



**NOTICE OF ELECTORAL AREA I – YOUNBOU/MEADE CREEK
ADVISORY PLANNING COMMISSION MEETING**

Date: Tuesday, November 26, 2024

Place: Youbou Community Hall, Upper Hall

8550 Hemlock Street, Youbou

Time: 2:00 PM

1. APPROVAL OF AGENDA

2. ADOPTION OF MINUTES

M1. Electoral Area I – Youbou/Meade Creek, Advisory Planning Commission Meeting minutes of July 19, 2024.

3. ITEMS OF BUSINESS

R1. Referral Report from the Development Services Division Re: Application No. RZ23I01 for 8930 Meades Creek Road.

4. ADJOURNMENT



DATE: 2024-07-19

TIME: 9:00 a.m.

MINUTES of the Electoral Area I (Youbou/Meade Creek) Advisory Planning Commission held on the above-noted date and time on Webex.

PRESENT: Chair: Joelle Belanger
Vice Chair: Stephanie Harper
Secretary:
Members: Cheryl Morgan, Larry Leischner

ALSO PRESENT: Director: Karen Deck
Guests: Alison Garnett, CVRD

ABSENT: Staci Nelson, Shawn Carlow

APPROVAL OF AGENDA:

MOTION CARRIED

ORDER OF BUSINESS:

1. Referral Item: Area I Youbou/Meade Creek Local Area Plan

MOTION:

It was moved and seconded that the APC forward the following comments regarding Local Area Plan - Step 2 Planning to the CVRD:

1. The desire is to have a thriving community, with more affordable housing, including rental housing and housing for families.
2. Supports Scenario 1 growth rate and overall increase in development for the community.
3. Development of the Youbou Lands PDA is seen as a positive contributor to the community, providing greenspace, diverse housing, infrastructure. If the PDA lapses, the APC supports the language in the Youbou Lands Special Study Area: *that the land use designation be reviewed in consultation with the community's vision.*
4. Transportation as a Complete Community lens is not considered the most important of the lenses, as it is a rural area that assumes personal vehicle and investment in public transit is not justified due to population. This may change should development of Youbou Lands PDA occur.
5. Desire for active transportation routes throughout the community and connecting parts of the community.
6. Encourage cooperation with Ts'uubaa-asatx and Town of Lake Cowichan.
7. Growth in population is needed in order to increase access to daily needs (daycare, school).

8. Supports attracting private school or arts and culture facilities to the area, to encourage future growth.
9. Recommends to the CVRD to encourage development of the Youbou Lands PDA.
10. That the LAP vision be revised to include such things as a desire in the future for:
 - housing diversity
 - thriving families
 - aging in place
 - arts & culture
 - tourism

MOTION CARRIED

ADJOURNMENT

MOTION:

It was Moved and Seconded that the meeting be adjourned at 10:44 a.m.

Secretary

Chair



COWICHAN
VALLEY
REGIONAL
DISTRICT

REFERRAL REPORT

DATE OF REPORT October 31, 2024

FROM: Development Services Division
Land Use Services Department

SUBJECT: Rezoning Application RZ23I01 (8930 Meades Creek Rd, PID: 000-677-108)

