



STAFF REPORT TO COMMITTEE

DATE OF REPORT October 20, 2023
MEETING TYPE & DATE Electoral Area Services Committee Meeting of November 15, 2023
FROM: Development Services Division
Land Use Services Department
SUBJECT: Application No. RZ23A01 (2530 Mill Bay Road/PID: 023-004-193)
FILE: RZ23A01

PURPOSE/INTRODUCTION

The purpose of this report is to present an application to rezone the subject property at 2530 Mill Bay Road (PID: 023-004-193), from R-3 – Village Residential to a site-specific residential zone that would permit a minimum parcel size of 700 m², for parcels serviced by community water and sewer systems. The proposed rezoning would facilitate a proposed four (4)-lot bare land strata subdivision of the subject property.

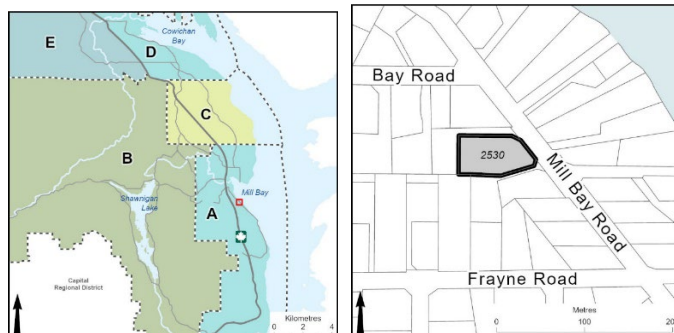
In accordance with the [CVRD Development Application Referrals Policy](#), this report is intended as a preliminary step to introduce the application to the EASC.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Application No. RZ23A01 (2530 Mill Bay Road, PID: 023-004-193), be referred to the following external agencies and First Nations:

- a. Electoral Area A – Mill Bay/Malahat Advisory Planning Commission;
- b. BC Transit;
- c. Cowichan Valley School District (SD 79);
- d. Island Health;
- e. Mill Bay Improvement District (Fire);
- f. Mill Bay Waterworks District;
- g. Ministry of Transportation and Infrastructure;
- h. Malahat Nation; and
- i. Cowichan Tribes.

LOCATION MAP



BACKGROUND

The subject property is a 0.343 hectare (ha) parcel located on Mill Bay Road, between Bay Road and Frayne Road. There is an existing dwelling on the subject property, which is to be removed. Neighbouring properties consist of residential parcels within the R-3 zone.

The applicant is proposing to rezone the subject property to allow for a 4-lot bare land strata subdivision. The conceptual layout plan identifies four lots and a common property access, measured in area as follows:

- Proposed Lot 1 – 704 m²;
- Proposed Lot 2 – 705 m²;
- Proposed Lot 3 and 4 – 714 m² each; and
- Common Property Access – 591.6 m².

Servicing is proposed to be Mill Bay Waterworks District (water) and CVRD Sentinel Ridge Sewer (sewer).

A site visit was conducted on August 22, 2023. The subject property slopes moderately from the west down to the east, toward Mill Bay Road. There are several mature trees scattered in groups on the property, however, the majority of the property is cleared and contains lawn/grass, invasive Himalayan blackberries and shrubs.

The property is currently the subject of a separate open subdivision application SA23A01 that proposes a 2-lot subdivision under the current Zoning Bylaw regulations. The Board approved a frontage exemption under s. 512 of the *Local Government Act* at the October 11, 2023, Board meeting. The rezoning application and the 2-lot subdivision application SA23A01 are being processed separately.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

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

The subject property is designated Residential regionally and Village Residential locally, and is within the Mill Bay Growth Containment Boundary (GCB).

The Residential designation is intended to provide a wide range of housing and lifestyle options and to direct density to serviced areas. Objectives of the Residential designation include ensuring residential development is compatible with physical site conditions and natural features, and on-site parking is appropriate for the scale of development.

In the Area A Local Area Plan (LAP), the Village Residential designation is intended to accommodate a range of housing types, including affordable, rental and seniors housing, and housing for persons with disabilities. Objectives of the Village Residential designation include providing an affordable housing option in Mill Bay Village and encouraging tourism activities through provision of bed and breakfast accommodation.

Relevant OCP policies include:

- **3.2.1.2.3** *Supports new development in growth containment boundaries consistent with servicing capacity.*
- **3.2.1.2.5** *Supports compact development near transit and within serviced areas that have capacity for growth.*

- **3.2.1.4.2** Supports housing that is consistent with the surrounding context, including character of existing neighbourhoods and rural areas.
- **3.2.2.4.2** Supports rainwater management techniques in the design and construction of new development to control quantity and quality of rainwater runoff.
- **4.8.4.5** Seeks to ensure that residential developments are compatible with the physical site conditions of slope, soil types and drainage patterns, and that natural features such as views, tree cover and variety in terrain are retained.
- **4.10.2.2** Encourages affordable housing in all communities.
- **4.10.2.3** Encourages secondary suites or second dwelling units in service areas.

