

Wednesday, January 22, 2020

Minutes of the Public Hearing held on Wednesday, January 22, 2020 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 7:00 pm.

MINUTES

Present:

Chair:	E. Grieve	Puntledge/Black Creek (Area 'C')
Director:	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area 'A')
	A. Hamir	Lazo North (Area 'B')
Staff:	T. Trieu	Manager of Planning Services
	J. Martens	Manager of Legislative Services
	B. Chow	Rural Planner
	A. Baldwin	Legislative Services Assistant

RECOGNITION OF TRADITIONAL TERRITORIES

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

OPENING REMARKS BY THE CHAIR

Chair Grieve read a prepared statement regarding the public hearing procedures.

Approximately 15 members of the public were present for this public hearing.

INTRODUCTION OF THE APPLICATION

B. Chow, Rural Planner, provided a brief description of the zoning bylaw amendment application (RZ 5C 18) for an unaddressed lot on Wilfred Road (Unger). Two comments were received prior to the public hearing that were not supportive of the application. The proposed R- 1-10 zone reduces the minimum lot area for subdivision to enable a three-lot subdivision if the applicants donate approximately 0.45 hectares of the property as park space to CVRD and offer a five metre wide statutory right of way to provide access to this proposed donated land.

The following material was provided for information regarding Bylaw 593 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1"

- Zoning Bylaw Amendment application;

- Bylaw 593 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1";
- Staff reports dated January 23, 2019 and December 2, 2019;
- Agency referrals and responses;
- Excerpts from the minutes of the Electoral Areas Services Committee meetings, the Comox Valley Regional District Board meetings and the Advisory Planning Commission meetings; and
- The public hearing notice for publication in the local newspaper on January 14 and January 16, 2020.

WRITTEN SUBMISSIONS RECEIVED

Written submissions pertaining to the Zoning Bylaw Amendment application (RZ 5C 18) for an unaddressed lot on Wilfred Road (Unger) received prior to this public hearing which are attached and form part of these minutes.

Written submissions pertaining to the Zoning Bylaw Amendment application (RZ 5C 18) for an unaddressed lot on Wilfred Road (Unger) received at the public hearing which are attached and form part of these minutes.

PRESENTATION BY APPLICANT

The applicant, Garth Parkin, spoke to the zoning bylaw amendment application (RZ 5C 18) for an unaddressed lot on Wilfred Road (Unger) and addressed some of the comments raised in the written submissions. Mr. Parkin remarked that they had first started the application in 2016, at which time the regional district encouraged higher density. The owners were only interested in a small three-lot subdivision in accordance with the surrounding lots. Mr. Parkin said that the property was put up for sale at the time and they were approached by a developer and densification was raised again. The owners however wanted a small unobtrusive subdivision. Mr. Parkin commented there was some controversy about subdivision of the land and the regional district put safeguards in place, such as a riparian assessment, a wastewater assessment, etc. The consensus was that the land is not wet and that it is only wet in the north-east corner. There is a confluence of the stream that flows into the wetlands, which is the area designated as the park area. Mr. Parkin further commented that they had 20 perk holes dug in December 2016 after heavy rains. Eleven of the perk holes were dry and the highest water table was 24" below grade. Mr. Parkin spoke regarding the comment received in opposition to the development and remarked that there is a proposed 143 lot subdivision at Saratoga Beach Estates, whereas the applicants are only asking for two additional water connections. Mr. Parkin said that he assumed that, because the area falls within a settlement node, the regional district would have some answer to the water situation. Mr. Parkin further commented regarding the septic and said there is probably four feet of natural 'perkable' material, but that a pressure system would probably be installed. Mr. Parkin remarked that it is probably better to deal with two local people who are only interested in a small development. .

REPRESENTATIONS FROM THE PUBLIC

Members of the public in attendance were invited to provide comments regarding the Zoning Bylaw Amendment application (RZ 5C 18) for an unaddressed lot on Wilfred Road (Unger).

Dan Charles, 8710 Paulsen Road, adjacent property owner: Mr. Charles provided comments in opposition to the application from a prepared statement which is attached and forms part of these minutes.

Gerry Caplap, 8752 Paulsen Road: Mr Caplap spoke in opposition to the application and provided comments from a prepared statement which is attached and forms part of these minutes. In addition to these comments, Mr. Caplap remarked that it is his understanding that the proposed third well to increase water capacity for the Black-Creek Oyster Bay area is a no go and yet development continues, which places more demand on capacity. Mr. Caplap further commented that the amount to be donated is a fraction of what is shown on earlier maps. Mr. Caplap commented that it was more in the order of 2.5 acres as opposed to the proposed 1 acre donation. Mr. Caplap commented that until the regional district has an answer for the shortage in water capacity, no further development should occur.