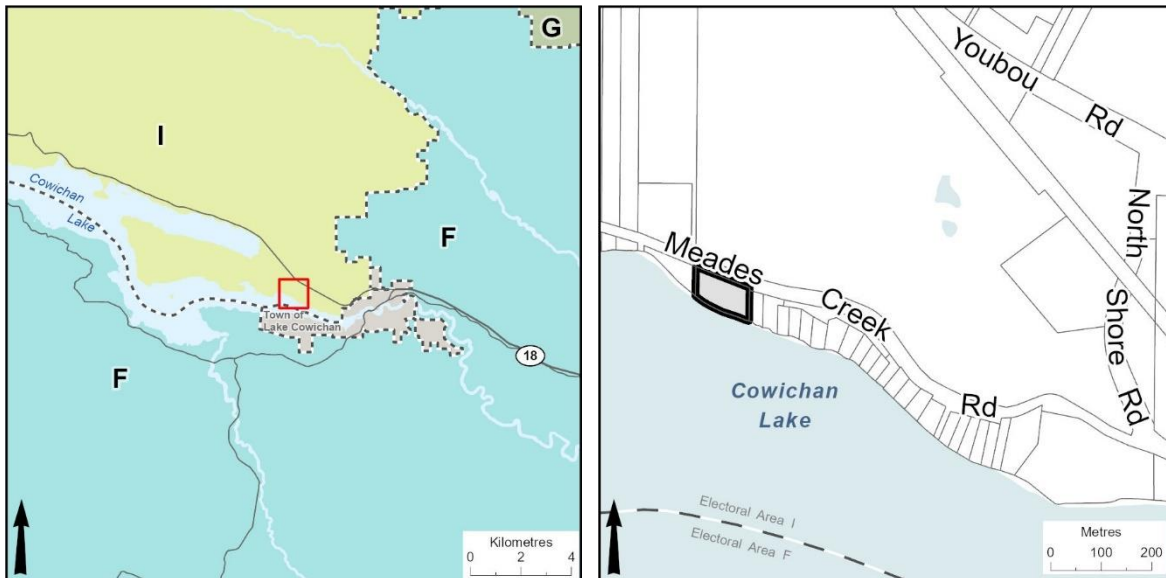
REFERRAL TO: External Agencies and First Nations

FILE: RZ23I01

INTRODUCTION

The purpose of this report is to present an application to rezone the subject property located at 8930 Meades Creek Road (PID: 000-677-108) from R-2 – Suburban Residential 2 to LR-5 – Lakefront Residential 5 to facilitate a two (2)-lot subdivision. The application also requires an Official Community Plan amendment to re-designate the subject property Lakefront Residential.

LOCATION MAP



BACKGROUND

The subject property is a lakefront property located in Electoral Area “I”, with road frontage on Meades Creek Road. The subject property is ± 0.7 hectares (ha) in area and is currently zoned R-2 in the Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465.

The neighbouring properties are an undeveloped CVRD park (Meades Creek Road Park) to the east, a residential parcel to the west, and across Meades Creek Road to the north the parcel is partially forested, with a large gravel pit in the upland portion. The CVRD park and parcels beyond the park to the east are part of a strata subdivision within the LR-5 zone.

Parcels to the west are in the R-2 zone, and the large parcel to the north is split zoned R-2, U-1 – Private Utility 1 and I-2 – Heavy Industrial 2.

There is an existing dwelling on the subject property, two accessory buildings (2-storey garage and shed) and dock. The existing dwelling, shed, and part of the 2-storey garage are sited within the fifteen (15) m setback from the lake. According to BC Assessment, the dwelling was built in 1957, which pre-dates the CVRD.

The property was the subject of a previous application for a Development Permit, CVRD file 10-I-06-DP, for the construction of the garage in the Riparian Assessment Area (RAA). A requirement of the application included the registration of a covenant on title.

The application was considered by the CVRD Board at the September 13, 2023 meeting, and passed the following resolution:

That Application No. RZ23I01 (8930 Meades Creek Road, PID: 000-677-108), be referred to external agencies as outlined in the September 6, 2023, Staff Report to the Electoral Area Services Committee meeting, pending the receipt of the following:

- a. **Submission of a plan identifying a viable building envelope on the proposed new lot, ensuring there is an adequate developable area above the floodplain, and outside of parcel line and watercourse setbacks and the Streamside Protection and Enhancement Area (SPEA);**
- b. **Submission of a geotechnical engineers report that examines the suitability and safety of the identified buildable envelope for the intended residential use;**
- c. **Confirmation that both proposed lots are capable of joining and retaining connection to the private (strata) sewer system, in perpetuity; and**
- d. **Submission of an Official Community Plan amendment application and required fees, to re-designate the parcel to the Lakefront Residential land use designation.**

The applicant has submitted the requested information, including a plan identifying a building envelope (see Attachment C).

