

From: Cathy Nugent [REDACTED] **FIPPA s. 22(1)**  
Sent: Monday, March 24, 2025 6:41 PM  
To: Planning <[planning@northcowichan.ca](mailto:planning@northcowichan.ca)>  
Subject: 3499 Henry Rd OCP and Zoning Bylaw Application R5 to Bare Land Strata

Hello

Please see below with regards to subject OCP and Zoning Bylaw application.

Thank you.

March 24, 2025

Via email: [planning@northcowichan.ca](mailto:planning@northcowichan.ca)

Municipality of North Cowichan

Re: Zoning Change Application R5 to Bare Land Strata at  
3499 Henry Road, Chemainus  
PID 009-885-200  
Folio 15038.000

The Planning Dept. has received an application for early consideration of Council for an amendment to the OCP and Zoning Bylaw to permit the change to Bare Land Strata on the above property.

This is a legacy property, zoned from agricultural to R5 many years ago, and has been vacant for almost as many years. The recent development that is 100+ lots for modular homes proceeded with the R5 zoning – for a total of 6 unsold units on the property to date. There was a staff recommendation to Council against allowing this development to proceed. Council vote was 5/4 to allow it.

The developer appears to have failed to consider, even with their lengthy experience as a property developer, that financial institutions are averse to lending for the purchase of modular/mobile homes at interest rates comparable to mortgages – no land security – with the result that the developer is having some difficulty in attracting buyers.

Now, the developer wants North Cowichan to change the zoning to bare land strata to mitigate their lack of foresight – this requires comprehensive changes to the OCP and Zoning Bylaw.

As the owner of adjacent property, I am making it clear that I oppose the application for early consideration and any further considerations that may be brought to Council regarding this property.

If Council chooses to consider comprehensive engagement and staff reports regarding OCP and Zoning Bylaw changes I understand there will be some form of public information provided, through a meeting, or targeted mailings to neighbouring properties.

Thank you for your time and attention to this. I know you're very busy.

Cathy Nugent  
3483 Henry Rd  
Chemainus BC  
V0R 1K4

North Cowichan is situated on the traditional territories of the Quw'utsun Nation, which includes the Cowichan Tribes, the Halalt First Nation, the Lyackson First Nation, the Penelakut Tribe, and the Stz'uminus First Nation. The Municipality also sits on the traditional territory of the Snuneymuxw First Nation.

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**From:** [Planning](#)  
**To:** [Public Meetings](#)  
**Cc:** [Ashlin MacDowell](#)  
**Subject:** FW: Zoning Change Application – 3499 Henry Road, Chemainus  
**Date:** Monday, April 7, 2025 12:24:47 PM

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**From:** Christine Kudzman-Smith [REDACTED] **FIPPA s. 22(1)**  
**Sent:** Monday, April 7, 2025 12:11 PM  
**To:** Planning <planning@northcowichan.ca>  
**Subject:** Zoning Change Application – 3499 Henry Road, Chemainus

Subject: Opposition to Application to Amend OCP and Zoning for 3499 Henry Road

Hi there,

I'm writing to express my opposition to the recent application to amend the OCP and zoning bylaw for 3499 Henry Road—from R5 zoning to bare land strata.

As a property owner on Henry Road, I'm concerned about this request. It appears to be an attempt to fix a foreseeable issue—namely, the financial hurdles that come with selling modular homes. Most banks won't offer traditional mortgage-style loans for these homes due to the lack of land ownership, which severely limits potential buyers. That challenge should have been more carefully considered during the initial planning phase.

The land was rezoned from agricultural to R5 years ago, and while a modular home development with over 100 lots moved forward under that zoning, only six units have sold to date. It's worth remembering that staff originally recommended against that development, and it was approved on a narrow 5–4 Council vote.

Now, with sales stalled, the developer is asking for a significant change that would require amending both the OCP and zoning bylaw. I don't support this application—neither for early consideration nor for any future revisions related to this property.

Thanks for your time.

