

PUBLIC HEARING INFORMATION PACKAGE

Official Community Plan Amendment Bylaw No. 4033, 2025 Zoning Amendment Bylaw No. 4034, 2025 (1673 Grant Road)

Public Hearing Notice and Bylaw Nos. 4033 and 4034

1. Notice of Public Hearing for **November 5, 2025 at 7:00 p.m.**
2. 1st Notification – Municipality's Social Media - Facebook - Publication Date: October 20, 2025
3. 2nd Notification - Cowichan Valley Citizen – Publication Date: October 29, 2025
4. Official Community Bylaw No. 4033 and Zoning Amendment Bylaw No 4034
5. Map of Subject Property

Planning Staff Reports to Council

1. Report to October 1, 2025 Regular Council – First and Second Readings
2. Report to October 15, 2025 Regular Council – Schedule Public Hearing

Council Resolutions

1. Council Resolution from October 1, 2025 Regular Council – First and Second Readings, Schedule Public Hearing
2. Council Resolution from October 15, 2025 Regular Council – Schedule Public Hearing (to be added when published)

Public Comments

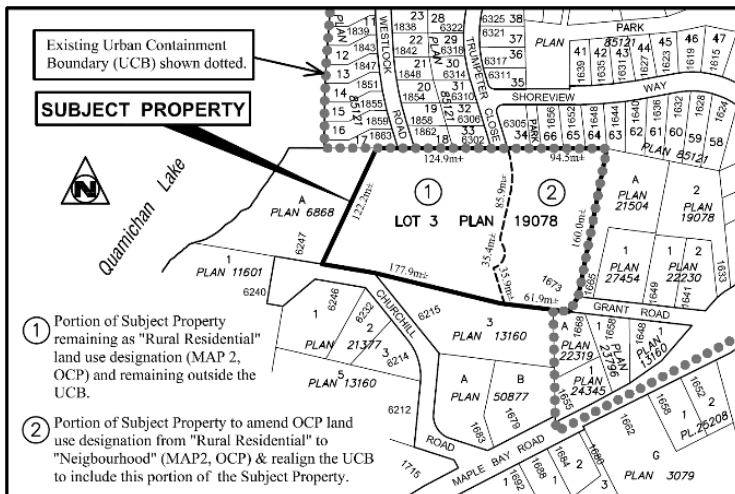
[See Written Submissions Package](#)



NOTICE OF PUBLIC HEARING

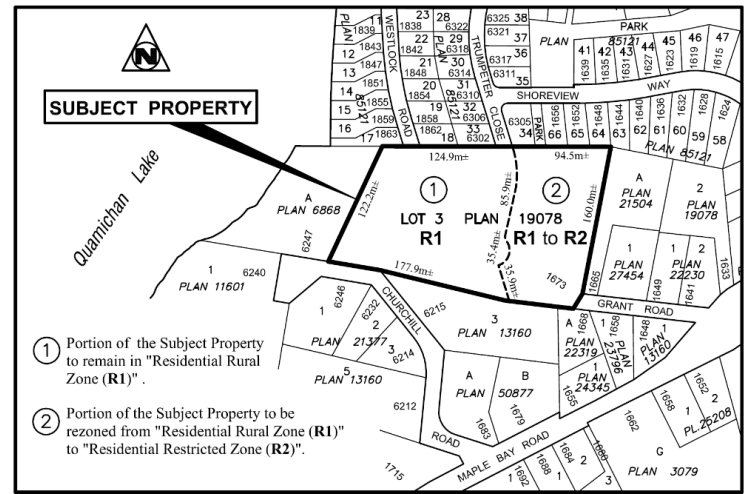
Notice is hereby given that a Public Hearing will be held at **7:00 p.m.** on **Wednesday, November 5, 2025** to allow Council to receive public input on **"Official Community Plan Amendment Bylaw No. 4033, 2025"** and **"Zoning Amendment Bylaw No. 4034, 2025"**. As authorized by the *Local Government Act*, this hearing will be conducted by electronic means and members of the public will be provided an opportunity to be heard verbally or by submitting their comments in writing in advance of the hearing. This hearing will be a Hybrid Meeting and will be conducted in person from Council Chambers and by video conference using the Cisco Webex platform. Anyone wishing to participate may do so in person by attending Council Chambers, or by joining the meeting using a computer, smartphone or tablet, or telephone (audio only). If you wish to participate electronically, please visit www.northcowichan.ca/virtualmeeting for instructions on how you can join this hearing and find the link to join. You may also view the meeting as it is streamed live by going to www.northcowichan.ca/Agendas and click on the 'View Live Stream' link. A copy of the recording will be made available after the meeting on North Cowichan's website for on-demand viewing.

Official Community Plan Amendment Bylaw No. 4033 proposes to amend Official Community Plan Bylaw No. 3900 by redesignating a portion of 1673 Grant Road (PID: 003-690-431) in Schedule "A", Appendix 1: Maps, Map 2 [Growth and Land Use Management] from Rural Residential to Residential Neighbourhood and realigning the Urban Containment Boundary in Map 2 [Growth and Land Use Management] to include this same portion of 1673 Grant Road as shown outlined in bold on the map.



Zoning Amendment Bylaw No. 4034 proposes to amend Zoning Bylaw 1997, No. 2950 by reclassifying a portion of 1673 Grant Road (PID: 003-690-431) from Residential Rural Zone (R1) to Residential Restricted Zone (R2).

The purpose of the amendment is to facilitate a future subdivision and residential development on the subject property as shown outlined in bold on the map.



PUBLIC INPUT

If you believe your interests in land will be affected by the proposed bylaws, you are encouraged to submit your comments by following the instructions provided below:

1. In Writing in Advance of the Public Hearing:

Submit your comments in writing to Mayor and Council until **1:00 p.m.** on **Monday, November 3, 2025** by:

- Email to publicmeetings@northcowichan.ca
- Mail to Mayor and Council, Municipality of North Cowichan, 7030 Trans-Canada Highway, North Cowichan, BC V9L 6A1
- In-Person deposited through the mail slot at the Municipal Hall, Main Entrance

2. Verbally or in Writing at the Public Hearing:

- In Person by attending Council Chambers at Municipal Hall, 7030 Trans-Canada Highway, North Cowichan, BC.
- Virtually by logging in electronically, details and instructions will be available at least one week prior to the Hearing at www.northcowichan.ca/PublicHearings.
- Written submissions may be submitted during the Public Hearing by presentation to the Corporate Officer or her designate.

PLEASE NOTE: Submissions should reference the bylaw numbers and include your name and the civic address or legal description of the land affected by the proposal. Please be advised that all submissions, including the individual's name and address will form part of the public record and will be published on North Cowichan's website. Do not include any personal information in your submission that you do not wish to be disclosed, as submissions received are public documents and will not be redacted (with the exception of email addresses on electronic submissions, phone numbers and signatures). Written submissions will not be accepted after the conclusion of the Public Hearing.

Copies of the proposed Bylaws and related documents, including public comments received in writing, will be available to inspect online at www.northcowichan.ca/PublicHearings until the close of the Public Hearing. The documents may also be inspected in the Planning Department at the Municipal Hall, Monday to Friday (excluding statutory holidays) between **8:30 a.m. to 4:00 p.m.** from **October 20, 2025** to **November 5, 2025**.

Personal information is collected by North Cowichan under the authority of s. 26 (c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the Public Hearing. Please direct any questions about personal information to North Cowichan's Privacy Officer by Phone: 250-746-3116, Email: privacy@northcowichan.ca or Regular Mail: 7030 Trans-Canada Highway, North Cowichan, BC V9L 6A1

PUBLIC HEARING NOTICE

1ST NOTIFICATION

Social Media Publication Date

October 20, 2025

2nd NOTIFICATION

Newspaper Publication Date

October 29, 2025



The Corporation of the District of North Cowichan

Official Community Plan Amendment Bylaw

BYLAW NO. 4033

A bylaw to amend Official Community Plan Bylaw No. 3900 to include a portion of 1673 Grant Road within the UCB and redesignate it from Rural Residential to Residential Neighbourhood.

WHEREAS Council has considered the Interim Housing Needs Report 2024 for the Municipality of North Cowichan,

AND WHEREAS Council has considered consultation under Sections 475 and 476 of the *Local Government Act*,

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

1 This Bylaw may be cited as "*Official Community Plan Amendment Bylaw No. 4033, 2025*".

Amendment

2 Official Community Plan Bylaw No. 3900, 2022 is amended by redesignating a portion of 1673 Grant Road (PID: 003-690-431) in Schedule "A", Appendix 1: Maps, Map 2 [*Growth and Land Use Management*] from Rural Residential to Residential Neighbourhood and realigning the Urban Containment Boundary in Map 2 [*Growth and Land Use Management*] to include this same portion of 1673 Grant Road, as shown in Schedule 1, attached to and forming part of this Bylaw.

READ a first time on _____

READ a second time on _____

CONSIDERED in conjunction with the North Cowichan 2025 Five Year Financial Plan, in accordance with section 477(3)(a) of the *Local Government Act* on _____.

Notice that a public hearing is scheduled for this bylaw was posted to the municipality's public notice board and on the municipality's website on _____, 202_, and advertised on the municipality's social media site on _____, 202_, and in the Cowichan Valley Citizen on _____, 202_.

CONSIDERED at a Public Hearing on _____.

READ a third time on _____.

COVENANT registered on _____.

ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER

Schedule "1" to accompany "*Official
Community Plan Amendment Bylaw No.
4033, 2025*".

Presiding Member

Corporate Officer

"SCHEDULE A - APPENDIX 1: MAPS, MAP 2 [GROWTH AND LAND USE MANAGEMENT]"





The Corporation of the District of North Cowichan

Zoning Amendment Bylaw

BYLAW NO. 4034

A bylaw to amend Zoning Amendment Bylaw No. 2950, 1997 to reclassify a portion of 1673 Grant Road from R1 to R2

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

- 1 This Bylaw may be cited as "*Zoning Amendment Bylaw No. 4034, 2025*".

Amendment

- 2 Zoning Bylaw 1997, No. 2950, Schedule "C" be amended by reclassifying a portion of 1673 Grant Road (PID: 003-690-431) from Residential Rural Zone (R1) to Residential Restricted Zone (R2), as shown in Schedule 1 attached to and forming part of this Bylaw.

READ a first time on _____

READ a second time on _____

Notice that a public hearing is scheduled for this bylaw and was posted to the municipality's public notice board and on the municipality's website on _____, 202_, and advertised on the municipality's social media site on _____, 202_, and in the Cowichan Valley Citizen on _____, 202_.

CONSIDERED at a Public Hearing on _____.

READ a third time on _____.

COVENANT registered on _____.

ADOPTED on _____.