CVRD Covenants:

There is one covenant held by the CVRD registered on title of the subject property:

- **Covenant FB130812** – requires protection, preservation and maintenance of the Covenant Area (measured 15 m from the natural boundary of Cowichan Lake) in a natural state. Removal of natural vegetation requires written permission of the CVRD, except where an arborist (or equivalent) has determined a tree is dangerous, or to remove invasive non-native vegetation, with prior notice and approval of the CVRD. Covenant acknowledges existing dwelling and accessory building sited within the Covenant Area.

CVRD mapping indicates the subject property is within a Mature Forest sensitive ecosystem and the Cowichan Lake Floodplain. Lakefront parcels on Cowichan Lake are subject to the provincial *Riparian Areas Protection Regulation* (RAPR).

APPLICATION SUMMARY

The applicant is proposing to rezone the subject property from R-2 – Suburban Residential 2 to LR-5 – Lakefront Residential 5 to facilitate a two (2)-lot subdivision. The proposal also requires an OCP amendment in order to re-designate the property from Suburban Residential to Lakefront Residential.

The applicant proposes to subdivide the parent parcel into two lots – Proposed Remainder Lot 1 measured to be 0.3782 ha (3782.4 m²) and Proposed Lot 2 measured to be 0.2686 ha (2686.8 m²) in area. The existing dwelling and accessory buildings would be located on the Proposed Remainder Lot.

There is an onsite septic system for the existing dwelling. The applicant proposes to connect to the private sewer system that provides servicing to the strata subdivision to the east.

POLICY & REGULATORY CONSIDERATIONS

[Official Community Plan for the Electoral Areas Bylaw No. 4270 \(OCP\):](#)

The subject property is regionally designated Residential in the OCP, Suburban Residential in the [Area I Local Area Plan](#) (LAP) and is within the Youbou Growth Containment Boundary (GCB).

Generally, the Residential designation is intended to maintain and generate, through redevelopment, a range of lot sizes that support low and medium density residential development. One objective of the Residential designation is to ensure residential developments are compatible with physical site conditions of slope, soil types and drainage patterns and that natural features are retained and enhanced, with buildings, roads and utilities sited in a manner that preserves the natural landscape and does not negatively impact sensitive natural areas.

In the LAP, the Suburban Residential designation is intended on lands with a minimum parcel size of 2 ha where community water is not provided, and 0.4 ha where community water is provided, whether connected to a community sewer system or not.

An OCP amendment would re-designate the property to Lakefront Residential, which is the current land use designation of existing LR-5 zoned parcels to the east. This designation is intended for residential lakefront development with a density not to exceed six (6) units/ha and should be serviced by a community water system. The current proposal would be equivalent to three (3) units/ha. While there are currently no policies in the Area I LAP for the Lakefront Residential designation, as policies are “*to be considered in the modernization*”, one objective (2.9.7.1) is to ensure that all lands are serviced by community water and sewage systems.

The subject property is within the DPA 1 Riparian Areas Protection, DPA 2 Sensitive Ecosystem Protection, DPA 4 Aquifer Protection, DPA 5 Wildfire Hazard and DPA 6 Floodplain Hazard Development Permit Areas (DPAs). Any future development of the site, including subdivision, would be subject to the DPAs, and a development permit would be required prior to development approval.

[Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465:](#)

The subject property is currently zoned R-2 – Suburban Residential 2, which permits a minimum parcel size of 0.4 ha for parcels connected to a community water system, and 2 ha for parcels not connected to a community water system.

The applicant is proposing to rezone the parcel to the LR-5 – Lakefront Residential 5 zone, which permits one single detached dwelling per parcel, and permits a minimum parcel size of 1600 m² where a parcel is connected to a community sewer system or a private sewer system, as defined in Bylaw No. 2465 as “private utility”.

Section 5.6.8.a requires that all parcels in the LR-5 zone shall be connected to a community sewer system or private sewer systems; Section 5.6.8.b states that no sewage treatment or disposal system shall be constructed in the LR-5 zone.