The subject property is within Development Permit Area (DPA) 1 – Riparian Areas Protection and DPA 4 – Aquifer Protection. Any future development of the site, including subdivision, may require a Development Permit.

South Cowichan Zoning Bylaw No. 3520:

The subject property is currently zoned R-3 – Village Residential, which permits single-family dwelling and horticulture as principal uses.

Section **4.16.11.a** permits a principal dwelling and a secondary suite on parcels within the Mill Bay Village, with no minimum parcel size specified, provided both dwellings are serviced by community water and community sewer.

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

- 1675 m² for parcels serviced by both community water and sewer systems;
- 2000 m² for parcels serviced by community water only; and
- 1 ha for parcels not serviced by community water or sewer.

There does not appear to be an existing single-family residential zone in Bylaw No. 3520 that corresponds with the proposal. Current residential zones in Area A that require a minimum parcel size of 700 m² (or less) include zones that permit manufactured home parks or Comprehensive Development (CD) zones for larger, complex developments.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

CVRD division referral comments are provided in Attachment F. Comments received from CVRD Divisions are generally supportive of the application, including the Utilities Division which have confirmed there is sufficient capacity in the Sentinel Ridge Sewer System to service additional lots at this location. The Strategic Initiatives Division indicate that the proposed density is consistent with the draft OCP Bylaw No. 4373 proposed for the Medium Lot Suburban designation, which is identified as 15 units per hectare (UPH), plus permitted suites.

Comments received from the Community Planning (CP) Division note until the draft OCP Bylaw No. 4373 is adopted and there are clear policies for the relevant land use designation, this application is premature as the current OCP does not support this level of density for the area. Concerns were also raised for meeting on-site parking requirements for single-family dwellings and secondary suites.

In accordance with the [CVRD Development Application Referrals Policy](#), dated June 14, 2023, this application has not been referred to external agencies. Staff recommend referrals be sent to the following:

- Area A Advisory Planning Commission
- BC Transit
- Cowichan Valley School District (SD 79)
- Island Health
- Malahat Nation
- Cowichan Tribes
- Mill Bay Improvement District (Fire)
- Mill Bay Waterworks District
- Ministry of Transportation & Infrastructure

PLANNING ANALYSIS

OCP Policies:

OCP policies 3.2.1.2.3 and 3.2.1.2.5 support new development within GCBs, consistent with servicing capacity and the surrounding context, and where servicing has capacity for growth. Ostensibly, this application is consistent with these OCP policies as it is within the Mill Bay GCB, within a serviced area (pending approval of draft Bylaw No. 4491 to include the property within the Sentinel Ridge Sewer Service Area) and along a CVRD transit route, within 60 m of a transit bus stop.

OCP Policy 3.2.1.4.2 supports housing consistent with the surrounding context and character of the existing neighbourhood. The proposal does not appear consistent with this policy as it would create parcels that are comparatively under-sized to surrounding parcels. The calculated average parcel size in the surrounding area is approximately 0.2 ha in area, with parcel sizes ranging from approx. 950 m² to 0.5 ha. The proposed min. parcel size of 700 m² is well below the average size in the area and would essentially double the permitted amount of density on the subject property. The proposed density is in line with current zoning for manufactured home parks or CD zones for larger developments, such as Stonebridge. An example of zoning that would correspond with this application is found elsewhere in the Village Residential zones (R3, R3B) in the Area D – Cowichan Bay (Upland) Zoning Bylaw No. 3705, which accommodate single detached dwellings on fully-serviced parcels that are 700 m² or larger.

While the draft OCP Bylaw No. 4373 is not yet adopted, it is noted the proposal would align with the Medium Lot Suburban designation, which would permit a maximum density of 15 units per hectare (UPH). The proposed rezoning would result in 5 UPH.

Should the application proceed, an OCP amendment application will be required to amend Schedule U of the OCP to include the property within DPA 9 – Intensive Residential Development, which applies to single-family detached dwellings on parcels less than 0.074 ha (740 m²) in area, in Electoral Area A. DPA 9 guidelines include guidelines for sediment and erosion control, protecting viewsapes, pedestrian connectivity, parking and landscaping.

Other Considerations:

Servicing:

CVRD Utilities Division has confirmed there is adequate capacity in the Sentinel Ridge Sewer Service Area to service additional parcels at this location. Confirmation from Mill Bay Waterworks via a referral from the CVRD would provide clarity around water servicing capacity for this proposal.