Henry Unger, owner: Mr. Unger commented that they have lived in the area for 40 years with a long family history and they are passionate about what happens in their neighbourhood. Mr. Unger commented that the letters which were submitted in response to their application contained a lot of misinformation. Mr. Unger invited Mr. McFarlane and Mr. Charles to discuss the issues which do not line up. Mr. Unger said that they have heard the concerns and he gave the assurance that the issues raised have not been passed over and that they have already been addressed. Mr. Unger said that it had been a long process and a lot of in-depth studies were completed and that they are not on opposite sides. It is their hope to get the rezoning done.

Kolby Koschack, 8680 Whelan Road: Mr. Koschack outlined his family history and connection to the area and said that he grew up in the area. Mr. Koschack remarked that there are two water sources on the property, a stream that runs through the property as well as a creek at the top end of the property. Mr. Koschack commented that the area is very wet, especially during the winter months. Mr. Koschack further remarked that there is no accessible network of trails and walkways in the community and he feels that this is an opportunity to connect already existing trails. Mr. Koschack feels that this is a significant piece of land and an opportunity to build something up for the community.

Jen Robertson, Paulsen Road: Ms. Robertson invited the directors to walk the property tomorrow to see how wet it is and remarked that they would be quite shocked.

Adreanna Cowan 8726 Paulsen Road: Ms. Cowan remarked that there is no doubt that the area where the creek that runs through Mr. Unger's property beside her property to the wetlands should be protected. Ms. Cowan commented that it is down to hard pan and if her kids fell in it, they would be swept away. Ms. Cowan commented that water goes somewhere and it is quite powerful. Ms. Cowan has called the regional district about this issue as she expressed concern about the school that is in the area. Ms. Cowan remarked that all the water goes to the back, which is where her children play. Ms. Cowan commented that she and her family are not in favour of the rezoning and feels that the current zoning is perfect.

QUESTIONS FROM DIRECTORS

In response to a question from Director Hamir to clarify the densification under the proposed R1-10 zone, CVRD staff advised one of the subdivision requirements for the Residential One Exception 10 (R-1-10) is an amenity contribution to allow a reduced the minimum lot size from 8 ha to 1 ha to accommodate a three lot subdivision. It was also confirmed that one full sized single family dwelling and one carriage house would be permitted on each new lot.

In response to a question from Director Hamir regarding water connections to the Black Creek Oyster Bay (BCOB) Water Service, CVRD staff confirmed that each new lot would require a connection to the BCOB Water Service. Staff read a portion of the staff report dated December 2, 2019 that confirms capacity for this proposal by the CVRD Engineering Services Branch.

In response to a question from Director Hamir regarding access to the portion of the property that would be designated parkland, staff confirmed that the amenity contribution is intended for conservation, the streamside protection and enhancement area around the water course restricts any development and staff do not envisage public access to that area. The five metre statutory right of way is required to provide access to CVRD staff/contractors for any work that may be required related to the parkland.

In response to a question from Director Hamir regarding the subdivision process and how lot lines and building envelope are determined, CVRD staff advised that once the CVRD receives a subdivision referral from the Ministry of Transportation (MOTI) the applicant is required to submit reports from qualified professionals. This includes an environmental assessment from a Qualified Environmental Professional and an assessment on rainwater management/geotechnical hazards from a geotechnical engineer. Through the subdivision referral process, staff review these reports in relation to the proposed layout and building envelope to ensure there is adequate space for construction outside of environmentally sensitive/hazardous areas and provide comments of their review to the MOTI.

Chair Grieve called for any further speakers.

Dan Charles, 8710 Paulsen Road, spoke for a second time in opposition to the application. Mr. Charles responded to a comment by staff from the December 2, 2019 staff report regarding approved water connections. Mr Charles commented that the staff report dated May 24, 2019 from the CVRD Engineering Department indicated that there is no capacity for additional connections to the BCOB water system. Mr. Charles remarked he spoke with the Engineering Department staff today and they said that these water connections were approved based on the assumption that the third well would be approved. Mr. Charles further remarked that the Engineering Department should not have approved any further connections without the certainty of the third well. Mr. Charles commented that the May 24th report is an imported report and should be looked at.

Candice Carey, Paulsen Road spoke for a first time. Ms. Carey stated that she did not get a notice as she does not live within the required parameters of the subject property to receive notification. Ms. Carey raised the mosquito problem in the area, which has made provincial and national news. Ms. Carey spoke in opposition to the rezoning application and said that it would result in more water flowing into the bog area, which will provide a greater habitat for the mosquitoes because the water has to go somewhere.

