollars and if we don't have the zoning to support the feasibility with what they need to make it work, they'll just take their affordable housing and purpose-built rental housing to another community.
 - c) The third one was to promote integrated planning. This is one thing that's dear to me. Developments of the past, you used to find that you have your single-family area, then you have some duplex area, then you have a little townhouse area. Everything is segregated in relation to use. Newer planning options and newer planning philosophies is to integrate. So on a street you might have a bunch of single family dwellings and a couple duplexes, and maybe down the street and around the corner you have a three unit townhouse and they're all intermixed within each other and they're also very hard to spot the difference. You're not pointing them out. By standardizing the zones from the first phase to the last phase, it gives the opportunity for integrated planning.
 - d) One of the original goals we had, which is where this process originated from, was to take the six zones and standardize the minimums and maximums throughout the zone. All this simply is, is how we started, you can see on the screen the chart we created. We listed all six zones that currently exist and we figured out, okay, we just start going across going, this one says 10 meters, okay, that's great. This one's 10, 12, 14, okay, let's take 12. And we just start standardizing the zoning from one side to the other and that's where the beginnings of the standardized consolidated zone came from. The current zoning creates arbitrary lines, which came out of the different times things were zoned, but on a master plan community those lines kind of get blurred. So it's important to have standardized requirements within the consolidated zone.
 - e) Basically a single family dwelling in the first phase should have the same setbacks, lot coverage, height as a single family home in the final phase.
 - f) The fifth goal was to simplify the zoning for easier administration, once again referencing that we're aware of all things CVRD. We know how complicated things can get and as staff turn over the original intent of the zoning is quickly forgotten,

and you get into a situation where you're having to debate the intent. We want this to be smooth from the first phase all the way through the last phase. We want to be easy for staff to understand in 14-15 years and quite honestly I want it to be easier for myself. By also simplifying it allows the development to better respond and pivot to change in housing needs. Like I said the first re-zoning of Stonebridge was before Limona was involved. Over 20 years ago the housing needs today are substantially different than the housing needs 20 today, and we believe the housing needs in 15 years will be different than they are today.

- g) Finally it was to create ensure the zoning was in place to allow for a top quality commercial center in the former Pioneer Square Center. We've had lots of informal focus groups, and conversations and people have no issue giving us their opinions of the different types of services uses and retail they want to see in the mall. We've heard grocer, pharmacy, retails, restaurants, restaurants, restaurants, and they would love to see a new medical clinic.
32. Those are the six goals. I believe that where we are right now with a consolidated zone definitely follows these six goals that we set.
33. Just to be clear, and you might hear me say this a lot during the night, the zoning is already in place. Because this process is taking so long to get this through, we made the decision to move ahead with the first phase and that is in process. I'll get into that a little later. But even though we started with the first phase under the current zoning, obviously we're here, we want to make it the best development that we possibly can, and for me primarily focused on the attainable housing.
34. A question that everybody seems to ask, "Infrastructure, where are we at?" Two water licenses are attached to Stonebridge. Currently we're in the, as you call it, development phase of the wells, where you're creating monitoring plans and working with the provincial ministry and mill bay waterworks.
35. So obviously water has been one of the biggest determining factors of any development in Mill Bay, and it's been many years of process to get to the point where water licenses are issued for Stonebridge, and we're in the process right now of working through at least the first well to get it on stream, we're hoping for late this fall or early 2025. Mike made the decision in the past to work with mill bay water therefore the property will be serviced by mill bay water.
36. As part of the improvements to the water system, exact details aren't narrowed down yet, but from past reports and from my understanding, there'll be some water main upgrades, obviously some well development for the new wells, and probably the biggest feature is a new 1 million litre reservoir. The reservoir of course will help Mill Bay water deal with peak demand periods, as well as it'll help provide FUS fire protection to the Mill Bay area, which is substantial in itself.

37. Sewer service will be by the new Mill Bay sewer system, and Stonebridge is the largest contributor to that project, about 54% of the cost I believe, that will see it expand throughout Mill Bay. This means no in-ground disposal fields at Stonebridge, as well as the expanded system will see many existing fields in mill bay be discontinued.
38. On-site roads will obviously be controlled and dictated by Ministry of Transportation and Infrastructure, as will off-site improvements to do with the development will also be controlled by Ministry of Transportation. Unfortunately, not a CVRD area, unfortunately not within my control, but we have been having quite a few meetings. In fact, Mike and I just returned from a two-hour meeting up in Nanaimo with MOT this afternoon.
39. And then finally, as Richard mentioned, integrated stormwater management and street lighting. My company has been involved in enhanced stormwater management for decades, being recognized many times for it. It's something that we're very proud of. We've worked around important water bodies such as Cowichan Lake, so we understand the importance of handling stormwater in a natural and efficient way to protect those bodies of water. Stonebridge is very similar. We have two really nice water courses going through it, Shawnigan Creek and Handysen Creek. It's a priority for us that they get protected. We've asked CVRD to enter into a service area agreement that will allow us to do integrated storm water management as opposed to typical MOTI open ditch.
40. Having a storm water service area doesn't cost anybody any money except the people that are in the Stonebridge area, and it allows us to be more innovative with our stormwater management, lets us enclose the stormwater management and do natural treatment rather than follow the highways route of dumping into a ditch and let it go.
41. So let's just do a quick update on the master plan first. I'll just do a very brief overview of the master plan where we're currently at and then I'll take you through the first phase the second phase which is really phase 1b but that's confusing and then we'll go through the future phases and then we'll try to open it up for questions. Risking being a broken record, once again everything we've planned on the master plan is to the current zoning.
42. I do wish we had a bigger screen hopefully you can see it we were expecting a big huge jumbo screen. I just want to ensure you can see everything, you can, great.
43. So first of all for those I'm sure everybody here knows where the property is but it's located from Shawnigan Mill Bay Road all the way behind across the creek touches with Deloume and goes all the way up to Bourbon Road. It's approximately about 160 acres total land area. The primary access now under this master plan is off of Shawnigan Mill Bay Road at the Barry Road north location that's currently unbuilt. You'll note that Barry Road does not connect through across the creek to connect Barry Road north and south. Where is the Barry road intersection, it is right here, just off the screen.

44. Okay, well that's Barry Road north and that's south. Can everybody hear me? Okay, I'm going to drop the mic. So Shawnigan Mill Bay Road is at the very top with the intersection with the highway there. This is Barry Road north, unbuilt currently. This is Barry Road south. This is Lions Cove. I always call it Lions Cove. I know it's the cove. This is where the Tim Hortons and McDonalds is. Barry Road south and Barrie Road north. At one time, the Ministry of Transportation wanted them joined together. There was a lot of push back in the community for two reasons. The intersection on Deloume and the highway is a dog's breakfast and really can't handle much more traffic, and secondly, that would mean taking out the historic Stone Bridge, which everybody wanted to retain.

So Highways has now agreed to leave it in place. They are going to take a road right of way over that area. They're saying for the potential future, but they recognize the importance to the community to keep that bridge.

45. One of the first changes we made when I became involved was to focus the primary access point to Stonebridge off Shawnigan-Mill Bay road, and removing the connection to Barry Road south, So we're not dumping traffic on to Barry Road South and compounding the intersection issues.

46. And also too, at one point, they wanted a lot of traffic going up Bourbon Road. And we've made that a secondary connection rather than a primary connection. Highways has maintained they want a connection to Bourbon however we are showing it as a secondary local road, not a primary road.

47. As you can see by the master plan, the green areas are natural park. The areas here are natural park, we have two different types of park, natural park and active park. Natural park is basically protected natural areas that will have walking trails around so you can see the natural areas and features. Active parks are designed for activity, tot lots, different opportunities where people come together. North of Shawnigan Creek is pretty accurate in relation to what's going to be going on and what's going to be happening. South of Shawnigan Creek on this concept layout is conceptual only. And I guarantee you it's not even going to be that close to what you see because this is just showing the general concept of residential roads, parkland, connecting trails. That'll get defined more and more and more as the project unfolds with each phase.

48. Just so you know, the total park dedication on the site is somewhere between 32 and 38 percent. Depends how you calculate it. A lot of the parcels here haven't been surveyed since they were crown granted, so we need to find out exactly how big those are. This slide is simply just an inset of the previous drawing and it shows the phase one. This is phase 1A, which is north of Shawnigan Creek. Access will become off Shawnigan Mill Bay Road down the newly constructed Barry Road and then a new, we're going to call it a connector road, it's not a collector road so it's not like a big highway, but it's slightly bigger than the normal local road. The road, this connector road will go all the way through the development and eventually come out again on Shawnigan Mill Bay Road, and yes Bourbon, I'll show you that when we get to that. The first phase

that's in with highways right now for approval under the current zoning includes one, two, three multi-family sites. They could be townhouses, they could be seniors housing, they could be affordable housing, they can be home ownership housing and then I think it's 32, I think it's 32, 32, 34, something like that, single family and within that 32 or 34 are two duplexes. The multi-family is where we see the first round of affordable housing being, potentially subsidized housing.

49. The lots in 1A that are single family and a few duplexes, the homes are expected to be like 1,750 square feet, maybe 2,000 square feet. Your typical three bedrooms, two and a half bath, open floor plan designed for families. Those that may have a suite, because suites are permitted, would be slightly larger of course to accommodate the suite.
50. You'll notice in phase 1A there's two park components. Both will occur, will happen concurrently with phase 1A being registered and subdivided. That's the first section of the natural park, the riparian park, and the first active park, formally referred to in the former covenants as a tot lot. It's important to point out that the tot lot in the requirements in the first one I think was 0.6 of a hectare, something like that. It was 0.06. It was pretty small. This is about six, eight, ten times the size of that. We just wanted there to be more space for people to be. This particular tot lot will probably have playground equipment, furniture for sitting and relaxing, connection trails going through it, just a place to hang out, a place to gather.
51. The natural park, which follows along Shawnigan Creek and currently is around 30 meters from each side of the natural bank, obviously is designed to protect the repairing areas of the creek, keep it natural, and develop the trails accordingly so people can walk through and enjoy it, and hopefully it'll stop kids from dropping a bunch of garbage in there.
52. Speaking of walking trails in general, there will be three types of trails at Stonebridge. I didn't name these, they're in the covenant already. Stonebridge Trail, which they met simply went down Barry Road, crossed the creek, and came down to Barry Road. That was the extent of it. We've added a little more. We've continued Stonebridge Trail all the way down Barry Road from Shawnigan Mill Bay Road, and it'll follow the connector road all the way through the development within the road allowance adjacent to the road but separated from the road. This is a concept, it relies on a closed storm water system and for CVRD to approve the zoning amendments, otherwise it will remain as current shown on Barry road only.
53. Probably, I think it was I think it was three meters. We've asked for it to be paved. That's a decision between CBRD Parks and Ministry of Transportation and Highways. We're trying to facilitate it. We'll build it. In the end, it becomes a CVRD trail, so they have to be happy with the standard. But that multifunctional trail is designed to be wide enough that you can walk on it, ride on it, use a walker on it, use a wheelchair, ride your bike. Keeps you off the road, keeps you a little safer, keeps a little friendlier.

54. The second trail type are the natural trails within the riparian areas. They're built to a type 2 standard under CVRD, so permeable surface, gravel contained, so encourages you to stay on the trail and not start venturing out into the vegetation. And the third one is a connecting trail, which literally is just that. It connects different areas of the project to both the Stonebridge Trail and to riparian trails.
55. As mentioned, this is the actual legal subdivision, tentative legal subdivision for Phase 1A. And it's exactly what I just mentioned. It just shows the dimensions. As I mentioned, we've already made an application to highways. Our engineers are working on the engineering for Phase 1A currently. My goal is to see construction start late this fall and early spring on the show homes with the first show home village opening in spring or summer next year. Obviously to get this going we need to still dot some eyes however we hope that CVRD, transportation and mill bay water all share the goal of bringing housing to the community as soon as possible.
56. The second phase, and just to make it really confusing like I said, the second phase is actually called Phase 1B. Only intended to make it clear that to the average person you'll see Phase 1A starting and then Phase 1B start. To you, it'll look like the same phase but technically they're different. So we've done Phase 1B. It's located up there. I can't reach it, I'm too short. But that includes seniors housing and commercial which is currently what it's zoned. It's just that the seniors housing has it so it's with commercial uses, whereas I believe a seniors assisted living building should have its own green space, its own space, be separate from the commercial with a nice walkway or entrance into the commercial space.
57. I just showed you that it just basically shows you the inset again and how big how big that phase 1b is compared to phase 1a. It's quite a large site.
58. Oh, I came on, I don't know, I missed a slide. Okay. I just want to be very clear because I want no misconceptions. What you're about to see for the commercial is purely conceptual. We haven't made application for a development permit, and we haven't signed off on any designs. This is the one of the concept sketches that the architect did trying to figure out what we want to look like. We don't want to look like you're walking into downtown Victoria into an urban center, but we recognize there are certain things that are required by the tenants that do create somewhat of a boxy kind of appearance. So we're going to be looking to try to add natural woods, natural rocks and overhangs, something that looks small town but with modern services. I'm not a huge fan of the rake roof that's like that. We're playing with some sloped roofs as well, as well as the typical flat roofs. This image gives you a general concept of the look and feel. Obviously when we make application for development permit, which is form character landscaping, it'll be well more refined and once again it's subject to further development permits, and we can have another information session if people are interested even if not required.

59. The next slide is going to be the draft layout. I've made sure we've scrubbed all the potential tenants names and logos off the site. Unfortunately we can't disclose who they are because we're not that far a long yet and they don't really want to get it out there to their competitors. So this is the commercial center as it's currently designed. I'll take you through as much as I can and once again I apologize for not being able to provide actual names. The current concept shows a food store, a grocer, a pharmacy, a bunch of what's called CRU commercial spaces where you can find things like a bakery and little restaurants and things like that. A large building that would be for a larger tenant that you all know. Building E has more CRU spaces on the bottom and then the second floor is partially a early childhood learning center with an outdoor space as well attached to it. The very back one which is building D once again has some retail type storefront on the main floor and then above that is where the integrated medical health center will be.
60. So far we've confirmed a new grocer, a new pharmacy, multiple restaurants. I'd like to say for sure but I can't, however I hope that it will include a Mexican place, a pho place and maybe a pub style restaurant, but once again its early and I'm not allowed to say.
61. We're also not allowed to say but I'm really leaning towards a bakery, a coffee shop, I said the early childhood learning center and the one that we've been working on almost as long as I've been working on the site is a new integrated medical health center. Obviously before we could actually include that we actually needed doctors. Luckily we know a couple doctors coming out of medical school in 2025 that we know, and one of which already has a connection to the mill bay and cobble hill areas. With two doctors confirmed, they are working on a third, hopefully a new female doctor. Their plan for the health center is head to toe including chiropractic, massage therapy, physiotherapy, optometry, dental and of course the family doctors. Assuming we can keep this process moving it will be a great addition to the community when it's all done.
62. The layout as you can see shows two drive-thru locations that are integrated into the site. Touchless delivery options are just becoming the norm and just becoming the expectation of the tenet mix that we're trying to achieve. I am aware that some emails were floating around because they were sent to me and I had some phone calls questioning if we need another drive-thru in Mill Bay. I fully understand the apprehension.
63. I'm not a drive-thru guy. I'm more likely to walk in but they have a service model that's required but it was important to us that any drive through is very accessory to the overall plan. I can get into more of the research we've done and the decision we've made in relation to the drive-thrus. Richard and I spent a lot of time dealing with it.
64. Those who know me know that I research everything so I now know more about drive-thrus than I ever thought I'd ever need or want to know. I can get into more of the details of that, my questions and answers, if you're interested.

65. Access to the to the center will be off Shawnigan Mill Bay Road and off of Barry Road, the newly constructed Barry road. Around the time the commercial centre is completed we expect Barry Road and Shawnigan Mill Bay Road will become a controlled intersection, most likely a signalized intersection. It's always been projected by the ministry to be signalized. We anticipate that it's going to be required prior to the occupancy on the commercial center.
66. The seniors building will be a seniors assisted living. We already have two or three providers that are interested and moving forward. We're not entering into any agreements yet until the zoning particulars are completed because it impacts their design and their feasibility.
67. Our goal is to see that being built concurrently with the commercial center. It might lag behind a little bit but to us it's important that it gets built early in the project.
68. Okay let's see if I remember what's next. Yeah I'll just go over as I mentioned everything north of Shawnigan Creek is pretty nailed down in relation to uses and allocations and layout. Areas that are south of Shawnigan Creek are very conceptual and for reference only. But just to give you a few of the aspects that you should be aware of because this is what the master plan includes is I referenced the connector road that starts up Barry Road will come all the way through. Originally highways wanted it to connect directly into Bourbon Road. We know that people on Bourbon weren't too thrilled with that concept and we actually expressed that again today at our meeting. We said to them that we want to curve the connector road all the way through because the Garnets are going to let us develop that at some point in the future which will bring that back out basically becomes a connecting loop road back out to Shawnigan Mill Bay Road. There will still be a connection to Bourbon but it will hopefully be a local road connection so it won't be a thoroughfare. It will allow people on Bourbon to get to the commercial center for example or cut through, cut out some of Shawnigan Mill Bay Road. So highways requires a connection we're just trying to minimize the connection. But I do have to state in the end highways will get their way but I do believe that they understand that there's no real benefit to taking the connector all the way to Bourbon when they're all coming out into the same road eventually anyways. Yeah Mike's right that any connection to Bourbon is years away and most likely be 10 years or more away, giving us and more importantly you lots of time to make sure that moti hears your voices. I really don't think it's going to be required they seem quite happy with what they saw here today.
69. As you can tell there's lots of off the connector road there's lots of residential roads that's just to show you how we like to have the looping and the and the more than one access out we don't like to see dead ends you do end up with some cul-de-sacs obviously but they're very short to help build a better community. We have asked but I'm not holding up much faith that's going to occur we've asked for 30k designation for speed limits on the local roads and ideally I'd love to have 40 on the connector but they said no outright

but they have agreed to go down from 60 down to 50 so we want to keep it very residential.

70. The park aspect once again dedication of all riparian areas to do with Handysen Creek as well we've added park I forget the name of this park out here so many notes we've tried to add more parts of that just to expand it out and join into it we expect to see I don't know the percentage of the numbers but every phase to have some type of active park whether it be a small tot lot or a larger thing we've shown ones on here like this one, it realistically wouldn't go here obviously you can tell by the grades it just wouldn't fit but we want to have a centralized park as part of the center of the development that's designed for people, designed for activity, maybe a band shell some playground equipment, someplace to chuck a ball, walking trails things like. I would say throw a ball for your dog but I'm told by CVRD there's no dogs off leash.
71. All the different residential areas you can see are connected by walking trails, our goal is once you get home you park your vehicle you can walk anywhere. Our goal is people live on Bourbon can walk into the community on a trail and not necessarily on the road everything's connected you can bike ride your bike to the commercial center to have a coffee at a place I can't name, you can do all these different things so it's designed not to be a vehicle-centered development.
72. One of the biggest aspects and I'm a broken record I know, but our goal is for integrated attainable housing we want this to be a attainable homes not huge not high end but not entry level but these are just homes for people to live and raise families so they remain attainable in the market. I could keep on going with a lot of detail but I've already tripled Richard's time when he spoke. I thought that that thing to do would be to allow questions, I have a lot more slides to do with the minutia of the development in different areas however I also want to keep this meeting as focused on the actual amendments as possible. I would rather answer your questions than continue to ramble on.

Question Period

Q1: I'm just curious uh you mentioned that the connector road coming off the Barry road would loop back to Shawnigan Mill Bay road eventually at what at what point physically is it going to connect?

A: Timing wise that's towards the back one-third of the site, could be 15 to 20 years depending on how quickly the homes can be built and sold. I can't see us reaching either Bourbon or loop back to Shawnigan-Mill Bay road for 10 years at the earliest, but realistically 15 years is probably more realistic. I will be as old as Mike by that time.

Q2: I'm just wondering physically where have you thought of where it would re-enter Shawnigan Mill Bay Road?

A: It's up here, you can't really you can't actually see it because of the plan but here where it says 2023 on the master plan approximately up here where we believe it will be. We have not included this area in the master plan as we don't own it yet but rather have a registered first right of refusal on that property.

Q3: Question for you. you referenced earlier subsidized housing which is also known as low income housing, so my question is who is subsidizing the housing? What taxing authority will be doing that? Will it be areas A B and C, I mean we just received a huge tax increase I saw that that is creating a hardship for individuals that live here so will it be province-wide? Will people in Salmon Arm be subsidizing low-income housing here or will it be for the residents in south Cowichan valley?

A: It definitely will not be the residents of CVRD alone but it will include CVRD residents as we are part of the province. It would be provincial funded, but also let's be very clear the old school low-income housing the hard to house as some people call it is not what would be built here, the new model for affordable housing sponsored by BC housing and CMHC is doing a little bit of subsidized in a building that also has market rents. Market rents, below market rents and subsidized rents so it's a real mix, they've moved away from a building that's fully subsidized except for subsidized seniors which is which is one of the ones that we're really trying to put effort towards getting, this would be the region's first subsidized seniors facility. Having assisted living seniors and subsidized seniors housing really lets people age in place in their community. We can't guarantee all this happens because we don't control the purse strings for those kinds of subsidized housing but the funds would come from BC housing, CMHC and there are some private housing providers, but it would be a government-based funded system. It is also worth noting that CVRD doesn't have a housing authority to participate.

Q4: I got a question for you sure what's the speed limit inside of this right now if it was built today?

A: If built today it would be 50 kilometers an hour, and to be clear the speed limit will be set by the ministry, we will request 30 km on the local roads but in the end it is up to moti.

Q5: You've got a lot of winding roads and T intersections, so my question is if there gonna be sidewalks for people to walk on or are they gonna be on the street?

A: We are not allowed to do sidewalks, moti does not allow or accept them and CVRD cannot create a service area for them, this is why we have a trail network to provide options for walking and biking. Not a lot of options in a regional district unfortunately.

Q6: You're gonna have people and bicycles on these streets and people zipping because nobody drives 50, I do but nobody else I can see bicycles and tricycles and street hockey and people walking their dogs and you got a lot of like you got you got corners right you got a lot of intersections?

A: Here's what I would ask you all to do before you leave tonight, I have over there comment sheets, and my email is on the screen, email us your comments on all things traffic, speed limits etc, so we have your comments when we're discussing it with highways. As mentioned we just learned today, we asked the question we want to design these to 30k, they won't accept that on the connector road but on the local roads we want 30k. They said they don't do that and we pulled out their specifications that sure they do they said they haven't seen it in years we have to apply for a variance and on the island they haven't seen one for as long as this person has worked for highways. We discussed designing to 50 and applying for 30 km limit, however we all know that if you design a road for 50 people will go 50 or 60. We all know how it works so we haven't given up the fight, we will ultimately have to do what moti says, but we will continue to seek residential design and speeds.

Q7: Why we need the one million liter reservoir? Where's the water coming from?

A: Stonebridge has two recently licensed wells that have been approved by the province. The wells will join the mill bay water system and water from the mill bay system will fill the reservoir, same as all the existing mill bay reservoirs.

Q8: The water isn't coming from Shawnigan Creek?

A: No, no, no, the new licenses are wells in the aquifers, they're not surface based water sources.

Q9: I live on Bourbon, we really don't want a highway coming through our streets, what can we do?

A: Fill out the comment forms, send me emails that we can share with moti. The more comments we can show them the better, it might help but I am sure you know what highways is like, they sometimes don't necessarily listen to the masses as they have their focus on moving vehicles, but we believe the person we are dealing with understands what we are trying to create and hopefully we can continue to make headway. We have years before anything will get near Bourbon and if anything starts to go sideways we can let all of you know and invite you to contact Moti with emails to help out.

