

JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **August 20, 2024, at 7 pm**

Juan de Fuca Local Area Services Building, #3 – 7450 Butler Road, Otter Point, BC

AGENDA

1. Territorial Acknowledgment
2. Approval of Agenda
3. Adoption of Minutes of June 18, 2024
4. Chair's Report
5. Planner's Report
6. Development Variance Permit Application
 - a) VA000162 - Parcel A (DD 80053I) of Section 86, Sooke District (315 Becher Bay Road)
7. Non-Adhering Residential Use within the Agricultural Land Reserve Application
 - a) AG000085 - Parcel A (DD 80053I) of Section 86, Sooke District (315 Becher Bay Road)
8. Zoning Amendment Application
 - a) RZ000280 - Lot A Section 74 Renfrew District Plan VIP71883 (11237 West Coast Road) and That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW
9. Temporary Use Permit Application
 - a) TP000013 – Lot A Section 74 Renfrew District Plan VIP71883 (11237 West Coast Road) and That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW
10. Adjournment

PLEASE NOTE: The public may attend the meeting in-person or electronically through video or teleconference. To attend electronically, please contact us by email at jdfinfo@crd.bc.ca so that staff may forward meeting details.



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Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, June 18, 2024, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC

PRESENT: Director Al Wickheim (Chair), Les Herring, Vern McConnell, Roy McIntyre, Ron Ramsay, Dale Risvold, Anna Russell
Staff: Iain Lawrence, Senior Manager, Juan de Fuca Local Area Services (EP); Darren Lucas, Planner; Wendy Miller, Recorder
PUBLIC: 6 in-person; 5 EP

EP – Electronic Participation

The meeting was called to order at 7:00 pm.

1. Territorial Acknowledgement

The Chair provided a Territorial Acknowledgement.

2. Approval of the Agenda

MOVED by Dale Risvold, **SECONDED** by Vern McConnell that the agenda be approved, as amended, to strike the presentation from the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission and to consider the Agricultural Land Reserve application (AG000085) after consideration of the zoning amendment applications (RZ00285 and RZ000286).

CARRIED

Staff reported that the requested presentation from the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission will be scheduled for a meeting in the fall.

3. Adoption of Minutes of May 21, 2024

MOVED by Anna Russell, **SECONDED** by Roy McIntyre that the minutes from the meeting of May 21, 2024, be adopted.

CARRIED

4. Chair's Report

The Chair stated that the applications under consideration by the Juan de Fuca Land Use Committee this evening reflect application types that require additional consultation with different levels of government.

5. Planner's Report

No report.

6. Zoning Amendment Applications

a) RZ000285 - That Part of Lot 2, Section 60, Renfrew District, Plan 6764 Lying to the South of the 66 Foot Road Dedicated by Said Plan (9333 Invermuir Road)

Darren Lucas spoke to the request to rezone the subject property from the Rural A zone to the Rural Residential 3 zone (RR-3) to facilitate a two-lot subdivision, although the subject parcel could be subdivided into three parcels under the RR-3 zone. Attention was directed to the Environmental Report and the Riparian Areas Regulation Report submitted in support of the application, as included in the staff report.

The subject property and proposed subdivision plan were highlighted.

The Chair confirmed that the application agent was present.

The agent stated that a two-lot subdivision is proposed to provide a lot for each existing dwelling and that a concurrent two-lot subdivision application has been submitted to the Ministry of Transportation and Infrastructure. It was further stated that proof of potable water is a condition of subdivision.

Iain Lawrence responded to a question from the LUC advising that the Shirley – Jordan River Official Community Plan provides policies which support consideration of rezoning applications to permit subdivision of parcels zoned Rural A as an alternative to a building strata development.

MOVED by Ron Ramsay, **SECONDED** by Roy McIntyre that staff be directed to refer proposed Bylaw No. 4615, "Juan de Fuca Land Use Bylaw, 1992, Amendment No. 165, 2024" to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, First Nations and the following external agencies for comment:

Pacheedaht First Nation

T'Sou-ke First Nation

BC Hydro

District of Sooke

Island Health

Ministry of Forests - Archaeology Branch

Ministry of Forests - Water Protection Section

Ministry of Land, Water and Resource Stewardship

Ministry of Transportation & Infrastructure

RCMP

Sooke School District #62

CARRIED

b) RZ000286 - That Part of Section 90, Renfrew District, Shown Outlined in Red on Plan 913R Lying to the South of the Southerly Boundary of Plan 503RW and to the West of a Boundary Parallel to and Perpendicularly Distant 575 Feet from the Easterly Boundary of that Part of Said Section Shown Outlined in Red on Said Plan 913R, Except Part in Plan VIP80043 (9285 Invermuir Road)

Darren Lucas spoke to the request to rezone the subject property from the Rural A zone to the Rural Residential 6 (RR-6) zone to facilitate a three-lot subdivision. Attention was directed to the Water and Sewerage Servicing Assessment and the Environmental Assessment submitted in support of the application, as included in the staff report.

The subject property and proposed subdivision plan were highlighted.

The Chair confirmed that the application agent was present.

The agent stated that there is one existing well and that two additional wells would be required as part of the subdivision process.

Darren Lucas responded to a question from the LUC advising that each proposed lot with a single-family dwelling would be permitted opportunity for one suite. Iain Lawrence advised that zoning amendment bylaws are routinely held at third reading until subdivision preliminary layout review approval is provided by the Ministry of Transportation and Infrastructure.

MOVED by Roy McIntyre, **SECONDED** by Vern McConnell that be directed to refer proposed Bylaw No. 4616, "Juan de Fuca Land Use Bylaw, 1992, Amendment No. 166, 2024" to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, First Nations and the following external agencies for comment:

Pacheedaht First Nation

T'Sou-ke First Nation

BC Hydro

District of Sooke

Island Health

Ministry of Forests - Archaeology Branch

Ministry of Forests - Water Protection Section

Ministry of Land, Water and Resource Stewardship

Ministry of Transportation & Infrastructure

RCMP

Sooke School District #62

CARRIED

7. Non-Adhering Residential Use within the Agricultural Land Reserve Application

a) AG000085 - Parcel A (DD 80053I) of Section 86, Sooke District (315 Becher Bay Road)

Iain Lawrence spoke to the application for a non-adhering residential use for the purpose of constructing a detached secondary suite (carriage house) and an accessory building (garage) on land in the Agricultural Land Reserve. It was advised that, in order to obtain a building permit and complete construction, approval for the non-adhering residential use is required prior to approval for variances to increase the allowable floor area and height of a detached accessory suite.

The subject property, site plan and building plans were highlighted.

The Chair confirmed that the applicant was present and that he visited the subject property in advance of the meeting.

LUC discussion ensued regarding the degree of construction completed without building permit oversight and determination of arability of the subject property, which is understood to have been an active farm in past.

The applicant stated that farm related activity on the subject property is limited to an older orchard.

Iain Lawrence stated that arability would be determined through submission of a qualified professional report by the applicant.

MOVED by Dale Risvold, **SECONDED** by Vern McConnell that staff be directed to refer the application for a non-adhering residential use for Parcel A (DD 80053I) of Section 86, Sooke District to the Juan de Fuca Electoral Area Agricultural Advisory Planning Commission for comment.

CARRIED

8. Adjournment

The meeting adjourned at 8:26 pm.

Chair



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REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, AUGUST 20, 2024

SUBJECT **Development Variance Permit for Parcel A (DD 80053I) of Section 86, Sooke District – 315 Becher Bay Road**

ISSUE SUMMARY

A request has been made for a development variance permit to increase the maximum combined total floor area allowance for accessory buildings and structures from 250 m² to 314 m² on a lot with an area of more than 5,000 m², for the purpose of constructing a garage and two-storey accessory building with a detached accessory suite; and increase the maximum height of a detached accessory suite from 7 m to the peak of the roof to 8.37 m, and to increase the maximum allowable floor area of a detached accessory suite from 90 m² to 103 m² for the purpose of constructing a detached accessory suite.

BACKGROUND

The 4 ha property is located at 315 Becher Bay Road (Appendix A) in East Sooke and is within the Agricultural Land Reserve (ALR). The parcel is zoned Agricultural (AG) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 and is adjacent to AG zoned parcels to the north and south, Becher Bay Road to the west, and to Becher Bay to the east. The parcel is partially designated as several Development Permit Areas by the East Sooke Official Community Plan (OCP), Bylaw No. 4000; however, the applicable Development Permit guidelines for recent land clearing completed on the subject property are being addressed separately under Development Permit application DP000416.

A 290 m² single-family dwelling constructed in 1977 and a 14 m² wellhouse are located on the central eastern portion of the property and are accessed from Becher Bay Road by an existing driveway.

The applicant recently commenced construction of a 114 m² steel frame garage and a 186 m² accessory building containing a 103 m² detached accessory suite without the necessary building permits. Plans provided as part of the building permit applications (Appendices B, C and D) indicated that the total combined accessory building floor area on the parcel exceeds 250 m², that the two-storey accessory building with detached accessory suite on the second floor exceeds 7 m, and that the floor area for the suite is greater than 90 m². Plans detail that the accessory building with suite is 8.37 m in height and that, while each storey of the accessory building has a floor area of 93 m², approximately 10 m² of the main floor provides an entrance and laundry area to the suite on the second floor, which means that the overall suite floor area is approximately 103 m². Staff note that the floor area measurement demonstrated on the plans is greater than the requested variance since the floor area of suites is calculated on the inside of exterior walls.

The landowner has requested a variance to the regulations of the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 (Appendix E). Since the proposed garage building is not for farm use and the floor area of the suite does not meet the conditions listed in Section 20.1 of the *Agricultural Land Reserve Use Regulation*, a non-adhering residential use approval from the Agricultural Land Commission (ALC) is also required.

ALTERNATIVES

Alternative 1

The Land Use Committee recommends to the Capital Regional District Board:

That Development Variance Permit VA000162 to authorize the construction of a garage and accessory building with a detached accessory suite on Parcel A (DD 800531) of Section 86, Sooke District, to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040:

1. Part 1, Section 4.01 2(c) by increasing the maximum combined total floor area allowance for accessory buildings and structures on a lot with an area of more than 5,000 m² from 250 m² to 314 m²;
2. Part 1, Section 4.20(f) by increasing the maximum floor area permitted for a detached accessory suite from 90 m² to 103 m²; and
3. Part 1, Section 4.20(g) by increasing the maximum height of an accessory building used for a detached accessory suite from 7 m to the peak of the roof to 8.37 m;

be approved and that issuance of the permit be withheld pending approval by the Agricultural Land Commission for a non-adhering residential use in accordance with the *Agricultural Land Reserve Use Regulation*.

Alternative 2

That the development variance permit be denied.

IMPLICATIONS

Legislative Implications

The Juan de Fuca Land Use Bylaw 1992, Bylaw No. 2040, Part 1, Section 4.01 2(c) specifies that the combined total floor area of all accessory buildings and structures on parcels with a lot size greater than 5,000 m² shall not exceed 250 m². Since the combined floor area of the well house, garage, and accessory building with detached accessory suite exceeds this requirement, a variance is requested.

The Juan de Fuca Land Use Bylaw 1992, Bylaw No. 2040, Part 1, Section 4.20(f) specifies that the floor area of a detached accessory suite shall not be smaller than 33.4 m² and not exceed 90 m². Part 1, Section 4.20(g) of the Bylaw specifies that the maximum height of an accessory building used for a detached accessory suite shall be 7 m to the peak of the roof. Since the detached accessory suite does not meet these requirements, a variance is required.

Section 20.1 of the *Agricultural Land Commission Act (ALC Act)* limits residential use of agricultural land to one residence per parcel and a total floor area of 500 m² or less. Section 34.3 of the *Agricultural Land Reserve Use Regulation* allows for an additional residence to be constructed if conditions in the regulation are met. If a parcel is 40 ha or less, the secondary residence must have a floor area of 90 m² or less. An owner may apply to the ALC for a non-adhering residential use for permission to construct a non-farm building or alter the condition limiting the size of an additional residence under section 25 of the *ALC Act*. The ALC has referred a non-adhering residential use application to JdF Community Planning (CRD file: AG000085; ALC application ID: 100902), which has been considered by the Juan de Fuca Agricultural Advisory Planning Commission (JdF AAPC) and the Land Use Committee. If the non-adhering residential use is approved, a variance is required prior to the issuance of a building permit. If the Regional Board or the ALC denies the application, a variance would not be required.

