

Report

Date July 16, 2025

File: 3360-20 24.13

Subject Zoning Amendment Bylaw No. 4018, 2025, for first three readings

PURPOSE

To introduce Zoning Amendment Bylaw No. 4018, 2025, which proposes to amend Zoning Bylaw No. 2950, 1997, to permit a detached accessory dwelling unit (ADU) at 7911 Stoney Hill Road.

BACKGROUND

Property Details

The subject property is located at 7911 Stoney Hill Road and is slightly over 2 hectares in size. As per [Official Community Plan Bylaw No. 3900, 2022](#) (OCP) the subject property is designated as Rural Residential (Attachments 1 and 2) and is zoned as Rural Zone (A2) in [Zoning Bylaw No. 2950, 1997](#). There is an existing single-family dwelling of 155 m² of gross floor area constructed in approximately 1980 (Site plan provided as Attachment 4).

The subject property is bounded by A2-zoned parcels to the east, west, and south, and by Sansum Narrows to the north (Attachment 3). It is located outside the Urban Containment Boundary (UCB) and is serviced by a private well and septic system.

Proposal

The applicant is requesting a text amendment to the A2 zone to permit a detached ADU on the property. This amendment would allow the existing single-family dwelling to be redesignated as the ADU when the applicant submits a building permit to construct a new, larger single-family dwelling on the property. A letter of rationale has been provided by the applicant (Attachment 5).

DISCUSSION

Official Community Plan (OCP) Designation and Policies

There are multiple policy areas within the OCP applicable to growth management outside of the UCB. They are outlined and further elaborated on below:

Section 3.1.1 – Urban Containment Boundary

- *Focus development to the reduced urban containment boundary to protect rural and natural areas from expanded residential development and prevent residential intensification that necessitates extension of road networks and increases automobile dependency.*

The proposed development will not require any municipal servicing. It will utilize the existing driveway, thereby aligning with the intent to protect rural and natural areas by minimizing infrastructure demands beyond the UCB.

Section 3.1.18 – Rural Residential Designation

- *Very little housing growth is anticipated in these areas, although there may be some limited context-specific opportunities.*

Section 3.2.19 – Rural Residential Designation

- *Configure zoning to maximize housing potential without further subdivision to permit detached accessory dwellings where servicing connections are available, or in the alternative, adequate on-site common septic treatment and water supply can be achieved.*

While housing growth in this part of the community is expected to remain limited, the proposal represents a context-specific opportunity that aligns with OCP policy, as the development will utilize existing servicing infrastructure, with adequate on-site water and septic capacity having been confirmed.

5.1.2 (b) – Diverse Housing Mix

- *Assess and consider how proposals for new housing meet the needs identified in the most recent Housing Needs Assessment Report.*

The 2024 Interim Housing Needs Report for North Cowichan highlights a projected demand for 2,172 additional housing units by July 2029. This zoning amendment proposal supports that objective by enabling a detached ADU on the subject property, offering flexible living arrangements such as multi-generational housing.

Zoning Bylaw

The subject property is zoned Rural Zone (A2) under the Zoning Bylaw. The A2 Zone permits single-family and two-family dwellings and limits each parcel to a maximum of one residential building. However, where a parcel is two hectares or larger, the Bylaw permits up to two residential buildings, provided the total number of dwelling units does not exceed two. In such cases, the second residential building must be accessory to the principal dwelling and have a gross floor area of no more than 90 m². Because the original single-family dwelling exceeds this maximum size provision, the applicant cannot take advantage of these density rights without a zoning amendment.

While the proposal seeks to redesignate the existing 155 m² dwelling as a detached ADU exceeding the 90 m² maximum, the application remains consistent with the overall intent of the zoning regulations. The proposal maintains the maximum permitted number of dwelling units and residential buildings, and therefore does not result in an increase in density under the A2 Zone.

Second Dwelling Rural Lands Policy (SDRLP)

The [Secondary Dwellings Rural Lands Policy](#), adopted by Council in 2019, outlines criteria for site-specific zoning amendments to permit detached ADU's on rural lands. While the proposal is generally consistent with the policy's intent, it does not comply with Section 3(a), which recommends that the size of the proposed second dwelling be restricted by covenant to 90 m² (968.75 ft²) or less of gross floor area. The proposed single-family home to be redesignated to a detached ADU at 7911 Stoney Hill Road is 155 m². Despite this variance from the SDRLP, there is precedent for approving detached ADUs

exceeding 90 m² through site-specific amendments, where the dwelling already exists. For example, the rezoning at 7475 Bell McKinnon Road permitted a detached ADU up to 170 m² in size.¹

Development Permit Areas

The subject property is located within Development Permit Area 3 – Protection of the Natural Environment (Mature Forests). The applicant has submitted a report from a Qualified Environmental Professional that indicates that the proposed development will have minimal impact on the surrounding environment, with limited tree removal anticipated. All development is also proposed outside of an established riparian assessment area.