CORPORATE OFFICER

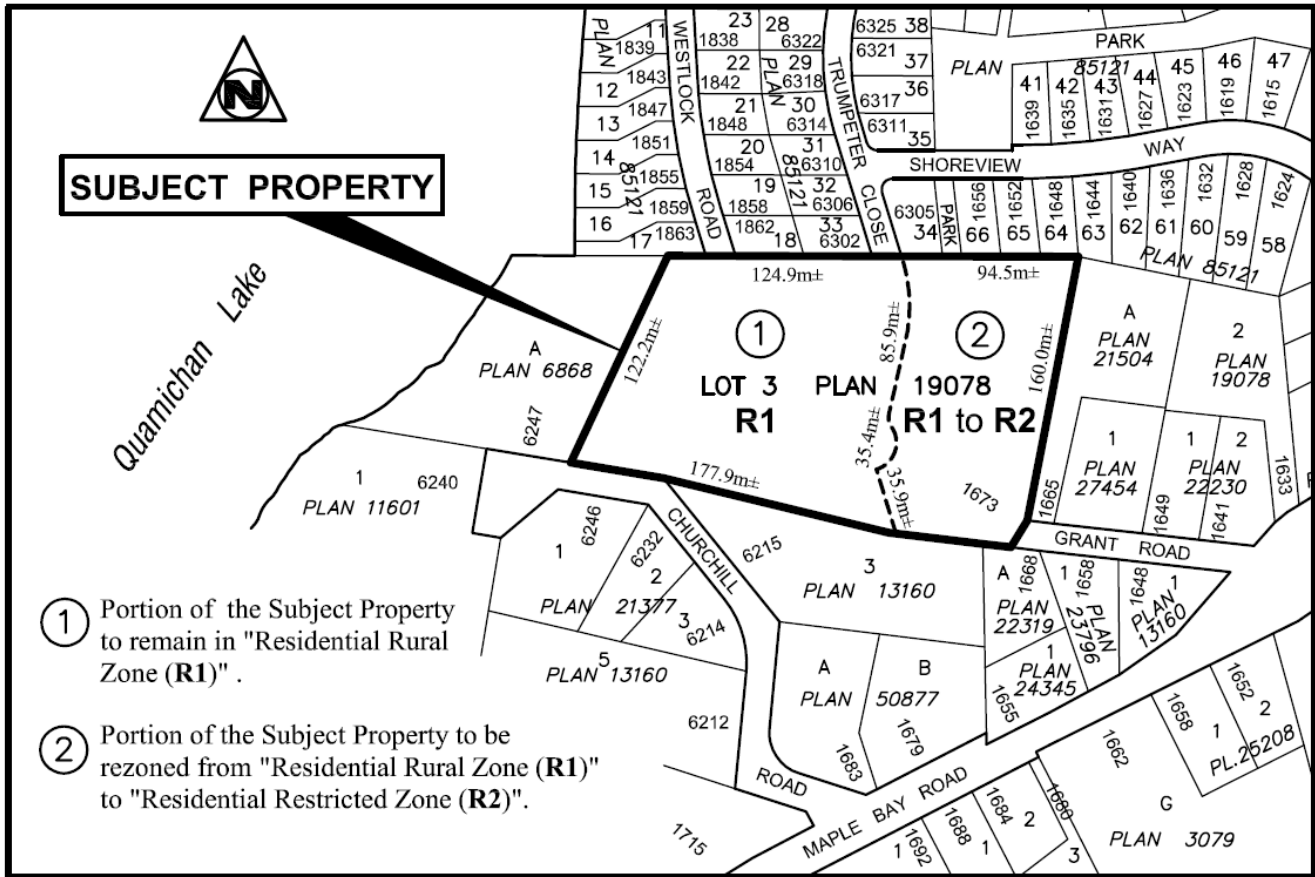
PRESIDING MEMBER

Schedule "1" to accompany "Zoning
Amendment Bylaw No. 4034, 2025".

Presiding Member

Corporate Officer

SCHEDULE "1"



REPORTS TO COUNCIL

Report

Date	October 1, 2025	File:
Subject	OCP Amendment Bylaw No. 4033 and Zoning Amendment Bylaw No. 4034 for first and second reading	

PURPOSE

To consider amendments to the Official Community Plan and Zoning Bylaw to facilitate a proposed 7-lot subdivision by rezoning a portion of 1673 Grant Road from R1 to R2.

BACKGROUND

The 3.2-hectare (7.9 acres) subject property at 1673 Grant Road (PID: 003-690-431) is zoned Residential Rural Zone (R1) and is situated within the Rural Residential land use designation outside the Urban Containment Boundary (UCB) of the Official Community Plan (OCP) (Attachments 1, 2, 3 & 4). The Residential Rural (R1) zone is provided in Attachment 5.

The subject property abuts the UCB, whereby increased residential density is supported on lands to the north within the UCB and not supported on lands to the south outside the UCB (OCP Bylaw No. 3900, 2022).

Of note, the subject property was excluded from the previous UCB, along with other larger properties located around the perimeter of Quamichan Lake, when the OCP was adopted in August 2022 (Bylaw No. 3900).

A subdivision application was received by North Cowichan prior to the adoption of OCP Bylaw No. 3900 (SUB00183). Since the subdivision application was consistent with the previous OCP, a Preliminary Layout Acceptance (PLA) was issued by the Approving Officer under statutory protections for in-stream subdivision applications of the *Local Government Act* (LGA s. 511).

If the PLA is completed, the subdivision as proposed would yield a total of seven new lots in the R1 zone outside the UCB. The Subdivision Site Plan of SUB00183 is provided in Attachment 6.

A 1.24 ha (3.1 acre) portion of these lands is requested to be re-included in the UCB and rezoned from R1 (Residential Rural) to R2 (Residential Restricted).

PROPOSAL

The applicant is requesting Council's approval for three of the R1 lots of the proposed subdivision (under PLA; SUB00183) to be included in the UCB and rezoned from R1 to R2. The R2 zone specifies a smaller minimum lot size than R1. Thus, rezoning to R2 enables up to seven lots to be created.

For the rezoning proposal to be consistent with the OCP, which is a requirement of the LGA (s. 478(2)), an OCP amendment is needed. The property owner is requesting Council to consider the following bylaw amendments:

- ❖ OCP Bylaw No. 3900 to include a 1.24 ha (3.1 acre) portion of the subject property within the UCB & redesignate it from *Rural Residential* to *Residential Neighbourhood*, and,
- ❖ Zoning Bylaw No. 2950 to reclassify the same 1.24 ha (3.1 acre) portion of the subject property from R1 (Residential Rural Zone) to R2 (Residential Restricted Zone).

The applicant's current stated intent is to construct single-family dwellings on the seven proposed new R2 lots. However, if relocated within the UCB, the density provisions of the R2 zone could result in an overall maximum residential density of 28 units (one 4-plex per lot) as a result of the "Bill 44" zoning amendments, which must permit at least 4 units per lot inside the UCB. For the purposes of infrastructure planning, North Cowichan must assume the maximum density arising from the zoning change, regardless of the current owner's stated intentions. Once subdivided, there is nothing preventing the lots from being sold to a different owner who may hold a different development vision and wish to access the full density permitted by zoning. The registration of a restrictive covenant limiting the density to what would have been permitted for lots outside the UCB (2 units per lot for a total of 14 units) would likely not hold up if challenged, as it is in contravention of the intent of Bill 44.

The R2 zone is provided in Attachment 7. The property owner's letter of intent is provided in Attachment 8. The applicant's Site Plan for the OCP/Zoning Amendment proposal is provided in Attachment 9.

DISCUSSION

1. OCP Bylaw Amendment

To optimize existing servicing infrastructure, create more walkable communities, and protect the sensitive aquatic and riparian ecosystems of Quamichan Lake from increased pressures of residential densification, the OCP's Growth Management strategy was adopted by Council, in which most parcels adjacent to Quamichan Lake were excluded from the UCB (Bylaw No. 3900, 2022). The subject property is among the parcels that are now located outside the UCB.

This OCP and Zoning Bylaw amendment application was received after the current OCP (Bylaw No. 3900) was adopted and is therefore subject to it. The property is subject to the land use policies of the Rural Residential designation, in which it is now situated.

The Rural Residential land use designation is intended for "very little housing growth" and does not support subdivision of less than 2 hectares (s. 3.2.18/19, p. 51); therefore, the proposal to further subdivide the property under R2 zoning is inconsistent with OCP land use policy.

As any change in land use requires consistency with the OCP (LGA s. 478(2)), an amendment to the OCP would be needed to allow increased residential density at the subject property before subdivision under an R2 zone could be contemplated.

Draft OCP Amendment Bylaw No. 4033 is provided in Attachment 10.

2. OCP Amendment Legislative Requirements

Procedural requirements for amending an OCP are set out in Part 14, Division 4 of the LGA. Sections 475, 476, and 477 of the LGA outline procedural requirements for consultation with persons, organizations, and authorities it considers affected by the application to amend an OCP. These sections also relate to the order of these consultations in the adoption process. In addition to a Public Hearing, these sections require that a local government:

- Provide one or more opportunities for consultation
- Consider whether the opportunities should be early and ongoing
- Specifically consider consultation with the following:
 - Regional District
 - Adjacent municipality
 - First Nations
 - Boards of Education
 - Provincial, federal agencies
- Consult the Board of Education for school districts within which the amendment is located

Should Council wish to proceed with consideration of the application and associated OCP amendment, staff recommend consultation with School District 79 (SD79) as required (LGA s. 476(1)).

A referral was sent to SD79 on August 16, 2024. No response was received to the referral requested. No other persons, organizations, or authorities were sent a referral for early and ongoing consultative feedback given the localized nature of the proposal.

3. Zoning Bylaw Amendment

Concurrent with the OCP amendment application, the applicant wishes to rezone the proposal area from R1 to R2. If the minimum lot size of the R2 zone (i.e., 890 m²) was applied, the proposal area could be subdivided into a maximum of seven R2 lots (Attachment 7). Up to four residential units per lot could be constructed, yielding potentially 28 additional residential units.

Draft Zoning Amendment Bylaw No. 4034 is provided in Attachment 11.

4. Infrastructure Servicing

The site is currently serviced with municipal water and sanitary sewer. The models for both have been encumbered with 14 units, since existing zoning permits two units per lot on this subdivision application for seven lots, which pre-dates the OCP.

There is significant development activity in the area surrounding this application, the vast majority of which is associated with the Kingsview development. At the time of this application assessment, all of Kingsview development is encumbered due to an active Comprehensive Development Plan Agreement (CDPA). The Kingsview development is responsible for a significant number of upgrades that are contemplated in the Kingsview Phased Development Agreement (PDA) including some infrastructure that will provide capacity to support the servicing for this application.

The water and sanitary servicing capacity assessment provided is as of this date. The assessment also contemplates all current encumbrances and then adds the impact of this development to the encumbered loading to assess this development's impact on North Cowichan's water and sanitary systems.

Water system capacity assessment: There is sufficient capacity in the South End water system to service this development. Fire flows at this location are on the low side, so it will be necessary for the developer to loop a watermain to increase the available fire flows in this area.

Sanitary system capacity assessment: There is no capacity available at the Maple Bay Road Sanitary Pump Station (PS). However, the said PS is included in the Kingsview PDA as a contemplated upgrade. Therefore, for all intents and purposes, there is a funded upgrade path for the Maple Bay Road Sanitary PS that renders the said capacity constraint moot.

5. Community Amenity Contributions

The applicant was apprised of the draft Interim Community Amenity Contribution (CAC) Policy, approved for implementation for rezoning applications that increase residential density. The Interim CAC Policy was forwarded to the applicant after it was introduced to Council on October 8, 2024. The Interim CAC Policy is deemed applicable to the rezoning application and associated Amendment Bylaw of this report.

The applicant has offered Council a financial CAC to the 'Short-term Infrastructure Fund' of three times the current Development Cost Charges (DCC) rate to be made for any additional residential units resulting from the R2 rezoning proposal (i.e., above and beyond what is permitted under the current zoning).

The applicant has not offered a financial contribution toward the 'Affordable Housing Fund', i.e., \$4,000 for any additional residential units within the proposal area of the R2 zoning amendment above and beyond what is permitted under the current zone.

It is recommended that Council, prior to considering final zoning amendment bylaw adoption, requests the owner/developer secures with a section 219 covenant agreement, and conditional upon ultimate zoning amendment approval, three times the DCC rate toward the 'Short-term Infrastructure Fund' and provides financial CACs toward the 'Affordable Housing Fund' as per the draft Interim CAC Policy. Again, this would apply to any residential unit within the proposal area of the R2 zoning amendment application of this report (ZB000197) above and beyond what is already permitted under the current R1 zoning, with payment due as applicable, until/unless the DCC Bylaw is updated such that this clause is no longer applicable.

ANALYSIS & CONCLUSION

On August 12, 2025, staff presented to Council a report outlining the extent to which the OCP's land use designations and the Zoning Bylaw's "pre-zoned" lands are sufficient to achieve North Cowichan's 20-year housing supply needs as required under the LGA (per the province's Bill 44 housing statutes)¹. In the report, Council was apprised, as of 2024, that a maximum permitted yield of ~22,000 housing units within the UCB could be achieved over time if the fullest extent of the density provisions of all Bill 44 pre-zoned lots were realized.