Public Consultation Implications

Pursuant to Section 499 of the *Local Government Act*, if a local government is proposing to pass a resolution to issue a development variance permit, it must give notice to each resident/tenant

within a given distance as specified by bylaw. Capital Regional District Bylaw No. 3885, Fees and Procedures Bylaw, states that the Board, at any time, may refer an application to an agency or organization for their comment. In addition, it states that a notice of intent must be mailed to adjacent property owners within a distance of not more than 500 m. Any responses received from the public will be forwarded to the Land Use Committee in advance of the August 20, 2024, Land Use Committee meeting.

Land Use Implications

The East Sooke OCP Bylaw No. 4000 designates land in the ALR as Agriculture to protect these lands for current and future agricultural activities. This designation supports farming activities and other land uses as permitted by the ALC. Policy 464F states that the ALC *Act and Regulations* will be taken into account in the review of any land use or building application on lands in the ALR.

In order to construct a garage and an additional residence with a floor area greater than 90 m², approval by CRD Board to vary Section 4.01 2(c) and Section 4.20(f) and (g) of the JdF Land Use Bylaw is required. In addition, the ALC must grant approval for the non-adhering residential uses to which the variances directly apply.

Staff are of the opinion that the proposal, as shown in the building plans, is considered appropriate for the site and complies with the use of the AG zone. The development is not expected to adversely affect the natural environment or substantially alter the use and enjoyment of adjacent land. The JdF AAPC considered the application at its meeting on July 23, 2024, and passed a resolution recommending that their comments be forwarded to the Agricultural Land Commission for consideration of the proposed non-adhering residential uses noting that the applicant intends to use the land and garage for farm use in the future, and that the two-storey accessory building with detached accessory suite has a smaller building footprint on the land than a detached accessory suite with a side-by-side garage.

Should the garage be used for farm purposes in the future, as is the landowners' stated intention, the building would meet the height, setback and lot coverage requirements for agricultural buildings specified by the AG zone. At that time, the building would be considered a principal building under the agriculture use and would not be counted as accessory building floor area.

Staff recommend approval of VA000162 (Appendix F) subject to public notification and the condition that the ALC approve the non-adhering residential use application prior to issuance of the permit.

CONCLUSION

The applicant has requested a development variance to increase the maximum combined total floor area allowance of all accessory buildings and structures on a lot greater than 5,000 m² for the purpose of constructing a garage and accessory building with a detached accessory suite, and to increase the maximum height and maximum floor area of a detached accessory suite. In addition to the requested variances, approval from the Agricultural Land Commission to allow the non-adhering residential use on an ALR parcel is required. If the CRD Board approves the variances and the ALC approves the non-adhering residential use application, the Corporate Officer will proceed to issue the Permit and register a Notice of Permit on Title.

RECOMMENDATION

The Land Use Committee recommends to the Capital Regional District Board:

That Development Variance Permit VA000162 to authorize the construction of a garage and accessory building with a detached accessory suite on Parcel A (DD 800531) of Section 86, Sooke District, to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040:

1. Part 1, Section 4.01 2(c) by increasing the maximum combined total floor area allowance for accessory buildings and structures on a lot with an area of more than 5,000 m² from 250 m² to 314 m²;
2. Part 1, Section 4.20(f) by increasing the maximum floor area permitted for a detached accessory suite from 90 m² to 103 m²; and
3. Part 1, Section 4.20(g) by increasing the maximum height of an accessory building used for a detached accessory suite from 7 m to the peak of the roof to 8.37 m;

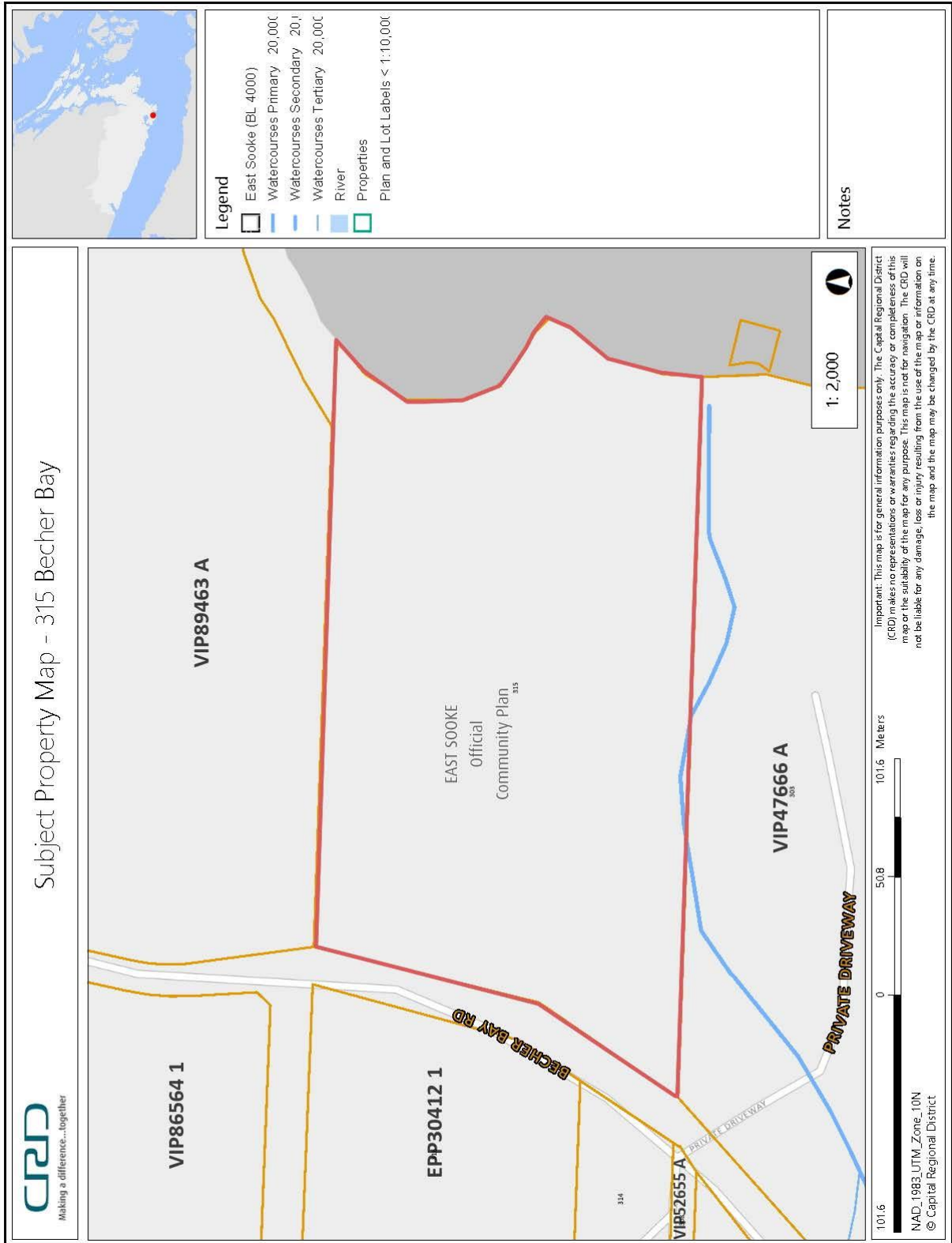
be approved and that issuance of the permit be withheld pending approval by the Agricultural Land Commission for a non-adhering residential use in accordance with the *Agricultural Land Reserve Use Regulation*.

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Local Area Services
Concurrence:	Shawn Carby, CD, MAL, Acting General Manager, Planning & Protective Services
Concurrence:	Shawn Carby, CD, MAL, Acting Chief Administrative Officer

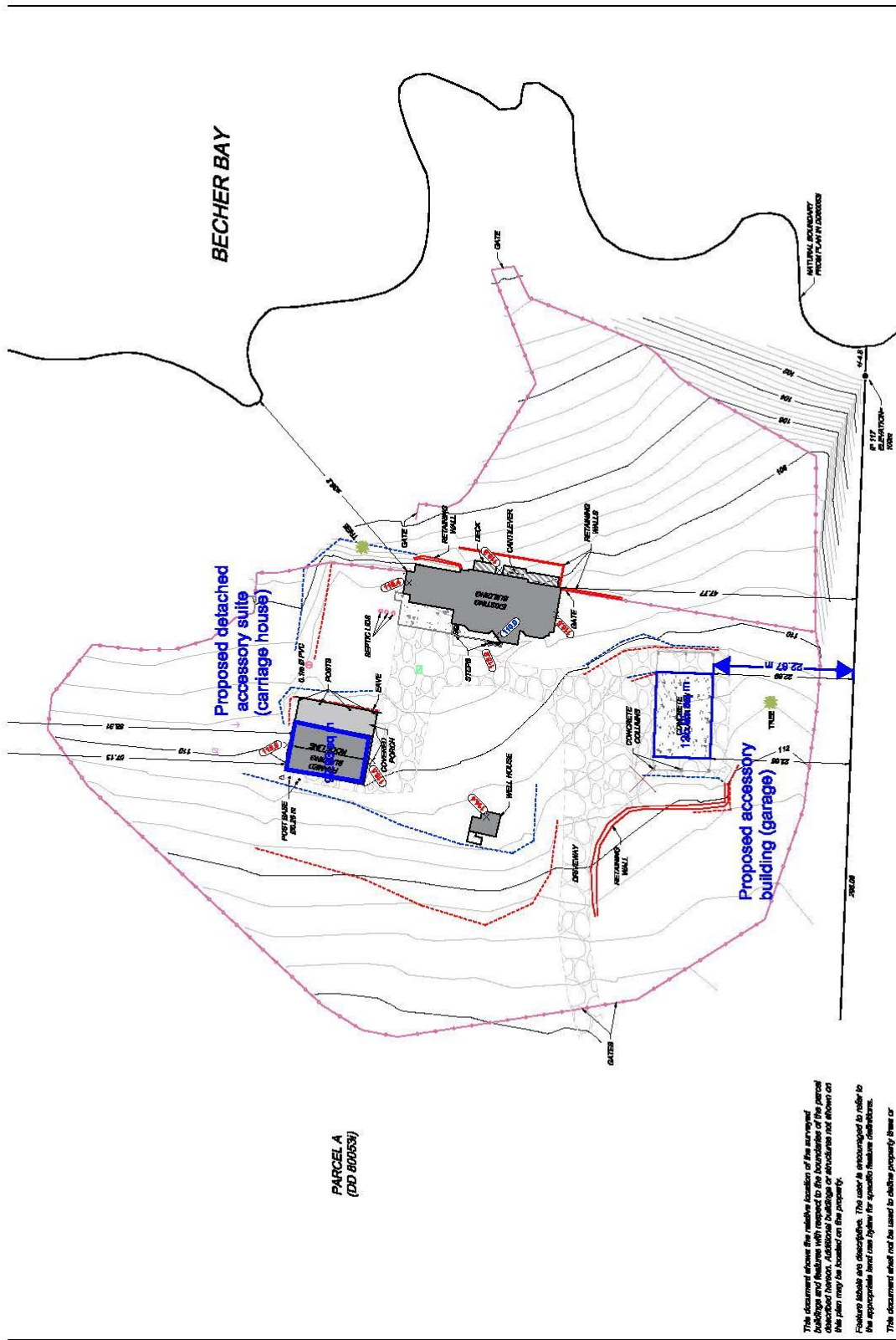
ATTACHMENTS

- Appendix A: Subject Property Map
Appendix B: Site Plan
Appendix C: Building Plans - Garage
Appendix D: Building Plans – Detached Accessory Suite
Appendix E: Requested Variances
Appendix F: Permit VA000162

