



STAFF REPORT TO COMMITTEE

DATE OF REPORT May 9, 2024
MEETING TYPE & DATE Electoral Area Services Committee Meeting of June 5, 2024
FROM: Development Services Division
Land Use Services Department
SUBJECT: Application No. RZ23G02 (11170 Branksome Road/PID: 000-433-306)
FILE: RZ23G02

PURPOSE/INTRODUCTION

The purpose of this report is to present an application to amend the Electoral Area G – Saltair Zoning Bylaw No. 2524 to permit a 107 m² detached suite and to reduce the minimum parcel size for subdivision on the subject property at 11170 Branksome Road (PID: 000-433-306).

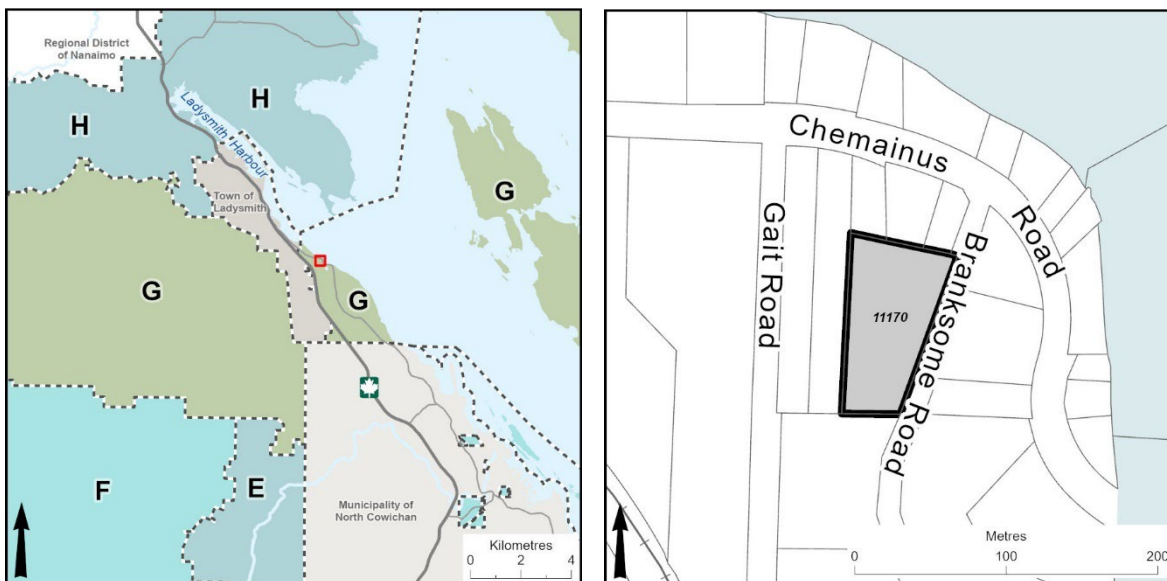
In accordance with the [CVRD Development Application Referrals Policy](#), this report is intended as a preliminary step to introduce the application to the EASC.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), to permit a 107 m² detached suite and reduce the minimum parcel size for subdivision on the subject property, be referred to the following external agencies and First Nations:

- a. Electoral Area G – Saltair Advisory Planning Commission;
- b. BC Transit;
- c. Nanaimo-Ladysmith School District (SD 68);
- d. Ladysmith Fire Department;
- e. Island Health;
- f. Ministry of Transportation and Infrastructure;
- g. Cowichan Tribes;
- h. Halalt First Nation;
- i. Lyackson First Nation;
- j. Penelakut Tribe;
- k. Snuneymuxw First Nation;
- l. Stz'uminus First Nation; and
- m. Ts'uubaa-asatx First Nation.

LOCATION MAP



BACKGROUND

The subject property is an approximately 0.63 hectare (ha) parcel located on Branksome Road, northwest of Davis Lagoon. Existing buildings include two dwellings – the original dwelling measured to be 107 m² in floor area and the principal dwelling measured to be 235 m² in floor area; and several accessory buildings and structures – a barn, garage, gazebo and two sheds.

The property has a moderate but steady slope from the south to the north (toward Chemainus Road). Water servicing is provided by CVRD Saltair Water System; each dwelling is connected to a separate onsite sewerage system.

Neighbouring properties consist of residential parcels within the R-2 and R-2A zones.