Realistically, however, infill development on Bill 44 pre-zoned lots is anticipated to be much less. This is because it is more typical for development to occur incrementally on a parcel-by-parcel basis, especially where viable housing already exists, e.g., single-family dwellings, duplexes. A conservative estimated build-out of North Cowichan's pre-zoned 'residual' capacity (which estimates incremental build-out in the context of an existing housing stock) on lots inside and outside the UCB is 7,506 residential units. This represents an estimated municipal housing supply potential that already meets and exceeds the province's requirements for the next 20 years.

Therefore, this application, which requests Council to approve an extension of the UCB to include a portion of the subject property, is not required to meet housing targets. Nor is the application OCP land use policy supported.

While it may be suggested that the application to request an additional four (4) lots over three (3) PLA-approved lots represents a relatively minor impact on municipal infrastructure assets, the UCB and all associated and integrated Growth Management policies of the OCP have set limits to *where* growth should occur.

The whole purpose of defining a growth boundary is to encourage development and densification within it, and to prevent it from outside of it. The fact that the scale of development in this case is relatively small offers no justification to depart from the policy and expand the UCB. As with the recent OCP amendment application decision at Morgan Maples on Henry Road (OCP00033)², the applicant already has development rights, and denial of this application will not take those away.

In this case, the applicant has the ability to complete the subdivision as per the PLA that pre-dated the OCP adoption; however, they are seeking additional development rights which "double down" on the non-conformance with respect to the growth strategy and create yet more development expectations that cannot be serviced with current infrastructure capacity.

¹ Calculated by excluding FGA and rural areas from (Memo) OCP Build-Out Projections: Housing Unit, provided as Attachment 1 to item 9.4, August 12, 2025 Special Council Meeting:

<https://pub-northcowichan.escribemeetings.com/Meeting.aspx?Id=05c0c8e9-1eea-47b4-8c37-39c49c206843&Agenda=Merged&lang=English>

² August 20, 2025 Council Meeting, item 9.1:

<https://pub-northcowichan.escribemeetings.com/Meeting.aspx?Id=e7737cbe-f3a1-41a8-9784-65a9f316cac1&Agenda=Merged&lang=English>

It is recommended that Council denies the concurrent OCP00021/ZB000197 application because:

- This application to extend the UCB is not supported by growth management and land use policies of the OCP (Bylaw 3900) because the established UCB supports:
 - focused growth with lesser environmental impacts,
 - improved walkability,
 - improved management and efficiency of municipal services such as garbage/recycling pick-up, and,
 - mitigated environmental pressures from higher density residential development, e.g., on surrounding Quamichan Lake and its riparian/downstream systems (OCP, 3.1 Assignment of Growth, UCB, p. 40).
- An adequate supply of pre-zoned lots inside the UCB currently exists on which a conservative build-out capacity is estimated at 7,506 residential units, which alone could meet North Cowichan's estimated 20-year housing needs target;
- A significant supply of OCP land use policy-supported housing potential exists on parcels that can be considered for rezoning today, which does not require OCP amendment approval consideration; and,
- Significant opportunity already exists for increased residential densities inside and outside the UCB, either under development/building permits or OCP land use policy-supported rezoning applications, which do not therefore also impose a detriment on the character of North Cowichan's rural areas outside the UCB (see also August 12, 2025 *Bill 44 Compliance: OCP & Zoned Capacity*, C. Osborne, RPP, MCIP for more information on the existing pre-zoned residential development potential outside the UCB).

Should Council wish to allow the applications to proceed despite the above objections, it is recommended that Council, prior to considering final zoning amendment bylaw adoption, requests the following items are secured with a section 219 covenant agreement and conditional upon ultimate zoning amendment approval:

- A building permit application will not be accepted ('no-build covenant') during any time period where sufficient servicing capacity has not been confirmed to exist. [Enshrining this by covenant also makes these restrictions clear to future or prospective owners]; and,
- A financial CAC to the 'Short-term Infrastructure Fund' at three times the current DCC rate (offered by the proponent) and to the 'Affordable Housing Fund' (not offered by the proponent), as per the draft Interim CAC Policy, for any unit within the proposal area of the R2 zoning amendment application of this report (ZB000197) above and beyond what is permitted under the current R1 zoning, with payment due with subdivision or prior to building permit issuance, as applicable, until/unless the DCC Bylaw is updated such that this clause is no longer applicable.

Alternatively, Council may give initial readings to these bylaws in order to receive public input, deciding after a public hearing whether to proceed to adoption, amend the bylaws, or abandon them.

OPTIONS

1. (Recommended Option)

THAT Council denies

- (a) Application OCP00021 to amend Official Community Plan No. 3900, 2022, to redesignate a 1.24 ha (3.1 acre) portion of 1673 Grant Road from *Rural Residential* to *Residential Neighbourhood* and extend the Urban Containment Boundary accordingly; and,
- (b) Application ZB000197 to amend Zoning Bylaw No. 2950, 1997, to reclassify the same 1.24 ha (3.1 acre) portion of 1673 Grant Road from Residential Rural (R1) to Residential Restricted (R2) zone.

2. (Alternative Option)

(1) THAT Council has:

- (a) considered the Interim Housing Needs Report 2024 for the Municipality of North Cowichan in relation to Official Community Plan Amendment Bylaw No. 4033, 2025;
- (b) considered consultations under Section 475 of the *Local Government Act* in relation to Official Community Plan Amendment Bylaw No. 4033, 2025 and determine that the interests of School District 79 may be affected and should receive a written request for consultation;
- (c) considered consultations under Section 475 of the *Local Government Act* in relation to Official Community Plan Amendment Bylaw No. 4033, 2025, and determined that the consultation under that section does not need to be early and ongoing; and,
- (d) consulted under Section 476 of the *Local Government Act* with School District 79 in relation to Official Community Plan Amendment Bylaw No. 4033, 2025.

(2) THAT Council gives first reading to Official Community Plan Amendment Bylaw No. 4033, 2025.

(3) THAT Council has:

- (a) considered Official Community Plan Amendment Bylaw No. 4033, 2025, in conjunction with the North Cowichan 2025 Five-Year Financial Plan; and,
- (b) considered Official Community Plan Amendment Bylaw No. 4033, 2025, in conjunction with the Cowichan Valley Regional District Solid Waste Management Plan (as amended) and the Cowichan Valley Regional District Central Sector Liquid Waste Management Plan.

(4) THAT Council gives second reading to Official Community Plan Amendment Bylaw No. 4033, 2025.

(5) THAT Council gives first and second reading to Zoning Amendment Bylaw No. 4034, 2025.

(6) THAT Council directs staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 4033, 2025, and Zoning Amendment Bylaw No. 4034, 2025.

(7) THAT Council, prior to considering final adoption of Zoning Amendment Bylaw No. 4034, 2025, requires the owner/developer to secure three times the Development Cost Charges rate toward the 'Short-term Infrastructure Fund' and provide financial contributions toward the 'Affordable Housing Fund' as per the draft Interim Community Amenity Contribution Policy, for any residential unit within the proposal area of the R2 zoning amendment application of this report (ZB000197) that is above and beyond what is permitted under the current R1 zoning, with payment due with subdivision or prior to building permit issuance as applicable, and secured through a section 219 covenant agreement.

3. (Alternative Option)

- (1) THAT Council refers Official Community Plan Amendment Bylaw No. 4033, 2025 to the Committee of the Whole to further:
 - (a) consider the Interim Housing Needs Report 2024 for the Municipality of North Cowichan in relation to Official Community Plan Amendment Bylaw No. 4033, 2025;
 - (b) consider consultations under Section 475 of the *Local Government Act* in relation to Official Community Plan Amendment Bylaw No. 4033, 2023 and determine that *in addition to* those of School District 79, the interests of *the following persons, organizations and authorities are affected* and should receive a written request for consultation *within 30 days*:
 - [Committee of the Whole to identify]
 - (c) consider consultations under Section 475 of the *Local Government Act* in relation to Official Community Plan Amendment Bylaw No. 4033, 2025, and determine that the consultation under that section does not need to be early and ongoing; and,
 - (d) direct staff to consult under Section 476 of the *Local Government Act* with School District 79 in relation to Official Community Plan Amendment Bylaw No. 4033, 2025.

IMPLICATIONS

Should Council deny concurrent applications OCP00021/ZB000197, the existing R1 zoning would remain. The property owner can continue to proceed with their active 7-lot subdivision under the approved and issued PLA in accordance with the existing Residential Rural (R1) zone.

If Council gives first and second reading to OCP Amendment Bylaw No. 4033 to redesignate a 1.24 ha (3.1 acre) portion of 1673 Grant Road from Rural Residential to Residential Neighbourhood and extend the UCB accordingly, and Zoning Amendment Bylaw No. 4034 to amend Zoning Bylaw No. 2950, 1997, to reclassify the same portion from R1 to R2 zone, staff will schedule a Public Hearing.

RECOMMENDATION

THAT Council denies

- (a) Application OCP00021 to amend Official Community Plan No. 3900, 2022, to redesignate a 1.24 ha (3.1 acre) portion of 1673 Grant Road from *Rural Residential* to *Residential Neighbourhood* and extend the Urban Containment Boundary accordingly; and,
- (b) Application ZB000197 to amend Zoning Bylaw No. 2950, 1997, to reclassify the same 1.24 ha (3.1 acre) portion of 1673 Grant Road from Residential Rural (R1) to Residential Restricted (R2) zone.

Report prepared by:

Caroline von Schilling

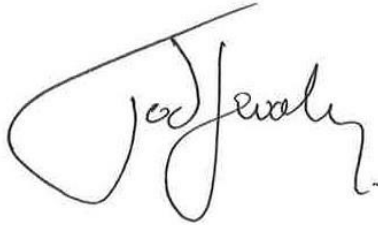
Caroline von Schilling, MCIP, RPP
Development Planner

Report reviewed by:



Amanda Young, MCIP, RPP
Director, Planning and Building

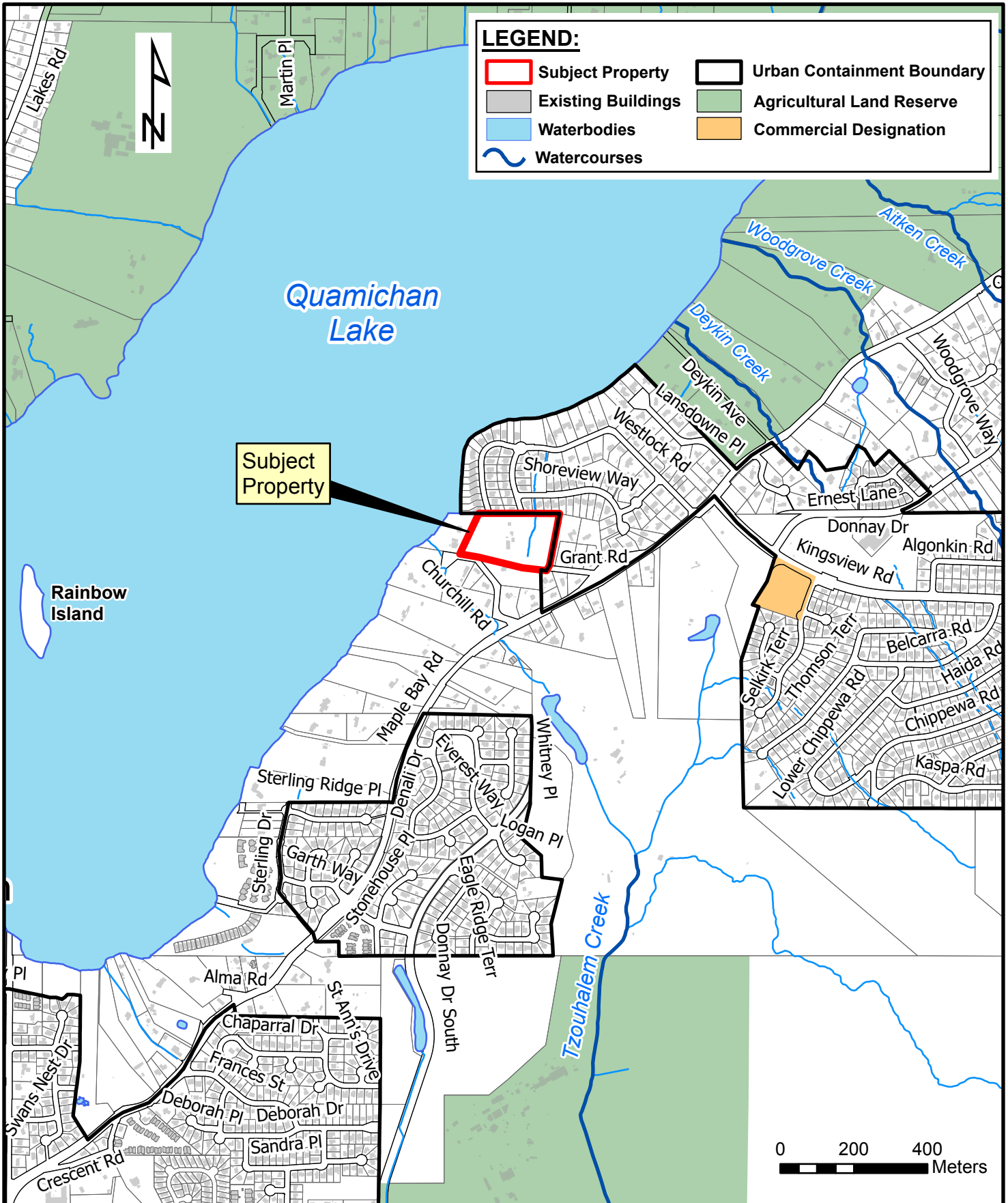
Approved to be forwarded to Council:



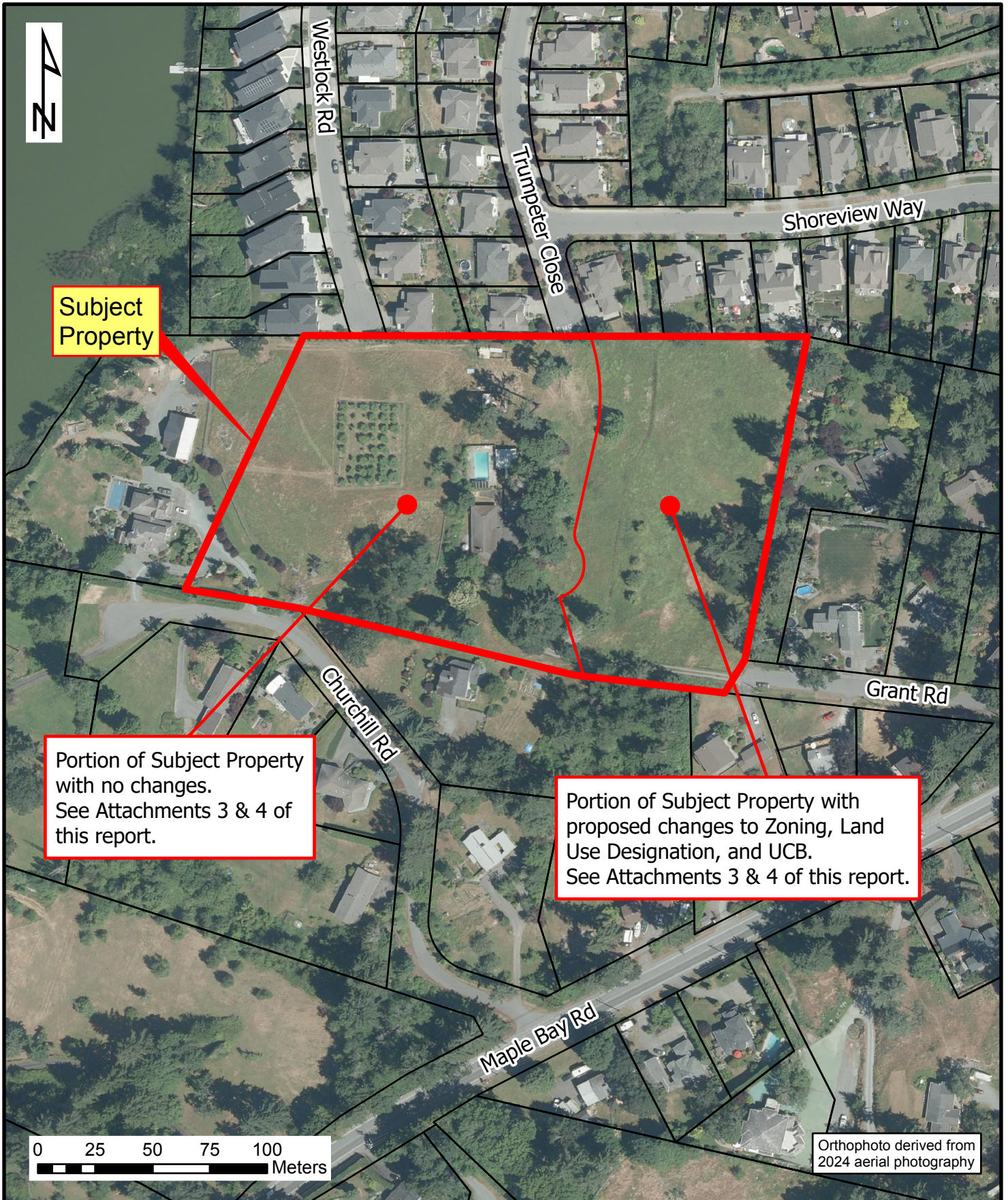
Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Location Map
- (2) Orthophoto
- (3) Zoning Map
- (4) OCP Designation
- (5) Residential Rural Zone (R1)
- (6) Subdivision Site Plan SUB00183
- (7) Residential Restricted Zone (R2)
- (8) Applicant's Letter of Intent
- (9) Applicant's OCP/ZB Amendment Site Plan
- (10) Draft OCP Amendment Bylaw 4033, 2025
- (11) Draft Zoning Amendment Bylaw 4034, 2025

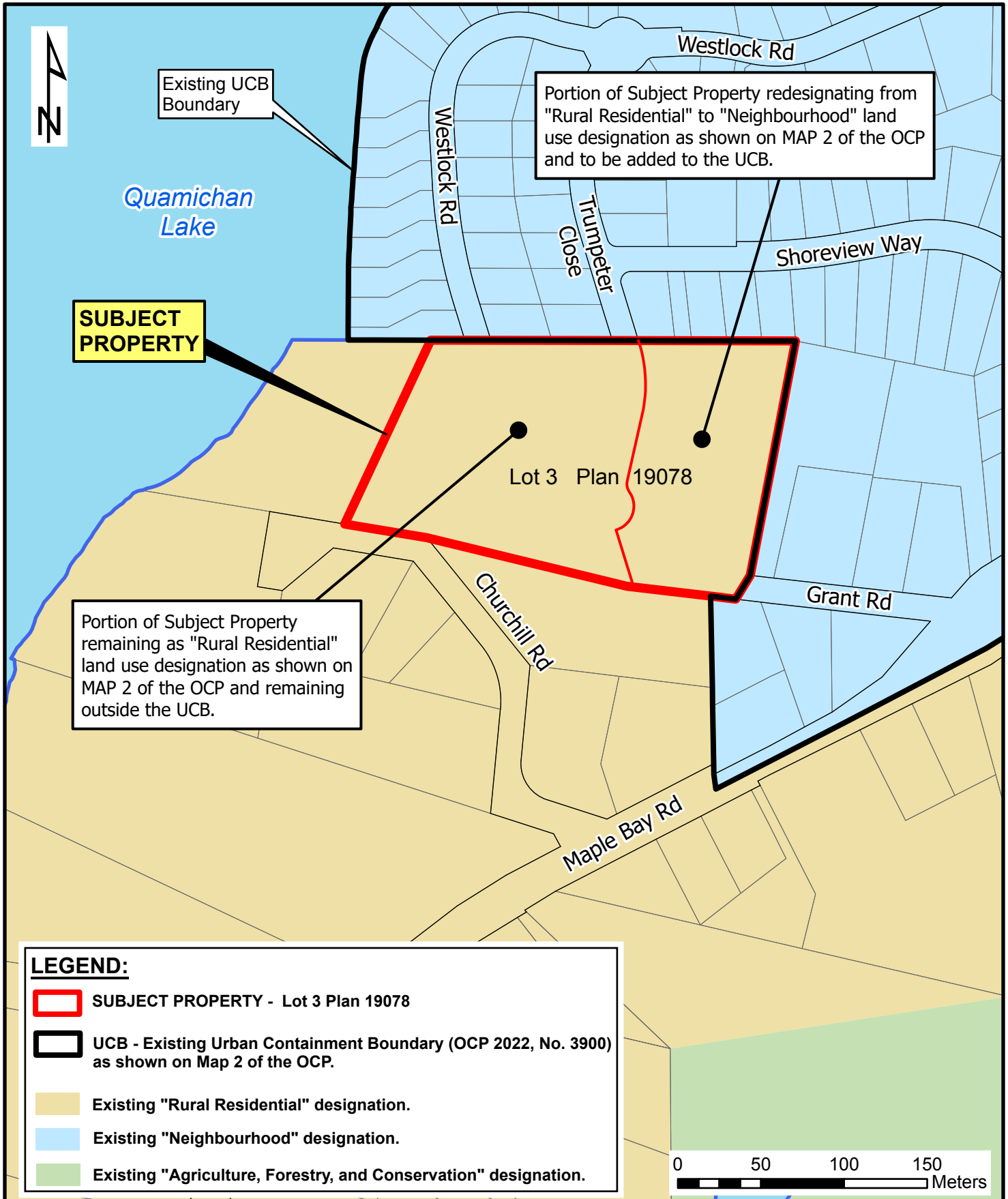


	LOCATION MAP		DATE:	September 4, 2025
	1673 Grant Road		TYPE:	OCP/Zoning Amendment
			FILE#:	OCP00021 / ZB000197



	ORTHOPHOTO MAP		DATE:	September 4, 2025
	1673 Grant Road		TYPE:	OCP/Zoning Amendment
			FILE#:	OCP00021 / ZB000197





Residential Rural Zone (R1)

[BL3083, BL3302, BL3367, BL3383, BL3642, BL3666, BL3731, BL3732, BL3754, BL3758, BL3760, BL3766, BL3809, BL3815, BL3847, BL3150, BL3852, BL3891, BL3911, BL3919, BL3944, BL3974, BL4002, BL4016]

Permitted Uses

56 (1) The permitted uses for the R1 zone are as follows:

Agriculture
Assisted Living
Bed and Breakfast
Community Care Facility
Home-based Business
Modular Home
Single-Family Dwelling
Supportive Housing

[Repealed. BL4016] Two-Family Dwelling [BL3302, BL3367, BL3754]

Minimum Lot Size

(2) The minimum permitted lot size for the R1 zone is 1,675 m² (18,029 sq. ft.).

Minimum Frontage

(3) The minimum permitted frontage for the R1 zone is 30.0 m (98.43').

Density

(4) The maximum permitted density for the R1 zone is as follows:

(a) The number of residential buildings shall not exceed one and the number of dwelling units shall not exceed two.

(b) [Repealed. BL4016]

(c) The maximum permitted floor space ratio for the R1 zone is 0.5:1. [BL3383]

(d) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 9272 Cottonwood Road (PID:006-038-000). [BL3642]

(e) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 1217 Barnes Road (PID: 003-134-814). [BL3666]

(f) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 6343 Wicks Road (PID: 003-145-603). [BL3731]

(g) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 10097 Chemainus Road (PID: 018-858-651). [BL3732]

(h) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 2372 Regina Drive (PID 000-368-393). [BL3760]

(i) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 1038 Herd Road (PID: 023-168-501). [BL3766]

(j) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on Lot 7 Wellburn Place (PID: 031-028-314). [BL3809]

(k) Despite section 56 (4) (a), a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 9376 Cottonwood Road (PID: 004-156-676). [BL3815]

(l) Despite section 56 (4)(a), a maximum of 2 residential buildings, with a total combined

- maximum of 2 dwelling units, is permitted on 6353 Genoa Bay Road (PID: 001-165-283) [BL3847]
- (m) Despite section 56(4)(a) a maximum of 2 residential buildings, with a total combined maximum of 2 dwelling units, is permitted on 8921 Chemainus Road (PID: 029-612-829) [BL3852]
- (n) Despite section 56(4)(a) above, a total combined maximum of two dwelling units within a maximum of two residential buildings is permitted on 1211 Barnes Road (PID: 000-006-793) [BL3911]
- (o) Despite section 56(4)(a) above, a total combined maximum of two dwelling units within a maximum of two residential buildings is permitted on 1935 Maple Bay Road (PID: 001-526-031) [BL3944]
- (p) Despite section 56(4)(a), a total combined maximum of two dwelling units within a maximum of two residential buildings is permitted on 6344 Woodgrove Way (PID 026-674-301). [BL3919]
- (q) Despite section 56(4)(a) above, a total combined maximum of two dwelling units within a maximum of two residential buildings is permitted on 6495 Wicks Road (PID: 003-405-966). [BL3974]
- (r) *[reserved for BL4010]*
- (s) Despite section 56(4)(a), a total combined maximum of two dwelling units within a maximum of two residential buildings is permitted on 3118 Drinkwater Road (PID: 001-526-031). [BL3988]

Maximum Lot Coverage

- (5) The maximum permitted lot coverage of the R1 zone is 30% of the lot area.