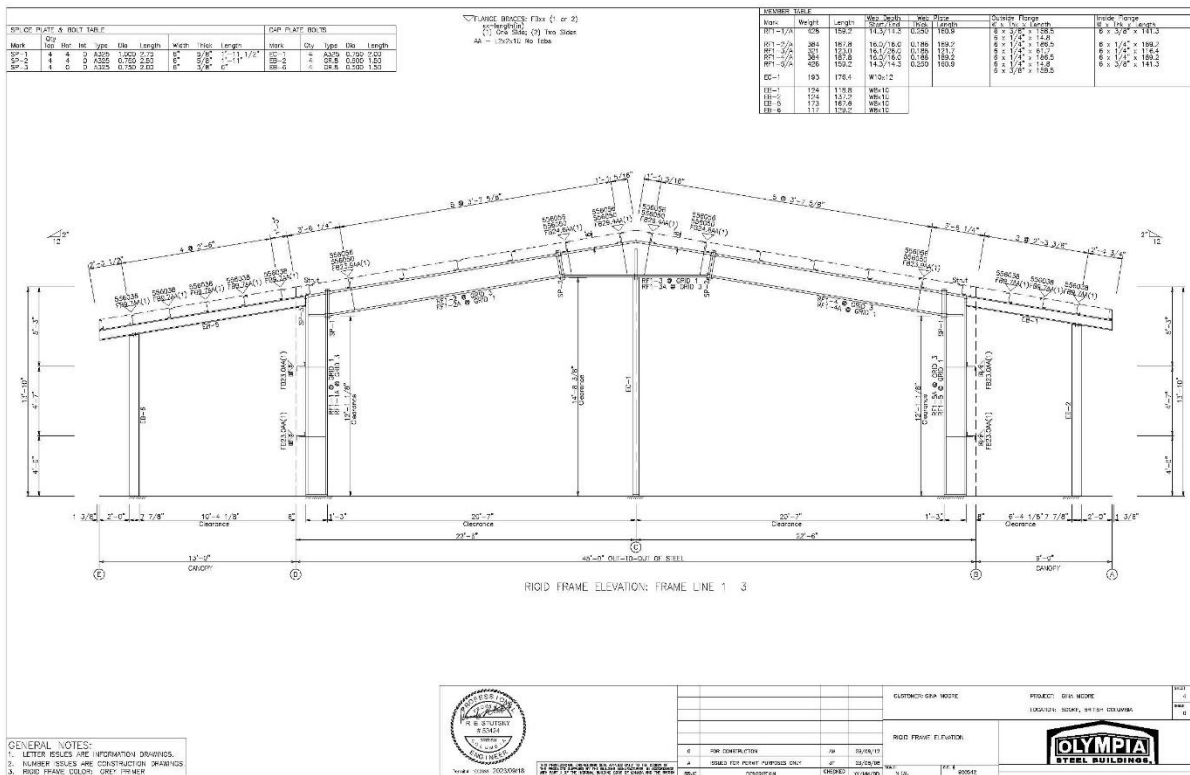
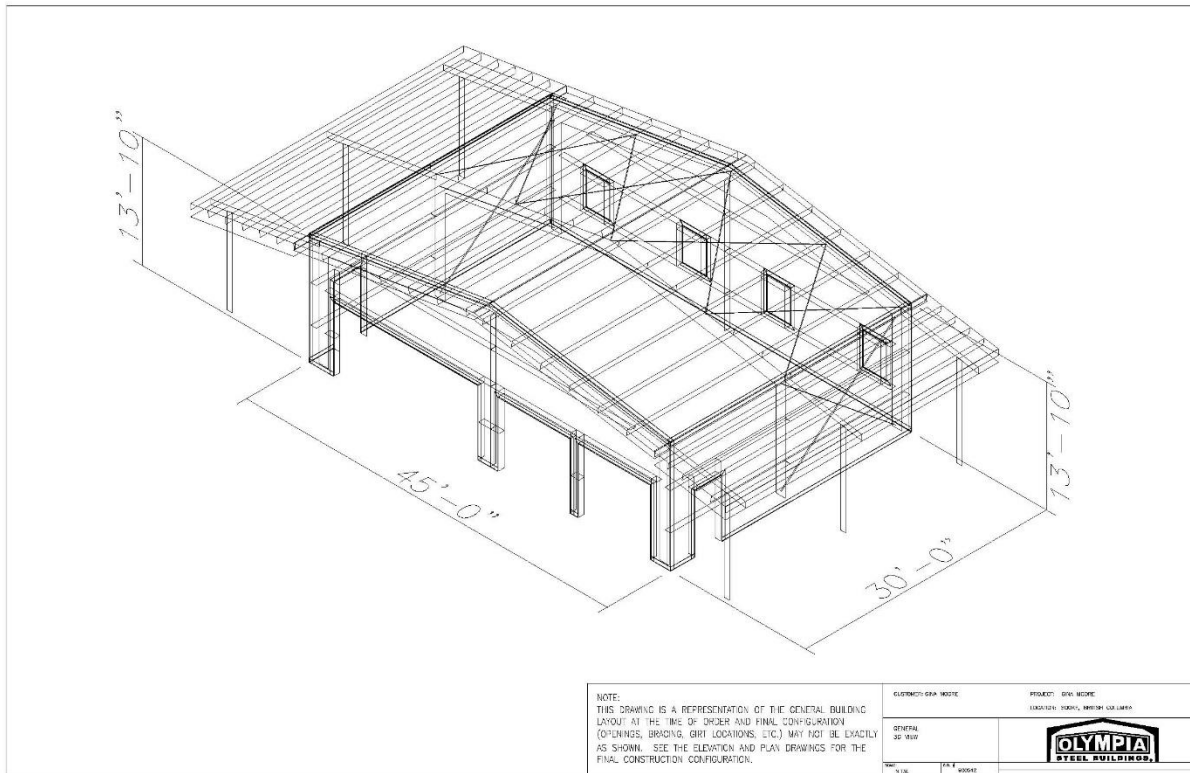
Appendix A: Subject Property Map