Kolby Koschack, Whelan Road, spoke for a second time. Mr Koschack enquired what the comments from the First Nations were regarding the application. CVRD staff confirmed that the feedback received from the K'ómoks First Nation and We Wai Kai First Nation were that they did not have any comments. No further responses were received from the other First Nations that were invited to provide comments.

Gerry Caplap, Paulson Road, spoke for a second time and asked what level of detail is provided to the First Nations and expressed his surprise that the First Nations did not provide comments and/or did not respond, considering the environmentally sensitive impacts of the application. Staff confirmed that the CVRD follows an established referral process and that the First Nations and other regulatory authorities are provided with a cover letter and staff reports with all the relevant studies.

Staff further outlined that the Engineering Department had confirmed at 4:30 pm, prior to the public hearing, that there is adequate capacity in the BCOB water system for this proposal.

Dan Charles, Paulsen Road, spoke for a third time and commented that this information contravenes all the studies that had been done as outlined in the May 24, 2019 staff report.

E. Brown, Paulson Road spoke for a first time in opposition to the application and commented that the water issue has been an ongoing issue for many years and has to be dealt with first. Mr. Brown requested confirmation that the regional district is not allowing any more subdivisions until this problem has been solved.

Staff responded that the MOTI is the approving officer for subdivisions.

Mr. Brown commented that no subdivision should be approved until the water issue has been addressed.

Director Arbour questioned whether the May 24, 2019 report addresses a system wide issue in regards to providing water in the long term for all the service participants and the need for find a solution for the entire system versus the impact of additional houses on the system. CVRD staff confirmed that this is the case.

CLOSING REMARKS

Chair Grieve provided closing remarks and asked that all written submissions be brought forward.

TERMINATION

Chair Grieve provided an opportunity for those in attendance to place written submissions in the comment box. Chair Grieve called a second, third and final time for any further submissions regarding Bylaw No. 593.

Dan Charles, Paulsen Road spoke for a fourth time and commented that the water system cannot meet current demands.

Chair Grieve called for a final time for any speakers to come forward. Hearing no speakers the Chair declared the public hearing terminated

Time: 8:00 pm.

Chair Grieve

Director Hamir

Director Arbour

Certified Correct:

Jake Martens
Manager of Legislative Services

Recorded By:

Antoinette Baldwin
Legislative Services Assistant

These minutes were received by the Comox Valley Regional District Board on the ____ day of _____ 20.

3360-20 / RZ 5C 18

From: Brian Chow
Sent: Wednesday, January 22, 2020 8:16 AM
To: 'LeRoy McFarlane'
Cc: Antoinette Baldwin; Sylvia Stephens
Subject: RE: Bylaw 593 "Rural Comox Valley Zoning Bylaw No.520, 2019 Amendment No. 1"

From: LeRoy McFarlane
Sent: January 21, 2020 5:20 PM
To: Planning and Development Services <planningdevelopment@comoxvalleyrd.ca>
Cc: Edwin Grieve <edwingrieve@shaw.ca>; Brian Chow <bchow@comoxvalleyrd.ca>; Arzeena Hamir <arzeenahamir@shaw.ca>; reachme@danielarbour.ca
Subject: Bylaw 593 "Rural Comox Valley Zoning Bylaw No.520, 2019 Amendment No. 1"

File 3360-20/RZ 5C 18
Re: Bylaw No. 593 Applicant: Unger
Proposed: Rezone from Rural Eight (RU-8) to Residential One Exception Ten (R-1-10)

Attn Brian Chow Rural Planner, Chair and Directors Edwin Grieve, Arzeena Amir, Daniel Arbour, and Staff of the Electoral Area Services Committee.

Description:

The home I have occupied since 1992 is located adjacent to the Unger property on Wilfred Rd. The proposed property has a bench/ridge which runs SE to NW from a mid point of the property along wilfred rd to the NW corner, roughly where it intersects with the creek downstream from paulsen rd.(see figure 7 of Staff Report dec 02 2019 "Russell Dyson"). The southwest portion of this bench above the ridge line is is the only portion that is suitable for a home, (acknowledging this available land is limited and the stream divides it into 2 portions.) I know this piece of land well and is my opinion due to hydrology including both the surface and ground water this is not a suitable site for residential development.

Note: this land will not perk for conventional septic waste systems. (septic tank and field).

The watercourse identified on figure 7 as a "ditch" - which dissects the Unger property from the SW to the NE is infact a stream originating at or near miracle beach rd that was covered over when homes were constructed in or about 1960.

This stream runs consistently 12 months of the year and is habit for many species of bird and wildlife.

On the North side of the property is another watercourse, riparian area which also runs consistently 12 months of the year. And is known by many to have populations of coho salmon, and invertebrates.