Minimum Setbacks

- (6) The minimum permitted setbacks for the R1 zone are as follows:
 - (a) Principal Buildings
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')
 - (b) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 3.0 m (9.84')
 - Yard, Rear, 3.0 m (9.84')
- (6.1) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a public road other than a lane is 5.8 m (19.03'). [BL3150]

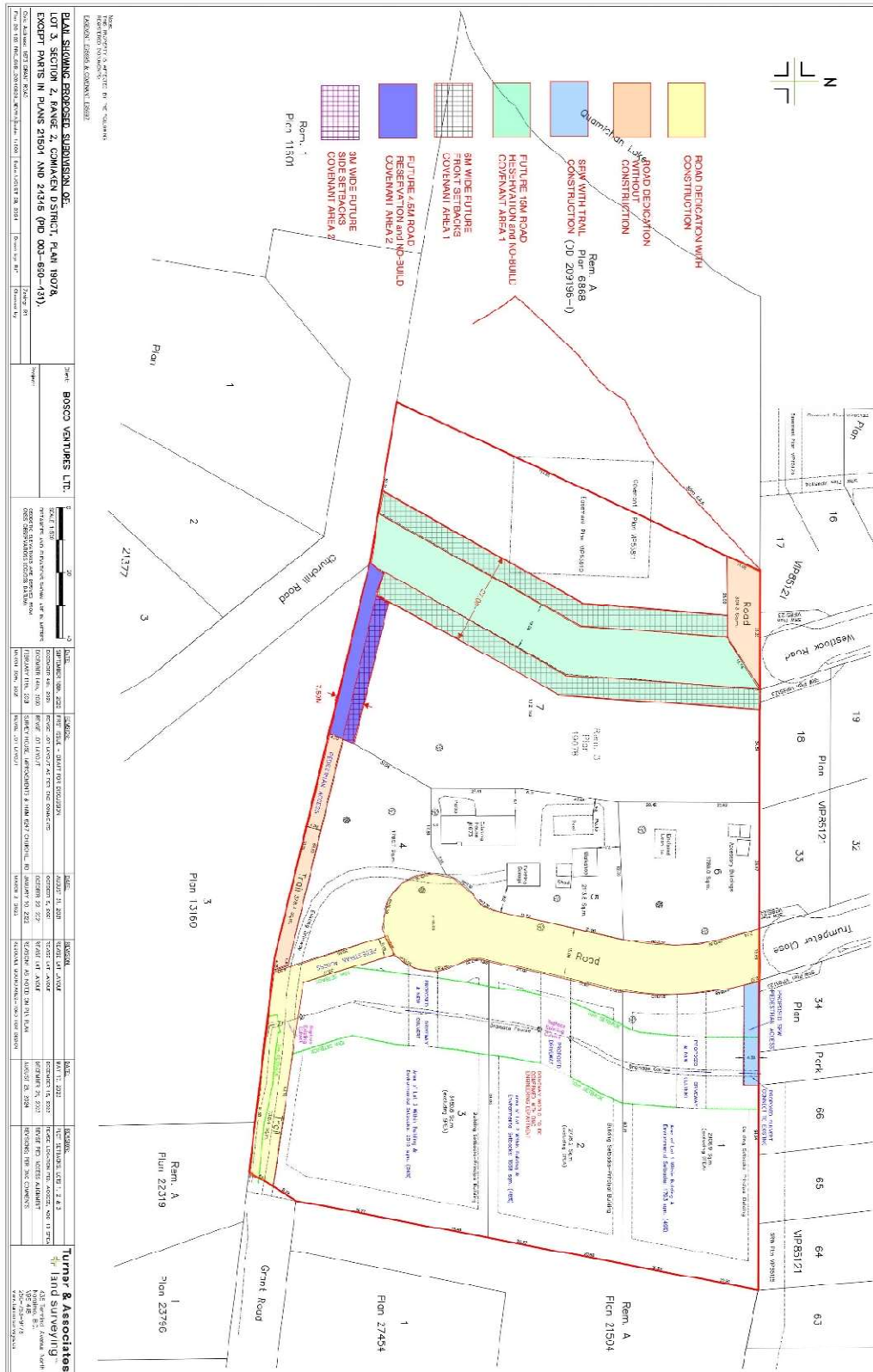
Maximum Building Height

- (7) The maximum permitted building heights for the R1 zone are as follows:
 - (a) Principal Buildings, 9.0 m (29.53')
 - (b) Accessory Buildings, 5.0 m (16.40')

Conditions of Use

- (8) The conditions of use for the R1 zone are as follows:
- (a) [Repealed. BL3891]
 - (b) [Repealed. BL3891]
 - (c) [Repealed. BL3891]
 - (d) Bed and breakfast uses may have no more than six sleeping units.
 - (e) [Repealed. BL3758]
 - (f) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that the number of residents does not exceed ten, including resident staff,
 - (ii) the use is within a single-family dwelling unit only,
 - (iii) valid health permits for septic systems or on-site wastewater treatment systems are obtained, where no municipal sewer is available. [BL3302]
 - (g) Limited farm sale of agricultural products may be sold directly to the public provided that:
 - (i) a minimum of 50% of the agricultural products offered for sale are produced on the land;
 - (ii) the covered retail sales area does not exceed 100 m² (1076.4 sq. ft.); and
 - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]
 - (h) [Repealed. BL3367]
 - (i) Despite 56(1), 56(4), 56(5) and 56(7), "apartment" is a permitted use at 8272 Crofton Road (PID: 001-024-817), with a maximum density of floor space ratio 1:1, maximum lot coverage of 40%, and maximum principal building height of 11m. [BL4002]

SCHEDULE 1: Proposed Plan of Subdivision



- (b) Accessory Buildings, 5.0 m (16.40')

Conditions of Use

- (8) The conditions of use for the R1-BM zone are as follows:
 - (a) Bed and breakfast uses may have no more than six sleeping units.
 - (b) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that the number of residents does not exceed ten, including resident staff,
 - (i) the use is within a single-family dwelling unit only,
 - (ii) valid health permits for septic systems or on-site wastewater treatment systems are obtained, where no municipal sewer is available. [BL3302]
 - (c) Limited farm sale of agricultural products may be sold directly to the public provided that:
 - (i) a minimum of 50% of the agricultural products offered for sale are produced on the land;
 - (ii) the covered retail sales area does not exceed 100 m² (1076.4 sq. ft.); and
 - (iii) the retail sales are clearly ancillary to the farm use. [BL3083]

Residential Restricted Zone (R2)

[BL3150, BL3302, BL3323, BL3674, BL3891]

Permitted Uses

- 57** (1) The permitted uses for the R2 zone are as follows:
- Assisted Living
 - Bed and Breakfast
 - Community Care Facility
 - Detached Accessory Dwelling Unit
 - Home-based Business
 - Multi-Family Residence
 - Secondary Suite
 - Single-Family Dwelling
 - Supportive Housing [BL3302, BL3323, BL3674]
 - Two-Family Dwelling

Minimum Lot Size

- (2) The minimum permitted lot size for the R2 zone is 890 m² (9,580 sq. ft.).

Minimum Frontage

- (3) The minimum permitted frontage for the R2 zone is 21.0 m (68.90').

Density

- (4) The maximum permitted density for the R2 zone is as follows:
 - (a) The number of residential buildings shall not exceed one, except where the principal residential building consists of a single-family dwelling with or without a secondary suite, in which case one detached accessory dwelling unit is also permitted.
 - (b) The number of dwelling units shall not exceed:
 - (i) Three in the case of lots that are less than 280 m² (3,014 sq. ft.) in area.
 - (ii) Four in the case of lots that are at least 280 m² (3,014 sq. ft.) but not more than 4,050 m² (1 acre) in area.
 - (v) Two in the case of lots that are greater than 4,050 m² (1 acre) in area.

Maximum Lot Coverage

- (5) The maximum permitted lot coverage of the R2 zone is as follows:
 - (a) 30% of the lot area where a lot contains one residential building and up to two dwelling units.
 - (b) 35% of the lot area where a lot contains three or more dwelling units or contains a detached accessory dwelling unit.

Minimum Setbacks

- (6) The minimum permitted setbacks for the R2 zone are as follows:
 - (a) Principal Buildings
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 1.5 m (4.92')
 - Yard, Side when adjacent to a lane or street, 3.0 m (9.84')
 - Yard, Rear, 8.0 m (26.25')
 - (b) Accessory Buildings and Structures (Excluding Fences)
 - Yard, Front, 6.0 m (19.68')
 - Yard, Side, 1.0 m (3.28')
 - Yard, Rear, 1.5 m (4.92')
- (6.1) The minimum permitted setback from the vehicle entrance of a principal or accessory building to a public road other than a lane is 5.8 m (19.03'). [BL3150]

Maximum Building Height

- (7) The maximum permitted building heights for the R2 zone are as follows:
 - (a) Principal Buildings, 9.0 m (29.53')
 - (b) Accessory Buildings, 5.0 m (16.40')

Conditions of Use

- (8) The conditions of use for the R2 zone are as follows:
 - (a) [Repealed. BL3891]
 - (b) [Repealed. BL3891]
 - (c) [Repealed. BL3891]
 - (d) Assisted Living, Supportive Housing, and Community Care Facilities may be permitted provided that
 - (i) the number of residents does not exceed three, and
 - (ii) the use is within a single-family dwelling unit only. [BL3302]
 - (e) Bed and Breakfast uses may have no more than three sleeping units. [BL3323]
 - (f) Bed and Breakfast uses in a single-family dwelling must be an accessory use and shall not be the principal use. [BL3302; BL3323]

November 1, 2022

Municipality of North Cowichan
7030 Trans Canada Highway
Duncan, BC
V9L 6A1

Dear North Cowichan Staff

RE- Rezoning from R1 to R2.

1673 Grant Road

SUB00183

Please find enclosed all the documents for our application for a rezoning from R1 to R2 and an Official Community Plan Amendment.

My husband and I purchased this 8.37 acre property over 30 years ago. We live on the adjoining 2.5 acre lot at 6247 Churchill Road, and have lived there for over 30 years. When we purchased this property 30 years ago, we have always had plans to subdivide this property as we approached retirement. We are also wanting to subdivide lots so our children can move onto the property and we would then be able to age in place, as our children would be nearby to assist us in our elderly years.

We currently have a PLA in place to subdivide our property into 7 lots (SUB00183). We are finalizing our plans with the engineers and planning staff at North Cowichan. We expect to start the construction process in early spring, as soon as the weather permits. The subdivision is definitely proceeding the only question is the number of lots based on the zoning. We would like to increase the density of this subdivision from R1 to R2 so we can produce 14 lots instead of the 7 lots with the current zoning.

This property was previously included in the Urban Containment Boundary (UCB) area. With the adoption of the new Official Community Plan, we have had this property and 3 other properties removed from the UCB. A total of 4 properties.

