

Referral Response Summary

Application No. RZ23A01

EXTERNAL REFERRAL RESPONSES	
Organization: School District No. 79 (Cowichan Valley) Name/Title: Jason Sandquist, Secretary-Treasurer Comments:	Date of Response: December 7, 2023 Level of Support: No Comment
Organization: BC Transit Name/Title: Aaron Thompson, Transit Planner Comments: That the recommendations listed under the “Transit Supportive Land-Use and Design” section are considers as part of this application: <ul style="list-style-type: none"> • Eliminating or reducing minimum vehicle parking requirements; • Locating on-site parking underground or away from street frontages; • Ensure that vehicle entrances and exits to the property do not interfere with transit operations or create a safety hazard. That consideration be given to improving the customer amenities available at the nearby bus stop.	Date of Response: December 18, 2023 Level of Support: No Objection Subject to the Recommendations
Organization: Area A Advisory Planning Commission Name/Title: n/a Comments: MOTION: 1. That the APC recommends that the CVRD Board not approve zoning amendment application RZ23A01 (2530 Mill Bay Road) to permit a four-lot subdivision; 2. That the APC supports the subdivision application for a two-lot subdivision (with suites) as presently permitted under existing zoning; and 3. That the APC recommends that the CVRD Board consider the following for future infill projects: <ul style="list-style-type: none"> • stormwater/drainage implications; • loss of vegetation; • access route standards (re: fire, safety, recycling/garbage service); and, • sewer and water servicing implications. 	Date of Response: January 4, 2024 Level of Support: Do Not Support
Organization: Malahat Nation Name/Title: Kate Richey, Referrals Coordinator Comments: At this time and with the information we have been provided, Malahat Nation does not object to the proposed amendment. We do continue to require continued disclosure on an ongoing basis regarding this zoning bylaw.	Date of Response: January 12, 2024 Level of Support: No objection

Organization: Mill Bay Fire Department	Date of Response: January 31, 2024
Name/Title: Chris McInerney, Fire Chief	Level of Support: Support with Conditions
Comments: As long as the access road is at least 6m wide and designed to support the load of our heaviest apparatus (38,556kg) the fire department approves this development.	

INTERNAL REFERRAL RESPONSES (Nov. 2023)	
Organization: CVRD Environmental Services Name/Title: Keith Lawrence, Senior Environmental Analyst Comments: The site would ultimately be drawing water from aquifer 206 through MBWD. Water supply stress is well established and understood for aquifer 206. A plan would need to be in place to support no increase to the existing water use. This plan could include analysis of historical water use and comparison to projected use with measures in place to ensure water use does not increase even though additional homes and structures may be added to the site.	Date of Response: September 29, 2023 Level of Support: Supported subject to recommendations outlined below.
Organization: CVRD Community Planning Name/Title: Lauren Wright, Planning Coordinator (Acting Manager) Comments: This is a fully serviced parcel within the GCB and near transit. Although the MOCP policies (which has not been adopted) support this proposal, the current OCP policies do not overtly support this proposal. Although densification of neighbourhoods that are fully serviced is supported, this is not consistent with the surrounding context, significantly changes the character of the immediate neighbourhood, and will not work to preserve the natural landscape of the area. This proposal includes four 0.07 ha (700m ²) parcels, each with a SFD and a suite. Bylaw 4486 was recently adopted in September 2023, which reduced the minimum parcel area for suites in Area A to 0.2 ha for parcels serviced by community water. This proposal does not meet the regulations of the newly adopted amendment bylaw. It is also unclear if the proposed small parcels are able to meet the required on-site parking if suites are permitted (2 spaces for the SFD and 1 space for the suite). Overall, until the MOCP is adopted and the policies are clear for the relevant land use designation, this application is premature as the current OCP does not support this level of density for this area. Also, the addition of suites to the proposed parcels should be carefully considered, in light of regulations within the recently-adopted Bylaw No. 4486.	Date of Response: October 4, 2023 Level of Support: Not supported for reasons outlined below.
Organization: CVRD Operations/Utilities Name/Title: Louise Knodel-Joy, Senior Engineering Technologist Comments: This property is to be included in the Sentinel Ridge Sewer Service Area, which is required for both subdivision and/or rezoning.	Date of Response: October 12, 2023 Level of Support: Supported.

Capacity connection fees have been paid for a single unit and the amending bylaw has yet to be completed. Additional sewer units must be purchased and all servicing will be required by the owner.

The sewer system has capacity for either subdivision and rezoning, therefore, Utilities has no objection to this request.

Organization: CVRD Parks & Trails

Date of Response: October 12, 2023

Name/Title: Tanya Schroeter, Manager,
Parks Planning & Stewardship

Level of Support: Supported subject to
recommendations outlined below.

Comments:

The Parks & Trails Division is noting that in the Adopted Electoral Area A Community Parks and Trails Master Plan that a roadside pathway route along Mill Bay Road is proposed to connect the commercial village area along Mill Bay Road to the Brentwood ferry. The applicant could consider a financial contribution towards the future construction of this pathway that would take place in front of the development.