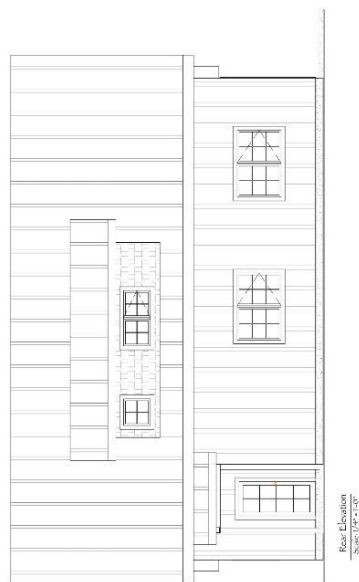
Appendix B: Site Plan




Appendix C: Building Plans – Garage

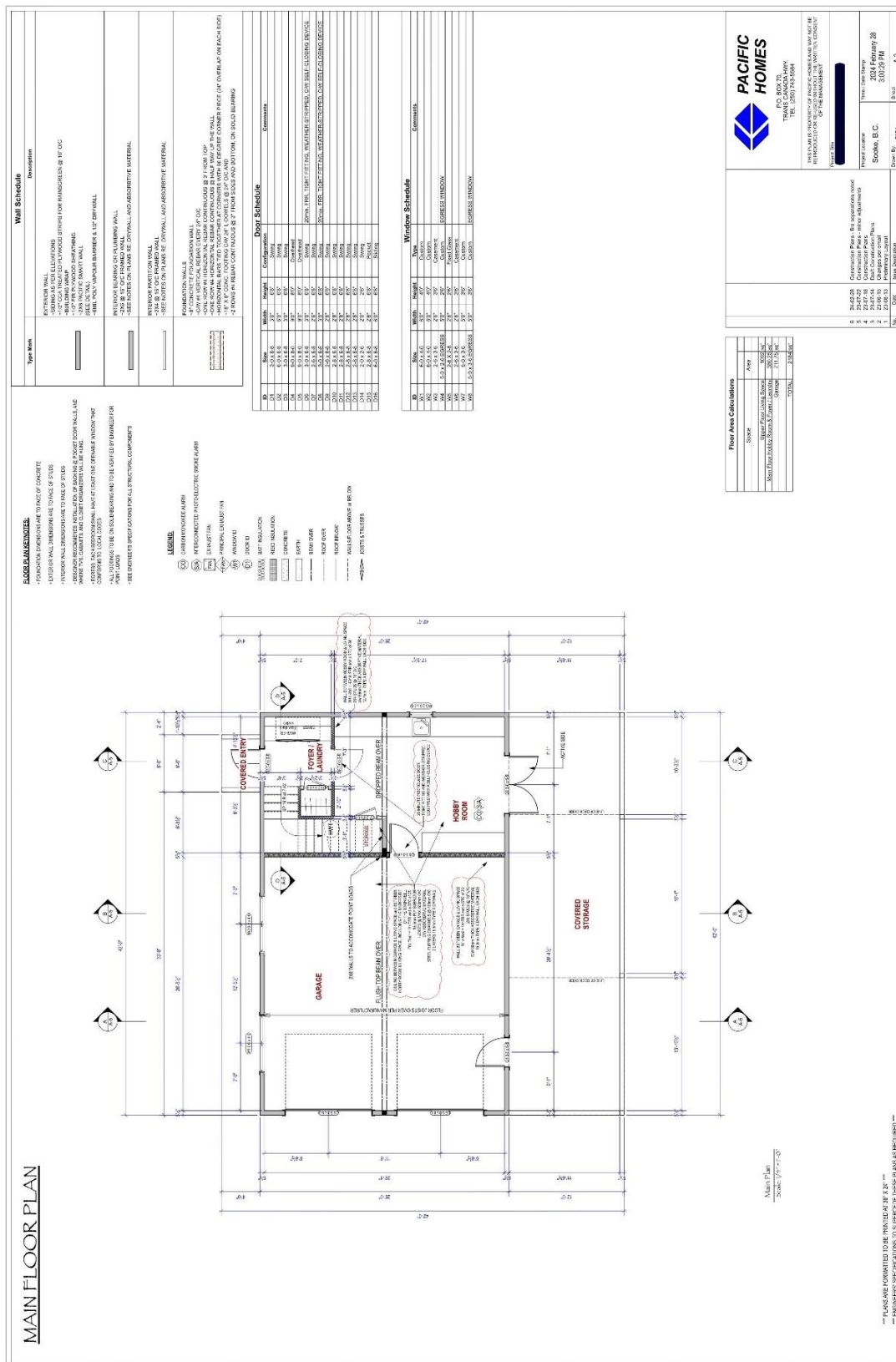


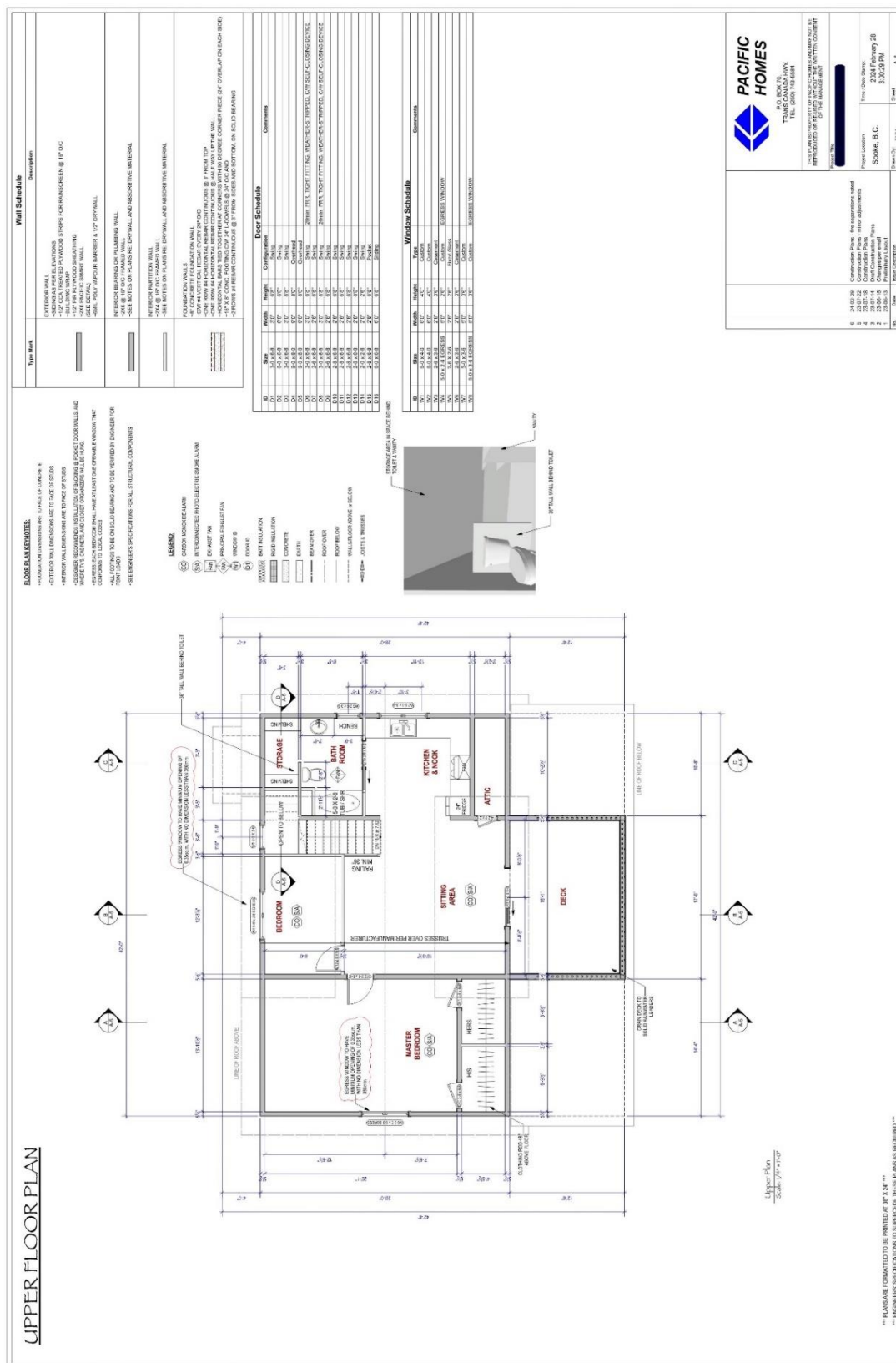
ELEVATIONS & MODEL VIEWS



<div><p>PACIFIC HOMES</p></div> <div><p>P.O. BOX 73, TREAS CANYON HWY TULSA, OKLA 74104</p></div>	<div><p>THE FOLLOWING INFORMATION WAS OBTAINED FROM THE PUBLIC NOTICE OF THE MEETING</p><p>PROJECT NO. _____</p></div>	<div><p>PROJECT LOCATION Treasure Island Booth, B.C.</p><p>MEETING DATE 2001 February 28</p></div>	<div><p>Drawn To _____ Sheet _____</p></div>
	<div><p>Contractors Please see the specifications listed</p><p>1 24-02-08 2 24-02-08 3 24-07-08 4 24-07-08 5 24-07-08 6 24-07-08 7 24-07-08 8 24-07-08 9 24-07-08 10 24-07-08 11 24-07-08 12 24-07-08 13 24-07-08 14 24-07-08 15 24-07-08 16 24-07-08 17 24-07-08 18 24-07-08 19 24-07-08 20 24-07-08 21 24-07-08 22 24-07-08 23 24-07-08 24 24-07-08 25 24-07-08 26 24-07-08 27 24-07-08 28 24-07-08 29 24-07-08 30 24-07-08 31 24-07-08 32 24-07-08 33 24-07-08 34 24-07-08 35 24-07-08 36 24-07-08 37 24-07-08 38 24-07-08 39 24-07-08 40 24-07-08 41 24-07-08 42 24-07-08 43 24-07-08 44 24-07-08 45 24-07-08 46 24-07-08 47 24-07-08 48 24-07-08 49 24-07-08 50 24-07-08 51 24-07-08 52 24-07-08 53 24-07-08 54 24-07-08 55 24-07-08 56 24-07-08 57 24-07-08 58 24-07-08 59 24-07-08 60 24-07-08 61 24-07-08 62 24-07-08 63 24-07-08 64 24-07-08 65 24-07-08 66 24-07-08 67 24-07-08 68 24-07-08 69 24-07-08 70 24-07-08 71 24-07-08 72 24-07-08 73 24-07-08 74 24-07-08 75 24-07-08 76 24-07-08 77 24-07-08 78 24-07-08 79 24-07-08 80 24-07-08 81 24-07-08 82 24-07-08 83 24-07-08 84 24-07-08 85 24-07-08 86 24-07-08 87 24-07-08 88 24-07-08 89 24-07-08 90 24-07-08 91 24-07-08 92 24-07-08 93 24-07-08 94 24-07-08 95 24-07-08 96 24-07-08 97 24-07-08 98 24-07-08 99 24-07-08 100 24-07-08 101 24-07-08 102 24-07-08 103 24-07-08 104 24-07-08 105 24-07-08 106 24-07-08 107 24-07-08 108 24-07-08 109 24-07-08 110 24-07-08 111 24-07-08 112 24-07-08 113 24-07-08 114 24-07-08 115 24-07-08 116 24-07-08 117 24-07-08 118 24-07-08 119 24-07-08 120 24-07-08 121 24-07-08 122 24-07-08 123 24-07-08 124 24-07-08 125 24-07-08 126 24-07-08 127 24-07-08 128 24-07-08 129 24-07-08 130 24-07-08 131 24-07-08 132 24-07-08 133 24-07-08 134 24-07-08 135 24-07-08 136 24-07-08 137 24-07-08 138 24-07-08 139 24-07-08 140 24-07-08 141 24-07-08 142 24-07-08 143 24-07-08 144 24-07-08 145 24-07-08 146 24-07-08 147 24-07-08 148 24-07-08 149 24-07-08 150 24-07-08 151 24-07-08 152 24-07-08 153 24-07-08 154 24-07-08 155 24-07-08 156 24-07-08 157 24-07-08 158 24-07-08 159 24-07-08 160 24-07-08 161 24-07-08 162 24-07-08 163 24-07-08 164 24-07-08 165 24-07-08 166 24-07-08 167 24-07-08 168 24-07-08 169 24-07-08 170 24-07-08 171 24-07-08 172 24-07-08 173 24-07-08 174 24-07-08 175 24-07-08 176 24-07-08 177 24-07-08 178 24-07-08 179 24-07-08 180 24-07-08 181 24-07-08 182 24-07-08 183 24-07-08 184 24-07-08 185 24-07-08 186 24-07-08 187 24-07-08 188 24-07-08 189 24-07-08 190 24-07-08 191 24-07-08 192 24-07-08 193 24-07-08 194 24-07-08 195 24-07-08 196 24-07-08 197 24-07-08 198 24-07-08 199 24-07-08 200 24-07-08 201 24-07-08 202 24-07-08 203 24-07-08 204 24-07-08 205 24-07-08 206 24-07-08 207 24-07-08 208 24-07-08 209 24-07-08 210 24-07-08 211 24-07-08 212 24-07-08 213 24-07-08 214 24-07-08 215 24-07-08 216 24-07-08 217 24-07-08 218 24-07-08 219 24-07-08 220 24-07-08 221 24-07-08 222 24-07-08 223 24-07-08 224 24-07-08 225 24-07-08 226 24-07-08 227 24-07-08 228 24-07-08 229 24-07-08 230 24-07-08 231 24-07-08 232 24-07-08 233 24-07-08 234 24-07-08 235 24-07-08 236 24-07-08 237 24-07-08 238 24-07-08 239 24-07-08 240 24-07-08 241 24-07-08 242 24-07-08 243 24-07-08 244 24-07-08 245 24-07-08 246 24-07-08 247 24-07-08 248 24-07-08 249 24-07-08 250 24-07-08 251 24-07-08 252 24-07-08 253 24-07-08 254 24-07-08 255 24-07-08 256 24-07-08 257 24-07-08 258 24-07-08 259 24-07-08 260 24-07-08 261 24-07-08 262 24-07-08 263 24-07-08 264 24-07-08 265 24-07-08 266 24-07-08 267 24-07-08 268 24-07-08 269 24-07-08 270 24-07-08 271 24-07-08 272 24-07-08 273 24-07-08 274 24-07-08 275 24-07-08</p></div>		

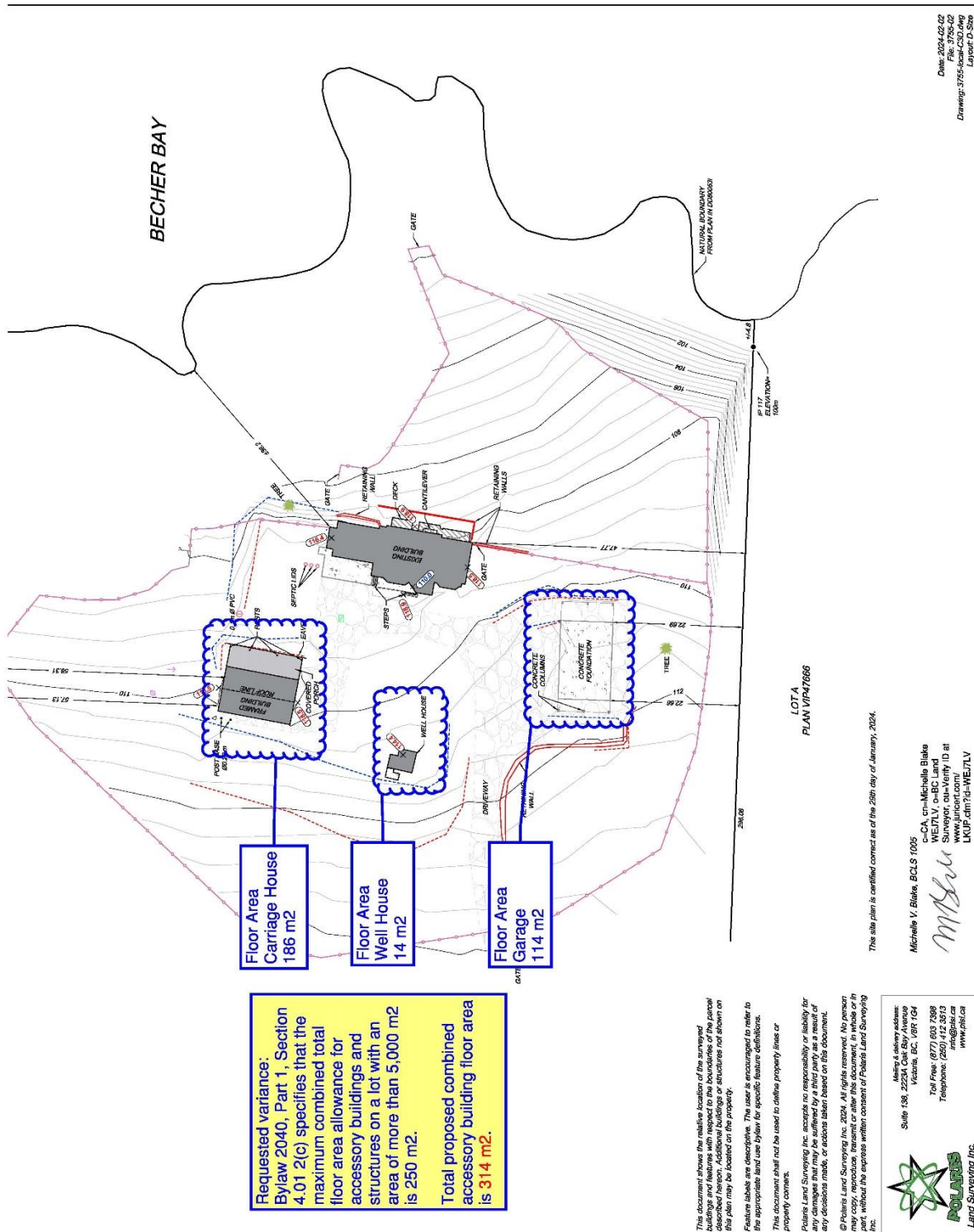
*** PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" ***
ENGINEER'S SPECIFICATIONS TO SUPPLEMENT THESE PLANS ARE REQUIRED TO

