



February 27, 2024

Attn: Angela Davies – Development Planner
Planning and Building
Municipality of North Cowichan
7030 Trans Canada Highway
Duncan, BC V9L 6A1

RE REZONING APPLICATION AT 2999 DRINKWATER ROAD, NORTH COWCHAN, BC

SITE / PROJECT / APPLICATION HISTORY:

The existing property of 40m x 200m (approx. 8,000sm) is presently zoned R1 and is designated in the Bell McKinnon Local Area Plan Bylaw 4,3,5 to be Residential High (RH). The immediate neighborhood is undergoing significant redevelopment with numerous higher density multi-family projects being proposed. Combined with the increase in demand for residential units at all levels of government and new civic projects being constructed, the property is situated in a prime location for high density residential use. Maximizing the density and number of dwelling units is always a priority for the developer for obvious economical reasons but also a responsible approach to serve the growing population in this area and North Cowichan at large.

The original subject site, was 7,988+/-SM in size. At the onset of our Development Application / Zoning Amendment application (circa March 2020) and as per the information provided by the MNC at that time, there was to be only a 17.7M wide east-west bisecting road dedication (712+/-SM) and a 3.0M wide pedestrian pathway (243+/-SM) along the east side of the southern half of the property. The remaining subject site (7,033+/-SM) accommodated a proposed development with a site coverage of approx. 40%, a proposed density of 2.0 FAR, netting approx. 15,000sm of floor area with four 5-storey buildings and a total of 108 dwelling units complete with underground parking all in accordance with the Bell McKinnon Local Area Plan.

Subsequently, (circa October 2022) the MNC requested a “Park” dedication of approximately 4,006+/-SM removing the northern half of the subject property and Road dedication (406+/-SM) in lieu of a pedestrian pathway along the east side of the southern half of the property. The Owner is cooperating with the MNC and has offered to sell the “Park” dedication land to the MNC at fair market value for \$1,415,000.00. This resulted in a net subject site of 35+/-M x 81+/-M and an area of approximately 2,865+/-SM. This reduction in the original subject site area and site dimensions due to dedications imposed a significant impact to the overall buildable floor area and number of dwelling units that could be yielded.

A complete revision to the design and development was undertaken which included the ultimate property dimensions and topographic constraints, combined with the vehicular access to a maximum sized underground parkade, it was determined that a single 6-storey residential building with approx. 6,600sm of total floor area, 55 dwelling units and an underground parkade for 83 stalls (@ 1.5 stalls/unit) with outdoor surface visitor stalls could be achieved. This represented a proposed FAR less than 2.5, a proposed site coverage less than 40% and a total building height less than 21.50M.

After 3-1/2 years since our initial Zoning Amendment meeting with the MNC and over 5 months since our revised Zoning Amendment application was submitted (July 2023), the MNC introduced the “Drinkwater Road Frontage Improvements” in order to locate a new bus stop at the south-west corner of the subject site. This new statutory right of way imposed another 101+/-SM of SRW onto the site reducing the subject site once again. In addition the MNC recently increased the east-west bisecting road dedication from 17.7M to 20.0M resulting in an additional (40+/-SM) to be dedicated. Finally there was also two road corner cut dedications at both the north east corner and south east corner totalling 36SM.



The final subject site area to date is 2,828+/-SM which is approximately 65% (5,160+/-SM) less than the original site area of 7,988+/-SM.

FINAL CLARIFICATIONS TO REZONING APPLICATION:

A final redesign has been undertaken and is currently under review for Rezoning approvals.

Below is our comments and clarifications to outstanding items requested by the MNC to be included in the Rezoning review for approval:

1. Regarding “green infrastructure” – we have reviewed the potential for incorporating green infrastructure into proposed development and respecting the numerous dedications requested combined with the fact that those dedications include over 4,000sm of park land, the ultimate site does not permit significant green infrastructure. We will endeavour to provide upto 8% of tree canopy bearing in mind that those new trees and new landscaping can only be located “on top” of the new underground parkade which extends to all property lines.
2. Regarding “enhanced street typology” – the final design (Development Permit stage) will incorporate the BMLAP “Local Street – Urban” typology including landscaping and new structures. The intent is for the proposed development to provide a friendly and safe multi-family development that is aesthetically appealing and complementary to the neighbourhood. The final design would implement architectural details, character and exterior finishes suitable for a residential development of this magnitude and economically responsible.
3. Regarding “energy efficient and GHG reduction” - the final design (Development Permit stage) will attempt to incorporate design concepts and initiatives to address the goals of reducing green house gas and promote energy and water conservation. The buildings are intended to be constructed with sustainable building materials, using conventional wood frame methodology, high performance windows and doors, optimization of the building envelope, efficient construction management/scheduling/delivery methods, and a concerted effort to the recycling of construction waste to reduce landfill use. Interior finishes include the use of low VOC materials, materials that are recycled, reused and renewable or contain recycled materials (where possible), energy efficient appliances and equipment, low consumption fixtures, etc... Heat pumps and accommodations (conduits) for future on site solar photovoltaic energy collection are to be explored for feasible integration. Both interior and exterior lighting specifications shall be energy efficient, such as LED and incorporate timers, photovoltaic sensors and motion sensors where possible to provide lighting only when required. The proposed landscape lighting and general outdoor lighting will implement shields and fixture locations to reduce glare and light pollution. Electrical charging stations and/or electrical rough-in (40 amp) at designated parking areas and bike areas shall be provided. The final design (Development Permit stage).
4. Regarding “affordable housing policy” – in consideration of the significant reduction in development potential of the site after the dedications combined with the economic impacts and reduction in the total number of dwelling units, unfortunately there remains no potential to integrate any “affordable housing” units at this time.
5. Regarding “community amenity contributions” – according to our records, the Owner/Developer promised to donate, in lieu of community amenity contributions and as a condition to the sale of the “Park” land to the MNC, upon the issuance of the Building Permit the total amount of \$3,000/unit with the stipulation that the total amount donated would be allocated to the Municipal Park Reserve Fund and not to be simply allocated to a general reserve fund. This offer to donate was presented to Council and should be available in your Council Meeting Minutes. Furthermore, the Owner/Developer has spoken directly with George Farkas, the General Manger of Planning, Development and Community Services at the MNC as recently as Monday, January 29, 2024 upon which he received verbal confirmation and acknowledgement from Mr. Farkas of the above financial contribution and conditions.



6. Regarding the "Engineering Review" received Jan 31/24 –
- a. The 6m x 6m corner truncations at the North-South Road seems like another "dedication" to be taken from our site and a further reduction to our original site of approximately 36SM. Note, this truncation at the South East corner does not impose significant constraints on the proposed building footprint however the truncation at the North East corner does result in the potential loss of two (2) parking stalls.
 - b. The proposed vehicular access from the site to the North-South Road is important for circulation to mitigate dead end drive aisles. We could consider making this access an exit (one-way) only and right-turn only. This item, in our opinion can be reviewed during the Development Permit stage

End

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