The parcel is not within a CVRD drainage area – drainage along the road is the jurisdiction of the MOTI. During subdivision, onsite drainage may be addressed through the Development Permit process for DPA 4. However, under the CVRD Development Approval Information (DAI) Bylaw No. 3540, the CVRD may request additional information in the form of a report that details

existing drainage patterns and estimates the amount of additional surface drainage that would be generated by the proposed development (4-lot subdivision), and that provides options available for onsite retention/absorption, collection, storage and dispersal of rainwater. Additional information regarding drainage would align with OCP policies 3.2.2.4.2 and 4.8.4.5 that support rainwater management techniques that are compatible with physical site conditions for new development.

Comments received from CVRD Recycling and Solid Waste Management include consideration of curbside pick-up trucks and accommodating truck turning radius. Alternatively, if the turning radius of trucks cannot be accommodated, the CVRD may provide laneway pick-up service, provided the collection point meets the requirements of the CVRD Recycling and Solid Waste Management.

Parking:

An objective of the Residential designation (4.10.1.5) is to ensure that on-site parking is appropriate to the scale of development. Relevant Off-Street Parking requirements in Section 7.1 of Bylaw No. 3520 are as follows:

Single family residence and duplex	2 spaces per dwelling unit , which may be in tandem; 1 space per dwelling unit for parcels under 460 m ² in area
Secondary suite and accessory dwelling unit	1 space

This application proposes one single-family dwelling and secondary suite per parcel, which would require 3 off-street parking spaces according to Section 7.1. One off-street parking space is required per room used for guest accommodation (bed and breakfast).

Guidelines for DPA 9 – Intensive Residential Development direct parking to the rear and/or side of buildings. Consideration of parking requirements should be included as part of any site planning for the proposed 4-lot strata subdivision.

Bed and Breakfast:

Generally, “bed and breakfast” use is a permitted accessory use in residential zones in Bylaw No. 3520. Regulations for “bed and breakfast” use include limiting the number of rooms in a dwelling that will be used for the bed and breakfast, and parking on a per room basis.

One OCP objective for the Village Residential designation in the Area A LAP encourages the provision of bed and breakfast accommodation, while another supports the provision of affordable housing options in the Mill Bay Village.

Given that the focus of this application is to provide residential infill development, and given the size of the proposed parcels and potential for parking constraints, should the application proceed, staff would recommend that “bed and breakfast” use not be included as a permitted use in a future bylaw amendment for the subject property.

Community Amenity Contributions:

At this time, no amenity contributions have been discussed with the application. Should the application proceed, staff would enter into discussions with the applicant regarding the opportunity for community benefits.

Recommendation:

The proposed rezoning is consistent with several OCP policies that direct development within GCBs, consistent with servicing capacity and near transit and employment opportunities. However, the proposal is not consistent with OCP policies that support housing that is consistent with the context and character of the existing neighbourhood, as it would double the permitted density on the subject property and the proposed strata lots would be well under the calculated average parcel area of 0.2 ha for the surrounding area.

Staff are recommending the application be forwarded to external referral agencies and First Nations, prior to further consideration.

OPTIONS

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

That it be recommended to the Board that Application No. RZ23A01 (2530 Mill Bay Road, PID: 023-004-193), be referred to the following external agencies and First Nations:

- a. Electoral Area A – Mill Bay/Malahat Advisory Planning Commission;
- b. BC Transit;
- c. Cowichan Valley School District (SD 79);
- d. Island Health;
- e. Mill Bay Improvement District (Fire);
- f. Mill Bay Waterworks District;
- g. Ministry of Transportation and Infrastructure;
- h. Malahat Nation;
- i. Cowichan Tribes;

Option 2: *(refer application back to staff for more information, prior to further consideration)*

That it be recommended to the Board that Application No. RZ23A01 (2530 Mill Bay Road, PID: 023-004-193), be referred back to staff for further information, including: *[requested information to be identified by the Board]*, prior to further consideration.

Option 3: *(advance application without seeking referral comments, OCP amendment submission)*

That it be recommended to the Board that Application No. RZ23A01 (2530 Mill Bay Road, PID: 023-004-193), be forwarded back to staff for preparation of a report with planning analysis on the merits of the application and a detailed policy review, pending the submission of an Official Community Plan amendment application and required fees, to include the parcel within Development Permit Area 9 – Intensive Residential Development.

Option 4: *(deny the application)*

That it be recommended to the Board that Application No. RZ23A01 (2530 Mill Bay Road, PID: 023-004-193), be denied.