CVRD Building Inspection records indicate the original dwelling was to be moved, decommissioned or destroyed following the completion of the new principal dwelling. The original dwelling was never decommissioned or removed, and was the subject of bylaw enforcement action following completion of the new principal dwelling (2009). A previous rezoning application (01-G-09-RS) to permit an accessory dwelling on the property was withdrawn in September 2010. CVRD records indicate the original dwelling was decommissioned to an accessory building in 2012. The property owner is now seeking to rezone the subject property in order to legally reinstate the second dwelling as a detached suite, with potential for a future two-lot subdivision.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

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

The subject property is designated Residential in the OCP, and is not within a 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 preserving the rural character of rural areas; ensuring development is compatible with physical site conditions and natural features; and providing safe, affordable and special needs housing.

The property is designated Suburban Residential in the Area G Local Area Plan (LAP), which is intended to remain semi-rural and agricultural over the long term. Objectives for this designation encourage affordable rental and special needs housing while maintaining the rural residential character of Saltair; encourage small-scale agriculture accessory to residential uses; and support home-based businesses compatible with the rural setting.

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.

Electoral Area G – Saltair Zoning Bylaw No. 2524:

The subject property is zoned R-2 Suburban Residential 2, which currently permits a single detached dwelling and either an attached or detached suite. The minimum parcel size for subdivision in the R-2 zone is:

- 0.4 ha for parcels serviced by both community water and sewer systems;
- 1 ha for parcels serviced by community water system only; and
- 1 ha for parcels not serviced by community water or sewer.

At its May 22, 2024, meeting, the Board adopted Bylaw No. 4552 (Bill 44 Compliance) and Bylaw No. 4577 (Detached Suites & Miscellaneous Amendments) to amend Zoning Bylaw No. 2524. To come into compliance with new provincial legislation (Bill 44), Bylaw No. 4552 removed the minimum parcel size for an “attached suite” (secondary suite).

Bylaw No. 4577 permits either an attached suite or “detached suite” (accessory dwelling unit) in the R-2 zone. The regulation for a maximum floor area of 85 m² for a detached suite remains. Additional regulations for detached suites include approval from the authorities responsible for domestic water supply; approval for the appropriate level of sewage treatment to permit the total density; and requirements for off-street parking (one additional space).

Bylaw No. 4577 permits a detached suite to be subdivided from the parcel upon which it is located, only if:

- The zone permits the proposed lot sizes following subdivision;
- The existing principal dwelling and detached suite meet setback requirements following subdivision;
- Approval from Island Health for sewage disposal has been obtained; and
- All other requirements for subdivision are met.

Where the aforementioned requirements are met, following a subdivision that separates the principal dwelling and detached suite onto separate parcels, the detached suite would become the principal dwelling on that parcel.

If the detached suite is within a zone that does not allow for subdivision, prior to issuance of a Building Permit the owner will be required to register a covenant on the parcel that would prevent subdivision or registration of any form of strata plan under the *Strata Property Act*.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

CVRD division referral comments are provided in Attachment F. Comments received from CVRD Divisions include:

- **Building Inspection** states that a Building Permit will be required for reinstating the detached suite as a dwelling as it was previously legally decommissioned under permit.

- **Strategic Initiatives** supports the rezoning for the detached suite, provided it is confirmed that both dwellings are serviced by an onsite septic system. They do not support the rezoning for subdivision, noting that in the draft OCP Bylaw No. 4373, the density in the Country Suburban designation is 2.5 units per hectare, plus permitted suites, which this application exceeds.
- **Utilities** notes that the property is currently connected to the Saltair Water System, but is being charged for one service. The detached suite will require a secondary suite capacity fee in order to come into compliance. The proposed new subdivision will require payment of capacity connection and installation of a new service connection, at the cost of the property owner, at the time of subdivision.
- **Environmental Services** indicates that the property is within the Coastal Slope Stability Study area for Saltair (Stantec, 2022), and recommend that all study recommendations for properties in the area be followed. Stormwater management recommendations were provided, including limiting runoff and avoiding vegetation removal.

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

- Area G Advisory Planning Commission
- BC Transit
- Nanaimo-Ladysmith School District 68
- Island Health
- Ministry of Transportation and Infrastructure (MOTI)
- Ladysmith Fire Department
- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snuneymuxw First Nation
- Stz'uminus First Nation
- Ts'uubaa-asatx First Nation

PLANNING ANALYSIS

Second Dwelling:

OCP objectives and policies support a wide range of housing and lifestyle options, and specifically encourage providing safe, affordable rental and special needs housing, and housing that enables aging in place. An application has been submitted to permit the existing detached suite to ensure safe and appropriate housing for a family member, which is consistent with OCP policies that encourage affordable housing, including secondary suites or second dwelling units in service areas, and that support development consistent with the surrounding context and character of the existing neighbourhood. Given the detached suite is already in existence and is modest in size, staff do not consider it to negatively impact the rural character of the community.