Q10: In 2016 bourbon road was, I know eight years ago it was going to be an emergency access you said oh this is perfect people from Bourbon road we can use this road and access um the commercial areas frankly that's not the way it's going to work it's not going to be the people on Bourbon road using that to go up to the grocery store and stuff it's going to be everybody in that development using bourbon road to get out, you've said repeatedly you're building trails so that when you

come home you park your vehicle and you can go for a walk, um you're going to build us some trails in bourbon road?

A: We are definitely building to Bourbon road and to be quite honest you're preaching to the converted, we're not standing up to highways saying we want to connect to Bourbon road, they're the ones that are being very clear that they want a direct connection. Again, I encourage you to send an email to your MLA and send an email to highways just saying we want to minimize the connection to Bourbon road. I again point out they're not making that decision for eight ten years they're telling us what they think they want now but like I said that's a long ways away. They definitely want a north to south connection of some type, we went today with a map showing that coming out Bourbon is the same net impact as coming out with a secondary connector location on Shawnigan Mill Bay, showing that there is really no substantial benefit to connecting to Bourbon. I just want to be honest with you, right now they want to connect it as a road so in 2016 they said emergency access and now they're saying open it up.

Q11: The Stonebridge north neighborhood plan from 2016 did show it with the long-term potential to connect into the existing street network in the west at bourbon road for emergency vehicle access.

A (MB): 2016, that's exactly right there was that's back then and it seems to me that highways has changed and they've changed on a number of things that we've dealt with them over the past 15 years, they say this is a legal access here and we had them talked into it being an emergency access, because of the way that we had it designed before um and they were fine with that but there's a new the new group in the highways regime. The group now is saying no to an emergency exit and wants a connection.

A: And remember, it is years away so I am sure the people will change again and we will have this same discussion with highways numerous times before we even get close to Bourbon.

A (MB): It is really frustrating that highways doesn't listen to people who live here. If I live in here and I'm coming home I'm why would I come along here and I would come here to my home, I wouldn't go all the way up Shawnigan Mill Bay road all the way over here down through bourbon to get to my home so I don't think there'll be a lot of but I don't think that's reality you know.

A: I'll tell you first of all let me just be clear again, we're on your side in relation to Bourbon but you have to recognize that we have no power, all we can do is talk and lobby in the end highways controls the road, they control Bourbon, they're going to dictate what they want but Mike's right they do seem to move around the positions a lot so I can only predict what their position will be like in 10 years, but I always encourage you to make your position known by emailing moti and saying we know it's 10 years down the road we'd like to see it be a secondary connection emergency vehicle, make your voices known to highways because they need to hear it because it it's just us right now talking.

Q12: When will you start construction?

A: In my perfect world we will start work on phase 1a servicing in months, sorry I missed that phase 1a should start servicing excavation clearing roads and sewers and drains and water should be starting later this summer or into the fall, having said this I tend to be a little more bullish than he is, (comment inaudible from MB).

Ideally we want to see construction on phase 1a on the show homes to start in September October so they're ready for the spring. Phase 1b is up to CVRD to get zoning amendments done then we finalize our tenancies, we finalize the drawings, we make application for dp, we get the dp processed.

I'd like to start doing it concurrently with phase 1a but I'd say it's probably six months behind, we want to start asap but we need CVRD to complete the amendments before we can start.

Q13: This is deja vu for me, 2016, I listened to you over in the hall right and you've got tenacity, my question is it was then as it is now, is the water issue, and perhaps planning may be able to give some feedback on this, what happens is I live we live in briarwood green there's a new well was put in at the insistence of the cvrd when the new development was started, on there to support carry village as my last I heard that still hadn't got its water license, we've been waiting and waiting for water licenses then I heard mill springs development their well capacity is running about 60 percent of what it was when it started and they've kind of stopped development in mill springs on those phases but they've already got the roads in so yeah, my question to planning, or if they're not really involved how did you end up with a water license when we can't get existing wells for us and middle springs doesn't have additional water for their development

A: Two reasons the water licensing process started well before I got here, I do understand how ridiculous it seems for how long it takes, since I got here there has been a pretty wholesale change in staffing down the ministry and they are pushing through licenses substantially quicker, and I mean substantially quicker than a year and a half, four licenses I think it's four licenses were just approved by the ministry including one of ours, and one new one for mill spring, and one new one for another housing project, and I believe the fourth well is a mill bay water district well. All four were approved as one package and one thing that's really interesting what they're doing now is so of course you have your license volume your license volume is tied directly to density so you can't pull water out of the ground that you're not going to use for a specific purpose, it's responsible use of the resources and they've also required now in all new licenses a phase-in approach so if you have 100 gallons a minute you can't start pulling 100 gallons a minute out of the ground they want to see over the courses of years that the well's producing as it was tested before they release that density to be used. This is designed to protect against what's happening in those examples where the well didn't never really reached its maximum it was always on the way down if that starts to occur that

just means that phase three four or five may be impacted that's just the way it goes now and we're in total agreement with the concept.

I know a lot of people are concerned about the water, the wells that you've got are those wells that you're putting in in the pot are they going with mill bay water works to support mill springs people and the rest or is that water exclusive for your development, technically according to the license the water that comes out of the ground of our wells is allocated to the density that's being produced by Stonebridge, however our well has a certain capacity, I don't remember what the amounts are off-hand, and while we build out the project the water district gets to use the well volume for general uses, this provides many years of surplus water until our build out equals the water we have added to the system.

Paul from mill bay water and I have had lots of discussions about tracking water usage at the Stonebridge homes versus older existing homes in the area. Our homes and the project will have conservation features that should provide usage of 300 liters per person per day, or even less to about 275, the average in mill bay was 600 and has since come down to 500, now I think it's at 400, so it's still about 125 liters per day per person more than what you find in new construction, so having the new construction even though it's licensed at the 400 liters per day per person the usage is going to be substantially lower so there will be net surpluses.

Q14: Final question on the water, are you connecting your well to the mill bay waterworks?

A: There will be a pipe going from your new well to mill bay water district, so that the residents so let's say we own that water so once this developer goes in their water comes out of the well gets treated goes to a reservoir that reservoir is owned by mill bay waterworks we know we own it we control it it's all connected together you'll be able to decide how it's used under your auspices it can't be used we make sure that everybody gets the water we also make sure that no water gets used anywhere unless it's safe and it's reliable yeah so it goes into the technically once we turn over the well once we put all the equipment in all the mechanical stuff we turn it over it becomes property of mill bay waterworks they are bound by the license as well they got to make sure that the water is used as per the license but practically speaking we're not we're not watching every cup come out there and put it into their Stonebridge bucket it goes into the big reservoir and everybody gets the benefit from it.

Q15: Thank you for your presentation, can you put the slide with phase one, the one that's blown up a little bit, I've actually got questions about you so on this slide can you explain to the audience what the rationale is for the smaller lot size, I believe it's now 50 square 50 meters square less than if it were to be a lot today?

A: I can repeat it what he's asking so everyone can hear, he is asking why we reduced the minimum lot size in the consolidated zone from the current zone minimum numbers. The average lot size is 450 minimum and we have it down to as low as 300 minimum. Do I think there's gonna be

a lot of homes built 300 minimum? No, it's not about getting more density because we're capped by density anyways in relation to the water resources so the number of homes we can get whether they're a 300 square meter lot or a 600 square meter lot it's it still goes towards the density, and we can't get more. Often smaller lots mean more density however not the case here, if we create smaller lots it will solely be to achieve greater affordability or attainability. The larger the lot usually means a larger home and this leads to a higher price point, having a smaller lot and a smaller home means that particular home will always be attainable within the market. One of the battles we often see is we sell homes at a price we feel is attainable and within a few years we see the same house sell for substantially more, the only real mechanism to keep a home within a certain value segment, I should say the only way to influence the future value within the market is to design the lot size and home size such that comparatively to existing and average homes in Mill Bay a smaller lot with the smaller home should always be more attainable in comparison.

Do we see a high number of the lots being smaller, not really, we see people moving to Stonebridge to return to slightly larger lots than you find in Greater Victoria, however as part of the housing spectrum having smaller lots and smaller homes, such as cluster homes or detached townhouses, these types of housing provides a full range of housing within the community, more integration of housing types.

The final reason is to provide long term flexibility within the zone. Once again we don't know where the housing needs are going in 10 years therefore it provides another tool to battle housing costs if the housing pressures don't generally subside.

Q16: Are there design considerations that you guys are thinking about because you're going to have a large up to five stories six stories in that corner and you're gonna have traffic that wants to get out and get onto the highway, so I'm just trying to understand like because you don't have that top section right opposite the school right where it's white, yep, how are you going to work in how are you going to because it's going to be first class development you can have a lot of traffic presumably in and around the store and everything else I'm just trying to understand when you've got kids crossing the road because they frequently?

A: I understand what you are asking regarding how traffic improvements will be decided. Just to be clear and remind everyone that the zoning permits the density and uses that are in the zoning amendment, the amendment is tweaking how the density and uses will be employed but it does not increase it beyond today. This means if we start and complete the project today the traffic improvements will be the same as if the zoning amendment was approved.

Having said this we expect that the intersection at Barry Road and Shawnigan-Mill Bay Road will be improved, eventually as a controlled intersection including proper cross walks. We also expect that we will be permitted to improve the frontage along Shawnigan-Mill Bay that includes a sidewalk or at least a roadside trail.

You referenced the white area here on the plan, this land is not part of Stonebridge. It owned by the federal government as it was dedicated by Stonebridge as a public amenity for a new RCMP station 10 to 15 years ago. I understand that they have now decided that it will not be a detachment so with the federal government I could be retired by the time that something ever happens with it.

Q17: Thank you so much for sticking to the plan not retiring it as it looks like a well thought out development, um I wanted to ask you on that map are the contour lines one meter or two meters?

A: I suggest ignoring them as they are really old, we are using them as reference only and we have done on the ground survey to confirm certain areas and eventually we will update all grades as each phase occurs. At this time they provide a reasonable understanding of the grades and movement of the land.

Q18: I walk my dog around Shawnigan Creek there and I know that probably for about third to a quarter of the year it floods there and so that makes it floodplain and that is a source for Shawnigan Creek to accumulate waters like part of the water basin so I'm a bit disappointed if the CVRD has allowed approval for that southern part of road B lots to be filled in so that they won't be on the floodplain or they will be filled in or how or will they still be part of the floodplain and will the houses be cheaper there?

A: There's a process in determining and approving a layout for any subdivision and in this case a phase of the project. The Ministry of Transportation and Highways approves the general layout and scope and then there's still a bunch more work to do so while the engineering is going on we'll also be doing development permits through CVRD, one of which is environmental so our environmental consultants goes out and identifies the riparian areas and identifies anything of environmental significance, we then get all that information back and if it applies then we adjust the layout and move things around to compensate. You are correct that a wetland or SPEA is protected and to the best of my knowledge the plan here has no lots or roads within any flood plain as we are showing it, however these things are confirmed and addressed during detailed design by our environmental professionals and our civil engineers.

And one last thing is that I have walked along the creek myself throughout the past year including during and after large rainfall events so I have a good idea of the areas you are speaking of. I like to see with my own eyes so I understand what the environmental professionals are seeing. Keep in mind that our environmental consultants have been engaged since November last year so they fully understand the dynamics of Shawnigan Creek and the adjacent riparian areas.

Q19: When are you going to start and get this going, it has been years of talking but we haven't seen it actually get going? We need more commercial options and I would like to be alive to see it happen.

A: Well I hope that you're still here, like I said in my perfect world I'd love to get in there and start doing the land work now however things take longer than I like, for example we are here today and I had expected to be here months ago. If CVRD can wrap this process up in the next six months we would start as soon as possible following, we are ready and anxious to get going, including the commercial.

We have targeted occupancy for the commercial in Q1 2026, however this will mean us moving direct before November, with each month of delay due to process is a delay on getting homes built and the commercial open.

Q20: Could you please go to the to the slide that shows the concept for the commercial, I know its just a concept but it looks and smells like Langford.

A: Well that's hurtful, I am just joking, as I said this is just a concept to show the general configuration, when we get further along on the design it will follow the development permit process for form and character, and we will share it for comment.

Q21: I appreciate that but have you given have you given any thought to having the commercial closer to the road and then the car park in the middle?

A: If you see here that is how the current concept is configured, the parking is in the centre and the buildings surround the site. The setback from the roads is primarily set by MOTI as it is a highway. I am on your side, I like buildings closer to the roads and having the parking more hidden from the road. Some of the design of the centre is also impacted by the needs of tenants as they have pretty specific requirements. We tried to convince highways today to lessen the setbacks but it was a non-starter.

As you can see we are proposing a true commercial centre as opposed to a strip mall, and one thing I didn't point out is regarding storm water, we're trying to encourage natural storm water management in the parking area itself so the part where your car hangs over the parking stop right now on most parking lots it's paved, well we didn't see a reason for that we want to take that out between the parking spaces and do natural storm water management in that area as well and plants and trees. It's being done in quite a few places I haven't personally seen it in CVRD, you can see here on the image what I am talking about, I believe this is a great use of land and it reduces the amount of pavement.

Q22: I have a question about topography what the elevation is change in this area like in the red area on the lower part of that map how high are we and how low are we up what's the elevation change. I'm wondering if it's rock is going to be blasted flat and raised or is it going to be working around the trees that are there?

A: Well whenever we can work around existing grades it's way less expensive to do the servicing and building so you always try to only take our trees and blast rock when necessary. Like I said you can't

rely on those grades as those were taken from a highways map 20 years ago, we are actually having new flyovers done it'll give us accuracy within I believe three inches or something similar so we'll have a better idea. Our goal is always to work around the grades and work with the grades but I would be lying if I said there won't be some blasting at the site, there'll be some ground being moved at some point to create a site that works for a commercial centre. When doing residential areas you have way more flexibility to work with natural grades, however MOTI has minimums and maximums for road grades and curves.

The entire area is mostly dirt and gravels I believe from what I've been told from the Geotech and there should be a lot of sand and gravel that can be used on the site and it is great to build on. Where you find rock, such as up in this area it makes sense to try and leave these as natural areas or part of a park as opposed to doing large scale terraforming. There's no point going in and blasting it out if it can fit in to a future park design.

Q23: Is this map available online?

A: No but I am happy to provide anyone who wants it with an emailed copy, just email me I can send to you, or add that comment on the comment forms over on that table and I will send you a copy.

Copies of the map may also be on the CVRD website under current or active applications and I believe Mill Bay Water has a copy as well and they're going to put it on their website, however as mentioned my office email is on those comment sheets or come see me after we are doing and I can give you a card with my email. In addition to copies of the current concept layout we are very open, send us any questions you have or request any copies of what we have presented tonight and we're happy to send them.

Q24: To water for a second you've got water for phases 1a and 1b?

A: Yes we have two wells that have been recently licensed, the first well should provide enough water for at least phases 1a and 1b, probably enough to stretch to phase 3. We won't activate the second well until maybe six months or a year before its needed for further housing.

Q25: For the junction at Deloume and Barry near the McDonalds, will traffic come down here to this intersection?

A: Again I need to stress that ultimately any traffic requirements are in the purview of MOT however that intersection is one of the reasons why we've taken all the traffic that was once directed here off this section of Barry Road. Only traffic from lands that front this section of Barry Road would use this road. As you note we have not connected both sides of Barry Road as we first want to save the historic stone bridge and secondly we want to limit vehicles on the south section of Barry Road. I am not a traffic engineer but I don't see many options to really improve that particular intersection so we want to minimize traffic in this area.

Q26: I am recently required to use a walker and getting towards the new commercial with a walker or a mobility scooter so I have a vested interest, if I want to get from my place how will I get there?

A: The current trail plan includes a type one trail all along both portions of Barry Road and they will be connected by going over the stone bridge so you should be able to use your scooter or people can use a bike or walk directly to the commercial centre. I can't guarantee what the specs of grades will be but they should be better than now and have a proper surface as opposed to the current mud portions.

Q27: How do I get to you from the XXXX side of the highway?

A: Once again this is a MOT decision and the amendment we are discussing won't impact how this is dealt with as it will be the same today or the day after the amendment passes, however I can share my opinion. I hope that MOT will allow and participate in a proper sidewalk or trail between the Deloume intersection and Shawnigan-Mill Bay Road that this would be accessible. We have lots of ideas but honestly if we propose them now it will only confuse the goose and add further delays. Plus if I get into too many of my ideas he'll end up recording it and it'll become a requirement.

Our idea starts at Brentwood School and connect all the way to our new commercial centre and eventually to Francis Kelsey. This is something that will need MOTI and CVRD and ourselves and others to all come together, so basically I will be herding cats, but I like a challenge. Ideally we'd like to see it happen concurrently with improvements on the highway but we will see.

Q28: Can you talk further about water usage and how you know you will have enough?

A: I know I am being a broken record but the wells and water aren't really related to the amendments as the total density under current zoning and amended is the same, and ultimately the final density at Stonebridge will be determined by water.

A lot of the calculations for water are done by engineers and then there is the practical side. I will talk about the practical side. There are lots of factors that are involved. The amount of landscaping can be a large component of water usage, therefore the size of the lot usually means more watering, and as most know the average lot sizes in Mill Bay today are quite large. As well the homes tend to be older so fixtures inside the homes aren't as conservative or whatever term it is.

Habits are changing and quite honestly new development brings less water usage. The lots are smaller, the landscaping tends to be more native and therefore requires less watering, fixtures within the new homes meet the highest levels of water conservation, and as mentioned habits and attitudes towards water are changing. People are used to conservation, the good and the bad. New development also means new infrastructure so no leaking mains and joints, it all adds up.

When I first became involved, I learned way more about water usage that I ever thought I would. I found it shocking that Mill Bay was at one point one of the highest users of water per person in British Columbia or maybe Canada. I know that Stonebridge will show the dramatic difference with new construction versus the older housing stock in Mill Bay.

In addition to new construction benefits we do other things such as include conservation in our covenants or building scheme, as well as we make our environmental initiatives a core component of what makes our projects unique.

Q29: Where are your wells?

A: I can say one is located near Lodgepole, and one is located on the Stonebridge property. We're not supposed to give the exact location for safety reasons.

Comment from Attendee: Actually, we're putting a map of that on our website.

Q30: So there would be a pumping station at these wells?

A: Yes. the wells themselves are pumped. When you draw in the water out of the ground, it's actually a pump that's pulling it up and putting it in where it needs to go.

Q31: And then it goes to the Mill Bay Water Board?

A: Yes, it comes out of the ground and it goes to the Mill Bay for basic treatment, into a mixing tank, then a reservoir, and then you're ready to use it.

Comment from Attendee: It's a pump that goes down inside of the well casing, like a sump pump, and it draws it up and then pumps it into our water board.

Q32: So can you tell me which well?

A: I am not sure what you mean, we have one well on our property, on the Stonebridge property, and then there's one near Lodgepole.

Q33: Kelsey Trail, is that cutting across where the seniors housing is?

A: I am sorry I am not sure what trail that is, is that further down?

Attendee Comment: It's over the bridge. Yeah, it's over the stone bridge. Where the kids come across.

A: Oh, Barry Road. Sorry, that's Barry Road. I get it, I didn't know people referred to it as Kelsey Trail. Barry Road is actually a dedicated road, but it's not built. It's actually about 22 meters wide and once that part of Barry Road is built in will also be park of the Stonebridge Trail.

Q34: The kids use it now to get to the high school and too McDonalds.

A: Yes we are aware as we are constantly picking up garbage and finding forks everywhere. All I can say is they're going to have a much safer route to where they're going. Right now they're going everywhere on the property but the new trail will be more defined and will travel down Barry Road and connect over the stone bridge. The bridge will be improved with rails and a proper walking path on it. Does that answer your question? If I have missed something come see me after the meeting.

Q35: I just wondered if you could explain a little more about drive-thru service providers.

A: Oh, finally got the question. I was getting kind of disappointed. Our original draft didn't include drive-thru's but we learned quickly that attracting the tenant quality and mix that we and community wants required a four or five tenants that once committed the remainder will follow. Two of the primary tenants require a drive-thru's due to Mill Bay being a secondary market. We have found that all the tenants are a little pack. If this guy is in we will be in, and if those two are in we will come in, and so on and so on.

I knew that drive-thrus weren't popular with some people. Like I said, I don't really use them, so I was ambivalent. So I went through and did a bunch of research. Before we agreed to - where are my glasses? Oh, there they are. I'm still getting used to having glasses.

First, I want to point out a couple of things about what we decided and why we decided it. Let me pull it up here. There we go.

So first off, it was very important to us that this is not a drive-through development with some other commercial. It's a commercial development with accessory drive-through. And there's a big difference. This is a very accessory use to the overall size of the site and the overall purpose of the site.

To give you an example, when the architect first came out to look at the site with us, we stopped by the Tim Hortons to McDonald's site. His exact words were, "Bad design, bad results." He said, "They basically could do a case study on everything you don't do about drive-thru design in that one little location." (laughter) And the more I got educated on drive-thrus and the purpose of them and the benefits of them, the more it made sense. I'll give you an example.

So like I said, our drive-thru use is accessory. The Tim Hortons and McDonald's drive thru restaurants take up 45% of the total commercial space in that location. This concept plan for Stonebridge is only 4.1%. It's very minor compared to the total scope of the commercial centre.

As we know, drive-thrus have been around a long time. I was shocked to learn that they started in 1920. Really, they took off in the 1980s. Everybody saw them.

What we often find is people are evaluating drive-thrus today based on the technologies of 20 years ago when they first started. It doesn't help when our neighbors have possibly the worst design possible at Tim Hortons and McDonalds. So I understand the apprehension. You've got to remember that 20 years ago, the biggest concern was emissions for people idling in lines. But things have changed a lot. 20 years ago, we were a Tier 1 requirement for emissions. We're now a Tier 3 and 4 for emissions. This is a substantial difference alone.

As well the technology is, of course, shifting and evolving. Start-stop technology is becoming common in most new vehicles. Hybrids are now very common. I was reading up about the government's requirement that by 2026, 20% of all vehicles must be hybrid or electric. 60% by 2030 and 100% by 2025. That's the direction we're going. We're designing a commercial center, not for yesterday and not for 20 years ago, but for 20 years from now.

I also want to point out some of the changes in design criteria. This is what I was really concerned about. I don't care for the look of a drive-thru, especially a stand-alone drive-thru. We were actually driving down from Nanaimo today, pointing out drive-thru designs we didn't like. And one was brand new.

Our architect who does projects all across Western Canada, he is very familiar with all the different operators. He said, "Your drive lane has to be designed to exceed your average peak demand vehicles in line." He said, "If they're not, they end up coming out of the lane, blocking traffic lanes, blocking parking spaces." He said, "They become more of a hindrance." And the tenants also know what works and they are not interested in bad designs. To give you an example, and I know I'm picking on Tim Hortons and McDonald's. Tim Hortons can accommodate only four vehicles, five if they squeeze in. McDonald's can accommodate six, seven if they squeeze in, any more than this they are interrupting vehicle movement in the parking lot. The concept design for Stonebridge accommodates 11 and 15. It's designed to ensure that there's no impact on the functionality of the driving spaces.

Some of the benefits that we've seen with drive-throughs in these kinds of situations, once again, it's a delivery model. And you also see that most stores now, of all types, have what they call contactless delivery. You can order your drink, pull up outside, and they bring it out to you. You can order your stuff, pull up outside, and the product is delivered curbside or in a parking stall. So they have all these different technologies. Drive-thrus are very similar. Drive-thrus are evolving.

One of the ones that's really evolving it is Starbucks. And I wish I could confirm with you they were one of their tenants, but I'd get in a lot of trouble if I said they were. Anyways, they're probably leading the charge on drive-thru technology. They're starting to eliminate drive-thrus where you arrive and order in line, they are moving towards what they call a mobile lane. You have to order it with your app and their AI tracks where you are as you make your way to the location. The AI organizes the orders so the barista makes it in the correct order based on arrival, so when you pull into that lane, it's ready for you.