GENERAL MANAGER COMMENTS

Prepared by:



Jaime Dubyna
Planner III

Reviewed by:



Michelle Pressman, MCP, RPP, 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 – Context Maps
- Attachment C – Conceptual Subdivision Plan
- Attachment D – Applicant Rationale Letter
- Attachment E – Site Photos
- Attachment F – CVRD Internal Division Referral Responses

BACKGROUND TABLE
File: RZ23A01

Applicant:	Rachel Samson, Grayland Consulting (agent)
Registered Property Owner:	Bennefield Construction Ltd., Inc.No. BC0852348
Civic Address:	2530 Mill Bay Road
PID & Legal Description:	023-004-193 LOT 3 DISTRICT LOTS 18 AND 47 MALAHAT DISTRICT PLAN VIP60384
CVRD Covenants on Title:	None
Size of Existing Parcel(s):	0.343 ha
Existing Use of Parcel(s):	Residential
Natural Hazards:	None identified
Archaeological Site:	Unknown
Environmentally Sensitive Areas:	None identified
Species at Risk:	Edward's Beach Moth
Watershed:	Malahat Benchlands
Agricultural Land Reserve (ALR):	Not within
OCP Designation:	Residential – Village Residential
Containment Boundary:	Mill Bay GCB
Development Permit Areas (DPA's):	DPA 1 – Riparian Areas Protection DPA 4 – Aquifer Protection
Zoning:	R-3 – Village Residential 3
Fire Service:	Mill Bay Improvement District
Proposed Water Service:	Mill Bay Waterworks District
Proposed Sewer Service:	CVRD Sentinel Ridge Sewer
Proposed Drainage Service:	Onsite



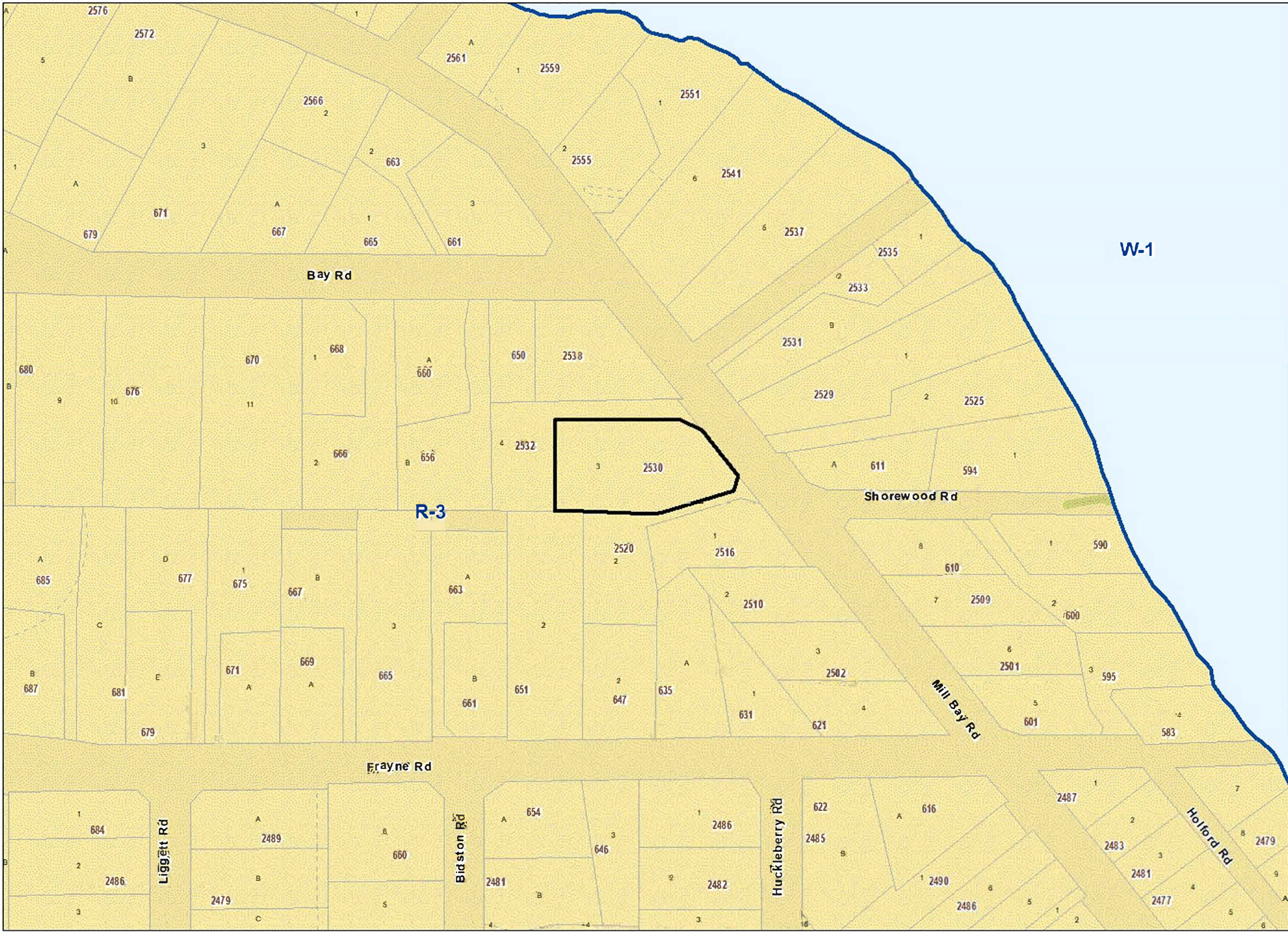
This map is compiled from various sources for internal use and is designed for reference purposes only.

The Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

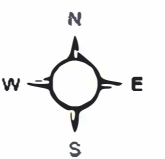
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

Printed: October 11, 2023



W-1

R-3



Scale: 1:1,690



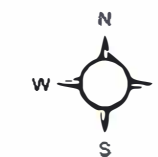
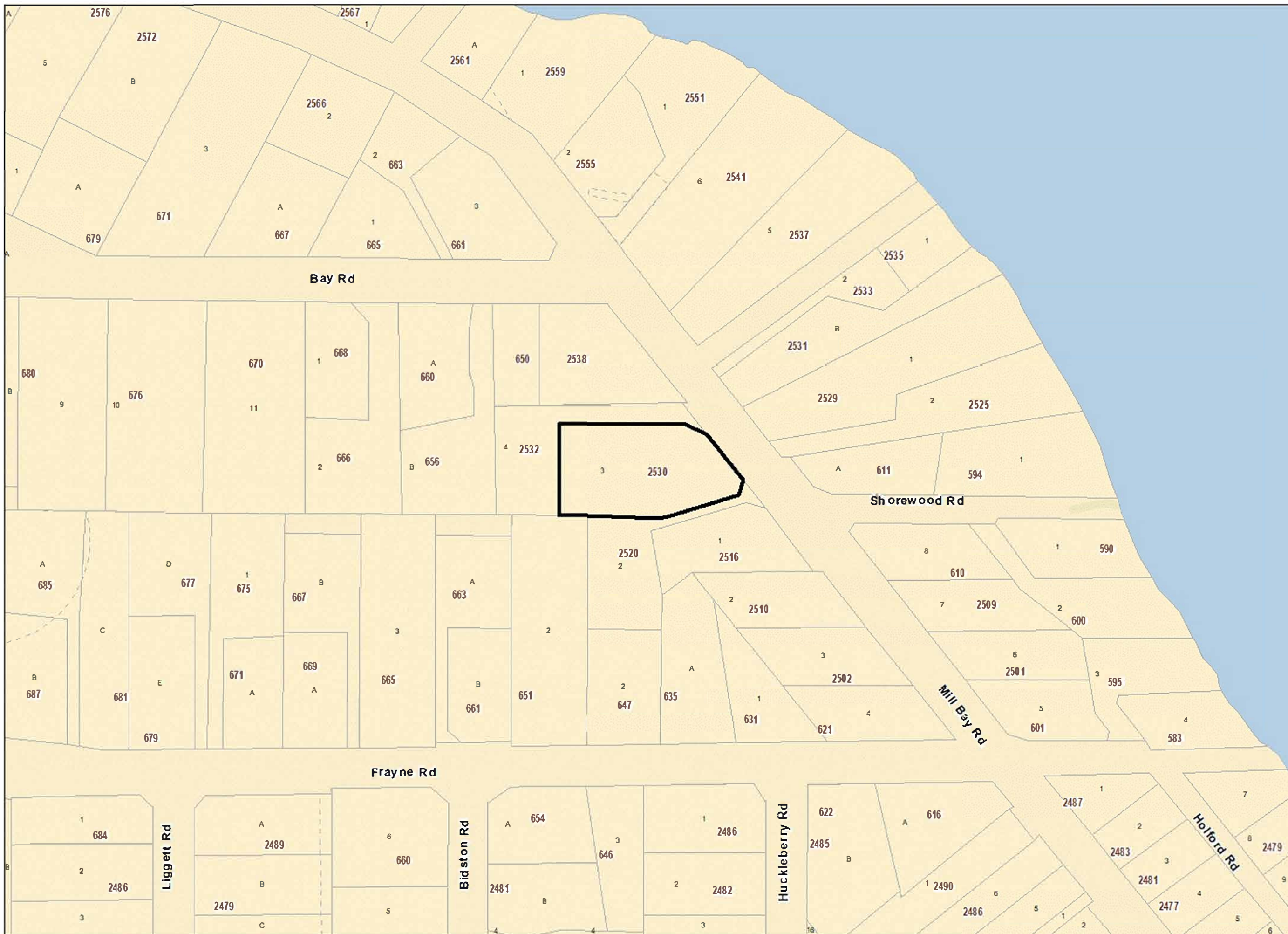
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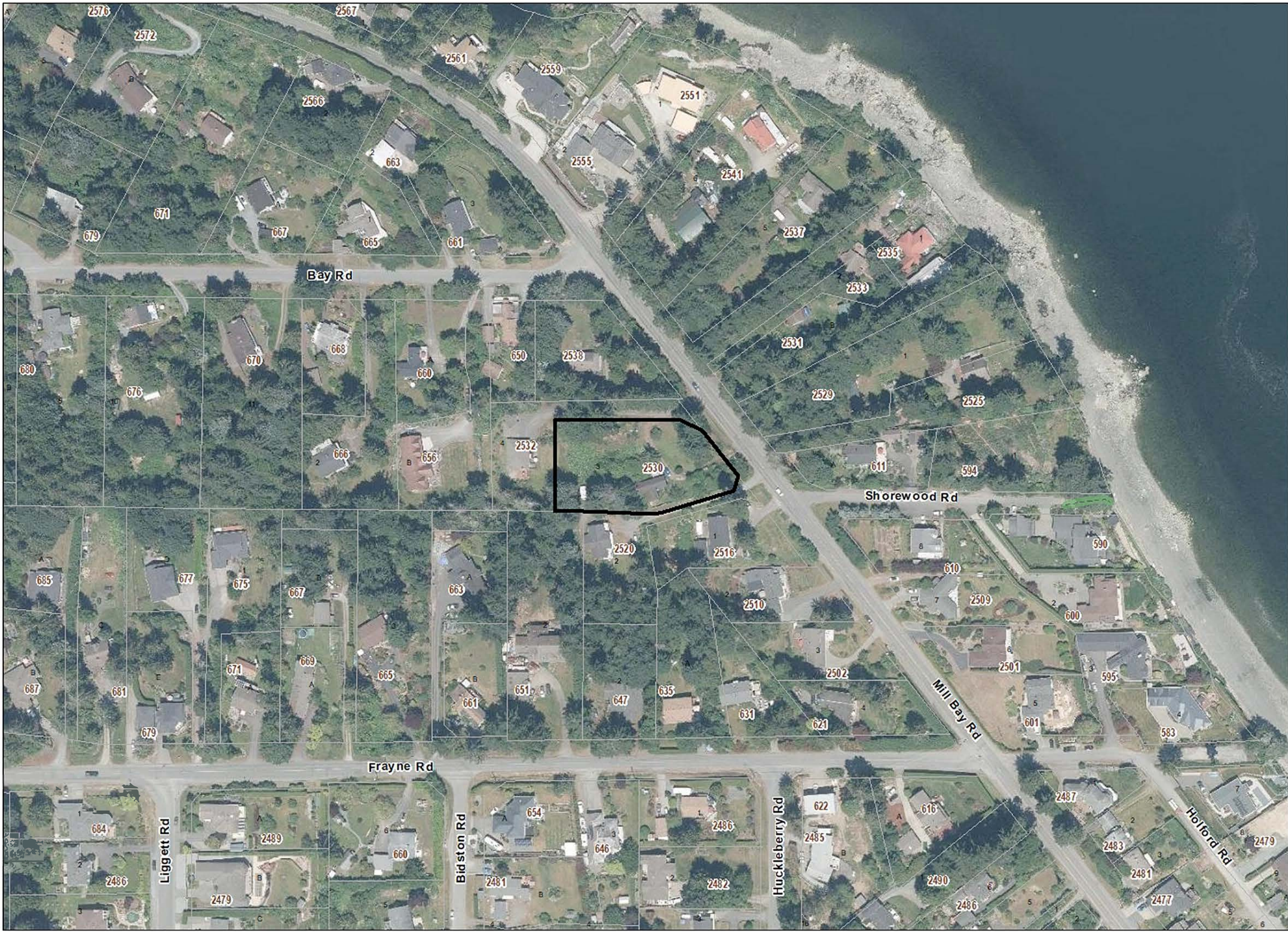
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Scale: 1:1,690