Since this application was submitted, the Board adopted Bylaw No. 4577, to allow the option of either a detached suite or attached suite in the R-2 zone with no minimum lot size limitation. While zoning now permits a detached suite on the subject property, the original dwelling exceeds the permitted maximum floor area of 85 m² for a detached suite, as it is 107 m² in floor area. The additional 22 m² of floor area could be addressed as part of this rezoning application.

Staff have previously not supported an increased floor area beyond 95 m² for detached suites, although this is generally in relation to new proposed construction, and not existing dwellings. It is staff's understanding this has been done in the past to ensure that detached suites are noticeably *incidental* to the principal dwelling. Maximum floor area for suites will be considered as part of the comprehensive Zoning Bylaw.

It is noted that a Building Permit will be required to reinstate the original dwelling as it was previously decommissioned under permit.

Proposed Subdivision:

Neither the OCP nor Area G LAP specify a minimum parcel size or density range for the Suburban Residential designation. OCP objectives and policies endeavor to maintain the rural residential character of Saltair, preserve green space, minimize urban sprawl, and discourage subdivision within rural settlement areas. Saltair is identified in the OCP as a rural settlement area.

Regarding the proposed future subdivision of the parcel, staff consider the following:

- The subject property (~0.63 ha) is already an under-sized parcel in the R-2 zone, based on servicing and the current minimum parcel size requirement (1 ha). Further subdivision would result in parcels that are even further under-sized in the R-2 zone.
- Surrounding properties in the R-2 zone are an average size of 0.57 ha, ranging in area from 0.08 ha to 2.2 ha (with subdivision plans dated from 1942 to 2006).
- Other residential zones in Zoning Bylaw No. 2524 require a minimum parcel size of 0.4 ha for parcels served by a community water system only.
- The smallest permitted minimum parcel size in a residential zone in Zoning Bylaw No. 2524 is 0.2 ha on parcels served by both a community water and community sewer system, in the R-3 General Residential zone. It is noted that a CVRD-operated sewer system is currently not planned for this area.
- A proposed subdivision of this property would result in parcels between 0.2 and 0.4 ha in area.

Generally, minimum parcel sizes are intended to regulate density in an area, maintain rural form and character, ensure sufficient groundwater recharge, impose suitable building sites outside of setback areas, and safely accommodate septic tanks and drinking water wells. Where a parcel is not served by a community sewer system, the minimum parcel size is typically larger to ensure adequate area for the onsite sewerage system. Island Health specifies minimum lot sizes for properties based on slope, native mineral soil depth and discharge area; requirements for minimum lot sizes differ depending on the variables of a site. According to the applicant, there are separate onsite sewerage systems that service each dwelling and are approved by Island Health.

Currently, the property appears to function as two parcels with a dwelling at each end separated by a large lawn area, with separate driveways and on-site parking; the creation of a second lot seems likely to not impact the surrounding community character. However, the creation of two lots would double the permitted density, as each lot would be permitted a principal dwelling and either a detached suite or attached suite – resulting in a total of four dwellings where two are currently permitted. Notwithstanding, a covenant could be required as a condition of rezoning that would allow attached suites (but not detached suites).

The draft Modernized Official Community Plan Bylaw No. 4373 (MOCP) includes the subject property and the surrounding area within the Growth Containment Boundary (GCB) and the Country Suburban designation. The purpose of the Country Suburban designation is to enable single detached housing with country character, where homes face and front a street. Properties in this designation do not always have access to servicing (water and sewer). The Country Suburban designation specifies a maximum density of 2.5 units per hectare (plus permitted suites). Based on the size of the subject property (~0.63 ha), the density range would permit 1.5 dwellings (1 dwelling), plus a permitted suite.

Servicing:

The property is currently connected to the Saltair Water System, but is only being charged for one service. Utilities staff indicate a secondary suite capacity fee of \$1,500 for the detached suite will be required in order to come into compliance with the CVRD Bylaw No. 4231 – Water Systems Regulatory and Management Bylaw, 2021.

In addition, subdivision of the subject property will require payment of a capacity connection fee (\$7,000) and payment for the installation of a new service connection to a new lot (price to be determined). These would be required at the time of subdivision as conditions of CVRD approval of a proposed subdivision.

Other Considerations:

OCP Policy 4.8.4.5 seeks to ensure residential developments are compatible with physical site conditions of slope, soil types and drainage patterns. The [Coastal Slope Stability Assessment](#), by Stantec Consulting Ltd., dated February 14, 2022, identifies the northeast corner of the subject property within the recommended 15 m setback area (green line) from areas that could be affected by landslide (orange line), see Figure 1.

The Assessment provides recommendations for development on properties identified within landslide areas. While much of the property is outside of the identified landslide risk area, it is upland and within close proximity to these areas.