They want it to be a delivery model rather than an ordering model. And their goal is to see all location be strictly a deliver model in 5 years.

I know some don't see any benefits but there are some;

We saw during the pandemic, all of a sudden people who didn't like drive-thrus were using them quite a bit. Because it was one of the very few places you could actually go to get products and services. It was also one of the models that kept people employed when most were unable to work.

One of the things that I didn't think about when I first researched drive-thrus, but it does make sense, the American Disabilities Association recommends at least one drive-thru in every commercial center. We always forget about people that have mobility challenges that can't get in and out of their cars as easy as we can.

And one more benefit is parents who have young children in their vehicle, for those that have had young children we know the task of getting everyone into a vehicle and settled and the thought of having to get them all out to pop in and grab a coffee is daunting, way easier to visit a drive-thru.

The other one I did think about, and I actually had to ask my wife about it when I read it, one of the largest users are parents with young children. Yes, I didn't even think of that. It's one of the largest contributors to a drive-thru. They want to pop in, they don't want to get the rugrats out, control them inside their store, get what they want, and then get them back in their vehicle.

The last couple of things are drive-thrus that are operated properly, which is modernized, with the proper stacking lanes and the proper technology, frees up longer term parking instead of using it for short term in and out parking. You're not getting people parking for five minutes or less, going constantly because it ties up parking.

We have developed the drive-thrus in this concept plan to be hidden. Now, I don't like drive-thrus that face the street. I don't want to drive by and see the stacking lane. We're quite fortunate here as the road grades along Shawnigan-Mill Bay Road help to hide the drive-thru lane, plus there will be fencing and landscaping to further screen.

We are trying to minimize the drive-thru use and keep it truly as an accessory use. And for us to get the mix of tenants we want to serve the community we need to offer this delivery model as part of the overall commercial centre.

Q36: Why build more drive-thrus when there's two or three right there that are okay? Or are they moving?

A: Which ones? Tim Hortons and McDonald's? No, I can confirm we are not currently talking to either. As mentioned the drive-thru is a necessary evil from your perspective but please recognize that they will be a fraction of the overall centre, 4.1% in this concept layout.

We are being very picky with the tenant mix and quality of tenants. We want people that are in here that prescribe to what we're trying to achieve. First, I think you'll be challenged to see it when you pull into the centre. It's still dominated by walk-in traffic as all locations are focused on the centre, but it has a convenience in the service model of delivery.

Q37: Is it part of the zoning that you can't have a drive-thru without permission?

A: Yes, that's why it's part of our amendment to add drive-thru as an accessory use.

Q38: With regard to affordable family housing, how are you going to guarantee that those opportunities aren't snapped up by real estate investments either on the primary or the secondary markets?

A: Affordable housing? It can't be snapped up because they're rented. So any affordable housing, which has subsidy from a housing provider, CMHC, BC Housing, something like that, they're always rental and they're always controlled in relation to tenancies.

Q39: My question to them is how can you guarantee me that people who live in the Mill Bay area get the first right of opportunity, which they say that they do.

A: Any affordable housing or purpose-built rental are focused on the community that they are built. I can't say that someone may not relocate to Mill Bay and rent a unit but generally you find local residents are the target market for this type of housing.

Q40: I don't believe that drive-thrus build community, there are studies that confirm this.

A: Yes [name deleted], you and I have had this discuss and with respect we disagree. You are referring to standalone type of drive-thrus or situations like our neighbour Tim Hortons and McDonald's. We are not proposing a drive-thru dominant project but rather an accessory approach, 4.1%.

Q41: You will have vehicles come off the highway, in and out, with very little social interaction, very little support for businesses. And what they have found is that drive-thrus detract from business coming into your center, where if mom and pop had their cafe or their healthy coffee shop, etc., they would be doing it in the city. Plus, the other problem with application is you're going to attract traffic off the highway. So I know that you've met with highways and they told you that you can't share that, but unless there are improvements made on the highway that have integrated traffic, it's just going to be taking the people from Victoria on their way up to Mount Washington. It's not going to be local people. A lot of the time, we have three. As a matter of fact, we've had more drive-thrus and we have lottery sales places, which they're all over the place. I'm sure we'll probably have some lottery sales here, too. So I think what you should do is not tell us. I think you

should be listening to what the community says. And for the people that don't know me, I was the director here for 15 years. I was involved with the community plan revisions two or three times. It was quite clear at that time. And today, it's gone the other way because now we're spending a fortune trying to make sure that we have a better environment, which includes vehicles. And I know that the electric cars are coming and all those things. But I think that there's some really, really big services, whether we should have those or not, that would serve the community. And that's what we're trying to sell you is a sense of community. And I would hope that you would take it into consideration.

A: We've talked about this. I agree with you, and I've read those studies. Those are talking about stand-alone drive-thrus in commercial areas. The study you're talking about, you have two drive-thrus -- very similar to Tim Hortons and McDonald's. You have two drive-thrus that are stand-alone, and you have a little bit of commercial behind them. You're completely right that they have one purpose -- move people in, move people out. Our project is completely different, it is a 4.1% addition to the center providing an accessory delivery model. I would challenge you that 4.1% -- you can't even see it. It's a benefit to the community, not a negative to the community, and it's a minor component to the centre.

And with respect [name deleted], I don't think our drive-thrus are different than if I pull into a parking lot, jump out, grab a coffee, jump back in my truck and leave, I'm still not part of the community as you frame it. This is a commercial center to serve the community, people will gather and interact however it is not a community center.

I wanted to make a comment about the highway. You say it's a disaster right now. As I have said the highway is going to be improved, first because it needs it now, and with the added housing and the commercial centre. A lot of money is expected to be spent on that intersection, and also on Shawnigan Mill Bay Road, and Barry Road, so it's going to be much safer than it is now. That's what the majority of our meeting was today with MOTI and in the end the exact improvements required will be determined by MOTI.

Attendee Comment: So, just so I can make it clear, I support the project.

A: I appreciate that and I understand your comments.

Q42: To the planning person, do these drive-throughs require a change to the OCP?

A: So, these drive-throughs would require a change to the zoning by-law. The board has directed staff to also come back with some ideas for development permit guidelines that can help to better regulate drive-throughs. That's a separate item to this. The board will have to make a decision as to whether or not to allow drive-throughs as part of the zoning application.

A: And also too, Richard's just saying that there's two different aspects of the zoning. There's development permit guidelines which are being developed for drive-throughs for this site to make sure that they meet the modern standards. But the board also gave a direction to staff to make sure that when they write the by-law that it is truly accessory and it's not just two drive-throughs. They don't want another Tim Hortons in McDonalds. So the change that's being proposed is a change to the zoning by-law for the drive-throughs. The official community plan changes are about the uses near the senior centre and then down south on the site to allow for that either stand-alone commercial or stand-alone residential. Drive-throughs are strictly a matter of zoning.

A: The board has asked us to look into design guidelines to deal with general commercial uses which could include things like drive-throughs if they are allowed. And we want to make sure it's done correctly.

Q43: If we're telling you we don't like drive-throughs, how many people want drive-throughs? How many people don't want drive-throughs?

A: So, there's... it's almost 50/50. Respectfully you can't ignore everybody that put their hands up either way. I understand it is probably 50 / 50 by looking at the hands. I understand that some are against drive-thrus no matter what I say however there are advantages to many and we have done the best we can to keep them truly accessory. We want a first class commercial centre and to achieve those tenants drive-thrus are a necessary component.

Attendee Comment: I don't understand the concern with drive-thrus, the plan looks great and lets get them going, we need this in the community.

Q44: My name's [name deleted]. I'm a retired reporter from there. You're very brave to undertake this. I've seen many, many developments and proposals come across CVRD. You're in a rock and a hard place because the Premier has said to build, but he didn't say what, where, for whom, nothing. That brings that onus onto CVRD. Now, keep in mind, folks, you're not a municipality down here, so the rules are different. Right now, when I retired from the Cowichan News Leader, there was a huge study that came up. I don't know what happened to it. That was a CVRD study that said every single water and sewage utility in the CVRD except the lagoons in Duncan and up in Saltaire, North Oyster, were in emergency water. You've got two licenses. What happens if those go dry?

A: Again let me confirm that the topic of water isn't relevant to the zoning amendment as we aren't creating new density or uses, we have zoning to proceed and the amendments only improve the development in terms of commercial opportunities and most importantly increasing the housing spectrum. In terms of your question, as I was saying earlier, is that the wells have been through years of testing and approval by the province, and in addition they're a staged license. I'm not going to try to be a hydrological engineer. I have to go by what the professionals tell us. We've talked a lot with our professionals and government professionals and based on the well results they are not

worried about things drying up. My layman's understanding is it is a matter of using the all the wells proportionately as needed as one monitoring and operational model. We leave this to professionals. I drink water and use water but I am not a hydrogeologist.

Q45: I don't see any amenities outside of the commercial area. There's no amenities like stores within the residential areas. So you still have to drive or walk using the trails to the commercial. Have you thought about amenities within the residential areas so they don't have to drive at all? They can walk to those amenities. And by the way, how about speed calming? Humps, bumps, chicanes on the roads to reduce the speed like you wanted.

A: You are preaching to the choir regarding traffic calming. Like I said though, Highways doesn't accept those kind of concepts. I would include many of those examples but we have never had any success with MOTI to do any traffic calming, they are focused on maintenance and moving vehicles. We actually put speed humps in at one point on a development even though it was a highways road and they said no. It took them about two weeks to order them taken out.

But in relation to the commercial, quite honestly, the distance from the residential to the commercial is considered walkable. It's considered walkable so it would cause more harm to the community to put commercial within the residential and it would be difficult for a commercial use to survive. Who knows, maybe you might see things like ice cream trucks or food trucks on community events in a Central Park.

Anybody who hasn't asked a question yet?

Q46: I have one more question. Could you tell us already what happens to the sewage?

A: Yeah, Stonebridge is part of the new Mill Bay sewer system, the new one that's being expanded. All the collection mains are going in right now. Stonebridge is the largest funding partner for the sewer system, I believe we are funding around 55% of the total cost, almost two million dollars. The new sewer system means no inground disposal system at Stonebridge, which in our opinion is a substantial benefit.

Q47: Is that beside the school in that field? Is that what that digging is?

A: No that is nothing related to the sewer. I don't know what that is.

Q48: Will it cross the creek?

A: It'll cross the creek where the stone bridge is. It comes up Barry Road, follows along over the bridge, and up this section of Barry Road.

Q49: So it doesn't have to cross the creek by itself?

A: No it doesn't.

Q50: Just as a comment that those two piles are, the sewer is coming down that way. They're starting to, okay, we live in Sunset Hill, and our sewer is coming down to Barry Road. They've started that? And they've started that, and they've moved on. Everything's there where that started, and that's why that doesn't grow.

A: Okay, I didn't realize they started on Barry Road yet.

Attendee Comment: They brought a lot of dirt in there, and they were out there today, or yesterday, and they've marked all of our streets, and where they're going to connect. That's all done.

A: Thank you for letting me know, and I'll go by there tomorrow.

Q51: At one point, there was a concept of a high-rise building, and I wondered if you have fire flow, could you relate the building, the litres to gallons, because I can't relate to it.

A: First of all, there is no high-rise. Well, there was. I mean, there might have been. There was a weird height thing on the original seniors parcel that was based on geodetic. It was really, really weird. Have we taken that out in the amendment. I've never seen that approach in all my years. We've taking that out and going down to normal height.

The zoning amendments will let it go up to six story's, with the highest balcony being no more than 18 meters from the top of the highest balcony to the lowest point, and that 18 meters is based on firefighting capability of ladders and fire trucks. The reservoir is partially there to provide firefighting capabilities as well for fire sprinklers in multi-family buildings.

Q52: The other question is, you're talking about 50 years down the road when we're all driving, or we're all dead, but we're all driving electric vehicles, what permission do you have for charging vehicles?

A: I just talked to the architect yesterday about that. There are five electric vehicle charging stations in the commercial centre, the ones that are really quick. I'm not really familiar with it, but they're a fast charger, and they recommend that they put in conduit for a bunch more. You just put the conduit in the ground for now, and as things progress, if more are required, then they can add more.

Each house as well will include conduits for chargers and any of the multi-family buildings will also have EV chargers and the ability to expand as demand increases.

Q53: Yes, I am [name deleted] with the Mill Bay and District Conservation Society. Unfortunately, we didn't get to connect over the last little bit, but our concern with this creek is, or this project along the creek is that we run the Coho Enhancement Project on Shawnigan Creek, which has been running since 1978. We have become the number one coho project in all of BC now. And so it's running through our back door. We have a proposal, a project proposal within your project proposal that has been 46 years in the making. And as, I don't know if you're aware of how we move our fish.

A: I am. Actually, my dad was part of a salmon enhancement program for years, so I participated, sometimes against my will.

Q54: So you're aware of that. Our project proposal now, the engineers will be on-site in the next little bit, that there will be fishways and fish ladders to get past the impassable waterfalls in Shawnigan Creek. Saying that, there's only one outside of Stonebridge property downstream. There's one above Stonebridge property. There'll be three fishways proposed to be built within Stonebridge property. So, our concern, because if this comes to pass, we will change the way that these fish move. We won't have to catch them. They'll move by freely. Any runoff in major rainfall events come in the fall. It's going to influence migration of fish. We just did a study, and I'm sure you're aware of it, on 6P PDQ. It's the chemical that comes off of tires from the road. And so, any development, as far as roadways around Shawnigan Creek, has potential to deposit 6P PDQ into Shawnigan Creek. Coho are especially susceptible to it. The highest concentration of 6P PDQ now on Shawnigan Creek is the discharge off the Highway Bridge. So our fish aren't there really long enough. In the fall, they're moving very quickly. But if they have to move through an area of an elongated time through potential project development, the risk is really quite real that there would be an influence there from roadways and also commercial development and housing development. Construction could be the worst because it's sometimes not monitored as well.

A: Do you know [name deleted]? He was big into sand enhancements for years. He would often come on board with us during our storm water management planning and provide comments and this and that. You're welcome to do the same. That's why I think Kate Segall connected us to talk about that. You can tell we are thinking of the environment. We are making sure that things are protected. The creek's incredibly important. Our track record up in Cowichan speaks for itself. We've protected and we've created wetlands as part of our stormwater management plan. So yes, we are aware of it. I know you and I are going to be talking some more. The more information, the better, and getting you in front of our engineers. They are at the top of their field. They recognize we like enhanced natural stormwater management. We don't like mechanical stormwater management because that's the stuff that breaks down and puts pollutants into the water.

Q55: The potential of this secondary road down the road, of another bridge crossing the creek, any construction, same thing, any construction around the creek, any dirt, debris, so on and so forth, flowing into the creek is going to influence salmon on a very instantaneous basis.

A: Like I said, it's important to us. It's something that my company and I believe Limona is very similar. It's integral to what we do. We don't want to be the ones that allow damage to the creek riparian areas and the watercourses. Now, specific to salmon and what you're doing, it will be good to get together. Most definitely.

Q56: Like I said, we are the number one coho project. We've been doubling our production 100%, over 100% every year. Actually, one of

our meetings with Malahat Nation, they mentioned that. So, you know, we're head and shoulders above most projects.

A: So you're telling us not to screw it up? Let's talk after we are done tonight and we can exchange contact information so we can meet and discuss bringing you into some of the storm water design meetings.

Q57: I assume that the vast majority of the trees for the commercial site are coming down?

A: I want to be clear so I don't provide an unrealistic expectation, many of the trees will be coming out, however it is early in the process and if we don't need to take a tree out and it can survive and thrive we always choose to retain what we can.

Q58: We're curious. Are you using the pioneer square name?

A: We don't know yet. I refer to it as Stonebridge Village. Stonebridge Center, Stonebridge Village. What do you think? What should we do?

Attendee Comment: Pioneer Square? I don't like it, need something new and fresh.

Q59: You were going to give us your email?

A: It's on the screen here, and its on the comment sheets by the entrance. As well you can pop up and I can give you my card.

Are we all done? Thank you very much, everybody, for coming out today. Once again, if you have questions, email us. We're always available.

Attendee Comment: It was a great presentation, thank you for taking the time and being clear.

Transcription Notes

- a) Names deleted for privacy other than the presenters Wayne Hopkins and Mike Baier for Stonebridge, and CVRD representative Richard Buchan.
- b) Inaudible not included in transcript.
- c) Voice tracking not including.

Status: Registered

Doc #: CA5728036

RCVD: 2016-12-20 RQST: 2021-09-29 12.46.35

FORM_C_V21 (Charge)

VICTORIA LAND TITLE OFFICE

LAND TITLE ACT
FORM C (Section 233) CHARGE

Dec-20-2016 17:27:20.001

CA5728036 CA5728037

GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 31 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

John Dawson
Mullin 87JXTV

Digitally signed by John Dawson
Mullin 87JXTV
DN: c=CA, cn=John Dawson Mullin
87JXTV, o=Lawyer, ou=Verify ID at
www.juricert.com/LKUP.cfm?
id=87JXTV
Date: 2016.12.20 13:57:14 -0800

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

MULLIN DEMEO

Lawyers

1626 Garnet Road

Victoria

BC V8P 3C8

Document Fees: \$143.16

Phone: 250-477-3327

File #: 72885/Limona/Stoneridge/JDM

Client No. 11886

(Park Covenant)

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

SEE SCHEDULESTC? YES ☐

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

SEE SCHEDULE

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

COWICHAN VALLEY REGIONAL DISTRICT

175 INGRAM STREET

DUNCAN

BRITISH COLUMBIA

V9L 1N8

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

JOHN D. MULLIN

Barrister & Solicitor

1626 Garnet Road

Victoria, BC V8P 3C8

Execution Date

Y M D

16

12

06

Transferor(s) Signature(s)

0927020 B.C. LTD. by its authorized
signatory(ies):

Name: Mike Baier

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 2 of 31 PAGES

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Shannon Carlow

Commissioner for Taking Affidavits in British Columbia

Commission 2015-0836
Cowichan Valley Regional District
175 Ingram Street
Duncan BC V9L 1N8

(as to both signatures)

Y	M	D
16	12	16

COWICHAN VALLEY REGIONAL
DISTRICT by its authorized signatory
(ies):

Name: Jon Lefebure, Chairperson

Name: Joseph E. Barry, Corporate
Secretary

David B. Pope

Barrister & Solicitor

PO Box 83 Mill Bay, BC
VOR 2P0 250-743 3245

16	12	07
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(AS TO PRIORITY)

STEPHEN HOWARD GARNETT,
EXECUTOR OF THE WILL OF GRANT
MAKEPEACE GARNETT,
DECEASED, SEE FB419709

David B. Pope

Barrister & Solicitor

PO Box 83 Mill Bay, BC
VOR 2P0 250-743 3245

16	12	07
----	----	----

(AS TO PRIORITY)

DAVID GREGORY GARNETT,
EXECUTOR OF THE WILL OF GRANT
MAKEPEACE GARNETT,
DECEASED, SEE FB419709

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D****EXECUTIONS CONTINUED**

PAGE 3 of 31 PAGES

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

GERRY M. LAARAKKER

Barrister & Solicitor

Gerry M. Laarakker Law Corp.
Unit 1, 4205 - 27th Street
Vernon, BC V1T 4Y3

Y	M	D
16	12	06

(AS TO PRIORITY)

MURRAY CRAIG GARNETT,
EXECUTOR OF THE WILL OF GRANT
MAKEPEACE GARNETT,
DECEASED, SEE FB419709**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D****EXECUTIONS CONTINUED**

PAGE 4 of 31 PAGES

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y	M	D
16	12	07

David B. Pope
Barrister & Solicitor
PO Box 83 Mill Bay, BC
VOR 2P0 250-743 3245

(AS TO PRIORITY)

LOIS BERYL GARNETT**OFFICER CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 5 OF 31 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

029-533-601 LOT B SECTION 3 RANGE 8 SHAWNIGAN DISTRICT PLAN EPP49270

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

**009-497-803 SECTION 3 RANGE 8 SHAWNIGAN DISTRICT EXCEPT PARCEL A
(DD43570I); PARCEL B (DD45704I); PARCEL C (DD91923I) AND EXCEPT
THOSE PARTS IN PLANS 4171, 8239, 9554, 34171, 51404, VIP69873, VIP77020,
EPP18211 AND EPP49270**

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

FORM_E_V21

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 6 OF 31 PAGES

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

Entire Instrument, except page 19, paragraph 45

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Priority Agreement

Granting this Covenant with one registration number less than this priority agreement priority over Mortgage CA3612491 and Assignment of Rents CA3612492
Page 19, paragraph 45

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 7 OF 31 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

5. TRANSFEROR(S):

0927020 B.C. LTD., INC. NO. BC0927020
(as to Statutory Right of Way)

STEPHEN HOWARD GARNETT, DAVID GREGORY GARNETT, MURRAY CRAIG GARNETT
EXECUTOR OF THE WILL OF GRANT MAKEPEACE GARNETT, DECEASED, SEE FB419709,
AS TO AN UNDIVIDED 70/100 INTEREST
and
LOIS BERYL GARNETT, AS TO AN UNDIVIDED 30/100 INTEREST
(as to Priority)

TERMS OF INSTRUMENT - PART 2

W H E R E A S:

- A. The Transferor is the registered owner in fee-simple of those lands and premises located within the Cowichan Valley Regional District, in the Province of British Columbia, more particularly described as:

PID 029-533-601

Lot B Section 3 Range 8 Shawnigan District Plan EPP49270

PID 009-497-803

Section 3 Range 8 Shawnigan District Except Parcel A (DD 43570I); Parcel B (DD 45704I); Parcel C (DD 91923I) and Except Those Parts in Plans 4171, 8239, 9554, 34171, 51404, VIP69873, VIP77020, EPP18211 and EPP49270

(collectively, the “**Lands**”)

- B. The Transferee is the Cowichan Valley Regional District (hereafter referred to as the “**CVRD**”);
- C. The Transferor has applied to amend the South Cowichan Official Community Plan Bylaw No. 3510 (the “**OCP**”) as it applies to the Lands, under the terms of CVRD Bylaw No. 4007 – South Cowichan Official Community Plan Amendment Bylaw (Stonebridge North), 2016, and to rezone the Lands under the provisions of Cowichan Valley Regional District Bylaw No. 4008 – South Cowichan Zoning Amendment Bylaw (Stonebridge CD Zone Amendments), 2016 (the “**Zoning Amendment Bylaw**”).
- D. The Zoning Amendment Bylaw includes provisions under section 482 of the *Local Government Act*, S.B.C. 2015 c. 1, under which the density of development on that portion of the Lands in the CD-9B Zone (as that Zone is defined in the Zoning Bylaw) may be increased on the condition that certain amenities are provided.
- E. The Transferor and the CVRD wish to enter into this Agreement to better define the timing and conditions for the provision of amenities to permit the increased density of development of that part of the Lands in the CD-9B Zone.
- F. The Transferor has also offered on a voluntary basis to provide the CVRD with certain other amenities, over and above the amenities referred to in Recital D, including additional land for park purposes, park improvements including a tot lot, Trails, and improvements to the Stone Bridge for the benefit of the surrounding community.
- G. The Transferor has, in accordance with Schedule A, Appendix A, Policy 7.3 of the OCP, provided a community facility lot by donating 1.0 hectares of land to the Government of Canada for a new Royal Canadian Mounted Police station.
- H. The Transferor acknowledges that it is in the public interest that the development and

use of the Lands be limited and wishes to grant this covenant to the CVRD;

- D. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, and:
- that land is to be built on in accordance with the covenant;
 - that land is not to be built on or subdivided except in accordance with the covenant;
 - that land is not to be used, built on or subdivided;
 - that land or specified amenities be protected, preserved, conserved, maintained, enhanced, restored or kept in its natural or existing state;
- may be granted in favour of the CVRD and may be registered as a charge against the title to that land.