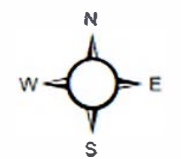
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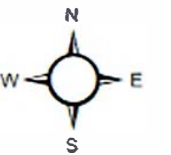
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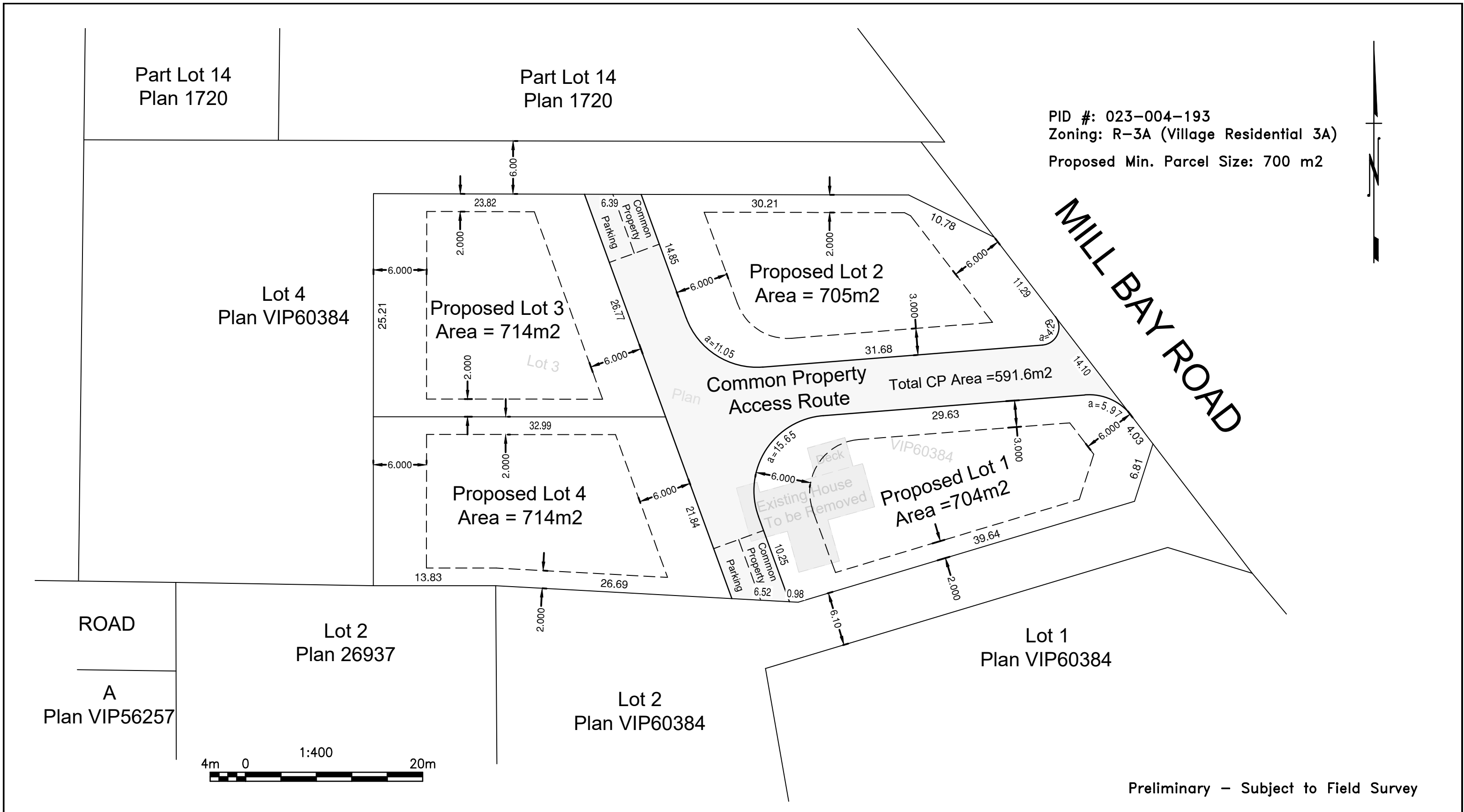
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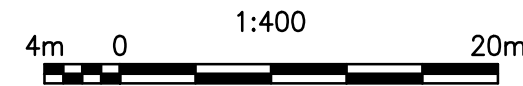
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PID #: 023-004-193
 Zoning: R-3A (Village Residential 3A)
 Proposed Min. Parcel Size: 700 m²

MILL BAY ROAD

ROAD
 A
 Plan VIP56257



Preliminary – Subject to Field Survey

UNDERHILL GEOMATICS LTD. ENGINEERS AND SURVEYORS VICTORIA, BC TEL. (250) 871-4599		DRAWN BY M.Laseur	JOB NO. V22CV147	TITLE Proposed Bare Land Subdivision Concept 2530 Mill Bay Road, Mill Bay BC Lot 3, District Lots 18 and 47, Malahat District, Plan VIP60384	DRAWING NO. LCV-2022-147	REV. 0
		SCALE 1:400m	DATE OF SURVEY TBD	CLIENT Bennefield Construction Ltd.	SHEET 1 OF 1	

GRAYLAND CONSULTING LTD.