This stream originates to the west of paulsen rd at what once was a wetland habitat prior to the current owner Kip Keylock drained and diverted by excavating a network of large smooth open ditches.

With the 1 in 200 year rain events we now experience several times a year the water flows here are excessive and flood the north side of the Unger property.

Note these 2 creeks empty to the sensitive riparian zone, the saratoga wetland. (figure 6) to the NW - immediately adjacent to the Unger property.

Due the proximity of the saratoga wetlands - I suggest is necessary that any development construction be conducted in such a manner there is minimal impact to the existing vegetation, forest floor and recovering canopy from the clear cut harvesting the owner completed roughly 12 years ago.

Is my opinion this is a difficult property to control and manage the residential runoff water from entering the adjacent saratoga wetlands riparian salmon habitat.

Specifically _ figure 7 SPEA Watercourse, (ditches) "Stream".. I am most interested to assure the planner and the committee have a copy of the original Feb 2017 consultant report (note you have included as Figure 7 the revised current environmental "PRM" report, dated june 2019)..

I have known of instances where the environmental reports prepared under the professional reliance model now a common practice within government risk that the process favours the interests of the proponent's application, who is the payor and exclusive owner of the reports generated to support the application.

I feel all reports commissioned need to be available and reviewed by the planning department, as the stewards of the community's future

The Asks:

_ Given the BCOB water capacity remains unknown, I request there be an immediate and firm hold on all rezoning and building permits in the saratoga miracle beach area. When the CVRD has determined the number of additional BCOB hookups are assured / guaranteed and the LAP is finalized (IE the water carrying capacity for saratoga miracle beach is known).

My memory tells me that in 2011 the CVRD believed there were 100 additional water hookups available (please correct me if I err).

However since that time with the variability in weather patterns, as predicted we are definitely experiencing less rainfall in the summer months when demand for water is at the highest with demands from tourism, livestock, vegetable gardens and landscaping (trees lawns flower beds). The demand on the BCOB system peaks at over 6000 individuals consuming water each day.

Is my opinion and speaking on behalf of our community - the assurity of drinking water is priority one - and therefore no additional approvals on building lots or rezoning of land be allowed til we have plenty water for each member of the community.

(note since 2011, when there was to my memory 100 additional hookups - the CVRD has authorized a number of development proposals which require BCOB water hookups.

* watutco 143 residences, saratoga beach estates 143 lots, with phase 2 planned, miracles beach estates 17 lots (or more ?) and their advert states - "phase 2 coming soon", driftwood estates, and individual new homes in saratoga miracle beach area (probably 30).. and more importantly the solution the BCOB had to the limited water capacity the well 3 was declined by the SRD....

Also consider the impact of the anticipated sea level rise and flooding along the lower reaches of the oyster river and the saltwater foreshore flood plain zone to the BCOB system..

Make a change in course now - allowing the developments already approved access to water, and assure all existing homeowners will continue to receive the water from the BCOB system.

_ With consideration of my concerns expressed above, Any approvals include severe restrictions on clearing and disturbing all vegetative cover (indigenous trees, shrubs and grasses, etc) and strict management and control of all waste - runoff water, human septic fields, and waste water.

_ An independent assessment for the Unger property (CVRD funded) of riparian species present and for wildlife identify any presence of species at risk..

_ No broad ditching that permits flood pace flows in the watercourses from heavy rain and snow falls or storm water.

**** The Best and Only Acceptable Solution (for all concerned) _ And in the big picture - the least cost !:

The Unger Property on Wilfred Rd:

It is my opinion the best use of this land - is as a green space, in perpetuity as a jewel in the saratoga miracle beach community.

Importantly Note - A connecting network of trails or in the least roadside walkways "do not exist" in this community

___ And the Solution is:

Dare to dream _ and visualize a trail network and a sustainable wildlife corridor from the miracle beach school and wilfred rd - along the boundary of the saratoga wetland connecting to the regional driftwood marine park on clarkson rd. And north to the expansive sands saratoga beach, where the oyster river meets the salish sea, or south to the fabulous miracle beach provincial park.

Please consider and then embrace the decision to create this legacy of a community green space, connecting residents of miracle beach rd and henderson ave saratoga beach to seaview rd to mclarey ave to the single lane bridge to the commercial business at discovery foods on glenmore rd and the oyster river nature park.

To my mind this is the perfect outcome - the creation of the "Unger community forest" green space..The hub connecting a network of trails to all points of saratoga miracle beach !

The terms of purchase may possibly include tax advantage for the owners,Mr and Mrs Unger, or it be accomplished as a straightforward purchase on behalf of the residents of the community by the CVRD's regional parkland acquisition fund..