Subdivision of this property would increase density and (potential for) future development of the site, which could have drainage implications with potential negative impact to slope stability of downhill properties. To mitigate potential impacts, staff would recommend registering a section 219 covenant on title ensuring adequate onsite stormwater management for future development of the site.

Figure 1.

Recommendation:

The purpose of this application is two-fold – first, the property owner proposes to legalize an existing 107 m² detached suite, and second, to reduce the minimum parcel size to allow for (future) subdivision of the subject property.

The detached suite appears to be consistent with the community character and aligns with OCP policies that encourage affordable housing and support aging in place. The proposed subdivision does not appear completely consistent with OCP policies that discourage subdivision in rural settlement areas; however, it does not appear to conflict fully with the surrounding context, as the property appears to operate as two parcels currently. That being said, a subdivision of the property would double permitted density, and this may have implications on downslope properties.

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

Should this application proceed, staff would recommend that the following be included as conditions of rezoning:

- Submission of a comprehensive septic report prepared by a Registered Onsite Wastewater Practitioner (ROWP) or Professional Engineer (P.Eng.) that includes a site plan detailing the location of all underground wastewater infrastructure and, certifies that the existing wastewater infrastructure is capable of supporting the dwellings in which they are intended to serve;
- Payment of the secondary suite capacity fee of \$1,500 be received; and
- Registration of a covenant in favour of the CVRD, ensuring adequate onsite stormwater management for future development of the site.

OPTIONS

Option 1: (Recommended)

That it be recommended to the Board that Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), to permit a 107 m² detached suite and reduced the minimum parcel size for subdivision on the subject property, be referred to the following external agencies and First Nations:

- a. Electoral Area G – Saltair Advisory Planning Commission;
- b. BC Transit;
- c. Nanaimo-Ladysmith School District (SD 68);
- d. Ladysmith Fire Department;
- e. Island Health;
- f. Ministry of Transportation and Infrastructure;
- g. Cowichan Tribes;
- h. Halalt First Nation;
- i. Lyackson First Nation;
- j. Penelakut Tribe;
- k. Snuneymuxw First Nation;
- l. Stz'uminus First Nation; and
- m. Ts'uubaa-asatx First Nation.

Option 2:

That it be recommended to the Board:

1. That a draft Zoning Amendment Bylaw for Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), to permit a 107 m² detached suite and reduced the minimum parcel size for subdivision on the subject property, be prepared and forwarded to the Board for consideration of 1st and 2nd reading.
2. That prior to consideration of adoption of the amendment bylaw for Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306):
 - a. A comprehensive septic report be prepared by a Registered Onsite Wastewater Practitioner or Professional Engineer that includes a site plan detailing the location of all underground wastewater infrastructure and, certifies that the existing wastewater infrastructure is capable of supporting the dwellings in which they are intended to serve;

- b. That payment of the secondary suite capacity fee of \$1,500 to CVRD Utilities Division be received.
3. That prior to consideration of adoption of the amendment bylaw for Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), a covenant be registered on Title requiring installation of onsite stormwater management infrastructure prior to future development of the site.
4. That a public hearing be held for Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), with all Electoral Area Directors as delegates.

Option 3:

That it be recommended to the Board that Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), to permit a 107 m² detached suite and reduced the minimum parcel size for subdivision on the subject property, be referred back to staff for further information, including: *[requested information to be identified by the Board]*, prior to further consideration.

Option 4:

That it be recommended to the Board that Application No. RZ23G02 (11170 Branksome Road, PID: 000-433-306), to permit a 107 m² detached suite and reduced the minimum parcel size for subdivision on the subject property, be denied.

GENERAL MANAGER COMMENTS

Prepared by:



Jaime Dubyna
Planner III

Reviewed by:



Michelle Pressman, RPP, MCIP, MPlan
Manager



Ann Kjerulf, MCP, RPP, MCIP
General Manager

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

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

ATTACHMENTS:

Attachment A – Background Table

Attachment B – Context Maps

Attachment C – Site Plan

Attachment D – Site Photos

Attachment E – Rationale Letter

Attachment F – CVRD Internal Division Referral Responses

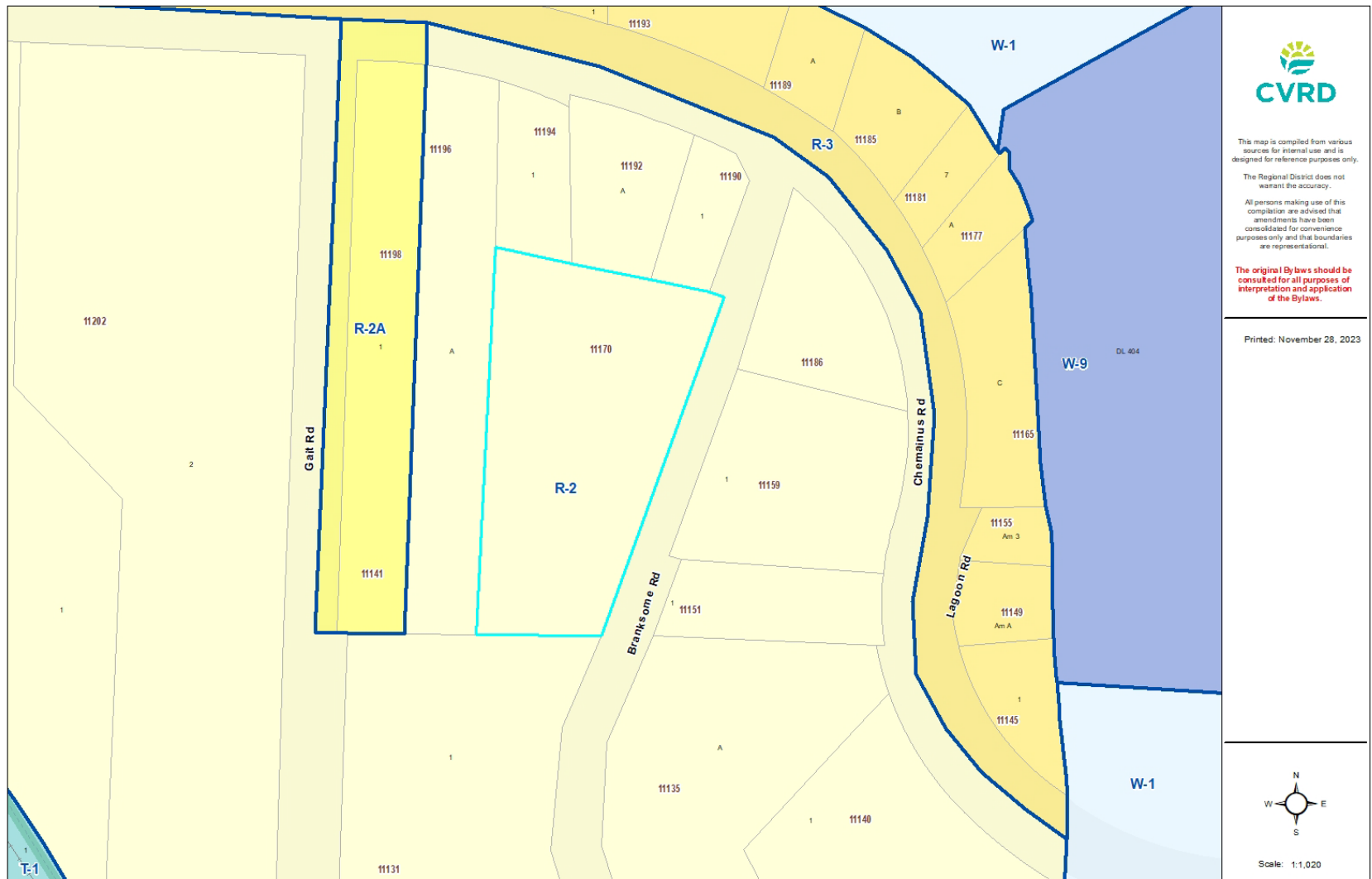
BACKGROUND TABLE
File: RZ23G02

Applicant:	Caroline Paisley
Registered Property Owner(s):	Caroline Marie Paisley
Civic Address:	11170 Branksome Road
PID & Legal Description:	000-433-306 THAT PART OF LOT 2, DISTRICT LOT 34, OYSTER DISTRICT, PLAN 8053, LYING TO THE EAST OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 75 FEET FROM THE WESTERLY BOUNDARY OF SAID LOT 2, AND EXCEPT THOSE PARTS IN PLANS 13689 AND 24443
CVRD Covenants on Title:	None
Size of Existing Parcel(s):	±0.63 ha
Existing Use of Parcel(s):	Residential
Natural Hazards:	Proximity to slope hazard
Archaeological Site:	Potential
Environmentally Sensitive Areas:	None mapped
Species at Risk:	None mapped
Watershed:	Ladysmith-Saltair Benchlands
Agricultural Land Reserve (ALR):	Not within ALR
OCP Designation:	Residential; Suburban Residential
Containment Boundary:	Not within
Development Permit Areas (DPA's):	DPA 1 Riparian Area Protection DPA 4 Aquifer Protection
Zoning:	R-2 Suburban Residential 2
Fire Service:	Saltair FPLSA (Ladysmith FD)
Existing Water Service:	CVRD Saltair Water System
Existing Sewerage Service:	Onsite
Existing Drainage Service:	Onsite
	<ul style="list-style-type: none"> • 3.2.1.2.3 Supports new development in growth containment boundaries consistent with servicing capacity. • 3.2.1.2.4 Discourages subdivision of rural settlement areas and all land in the Agricultural Land Reserve (ALR) to smaller parcels for residential use. • 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. • 3.2.1.4.3 Supports provision of housing to people with special needs and seniors, including housing that gives people the ability to age in place. • 3.2.1.4.5 Does not support subdivision within rural areas or on parcels within the ALR.