April 6th, 2023

Cowichan Valley Regional District Board
1st Floor
175 Ingram Street
Duncan, BC V9L 1N8

Re: 2530 Mill Bay Road Rezoning Rationale

Thank you for considering this application.

The owners of the above noted lands wish to apply to rezone their property from the Residential R3 Zone, to a Village Residential Zone that will allow 700m² single family lots (Similar to Area D Village Residential R3), serviced by community water and sanitary sewer.

Background

This property has an existing residential use in a single-family neighbourhood with a variety of lot sizes.

Proposed Development

The proposed development is a total of 4 single family residential lots within a bare land strata with a minimum lot size of 700m². The lots will be serviced by a common driveway, with one access point at Mill Bay Road. Please see the attached proposed development plan. Onsite and visitor parking will comply with CVRD bylaws. Secondary suites will be included in this proposal to provide additional housing options. Each suite will have its own discrete parking space.

OCP Compliance

The property is within the Future Development Lands and Growth Containment Boundary, as well as potential service areas for the CVRD Sanitary Sewer System and will be serviced by the Mill Bay Waterworks utility. The landowner is working with Mill Bay Waterworks to ensure these lands can be adequately serviced. We understand that the successful rezoning of this property will be contingent of water service being confirmed by that utility.

The Village Residential designation is intended to accommodate a range of housing types. These diverse housing opportunities include affordability, special needs, rental and seniors' housing. In accordance with sections 2.9.1, Residential Objectives, this project helps provide a sufficient supply of housing to allow for anticipated growth.

GRAYLAND CONSULTING LTD.

Development Permit Areas

The property is within the Development Permit area for Aquifer Protection. A storm water management plan will be prepared by a registered Professional Engineer to ensure that storm water is effectively managed on site and that there will be no impacts to the aquifer as a result of this proposal.

Environment

This is effectively infill development, increasing density without impacting the environment. The project is within walking distance of the Village Center, the waterfront, and is on the Mill Bay Bus Route #8.

EV chargers will be available in each home, as the houses will be constructed to Step Code 3 at minimum for energy efficiency. Homes will have heat pumps for heating and cooling, reducing the need for fossil fuels.

Every effort will be made to work with the existing grades to reduce earthworks and blasting. While there are several mature trees on site, the lots are large enough that many can be preserved in the rear yards of the homes. Any trees to be removed will have a nesting survey performed prior.

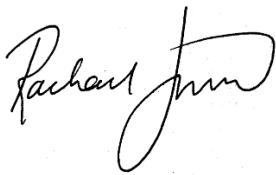
The Contractor will employ "Good Neighbour" strategies throughout site servicing and house construction to mitigate and manage noise, dust, mud and construction parking.

Consultation

The neighbourhood will be consulted prior to consideration of this application by the Advisory Planning Commission and CVRD Board. Every effort will be made to address concerns, if any, prior.

We look forward to working with the Board, our neighbours, and staff as we move through the process.

Best Regards,



Rachael Sansom, A.Sc.T, Grayland Consulting
Agent for the owner of 2530 Mill Bay Road

SITE PHOTOS, AUG. 22, 2023



Photo looking toward Mill Bay Road (east). Approx. location of proposed Common Property road.



Photo from north parcel line of property. Approx. location of Proposed Lot 2.



Photo from front yard, southeast corner of property. Existing dwelling (to be demolished), located on Proposed Lot 1.



Photo from northwest corner of property. Approx. location of Proposed Lot 3, looking toward Mill Bay Road (Proposed Lot 2 to left, Proposed Lot 1 to right).



Photo from northwest corner of property. Approx. location of Proposed Lot 3, looking south toward Proposed Lot 4.



Photo from front yard, looking west toward Proposed Lot 3.

Referral Response Summary

Application No. RZ23A01

<p>Organization: CVRD Environmental Services</p> <p>Name/Title: Keith Lawrence, Senior Environmental Analyst</p> <p>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.</p>	<p>Date of Response: September 29, 2023</p> <p>Level of Support: Supported subject to recommendations outlined below.</p>
<p>Organization: CVRD Community Planning</p> <p>Name/Title: Lauren Wright, Planning Coordinator (Acting Manager)</p> <p>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 (700m²) 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.</p>	<p>Date of Response: October 4, 2023</p> <p>Level of Support: Not supported for reasons outlined below.</p>
<p>Organization: CVRD Operations/Utilities</p> <p>Name/Title: Louise Knodel-Joy, Senior Engineering Technologist</p> <p>Comments: This property is to be included in the Sentinel Ridge Sewer Service Area, which is required for both subdivision and/or rezoning. 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.</p>	<p>Date of Response: October 12, 2023</p> <p>Level of Support: Supported.</p>

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:

- 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.