What a gem this will make for the many new owners living here as envisioned under the regional growth strategy - this one of the 3 settlements nodes outside the municipal / urban boundaries of comox courtenay and cumberland.. And as a bonus this large connecting park area and wild life corridor will enhance and expand the appeal for the tourist experience, rewarding the immediate economic possibilities forever and the CVRD's tax base realized from this boost to property development at the saratoga beach estates and other high density home developments..

Spend a little extra dollars today - to benefit for all the years to come..Truly this is a legacy opportunity, not to allow to slip through the fingers of our elected regional reps...

Sincerely to you.

GL McFarlane

8676 whelan rd

black creek

V9J 1J8

To: Mr. Brian Chow, Rural Planner CVRD, Regional Directors – Edwin Grieve, Arzeena Amir, Daniel Arbour

From: Dan and Patti Charles, 8710 Paulsen Rd, Black Creek, B.C. V9J-1J8

Re: Bylaw 593 “Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1 (File 3360-20/RZ 5C 18)

We live on Paulsen Rd, our lot is adjacent to the property referenced in Bylaw#593 on Wilfred Rd. We have a number of concerns about the proposed bylaw.

When we purchased our lot in 1993 it was with the understanding that the adjacent lot could only have a maximum of 2 houses. Being Zoned RU-8, the lot could not be subdivided due to the size so we should have no concerns about that becoming an issue. This proposal changes that density from a maximum of 2 houses to the possibility of 6 more families living in the neighborhood (each lot would be able to build a house plus one carriage house) and a road built adjacent to our property.

The Unger property was clear cut about 15? years ago. It is now completely covered with deciduous and small coniferous trees and is acting as a sponge for excess water events. Anyone who develops the lot will likely remove and disturb the current landscape. This would allow excess runoff from rain and snow along with all of the associated sediment to flood the Saratoga Wetlands. There is a water course that runs thru the middle of the property with current SPEA of 5m on each side making two of the proposed 3 lots difficult to develop without affecting the wetlands. Environmentally, this property is too wet and it’s proximity to a sensitive wetland make it a poor candidate for increased density. The current RU-8 zoning makes sense. (I would also like to point out that the “Voluntary Community Amenity Contribution” and Statutory Right of Way the CVRD negotiated is almost completely in the 21.3m SPEA of the northern watercourse and would be un-available for development anyway).

The regional water system supply is in a critical supply situation in the dry summer months. GW solutions was hired to study the water situation in Sept/2015 and the staff report generated in regards to their findings on Nov. 13/15 (File 5620-02) confirmed the in-ability of the current system to supply community needs of 2000m³/day during the summer. I confirmed with CVRD engineering dept. that this has not improved.

The following text is from CVRD Staff Report dated May 24, 2019 from Marc Rutten (file 5600-03/BCOB)....

“Over the past several years the river infiltration gallery has proved unreliable, with 2014, 2015 and 2016 being particularly bad years. The CVRD has had to adapt operation of the water resources in the Park, relying much more on the ground water wells during the summer than was originally intended. With summer drought conditions only predicted to worsen, additional groundwater capacity is required to ensure the water service’s ability to meet summertime demand.”

The report goes on to say that if all of the existing Oyster river water licenses were maxed out the river would run dry in the summer. The CVRD concluded from this report that additional water licenses from the Oyster are unlikely. So the information on the water system capacity was available Nov, 2015 and re-enforced again as of May 24/19. The CVRD has determined the current water supply cannot meet CURRENT demand in the summer let alone any new connections. **For this reason alone this bylaw should not have gone thru to this level (could have been stopped Dec.9/19 where 1st and 2nd readings were passed) and should not be passed now.** I think it is important to bring to your attention that the CVRD staff refer to VIHA with regards to area water capacity. I confirmed with CVRD engineering that VIHA is responsible for the quality not the quantity. They are not the “external agency” for information of water system capacity.

We would also like to make a short mention of the process of re-zoning. This particular application was started in Sept/2018. The CVRD and applicants had over 18 months to consider this proposal. The general public and local residents were only given 10 days notice that their neighborhood was about to be changed and (in this case) their water supply possibly compromised. Is this fair? I think not!

In conclusion, we are STRONGLY against the proposal to allow increased density at this location.

Sincerely

Dan and Patti Charles
8710 Paulsen Rd, Black Creek, B.C. V9j-1J8

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



The personal information contained on this form is collected under the authority of section 26(e) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purposes of planning and evaluating a program or activity of the Comox Valley Regional District. The information provided will become a matter of public record and may be published online. Inquiries about the collection, use and disclosure of this information can be made at the Planning and Development Services Branch at 600 Comox Road, Courtenay, BC 250-334-6000 or by email at planningdevelopment@comoxvalleyrd.ca.