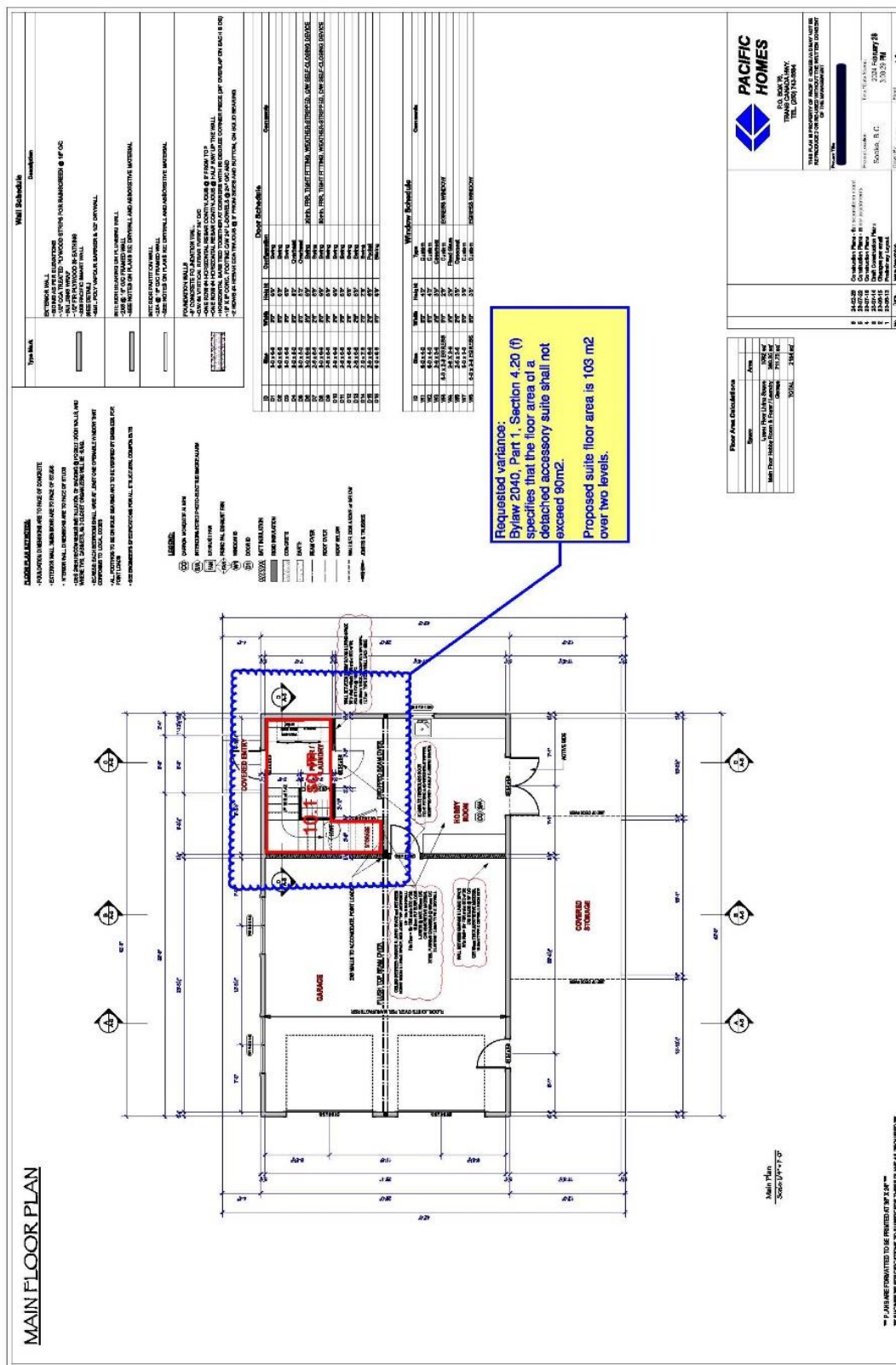


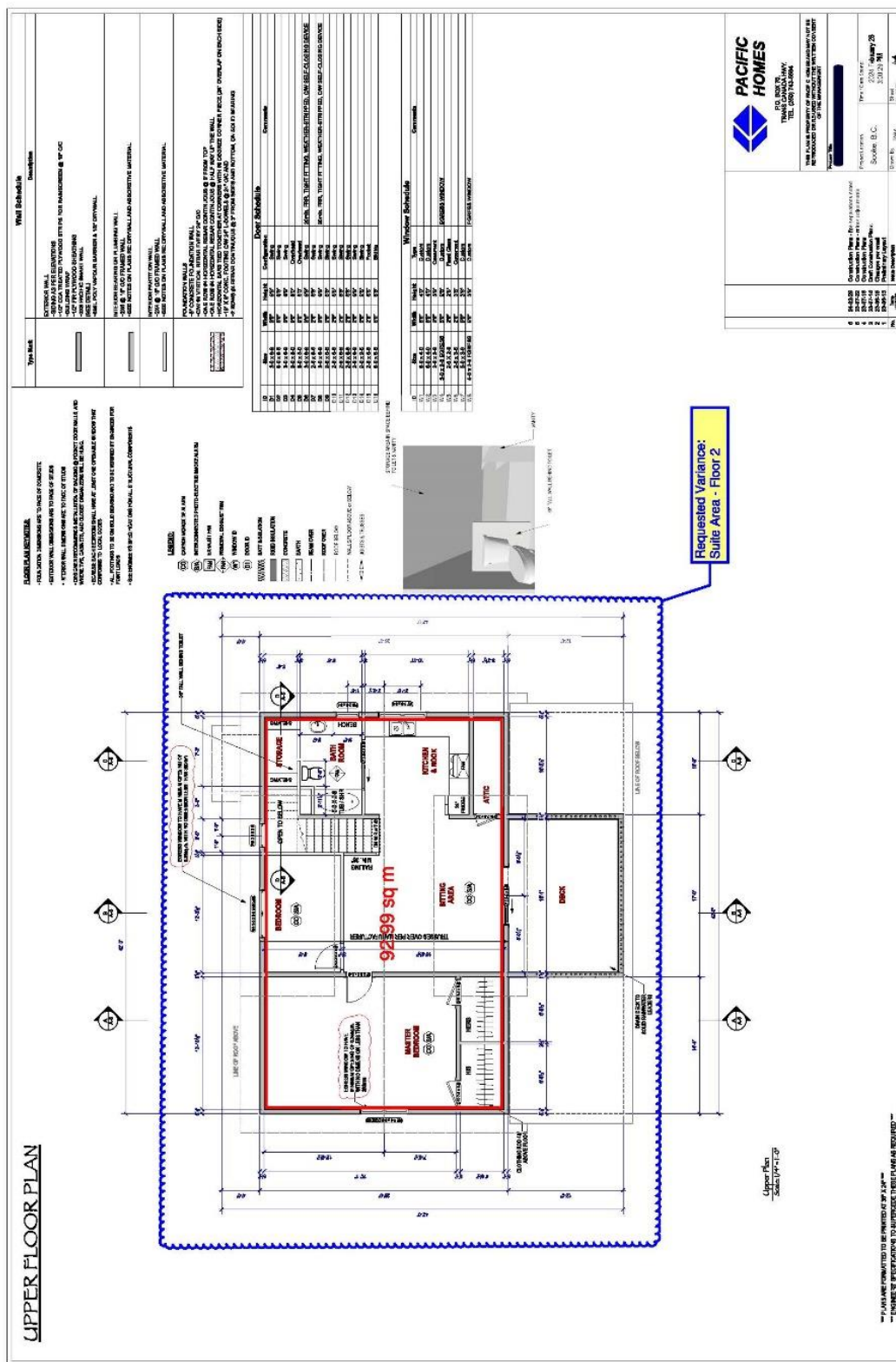


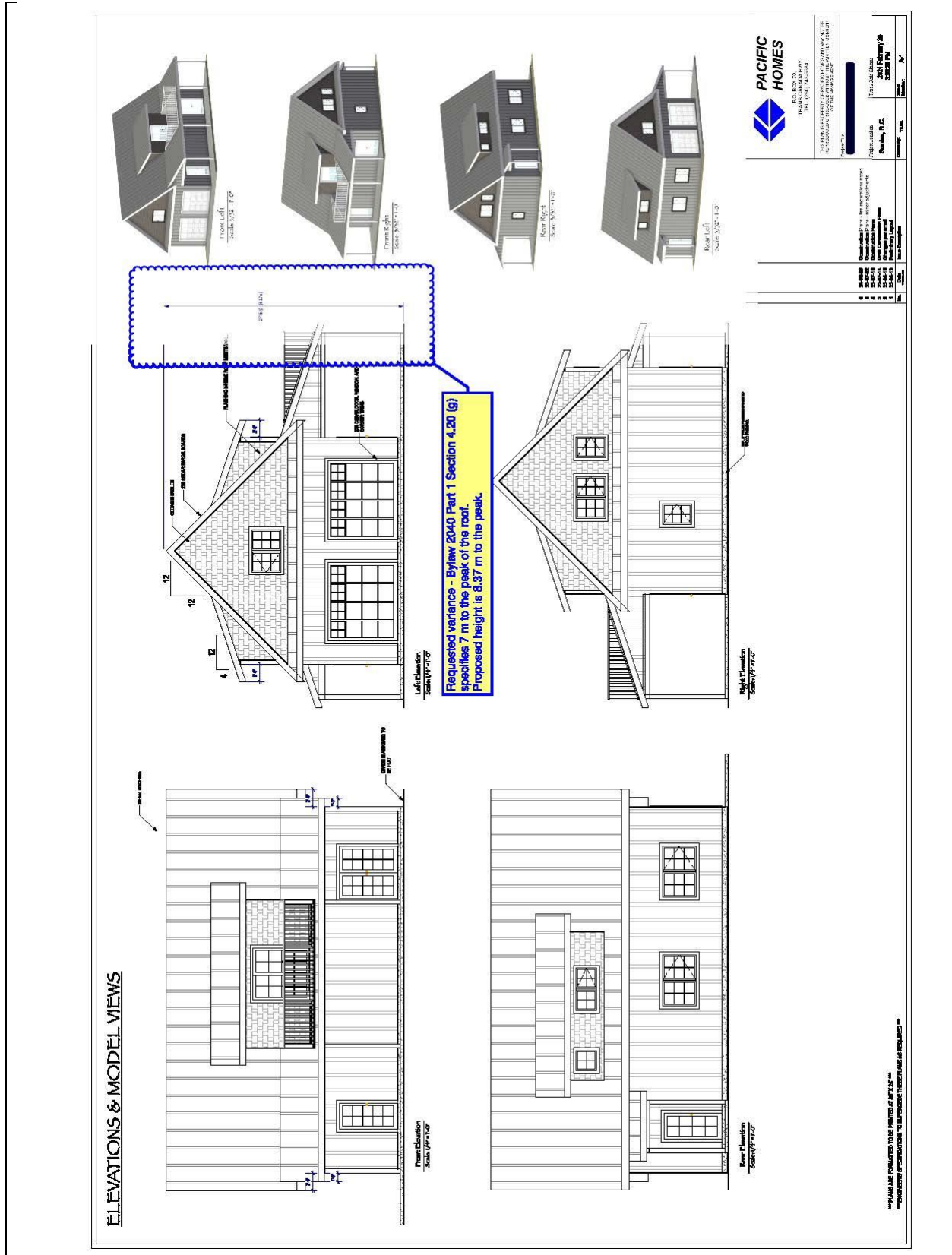


Appendix E: Requested Accessory Building Total Floor Area Variance









Appendix F: Permit VA000162



CAPITAL REGIONAL DISTRICT

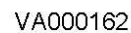
DEVELOPMENT VARIANCE PERMIT NO. VA000162

1. This Development Variance Permit is issued under the authority of Section 498 of the *Local Government Act* and subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically authorized by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below (legal description), and any and all buildings, structures, and other development thereon:
PID: 008-413-835;
Legal Description: Parcel A (DD 800531) of Section 86, Sooke District
3. The Capital Regional District's **Bylaw No. 2040**, is varied under Section 498 of the *Local Government Act* as follows:
 - a) Part 1, Section 4.01 2(c) by increasing the maximum combined total floor area allowance for accessory buildings and structures on a lot with an area of more than 5,000 m² from 250 m² to 314 m²;
 - b) Part 1, Section 4.20(f) to increase the maximum floor area permitted for a detached accessory suite from 90 m² to 103 m²; and
 - c) Part 1, Section 4.01(g) to increase the maximum height of an accessory building used for a detached accessory suite from 7 m to the peak of the roof to 8.37 m;as shown on the Site Plan Survey prepared by Polaris Land Surveying, and the Building Plans prepared by Olympia Steel Buildings, and Pacific Homes, dated February 28, 2024.
4. Notice of this Permit shall be filed in the Land Title Office at Victoria as required by Section 503 of the *Local Government Act*, and the terms of this Permit (VA000162) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
5. If the holder of a permit does not substantially start any construction permitted by this Permit within 2 years of the date it is issued, the permit lapses.
5. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit which shall form a part hereof.
6. The following plans and specifications are attached:
Appendix A: Site Plan Survey prepared by Polaris Land Surveying, dated January 29, 2024
Appendix B: Building Plans prepared by Olympia Steel Buildings, dated December 9, 2023
Appendix C: Building Plans prepared by Pacific Homes, dated February 28, 2024.
7. This Permit is NOT a Building Permit.

RESOLUTION PASSED BY THE BOARD, THE ____ day of _____, 2024.