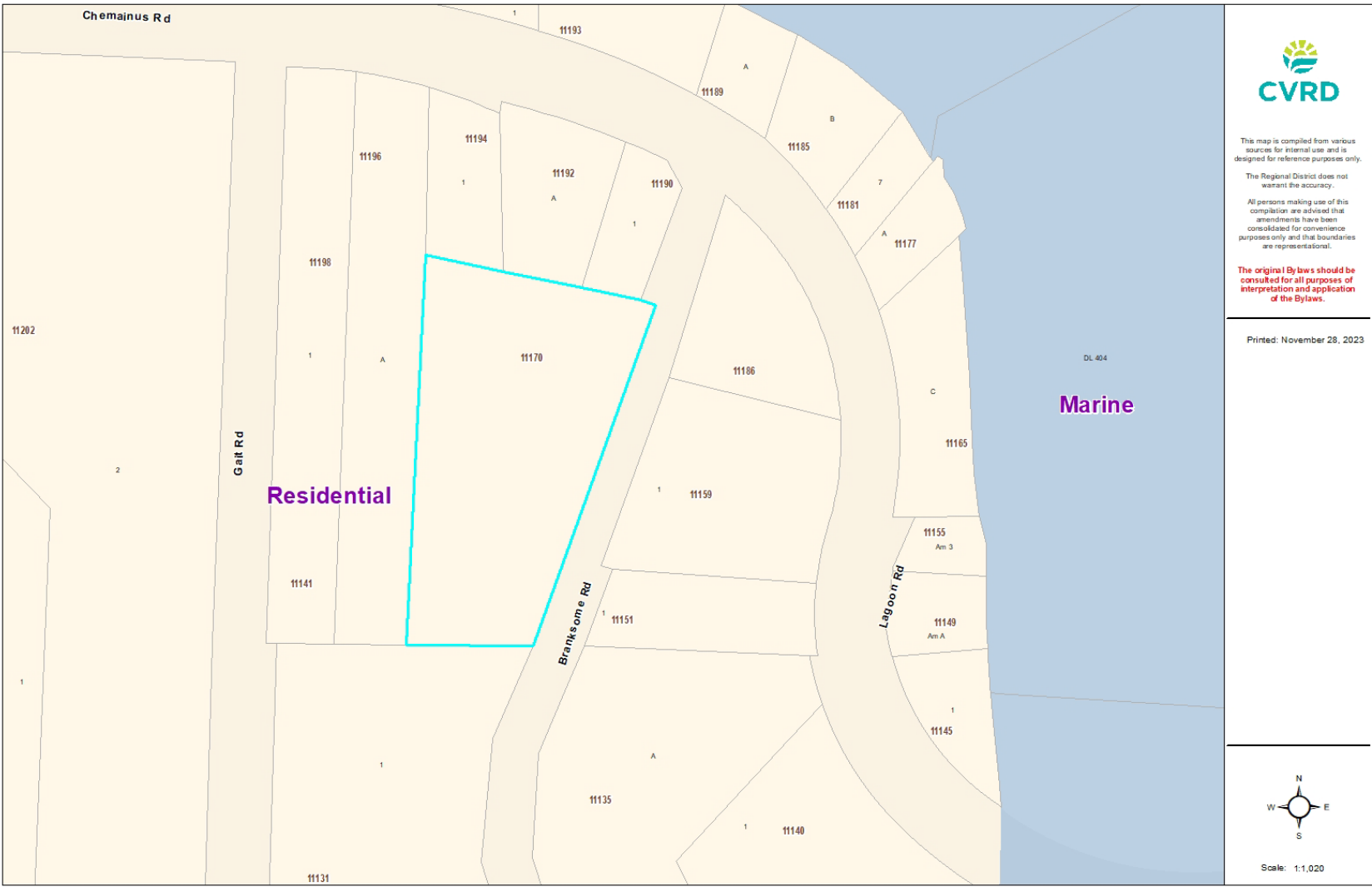
Attachment A

- **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.*

Zoning



OCP Designation



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: November 28, 2023



Scale: 1:1,020

(P.I.D.000-433-306)

in metres

PLAN 24443

PLAN 13689

PLAN 17578

FEET
2
(400.23)

121.93

275' APPROX.