Date:

Comox Valley Regional District
RECEIVED

To: Comox Valley Regional District

JAN 22 2020

From: (Optional)

File:

Name (Please print): _____

Street Address: Paulsen Rd.

Tel/Email: jenrobertson64@gmail.com

Re:

Bylaw No. 593

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

We do not have the water capacity
for this bylaw.

This will be build on sensitive wet
lands, the regional district maps
are not update to the proposed
area. It is not a substantiable
choice for the area.

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



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Date:

Comox Valley Regional District
RECEIVED

To: Comox Valley Regional District

JAN 22 2020

From: (Optional)

File:

Name (Please print):

Adria Cowan

Street Address:

8726 Jaulsen Rd, Black Creek

Tel/Email:

250 203 4902 / adriaandora@gmail.com

Re:

Bylaw No. 593

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

- I do not want a trail or road or pathway running down the length of my property

- water will pool behind my property adding to the mosquito problem.

- I believe that the current zoning makes more sense in re: water & density

JAN 22/2020

TO WHOM IT MAY CONCERN

Comox Valley Regional District
RECEIVED

JAN 22 2020

File:

BYLAW # 520, 2019

IT SHOULD REMAIN "RU-8" FOR 2 REASONS

① SARATOGA WETLANDS

ONE TRIBUTARY RUNS THROUGH THE PROPERTY
AS WELL AS TRIBUTARY ON NORTH-EAST SIDE

② WATER DEMAND

I'M SURE THE C.V.R.D. IS AWARE OF WATER
SUPPLY IS AT A PREMIUM IN MIRACLE/SARATOGA AREA

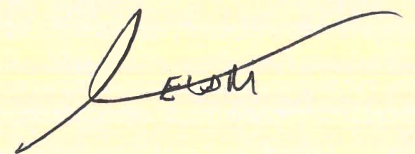
WATER ISSUES HAVE BEEN A MAJOR TOPIC
SINCE I'VE LIVED HERE FOR 25 YEARS.

STOP URBAN SPRAWL UNTIL WATER ISSUES
ARE SOLVED.

YOURS TRULY

E. P. BROWN

8765 PAULSEN RD.,
BLACK CREEK, B.C.
V9J 1J8



EMAIL: PAUL.ELD654@GMAIL.COM

JAN 22 2020

File 3360-20/RZ 5C 18

Re: Bylaw No. 593 Applicant: Unger

Proposed: Rezone from Rural Eight (RU-8) to Residential One Exception Ten (R-1-10)

File:

Attn Brian Chow Rural Planner, Chair and Directors Edwin Grieve, Arzeena Amir, Daniel Arbour, and Staff of the Electoral Area Services Committee.

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The proposed property has a bench/ridge which runs SE to NW from a mid point of the property along Wilfred Rd to the NW corner, roughly where it intersects with the creek downstream from Paulsen Rd. (see figure 7 of Staff Report Dec 02 2019 "Russell Dyson"). The southwest portion of this bench above the ridge line is the only portion that is suitable for a home, (acknowledging this available land is limited and the stream divides it into 2 portions.)

I know this piece of land well and in my opinion due to hydrology including both the surface and ground water this is not a suitable site for residential development.

Note: this land will not perk for conventional septic waste systems. (septic tank and field).

The watercourse identified on figure 7 as a "ditch" - which dissects the Unger property from the SW to the NE is in fact a stream originating at or near Miracle Beach Rd that was covered over when homes were constructed in or about 1960.

This stream runs consistently 12 months of the year and is habitat for many species of bird and wildlife.

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exclusive owner of the reports generated to support the application.
I feel all reports commissioned need to be available and reviewed by the planning department, as the stewards of the community's future

The Asks:

_ Given the BCOB water capacity remains unknown, I request there be an immediate and firm hold on all rezoning and building permits in the saratoga miracle beach area. When the CVRD has determined the number of additional BCOB hookups are assured / guaranteed and the LAP is finalized (IE the water carrying capacity for saratoga miracle beach is known).

My memory tells me that in 2011 the CVRD believed there were 100 additional water hookups available (please correct me if I err).

However since that time with the variability in weather patterns, as predicted we are definitely experiencing less rainfall in the summer months when demand for water is at the highest with demands from tourism, livestock, vegetable gardens and landscaping (trees lawns flower beds). The demand on the BCOB system peaks at over 6000 individuals consuming water each day.

Is my opinion and speaking on behalf of our community - the assurity of drinking water is priority one - and therefore no additional approvals on building lots or rezoning of land be allowed til we have plenty water for each member of the community.

(note since 2011, when there was to my memory 100 additional hookups - the CVRD has authorized a number of development proposals which require BCOB water hookups.