Also note that during the subdivision process that the 5% parkland dedication requirement under section 510 of the *Local Government Act* will be required. This application may be referred to the Electoral Area A Park Advisory Commission at that time to determine if 5% cash-in-lieu or 5% parkland be obtained.

Organization: CVRD Recycling and Solid
Waste Management

Date of Response: October 13, 2023

Name/Title: Ilse Sarady, Senior Manager

Level of Support: Support with Conditions.

Comments:

1. *Three Stream Curbside Collection:* Pursuant to the CVRD's Solid Waste Management Plan (SWMP) the CVRD is implementing a three-stream curbside collection program for all Eligible Residence (as defined under CVRD Bylaw 1958 -the curbside collection bylaw) in Electoral Areas A to I in 2025. At this time, single-family detached dwellings, including each dwelling unit of a duplex, triplex, quadruplex, townhouse, or row house development qualify for this mandatory program. This means that each of these units will receive three rolling curbside collection totes to source-separate garbage, recyclables and organics (food and yard waste).
2. *Wild-Safe Waste Management:* as set out in the SWMP, the CVRD is committed to providing wild-safe waste management. As such, the developer should be required to help ensure that curbside collected totes will be securely stored in an appropriate 'wildlife-resistant enclosure' between curbside collection days. An appropriate enclosure may include a designated robust shed, a garage, etc. The CVRD is considering the below revisions to CVRD Bylaw 1958 to define 'wildlife-resistant enclosure'. 'Wildlife' in this instance means, bears, cougars, wolves:
 - a. "Wildlife-Resistant Enclosure" means a fully enclosed structure with solid walls, a roof and door(s), and is made of sufficient design and strength to prevent access by Wildlife.
 - b. "Wildlife-Resistant Storage Manner" means storing Garbage, Recyclables and Organics in a secure location to prevent access by Wildlife, and placing the Garbage, Recyclables and Organics in the Tote(s) on the morning of the curbside collection day.

Currently, and in the future, to prevent wildlife access to curbside material, totes cannot be set out before 5 a.m. on the collection day.

3. *Road Limitations – Curbside Truck Weight and Turning Radius:* CVRD curbside collection trucks weigh 24,500 kg when full. In short, at no time should the CVRD be made responsible for the wear and tear on the road (including Strata roads) as part of providing weekly curbside collection. Also, the turning radius is 49.7 ft.
4. *Laneway Pick Up:* the CVRD can provide laneway curbside collection service. However, residents must place collection totes in the travelling direction with the following space requirements to allow the truck to service the totes:
 - a. place the Tote(s) at the collection point near the boundary of the property so that the Tote(s) do not impede pedestrian or vehicle traffic; and,
 - b. place the Tote(s) with:
 - i. one (1) meter clear space on all sides of the Tote; and,
 - ii. three (3) meters of clear space above each Tote.

Organization: CVRD Strategic Initiatives

Date of Response: October 18, 2023

Name/Title: Alison Garnett, Planning Coordinator

Level of Support: Supported for reasons outlined below.

Comments:

As noted in the staff report, the subject properties are designated in OCP Bylaw 4270 as Residential in Schedule A and Village Residential in Schedule B.

This application is not proposing to amend the OCP for the Electoral Areas Bylaw No. 4270, however relevant policies include:

Schedule B Mill Bay LAP excerpt:

2.9.17 Village Residential Objectives

1. Provide an affordable housing option in Mill Bay Village.
2. Encourage tourism activities through provision of bed-and-breakfast accommodation.

2.9.18 Village Residential Policies

The regional board:

1. Considers development variances for siting to preserve views or natural features.

Note: OCP Bylaw 4270 does not include density ranges associated with land use designations. Density ranges are proposed in the draft modernized OCP for the Electoral Areas Bylaw 4373.

The density of the proposed application is consistent with draft OCP Bylaw 4373 proposed Medium Lot Suburban designation.

Draft OCP Bylaw 4373 Medium Lot Suburban designation:

Purpose: Enable single detached housing with suburban character and provide opportunities for clustering units into pocket neighbourhoods. Properties in this designation typically have access to infrastructure services, such as water and sewer systems. Transportation choices are more varied with some bus routes.

BUILDING TYPE: Detached homes

DENSITY: Maximum 15 UPH (plus permitted suites)

We note that the proposed density would require the subject properties be included in the Intensive Residential Development Permit Area 9.

An amendment to Schedule U of OCP Bylaw No 4270 would be required.

Organization: CVRD Transit	Date of Response: October 18, 2023
Name/Title: Rachelle Rondeau, Transit Analyst	Level of Support: Supported for reasons outlined below.
Comments:	
The goals of the CVRD's Transit Future Plan (2012) are to:	
<ul style="list-style-type: none"> • Make transit an attractive transportation alternative to the private vehicle; • Reduce the community's impact on the environment; and • Make the transit system more efficient. 	
Transit friendly land use practices such as compact development in appropriately dense areas and travel demand management practices support these goals.	
The proposed subdivision is located within 60 m of a transit bus stop, which is consistent with BC Transit standards for pedestrians to access transit service.	