Exterior of Concrete Foundation

Deck

Garage

ORIGINAL SEPTIC SYSTEM

PROPOSED SECONDARY DETACHED SITE

COTTAGE

Main House

BRANKSON

73.86
(242.32)

80'

35'

48'

24'

112.85
(370.24')

118'

17.07

12.99

8.42

8.41

LOT SIZE

68 816.08 SQ. FT.

1.58 ACRES

0.64 HA.

Scale 1:750



0 7.5 15

36.51

ENGINEERED
NEW
SEPTIC
FIELD

Site photos – December 20, 2023



Figure 1. Branksome Road, looking north. Subject property on right.



Figure 2. Principal dwelling.



Figure 3. Principal dwelling parking.



Figure 4. Accessory dwelling and barn.



Figure 5. Accessory dwelling driveway and parking.



Figure 6. Yard between principal dwelling and accessory dwelling.

Letter of Rationale

Description of Surrounding Area

North: Residential (Zoned R-2)

South: Residential (Zoned R-2)

East: Branksome Road

West: Residential (Zoned R-2)

The property parcel size is 0.64 hectares (1.58 acres).

The two houses on the property are 120 ft. apart. The northern property line which is 242 ft. is shared by three other properties. The closest property to the accessory dwelling is 140 ft.

Purpose of Rezoning

1- To bring the accessory dwelling unit (the original small house on the property) into compliance with Area G Zoning Bylaw No. 2524.

Alternately,

2- To rezone to allow the property to be subdivided.

How this application relates to goals and objectives of the OCP

An 'accessory dwelling unit' is defined as having a small detached dwelling on the same property to a single family home. Although a number of pre-existing 'accessory dwelling units' besides my own exist in Area G, the Zoning Bylaw has never authorised them. Having been through this process (albeit unsuccessfully) once before in 2010, I am confident that my request not only supports the goals and objectives of the OCP but in fact aligns perfectly with them.

A relevant objective of the 'Suburban Residential' designation is to encourage affordable rental housing in a manner in keeping with the rural residential nature of the community. More specifically, the following are some of the Area G Suburban Residential Objectives:

- To preserve the rural residential character of Saltair.

My property houses two well situated, immaculately maintained dwellings which are 120 ft apart. Most people who visit the property are completely unaware that these two houses are on the same parcel due to the spacious layout.

- To encourage affordable rental and special needs housing in a manner in keeping with the rural residential nature of the community.

My accessory dwelling unit is currently intended to provide my daughter, son in law and grandson with just that - affordable housing - with the hope that in the future, the property may be subdivided so that they would be able to buy the house and continue to offer support to me on the large property as I become older. This arrangement also aligns with the desirable objective to keep and encourage young families to stay in the community and in this case, by providing my own family with a solution which would allow me to stay in my home and eventually age in place.

- To protect and encourage home based businesses that are compatible with the rural setting.

We have run a mobile 'service only' business from the property for the past 23 years without any disruption to surrounding residences. In fact, in the last 2 years my son and son-in-law have taken over daily operations of this business, utilising the garage and driveway of the accessory dwelling unit.

In conclusion, as my property is 0.64 hectares in area, it is larger than the minimum, but still too small to qualify at this time for subdivision *or* to comply with the current density guidelines for two dwellings. However, it could be observed that my accessory dwelling unit on my property *would* be in keeping with the density guidelines of the OCP. It could also be observed that a property of my size with two dwellings 120 ft apart, would be an ideal candidate for subdivision which is our ultimate goal. Considering I share my north property line with no less than three other dwellings, it seems reasonable to say that this property could support a subdivision. As the Suburban Residential designation encourages the creation of affordable rental housing, either of my proposals fulfils this objective. My proposal also meets the good land use planning principles of providing affordable rental housing and another form of housing option.

With the current rental and housing crisis resulting in unaffordable rentals and out of reach home ownership for our younger generation, I feel we can not afford to dismiss common sense solutions and reasonable proposals such as mine and countless other property owners who also have properties that could support more than one dwelling. More importantly, I believe we can do this while upholding and maintaining the integrity of our beautiful communities.

Thank you for your consideration.