* watutco 143 residences, saratoga beach estates 143 lots, with phase 2 planned, miracles beach estates 17 lots (or more ?) and their advert states - "phase 2 coming soon", driftwood estates, and individual new homes in saratoga miracle beach area (probably 30).. and more importantly the solution the BCOB had to the limited water capacity the well 3 was declined by the SRD....

Also consider the impact of the anticipated sea level rise and flooding along the lower reaches of the oyster river and the saltwater foreshore flood plain zone to the BCOB system..

Make a change in course now - allowing the developments already approved access to water, and assure all existing homeowners will continue to receive the water from the BCOB system.

_ With consideration of my concerns expressed above,

Any approvals include severe restrictions on clearing and disturbing all vegetative cover (indigenous trees, shrubs and grasses, etc) and strict management and control of all waste - runoff water, human septic fields, and waste water.

_ An independent assessment for the Unger property (CVRD funded) of riparian species present and for wildlife identify any presence of species at risk..

_ No broad ditching that permits flood pace flows in the watercourses from heavy rain and snow falls or storm water.

**** The Best and Only Acceptable Solution (for all concerned) _ And in the big picture - the least cost !:

The Unger Property on Wilfred Rd:

It is my opinion the best use of this land - is as a green space, in perpetuity as a jewel in the saratoga miracle beach community.

Importantly Note - A connecting network of trails or in the least roadside walkways "do not exist" in this community

___ And the Solution is:

Dare to dream _ and visualize a trail network and a sustainable wildlife corridor from the miracle beach school and wilfred rd - along the boundary of the saratoga wetland connecting to the regional driftwood marine park on clarkson rd. And north to the expansive sands saratoga beach, where the oyster river meets the salish sea, or south to the fabulous miracle beach provincial park.

Please consider and then embrace the decision to create this legacy of a community green space, connecting residents of miracle beach rd and henderson ave saratoga beach to seaview rd to mclarey ave to the single lane bridge to the commercial business at discovery foods on glenmore rd and the oyster river nature park.

To my mind this is the perfect outcome - the creation of the "Unger community forest" green space..The hub connecting a network of trails to all points of saratoga miracle beach !

The terms of purchase may possibly include tax advantage for the owners,Mr and Mrs Unger, or it be accomplished as a straightforward purchase on behalf of the residents of the community by the CVRD's regional parkland acquisition fund..

What a gem this will make for the many new owners living here as envisioned under the regional growth strategy - this one of the 3 settlements nodes outside the municipal / urban boundaries of comox courtenay and cumberland.. And as a bonus this large connecting park area and wild life corridor will enhance and expand the appeal for the tourist experience, rewarding the immediate economic possibilities forever and the CVRD's tax base realized from this boost to property development at the saratoga beach estates and other high density home developments..

Spend a little extra dollars today - to benefit for all the years to come..Truly this is a legacy opportunity, not to allow to slip through the fingers of our elected regional reps...

Sincerely to you.

GL McFarlane
8676 whelan rd
black creek
V9J 1J8

File: 3360-20/RZ 5C 18

Re: Bylaw No. 593 Applicant: Unger

Proposed: Rezone from Rural Eight (RU-8) to Residential One Exception Ten (R-1-10)

JAN 22 2020

File:

Attention: Brian Chow Rural Planner, Chair and Directors Edwin Grieve, Arzeena Amir, Daniel Arbour, and Staff of the Electoral Area Services Committee.

PURPOSE

To honour and steward the traditional land of the K'omoks and We Wai Kai families that is now known as the 'Saratoga Wetlands'.

KEY CONSIDERATIONS

I know this piece of land well and it is my opinion due to hydrology including both the surface, and ground water, this is not a suitable site for residential development and will result in serious impacts to the adjacent Saratoga Wetlands riparian salmon habitat. The creek and stream empty to the sensitive riparian zone, the Saratoga Wetland. (figure 6) to the NW - immediately adjacent to the Unger property. With the old 1 in 200 year rain events we now experience several times a year, the water flows in the Saratoga Wetlands are excessive and flood the north side of the Unger property.

CURRENT SITUATION

- The streams through the Unger property runs consistently 12 months of the year and is habitat for many species of bird and wildlife.
- An accessible connecting network of trails or roadside walkways do not exist in this community.
- Black Creek and Oyster Bay water capacity remains unknown and additional water hook-ups have exceeded what was assessed in 2011.
- This land will not perk for conventional septic waste systems. (septic tank and field).

BACKGROUND

On the North side of the property is another watercourse, riparian area that also runs consistently 12 months of the year, it is known to have populations of Coho salmon, and invertebrates. This creek originates to the west of Paulsen road at what was once a wetland habitat prior to the current owner 'Kip Keylock', who drained and diverted water by excavating a network of large, smooth, open ditches.