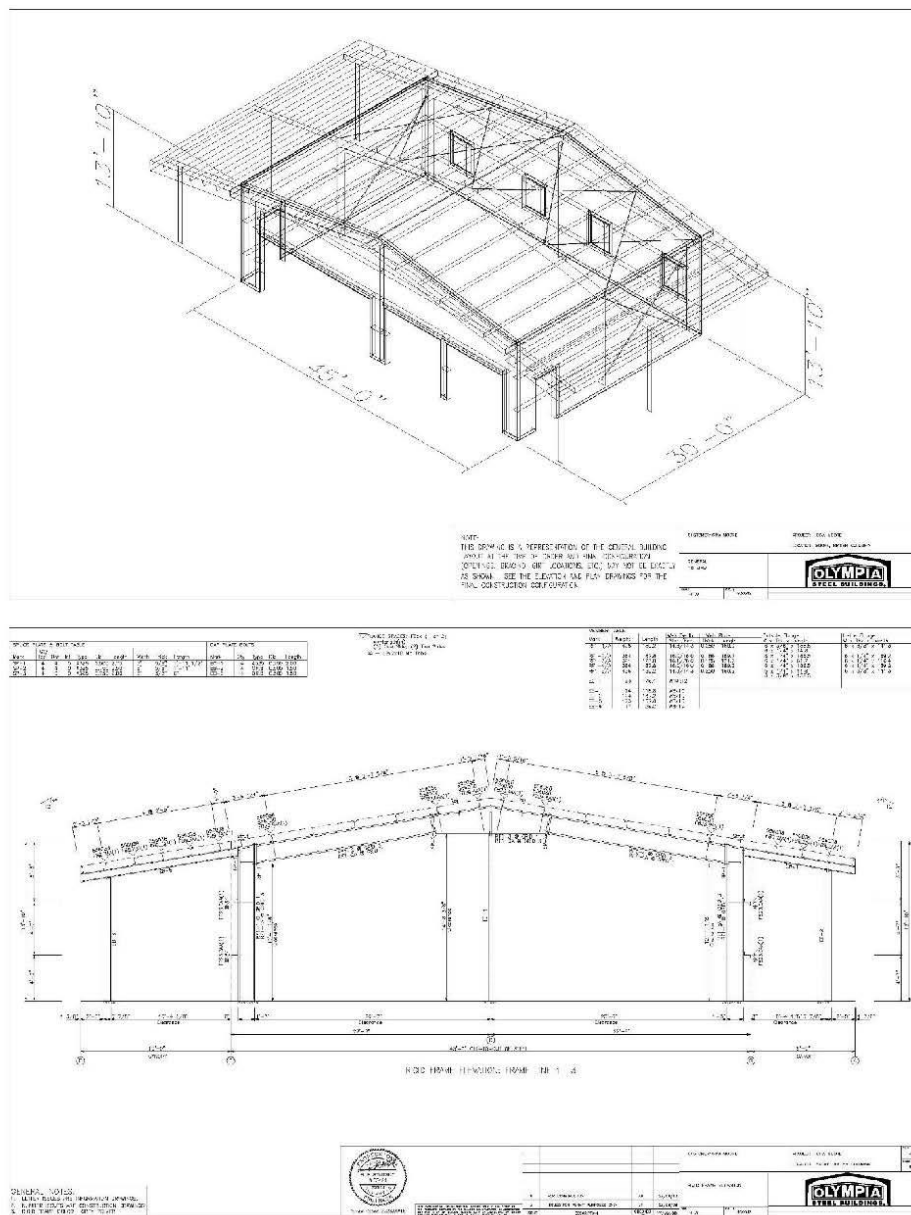
ISSUED this _____ day of _____, 2024

Corporate Officer
Kristen Morley

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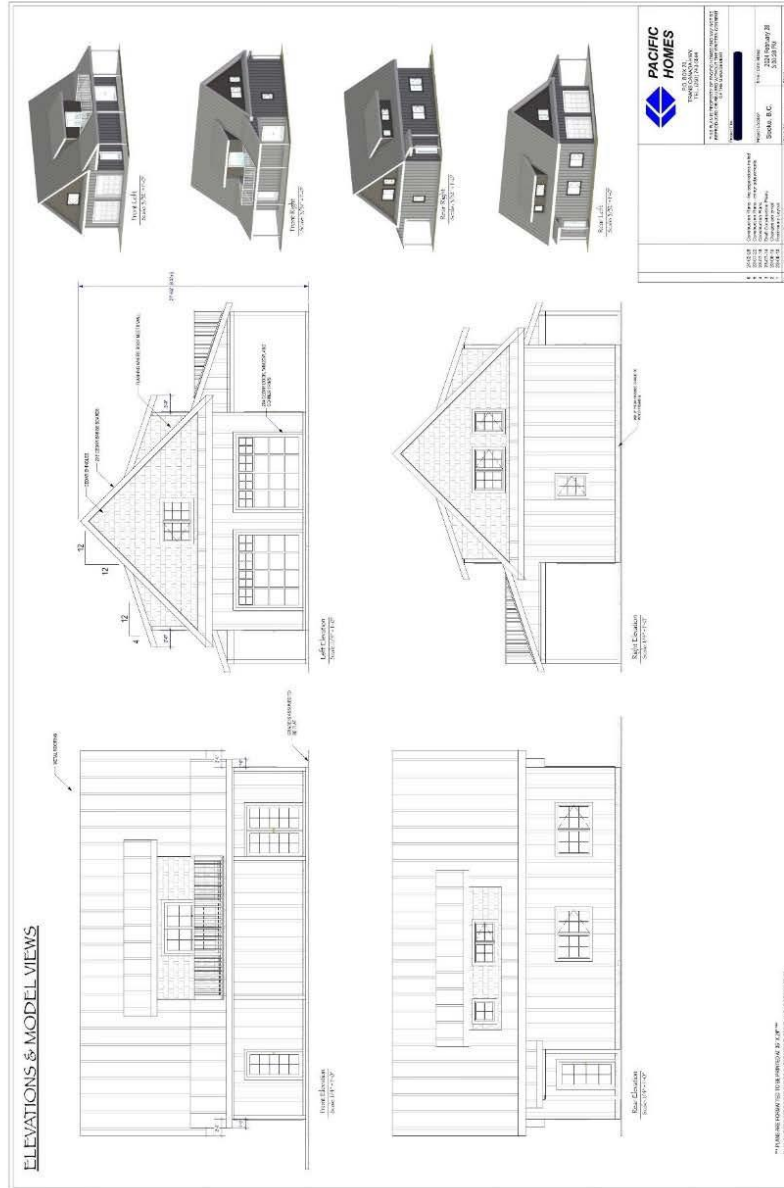
Appendix B: Building Plans prepared by Olympia Steel Buildings, dated December 9, 2023





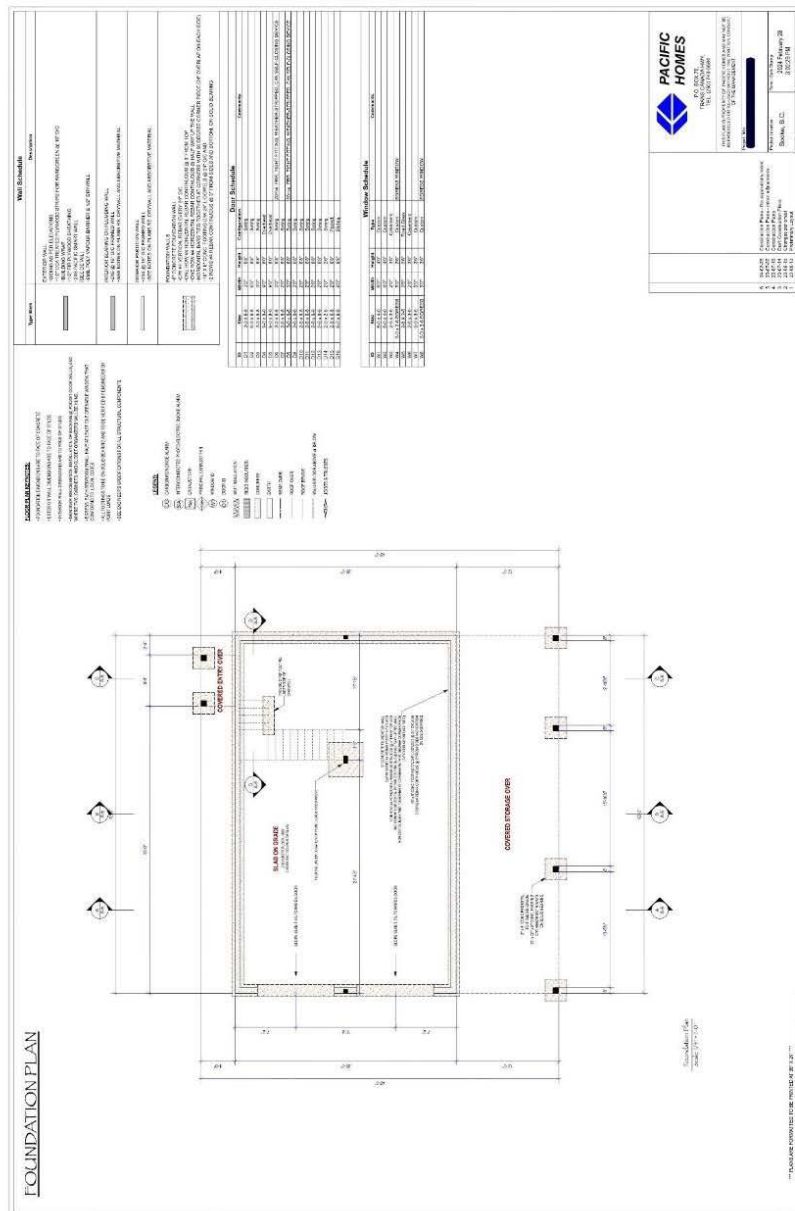
VA000162

Appendix C: Building Plans prepared by Pacific Homes, dated February 28, 2024.