Referral Response Summary

Application No. RZ23G02

<p>Organization: CVRD Environmental Services</p> <p>Name/Title: Keith Lawrence</p> <p>Comments:</p>	<p>Date of Response: December 31, 2023</p> <p>Level of Support: See comments</p>
<p>The subject property is within the Coastal Slope Stability Study area for Saltair (Stantec, 2022). If the application is to proceed, all study recommendations (section 5.2 of the Study) for properties in this area should be followed including:</p> <ul style="list-style-type: none"> • Driveway and roof runoff or other concentrated surface runoff should not be directed towards the crest of the bluff. Redirecting water through drains or pipes to the bottom of the bluff or to a professionally identified safe place (e.g., stormwater storage area) can reduce potential slope instability. • Installation of ponds and swimming pools in the study area should be avoided. • Lawn irrigation systems should be discouraged. • Septic fields should be sufficiently setback from the crest of the bluff as determined by a suitably Qualified Professional. • Disturbance of the slope should be avoided. • Materials should not be dumped over the bluff edge as they may cause damage to the slope, add weight to the slope, and disturb or smother existing vegetation. • Prior to removing vegetation, interdependency effects should be considered where a group of plants growing together protect each other from disturbance by wind, erosion, and other natural processes (Menashe, 1993). • If revegetation of slopes is needed to promote surface stability, efforts can be optimized through engagement of a landscape architect or designer who is qualified to provide a planting plan and to oversee installation. • Native species are recommended for revegetation of coastal bluffs. A summary of native plants for the BC coast is provided by the Stewardship Centre for British Columbia (2016). • Locating structures away from an eroding coastal bluff is the most effective action to ensure safety (Stewardship Centre for British Columbia, 2016). <p>An overview of vegetation and drainage management is provided by the Stewardship Centre for British Columbia (2016).</p> <p>Stormwater management recommendations include: limiting runoff and impervious surfaces; assessment by a Qualified Professional in areas subject to erosion or ground instability; construction of runoff detention ponds or swales, sediment traps and basins to manage surface water; avoidance of discharge that could negatively impact groundwater; and avoidance of vegetation removal in particular mature trees on the property.</p> <p>Reference: <i>Coastal Slope Stability Assessment – Saltair (Stantec, 2022)</i></p> <p>https://cvrd.ca/DocumentCenter/View/104036/CVRDCoastalSlopeStabilityAssessment</p>	
<p>Organization: CVRD Strategic Initiatives Division, Land Use Services Department</p> <p>Name/Title: Ali Garnett, Planning Coordinator</p> <p>Comments:</p>	<p>Date of Response: January 3, 2024</p> <p>Level of Support: Not supported</p>

The proposed land use designation in the draft OCP Bylaw 4373 is Country Suburban. This designation is intended to enable detached housing with country character, where homes face and front a street. Properties in this designation do not always have access to infrastructure services, such as water or sewer systems. The building type is detached homes and the density maximum is 2.5 units per hectare plus permitted suites.

We note that the property is located within the growth containment boundary of the draft OCP Bylaw 4373.

Rezoning to permit subdivision would exceed the density of 2.5 units per hectare in the draft OCP, therefore this application is not supported.

However, no objection to component of rezoning that would allow the accessory dwelling unit as a permitted use, subject to confirmation that onsite septic system is sufficient for each dwelling. During local area plan community consultation, the desire to allow for accessory dwelling units was broadly expressed.

Organization: CVRD Strategic Services, Emergency Management Cowichan

Date of Response: January 3, 2024

Name/Title: Robb Schoular, Manager – Fire Rescue Services

Level of Support: n/a

Comments:

No concerns with this application.

Organization: CVRD Utilities Division, Operations Department

Date of Response: February 2, 2024

Name/Title: Louise Knodel-Joy, Senior Engineering Technologist

Level of Support: Supported subject to recommendations

Comments:

The property is in the Saltair Water Service area and is currently connected to the water system and is being charged for one service. The proposed new subdivided property will require payment of capacity connection fee of \$7,000 and installation of a new service connection. The new accessory dwelling will require a secondary suite capacity fee of \$1,500 in order to come into compliance.

Organization: CVRD Building Inspection

Date of Response: March 21, 2024

Name/Title: Sonny Bryski, Chief Building Official

Level of Support: n/a

Comments:

If phase one of the applicant's goal is to legalize two dwellings on a single parcel, a single water meter and service line with two branches is acceptable. However; if a property line is drawn during phase two subdivision, an additional water meter and service line will be required in addition to having them prove that the previously installed service line was decommissioned.

A Building Permit will be required for reinstating the second house as a dwelling as it was previously legally decommissioned under permit. CVRD will require that all typical items such as plumbing are reviewed, and we will also require a report from both a structural engineer as well as an energy step code advisor indicating the structure is compliant for its intended use. Additional items may be required upon review of the structure.

With regard to future subdivision, it is my opinion that MOTI be made aware of the recent geotechnical study performed along the Saltair waterfront and upstream of the lagoon before authorizing the creation of a new parcel.