NOW THEREFORE THIS AGREEMENT WITNESSES that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE (\$1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the CVRD (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

Part A – Definitions and Interpretation

1. In this Agreement the following words have the following meanings:

“Bylaw Amenities” means the following amenities, as referred to in Section 11.9B.5e of the Zoning Bylaw, that are required to be provided in order to increase the density of development of the Lands within the CD-9B Zone:

- (a) the donation of two lots created by subdivision of the Lands within the CD-9B Zone, each of which is suitable for the construction of one (1) duplex, to an affordable housing provider that is acceptable to the CVRD;
- (b) the financial contribution of Three Hundred Thousand (\$300,000.00) Dollars to the Electoral Area A Community Parks Capital Reserve Fund; and
- (c) the transfer to the CVRD of the fee simple interest in all Riparian Areas for park and conservation purposes;

“CVRD Parks and Trails Standards and Specifications” means the standards and specifications for Type I and Type II Trails utilized by the CVRD Parks and Trails Division in the development and construction of parks, trails and similar amenities, as amended or replaced and in effect on the date that this s. 219 covenant is registered at the Land Title Office;

“Dwelling Unit” and **“Duplex”** have the same meaning as under the Zoning Bylaw;

“Multi-Use Stonebridge Trail” means that trail shown outlined on the Park Area and Amenity Plan labeled “Multi-Use Stonebridge Trail” built to the CVRD Parks and Trails Standards and Specifications for a Type I Trail by the Transferor in accordance with this Agreement, which will form a part of the CVRD’s recreational trail system, and which

starts at the end of Barry Road on the north side of Shawnigan Creek and travels across Shawnigan Creek via the Stone Bridge, where it joins with Barry Road on the south side of Shawnigan Creek, the general location of which is shown outlined and labeled "Multi-Use Stonebridge Trail" on the Park Area and Amenity Plan;

"Park Area and Amenity Plan" means the plan showing the Transferor's proposed subdivision and development of the Lands, and the approximate location of lands and park amenities to be provided by the Transferor under this Agreement, attached as Schedule "A";

"Park Areas" means, collectively, those parts of the Lands comprising the:

- (a) Tot Lot Park Land;
- (b) Trail Corridor Dedication Areas;
- (c) Trails;
- (d) Multi-Use Stonebridge Trail; and
- (e) Riparian Areas

all of which are to be transferred to the CVRD in accordance with this Agreement for park or conservation purposes;

"Phase" means an area of the Lands that is proposed to be subdivided by a single subdivision plan;

"Professional Engineer" means a professional engineer licensed to practice in British Columbia;

"Riparian Areas" means the riparian areas of the Lands comprising approximately 7.09 hectares, more or less, adjoining Shawnigan Creek, which includes the part of the Lands that has been determined to be the streamside protection and enhancement area (SPEA) in accordance with *Riparian Areas Regulation*, B.C. Reg. 376/2004, as generally shown outlined and labelled "Riparian" on the Park Area and Amenity Plan;

"Stone Bridge" means the historic stone bridge situated within the Park Area that crosses Shawnigan Creek and that will be donated by the Transferor to the CVRD in accordance with this Agreement;

"Subdivision" means the division of land into two (2) or more legal parcels, including by plan, apt descriptive words or otherwise, and for certainty includes a subdivision of land under the *Strata Property Act* into one or more strata lots, whether a building strata or bare land strata subdivision;

"Tot Lot Park Land" means an area of the Lands comprising approximately 0.06 hectares, more or less, which is a corner lot in close proximity to a Trail that connects with the system of Trails in the Riparian Areas, and which will be improved as a tot lot park by the Transferor with amenities, which will include a playground, park furniture, landscaping, irrigation, and such other amenities as agreed upon by the CVRD and the Transferor and as more particularly described in sections 16 to 20 of this Agreement, and the general location of which is shown outlined and labeled "Tot Lot" on the Park

Area and Amenity Plan;

“Trail” or “Trails” means those trails on the Lands, to be constructed to the CVRD Parks and Trails Standards and Specifications for a Type II Trail by the Transferor in accordance with this Agreement, the locations of which are generally shown by the dotted lines on the Park Area and Amenity Plan, and that will form a part of the CVRD's recreational trail system; and

“Trail Corridor Dedication Areas” means those corridors on the Lands to be transferred to the CVRD for recreational trail purposes in accordance with this Agreement, and that will not be less than 7 metres in width.

Part B - Covenant Not to Build or Subdivide Except in Accordance With this Agreement

2. (a) The Transferor covenants and agrees with the CVRD that it shall not construct any buildings on the Lands or subdivide the Lands except in strict accordance with this Agreement.
- (b) Sections 3 through 8 of this Agreement apply to the subdivision and development of that part of the Lands in the CD-9B Zone where undertaken pursuant to the amenity bonus provisions of section 11.9B.5e of the Zoning Amendment Bylaw.

A. Provision of Bylaw Amenities for Increased Density under Zoning Bylaw

3. The Transferor covenants and agrees that no later than the third or last subdivision of the Lands within the CD-9B Zone, whichever is the earlier, it shall transfer the fee simple interest in two fully serviced lots within the CD-9B Zone, each of which is suitable for the construction of one duplex, to a not-for-profit affordable housing provider that is acceptable to the CVRD.
4. The Transferor covenants and agrees that it shall:
 - (a) concurrently with the first subdivision of the Lands within the CD-9B Zone, make a financial contribution of \$50,000.00 to the Electoral Area A Community Parks Capital Reserve Fund;
 - (b) concurrently with the second subdivision of the Lands within the CD-9B Zone, make a financial contribution of \$50,000.00 to the Electoral Area A Community Parks Capital Reserve Fund;
 - (c) concurrently with the third subdivision of the Lands within the CD-9 B Zone, make a financial contribution of \$100,000.00 to the Electoral Area A Community Parks Capital Reserve Fund; and
 - (d) currently with the fourth subdivision of the Lands within the CD-9 B Zone, make a financial contribution of \$100,000.00 to the Electoral Area A Community Parks Capital Reserve Fund.

5. For certainty, the Transferor covenants and agrees that:
 - (a) it shall make a total financial contribution to the Electoral Area A Community Parks Capital Reserve Fund in an amount not less than \$300,000.00, regardless of the number of subdivisions the Transferor finally elects to make to the Lands within the CD-9B Zone; and
 - (b) notwithstanding section 4, in the event that the Transferor makes fewer than four subdivisions to the Lands within the CD-9B Zone, the Transferor shall pay to the Regional District the entire remaining balance of the \$300,000.00 financial contribution to the Electoral Area A Community Parks Capital Reserve Fund concurrently with the final subdivision of the Lands within the CD-9B Zone.
6. The Transferor covenants and agrees that it shall not subdivide the Lands unless it first transfers the fee simple interest in the Riparian Areas to the CVRD, for park and conservation purposes.
7. The Transferor shall be solely responsible for the cost of subdividing the Lands as required to create the lots that are required to be transferred under the terms of this Agreement, including the lots to be transferred to an affordable housing provider under section 3 and the transfer of the Riparian Areas to the CVRD under section 6, and for certainty the cost of subdivision includes the cost of surveying the Lands, plan preparation, the servicing of the lots referred to in section 3 with water and sewer services as well as all other services required as a condition of subdivision, and the cost of preparing and registering at the Land Title Office all required plans and transfers.
8. Each of the parcels that are required to be transferred under the terms of this Agreement, including the parcels to be transferred to an affordable housing provider under section 3 and the transfer of the Riparian Areas to the CVRD under section 6, must be transferred by the Transferor free and clear of any rights of way, covenants, easements, financial charges or encumbrances, property taxes, or other liens, charges or encumbrances of any kind, other than charges that are approved in advance and in writing by the CVRD, such approval not to be unreasonably or arbitrarily withheld.
9. For certainty, in the event that the Transferor does not provide all of the Bylaw Amenities in accordance with the requirements of this Agreement, then:
 - (a) in accordance with the Zoning Bylaw, no more than fifty (50) dwelling units, excluding any secondary suites, may be constructed on the Lands that are within the CD-9B Zone; and
 - (b) the Transferor shall not subdivide the Lands within the CD-9B Zone until it has, at its sole cost, first prepared and registered against title to the Lands a Statutory Right of Way in favour of the CVRD over the Riparian Areas in the form attached to this Agreement as Schedule "B" for the purpose of providing public access over the Trails that are to be developed by the Transferor in the Riparian Areas.

Part C - Park Land and Park Improvement Amenities**A. Transfer of Park Areas other than Riparian Areas**

10. The Transferor shall not deposit or register a subdivision plan that subdivides the Lands into one or more parcels comprising all or a portion of a Phase unless concurrently with that subdivision the Transferor subdivides and transfers to the CVRD the fee simple interest in the portion of the Lands comprising the Park Areas that are contained within that Phase. For greater certainty, this section 10, and sections 11 through 17 of this Agreement apply to the subdivision and transfer to the CVRD of all Park Areas other than the Riparian Areas, the subdivision and transfer of which are addressed in section 6, 7 and 8 of this Agreement.
11. The Transferor shall be solely responsible for the cost of subdividing the Lands as required to create each legal parcel or parcels comprising a Park Area capable of being transferred to the CVRD, and for certainty the cost of subdivision includes the cost of surveying the Lands, plan preparation, and the cost of preparing and registering at the Land Title Office all required plans and transfers but expressly excludes any property transfer tax, or goods and services tax applicable to such transfer.
12. The final surveyed boundaries of all Park Areas as shown on a subdivision plan must be acceptable to the CVRD, such acceptance and approval not to be unreasonably withheld, and:
 - (a) in the case of the portions of the Lands that must be transferred to the CVRD to accommodate the Trails, and the Multi-Use Stonebridge Trail, the width and actual layout of the Trail Corridor Dedication Areas in each case shall be determined by the CVRD, acting reasonably, at the time of subdivision based on site conditions and trail requirements, including without limitation the requirement that the Trail Corridor Dedication Areas that pass between residential lots must be in the locations generally shown outlined and labeled as "Trail Corridors" on the Park Area and Amenity Plan, and must not be less than 7 metres in width;
 - (b) in the case of the Tot Lot Park Land, the location and boundaries of the Tot Lot Park Land shall be as approved by the CVRD, acting reasonably.
13. All Park Areas shall be transferred to the CVRD free and clear of any rights of way, covenants, easements, financial charges or encumbrances, overhead services, property taxes, or other liens, charges or encumbrances of any kind, other than charges that are approved in advance and in writing by the CVRD, such approval not to be unreasonably or arbitrarily withheld. Any part of the Lands required to be created by subdivision and to be transferred to the CVRD under this Agreement shall not be included within any area of the Lands that is required to be dedicated as highway or public roadway as a condition of subdivision.
14. The Transferor shall not construct or install underground services or utility works including, but not limited to, those underground services or utility works described in sections 19 and 20 on those parts of the Lands that will be transferred to the CVRD under this Agreement without first obtaining the written approval of the Manager of the

CVRD Parks and Trails Division. Without limiting the other circumstances in which the Manager of the CVRD Parks and Trails Division may withhold approval, approval may be withheld if the following conditions are not met:

- (a) except as specifically provided in section 14(c), all such infrastructure is located underground;
 - (b) the location of the infrastructure will not affect the CVRD's ability to develop or use the Park Area for park, trail, or conservation purposes;
 - (c) where practical the infrastructure is or will be aligned with a Trail or the Multi-Use Stonebridge Trail, except that CVRD may require portions of the infrastructure be located approximately 40 metres west of the Stone Bridge if the CVRD Engineering Services Department determines that a pipe bridge crossing Shawnigan Creek is required; and
 - (d) the Transferor registers such easements or statutory rights of way as are necessary for the construction and maintenance of the infrastructure, such easements or statutory rights of way to be on terms that are to the CVRD's satisfaction in accordance with section 13 of this Agreement.
15. Except for that stormwater infrastructure specifically described in section 20(a) or that pre-existing stormwater infrastructure shown outlined and identified by the letters "SW" on the Park Area and Amenity Plan, the Transferor covenants and agrees that it will not construct any stormwater infrastructure within the Park Areas.

B. Amenities and Trail Improvements

16. The Transferor covenants and agrees that it shall construct at its sole cost and expense:
- (a) improvements required for the establishment and use of the Trails and the Multi-Use Stonebridge Trail (the "**Trail Improvements**");
 - (b) amenities and improvements required for the establishment and use of the Tot Lot Park Land (the "**Tot Lot Amenities**");
 - (c) all signage which identifies the boundaries between the Park Areas and private property ("**Park Area Signage**").
17. The Transferor covenants and agrees that the Trail Improvements and Tot Lot Amenities and Park Area Signage must be constructed in accordance with this Agreement and to the satisfaction of the CVRD prior to the subdivision and transfer of the fee simple interest in the parcel or parcels comprising the Park Area in which the Trail Improvements, Tot Lot Amenities or Park Area Signage is located.
18. All Trail Improvements, Tot Lot Amenities and Park Area Signage to be constructed under this Agreement shall be designed and constructed by the Transferor to the satisfaction of the CVRD and to CVRD Parks and Trails Standards and Specifications,

Type I for the Multi-use Stonebridge Trail and Type II for all other Trails.

19. Prior to the construction of any Trail Improvements, Tot Lot Amenities, or Park Area Signage, the Transferor shall submit to the CVRD, for the CVRD's written approval, a set of drawings and specifications prepared by a qualified landscape designer, in such detail as is reasonably necessary to demonstrate that the Trail Improvements, Tot Lot Amenities and Park Area Signage will comply with the requirements of this Agreement, and that, where applicable, provide details of:
 - (a) all site preparation work;
 - (b) all hard surfaces;
 - (c) all landscaping including grassed areas and trees;
 - (d) signage;
 - (e) playground equipment and park furniture where required; and
 - (f) site services including water, sewer and hydro where applicable.
20. The Tot Lot Amenities must include:
 - (a) potable water, irrigation, and storm drainage services at locations that are acceptable to the CVRD;
 - (b) playground equipment suitable for the size of the Tot Lot Park Land and that meets the current Canadian Standards Association standards, which equipment must be approved in writing by the CVRD prior to the purchase and installation of the equipment, such approval not to be unreasonably withheld, and all playground equipment must be installed by a certified playground equipment contractor;
 - (c) park furniture that meets CVRD Parks and Trails Standards or such other standard as the CVRD may, in its sole discretion, direct in substitution;
 - (d) landscaping suitable for the size and use of the Tot Lot Park Land, as determined by the CVRD acting in its sole discretion; and
 - (e) all other amenities and improvements that the parties agree are reasonably required or desirable for the use of the Tot Lot Park Land as a tot lot park.
21. The Transferor covenants and agrees that it shall construct, at its sole cost and expense, the Multi-Use Stonebridge Trail, and all other Trails in accordance with CVRD Parks and Trails Standards, and within the Trail Corridor Dedication Areas, or such other area of the Lands that the CVRD in its sole discretion may direct in substitution.

C. Stone Bridge

22. Concurrently with the subdivision of that part of the Lands upon which the Stone Bridge is situated, the Transferor shall transfer its interest in the Stone Bridge to the CVRD, free of all liens, charges and encumbrances, together with the portion of the Lands on which any part of the Stone Bridge is situated, that surrounds the Stone Bridge and that is reasonably required for the CVRD's use and maintenance of the Stone Bridge as part of the CVRD's recreational trail system.
23. Prior to the transfer described in section 22, the Transferor shall, at its sole expense:
- (a) retain a Professional Engineer to inspect and assess the Stone Bridge and prepare, for the CVRD's written approval, a report detailing all work and upgrades that must be completed before the Stone Bridge may be safely used by the public as a bridge for pedestrians and non-motorized vehicles, which work must include, but shall in no way be limited to, the construction of a hand-railing on both sides of the Stone Bridge;
 - (b) perform all work and upgrades to the Stone Bridge in accordance with the report described in section 23.

D. No Disturbance of Land Pending Transfer to CVRD

24. Except as may be necessary to construct the Trail Improvements, Park Area Amenities and Park Area Signage required under this Agreement, the Transferor agrees that it shall not disturb or remove any soil and/or vegetation on that part of the Lands that might reasonably be expected to be transferred for park or conservation purposes under this Agreement, whether before or after the transfer of the Park Areas, including, but not limited to, any such disturbance or removal undertaken as part of any land clearing or construction activities, without the prior express written consent of the CVRD.

E. Local Government Act Requirements for Provision of Park Land or Payment for Parks Purposes

25. The CVRD confirms that in the event that the Transferor develops the Lands within the CD-9B Zone pursuant to the amenity bonus provisions of section 11.9B.5e of the Zoning Amendment Bylaw, and transfers all of the Park Areas to the CVRD in accordance with this Agreement, the Transferor shall not be required to provide any additional park land at the time of subdivision of the Lands in accordance with section 510 of the *Local Government Act*.
26. If the Transferor does not develop the Lands within the CD-9B Zone pursuant to the amenity bonus provisions of section 11.9B.5e of the Zoning Amendment Bylaw, or in any event does not transfer all of the Park Areas required to be transferred to the CVRD under this Agreement, the Transferor shall be required to provide the CVRD with sufficient park land at the time of subdivision of the Lands to meet the requirements of section 510 of the *Local Government Act*. In the circumstances described in this section 26, the parties agree that any Park Areas actually provided by the Transferor to the CVRD under this Agreement shall be counted as a credit towards the total amount

of park land required to be provided by the Transferor to the CVRD under section 510 of the *Local Government Act*.

F. General Provisions

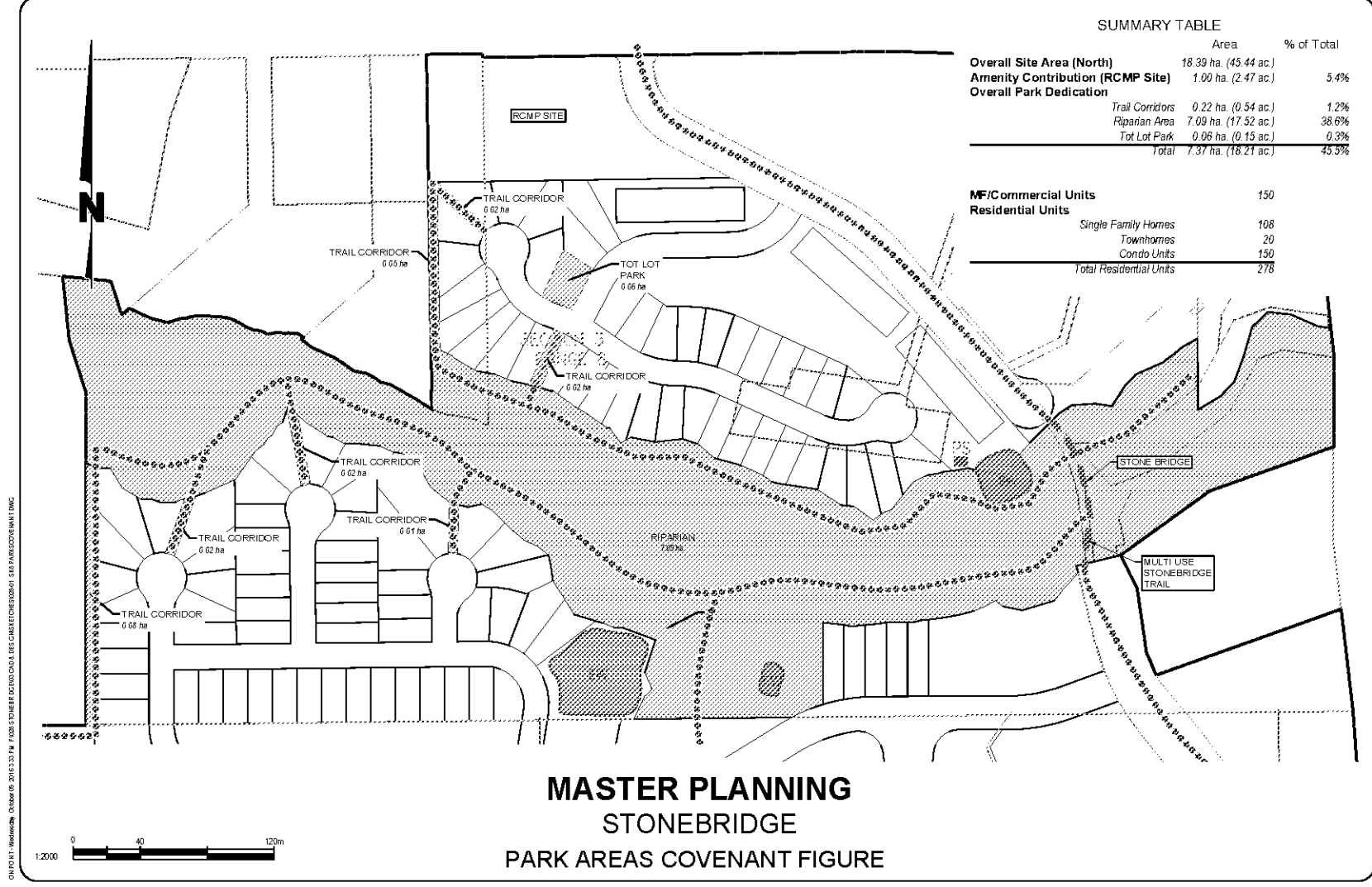
27. The Transferor shall indemnify and save harmless the CVRD from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which anyone has or may have against the CVRD or which the CVRD incurs as a result of any loss or damage or injury, including economic loss, arising out of or connected with:
 - (a) the breach of any covenant in this Agreement;
 - (b) the use of the Lands contemplated under this Agreement; and
 - (c) restrictions or requirements under this Agreement.
28. The Transferor hereby releases and forever discharges the CVRD of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which the Transferor can or may have against the CVRD for any loss or damage or injury, including economic loss, that the Transferor may sustain or suffer arising out of or connected with:
 - (a) the breach of any covenant in this Agreement;
 - (b) the use of the Lands contemplated under this Agreement; and
 - (c) restrictions or requirements under this Agreement.
29. At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.
30. This Agreement is effective on the date the Zoning Bylaw is adopted by the Board of the Cowichan Valley Regional District. In the event the Zoning Bylaw is not adopted on or before the date that is six months following the registration of this Agreement in the Land Title Office, the CVRD will execute a discharge of this Agreement, the preparation and registration of which shall be at the sole cost of the Transferor.
31. Nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the CVRD in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if the Agreement had not been executed and delivered by the Transferor.
32. Each party shall pay their own legal costs associated with the preparation of this Agreement. The Transferor agrees to pay all other costs associated with the final registration of this Agreement. This is a personal covenant between the parties.

33. Time is of the essence of this Agreement.
34. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.
35. It is mutually understood, acknowledged and agreed by the parties hereto that the CVRD has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.
36. The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.
37. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
38. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
39. The enforcement of this Agreement shall be entirely within the discretion of the CVRD and the execution and registration of the Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the CVRD to the Transferor or to any other person to enforce any provision of the breach of any provision of this Agreement.
40. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the CVRD as a first charge against the Lands.
41. The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.
42. If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.
43. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
44. This Agreement may be executed in counterpart with the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement. This Agreement may be delivered by electronic means.

45. Stephen Howard Garnett, David Gregory Garnett, Murray Craig Garnett, Executor of the Will of Grant Makepeace Garnett, Deceased, See FB419709, as to an undivided 70/100 interest, and Lois Beryl Garnett, as to an undivided 30/100 interest (collectively, the "**Chargeholder**"), the registered holder of a charge by way of Mortgage and Assignment of Rents against the Lands and registered under numbers CA3612491 and CA3612492, respectively (collectively, the "**Charge**") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the CVRD to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the CVRD, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the Charge in the same manner and to the same effect as if it had been dated and registered prior to the Charge.

The Transferor and CVRD acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached hereto.