The rezoning meets the goals of the OCP and the compelling reasons for moving this property from R1 to R2 are as follows (*any phrases in this font/format have been copied directly from the OCP*):

- The new OCP states - *The compromise is allowing for higher density development in existing centres where people and services are already located*. The new OCP is asking for higher density. This is what we are proposing.
- Further, as in the previous paragraph the OCP wants to restrict growth to where the services are already located. This is very much the situation here. Currently all the services are next door in the Trumpeter Point subdivision: sewer, natural gas, hydro, Telus, and Shaw. We are extending

those services into our 7-unit subdivision. It is extremely simple to just add 7 more connections to allow for the 14-unit subdivision.

- The new OCP states Maximize opportunities for transit by locating denser development projects along transit corridors. - This property is already serviced by the local transit. BC Local transit is available on Maple Bay Road, which is approximately 200 metres from the site.
- The new OCP States - Focusing development in areas that can absorb growth efficiently has the added benefit of concentrating service delivery and taking maximum advantage of the servicing and facilities we have in place. As stated in the previous paragraph, the subdivision supports what the OCP is also trying to achieve here. More densification achieves this OCP objective.
- Increasing from 7 units to 14 units does not alter or increase the road structure.
- Increasing to 14 units is a financial victory for North Cowichan as developers must pay more development fees as the number of lots are doubled, and more property taxes will be collected annually with 14 lots as opposed to 7 lots.
- OCP - Although the detached single-family house is the predominant housing form in North Cowichan, demand is increasing for smaller homes on smaller lots. Allowing 14 units to be developed, will reduce the individual selling prices of the lots, and assist with the affordable housing objective.
- OCP - Make the most effective use of land and provide a variety of housing unit sizes and types within development proposals. Providing 14 housing sites instead of 7, is a more effective use of the lands.
- The total lot size of the parcel of 1673 Grant Road, is 8.37 acres. We are only proposing to develop lots on approximately 60% of the property. The remaining 40% of the property is remaining undeveloped as 1 big lot. This will assist in providing greenspace and the rural character of the area, in keeping with the OCP. We will continue to farm this area as we have over the past 30 years and provide for food sustainability which is another goal of the OCP.
- OCP - Smaller units and attached units are typically more energy efficient and increasing these as a proportion of overall housing supports North Cowichan's climate action goals. This form of infill and densification is within the context and objectives of the official community plan.
- The increase in lots from 7 to 14 will have no affect on altering the community character. This subdivision can not be seen from Maple Bay Road, and will not alter the picturesque view when driving down the Maple Bay Road.
- This parcel of property adjoins Trumpeter point, which is an award-winning subdivision. Trumpeter Point is currently zoned R2. Allowing us to rezone to R2 like our neighbours, will just be viewed as an extension of the current neighbourhood. We want to continue the existing design of the current neighbourhood which has R2 zoning.
- The provincial government is also trying to create more housing: Housing Minister David Eby said there is a "huge amount of pressure" for B.C. to create more housing as migration from other parts of the country is at a 30-year high and vacancy rates are at an all-time low.

I honestly can not think of any compelling reasons, why not to allow 14 units instead of 7. The property is going to be developed and it appears to make common sense to allow a higher density as this is what is within the framework of the new official community plan. The OCP supports densification and wants development in areas where the services are offered, and does not want urban sprawl. This application from R1 to R2 is therefore consistent with the ideals of the OCP and we hope you are in favour of this application to help produce more affordable housing in this community.

I would like to thank you very much for considering our application.

Sincerely

A handwritten signature in black ink, appearing to read 'Margo Young', with a stylized, cursive script.

Margo Young

250-246-8459 cell

margo@margoyoung.ca

September 5, 2025

Municipality of North Cowichan
7030 Trans Canada Highway
Duncan, BC
V9L 6A1

Supplementary Letter of Rationale

Re: Rezoning from R1 to R2.

1673 Grant Road
SUB00183

North Cowichan Staff and Council:

This letter is to supplement our “*Letter of Rationale*” as initially submitted with this application on Nov 1, 2022.

All of the rationale items in that letter remain valid and extant; indeed, we would argue that in many ways, the urgency of the crisis in housing affordability has deepened since that letter was submitted.

We would offer a few additional comments here to provide further rationale for this application.

- Our original request sought to rezone the entire property from R1 to R2, increasing density from 7 to 14 units. After listening to community feedback, we have reduced this request. The rezoning now applies only to a portion of the property and proposes a modest increase to 11 units in total—just 4 more than currently allowed. Within the rezoned area, density would rise from 3 to 7 lots.
- We recognize that no homes can be built on the 4 additional lots until sewer capacity along Maple Bay Road is upgraded. A Section 219 restrictive covenant will be placed on these lots to ensure compliance.
- A large part of the rationale for this application speaks to “affordability.” The smaller lots will be more affordable, in line with recent Provincial mandates (and North Cowichan’s stated OCP goals) of increasing density and allowing for more housing. This application patently meets these twin policy goals.
- Further to the issue of “affordability”. we have done some preliminary market testing, and there is considerably more interest in purchasing ¼ acre lots under the proposed R2

zoning than there is for the larger ½ acre (R1) lots we currently have. This is largely due to the simple fact that the smaller lots under the proposed R2 zoning would, by their very nature, represent a smaller portion of the overall costs of building homes on those lots. In other words, this application – if approved – would make each individual home built on the subject properties “more affordable.”

- The proposed rezoning would not substantially change the “character” of the neighbourhood, as the adjacent Trumpeter Point development is already zoned R2. (In fact, we would argue that the larger lots under the current R1 designation would be a net negative on the neighbourhood character, with larger lots and potentially larger homes.)
- This package contains an Environmental Review (Nov 7, 2024), which shows the proposed rezoning satisfies environmental requirements. We acknowledge that the physical location of the property, located as it is on land that has historically drained into Quamichan Lake, presents a unique challenge. But the environmental review found that “*sediment and erosion control measures appear to be effective and functioning*”, and that “*stream crossing works are complete*.” Additionally, there would be no further environmental or engineering/infrastructure impacts as we are proposing to connect the additional lots to existing infrastructure that has already been put in place. The existing driveways over the SPEA will not be altered, as they have been designed to accommodate the R1 and R2 zoning.
- Further to environmental concerns, we have also factored in as much green space as possible, and we are proposing to leave the current Lot 11 to provide a large consolidated green space and protect the rural character of the neighbourhood.
- Only single-family homes are planned for this subdivision.

I recently read a quote in the *Cowichan Valley Citizen* (Jan 23) where CAO Ted Swabey described North Cowichan’s financial situation as “dire” with respect to budget planning and the need for more tax revenues. This development would increase the number of lots, which would impact North Cowichan’s financial situation in two ways.

First of all, it would potentially increase the fees the Municipality could collect from this development within the R2 area which is applying for the rezoning. We understand that may be a bit of a spurious argument in that strictly speaking, those “fees” are only supposed to cover the actual costs of planning, engineering, and inspection services, but the fact remains that there is considerable revenue potential for the municipality embedded in this application.

More importantly, with more dwellings on this land, the potential property taxes to be collected also rise exponentially. One of the things Council looks at when preparing the budget every year is the amount of “new development”; new homes and commercial properties that have been

added to the assessment roll since the previous year. This proposed rezoning would add to those numbers, and further broaden the property tax base beyond the current R1 zoning.

Also in the *Citizen* (Feb 5), Councillor Justice opines that “sprawling developments demand more public services spread over a larger area, making them less efficient. They also require much more infrastructure per unit of housing.” Which is another reason our proposal makes sense. We are proposing to increase the number of homes in the same footprint as the current R1 zoning, which will halve “the amount of infrastructure per unit of housing.”

We also acknowledge that there have been expressions of concern from some people in the community with respect to the possibility of increased density beyond the units that are being envisioned in this application. We want to be as clear as possible on this: our vision for this development does *not* include that level of increased density. There is no sewer capacity at this time to increase the density beyond what we currently have. Further, in listening to the neighbours, we have reduced this subdivision from the original 14 lots we were requested down to 11. We are open to discussing any other creative ways to achieve this goal if staff or Council have any suggestions to make in this regard.

We have also reviewed the interim community amenity contribution policy and agree to make the contributions on the additional 4 lots generated from this rezoning application for the short-term infrastructure financial contribution which is 3 times the current DCC rate. Therefore, we will end up paying 4x the DCC rate on these lots. Further, from the current PLA we will have to make a cash-in-lieu of park dedication equal to 5% of the value of the property along with future road dedications and pedestrian path ways.

Concerning the affordable housing fund, we believe that this responsibility does not rest with the municipal government, and therefore, we will not be making contributions to this fund.

In summary, we would request approval of this rezoning application on the grounds that it contributes to an increase in the affordability of housing stock in North Cowichan (beyond what is envisioned in the current zoning), that it meets both OCP and Provincial policy goals with respect to expanding housing stock, that it will not have a deleterious effect on the neighbourhood or the environment above Quamichan Lake, and that it will provide a net benefit to the District’s finances.

Thank you for giving this your most serious consideration.

A handwritten signature in dark ink, appearing to read 'M. Young', with a stylized, cursive flourish at the end.

Margot Young

Bosco Ventures Ltd.
250-246-8459 cell
margo@margoyoung.ca



ENVIRONMENTAL MONITORING INSPECTION REPORT

PROJECT NAME:	1673 Grant Road, Duncan BC
MONITORING REPORT NUMBER:	EM#4
DATE:	November 7, 2024
TIME ON SITE:	1:30pm
WEATHER:	Clouds, 14°C
AQUAPARIAN MONITOR:	Jeni Rowell, B.Sc. BIT
SITE PERSONNEL:	Brent Arneson, Superior Excavating Ltd Herald Engineering
DISTRIBUTION	brentsuperior@gmail.com Arneson@superiorexcavating.ca margo@margoyoung.ca tlutic@heroldengineering.ca

OBSERVATIONS, DATA, RECOMMENDATIONS:

No.	
4.0	Aquaparian visited the site on November 8, 2024 to check on project progress and to ensure all sediment and erosion control measures are in place and functioning as intended. The crew was completing the road subsurface and compacting it. As understood, trucking of material is complete for now, and then the crew will be working on construction of the curbs including concrete pouring next week. An additional half-day of trucking in material is expected in 10 days. The crew plans to postpone paving of road surfaces until next spring. Culvert installations are complete and have rock-lined dissipation pads at the downstream ends. The crew has completed the waterline installation and backfilling of trenches. All the driveway surfaces have been built up to grade. Sediment and erosion controls identified on site include the following: • Silt fence and snow fence was intact along the SPEA boundaries. All sediment and erosion concerns identified during the last EM report (September 12) have been mitigated with additional silt fencing or by adjusting silt fencing as recommended. • All silt fencing is in good condition, installed correctly, and kept maintained. • A large stockpile of soils has a silt fence installed along the toe and has been seeded to provide erosion control. • Compaction of road surface materials prevents migration of fines during rainfall. Road surface material has high sand content and low fines. • A rock pad at the Trumpeter Close entrance captures dirt from dump truck tires to reduce track-out. Minimal track-out was observed and Brent reported that the street is swept daily.

	Water was flowing through the watercourse and appeared clean and free of fines or turbidity.
4.1	Concrete management for pouring curbs includes the following recommendations: • Uncured concrete is lethal to fish - no uncured concrete or concrete leachate is to enter the watercourse. • Ensure forms are tight-fitting and not overfilled. • Manage concrete wash water to ensure it does not enter the watercourse. • Wash tools and concrete chutes well away (>30m) from the watercourse or any drainages.

UNRESOLVED ISSUES:

No.	
N/A	Risks to the watercourse are low as sediment and erosion control measures appear to be effective and functioning. Stream crossing works are complete.

PHOTOS:



Photo 1: Looking north towards Trumpeter Close showing road construction underway and silt fence in place to protect the watercourse.

Photo 2: Looking south at outlet of the northernmost driveway culvert outlet. Waterline installed and backfilled. Driveway subsurface complete.