Christine Kudzman

**From:** [Planning](#)  
**To:** [Rachel Pukesh](#)  
**Cc:** [Amanda Young](#)  
**Subject:** FW: Morgan Maples - 3499 Henry Road  
**Date:** Monday, May 5, 2025 11:01:17 AM  
**Importance:** High

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**From:** dbhilton [REDACTED] **FIPPA s. 22(1)**  
**Sent:** Sunday, May 4, 2025 5:12 PM  
**To:** Planning <planning@northcowichan.ca>  
**Subject:** Morgan Maples  
**Importance:** High

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Greetings.

It has come to our attention the changes Morgan Maples have requested. Many feel this project should not have even been approved from the beginning, now there surprisingly having problems and need bailing out, hopefully not at taxpayers expense. Everyone on Henry Rd signed a petition against this, there have been many tv news and newspaper articles regarding this. It is time to nip this in the bud. Enough is enough.

Right from the beginning many expressed concerns regarding the narrow one lane twisting Henry Rd, lack of water, no sidewalks, no lighting, no bus or taxi service, the Henry Rd and TCH intersection is the worst for accidents in the whole area, it's far from services, goes against OCP, and more.

We encourage Municipality take a close look and concerns of the affected residents and businesses. I know many have have been contacting the Municipality regarding this catastrophe.

Dave and Debbie Hilton  
3298 Henry Rd  
Chemainus, BC

 **FIPPA s. 22(1)**

Sent from my Galaxy

**From:** [Planning](#)  
**To:** [Public Meetings](#)  
**Subject:** FW: 3499 Henry Road, Morgan Maples  
**Date:** Friday, June 27, 2025 3:08:07 PM

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**From:** Susan Derby [REDACTED] **FIPPA s. 22(1)**  
**Sent:** Friday, June 27, 2025 11:28 AM  
**To:** Council <council@northcowichan.ca>  
**Cc:** Planning <planning@northcowichan.ca>  
**Subject:** 3499 Henry Road, Morgan Maples

**FIPPA s. 22(1)**

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June 27, 2025

Attention: Mayor and Council, Municipality of North Cowichan

Regarding: 3499 Henry Road, Chemainus – request to approve change from mobile home park designation to bare-land strata.

I live at 3227 Henry Road. I have followed this development from it's inception. I understand that the zoning was in place before site remediation and development began. I would suggest to the counsellors who were not around during the early days that they should go back and review the history.

As it is zoned as R3 (mobile home park), the developer should have known, by doing only a bit of research, that mobile homes are historically difficult, if not impossible, to get a mortgage for. I wonder why he did not realize this before putting a shovel in the ground, as it quite widely known.

Now, after a year of no sales of his 6 existing homes, he decides he must change the zoning so that he can sell the lots as bare-land strata, is a bit disingenuous. Acquiescing to his request seems like rewarding a poor business decision on his part and does not enhance the surrounding neighbourhood or community.

If council finds a way to give his request legs, this can open up a can of worms, setting a precedent within the Municipality.

If this request is agreed to, and the Province's Bill 44 is triggered, the potential increase in traffic on Henry Road West will become a real hazard, since every one of the residences in the new development will require a vehicle to access any services or

amenities in Chemainus, Duncan, Ladysmith etc. The urban containment boundaries are set for a reason – to prevent urban sprawl. Since 3499 Henry Road is 2 km from the highway, with no transit, no sidewalks, no amenities, encouraging more traffic without upgrading the road itself, is dangerous and without forethought.

The owners/developers of Morgan Maples have suggested they will be supplying “affordable” housing. Affordable is relative. Affordable to who? Being able to apply for and be granted a mortgage is good, but does it make this change the best decision for the area in question? Is \$2500 or \$3000 a month affordable if you also need a vehicle or two to live your life outside of your home due to the lack of close-by amenities? Paying approximately \$175,000 for a very small lot seems somewhat outrageous. It seems that to be able to afford to live in this development you will need to have a home to sell, or at least have saved a large down payment.

There is so much discussion of “affordability” these days. Throughout the Municipality there are many unregistered rental units. These are truly affordable – carriage houses, basement suites, renovated outbuildings. These are the type of affordable housing that should be encouraged.