Schedule “A”
Park Area and Amenity Plan



Schedule “B”
Statutory Right of Way



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. XXXX

A Bylaw for the Purpose of Amending South Cowichan Zoning Bylaw No. 3520 Applicable to Electoral Areas A - Mill Bay/Malahat and C - Cobble Hill

WHEREAS the *Local Government Act*, hereafter referred to as the "Act", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Areas A – Mill Bay/Malahat and C – Cobble Hill, that being "CVRD South Cowichan Zoning Bylaw No. 3520, 2013" Applicable to Areas A - Mill Bay/Malahat and C - Cobble Hill";

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend South Cowichan Zoning Bylaw No. 3520;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. XXXX – Electoral Areas A - Mill Bay/Malahat and C - Cobble Hill South Cowichan Zoning Amendment Bylaw (Stonebridge), 2024**".

2. **AMENDMENTS**

Bylaw No. 3520 is hereby amended as follows:

- a. Delete Section 11.9A CD-9A Village Comprehensive Mixed Use 9A
- b. Delete 11.9B CD-9B Village Comprehensive Residential 9B
- c. Delete and Replace Section 11.8 CD-8 Village Comprehensive Development 8 – Stonebridge South with the following:

11.8 CD-8 Village Comprehensive Development 8 – Stonebridge Comprehensive Development

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the CD-8 Zone:

1. Definitions

Despite any other bylaw provision, the following definitions apply to the following terms used within the CD-8 Zone:

- a. "Carport" means a roofed structure free standing or attached to the principal building which is not enclosed in the front and at least one side.
- b. "Drive-Through Facility" means the use of land, buildings, or structures, or parts thereof, to provide products or services through an attendant, a window, or an automated machine to persons remaining in motorized vehicles that are in a lane designated for that purpose.
- c. "Front Building Line" means the closest extended line of the wall of a building which faces and is parallel to the front lot line; or in the case of an open carport, the furthest extent of the roof overhang.
- d. "Hotel" means means a building or part thereof with a common entrance lobby and shared corridors, which provides sleeping accommodation for transient visitors and may include public facilities such as restaurants, banquet, beverage, meeting and convention rooms, recreation facilities, and personal service establishments for the convenience of guests. Payment for occupancy is usually on a daily or weekly basis to the operator. A Hotel use may include extended stay guests will book accommodations at a hotel for a week, month or longer.
- e. "Parcel Width" means either of the following (whichever is less)
 - a. the road frontage; or,
 - b. the horizontal distance between side lot lines measured at right angles to the lot depth at a seven-metre setback from the front lot line.
- f. "Personal Service" Means the use of a building to provide direct professional goods or services an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects.

Includes: Uses such as (but not limited to) barber shop, hair salon, tailor, tattoo parlour, shoe repair shop, photographer's studio, picture framing shop, manicurists, fitness studio, dry cleaning establishments; Accessory retail sales of goods, wares, personal merchandise, articles or things accessory to the provision of such services.

Excludes: Cannabis retail sales
- g. "Private Access Road" means an access route which provides the primary vehicular access to a building or buildings, or to the parking areas associated with a building or buildings. This may include a strata road, a private right-of-way, or a private easement on private property.

2. Permitted Uses

The following uses and no others are permitted within the CD-8 Zone:

- a. Within that part of the lands identified as **Area 1** on the CD8 Zone Map:

Permitted Principal Uses	Permitted Accessory Uses
<ul style="list-style-type: none"> Residential Facility Personal Care Facility Seniors Congregate Care 	<ul style="list-style-type: none"> Child care facility; Community service facility; Convenience store with a maximum floor area of 85 m²; Group daycare, preschool; Office; Personal service use; Restaurant; Retail commercial.

- b. Within that part of the lands identified as **Area 2** on the CD8 Zone Map:

Permitted Principal Uses	Permitted Accessory Uses
<ul style="list-style-type: none"> Single family dwelling Duplex dwelling Multiple family dwelling Residential facility Seniors congregate care 	<ul style="list-style-type: none"> Secondary suite Home based business Community service facility Unlicensed daycare Group daycare (accessory to a Multiple family dwelling or a Residential facility)

- c. Within that part of the lands identified as **Area 3** on the CD8 Zone Map:

Permitted Principal Uses	Permitted Accessory Uses
<ul style="list-style-type: none"> Single family dwelling Duplex dwelling Multiple family dwelling 	<ul style="list-style-type: none"> Secondary suite Home based business Community service facility Unlicensed daycare Group daycare (accessory to a Multiple family dwelling)

- d. Within that part of the lands identified as **Area 4** on the CD8 Zone Map:

Permitted Principal Uses	Permitted Accessory Uses
<ul style="list-style-type: none"> All principal uses permitted in Area 5 of the CD8 Zone Multiple family dwelling 	<ul style="list-style-type: none"> Home based business Group daycare Drive-Through Facility

e. Within that part of the lands identified as **Area 5** on the CD8 Zone Map:

Permitted Principal Uses	Permitted Accessory Uses
<ul style="list-style-type: none"> • Art gallery; artist studio; • Assembly use, including assembly hall; • Automotive parts and accessory sales, excluding external storage of goods; • Automobile service shop; • Bakery; • Bowling alley, arcade, billiard, and games room; • Brewery and distillery; • Business, finance, insurance institution and offices; • Childcare facility, including early childhood learning centre; • Cultural facility, including community services and community centre; • Financial institution; • Funeral parlour excluding crematorium; • Garden centre; • Grocery store; • Group daycare; • Hardware and camping supply store, excluding exterior storage yard; • Hotel • Library, book store, printing and publishing; • Market; • Medical or dental clinic; • Museum; • Offices, including government offices; • Personal service use; • Pharmacy; • Plant nurseries, • horticulture, • retail sales of gardening supplies and produce, with outdoor storage; • Professional, scientific and technical services; • Pub; • Restaurant, including café, catering and take-out restaurant; • Retail stores, including liquor store; • Shopping centre; • Theatre; • Veterinary clinic; 	<ul style="list-style-type: none"> • Multiple family Residential including multiple family residential above the ground floor of any building. • Drive-Through Facility

3. Servicing

All occupied buildings in the CD-8 Zone shall be serviced by a community water system and a community sewer system as a condition of use.

a. Parcels not connected to community systems are not eligible to be subdivided.

4. Secondary Suites

- Only one secondary suite is permitted in a single-family dwelling in the CD-8 Zone, and only on parcels with a minimum 12m width.
- Only one secondary suite is permitted in a duplex (one unit only) in the CD-8 Zone, and only on parcels with a minimum 16m width.
- Provide private outdoor space for the secondary suite that is separated from the principal dwelling to a minimum of 7.5m², with no dimension of less than 2 m.

5. Density

- The number of dwelling units that may be created in the CD-8 Zone is limited to 1,000 units, not including secondary suites.

6. Regulatory Conditions

- Within that part of the lands identified as **Area 1 - Area 5** on the CD8 Zone Map

	Single-Family	Duplex	Multi-Family	All other uses
Minimum Frontage	10 meters	14 meters	6 meters	10 meters
Minimum Lot Width	10 meters	14 meters	N/A	N/A
Maximum Lot Coverage	45%	50%	55%	45%
Maximum Impervious Surfaces	50%	55%	60%	55%
Minimum Parcel Size	300 m ² ;	500 m ² ;	1,000 m ² ;	1,000 m ² ;

- The minimum site area required for an accessory Drive-Through Facility use is 5,000m² (0.5 ha).
- On sites larger than 5,000m² (0.5 ha), the density of Drive-Through Facility uses shall be 1 per each 5,000m² (0.5 ha)

Setback Conditions:

Setbacks	Single-Family	Duplex	Multi-Family	Accessory Buildings	All other uses
<i>Front parcel line – to garage door</i>	7.5 meters	7.5 meters	4.5 meters	N/A	N/A
<i>Front parcel line – to Carport</i>	5.0 meters	5.0 meters	5.0 meters	N/A	N/A
<i>Front parcel line</i>	4.5 meters	4.5 meters	4.5 meters	5 meters	5 meters
<i>Interior side parcel line</i>	1.5 meters	1.5 meters	3 meters	1 meter	1.5 meters
<i>Exterior side parcel line</i>	3.5 meters	3.5 meters	4.5 meters	3 meters	4.5 meters
<i>Rear parcel line</i>	4.0 meters	4.0 meters	4.0 meters	1 meter	4.0 meters

- Notwithstanding the setback conditions, Commercial and Mixed Commercial/Residential Buildings within **Area 2** may have a 0-meter setback from a front, and interior side parcel line.
- Garage doors shall be setback a minimum of 0.6m (2ft) from the front building line.

- b. Within that part of the lands identified as **Area 1** on the CD8 Zone Map:

Maximum Building Height	Residential Facility	Personal Care Facility	Seniors Congregate Care	Accessory Buildings
	22 meters	22 meters	22 meters	7.5 meters

- c. Within that part of the lands identified as **Area 2** on the CD8 Zone Map:

Maximum Building Height	Single-Family	Duplex	Multi-Family	Accessory Buildings	All other uses
	10 meters	10 meters	22 meters	7.5 meters	22 meters

- d. Within that part of the lands identified as **Area 3** on the CD8 Zone Map:

Maximum Building Height	Single-Family	Duplex	Multi-Family	Accessory Buildings
	8.5 meters	10 meters	12 meters	7.5 meters

- e. Within that part of the lands identified as **Area 4** on the CD8 Zone Map:

Maximum Building Height	Single-Family	Duplex	Multi-Family	Accessory Buildings	All other uses
	10 meters	10 meters	15 meters	7.5 meters	15 meters

- f. Within that part of the lands identified as **Area 5** on the CD8 Zone Map:

Maximum Building Height	Mixed Use	Multi-Family	Accessory Buildings	All other uses
	20 meters	15 meters	7.5 meters	10 meters

9. Landscape Screening and Buffering

- a. A fully treed contiguous landscape buffer shall be maintained to a minimum 3.0m depth, on all parcels or portions of parcels that abut the Trans-Canada Highway.
- i. This strip may be interrupted to provide necessary access to the parcel.

10. Specific regulations

- a. For single-family and duplex dwellings, the width of a garage door shall not exceed more than 50% of the building width.
- b. Not more than one dwelling unit, except for parcels in **Area 2**, **Area 3**, and **Area 4**:
- i. In **Area 2**, **Area 3**, and **Area 4**, parcels that are 1,200m² or larger may have more than one dwelling per parcel provide that the total number of single-family dwellings does not exceed one per each 300m² of parcel area;
- ii. Despite any other bylaw provision, a covenant under Section 219 of the Land Title Act shall not be required to prohibit further subdivision or the registration of any form of strata plan under the *Strata Property Act* for a lot containing more than one dwelling.
- c. Private access roads shall have a minimum unobstructed width of 6.0m and shall accommodate a minimum turning radius of 15.2 m² (50ft).
- d. Private access roads in excess of 90m in length shall include a hammer-head or turnaround sufficient for emergency access and curbside collection vehicles.

11. Multiple Family Dwelling Special Regulations

- a. For mixed-use properties, all residential uses must be located above commercial use except for an entrance, lobby or amenities that are for the exclusive use of the residential use.
- b. Multi-Family dwelling units shall have a private amenity space of not less than 15m² located to the rear or side of the dwelling unit. No dimension of this space shall be less than 3m.
 - i. This space shall be designed and landscaped for the outdoor leisure activities of the residents of the dwelling unit.
 - ii. The amenity space may be located above grade where units are designed at different elevations.
- c. Multi-Family dwelling units shall have a common usable space available for safe and convenient use by occupants of the building.
 - i. If located outside, usable open space shall be at least 100m² and shall have a compact, level surface, have no dimension of less than 6 m, and shall provide for recreational space and other leisure activities normally carried on outdoors.

12. Drive Through Facility Special Regulations

- a. Drive-Through Facilities shall include the following design components:
 - i. Drive-Through Facilities shall not be located within- or attached to- a building that contains a residential use.
 - ii. Drive-through facilities shall be setback a minimum of 18 meters of any property line shared with a zone that permits a residential use.
 - iii. Drive through lanes shall be screened from the public road and adjacent properties with a landscape buffer measuring at least 4.5m wide, and 1.5m tall.

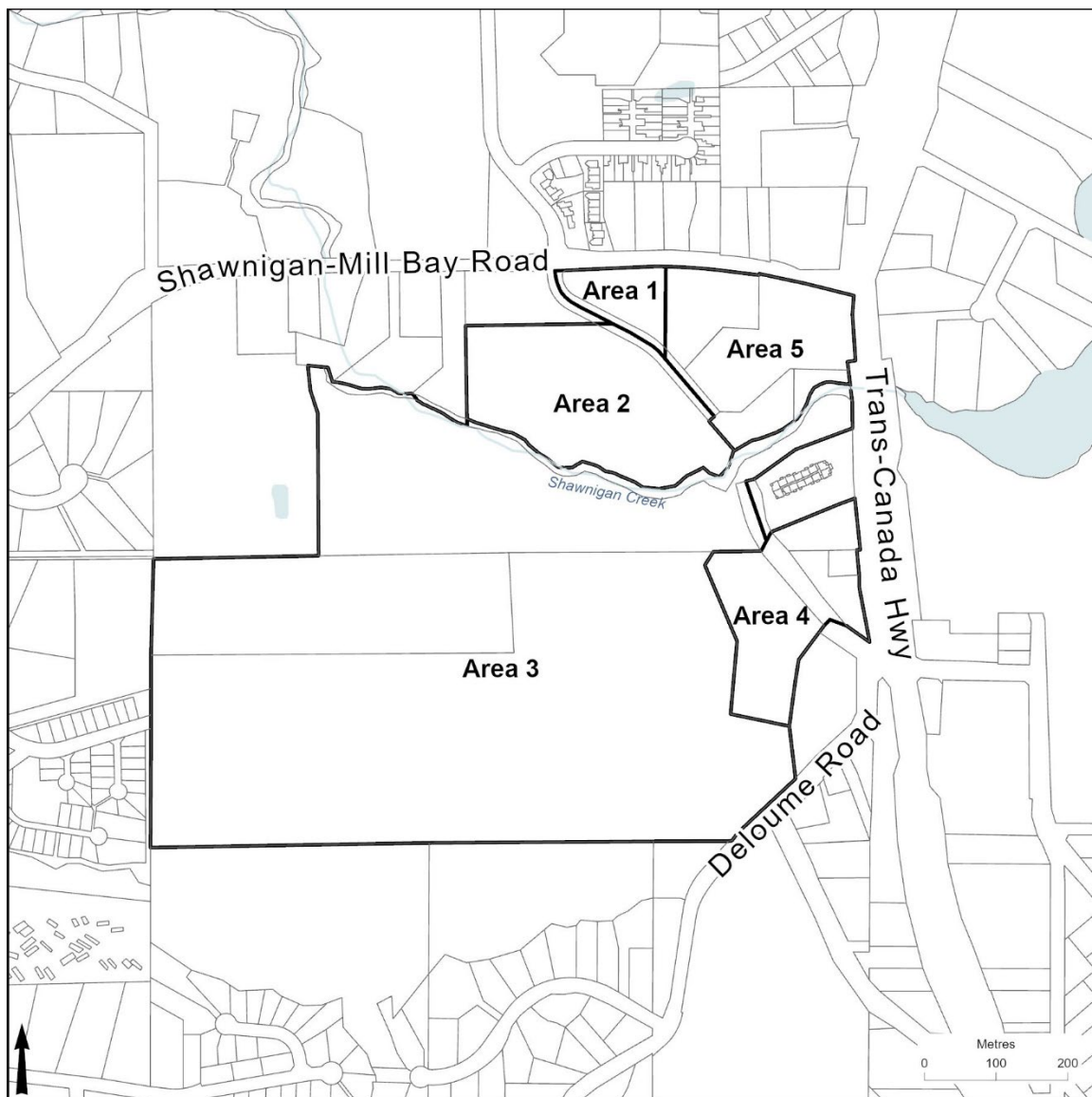
13. Parking

- a. In addition to any other bylaw provision, the following parking provisions apply within the CD-8 Zone:
 - i. For properties that include a secondary suite, all required parking shall be provided outside of a garage;
 - ii. Parking spaces located within a front yard shall be wholly contained within the parcel that they serve.
- b. Despite any other bylaw provision, the following additional parking provisions apply within the CD-8 Zone:

Use	Required Parking Spaces	Required Loading Spaces
Residential Facility use	1 space for every 3.3 residential units	1 loading space The loading space may be shared between a Residential Facility use and Personal Care Facility use if located on the same parcel or strata plan.
A Personal Care Facility Use	1 space for every 5 residential units	1 loading space The loading space may be shared between a Residential Facility use and Personal Care Facility use if located on the same parcel or strata plan.

A Restaurant use, accessory to a residential facility or personal care facility	1 space for every 100 m2 of gross floor area	0 loading spaces
Retail, accessory to a residential facility or personal care facility	4.5 spaces for every 100 m2 of gross floor area	1 loading space

14. CD-8 Zone Map



3. FORCE AND EFFECT

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this	_____	day of	_____.	2024.
READ A SECOND TIME this	_____	day of	_____.	2024.

A PUBLIC HEARING HELD in ACCORDANCE WITH THE <i>LOCAL GOVERNMENT ACT</i> this	_____	day of	_____.	2024.
READ A THIRD TIME this	_____	day of	_____.	2024.
RECEIVED MINISTRY OF TRANSPORTATION & INFRASTRUCTURE APPROVAL this	_____	day of	_____.	2024.
ADOPTED this	_____	day of	_____.	2024.

Chair

Corporate Officer

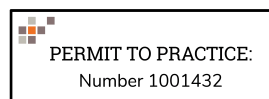


STONEBRIDGE DEVELOPMENT – NORTH

Transportation Impact Assessment

Noah Reeder, EIT
Transportation Engineer-in-Training
Author

Nadine King, P.Eng., PTOE
Senior Transportation Engineer
Reviewer



Prepared For: Merdyn Group
Date: September 11, 2024
Our File No: 3625.B01

WATT VICTORIA
302 – 740 Hillside Ave
Victoria, BC V8T 1Z4
250-388-9877



TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	The Site Today	1
1.2	Proposed Development.....	1
1.3	This Report	2
2.0	TRANSPORTATION CONTEXT	3
2.1	Road Network	3
2.2	Transit Network.....	6
2.3	Cycling and Pedestrian Network.....	7
3.0	PROPOSED DEVELOPMENT	8
3.1	Site Access.....	8
3.2	Sight Distance.....	9
3.3	Internal Road Network.....	10
4.0	TRAFFIC OPERATIONS ANALYSIS.....	12
4.1	Traffic Analysis Scenarios and Time Periods	12
4.2	Methodology and Performance Evaluation Criteria	12
4.3	Input and Calibration Parameters.....	14
4.4	Existing Conditions	15
4.5	Background Conditions.....	18
4.6	Post-Development Conditions	23
4.7	Mitigated Post-Development Conditions.....	34
5.0	TRIGGERS.....	38
6.0	CONCLUSIONS.....	38
7.0	RECOMMENDATIONS	39



1.0 INTRODUCTION

WATT Consulting Group is retained by Merdyn Group to prepare a Traffic Impact Assessment (TIA) for the proposed Stonebridge development in Mill Bay. This TIA is for the north portion of the site only. The development is a mixture of residential, congregate care, and commercial development. The site is located in the Mill Bay area of the CVRD as illustrated in **Figure 1**.

Prior to additional phases on the north side, after Phase 1A and 1B or prior to the south side developing an updated TIA may be requested by MoTI to consider updated operational conditions, changes in density, changes in road network, and / or site access design.

1.1 The Site Today

The entire site is located west of Highway 1 between Shawnigan-Mill Bay Road and Deloume Road. There is a creek that runs through the site the separates it into a north and south portion. The site today is occupied by one single family home and the demolished Pioneer Square Mall, at the northeast corner of the project site.

1.2 Proposed Development

In total, the proposed development contains 787 residential units and 113,500 square feet of commercial space. However, this report is only for the north portion of the site which is a total of 667 residential doors and 100,000 sq. ft. of commercial. The south portion of the development is not included in this report.

The maximum zoning permits up to 928 residential doors; however, based topography 787 doors is currently the maximum that could be constructed. In addition, there is only available water for up to 540 doors; therefore, even the proposed 667 doors on the north portion of the development exceeds available water.

The TIA will be updated every 3 years (as needed) and subject to update with each phase of the project, therefore if the current limitations on the ability to reach maximum densities change and allow beyond 667 doors MOTI will have opportunities to understand and evaluate any potential impacts due to the higher density.



1.3 This Report

This report provides the following:

- An overview of the existing and evolving transportation context, including vehicular, pedestrian, cycling, and transit facilities, and area travel characteristics
- An overview of the proposed development and the transportation-related features of the proposed site plan
- A projection of the site's trip generation, distribution, and assignment potential
- An assessment of existing traffic patterns and volumes in the study area during the AM and PM peak traffic hours.
- A review of the vehicular traffic volume changes that may occur in the area in the future due to growth in the surrounding area
- An operational assessment of vehicular traffic operations in the study area under existing, background, and post-development conditions

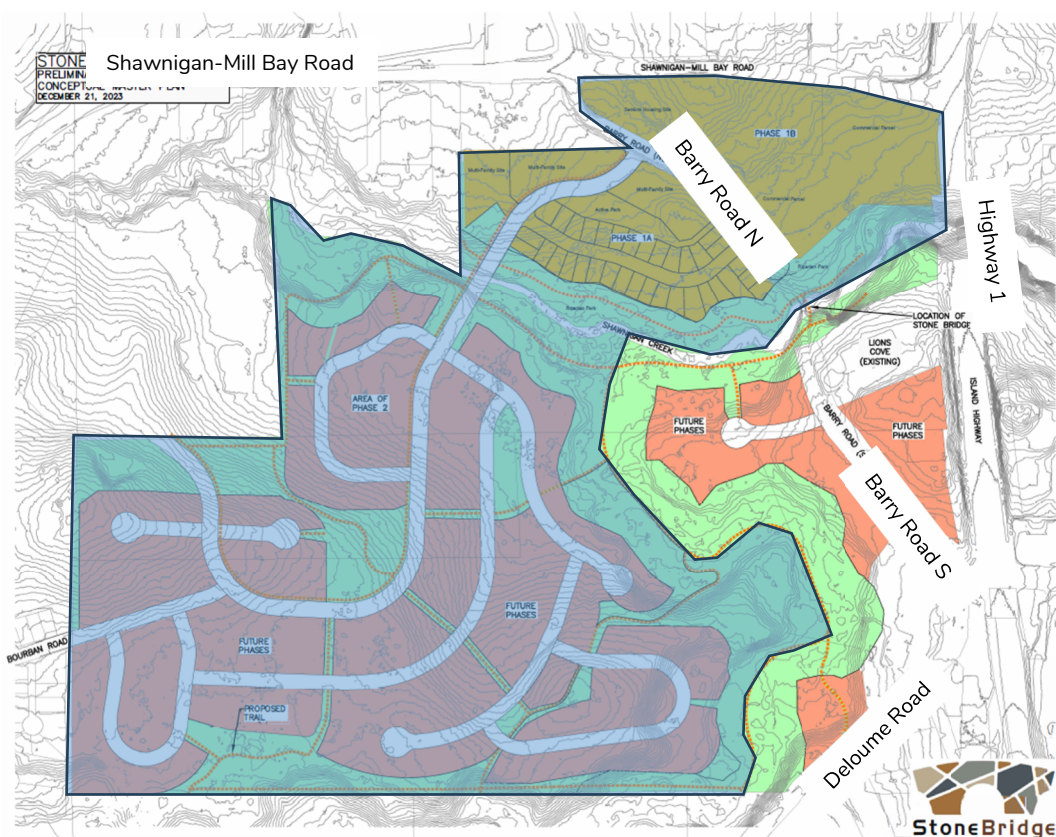


Figure 1 – Site Location (North Side in Blue)



2.0 TRANSPORTATION CONTEXT

2.1 Road Network

2.1.1 Existing Road Network

The existing road network, lane configuration, and intersection control within the study area are illustrated in

Figure 2. An outline of the characteristics of the existing roads and intersections within the study area are provided in **Table 1** and **Table 2**, respectively.