Bylaw No. 2465 provides the following definitions:

- **“private utility”** means a use and associated works which are privately-owned and provide services such as water and sewer to more than one parcel of land and which do not meet this Bylaw’s definition of “community water system” or “community sewer system”;
- **“community sewer system”** means a system of sewerage works or sewage collection, treatment and disposal which serves 60 residential unit equivalents or more and which is owned, operated and maintained by the Cowichan Valley Regional District or a municipality incorporated under the Local Government Act;

Section 3.20 requires that building or structures shall not be located within 15 m of the high water mark of any watercourse or a lake, unless specified in a Development Permit.

CONCLUSION

We would appreciate receiving any comments and recommendations you may have regarding this application so they can be incorporated into a report that will be prepared for a future Electoral Area Services Committee (EASC) meeting, where the CVRD Area Directors will consider the application. Should you require any further information or have questions regarding the application, please contact the undersigned.

Prepared by:

Jaime Dubyna, Planner III
Phone: 250-746-2587
Email: jaime.dubyna@cvrd.bc.ca
Development Services Division
Land Use Services Department
Cowichan Valley Regional District

Attachments:

- Attachment A – Background Table
- Attachment B – Context Maps
- Attachment C – Proposed Plans (Subdivision, Building Envelope, Driveway)
- Attachment D – Applicant Rationale

BACKGROUND TABLE
File: RZ23I01

Applicant:	Polaris Land Surveying
Registered Property Owner:	Peter Alexander Leckie
Civic Address:	8930 Meades Creek Road
PID & Legal Description:	000-677-108 LOT 1, BLOCK 488, COWICHAN LAKE DISTRICT, PLAN 16811
CVRD Covenants on Title:	FB130812
Size of Existing Parcel(s):	±0.7 ha
Existing Use of Parcel(s):	Residential
Natural Hazards:	Cowichan Lake Floodplain
Archaeological Site:	Potential
Environmentally Sensitive Areas:	Mature Forest
Species at Risk:	None mapped (upland); Cowichan Lake Lamprey (lake)
Watershed:	Cowichan River
Agricultural Land Reserve (ALR):	No
OCP Designation:	Residential, Suburban Residential
Containment Boundary:	Youbou GCB
Development Permit Areas (DPA's):	DPA 1 – Riparian Areas Protection DPA 2 – Sensitive Ecosystem Protection DPA 4 – Aquifer Protection DPA 5 – Wildfire Hazard DPA 6 – Floodplain Hazard
Zoning:	R-2 – Suburban Residential 2
Fire Service:	Cowichan Lake Fire Service Area
Existing Water Service:	Onsite
Existing Sewerage Service:	Onsite
Existing Drainage Service:	Onsite
Proposed Water Service:	Onsite
Proposed Sewer Service:	Private community system
Proposed Drainage Service:	Onsite
<u>Relevant OCP Policies:</u>	
<i>The regional board:</i>	
<ul style="list-style-type: none"> • 3.2.1.2.3 Supports new development in growth containment boundaries consistent with servicing capacity. • 3.2.1.3.2 Supports housing that is consistent with the surrounding context, including character of existing neighbourhoods and rural areas. 	

- **3.2.2.2.4** Discourages development immediately adjacent to a mudflat, marsh or delta area, wetlands, floodplains, important bird breeding areas and at-risk Garry Oak complexes.
- **3.2.2.2.6** Supports retaining areas of mature tree cover and preserving other natural features for all development, particularly any development in environmentally sensitive areas and areas of steep slopes.
- **3.2.2.4.1** Recognizes aquatic habitats and resources as environmentally sensitive sites to be protected and restored.
- **4.1.2.1** Any development should minimize the impact on the natural environment and existing neighbourhoods. Any development should be designed to prevent pollutants from entering into any water system, including surface-water runoff channels, aquifers, groundwater areas, recharge areas and the ocean.
- **4.1.2.3** Development should be consistent with the retention of the visual landscape of natural areas, especially on or near the waterfront, hilltops and ridges and main transportation corridors.
- **4.1.2.4** Development should limit the removal of, or damage to, any of the existing natural vegetation cover.
- **4.1.2.6** No development or site alteration should be permitted on a wetland, in a riparian area or within the buffer zone specified in this bylaw for wetlands and riparian areas.