Allowing this request for rezoning, undermining the OCP in the process, is not good for the municipality in the long run. It gives future developers a foot in the door, using the precedent being set as an argument for any new plan to be allowed.

Had this owner done his homework, before spending so much money to build the road and remediate the property, he would not have gotten himself into this situation. This change has the potential to make him a lot of money from the sale of individual lots.

Please do not reward him for a basic oversight on his part, made several years ago.

Thank you.

Susan Derby

3227 Henry Road, Chemainus

 **FIPPA s. 22(1)**

**From:** [Planning](#)  
**To:** [Public Meetings](#)  
**Subject:** FW: Opposition to Land Use and Zoning Changes – 3499 Henry Rd. (Morgan Maples)  
**Date:** Wednesday, July 16, 2025 8:36:08 AM

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**From:** Christine Kudzman-Smith [REDACTED] **FIPPA s. 22(1)**  
**Sent:** Tuesday, July 15, 2025 7:31 PM  
**To:** Planning <planning@northcowichan.ca>; Rob Douglas <rob.douglas@northcowichan.ca>  
**Subject:** Opposition to Land Use and Zoning Changes – 3499 Henry Rd. (Morgan Maples)

**FIPPA s. 22(1)**

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Dear Mayor Douglas and Members of Council and the planning department

I'm writing to express my strong opposition to the proposed land use and zoning changes for 3499 Henry Road (Morgan Maples).

This development has been concerning from the beginning. The business model selling modular homes for \$400,000+ while charging up to \$1,000/month in pad rent was never financially realistic for most buyers and clearly not aligned with affordability goals. It's no surprise the units haven't sold. But a flawed business plan should not be rewarded by amending our Official Community Plan or expanding zoning allowances.

The request to convert the project to bare land strata would require significant policy changes and could open the door to further development outside the Urban Containment Boundary. That boundary exists for good reason: to prevent sprawl and ensure services like sewer, water, and transit are planned responsibly. Weakening it even for one project sets a precedent with long-term consequences.

Let's be clear: this development doesn't address our housing crisis. It's a private venture that misjudged the market and is now looking for a municipal fix. I urge council to uphold the OCP, prioritize sound planning principles, and reject changes that shift the burden onto the community.

Thank you for your time and consideration.

Sincerely  
Christine Kudzman  
Owner on Henry Road

**From:** [Info](#)  
**To:** [Planning](#); [Legislative Services](#)  
**Subject:** FW: Morgan Maples 3499 Henry Road  
**Date:** Monday, July 14, 2025 8:20:20 AM

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**From:** Hiram Beaubier

**Sent:** Monday, July 14, 2025 7:48 AM

**To:** Info

**Subject:** Morgan Maples 3499 Henry Road **FIPPA s. 22(1)**

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**Re: Morgan Maples 3499 Henry Road**

I am writing to express my complete opposition to any adjustment to the original conditions under which this project was approved.

The company either knew, or ought to have known, about the financing challenges that purchasers would face when acquiring a modular unit, single title ownership. Morgan Maples accepted the conditions of approval. It made an informed choice.

It is unthinkable to expand the Urban Containment Boundaries to include Morgan Maples. It would make a complete mockery of the principle of containing urban sprawl and compromise so many other important concepts contained in the OCP. It would also erode any public confidence in the OCP process and set a dangerous precedent, opening the door for other "boundary adjustments". Changing the Zoning creates equally undesirable precedent.

Creating a new "special" site-specific land use designation allowing high density in rural areas outside the containment boundaries is also unacceptable and undercuts the fundamentals of the OCP and sets a dangerous precedent.

Changing from a single owner to a strata model or any other adjustments to the original conditions of approval, or a special one-off carve out that increases infrastructure (water, sewages, roads etc.) liability to the municipality is completely unacceptable. It is not the municipality but me as a taxpayer who would be burdened with increased liability. You do not have my permission to accept any adjustment that increases risk to me, the taxpayer.