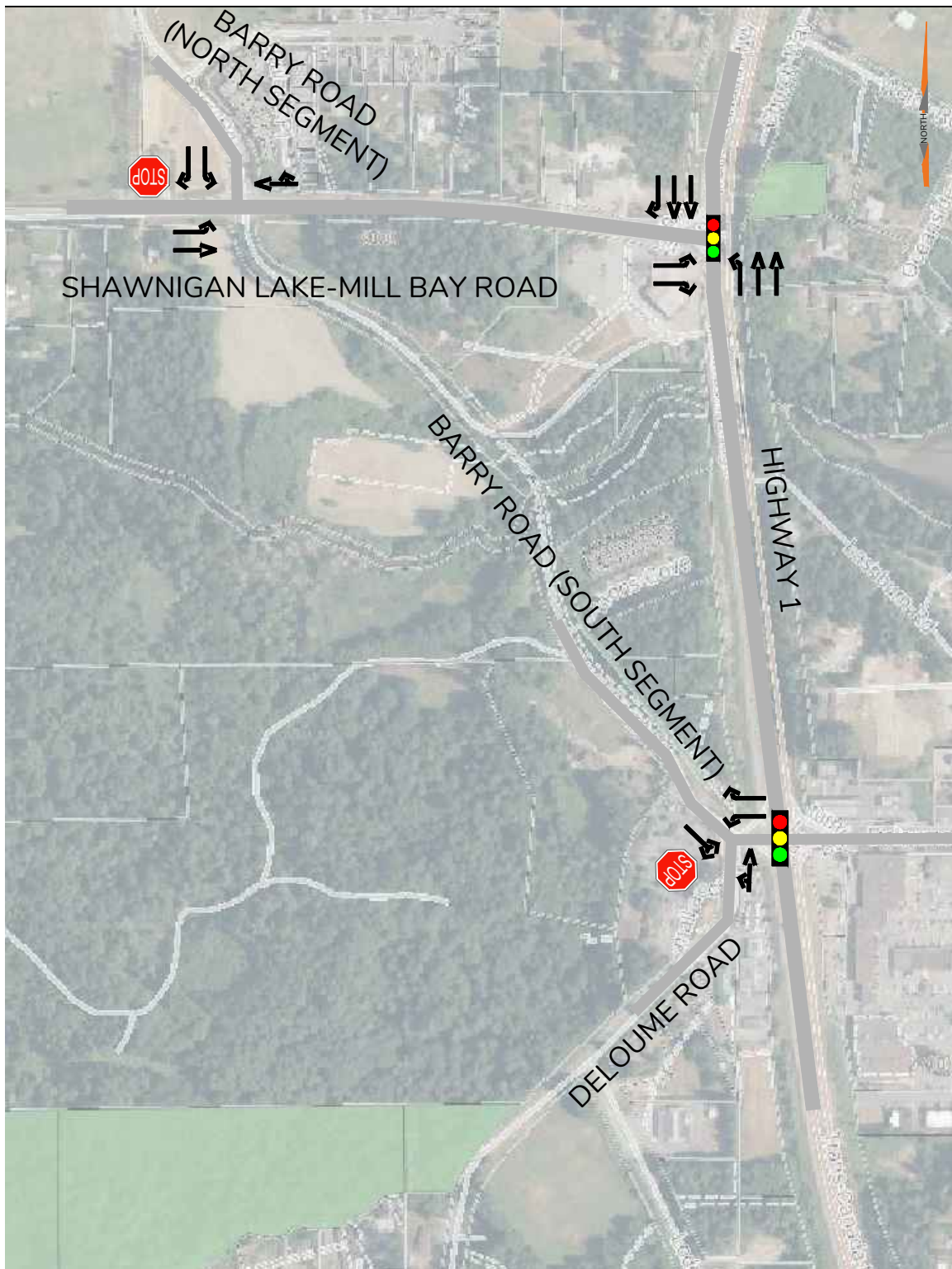
Table 1 – Existing Road Network

Road Name	Ownership	Classification	Extents	# of Lanes	On-Street Parking	Posted Speed Limit
Highway 1	MoTI	Rural Divided Arterial	Victoria to Departure Bay Ferry in Nanaimo	4 (2 in each direction)	Not permitted	80 km/h
Shawnigan -Mill Bay Road	MoTI	Rural Undivided Arterial	Highway 1 to Shawnigan Lake Road	2 (1 in each direction)	Permitted on north side from Hwy for approx. 80m	50 km/h
Barry Road North	MoTI	Local Road	Shawnigan -Mill Bay Road to Frances Kelsey Secondary School	2 (1 in each direction)	Not permitted	50 km/h



Table 2 – Study Area Intersection Overview

Intersection	Control Type	Features	Crosswalks
Highway 1 / Shawnigan-Mill Bay Road	Signalized	<ul style="list-style-type: none">• Southbound channelized right turn (yield)• Separate eastbound left and right turns with right turn channelized with a yield• 65m northbound left turn lane with protected left turn phase• 'T' Intersection	South and west legs
Shawnigan-Mill Bay Road / Barry Road	Stop-control on Barry Road	<ul style="list-style-type: none">• Southbound and eastbound left turn lanes• 'T' intersection	North and west legs (signed & marked)





2.2 Transit Network

2.2.1 Existing Transit Network

An outline of the nearby transit routes within the study area is provided in **Table 3**.

Table 3 – Existing Transit Network

Route # and Name	Extents	Headways	Nearest Stop(s)	Walking Distance to Nearest Stop
8 – Mill Bay / Duncan	Duncan to Mill Bay Ferry and Shawnigan Lake (clockwise)	Weekdays: Every 60 – 140 minutes (245 minutes midday) Weekends: 1 mid-morning and 2 mid-afternoon trips on Saturday, 1 late morning and 1 late afternoon trip on Sunday	Shawnigan-Mill Bay Road / Barry Road (WB) Deloume Road / Barry Road	110 m (1 minute) 50 m (<1 minute)
9 – Mill Bay / Duncan	Duncan to Shawnigan Lake and Mill Bay (counterclockwise)	Weekdays: Every 130 – 140 minutes (230 minutes midday) Weekends: 1 midday trip and 1 evening trip on Saturday, 1 early afternoon trip on Sunday	Shawnigan-Mill Bay Road / Barry Road (EB) Deloume Road / Barry Road	0m (0 minutes) 50m (<1 minute)
66 CVX Cowichan – Victoria Express	Duncan to Victoria	Weekdays: 3 AM peak trips and 1 mid-morning trip to Victoria, 1 mid-afternoon trip and 3 PM peak trips to Duncan Saturday: 3 trips in each direction	Deloume Road / Lodgepole Road	190 m (3 minutes), or 550 m (8 minutes)
99 SVX Shawnigan Lake – Victoria Express	Cobble Hill and Shawnigan Lake to Victoria	Weekdays: 2 AM peak trips to Victoria and 2 PM peak trips to Shawnigan Lake and Cobble Hill	Shawnigan-Mill Bay Road / Wilkinson Road Deloume Road / Lodgepole Road	500 m (7 minutes) 190 m (3 minutes), or 550 m (8 minutes)



The eastbound and westbound bus stops at Shawnigan Lake-Mill Bay Road / Barry Road have identification signs only and paved shoulders to access the signed and marked crosswalk across Shawnigan Lake-Mill Bay Road. The bus stops on Shawnigan-Mill Bay Road closest to the Highway only have identification signs for the stops. The westbound stop requires people to wait in the grass area. None of these stops are accessible.

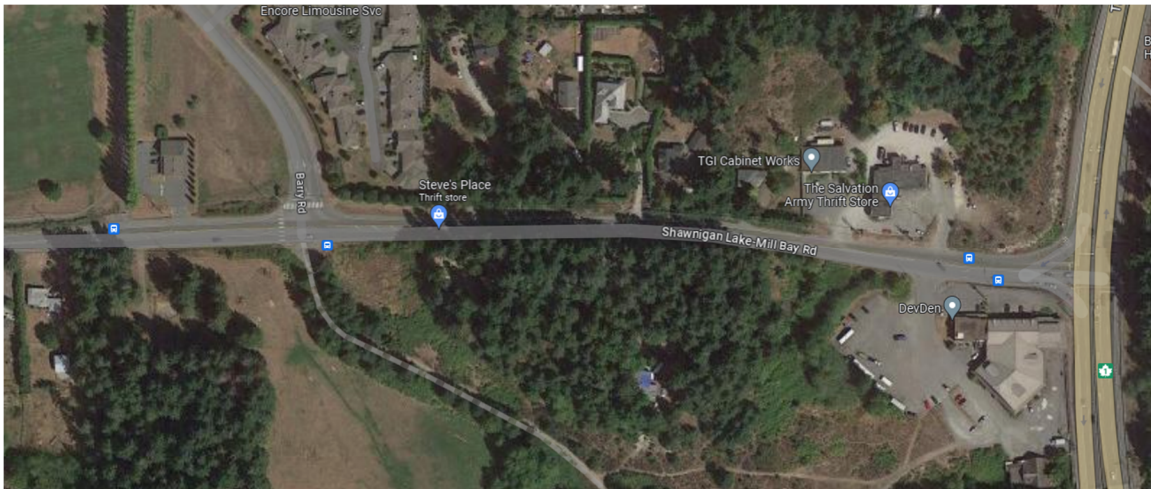


Figure 3 – Bus Stop Locations on Shawnigan Lake-Mill Bay Road

2.3 Cycling and Pedestrian Network

Highway 1 has wide >2m paved shoulders on both sides of the road; however, the paved shoulder along the southbound right turn lane narrows to a barrier curb which eliminates any walking space onto Shawnigan-Mill Bay Road. In addition to the wide paved shoulders, on the bridge across the Shawnigan Creek there are separate pedestrian/sidewalk facilities. There are no shoulders on Shawnigan-Mill Bay Road from Highway 1 until past the existing and future commercial sites (approximately 100m). Then paved shoulders are available on both sides of the road for pedestrians and cyclists to share.

Marked crosswalks are available on the south and west sides of the Highway 1 / Shawnigan-Mill Bay Road intersection. The Shawnigan-Mill Bay Road / Barry Road intersection has signed and marked crosswalks on the west and north sides.



3.0 PROPOSED DEVELOPMENT

In total, the north portion of the development is 667 residential units and 100,000 square feet of commercial space in Phases 1A, 1B, Phase 2, and Future Phases. The key land uses, and transportation-related elements of the proposed site plan are summarized in **Table 4**.

Table 4 – Development Proposal (North Side)

Site Element	Details
Residential Units	667 units
Commercial GFA	100,000 sq. ft.
Vehicular Access	3 accesses: <ul style="list-style-type: none"> • Up to 2 accesses from Shawnigan Lake-Mill Bay Road serving the Commercial development • 1 access on Barry Road North (new road segment) • Future potential extensions to Bourbon Road and / or directly to Shawnigan Mill Bay Road west of Phase 2 area.

3.1 Site Access

The primary site access for Commercial portion of the development is on Shawnigan Lake-Mill Bay Road with a single right in / right out access with the potential for a left turn into the site. The ability to provide a left turn into the commercial will depend on the final location of the site access and the final land use mix within the commercial site. This will be reviewed at Development Permit within information on left turn queue and access location provided to MoTI for review prior to issuance of the Development Permit to determine if a left turn in is feasible. The minimum standard for an urban left turn lane is a 54m taper plus a minimum of 15m of storage. Therefore at least 70m is required to avoid the taper starting at Highway 1. A second commercial access will be located off Barry Road North and will be a full movement access. Phase 1a residential will have an access off Barry Road North as well as from the internal collector road. The remaining parts of the north side development will also utilize the collector road to Barry Road North to access their lots.

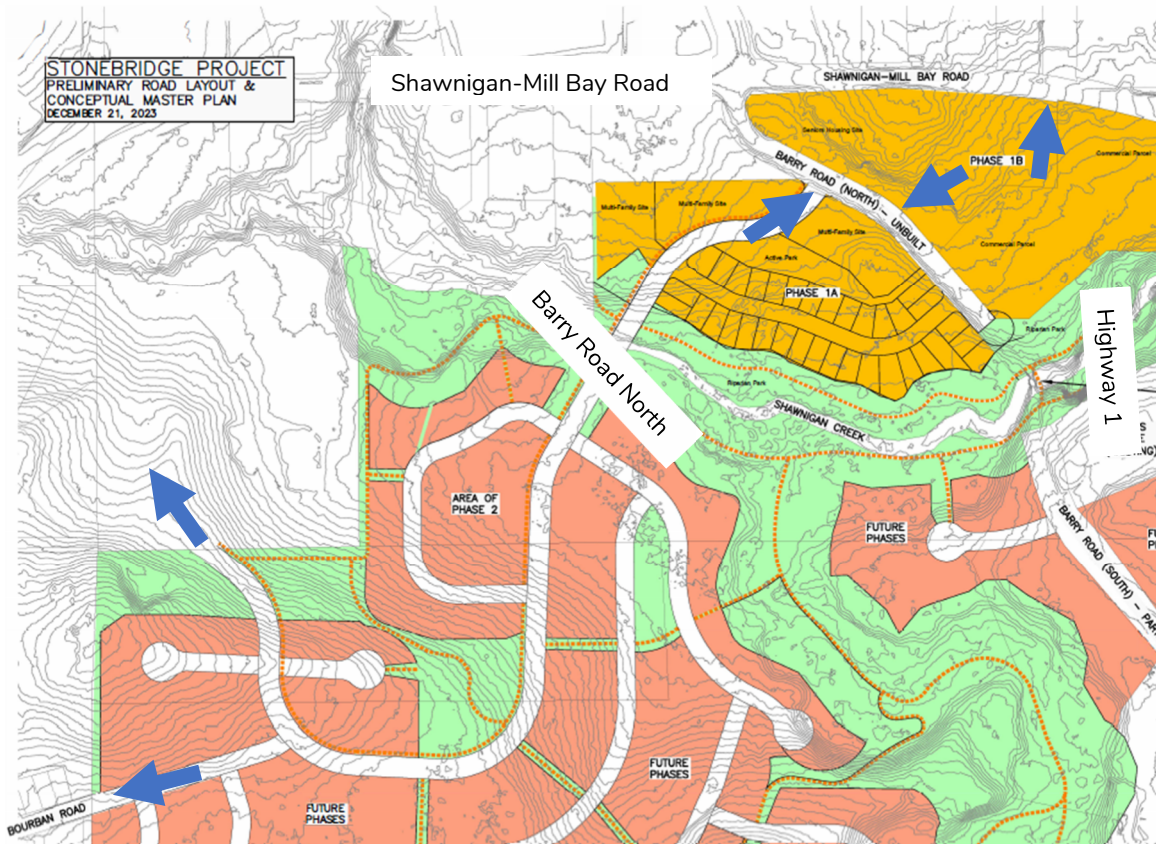


Figure 4 – Site Accesses for North Portion of Development

3.2 Sight Distance

The intersection of Barry Road and Shawnigan-Mill Bay Road is an existing intersection; however, a fourth leg is proposed to be added to the south side of the intersection. There is a vertical curve to the east of Barry Road which impacts the sight lines from Barry Road to the east. A field assessment was performed to measure the available sight distance on the proposed leg. **Table 5** outlines the required turning sight distance from a stop onto a 50km/h roadway and the measured sight distance on the future fourth leg of Barry Road at Shawnigan-Mill Bay Road.



Table 5: Intersection Sight Distances at Proposed Access Location for 50km/h

Turn Type	Direction	Required Turning Sight Distance (meters)	Measured Turning Sight Distance (meters)	Achieved
Left	Looking West (left)	105	> 250	Yes
	Looking East (right)	105	185	Yes
Right	Looking West (left)	95	> 250	Yes

This intersection is located in a school zone; therefore, between 8am and 5pm the speed limit is reduced to 30km/h from 50km/h. The requirements for this intersection have been met for both the 30km/h and 50km/h road as well as 60km/h (if vehicles travelling above the posted limit). Therefore, there is no issues with the addition of a fourth leg at the intersection with stop control remaining on Barry Road.

For the commercial phase of the development the site access on Shawnigan Mill Bay Road and along the Barry Road will be reviewed for sight distance to ensure turning sight distance (for 50km/h) is provided once the final location of the accesses is determined. The placement of an access, for the commercial portion of the development, directly onto Shawnigan Mill Bay Road will be positioned in consideration of turning sight distance requirements to avoid any vertical curve mitigations to achieve the turning sight distances. Placement of the access will also consider distance from Highway 1 to accommodate a left turn lane and minimize the potential for any (left turn) queues back to Highway 1. During the Development Permit for the commercial phase of the project, when the placement of the driveway is confirmed, it will be further assessed.

3.3 Internal Road Network

Figure 4 outlines the potential road network for within the north side of the site. The road network is expected to follow this general network with the key spine roadway from Barry Road (north) west through the site being a collector road that will either connect long term to Bourban Road and / or back to Shawnigan Mill Bay Road through 1070 Shawnigan Mill Bay Road (lands outside of the development). Although this road would be a 'collector' it is intended to be designed to 50km/h and still feel like a subdivision roadway. The internal network will be 50km/h with the local roads being



considered for 30km/h design speeds (subject to Chief Engineer acceptance). This area is expected to become a drainage improvement area within the CVRD which will allow for curb and gutter along the roadways (or an urban cross section). Cross sections for the internal roadways will be to MoTI Section 1400 – Subdivision road standards. If the drainage improvement area is not achieved then alternative considerations (strata roads, rural roads) for the cross sections will be identified.



4.0 TRAFFIC OPERATIONS ANALYSIS

4.1 Traffic Analysis Scenarios and Time Periods

Traffic operations analysis has been undertaken during the weekday AM and PM periods under the following scenarios:

- Existing Conditions
- 2028 and 2038 Background Conditions
- 2028 Post-Development Opening Day Conditions
- 2038 Post-Development 10 year Horizon Conditions
- 2038 Post-Development Conditions with Mitigation Measures

4.2 Methodology and Performance Evaluation Criteria

Intersection capacity analysis for the existing and proposed conditions was completed using the Vistro software package, which uses the Highway Capacity Manual (HCM) evaluation methodology.

Results are measured in volume-to-capacity ratio, delay (seconds), level of service (LOS), and 95th percentile queue length (metres). The volume-to-capacity ratio (v/c) is an indicator of the capacity utilization for the key movements in the intersection. A v/c of 1.0 indicates that certain governing traffic movements through the intersection are operating at maximum capacity.

The LOS for unsignalized (stop-controlled and roundabout) intersections is determined by the calculated delay for each critical movement. The LOS for a signalized intersection includes additional factors such as geometry, traffic and pedestrian volumes, and signal phasing / timing. LOS is broken down into six letter grades, with LOS A being excellent operation, and LOS F being unstable / failing operations.



Table **6** summarizes the delay per vehicle with the corresponding LOS for both signalized and unsignalized intersections.



Table 6 – Level of Service Criteria

Level of Service (LOS)	Unsignalized Intersections: Average Vehicle Delay (sec / veh)	Signalized Intersections: Average Vehicle Delay (sec / veh)
A	0-10	0-10
B	> 10-15	>10-20
C	>15-25	>20-35
D	>25-35	>35-55
E	>35-50	>55-80
F	>50	>80

4.3 Input and Calibration Parameters

Heavy Vehicle Percentage

The percentage of heavy vehicles for each movement was based on the information collected as part of the turning movement counts. Where not available, a default value of 2 percent heavy vehicles was assumed.

Peak Hour Factor

The Peak Hour Factor (PHF) was based on the information collected as part of the turning movement counts. PHFs were calculated for each intersection using the overall intersection volumes. A PHF of 0.85 was used for thru traffic along Shawnigan Lake-Mill Bay Road at the Commercial accesses, and a PHF of 0.80 was used for all other movements where calculated PHFs are unavailable.

Signal Timings

The signal timing for Shawnigan-Mill Bay Road was collected from the Ministry of Transportation and Infrastructure (MoTI). The existing signal timings were applied to all scenarios.

Intersection Configurations

The new south leg of the Shawnigan Lake-Mill Bay Road / Barry Road intersection was assumed to have one lane per direction with stop control maintained on Barry Road.



4.4 Existing Conditions

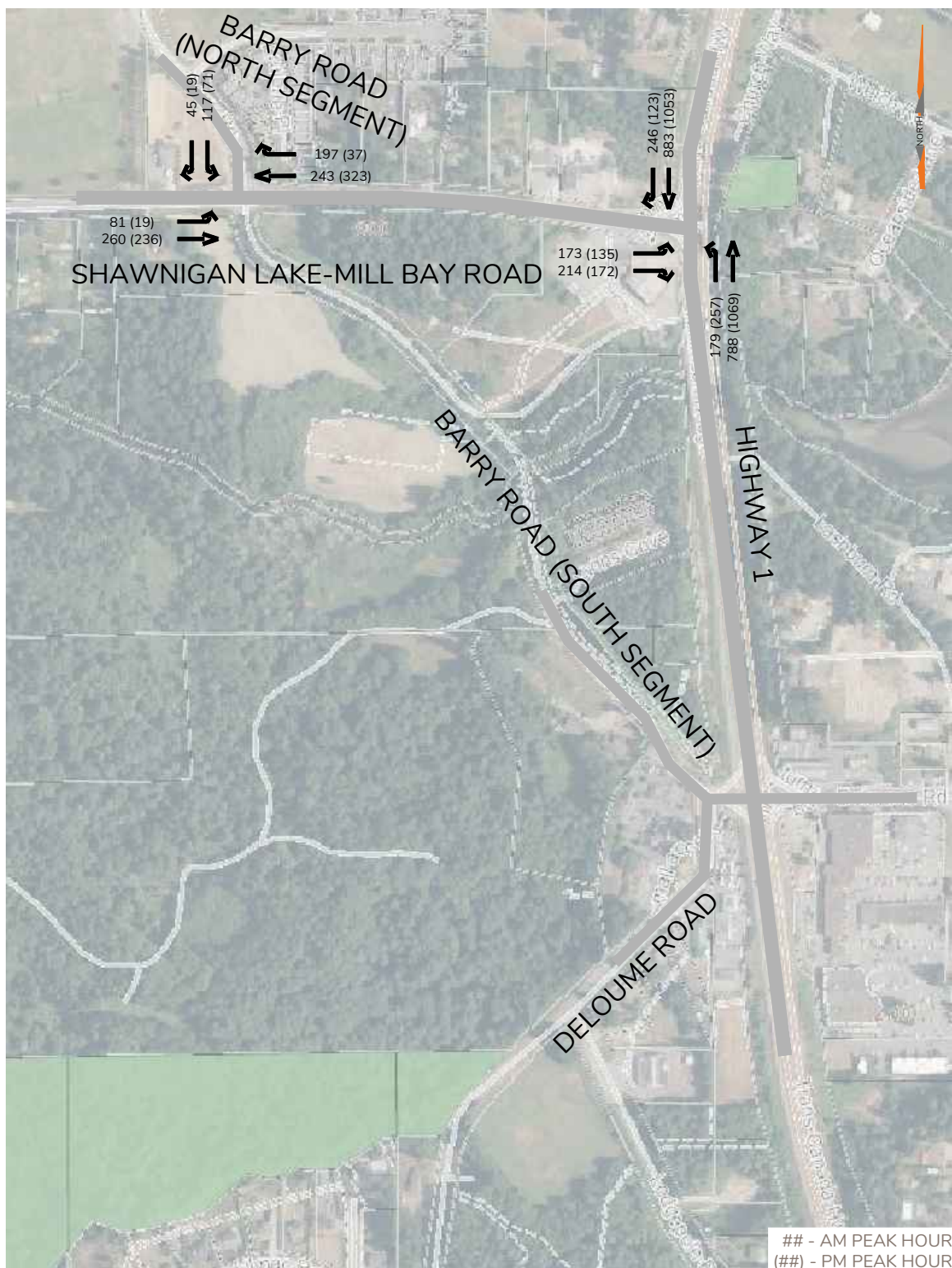
4.4.1 Existing Traffic Volumes

Turning movement counts were established for intersections in the study area for the weekday AM and PM periods. Traffic counts adopted as the basis for this study are summarized in **Table 7**.