Relevant Electoral Area I (Youbou/Meade Creek) Local Area Plan policies:

The regional board:

- **2.9.2.1** Supports new designation of lands for residential purposes with the following considerations:
 - a. located within the growth containment boundary;
 - b. buffering between the residence and the Cowichan Lake shoreline;
 - c. location adjacent to existing residential subdivisions;
 - d. location in close proximity to community amenities and services;
 - e. connection to existing community water systems and community sewer systems; and
 - f. expansion of the community sewer system in the growth containment boundary to accommodate increased density within the Urban Residential designation.
- **2.9.2.3** Considers new subdivision with the following characteristics:
 - a. cluster new lots on land with the best capacity for residential development and least value for agriculture or forestry, or the least need for environmental protection; and
 - b. provide adequate buffer strips on residential lands.



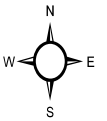
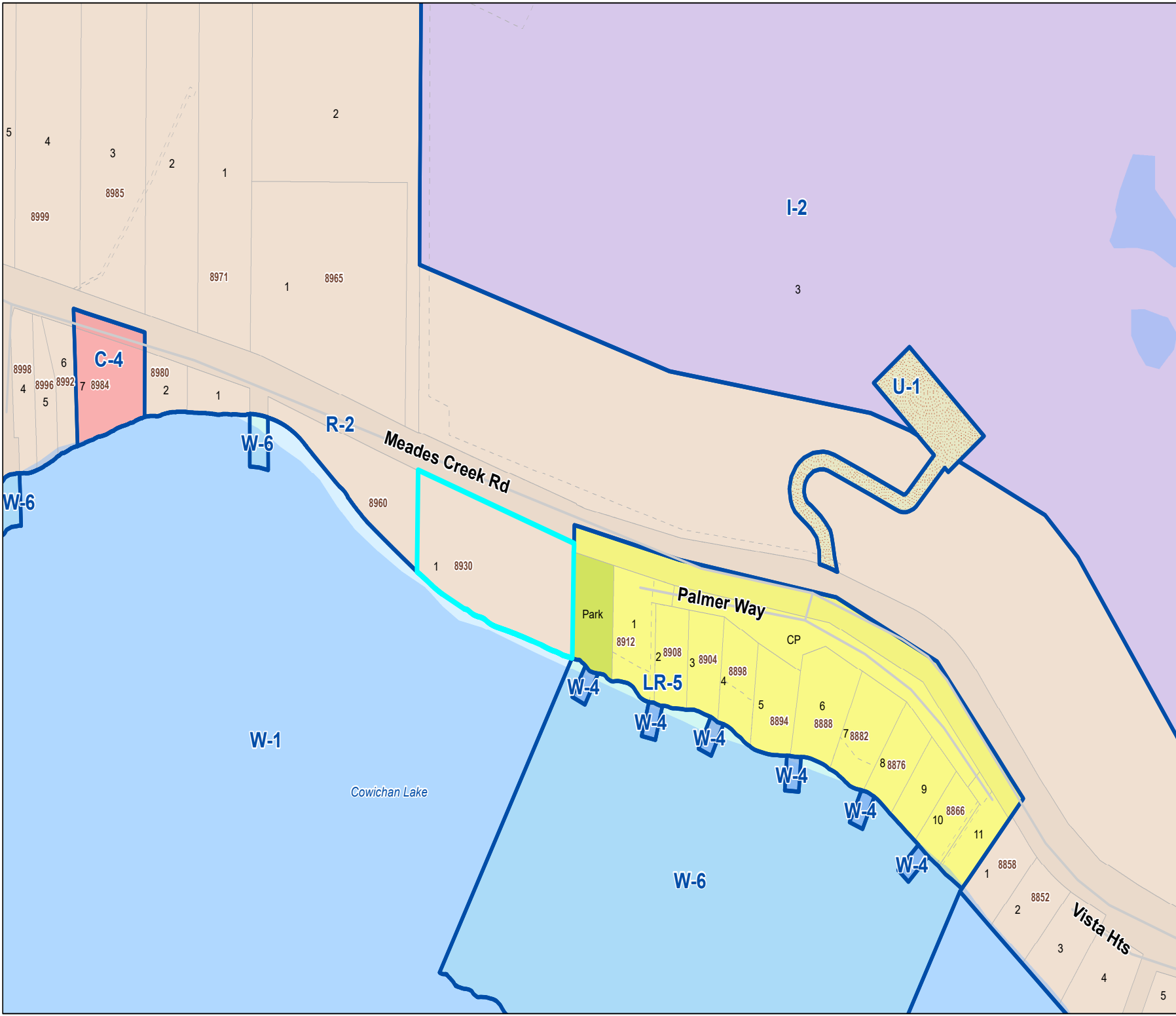
This map is compiled from various sources for internal use and is designed for reference purposes only.

