



STAFF REPORT TO COMMITTEE

DATE OF REPORT October 13, 2023
MEETING TYPE & DATE Electoral Area Services Committee Meeting of November 1, 2023
FROM: Development Services Division
Land Use Services Department
SUBJECT: Application No. RZ23B02 (2171 Wildflower Road/PID: 025-002-392)
FILE: RZ23B02

PURPOSE/INTRODUCTION

The purpose of this report is to present an application to rezone the property located at 2171 Wildflower Road/PID: 025-002-392) from R-2 (Suburban Residential) to R-3 (Urban Residential) in the Cowichan Valley Regional District Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985.

RECOMMENDED RESOLUTION

That it be recommended to the Board:

1. That Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), be referred to the following external agencies and First Nations:
 - a. Ministry of Transportation & Infrastructure;
 - b. Ministry of Forests;
 - c. Ministry of Environment and Climate Change Strategy;
 - d. First Nations;
 - e. Ministry of Water, Land and Resource Stewardship;
 - f. BC Hydro;
 - g. Electoral Area B – Shawnigan Lake Advisory Planning Commission;
 - h. Cowichan Tribes; and
 - i. Malahat Nation.
2. That the draft Zoning Amendment Bylaw for Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), be prepared by staff and forwarded to the Board for consideration of 1st and 2nd reading.
3. That a public hearing not be held for Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), and that notice be undertaken in accordance with the *Local Government Act*.

LOCATION MAP



BACKGROUND

The subject property is located in Electoral Area B – Shawnigan Lake near the intersection of Wildflower Road and Hurley Road. The subject property is approximately 0.45 ha (1.12 acres) in size. The owners propose to subdivide the property into two lots. The agent notes that the surrounding single-family lots are smaller in size and that services have already been stubbed to the proposed lot.

The existing zoning allows for a minimum lot size of 0.4 ha; however, a number of parcels within this subdivision are 0.2 ha in size. This was possible when the lots were subdivided in 2002, as the zoning bylaw permitted density averaging of non-strata subdivisions at that time. The density was averaged out of what later became the CVRD sport playing fields (Shawnigan Hills Athletic Park) to the southwest of the subdivided area.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

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

The subject property is within a Growth Containment Boundary and falls within the Residential land use designation. The Local Area Plan (LAP) designates the property as Village Suburban Residential.

- The overarching Residential designation in the OCP encourages a wide range of housing and lifestyle options for various stages of life and different community lifestyles.
- The LAP Village Residential designation is intended primarily for single-family dwellings, with the objective of creating compact and complete communities.

The proposal is consistent with the OCP. As of November 3, 2021, local governments are no longer required to hold a public hearing when a proposed zoning bylaw is consistent with the OCP; and instead, they are only required to publish a public notice before first reading. If the Regional Board determines that a public hearing is desired, despite the fact that the proposed rezoning is consistent with the OCP, the CVRD may still choose to hold a public hearing.

Development Permit Areas:

The subject property is currently subject to the following Development Permit Areas (DPA):

- DPA - 1 Riparian Protection;
- DPA - 4 Aquifer Protection; and
- DPA - 5 Wildfire Hazard.

Any future development of the site would be subject to the DPAs, and a Development Permit would be required prior to subdivision approval.

Cowichan Valley Regional District Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985:

The subject property is zoned Suburban Residential (R-2), which permits agriculture, horticulture and a single-family dwelling as a principal use. This zone allows for 0.4 ha sized lots. The R-3 Zone allows for the same uses and setbacks; however, the minimum lot size in the R-3 Zone is 0.2 ha.

Housing Needs Assessment:

The CVRD has developed a Regional Housing Needs Assessment (2021) in partnership with its member municipalities and nine electoral areas. This housing needs assessment identifies what kinds of housing are most needed in the region.

Trends observed on current and anticipated housing needs within *Electoral Area B – Shawnigan Lake* suggest that the Electoral Area's supply of available land has been insufficient to meet growing demand for single detached and manufactured homes. It was projected that in 2025 Electoral Area B will need an additional 721 units of housing, of which most should be one-bedroom units.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

The application was referred to internal divisions, and preliminary comments have been received (Attachment D). No concerns were raised by internal divisions.

If the Board advances the application, external agency feedback will be addressed through a subsequent report to the EASC with the accompanying draft Zoning Amendment Bylaw. Changes can be made to the draft Amendment Bylaw prior to 2nd reading.

External Agency Referrals:

Should the Board choose to proceed with the application, external referrals to the following agencies are recommended:

- | | |
|---|--|
| • Ministry of Transportation & Infrastructure | • First Nations |
| • Ministry of Forests | • Ministry of Water, Land and Resource Stewardship |
| • Ministry of Environment and Climate Change Strategy | • BC Hydro |
| | • Electoral Area B – Shawnigan Lake Advisory Planning Commission (APC) |

First Nations:

Nations who may have interests within the area (include:

- Cowichan Tribes
- Malahat Nation

PLANNING ANALYSIS

The CVRD is in the initial stages of consolidating all of its Electoral Area zoning bylaws into a region-wide Comprehensive Land Use Bylaw. It is anticipated that the modernized zoning bylaw will also be developed to further support the Official Community Plan. It is conceivable that serviced R-2 Parcels within the Growth Containment Boundary could be up-zoned as part of the region-wide Comprehensive Land Use Bylaw project.

Proposed Density:

The subject property is approximately 0.45 ha in size, and the existing zoning allows for a minimum lot size of 0.4 ha. This means that subdivision is not possible (the minimum lot size required to create two 0.4 ha lots is 0.8 ha). The property owners propose to create two ≥ 0.2 ha lots.

The subject property is zoned R-2, is situated within the Growth Containment Boundary, designated 'residential' by the OCP, and designated 'Village Residential' in the LAP. Adjacent R-3 Zoned Land along Meadowview Road is also situated within the Growth Containment Boundary, designated 'residential' by the OCP, and designated 'Village Residential' in the LAP.

Alternative Options:

If the application to rezone 2171 Wildflower Road is denied, the existing R-2 zone provides for limited further development in the form of a detached small suite or attached secondary suite.

OPTIONS

Option 1 (Advance the application for the subject property):

That it be recommended to the Board:

1. That Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), be referred to the following external agencies and First Nations:
 - a. Ministry of Transportation & Infrastructure;
 - b. Ministry of Forests;
 - c. Ministry of Environment and Climate Change Strategy;
 - d. First Nations;
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 - f. BC Hydro;
 - g. Electoral Area B – Shawnigan Lake Advisory Planning Commission;
 - h. Cowichan Tribes; and
 - i. Malahat Nation.

2. That the draft Zoning Amendment Bylaw for Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), be prepared by staff and forwarded to the Board for consideration of 1st and 2nd reading.
3. That a public hearing not be held for Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), and that notice be undertaken in accordance with the *Local Government Act*.

Option 2 (Request Additional Information): That it be recommended to the Board that the preliminary staff report for Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), be referred back to staff for the following information [*requested information to be provided by the Board*], prior to further consideration.

Option 3 (Deny): That it be recommended to the Board that Application No. RZ23B02 (2171 Wildflower Road, PID: 025-002-392), be denied, [*specific reasons to be identified by the Board*].

Prepared by:



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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 – Background Table
Attachment B – Proposed Subdivision
Attachment C – Applicant's Rationale
Attachment D – Internal Referral Responses