Table 7 – Existing Turning Movement Counts

Intersection	Count Date	Time Period	Source
Highway 1 / Shawnigan Lake-Mill Bay Road	Tuesday, September 19, 2023	8:00 – 9:00 AM 2:45 – 5:30 PM	WATT
Shawnigan Lake-Mill Bay Road / Barry Road	Tuesday, September 19, 2023	8:00 – 9:00 AM 2:45 – 5:30 PM	WATT

The PM peak hour chosen for the analysis is 3:30 to 4:30 PM, as this is the hour with the highest total traffic volume passing through the Highway 1 / Shawnigan Lake-Mill Bay Road intersection. This peak hour generally captures only a portion of the school traffic from Frances Kelsey. The existing traffic volumes for the weekday AM and PM peak hours are illustrated in **Figure 5**.





4.4.2 Existing Traffic Operations

Intersection analysis results for existing conditions are summarized in **Table 8**.

Table 8 – Existing Intersection Operations

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Highway 1 / Shawnigan Lake-Mill Bay Rd				
NBL	0.73 (0.73)	C (C)	31.8 (28.4)	34.1 (46.5)
NBT	0.36 (0.44)	A (A)	4.3 (4.3)	10.4 (14.0)
SBT	0.62 (0.78)	B (B)	13.7 (17.7)	44.7 (65.9)
SBR	0.39 (0.21)	B (B)	12.1 (12.2)	22.8 (12.0)
EBL	0.69 (0.61)	C (C)	25.8 (26.8)	30.0 (24.7)
EBR	0.39 (0.36)	C (C)	22.4 (24.2)	14.2 (12.3)
Shawnigan Lake-Mill Bay Rd / Barry Rd				
SBL	0.40 (0.18)	D (C)	25.2 (16.5)	14.7 (5.1)
SBR	0.07 (0.03)	B (B)	10.6 (10.6)	1.6 (0.7)
EBL	0.07 (0.02)	A (A)	8.6 (8.2)	1.9 (0.4)
EBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)

Notes:

1. ## (##) = AM (PM)

The southbound left turning movement at Shawnigan-Mill Bay Road / Barry Road currently has an LOS D during the AM peak hour, which includes peak student drop-off time at the nearby Frances Kelsey Secondary School. As the drop-off peak is relatively short, this LOS can be considered acceptable. During the PM peak hour, which begins at 3:30 PM after the school pick-up peak, this movement operates with an LOS C. All other movements studied have an LOS C or better, which is considered acceptable.



The existing northbound left turn lane is 65m long which is below current MoTI standards for a minimum of 30m storage plus 80m of PL for a total length of 110m. However, the 95th percentile queue does not exceed the existing total length of the northbound left turn. On occasions when the left turn queue does exceed the length of the left turn there are queue extension loops that trigger an extended northbound left turn phase to help clear the queue from blocking the adjacent northbound through lane. The queue loops are allowing MoTI to manage queue spillback at this intersection for the northbound left turn until a solution to extend the turn lane is feasible. All other queues are less than the provided storage.

4.5 Background Conditions

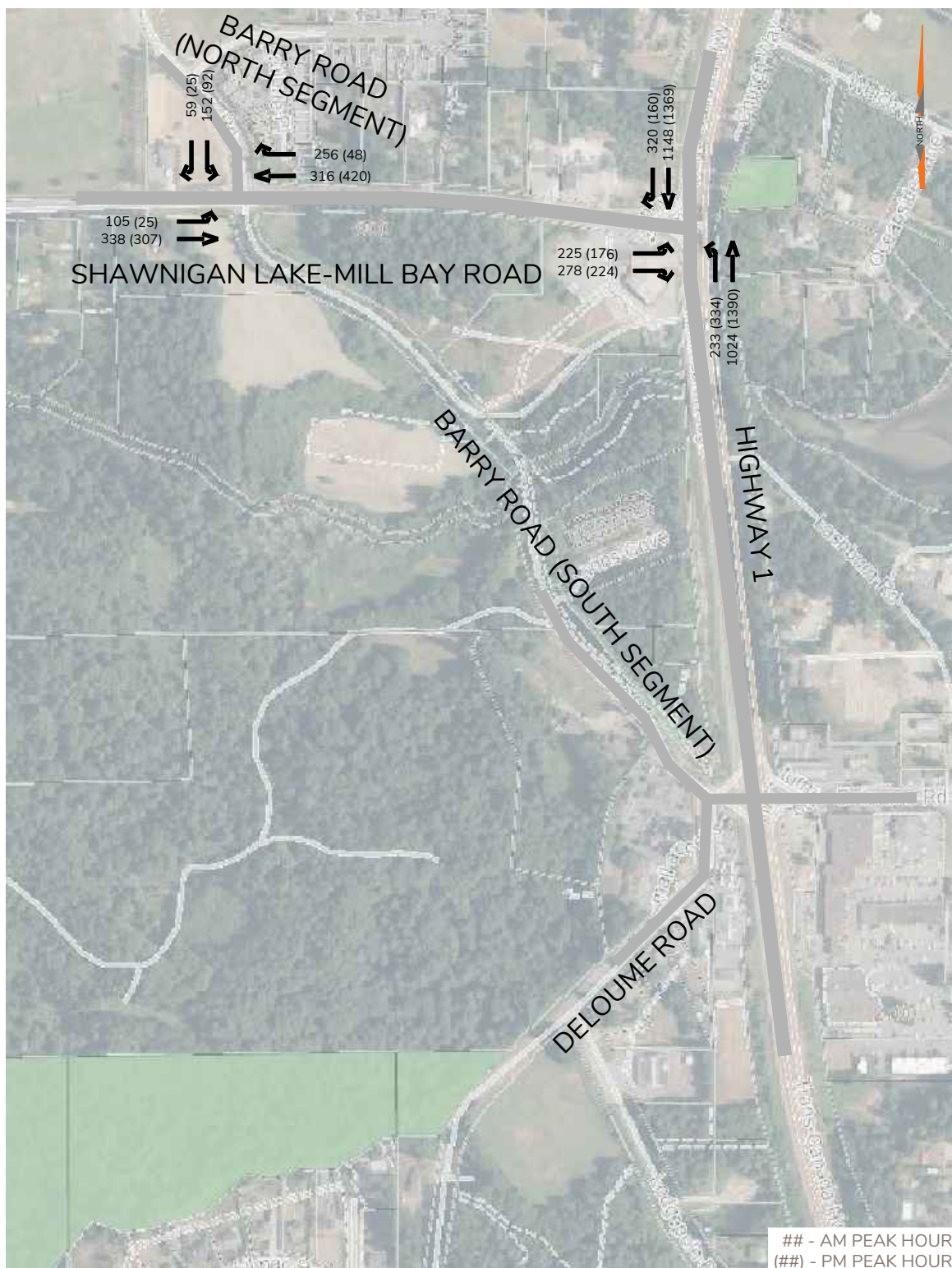
4.5.1 Corridor Growth

The existing traffic volumes were compared to historical data from the last 29 years. Based on a review of historical data to current conditions the linear growth rate has been less than 1% per year in this segment of Highway 1. Therefore, a conservative growth rate of 1% per year was utilized to obtain opening day background traffic and 10 year post opening day background traffic.

4.5.2 Background Traffic Volumes

Background traffic volumes are the existing traffic volumes adjusted to the 2028 and 2038 horizon years. Background traffic volumes for 2028 and 2038 are illustrated in **Figure 6** and **Figure 7**.







4.5.3 Background Traffic Operations

Intersection analysis results for background conditions for 2028 and 2038 are summarized in **Table 9** and **Table 10**, respectively.

Table 9 – Background Intersection Operations - 2028

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Highway 1 / Shawnigan Lake-Mill Bay Rd				
NBL	0.74 (0.74)	C (C)	33.0 (29.1)	37.8 (50.6)
NBT	0.37 (0.46)	A (A)	4.4 (4.4)	12.5 (15.8)
SBT	0.64 (0.81)	B (B)	14.4 (19.0)	51.1 (72.8)
SBR	0.40 (0.22)	B (B)	12.6 (12.5)	25.8 (13.2)
EBL	0.71 (0.65)	C (C)	27.2 (28.1)	33.7 (27.3)
EBR	0.39 (0.37)	C (C)	23.4 (25.1)	15.7 (13.6)
Shawnigan Lake-Mill Bay Rd / Barry Rd				
SBL	0.44 (0.20)	D (C)	28.4 (17.3)	17.8 (5.8)
SBR	0.07 (0.03)	B (B)	10.8 (10.7)	1.7 (0.7)
EBL	0.08 (0.02)	A (A)	8.7 (8.2)	2.0 (0.4)
EBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)

Notes:

1. ## (##) = AM (PM)

In 2028 there is no change in the LOS at either intersection. While the northbound left turn 95th percentile queue length increases it remains less than 65m (existing length of the turn lane).



Table 10 – Background Intersection Operations - 2038

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Highway 1 / Shawnigan Lake-Mill Bay Rd				
NBL	0.76 (0.76)	D (C)	35.7 (30.3)	46.0 (58.8)
NBT	0.40 (0.50)	A (A)	4.8 (4.8)	17.3 (21.3)
SBT	0.68 (0.90)	B (C)	15.9 (23.8)	64.0 (92.0)
SBR	0.43 (0.24)	B (B)	13.7 (13.6)	32.6 (16.0)
EBL	0.74 (0.67)	C (C)	29.9 (29.7)	41.5 (32.0)
EBR	0.41 (0.39)	C (C)	25.5 (26.4)	19.3 (15.8)
Shawnigan Lake-Mill Bay Rd / Barry Rd				
SBL	0.56 (0.25)	E (C)	38.0 (19.4)	26.9 (7.4)
SBR	0.08 (0.04)	B (B)	11.1 (11.0)	2.0 (0.8)
EBL	0.09 (0.02)	A (A)	8.9 (8.3)	2.3 (0.5)
EBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)

Notes:

1. ## (##) = AM (PM)

The southbound left turn movement at Shawnigan Lake-Mill Bay Road / Barry Road will operate at an LOS E during the AM peak hour in 2038 during school drop-off. During the PM peak hour, this movement operates with an LOS C. All other turning movements at existing intersections will maintain their existing LOS C or better. The northbound 95th percentile left turn queue at Shawnigan-Mill Bay Road remains less than the 65m provided for the left turn.



4.5.4 Left Turn Extension Cycle

As previously mentioned, the northbound left turn has an existing queue extension loop that triggers an alternative signal timing plan that extends the left turn phase to clear the northbound left turn queues. The following outlines results of analysis of PM peak hour traffic conditions if this alternative cycle was triggered for the entire PM peak hour. See **Table 11**.

Table 11 – 2028 PM Peak Hour Background Intersection Operations with Left Turn Extension

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Highway 1 / Shawnigan Lake-Mill Bay Rd				
NBL	0.72	C	26.2	44.8
NBT	0.47	A	4.6	15.1
SBT	0.89	C	22.3	75.3
SBR	0.24	B	13.0	12.8
EBL	0.62	C	25.4	24.5
EBR	0.36	C	22.9	12.2

The implementation of this alternative cycle drops the LOS for the southbound movement to a LOS C, but only increases the delay by a few seconds. This indicates, even in the longer term the queue extension loops could continue to be utilized to manage the northbound left turn queues; however, MoTI has indicated that they would prefer not to manage the queues using the extension loops in the long term.

4.6 Post-Development Conditions

4.6.1 Site Trip Generation

Given the limited existing trips for the site (i.e. one single family home), existing site trips were not removed from the trip generation forecast.



Vehicular trip generation rates for the proposed mixed-use development are based on the *ITE Trip Generation Manual (11th Edition)*. The trip generation forecast for the north portion of the development is provided in **Table 13**. This development is forecasted to generate a total of 701 new trips during the weekday AM peak hour and 1,372 new trips during the weekday PM peak hour.

Table 12 –Trip Generation Rates

Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	2-Way	In	Out	2-Way
Trip Generation Rates						
Congregate Care Facility (ITE LU 253) ^[1]	0.05	0.03	0.08	0.09	0.09	0.18
Shopping Plaza (40-150k) - Supermarket (ITE LU 821) ^[2]	2.19	1.34	3.53	4.33	4.70	9.03
Single-Family Detached Housing (ITE LU 210) ^[1]	0.18	0.52	0.70	0.59	0.35	0.94
Multifamily Housing (Low-Rise), Not Close to Rail Transit (ITE LU 220) ^[1]	0.10	0.30	0.40	0.32	0.19	0.51

Notes:

1. Trip rates are per dwelling unit
2. Trip rates are per 1,000 ft² GFA



Table 13 – Unadjusted Site Trip Generation

Land Use	Units	AM Peak Hour			PM Peak Hour		
		In	Out	2-Way	In	Out	2-Way
Congregate Care Facility	120 units	6	4	10	11	11	22
Shopping Plaza (40-150k)	100,000 sq. ft.	219	134	353	433	470	903
Single-Family Detached Housing	397 lots	70	208	278	232	138	370
Multifamily Housing (Low-Rise)	270 units	12	48	60	48	29	77
Total		307	394	701	724	648	1,372

4.6.2 Trip Modifications

Internal trip volumes were estimated for the commercial site using the NCHRP 684 methodology for internal trip capture between the commercial site and the residential land use. As identified in **Table 14** there between 1.4% and 16% 'internal' trips between the commercial and north side residential use.

Table 14 – Internal and External Trips

Land Use	AM Peak Hour		PM Peak Hour	
	Internal	External	Internal	External
Congregate Care Facility	0	10	0	22
Shopping Plaza	5	348	109	794
Single-Family	3	275	90	280
Multifamily Housing (Low-Rise)	2	58	19	58
Total	10	691	218	1,154



Pass-by trips consist of vehicles which currently travel along Shawnigan-Mill Bay Road past the site regardless of the development's presence but who will now choose to enter the commercial component of the development only due to its convenient location on their way by. These trips are added as entering and exiting the development but are removed from the thru traffic volumes on Shawnigan Lake-Mill Bay Road at the access.

Similar to pass-by trips, diverted trips consist of vehicles which would have travelled on Highway 1 through the study area regardless of the development's presence, but instead chose to enter the development due to its convenient location. These trips are included as entering and exiting the development but are shifted from through traffic to turning traffic at Shawnigan Lake-Mill Bay Road. Pass-by and diverted trip volumes were estimated using data from the *ITE Trip Generation Manual*, 11th Edition. The combined diverted and pass-by trips represent 34% of the commercial trips. The mixture of land uses at this site lend themselves to higher pass-by/diverted trips including potentially a grocery store, liquor store, and pharmacy which tend to attract drivers on their way to/from work and driving by. Therefore the 34% rate is expected to be low. It should be noted that diverted trips are added to the northbound left turn on Highway 1 which would be similar if these were primary trips and therefore the added northbound left traffic is expected to be similar even if the trips are more primary than estimated. Residential land uses do not create pass-by or diverted trips as all trips are primary. See **Table 15** for primary and pass-by/diverted trips.

Table 15 – Primary and Pass-by/Diverted Trips

Land Use	AM Peak Hour		PM Peak Hour	
	Primary	Pass-by Diverted	Primary	Pass-by Diverted
Congregate Care Facility	10	0	22	0
Shopping Plaza	348	0	524	270
Single-Family	275	0	280	0
Multifamily Housing (Low-Rise)	58	0	58	0
Total	691	0	884	270



4.6.3 Trip Distribution and Assignment

The trip distribution pattern for site traffic to/from was established based on existing traffic patterns and key origins and destinations in the area. The distribution of inbound and outbound traffic adopted for the proposed development is outlined in **Table 16, 17, and 18**.

Table 16 – Site Traffic Distribution (Area A - Congregate Care)

Street	Direction	AM	PM
Highway 1	South	40 % In / 50 % Out	30 % In / 20 % Out
Highway 1	North	50 % In / 40 % Out	40 % In / 35 % Out
Shawnigan Lake-Mill Bay Road	West	10 % In / 10 % Out	30 % In / 45 % Out

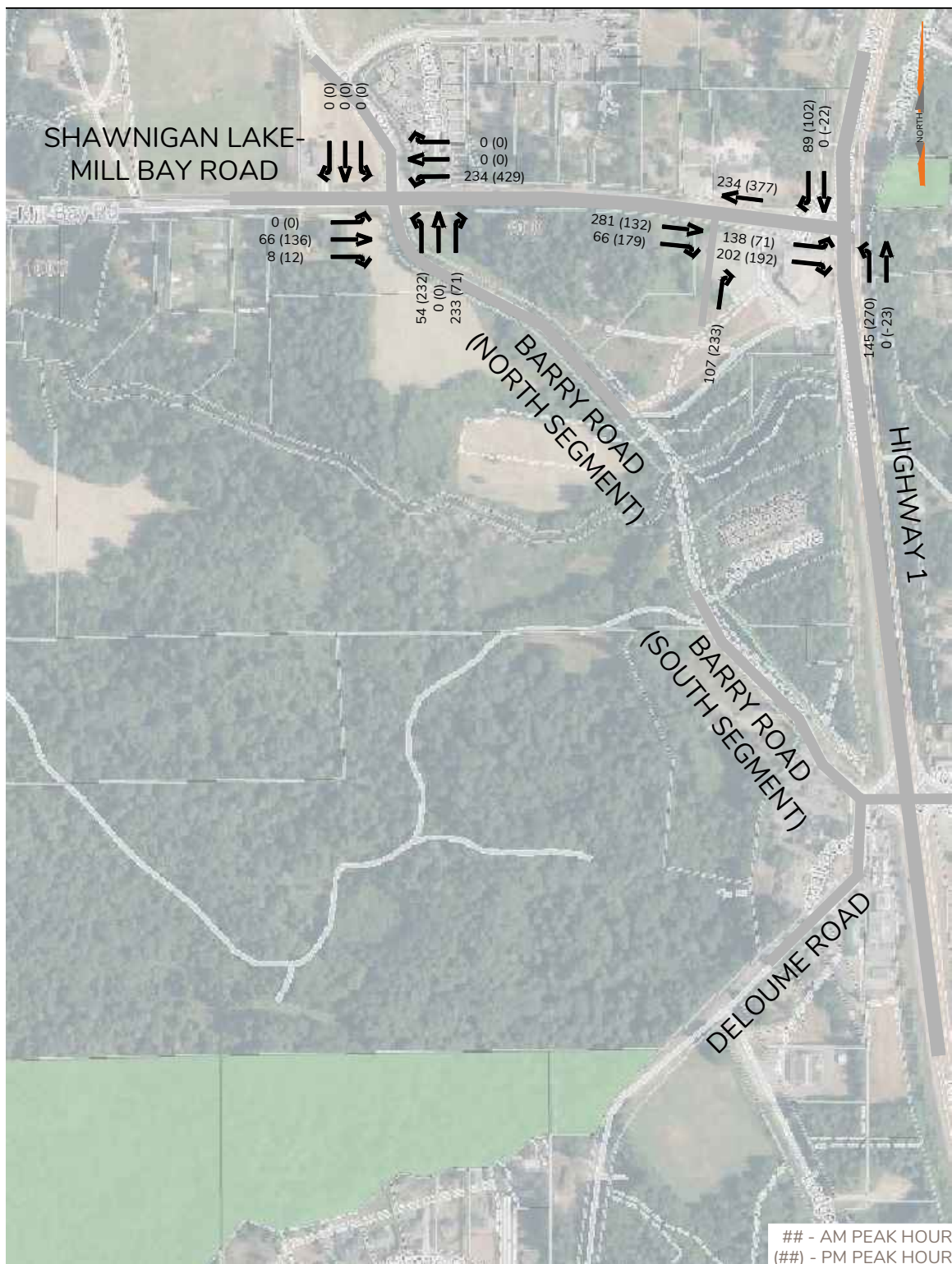
Table 17 – Site Traffic Distribution (Area B - Shopping Plaza with Supermarket)

Street	Direction	AM	PM
Highway 1	South	50 % In / 55 % Out	40 % In / 50 % Out
Highway 1	North	20 % In / 25 % Out	10 % In / 10 % Out
Shawnigan Lake-Mill Bay Road	West	30 % In / 20 % Out	50 % In / 40 % Out

Table 18 – Site Traffic Distribution (Areas C and D - Residential)

Street	Direction	AM	PM
Highway 1	South	40 % In / 50 % Out	70 % In / 30 % Out
Highway 1	North	50 % In / 40 % Out	25 % In / 15 % Out
Shawnigan Lake-Mill Bay Road	West	10 % In / 10 % Out	5 % In / 55 % Out

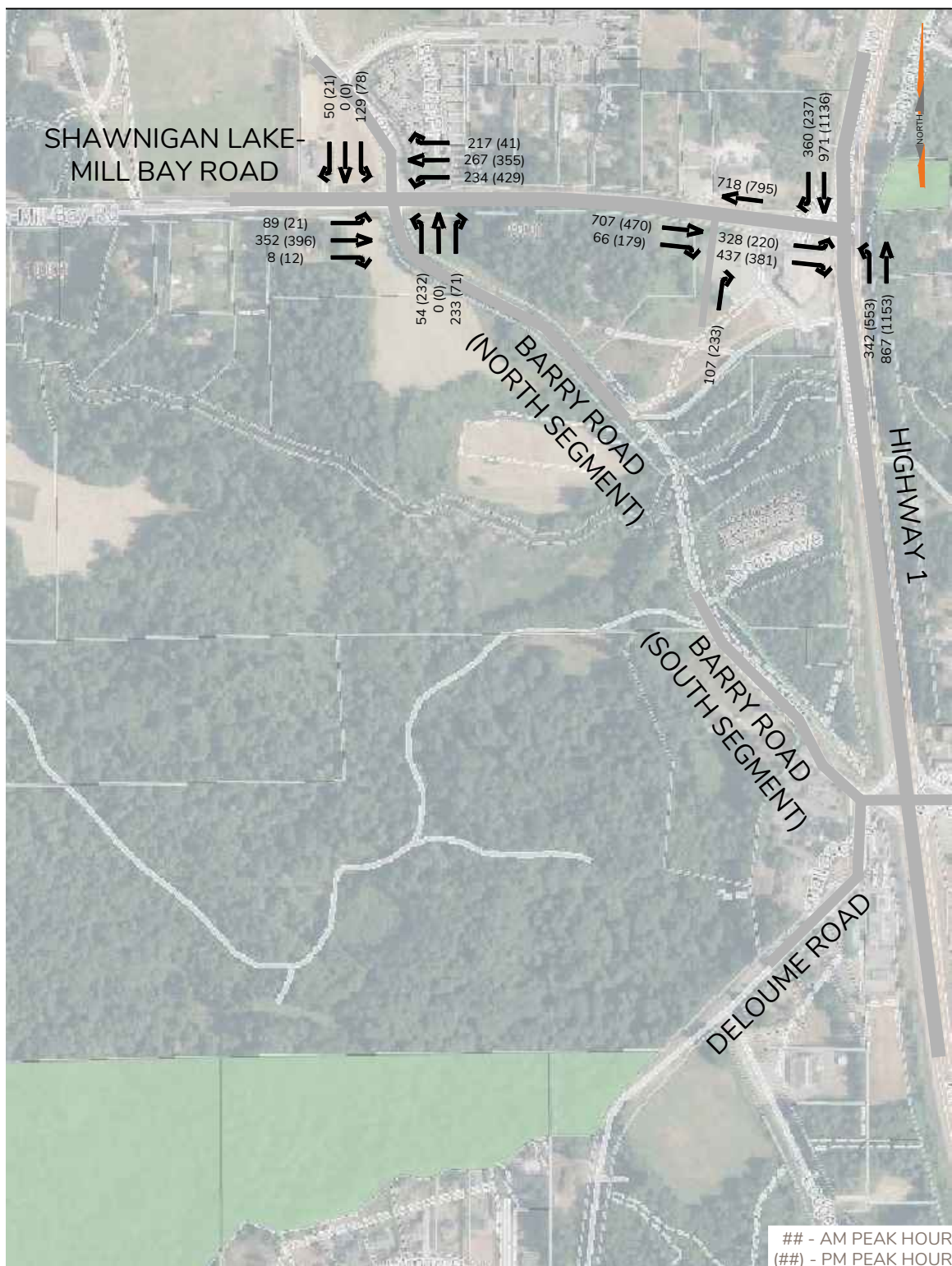
The site traffic volumes assigned to the area road network are illustrated in **Figure 8**.