The Regional District does not warrant the accuracy.

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

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

Printed: October 31, 2024



Scale: 1:2,191



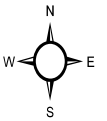
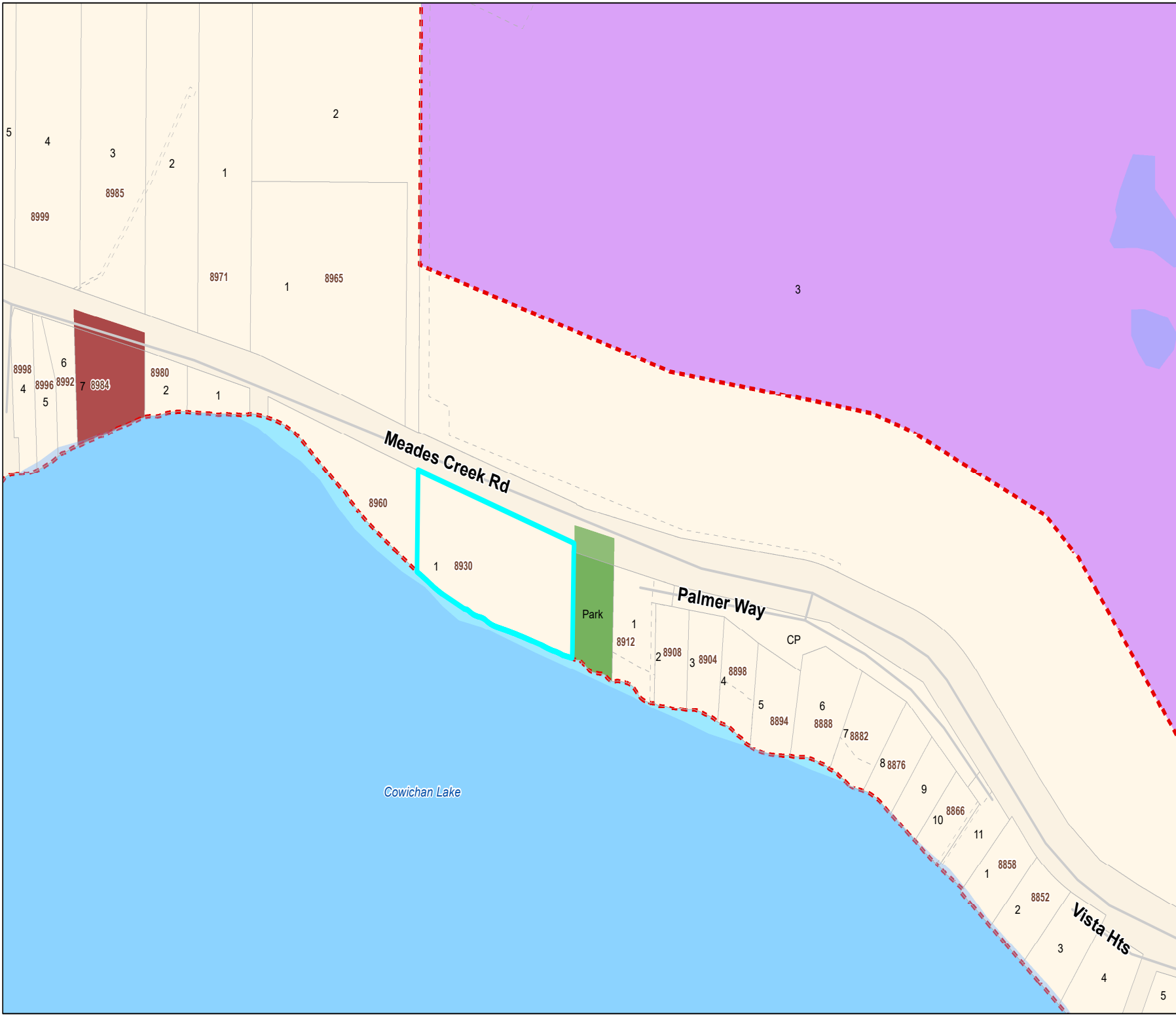
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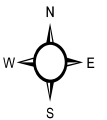
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Scale: 1:1,369