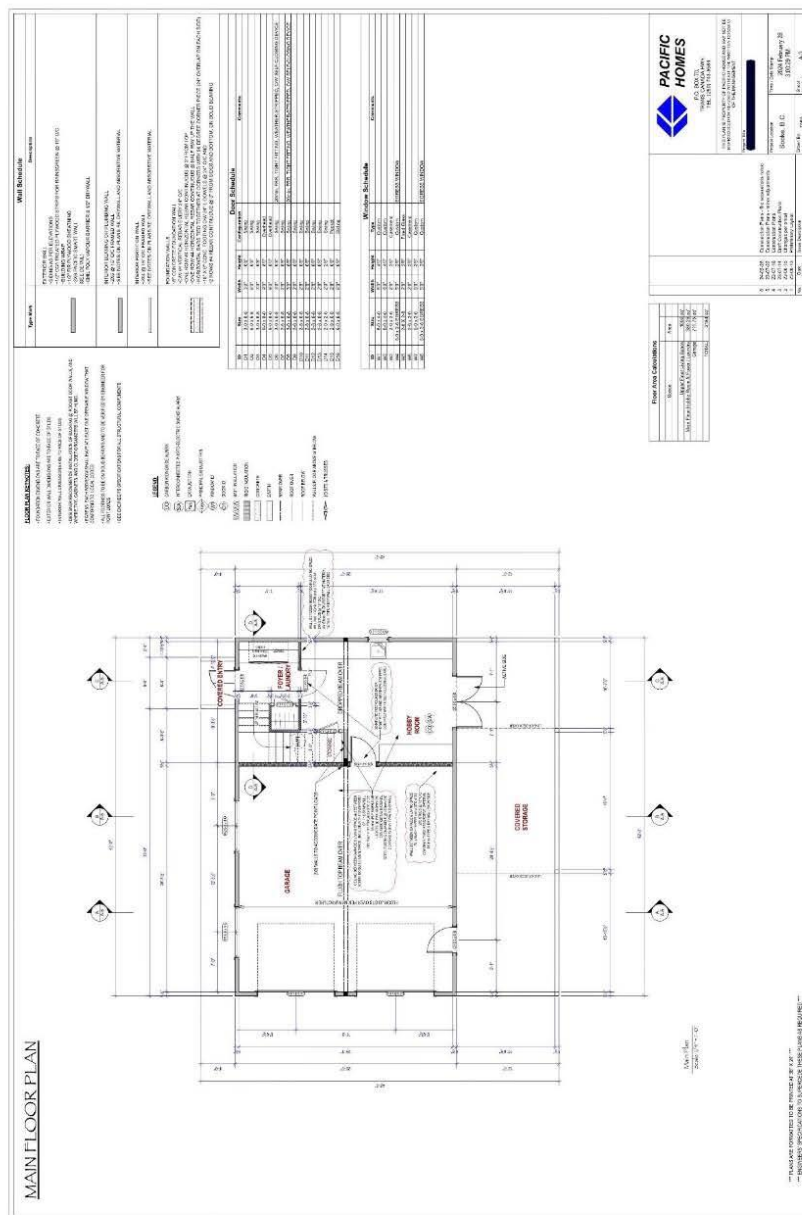


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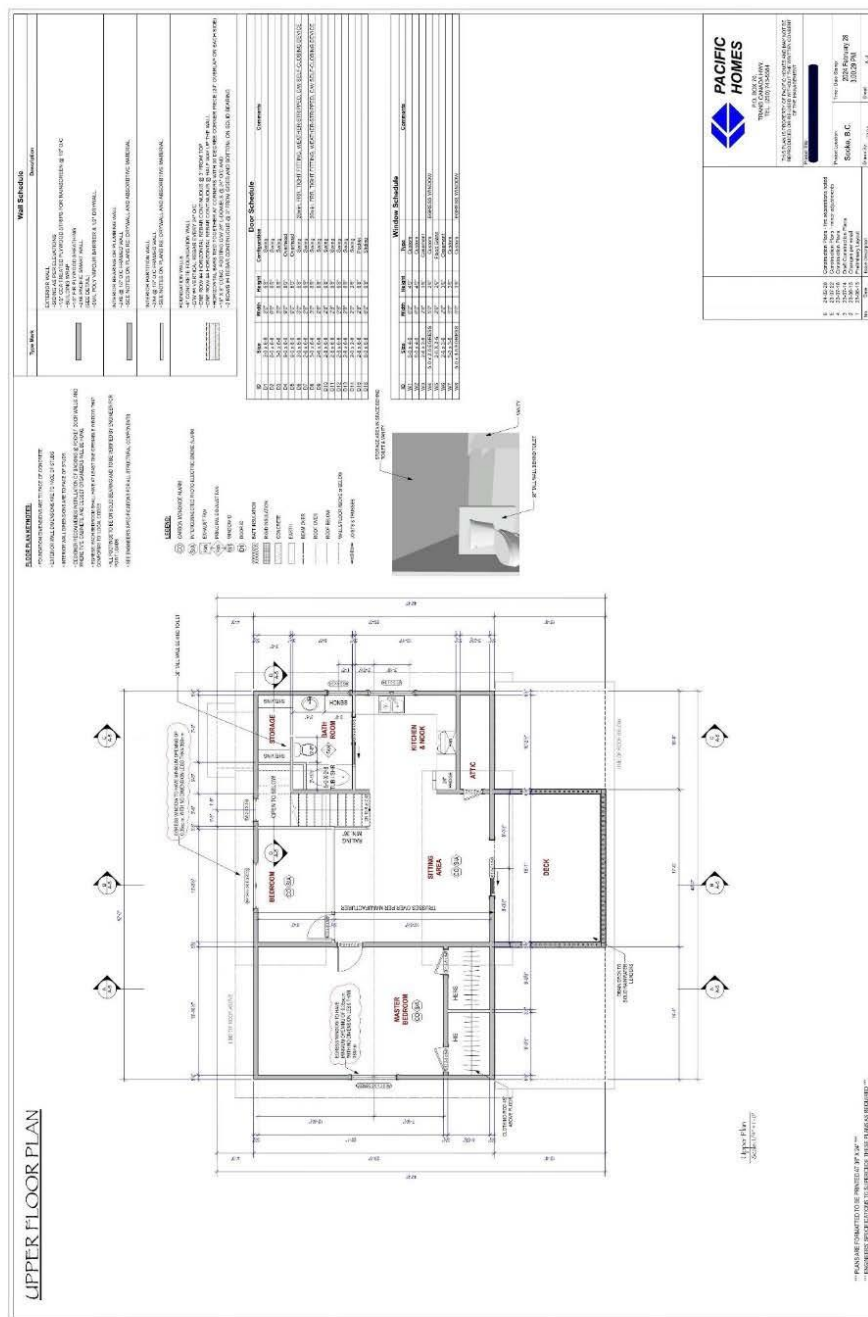
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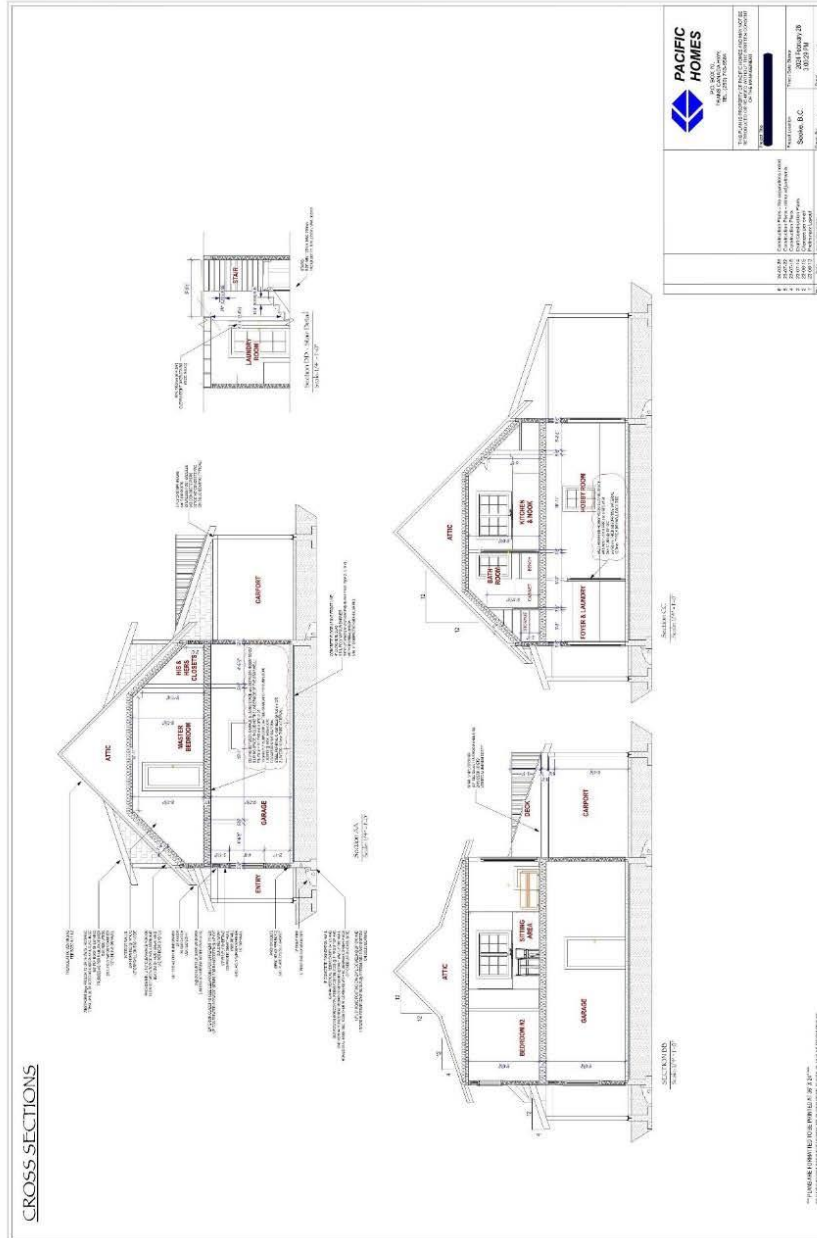
Making a difference...together

VA000162





VA000162





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Making a difference...together

REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, AUGUST 20, 2024

SUBJECT **Non-Adhering Residential Use within the Agricultural Land Reserve
Application for Parcel A (DD 80053I) of Section 86, Sooke District – 315
Becher Bay Road**

ISSUE SUMMARY

To consider an application for a non-adhering residential use for the purpose of constructing a detached secondary suite (carriage house) and an accessory building (garage) on land in the Agricultural Land Reserve (ALR).

BACKGROUND

The 4 ha parcel is located at 315 Becher Bay Road and is in the Agricultural Land Reserve (ALR) (Appendices A and B), but not currently used for farming. The property is designated Agriculture in the Official Community Plan (OCP) for East Sooke, Bylaw No. 4000, and is zoned Agricultural (AG) in the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. The parcel is adjacent to AG zoned parcels to the north and south and backs on to Becher Bay to the east (Appendix C).

The applicant recently commenced construction of a 186 m² carriage house that includes a 103 m² detached accessory suite (Appendix D), and an additional 114 m² steel frame garage without a building permit (Appendix E). CRD Building Permit records show that a 290 m² single-family dwelling was constructed in 1977. ALR regulations were updated in 2021 to allow ALR parcels of 40 ha or less one residence up to 500 m² and one additional residence up to 90 m². Since the floor area of the proposed residence is greater than 90 m², it is considered a non-adhering residential use and must be approved by the Agricultural Land Commission (ALC). Since the proposed garage is not for farm use, it is also considered a non-adhering residential use and must be approved by the ALC. In order to obtain a building permit and complete construction, approval for the non-adhering residential use and approval for variances to increase the allowable floor area and height of a detached accessory suite are required.

The LUC reviewed this proposal at its meeting on June 18, 2024, and directed staff to refer the application to the Juan de Fuca Agricultural Advisory Planning Commission (AAPC) for comment. The AAPC reviewed the application on July 23, 2024.

ALTERNATIVES

Alternative 1

The Land Use Committee recommends to the Capital Regional District Board:

That staff be directed to forward comments from the Juan de Fuca Agricultural Advisory Planning Commission and the Juan de Fuca Land Use Committee to the Agricultural Land Commission for the Land Commission's consideration of the non-adhering residential use application for Parcel A (DD 80053I) of Section 86, Sooke District, in accordance with Section 34(4) of the *Agricultural Land Commission Act*.

Alternative 2

That the application be forwarded to the ALC with a resolution of support.

Alternative 3

That the application be denied and not be forwarded to the ALC.

Alternative 4

That the application be forwarded to the ALC with no comment.

IMPLICATIONS

Legislative Implications

Section 20.1 of the *Agricultural Land Commission Act* (ALC Act) limits residential use of agricultural land to one residence per parcel and a total floor area of 500 m² or less. Section 34.3 of the *Agricultural Land Reserve Use Regulation* allows for an additional residence to be constructed if conditions in the regulation are met. If a parcel is 40 ha or less, the secondary residence must have a floor area of 90 m² or less. An owner may apply to the ALC for a non-adhering residential use for permission to alter the condition limiting the size of an additional residence under Section 25 of the *ALC Act*. In making a determination with respect to an application for a non-adhering residential use, the ALC will consider the prescribed criteria, if any, and must not grant permission for an additional residence unless the additional residence is necessary for a farm use pursuant to section 25(1.1) of the *ALC Act*.

Section 34(4) of the *ALC Act* requires that local government review applications and, subject to subsection (5), forward the application to the ALC together with comments and recommendations in respect of the application. If the application applies to land zoned by bylaw to permit farm use, or requires an amendment to an official community plan or zoning bylaw, the local government may exercise its authority to forward the application to the ALC. If an application is not forwarded, it proceeds no further and is not considered by the ALC.

Public Consultation Implications

There are no public notification requirements for non-adhering residential use applications established by the ALC. Applications must be filed with local government and public comments may be collected. Notices of intent outlining the proposal were sent to property owners within 500 m of the subject property advising of the LUC meetings held on June 18 and August 20, 2024, as well as of the AAPC meeting held on July 23, 2024.

The AAPC considered the application at its meeting on July 23, 2024, and passed the following resolution (Appendix F):

MOVED by Teresa Willman, **SECONDED** by Margot Swinburnson that the Juan de Fuca Agricultural Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that Non-Adhering Residential Use within the Agricultural Land Reserve Application AG000085 for Parcel A (DD 80053I) of Section 86, Sooke District, be forwarded to the Agricultural Land Commission with comment that the applicant intends to use the land and garage for farm use in future and that the two-storey carriage house has a smaller building footprint on the land than a detached accessory suite with a side-entry garage.

CARRIED

As part of its review, the AAPC considered the surrounding context within which the property is located and noted that the subject property use and buildings are in keeping with other ALR properties along Becher Bay Road, and that the *ALC Act* allows for consideration of an additional residence.

