



PO Box 160, Lantzville, BC V0R 2H0 t: (250) 797.2515
e: scott@townsiteplanning.ca w: www.townsiteplanning.ca

July 7, 2023

District of North Cowichan
7030 Trans-Canada Highway
North Cowichan, BC V9L 6A1

Our File: 20-05 Robert Street

Attn: Caroline von Schilling, Planner
Re: **Rezoning Application – 1771 Robert Street**

Dear Caroline,

Further to the request included in the email we received from you on June 13, 2023, we have compiled the requested information and provide the following for the District's review and consideration:

1. The preliminary development concept has been updated with all of the requested changes identified in your email:
 - a. A potential stormwater management facility has been shown in the area of Lot 15, with a note indicating that the requirement for this facility will be confirmed during the detailed design stage at the time of subdivision;
 - b. Lots 7 and 8 have been updated to remove the duplex designation; and,
 - c. The preliminary development concept already contains a note that indicates that fencing and signage will be provided along both the east and west sides of the drainage course.

 2. The owner further agrees to provide the following at the subdivision stage:
 - a. Dedication of a 4.5m trail ROW for public walkway with construction of a 3.0 m trail for which detailed design drawings are provided to and approved by the Director of Parks prior to construction;
 - b. To erect signage at intervals of a minimum of 20.0 m or 1 per lot (whichever is greater), or as approved by the Director of Planning, to be located on the trail ROW immediately adjacent to the vegetated open drainage. Signage shall indicate: 'Vegetation Protection Area, No clippings/dumping', or similar, and will be owned and maintained by the Municipality.
 - c. To undertake restorative site works of replanting and invasive species management plan for a period of 4 years with QEP monitoring;
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- i. Letters of substantial completion provided by OEP per replanting plan each year with letter of final completion at the end of the 4th year;
 - ii. erect all required signage; temporary fencing during construction with ESC measures as appropriate; and provide security bonding plus 10% for its completion. Plan with Estimate to be provided by a QP and be approved by the Municipality prior to undertaking restoration and signage works.
 - d. To register a s.219 protection and management covenant agreement, and provide BCLS reference plan for registration of the covenant area, and which stipulates that the Owner shall maintain the area free from invasive species and protect and maintain existing vegetation, including maintenance of existing signage and fencing;
 - e. To register a SRW for municipal access to drainage area;
 - f. To construct fencing at the time of development, either wood post and rail or black chain link or alternative as approved by the Director of Planning at the location/s provided in a Schedule called Fencing Detail (or as otherwise preferred, e.g., Site Plan) to be provided by the developer for the rezoning s.219; security bonding required for fencing and its construction plus 10%;
 - g. Dedication and construction of frontage improvements on Robert Street and new public Roads A and B;
 - h. Construction drawings to be prepared by a qualified professional civil engineer, and to include the following minimum design standards:
 - i. Traffic calming measures;
 - ii. Pedestrian crossings;
 - iii. Active transportation infrastructure; bicycle lane;
 - iv. Bioswale stormwater green infrastructure submitted by qualified professional for public roadway; and,
 - v. Dark sky compliant street lighting.
 - i. Stormwater management design may require downstream analysis or onsite management per approval of Director of Engineering. Post development flows not to exceed those of mature treed site, as per 2010 air photo;
 - j. 1 tree per lot shall be provided at the time of development (Building Permit), with a \$300 per tree landscape bond provided at the time of Building Permit application; and,

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- k. Park land, as per the requirements of the Local Government Act, shall be satisfied through the provision of a cash-in-lieu contribution at the time of subdivision.

With regard to Community Amenity Contributions (CAC's), we note that our previous amenity contribution proposal of \$500 per each single family and duplex unit, plus \$250 per each townhouse / MF unit, was based on a staff recommendation from December 2021. Having said that, the owners have agreed to reconsider their CAC proposal and have increased it as follows:

1. The land required to provide a for 4.5 m trail dedication adjoin Lots 8 – 13 totals approximately 700 m² or 3% of the subject property. In addition, the District has requested that a trail be constructed within these lands. Normally, these lands would be used to satisfy a portion of the legislative park dedication requirements, however, the District has indicated a preference for a 5% cash-in-lieu payment.

We believe that the value of this land, with improvements, is approximately \$100,000. This equates to a contribution of approximately \$4,350 - 4,500 per lot (based on yield of 22-23 lots). In addition, the owner is also prepared to offer a cash contribution of \$2,500 per R3 lot, plus \$5,000 for the R3-MF lot at the time of subdivision, to be directed towards the Municipality's Affordable Housing Reserve Fund. Subject to final lot count, it is anticipated that this will result in a \$57,500 - \$60,00 contribution. Overall, the total value of our CAC proposal is approximately \$160,000 (approx. \$7,000 - \$7,200 per lot).

We trust that the information provided herein, along with previous updates and commitments, will allow this application to proceed to Council for consideration of first and second reading on July 19, 2023.

Please contact us if you have any questions or require any further clarification.

Sincere Regards.



Scott W. Mack, M.Arch., B.Sc. (PLAN), MCIP, RPP
Managing Partner | Registered Professional Planner

ec: Terry Symborski and Louise Violette (Owner)
Patrick Ryan (Herold Engineering)