The property is also located within Development Permit Area 4 – Hazard Lands, due to its steep slopes and classification as an extreme fire hazard area. A geotechnical assessment prepared by a registered professional geoscientist concludes that the site is suitable for the proposed development. Any additional requirements or mitigation measures will be captured via a covenant registered on title and addressed at the building permit stage.

ANALYSIS & CONCLUSION

The application is generally consistent with the applicable policies of the OCP, particularly in maximizing housing potential without requiring further subdivision or extension of municipal servicing. If approved, this zoning amendment would facilitate the efficient use of the maximum permissible density under the current zoning regulations. The proposed single-family dwelling is not anticipated to have any adverse impact on adjacent properties or the surrounding neighbourhood, and it does not alter the existing neighbourhood character. Approval of this application is therefore recommended.

Should Council support Zoning Amendment Bylaw No. 4018, a Section 219 *Land Title Act* covenant will be required as a condition of adoption to restrict the size of the detached ADU to its current gross floor area of 155 m² and to prohibit future subdivision or stratification of the subject property. This will help maintain consistency with the intent of the SDRLP while recognizing site-specific circumstances.

If Council decides to move forward with Zoning Amendment Bylaw No. 4018, a public hearing is not permitted under Section 464(3) of the *Local Government Act*. A notice of prohibited public hearing was posted in the local newspaper on July 9, 2025, in accordance with section 467 of the *Local Government Act* (Attachment 6).

¹ [Zoning Amendment Bylaw No. 3937 adopted January 17, 2024](#)

OPTIONS

1. **(Recommended Option)** THAT Council:
 - (1) Gives first, second, and third readings to Zoning Amendment Bylaw No. 4018, 2025; and,
 - (2) Requires the registration of a Section 219 *Land Title Act* covenant prior to consideration of the adoption of Zoning Amendment Bylaw No. 4018, 2025 to:
 - a. restrict the size of the detached accessory dwelling unit at 7911 Stoney Hill Road to 155 m²; and,
 - b. prohibit subdivision or stratification of the property.

2. THAT Council deny Zoning Amendment Application ZB000239 to permit a detached accessory dwelling unit at 7911 Stoney Hill Road.

IMPLICATIONS

If Council decides to give readings to the amendment bylaw, it would be adopted following confirmation of covenant registration. The applicant would then be able to submit a building permit application to construct the new, larger single-family dwelling.

If the application is denied, the applicant will not be permitted to redesignate the existing dwelling as a detached ADU. The applicant may still construct a new detached ADU on the property, provided it does not exceed 90 m² in gross floor area, under the SDRLP. The existing dwelling will then remain as the principal dwelling.

RECOMMENDATION

THAT Council:

- (1) Gives first, second, and third readings to Zoning Amendment Bylaw No. 4018, 2025; and,
- (2) Requires the registration of a Section 219 *Land Title Act* covenant prior to consideration of the adoption of Zoning Amendment Bylaw No. 4018, 2025 to:
 - a. restrict the size of the detached accessory dwelling unit at 7911 Stoney Hill Road to 155 m²; and,
 - b. prohibit subdivision or stratification of the property.

Report prepared by:



Rahul Parameswaran
Development Planner

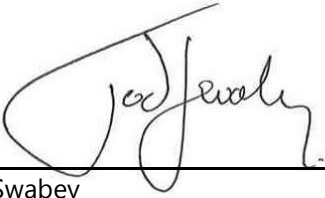
Community Services

Report reviewed by:



Amanda Young
General Manager, Planning, Development and

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Location Map
- (2) Orthophoto Map
- (3) Zoning Map
- (4) Site Plan
- (5) Letter of Rationale
- (6) Public Hearing Prohibited Notice for Bylaw No. 4018, 2025
- (7) Draft Zoning Amendment Bylaw No. 4018, 2025

Report Approval Details

Document Title:	Report_ZB000239 (7911 Stoney Hill Rd).docx
Attachments:	<ul style="list-style-type: none"> - (1) Location Map.pdf - (2) Orthophoto Map.pdf - (3) Zoning Map.pdf - (4) Site Plan.pdf - (5) Letter of Rationale.pdf - (6) Public Hearing Prohibited Notice for Bylaw No. 4018, 2025.pdf - (7) Draft Zoning Amendment Bylaw No. 4018, 2025.pdf
Final Approval Date:	Jul 10, 2025

This report and all of its attachments were approved and signed as outlined below:

Amanda Young

Teri Vetter

Tricia Mayea

No Signature - Task assigned to Kristina Pollock was completed by delegate Laura Westwick

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