There remains the issue of provincial legislation and the consequences of greatly increased density. The costs to municipality/taxpayer would be significant to say nothing about the shattered land use plans for Chemainus.

It is not up to the municipality to seriously compromise other community values and processes or to accept greater liability.

Morgan Maples alone is responsible for this situation. It is up to Morgan Maples to find a solution under the original conditions even if this means facing up to the consequences of a bad business decision

P. Hiram Beaubier

9369 Chemainus Road

**From:** Barbara Lowen [REDACTED] **FIPPA s. 22(1)**

**Sent:** Monday, August 4, 2025 8:40 PM

**To:** Council <[council@northcowichan.ca](mailto:council@northcowichan.ca)>; Planning <[planning@northcowichan.ca](mailto:planning@northcowichan.ca)>

**Subject:** Fw: 9090 THC rezoning application (Chemainus)

Dear North Cowichan planners and council,

My husband and I are property neighbours to the 110 modular home site, Morgan Maples. We have watched the destruction of 20 plus acres of forest for this proposed development. The site is directly adjacent to creeks that feed the Chemainus River. The development will use 4 septic fields. VIHA states these are not fool-proof and we are very concerned about the health of our river. The inexperienced developer, after 3 years of blasting, gravel crushing and infrastructure set up has now decided it is not affordable to sell the modular homes. No one has purchased a home. ( There are 6 units built) He is stating the banks will not give mortgages as there is no security in this process, just homes with no land purchase. Obviously he should have known this before investing in the huge development costs.

The development was approved because of our desire to have affordable housing. \$400,000 is hardly affordable. Now he is requesting a new zoning. We strongly reject this proposal. The site is not suitable to follow our community plan of having development where transit is available. This site is on the highway, outside of the town, and does not have access to services.

Please listen to the concerns of our neighbourhood, mostly ALR and all rural. With thanks,  
Barbara Lowen 3485 Henry Rd. Chemainus

North Cowichan is situated on the traditional territories of the Quw'utsun Nation, which includes the Cowichan Tribes, the Halalt First Nation, the Lyackson First Nation, the Penelakut Tribe, and the Stz'uminus First Nation. North Cowichan also sits on the traditional territory of the Snuneymuxw First Nation.

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**From:** [Planning](#)  
**To:** [Public Meetings](#)  
**Subject:** FW: Please reject subdivision of property at Morgan Maples , Chemainus  
**Date:** Tuesday, August 5, 2025 10:06:20 AM

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-----Original Message-----

From: Barbara Lowen [REDACTED] **FIPPA s. 22(1)**  
Sent: Tuesday, August 5, 2025 9:33 AM  
To: Council <council@northcowichan.ca>; Planning <planning@northcowichan.ca>  
Subject: Please reject subdivision of property at Morgan Maples , Chemainus

Dear Mayor, councilors and planners,

I send this letter with respect for what you are all able to do to protect our/your lands as much as possible. I appreciate you may see development as the solution to our problems but I ask you to consider the bigger picture. The community of Chemainus does not support the subdivision of Morgan Maples. There will be too much density for a rural area. Up to 800 vehicles added to Henry Rd. (2/household) is not sustainable or ethical. Adding sewage from septic fields for up to 400 homes is not sustainable or ethical. Please consider the health of our Chemainus River watershed. Ignoring the OCP, is not sustainable or ethical. The OCP was developed to help you make decisions that reflect long term needs of our community.

I beseech you to follow your mandate, to serve the community, not just a single developer. Elections will be happening in another 1 1/2 years. Please ensure you are voted back into office by listening to the community.

With thanks for your consideration, Barbara Lowen 3485 Henry Rd., Chemainus

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**From:** Planning  
**Sent:** Monday, August 11, 2025 1:50 PM  
**To:** Public Meetings  
**Subject:** FW: Rezoning Morgan Maples- NO!!!!

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From: Barbara Lowen [REDACTED] **FIPPA s. 22(1)**  
Sent: August 10, 2025 12:48 PM  
To: Council  
Subject: Rezoning Morgan Maples- NO!!!!

