

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 onto 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