NEXT STEPS / OPPORTUNITIES

1. Due to the proximity of the Saratoga Wetlands it is necessary that any development construction be conducted in such a manner so that there is minimal impact to the existing vegetation, forest floor and recovering canopy from the clear cut harvesting the owners completed roughly 12 years ago.
2. By accessing funding through the parkland acquisition fund, this large connecting park area and wild life corridor will enhance and expand the appeal for the tourist experience. Rewarding the immediate economic possibilities forever and the CVRD's tax base realized from this boost to property development at the Saratoga Beach estates and other high-density home developments.
 - The trail network would connect a sustainable wildlife corridor from the Miracle Beach School and Wilfred road along the boundary of the Saratoga Wetland connecting to the regional Driftwood Marine Park on Clarkson road and north to the expansive sands of Saratoga Beach, where the Oyster River meets the Salish Sea; or south to the Heritage Site of Traditional Fishing in the Black Creek estuary as you enter Miracle Beach Provincial Park.

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



The personal information contained on this form is collected under the authority of section 26(e) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purposes of planning and evaluating a program or activity of the Comox Valley Regional District. The information provided will become a matter of public record and may be published online. Inquiries about the collection, use and disclosure of this information can be made at the Planning and Development Services Branch at 600 Comox Road, Courtenay, BC 250-334-6000 or by email at planningdevelopment@comoxvalleyrd.ca.

Date:

To: Comox Valley Regional District

Comox Valley Regional District
RECEIVED

From: (Optional)

JAN 22 2020

Name (Please print): G CAPRAL File: _____

Street Address: 8752 PULSEN

Tel/Email: GCAP4444@GMAIL.COM

Re: Bylaw No. 593

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

TO BE ENTERED INTO THE MINUTES

- TOTAL WATER CAPACITY HAS BEEN AT TIPPING POINT FOR YEARS, AS IDENTIFIED BY MANY STUDIES. SINCE STUDIES, GET MORE DEVELOPMENT HAS BEEN APPROVED WITHOUT CORRESPONDING CAPACITY INCREASE TO SOURCE

- REZONING IS THIN EDGE TO FACILITATE SUBDIVISION APPLICATIONS IN EXCESS OF THE 3 LOTS PROPOSED.

- COMMUNITY NOTIFICATION / ENGAGEMENT IS A SHAM! (50 METERS IN RURAL SETTING IS ABSURD) WEEKS TO REPLY GIVEN VS. EG. - OUTSIDE AGENCIES GIVEN 1YR+
- 1ST NATIONS >

- CVRD OWN DELIBERATIONS FOCUS ON 'DENSITY BONUS AWARDS' INSTEAD OF FOLLOWING THE COMMUNITY WISHES FOR LOWER DENSITY, KNOWING THE WATER AVAILABILITY

- THE UPSTREAM DEVELOPMENT CURRENTLY UNDERWAY IS ALREADY IMPACTING WATER FLOWS, INCREASED TURBIDITY

- THE RESULT WILL CONTINUE TO AFFECT THE SARASOTA MARSHLANDS & ADJACENCIES NEGATIVELY

- THE WATER COURSE THROUGH THE PROPERTY ~~IS~~ IS INTEGRAL TO THE WIDER AREA HYDRONICS SYSTEMS.

- WORST CASE SCENARIO IS TO ALLOW THE CURRENTLY APPROX 2 HOUSEHOLDS ON ONE, UNDIVIDED LOT. BEST CASE WOULD BE TO ACQUIRE / EXPROPRIATE THIS LAND FOR PUBLIC FISHERIES FLORA & FAUNA, IE PARKLAND

- AMOUNT PROPOSED TO BE DONATED LAND IS A FRACTION OF AMOUNTS SHOWN AS SET ASIDE IN EARLIER PLANNING SESSIONS FOR THE AREA

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RECEIVED

Date:

JAN 22 2020

To: Comox Valley Regional District

File:

From: (Optional)

Name (Please print): Candice Carey

Street Address: 8764 Paulsen Road Black Creek

Tel/Email: careycandice@gmail.com

Re: Bylaw No. 593

My comments/concerns are:

- I do support this bylaw.
- I do support this bylaw, subject to the conditions listed below.
- I do not support this bylaw.

Water is an issue, we have lived on our street for 7½ years and have walked the area in ALL seasons + weather conditions. Development of this property will cause further standing water in the ~~so~~ zone allotted to community contribution. Causing disturbance to bordering water lands. Flooding and standing water causing further problems with Mosquitoes ~~to~~ which has been a huge issue already in 2018 + 2019. Lack of notice a time ~~from~~ for preparation for your public meeting on this subject is an embarrassment.