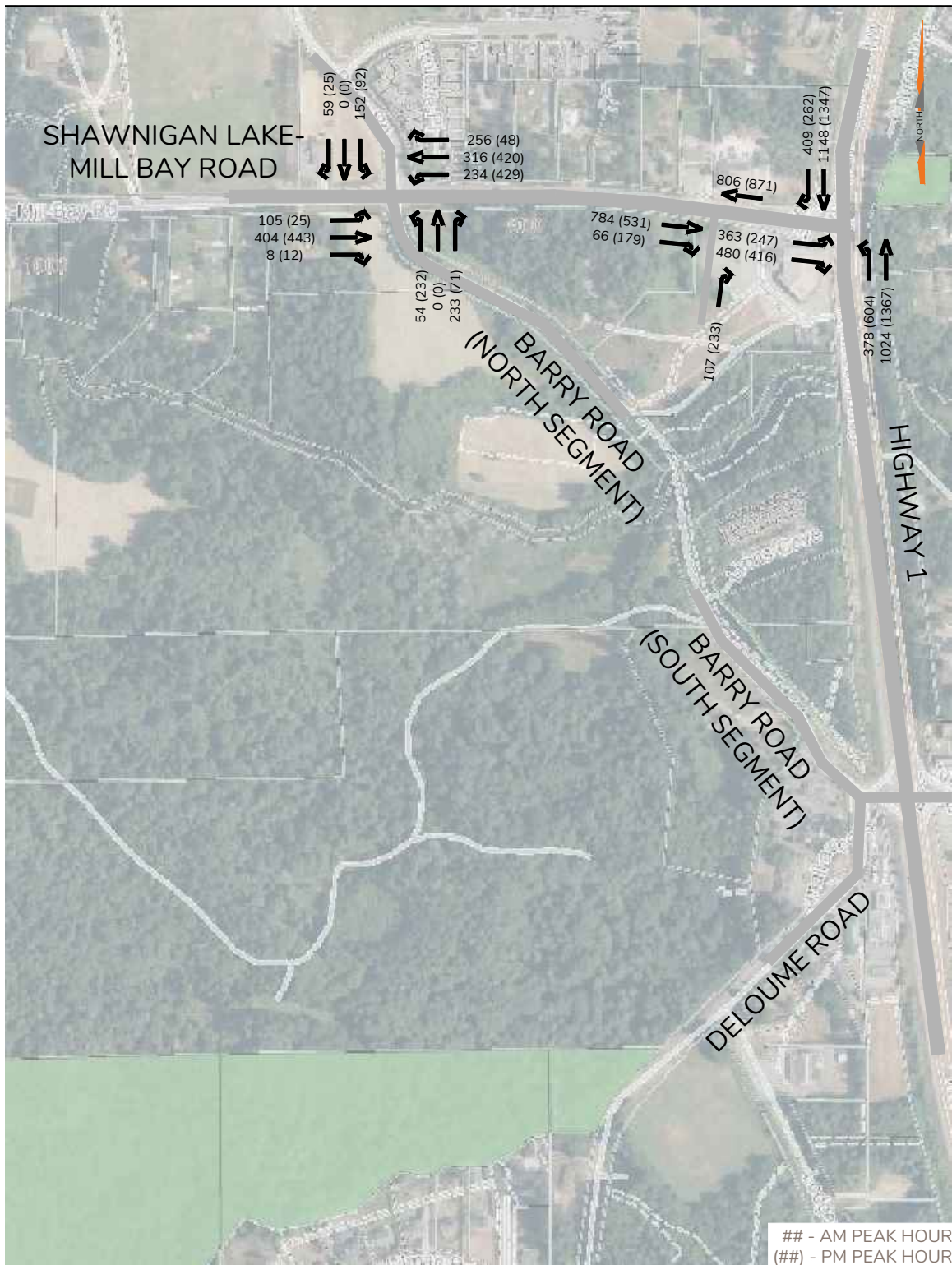




4.6.4 Post-Development Traffic Volumes

Post-development traffic volumes are the sum of background traffic volumes and site traffic volumes. Post-development traffic volumes for 2028 and 2028 are illustrated in **Figure 9 and 10**.







4.6.5 Post-Development Traffic Operations

Intersection analysis results for post-development conditions for 2028 are summarized in **Table 19**.

Table 19 – Post-Development Intersection Operations - 2028

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Highway 1 / Shawnigan Lake-Mill Bay Rd				
NBL	0.88 (0.92)	D (D)	50.6 (46.2)	94.3 (137.6)
NBT	0.38 (0.44)	A (A)	6.7 (4.9)	31.5 (30.7)
SBT	0.74 (0.97)	C (D)	24.6 (38.7)	87.2 (126.6)
SBR	0.63 (0.47)	C (C)	24.0 (23.6)	67.8 (46.4)
EBL	0.85 (0.81)	D (D)	38.1 (40.4)	82.1 (61.2)
EBR	0.51 (0.64)	C (D)	29.3 (36.3)	42.3 (42.9)
Shawnigan Lake-Mill Bay Rd / Barry Rd				
NBL	0.71 (2.7)	F (F)	249.8 (3365.8)	181.1 (658.8)
NBT	0.00 (0.00)	F (F)	243.2 (3355.0)	181.1 (658.8)
NBR	0.33 (0.11)	F (F)	207.8 (3318.4)	181.1 (658.8)
SBL	2.56 (1.19)	F (F)	3009.9 (633.4)	319.3 (103.1)
SBT	0.00 (0.00)	E (E)	40.7 (46.4)	1.7 (0.7)
SBR	0.07 (0.03)	B (B)	10.8 (10.6)	1.7 (0.7)
EBL	0.08 (0.02)	A (A)	8.7 (8.1)	2.0 (0.4)
EBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
EBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBL	0.19 (0.28)	A (A)	8.3 (8.5)	3.8 (5.2)
WBT	0.00 (0.00)	A (A)	0.0 (0.0)	3.8 (5.2)
WBR	0.00 (0.00)	A (A)	0.0 (0.0)	3.8 (5.2)



Shawnigan Lake-Mill Bay Rd / Commercial Access				
NBR	0.23 (0.32)	C (B)	15.3 (13.7)	7.0 (10.8)
EBT	0.01 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
EBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBT	0.01 (0.01)	A (A)	0.0 (0.0)	0.0 (0.0)

Notes:

1. ## (##) = AM (PM)

The southbound thru movement at Highway 1 / Shawnigan Lake-Mill Bay Road will drop to an LOS D during the 2028 PM peak hour with the existing signal timing plans. The northbound left turn movement and eastbound movements will operate at LOS D during the 2028 AM and PM peak hours. The northbound left 95th percentile queue length is 138m during the PM peak hour, which exceeds the left turn left turn storage by almost 75m. By full build-out of the development, management of the northbound left queues by the queue extension loops will become difficult due even the average queue length reaching the end of the turn existing single turn lane. If a second northbound left turn lane could be provided the northbound left 95th percentile queue reduces to 50m which can be managed by the queue loops. Addition of a second northbound left turn lane may also require reconfiguration of the bridge to accommodate the required PL plus storage (130m). Introduction of a dual northbound left would require a second receiving lane on Shawnigan-Mill Bay Road. The alternative is to extend the storage of the existing left turn lane by narrowing the wide (3m) shoulder in the northbound direction to allow for extension of the left turn lane.

At Shawnigan Lake-Mill Bay Road / Barry Road, the northbound movement and southbound left turn movement will operate at LOS E / F, during the AM and PM peak hours with stop control and no separate turn lanes for the westbound and northbound movements at the intersection. A change in traffic control is required before full build-out of the development.

The northbound right turn movement at Shawnigan Lake-Mill Bay Road / Commercial Access will operate at a LOS C with the through movements at a LOS A. If a left turn into the site is provided it is expect that the queues will be less than 15m; however, it will need to be confirmed at Development Permit stage.



Table 20 – Post-Development Intersection Operations - 2038

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Highway 1 / Shawnigan Lake-Mill Bay Rd				
NBL	0.91 (0.90)	E (D)	61.5 (43.0)	113.0 (140.3)
NBT	0.41 (0.48)	A (A)	7.4 (5.7)	40.3 (39.9)
SBT	0.80 (1.18)	C (F)	27.7 (356.2)	104.8 (568.2)
SBR	0.67 (0.55)	C (C)	26.6 (28.0)	78.9 (56.0)
EBL	0.87 (0.81)	D (D)	45.0 (41.8)	96.3 (66.0)
EBR	0.53 (0.63)	C (D)	31.3 (36.2)	45.5 (45.3)
Shawnigan Lake-Mill Bay Rd / Barry Rd				
NBL	0.84 (2.73)	F (F)	471.8 (3429.8)	265.2 (662.9)
NBT	0.00 (0.00)	F (F)	463.2 (3418.6)	265.2 (662.9)
NBR	0.34 (0.11)	F (F)	421.1 (3381.7)	265.2 (662.9)
SBL	3.35 (1.20)	F (F)	4442.0 (649.3)	390.8 (104.3)
SBT	0.00 (0.00)	E (E)	46.1 (46.8)	2.0 (0.8)
SBR	0.08 (0.03)	B (B)	11.1 (10.6)	2.0 (0.8)
EBL	0.09 (0.02)	A (A)	8.9 (8.2)	2.3 (0.4)
EBT	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
EBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBL	0.20 (0.28)	A (A)	8.4 (8.5)	3.8 (5.2)
WBT	0.00 (0.00)	A (A)	0.0 (0.0)	3.8 (5.2)
WBR	0.00 (0.00)	A (A)	0.0 (0.0)	3.8 (5.2)



Shawnigan Lake-Mill Bay Rd / Commercial Access				
NBR	0.25 (0.32)	C (B)	16.0 (13.7)	7.5 (10.8)
EBT	0.01 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
EBR	0.00 (0.00)	A (A)	0.0 (0.0)	0.0 (0.0)
WBT	0.01 (0.01)	A (A)	0.0 (0.0)	0.0 (0.0)

Notes:

1. ## (##) = AM (PM)

With the existing signal timing at Shawnigan-Mill Bay Road / Highway 1 the southbound through movement will drop to an LOS F and have a significant queue length in the PM peak hour. In the AM peak hour the northbound left turn will operate at a LOS E. The northbound 95th percentile queue length will increase to up to 141m in the PM peak hour.

4.7 Mitigated Post-Development Conditions

Based on the results of the analysis mitigation is required at several of the intersections.

At Shawnigan-Mill Bay Road / Barry Road North a westbound left turn lane is warranted based on the volume of left turners once the commercial site is built. A separate northbound left turn should be provided to match the opposing southbound left turn lane and the intersection may need to be signalized with Phase 1b (the commercial development). Further assessment of the timing of the signal will be needed during the commercial development permit application as the location of the accesses and the type of commercial land use is not fully known and different commercial uses have a wide range of trip generation. The need for a signal at Barry Road North / Shawnigan Mill Bay Road will also depend on the location and permitted turns of the commercial access on Shawnigan Mill Bay Road which is not known at this stage. The signal at Barry Road North is not warranted with just Phase 1a (residential). The alternative to a signal is a roundabout. There is approximately 38.8m diameter of space at the Shawnigan Mill Bay Road / Barry Road North intersection. Assuming a minimum shoulder/pedestrian/cycling space around a roundabout of 2m there would only be 34.8m remaining for the inscribed diameter of a roundabout. At 34.8m diameter it may be possible to design a roundabout that would accommodate transit and school buses within the circulatory roadway; however, MoTI typical standard for a single lane



roundabout is 40-60m (Table 740.A) to accommodate WB-20 which would need to be accommodated for deliveries to the commercial centre as well as to/from Shawnigan Mill Bay Road. A roundabout at this location may lack width to accommodate heavy truck traffic, provide minimal landscaping separation around the outside of the roundabout and provide limited active transportation facilities around the roundabout.

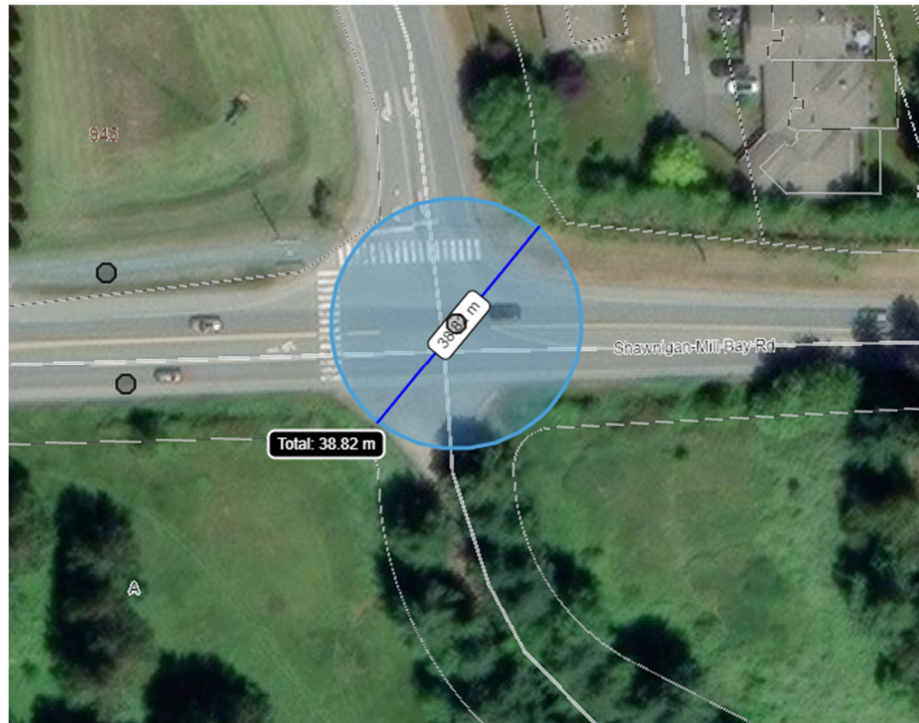


Figure 11 – Available Right-of-Way at Barry Road / Shawnigan Mill Bay Road

The major improvement for the development is the extension of the northbound left turn at Highway 1 / Shawnigan-Mill Bay Road to a storage length of 140m plus the 80m PL for a total left turn lane of 220m. In order to implement this left turn lane extension, the existing bridge may require reconfiguration or alternatively the existing 3m shoulder on the east side of the highway narrowed. The narrowing of the shoulder to extend the northbound left turn is being studied by structural and civil engineers to determine if it is feasible. Once the assessments are done drawings will be submitted to MoTI for consideration. If the 1% per year growth occurs at the Highway 1 / Shawnigan-Mill Bay Road intersection until 2038 the signal timing at the intersection will need to be adjusted to improve the southbound through to better than an LOS F. With minor adjustments the southbound movement can improve to an LOS D; however, the eastbound left and northbound left turn movements will drop to LOS E. As these are



secondary to moving traffic on Highway 1 these are acceptable operations. However, the northbound left turn queue will increase to 180m (additional 40m) which would require the left turn lane to increase to 260m (180m plus 80m PL).

The alternatives to extending the single northbound left turn lane at Shawnigan-Mill Bay Road are to provide a dual northbound left turn (add a second left turn lane) and associated receiving lane on Shawnigan-Mill Bay Road and / or manage the queues with the queue loops. The dual northbound left turn option may still require reconfiguration of the existing bridge and could lead to queuing as traffic has to merge back to a single lane. Long term management by the queue loops is not recommended as there would queue spillback exceeding the storage on a regular basis and this impacts the southbound through movement operations.

4.7.1 Traffic Operations with Mitigation Measures

Intersection analysis results for post-development conditions with the recommended mitigation measures for 2028 and 2038 are summarized in **Tables 21** and **22**.

Table 21 – Post-Development Operations with Mitigation Measures - 2028

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Shawnigan Lake-Mill Bay Rd / Barry Rd (Signalized)				
NBL	0.43 (0.53)	B (C)	15.9 (21.7)	40.1 (52.7)
NBT	0.43 (0.53)	B (C)	15.9 (21.7)	40.1 (52.7)
NBR	0.43 (0.53)	B (C)	15.9 (21.7)	40.1 (52.7)
SBL	0.43 (0.24)	B (B)	16.1 (14.8)	17.4 (8.7)
SBT	0.30 (0.20)	C (C)	25.9 (25.9)	8.6 (3.6)
SBR	0.30 (0.20)	C (C)	25.9 (25.9)	8.6 (3.6)
EBL	0.24 (0.04)	B (B)	19.7 (11.5)	14.3 (2.0)
EBT	0.38 (0.38)	B (A)	10.7 (7.7)	36.4 (28.9)
EBR	0.38 (0.38)	B (A)	10.7 (7.7)	36.4 (28.9)
WBL	0.50 (0.71)	C (C)	21.1 (21.4)	40.7 (55.7)
WBT	0.55 (0.41)	B (A)	13.2 (7.9)	56.2 (27.8)
WBR	0.55 (0.41)	B (A)	13.2 (7.9)	56.2 (27.8)



Table 22 – Post-Development Operations with Mitigation - 2038

Movement	v/c	LOS	Delay (s)	95% Queue (m)
Shawnigan Lake-Mill Bay Rd / Barry Rd (Signalized)				
NBL	0.43 (0.53)	B (C)	15.7 (21.7)	39.8 (52.7)
NBT	0.43 (0.53)	B (C)	15.7 (21.7)	39.8 (52.7)
NBR	0.43 (0.53)	B (C)	15.7 (21.7)	39.8 (52.7)
SBL	0.48 (0.24)	B (B)	16.5 (14.7)	19.5 (8.7)
SBT	0.31 (0.20)	C (C)	25.8 (25.8)	9.5 (4.0)
SBR	0.31 (0.20)	C (C)	25.8 (25.8)	9.5 (4.0)
EBL	0.30 (0.05)	C (B)	22.5 (11.6)	17.1 (2.2)
EBT	0.42 (0.38)	B (A)	11.4 (7.8)	40.9 (29.3)
EBR	0.42 (0.38)	B (A)	11.4 (7.8)	40.9 (29.3)
WBL	0.53 (0.71)	C (C)	22.9 (21.7)	43.1 (56.4)
WBT	0.61 (0.41)	B (A)	14.7 (8.0)	64.3 (28.2)
WBR	0.61 (0.41)	B (A)	14.7 (8.0)	64.3 (28.2)
Highway 1 / Shawnigan Lake-Mill Bay Rd (Adjusted Signal Timing)				
NBL	0.94	E	59.2	179.4
NBT	0.46	A	5.4	45.7
SBT	1.00	D	53.9	178.9
SBR	0.46	C	26.7	59.4
EBL	0.85	E	56.7	82.0
EBR	0.67	D	43.6	55.5



5.0 TRIGGERS

The above analysis is based on full build out of the north portion of the development in the next five years and the mitigations that will be required once all phases are built. A review of the first two phases of the development: Phase 1A and Phase 1B was undertaken to determine if they trigger the signal at Barry Road / Shawnigan-Mill Bay Road. Phase 1A includes 120 congregate care units, 270 multi-family units and 55 single family units. Phase 1B is the commercial development.

Analysis of Phase 1A found that the intersection of Barry Road / Shawnigan-Mill Bay Road will operate at a LOS B/C (with 2028 background volumes plus Phase 1A traffic) as stop controlled and therefore does not trigger the signal or left turn at the intersection. With the addition of the commercial development access onto Barry Road North a signal may be triggered by the commercial depending on site access location and configurations and final commercial land use. The need for a signal as part of the commercial phase will be further assessed and submitted to MoTI during the Development Permit application for the commercial site.

The queue length is the main trigger for extending the northbound left turn lane. It is recommended that the left turn be extended using the existing width on the bridge deck (narrow the shoulder) prior to the opening of the commercial site.

6.0 CONCLUSIONS

The existing intersection of Highway 1 / Shawnigan-Mill Bay Road and Barry Road North / Shawnigan-Mill Bay Road operate with acceptable LOS during the peak hours with the exception of the southbound left turn during the school arrival period in the AM peak hour. However, this poor operation occurs for a relatively short period of time. The northbound left turn on Highway 1 does occasionally extend beyond the available left turn storage of 65m. This existing left turn lane does not provide PL or the parallel length for vehicles to slow in the left turn lane as per current MoTI standard. This left turn lane should have at least 55m of storage and 80m of PL for a total of 135m under existing conditions. Reconfiguration of the laning on the bridge is accommodate the left turn storage with the commercial development. The developer is having the ability to shift the pavement marking on the bridge deck assessed by civil and structural engineers.

The commercial access location on Shawnigan Mill Bay Road has not been confirmed and therefore a determination of the ability to provide left turns into the site can't be made at this stage. During the development permit application, when the location as



well as the final land use mix on the commercial site is known, an assessment of the queues on Shawnigan Mill Bay Road and signal warrant at Barry Road North undertaken. There is insufficient right-of-way to accommodate a roundabout, instead of a signal, that can manage WB-20 vehicles as well as school and transit vehicles. At Barry Road North / Shawnigan-Mill Bay Road a westbound left turn lane and northbound left turn lane are required with the extension of Barry Road south of Shawnigan-Mill Bay Road.

Phase 1A (congregate care, 270 multi-family and 55 single family) can be built without triggering the signal and westbound left turn at Barry Road North or the northbound left turn lane extension on the Highway. The northbound left turn lane, on Highway 1, will continue to be managed by the queue loop until the commercial phase is added. The northbound left lane should be mitigated as part of the commercial development through narrowing the shoulder.

Along the Shawnigan-Mill Bay Road frontage of the development and along the new section of Barry Road it is recommended that a curb and sidewalk be provided over a shoulder, as long as the drainage improvement area is in place. This would match the curb on the north side of the road and made the eastbound bus stops accessible.

There are no sight distance issues with the development of the fourth leg of Barry Road / Shawnigan Mill Bay Road. During subsequent phases (especially the commercial phase) and when more detailed civil design of the internal site network is undertaken sight distance reviews are required to be undertaken to ensure sufficient sight distances are provided.

7.0 RECOMMENDATIONS

The developer is recommended to make the following transportation improvements:

1. Extend the northbound left turn lane at Highway 1 / Shawnigan-Mill Bay Road to 220m prior to completion of Phase 1a phase of the north portion of the site.
2. Undertake updated assessment, at Development Permit for Phase 1b, to confirm trigger for signalize the Shawnigan-Mill Bay Road / Barry Road intersection as well as the ability to provide a left turn lane into the site as part of the commercial phase.
3. Install curb/gutter and sidewalk along the Shawnigan-Mill Bay Road frontage of the development and along the new section of Barry Road.
4. Undertake, as requested by MoTI, updated TIAs before starting the next phase of the north portion or any portion of the south (Barry Road South) portion of the development.



5. Ensure sight distances are reviewed for all internal road intersections and the commercial access(es) when detailed civil design is completed.
6. Internal roads are to be urban cross sections as long as a drainage improvement area is created. The internal collector road will be designed to 50km/h and allow for a future connection to Bourbon Road or through an adjacent site back to Shawnigan Mill Bay Road.