Mailing & delivery address

Polaris Land Surveying Inc.:

Box 21005

Duncan, BC, V9L 0C2

Toll free: 877-603-7398

Duncan: 250-746-0775

info@plsi.ca

January 5, 2023

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

Via Email: ds@cvrld.bc.ca

To Whom it may concern:

Re: 8930 Meades Creek Road

Legal Description of Property: Lot 1, Block 488, Cowichan Lake District, Plan 16811.

This letter is to support the enclosed Development Application. The proposed development is a rezoning of 8930 Meades Creek Road from the current R-2 Suburban Residential zone, to the LR-5 Lakefront Residential Zone, and a subsequent subdivision of the parcel into 2 Lots.

The proposed 2 Lots are shown on the site survey plan enclosed and comply with the proposed LR-5 zone regulations. There is one existing residence on the property, and the lands to the east of the home are under utilized. The property is surrounded by residential uses to the west and north under R-2. To the east lies park land and other LR-5 zoned properties.

This property lies within Electoral Area I of the CVRD, and is therefore subject to the OCP and Local Area Plan (LAP) I.

The regional vision for Local Area I is:

"Youbou/Meade Creek is an enhanced liveable rural residential community with a supported rich resource base characterized by competing harmonious land uses where residents wish to retain the diverse natural environment and recreational lands"

The LAP also identifies a Growth Containment Boundary (GCB), and the subject property falls within these boundaries. The specific GCB policies are as follows:

"1. Supports the integrity of the growth containment boundary, which has the following intent:
a. preserve the resource land base of the plan area and allow no net loss of these resource lands, which will maximize the efficiency of land use;
b. encourage appropriate community amenities and services with commercial areas within a walking distance of most residential areas; and



c. delineate areas where mixed residential, commercial and institutional land uses will be focused, to create complete, healthy and liveable communities.

2. Supports investment in a community sewer system to support densification in the growth containment boundary.

3. Supports compact development and energy efficiency design.

4. Considers cash in lieu of parking if the number of parking spaces cannot be provided to support alternative transportation modes including cycling paths and pedestrian pathways.”

The proposed rezoning aligns with the OCP and LAP as it falls within the GCB and also blends in with the adjacent LR-5 zoned properties to the east. The existing property will be enhanced in a sustainable manner, adhering to the minimum Lot sizes, and maximizing the potential of these lands for residential purposes – per the GCB policies. There is also an existing sewer line connection to the neighborhood to the east, which is shown on the survey site plan. This means that the community sewer system will be utilized, instead of an additional private septic system.

Further to this, the High Water Mark of Lake Cowichan has been determined, and an appropriate building pocket exists beyond the 15m setback from this HWM. A Riparian Assessment can be completed by a registered biologist once the development proceeds after rezoning.

Overall, we have determined that an additional residence is possible on these lands under the proposed LR-5 zone, which would not be possible under the existing R2 zone. Given the need for additional housing in the community, the existing policies of the LAP and GCB, and the adjacent complimentary land uses and zoning, this proposed rezoning offers enhanced utilization of the existing residential lands.

We look forward to your response on this application. Should you require any further information please contact me directly.

Yours truly,
Polaris Land Surveying Inc.

Andrew Christian, BCLS, CLS