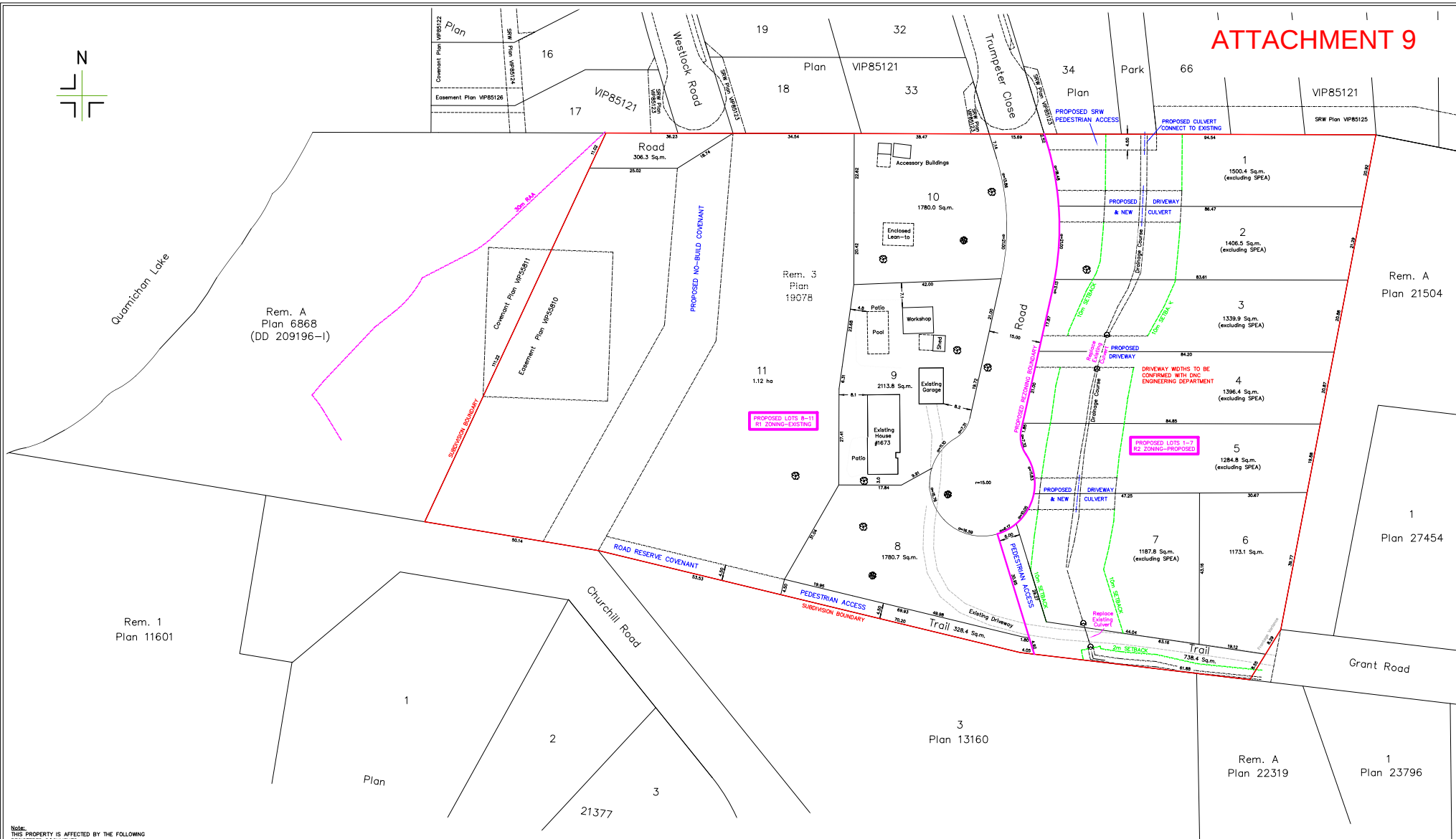




Photo 3: Showing stream flowing clear with no visual turbidity.

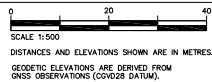


Photo 4: Soil pile has been seeded with grass seed to control surface erosion. Silt fence along toe of pile to prevent migration of fines towards the watercourse.



Civic Address: 1673 GRANT ROAD				Existing Zoning: R1
File: 20-122 PRO_SUB_20250903	Scale: 1:500	Date: SEPTEMBER 3, 2025	Drawn by: RJT	Proposed Zoning: R1 & R2

Project	
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DATE:	REVISION:
OCTOBER 11th, 2024	FIRST ISSUE
FEBRUARY 18, 2025	R2 ZONING & REVISE UCB
JULY 7, 2025	REVISE REZONING BOUNDARY & LOT CONFIGURATION
SEPTEMBER 3, 2025	TEXT EDIT

REVISION:
FIRST ISSUE
R2 ZONING & REVISE UCB
REVISE REZONING BOUNDARY & LOT CONFIGURATION
TEXT EDIT

DATE:	REVISION:
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	REVISION
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Turner & Associates
land surveying inc.
435 Terminal Avenue North
Nanaimo, B.C.
V9S 4J8
250-753-9778
www.turnersurveys.ca



The Corporation of the District of North Cowichan

Official Community Plan Amendment Bylaw

BYLAW NO. 4033

A bylaw to amend Official Community Plan Bylaw No. 3900 to include a portion of 1673 Grant Road within the UCB and redesignate it from Rural Residential to Residential Neighbourhood.

WHEREAS Council has considered the Interim Housing Needs Report 2024 for the Municipality of North Cowichan,

AND WHEREAS Council has considered consultation under Sections 475 and 476 of the *Local Government Act*,

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

1 This Bylaw may be cited as "*Official Community Plan Amendment Bylaw No. 4033, 2025*".

Amendment

2 Official Community Plan Bylaw No. 3900, 2022 is amended by redesignating a portion of 1673 Grant Road (PID: 003-690-431) in Schedule "A", Appendix 1: Maps, Map 2 [*Growth and Land Use Management*] from Rural Residential to Residential Neighbourhood and realigning the Urban Containment Boundary in Map 2 [*Growth and Land Use Management*] to include this same portion of 1673 Grant Road, as shown in Schedule 1, attached to and forming part of this Bylaw.

 READ a first time on _____

READ a second time on _____

CONSIDERED in conjunction with the North Cowichan 2025 Five Year Financial Plan, in accordance with section 477(3)(a) of the *Local Government Act* on _____.

Notice that a public hearing is scheduled for this bylaw was posted to the municipality's public notice board and on the municipality's website on _____, 202_, and advertised on the municipality's social media site on _____, 202_, and in the Cowichan Valley Citizen on _____, 202_.

CONSIDERED at a Public Hearing on _____.

READ a third time on _____.

COVENANT registered on _____.

ADOPTED on _____.

 CORPORATE OFFICER

 PRESIDING MEMBER

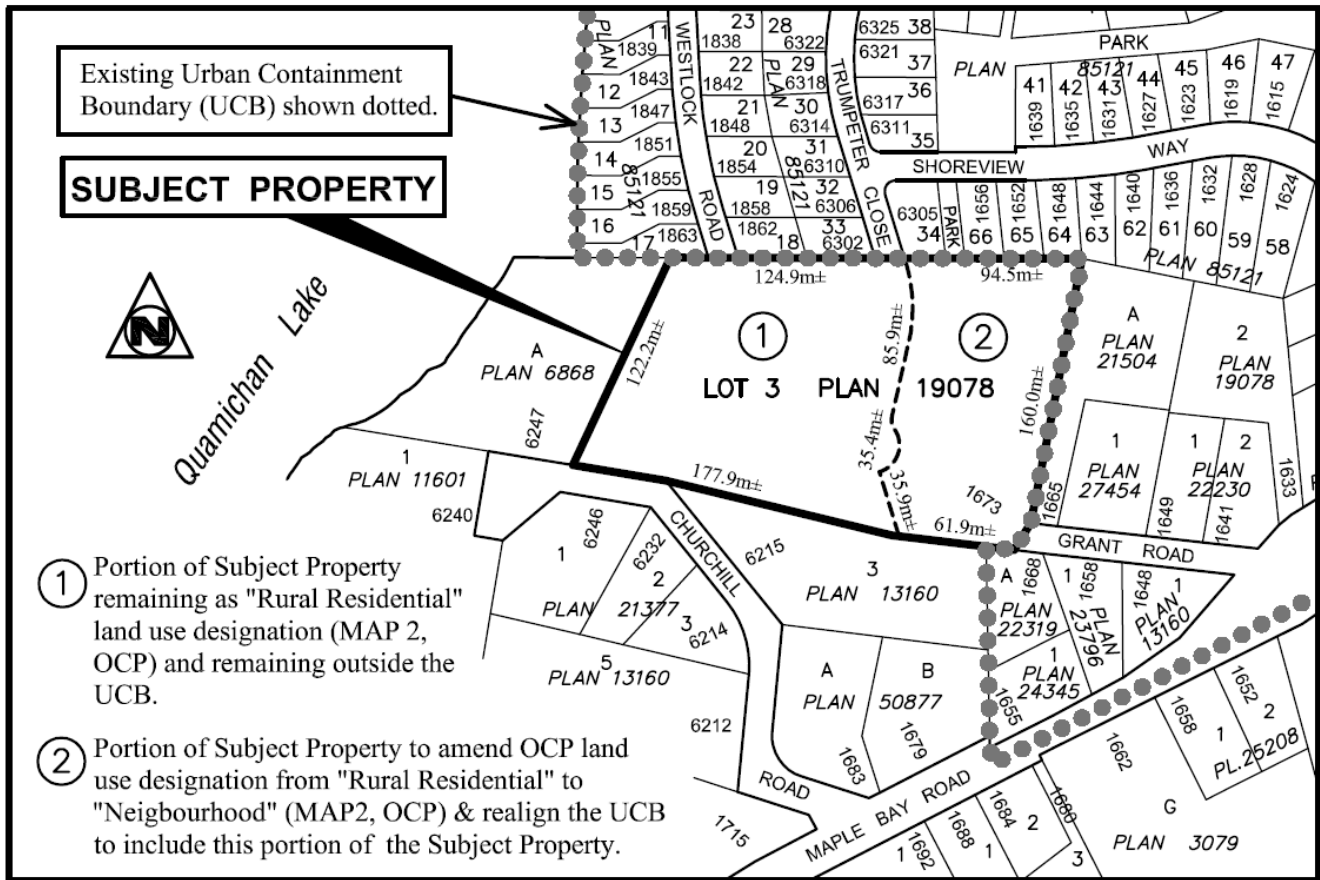
Schedule "1" to accompany "Official
Community Plan Amendment Bylaw No.
4033, 2025".

Presiding Member

Corporate Officer

SCHEDULE "1"

"SCHEDULE A - APPENDIX 1: MAPS, MAP 2 [GROWTH AND LAND USE MANAGEMENT]"





The Corporation of the District of North Cowichan

Zoning Amendment Bylaw

BYLAW NO. 4034

A bylaw to amend Zoning Amendment Bylaw No. 2950, 1997 to reclassify a portion of 1673 Grant Road from R1 to R2

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

- 1 This Bylaw may be cited as "*Zoning Amendment Bylaw No. 4034, 2025*".

Amendment

- 2 Zoning Bylaw 1997, No. 2950, Schedule "C" be amended by reclassifying a portion of 1673 Grant Road (PID: 003-690-431) from Residential Rural Zone (R1) to Residential Restricted Zone (R2), as shown in Schedule 1 attached to and forming part of this Bylaw.

 READ a first time on _____

READ a second time on _____

Notice that a public hearing is scheduled for this bylaw and was posted to the municipality's public notice board and on the municipality's website on _____, 202_, and advertised on the municipality's social media site on _____, 202_, and in the Cowichan Valley Citizen on _____, 202_.

CONSIDERED at a Public Hearing on _____.

READ a third time on _____.

COVENANT registered on _____.

ADOPTED on _____.

