



MEMORANDUM

TO: CHIEF ADMINISTRATIVE OFFICER
FROM: BRIGID REYNOLDS, CONSULTING TOWN PLANNER
SUBJECT: DP2025-04 – 276 TAL ROAD
MEETING DATE: JULY 8, 2025
SUBJECT PROPERTY: LOT 5, DISTRICT LOT 13, COWICHAN LAKE DISTRICT, PLAN VIP88703

Purpose

The purpose of this application is to consider approval of DP2025-04 to permit construction of a single family dwelling in the Watercourse & Streamside Protection Development Permit Area (DPA-1) and the Natural Hazard Lands Development Permit Area (DPA-2) for steep slopes and interface fire hazard.

Background

The subject property is 1141.2 m² (0.282 ac) in size and Urban (R-2). The applicant is proposing to construct a single family dwelling. The lot is undeveloped however it has been cleared, fill has been introduced to the site and construction forms have been installed. Because permitting had not yet been obtained, a stop work order was issued and placed on the site. Silt fencing has been installed along the Streamside Protection and Enhancement Area (SPEA).

The property is designated as being in the Watercourse & Streamside Protection Development Permit Area (DPA-1) due to the proximity to the adjacent stream, Watsons Creek and Natural Hazard Development Permit Area (DPA-2) for steep slopes because the property has slopes of approximately 15% and interface fire hazard due to the high interface fire hazard designation across the Town. In support of the application, the applicant has provided the following reports:

- Riparian Areas Protection Regulation Assessment Report, prepared by bob Crandall, of Swordfern Environmental, dated May 29, 2025
- Geotechnical Design Report, prepared by Coast Geotechnical, dated May 20, 2025

- Interface Fire Hazard Assessment, prepared by Inwood Forestry Services Ltd., dated June 3, 2025.

Development Permit Area Guidelines

Most of the property falls within the Riparian Area Assessment Area of 30 m. The Riparian Area Assessment Report determined that the Streamside Protection and Enhancement Area (SPEA) is 10 m wide. The applicant has installed silt fencing along the SPEA to prevent sediment from flowing into the stream. The Assessment Report has been submitted to the Province and the Town has not yet received a confirmation from the Province that the Assessment Report is consistent with the Riparian Area Regulation. Development cannot begin until confirmation has been received from the Province.

Geotechnical Hazard Assessment provides numerous recommendations related to construction on the site and confirms that the site is suitable for development provided the geotechnical recommendations are incorporated into the design and construction. Conditions of this development permit is that the geotechnical engineer submit a Schedule B Letter of Assurance as part of the building permit application and a Schedule C-B Letter of Assurance prior to issuance of the Occupancy Permit to confirm the design and work complies with the BC Building Code and safety requirements.

The report prepared by Inwood Forestry Service provides detailed guidance regarding vegetation management to minimize the risk associated with fire hazard. The Interface Fire Hazard Development Permit Guidelines includes guidance regarding building and infrastructure materials and vegetation management to minimize the risk. Given the proximity to adjacent forestry land and to compliment the professional report, a section 219 covenant that details required building and infrastructure materials is required to be registered on the title of the property as a condition of this permit.

Public Notification

Development Approval Procedures and Notification Bylaw No. 1109-2024 and the Local Government Act Section 499 require notice a minimum of 10 days prior to Council's consideration of the application. The notice was mailed out on June 18, 2025 and at the time of preparing the staff report no comments have been received.

Options

- 1) Approve the development permit.
- 2) Deny the development permit.
- 3) Request the applicant to submit additional information.

Recommendation

To approve DP2025-04 to permit construction of a single family dwelling in DPA 1 for streamside protection and DPA 2 for steep slope and interface wildfire hazard at 276 Tal Road, on the lot legally described as Lot 5, District Lot 13, Cowichan Lake District, Plan VIP88703 subject to the following conditions:

- No development shall begin until the Town has received confirmation from the Province of its acceptance of the Riparian Area Assessment.
- All development shall be in accordance with the Riparian Area Assessment Report prepared by Swordfern Environmental, dated May 29, 2025, the Geotechnical Design Report prepared by Coast Geotechnical dated May 20, 2025, and Interface Fire Hazard Assessment, prepared by Inwood Forestry Services Ltd., dated June 3, 2025;
- Silt fencing shall remain in place for the duration of the development of the property.

Prior to the issuance of a building permit the following are required to be submitted or completed:

- Schedule B Letter of Assurance prepared by the Geotechnical Engineer.
- A planting plan for the disturbed Streamside Protection and Enhancement Area prepared by a Qualified Environmental Planning, including a security bond in the value of labour and plants.
- Register a section 219 covenant on the certificate of title to include FireSmart standards and to save the Town harmless.

Prior to the issuance of an occupancy permit submit a Schedule C-B Letter of Assurance prepared by the Geotechnical Engineer.

Signed:

Brigid Reynolds RPP MCIP
Contract Planner

Concurrence:

Reviewed this 3rd day of July, 2025

John Thomas

John Thomas, MBA
Chief Administrative Officer

Attachment 2
[Riparian Area Assessment Report](#)
prepared by Swordfern Environmental, dated May 29, 2025

Attachment 3
[Geotechnical Design Report](#)
prepared by Coast Geotechnical dated May 20, 2025

Attachment 4
[Interface Fire Hazard Assessment](#),
prepared by Inwood Forestry Services Ltd., dated June 3, 2025