Turn back the clock to 2022 when Morgan Maples was being touted as Affordable Housing. The Chemainus community said yes, this is what we need.

Turn the clock to now ,2025, and the Morgan Maples infrastructure is in place but no homes have sold. How could this be? Either the developer was incredibly naive and had no idea what development costs would be, or he knew it would not be affordable housing (as in low cost) but because the housing market was so overheated people would buy regardless of cost.

Neither scenario play out for the developer and now he wishes to rezone to make the project viable.

Taxpayers of North Cowichan should not be rezoning or promoting in any way a failed development whose proponent is either ignorant of what a project like this entails or was acting in bad faith.

Sincerely, Thomas Lowen, Chemainus

**From:** [Tricia Mayea](#)  
**To:** [Public Meetings](#)  
**Subject:** FW: Morgan Maples  
**Date:** Tuesday, August 12, 2025 8:49:46 AM  
**Attachments:** [facebook\\_32x32\\_0aab4201-ca9c-4b33-ba67-e37ca69df0ad.png](#)  
[instagram\\_32x32\\_99fdf77c-075c-4538-8731-c9944946bf37.png](#)  
[linkedin\\_32x32\\_8e72e524-9b29-4c9f-bfdc-61ee9402bc90.png](#)  
[northcowichan.cropped\\_a2a89ab5-6b92-4b22-90d7-e12c8e89e211.jpg](#)

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## Tricia Mayea CMC

Manager, Legislative Services | Corporate Officer  
Legislative Services

T: [250-746-3125](tel:250-746-3125)

E: [tricia.mayea@northcowichan.ca](mailto:tricia.mayea@northcowichan.ca)

7030 Trans-Canada Highway  
North Cowichan, BC V9L 6A1 | Canada  
[www.northcowichan.ca](http://www.northcowichan.ca)



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From: Susan Derby [REDACTED] **FIPPA s. 22(1)**  
Sent: Friday, August 8, 2025 8:13 AM  
To: Council <[council@northcowichan.ca](mailto:council@northcowichan.ca)>  
Subject: Morgan Maples

**FIPPA s. 22(1)**

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Attention: North Cowichan Council

Regarding: application by developer for change of designation for 3499 Henry Road  
Chemainus

I am writing once more to voice my concerns regarding this developer's request for a change of designation from mobile/modular home park (leasehold) to bare-land strata.

Simply put, his lack of basic knowledge of mortgages has put him in a difficult place financially. Had there been any kind of research done by this developer on the ability to mortgage a mobile/modular home without owning the land, he would have known it was a very difficult if not impossible situation.

Now, due to housing pressures in BC and the Cowichan Valley, the request to change to a bare-land strata (where mortgaging is possible) is being used as a carrot on a stick to receive approval from North Cowichan for the change. This change will then make it possible in the future, due to Bill 44, for the owners to build/add up to 3 more homes to their small lots, increasing density where there are no services.

Allowing what is being called "affordable" housing in such a rural and having more than 100 (and eventually up to 400) homes requiring a vehicle for each one in order to access services and amenities seems to me to be using tunnel vision instead of seeing the big picture. Many of the possible new owners are likely to be older, retired, or elderly and may not be able to drive safely. There is no sign of transit every coming to this road, and it is definitely too far to walk to the nearest bus stop.

What about water? What about fire services? Ambulance? Highway access?

North Cowichan spent a lot of time and money developing its most recent Official Community Plan. This plan is in place to prevent urban sprawl, to condense residential areas to a smaller footprint. Allowing a large development in an undeveloped area several kilometers from the downtown area of Chemainus makes no sense and goes against the OCP.

Before making your decisions, please visit the area in question and ask yourselves if this is a place to retire to, or to bring your young children to. View for yourselves the area of development. Drive on the road (slowly and carefully). Imagine yourself having to get in your car to buy groceries, to access medical care and all other activities of daily living.

Please do not reward this developer's poor decisions in the past, by granting his request now in 2025.

Yours sincerely,

Susan Derby  
3227 Henry Road, Chemainus BC

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