 CORPORATE OFFICER

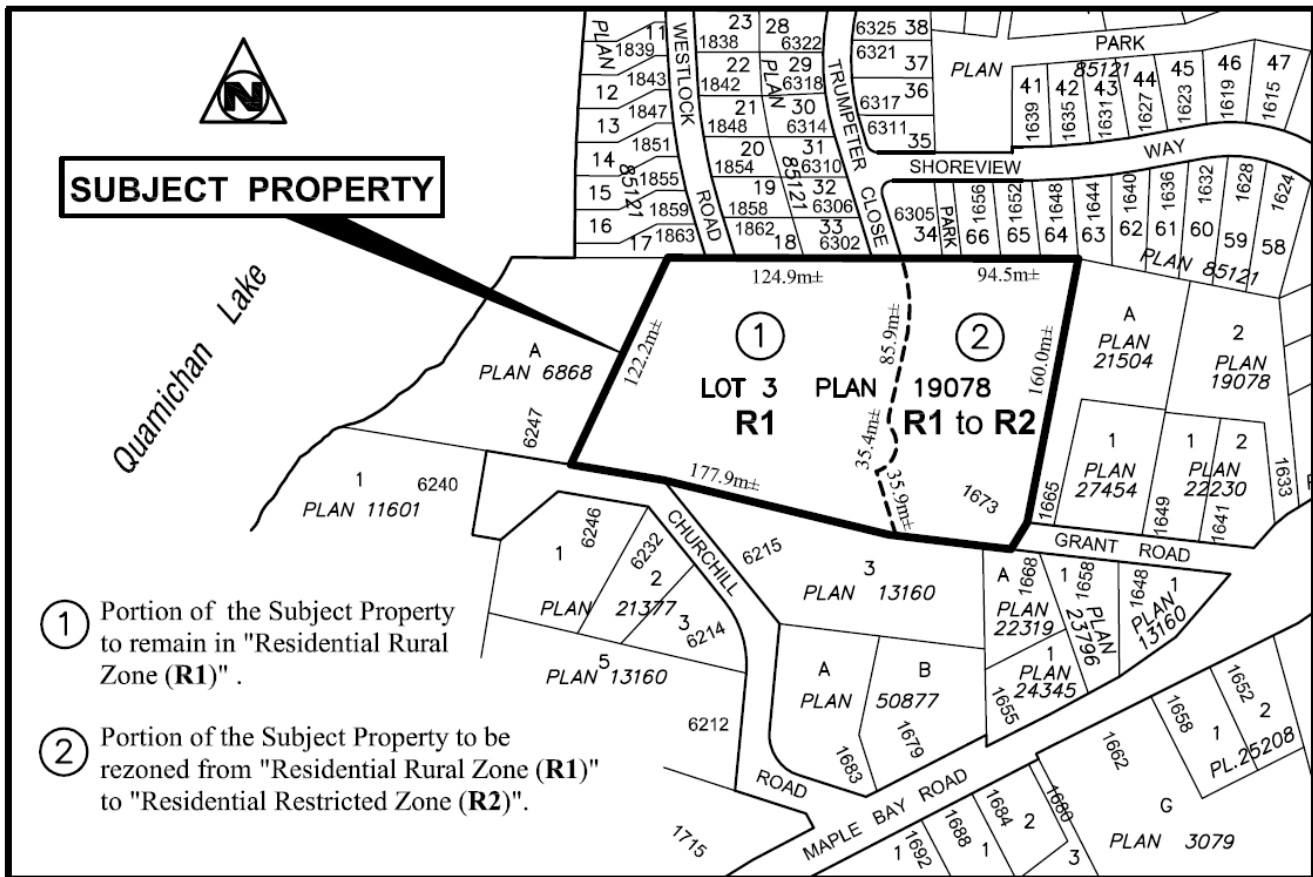
 PRESIDING MEMBER

Schedule "1" to accompany "Zoning
Amendment Bylaw No. 4034, 2025".

Presiding Member

Corporate Officer

SCHEDULE "1"



Report

Date 10/15/2025

File: n/a

Subject Scheduling of a Public Hearing

PURPOSE

To request that Council schedule a Public Hearing for November 5, 2025.

BACKGROUND

There could be as many as six Public Hearings scheduled for November 19, 2025, several of which are anticipated to garner significant public interest. There is a concern that the Council Chambers and available overflow space may be inadequate to accommodate the anticipated number of public members who may want to attend these meetings. Additionally, it is anticipated that if these public hearings are all held at the same time, the hearing will be quite lengthy, and it is imperative that everyone who wishes to speak to the proposed bylaws be given that opportunity.

DISCUSSION

The Council Procedures Bylaw section 4.1 states, "meetings for conducting a Public and Statutory Hearing Meeting shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by Council."

Due to space constraints within Council Chambers and to respect the time of members of the public wishing to participate in the Public Hearings as well as Council and staff time, it is proposed that Council resolve to hold a Public Hearing at 7:00 p.m. on November 5, 2025, for Zoning Amendment Bylaw No. 4015, 2025 (Hand of Man Museum), and Official Community Plan (OCP) Amendment Bylaw No. 4033 and Zoning Amendment Bylaw No. 4034 (1673 Grant Road).

Statutory notice of the Public Hearing will be provided in accordance with the requirements of the *Local Government Act*.

OPTIONS

1. **(Recommended Option)** THAT Council directs staff to schedule a public hearing for November 5, 2025, at 7:00 p.m., for Bylaw No. 4015, Bylaw No. 4033 and Bylaw No. 4034.

This would allow these three bylaws to proceed to Public Hearing on November 5 rather than November 19.

2. THAT Council declines to schedule a public hearing for November 5, 2025.
 - All bylaws anticipated to be ready for public hearing will go to public hearing on November 19, 2025, or some will need to be delayed to December 17.

COUNCIL RESOLUTIONS

6.1.2 Proposed Kingsview/Donnay Drive Childcare Facility

Sheila Leadbetter provided a presentation regarding concerns about the proposed Kingsview/Donnay Drive Childcare facility.

6.2 Petitions

6.2.1 Petition against - OCP Amendment for a portion of 1673 Grant Road

Catherine Worthingham provided a presentation and submitted a petition containing 68 signatures *"to oppose the proposed OCP amendment OCP00021 which would rezone 1673 Grant Rd from R1 to R2 and move it into the Urban Containment Area, thus allowing for an increased number of lots to be added the current proposed subdivision and opening it up to the building allowances in Bill 44."*

7. BYLAWS

7.1 Zoning Amendment Bylaw No. 4015, 2025 for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

1. Gives first and second readings to Zoning Amendment Bylaw No. 4015, 2025, and,
2. Directs staff to schedule a public hearing.

CARRIED

7.2 OCP Amendment Bylaw No. 4033 and Zoning Amendment Bylaw No. 4034 for first and second reading

IT WAS MOVED AND SECONDED:

THAT Council denies

- a. Application OCP00021 to amend Official Community Plan No. 3900, 2022, to redesignate a 1.24 ha (3.1 acre) portion of 1673 Grant Road from *Rural Residential* to *Residential Neighbourhood* and extend the Urban Containment Boundary accordingly; and,
- b. Application ZB000197 to amend Zoning Bylaw No. 2950, 1997, to reclassify the same 1.24 ha (3.1 acre) portion of 1673 Grant Road from Residential Rural (R1) to Residential Restricted (R2) zone. (Opposed: Findlay, Hogg, Manhas and Caljouw)

DEFEATED

IT WAS MOVED AND SECONDED:

(1) THAT Council has:

- (a) considered the Interim Housing Needs Report 2024 for the Municipality of North Cowichan in relation to Official Community Plan Amendment Bylaw No. 4033, 2025;
- (b) considered consultations under Section 475 of the *Local Government Act* in relation to Official Community Plan Amendment Bylaw No. 4033, 2025 and determine that the interests of School District 79 may be affected and should receive a written request for consultation;
- (c) considered consultations under Section 475 of the *Local Government Act* in relation to Official Community Plan Amendment Bylaw No. 4033, 2025, and

determined that the consultation under that section does not need to be early and ongoing; and,

- (d) consulted under Section 476 of the *Local Government Act* with School District 79 in relation to Official Community Plan Amendment Bylaw No. 4033, 2025.

(Opposed: Justice, Istace and Douglas)

CARRIED

IT WAS MOVED AND SECONDED:

- (2) THAT Council gives first reading to Official Community Plan Amendment Bylaw No. 4033, 2025.

(Opposed: Justice, Istace and Douglas)

CARRIED

IT WAS MOVED AND SECONDED:

- (3) THAT Council has:

- (a) considered Official Community Plan Amendment Bylaw No. 4033, 2025, in conjunction with the North Cowichan 2025 Five-Year Financial Plan; and,
(b) considered Official Community Plan Amendment Bylaw No. 4033, 2025, in conjunction with the Cowichan Valley Regional District Solid Waste Management Plan (as amended) and the Cowichan Valley Regional District Central Sector Liquid Waste Management Plan.

(Opposed: Justice, Istace and Douglas)

CARRIED

IT WAS MOVED AND SECONDED:

- (4) THAT Council gives second reading to Official Community Plan Amendment Bylaw No. 4033, 2025.

(Opposed: Justice, Istace and Douglas)

CARRIED

IT WAS MOVED AND SECONDED:

- (5) THAT Council gives first and second reading to Zoning Amendment Bylaw No. 4034, 2025.

(Opposed: Justice, Istace and Douglas)

CARRIED

IT WAS MOVED AND SECONDED:

- (6) THAT Council directs staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 4033, 2025, and Zoning Amendment Bylaw No. 4034, 2025.

(Opposed: Justice, Istace and Douglas)

CARRIED

IT WAS MOVED AND SECONDED:

THAT the following motion:

THAT Council, prior to considering final adoption of Zoning Amendment Bylaw No. 4034, 2025, requires the owner/developer to secure three times the Development Cost Charges rate toward the 'Short-term Infrastructure Fund' and provide financial contributions toward the 'Affordable Housing Fund' as per the draft Interim Community Amenity Contribution Policy, for any residential unit within the proposal area of the R2 zoning amendment application of this report (ZB000197) that is above and beyond what is permitted under the current R1 zoning, with payment due with subdivision or prior to building permit issuance as applicable, and secured through a section 219 covenant agreement.

be amended to delete the words "and provide financial contributions toward the 'Affordable Housing Fund'"

(Opposed: Hogg, Istace, Caljouw, Douglas)

DEFEATED

IT WAS MOVED AND SECONDED:

(7) THAT Council, prior to considering final adoption of Zoning Amendment Bylaw No. 4034, 2025, requires the owner/developer to secure three times the Development Cost Charges rate toward the 'Short-term Infrastructure Fund' and provide financial contributions toward the 'Affordable Housing Fund' as per the draft Interim Community Amenity Contribution Policy, for any residential unit within the proposal area of the R2 zoning amendment application of this report (ZB000197) that is above and beyond what is permitted under the current R1 zoning, with payment due with subdivision or prior to building permit issuance as applicable, and secured through a section 219 covenant agreement. CARRIED

7.3 Animal Responsibility Amendment Bylaw 4036, 2025, for first three readings

IT WAS MOVED AND SECONDED:

THAT Council gives first, second and third reading to Animal Responsibility Amendment Bylaw No. 4036, 2025. CARRIED

8. NEW BUSINESS

8.1 Motion for an analysis of the financial impact on taxpayers of possible upper phases of the Kingsview development project

IT WAS MOVED AND SECONDED:

THAT Council to ensure taxpayers are not unfairly burdened with unanticipated high costs to the municipality of any possible future phases of the Kingsview development project, Council will require a fiscal impact analysis before considering an extension of the Phased Development Agreement (PDA). This analysis must compare projected tax and fee revenues with all the eventual costs to the municipality - including, but not limited to, maintaining infrastructure, providing basic services, and paying for any unrecovered capital expenditures - to determine the net financial impact on municipal taxpayers. (Opposed: Manhas, Findlay) CARRIED

9. NOTICE OF MOTIONS

9.1 Remedial Action Requirement – Twin Gables Property (1508 & 1524 Joan Avenue, Crofton)

Mayor Douglas introduced the following motion which Council will consider at the October 15, 2025 Regular Council meeting:

"WHEREAS the properties located at 1508 and 1524 Joan Avenue in Crofton appear to be in poor physical condition; and
WHEREAS Council has received concerns from members of the public regarding the appearance and condition of these properties; and
WHEREAS Section 26, Part 2, Division 1 of the Community Charter provides local governments with the authority to require property owners to address issues related to safety and nuisance; and