Land Use Implications

There is a 290 m² single-family dwelling and a 14 m² wellhouse situated in the central eastern portion of the property. The detached accessory suite (carriage house) is proposed to be sited to the northwest of the dwelling and the accessory building (garage) is proposed to be sited to the southwest of the dwelling. All structures will be accessed from a single driveway access from Becher Bay Road to the west (Appendix G). The parcel is designated as several Development Permit Areas by the East Sooke OCP, Bylaw No. 4000. The applicable Development Permit guidelines for all recent non-farm use land clearing on the parcel are being addressed under Development Permit application DP000416.

The applicant has provided a proposal outlining the rationale for the application (Appendix H) that indicates the siting for the proposed structures were chosen for its accessibility from the existing driveway and house. Each storey of the carriage house is 93 m²; however, an additional 10 m² on the main floor is designated as an entrance and laundry area for the suite, which increases the floor area to approximately 103 m².

The East Sooke OCP, Bylaw No. 4000, designates land in the ALR as Agriculture to protect these lands for current and future agricultural activities. This designation supports farming activities and other land uses as permitted by the ALC. Policy 464F states that the *ALC Act and Regulations* will be taken into account in the review of any land use or building application on lands in the ALR. Policy 464G recommends that buildings be sited on less productive lands and that buildings be clustered to maximize the area available for agriculture. Policy 464H supports site specific zoning to allow multiple residences on Agriculture parcels to make farming more affordable, subject to appropriate controls being in place to ensure long-term farming use and approval of the ALC.

The land is zoned Agricultural (AG) under the Juan de Fuca Land Use Bylaw No. 2040. The AG zone permits multiple dwelling units including either a secondary suite or a detached accessory suite subject to approval from the ALC. Section 20.1 of the *ALC Act* was updated in 2019 and now limits parcels to one residence with a total floor area of 500 m² or less. Section 34.3 of the *Agricultural Land Reserve Use Regulation* was updated in 2021 and allows for an additional residence of up to 90 m² to be constructed on parcels less than 40 ha. In order to construct an additional residence with a floor area greater than 90 m², approval for a non-adhering residential use is required from the ALC. Approval is required from the LUC and CRD Board to vary Section 4.20 (f) of the JdF Land Use Bylaw No. 2040, which specifies that the maximum floor area of a detached accessory suite is 90 m². The request to increase the maximum allowable floor area of a detached accessory suite from 90 m² to 103 m² is being considered under concurrent Development Variance Permit application VA000162. Requests to increase the maximum height permitted for a detached accessory suite from 7 m to 8.37 m and to increase the total maximum accessory building floor area from 250 m² to 314 m² are also being considered under the variance application.

The Ministry of Agriculture's 2013 *Guide for Bylaw Development in Farming Areas* includes criteria for regulating residential uses in the ALR. Options for reducing impacts of residential uses on ALR land include restricting the overall residential footprint, limiting the building size, and regulating the siting within a maximum setback from the roadway. Should the application be approved, the proposed detached accessory suite (carriage house) will be required to meet the siting specifications of the AG zone and Detached Accessory Suite regulations, unless otherwise varied under VA000162. Staff note that the garage would meet the side yard setback and height requirements specified by the AG zone for agricultural buildings should it be used for farm purposes in the future.

CONCLUSION

An application has been received for the non-adhering residential use of land located within the Agricultural Land Reserve. The owners propose to complete a detached accessory suite (carriage house) with a floor area that exceeds the allowance provided by the *ALR Use Regulation*, and an accessory building (garage) for accessory residential use. In order to proceed as proposed, the Agricultural Land Commission must approve the uses, which requires a resolution from the CRD Board. Staff recommend that the AAPC's and the LUC's comments be forwarded to the ALC for the Land Commission's consideration.

RECOMMENDATION

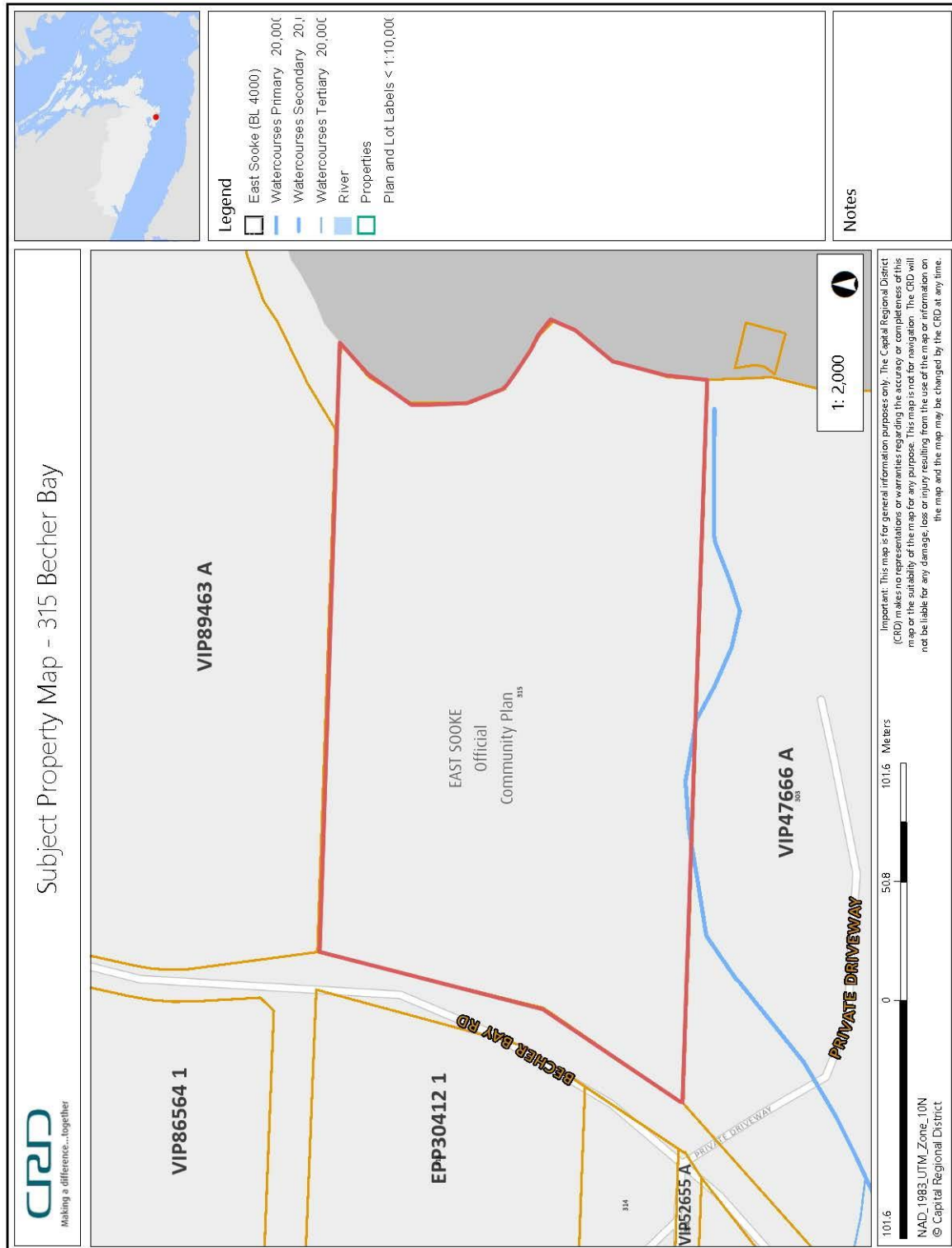
The Land Use Committee recommends to the Capital Regional District Board:
That staff be directed to forward comments from the Juan de Fuca Agricultural Advisory Planning Commission and the Juan de Fuca Land Use Committee to the Agricultural Land Commission for the Land Commission's consideration of the non-adhering residential use application for Parcel A (DD 800531) of Section 86, Sooke District, in accordance with Section 34(4) of the *Agricultural Land Commission Act*.

Submitted by:	Iain Lawrence, MCIP, RPP, Senior Manager, Juan de Fuca Local Area Services
Concurrence:	Shawn Carby, CD, MAL, Acting General Manager, Planning & Protective Services
Concurrence:	Shawn Carby, CD, MAL, Acting Chief Administrative Officer

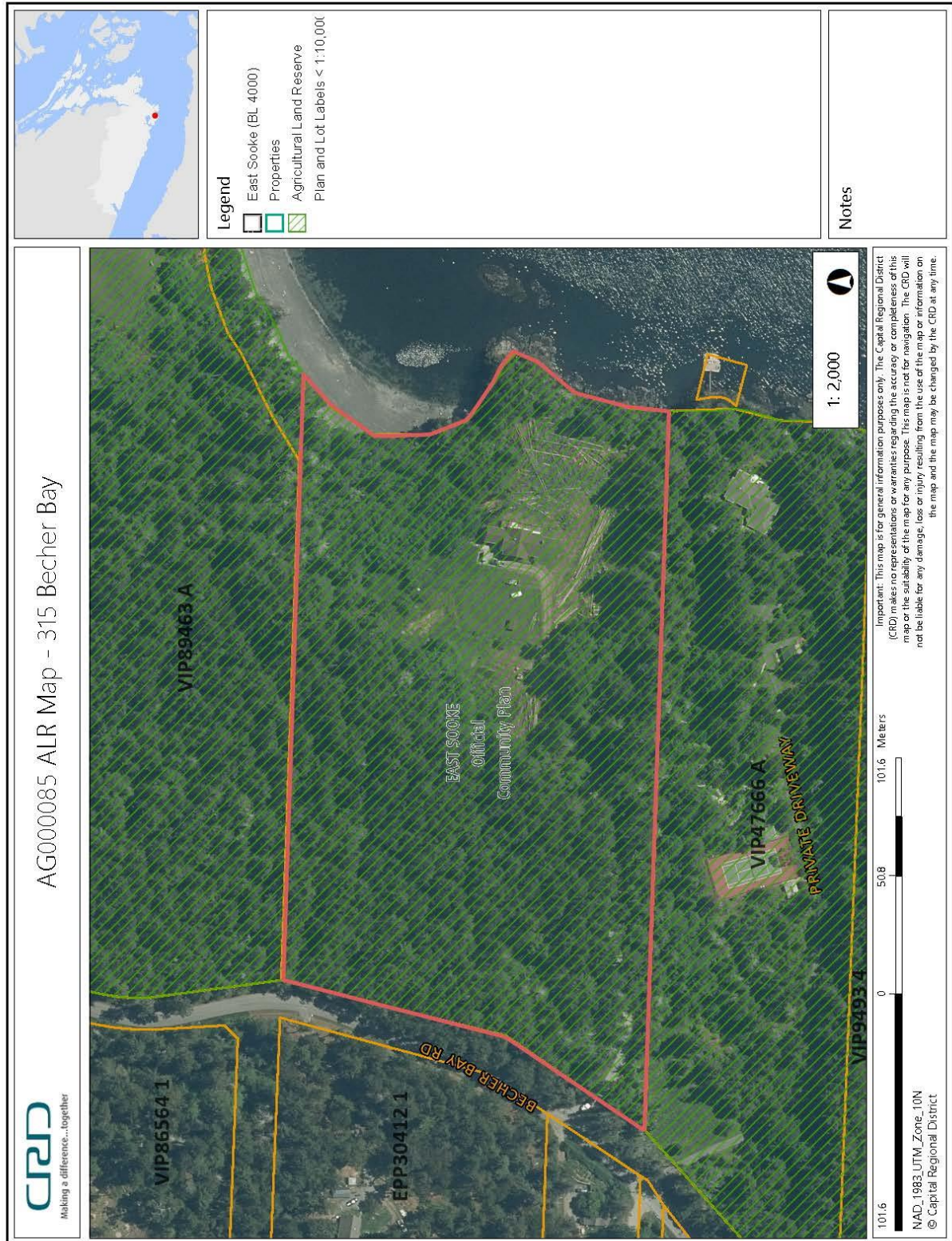
ATTACHMENTS

Appendix A: Subject Property Map
Appendix B: Agricultural Land Reserve Map
Appendix C: Zoning Map
Appendix D: Proposed Detached Accessory Suite (Carraige House)
Appendix E: Proposed Accessory Building (Garage)
Appendix F: JdF AAPC Minutes
Appendix G: Site Plan
Appendix H: Proposal

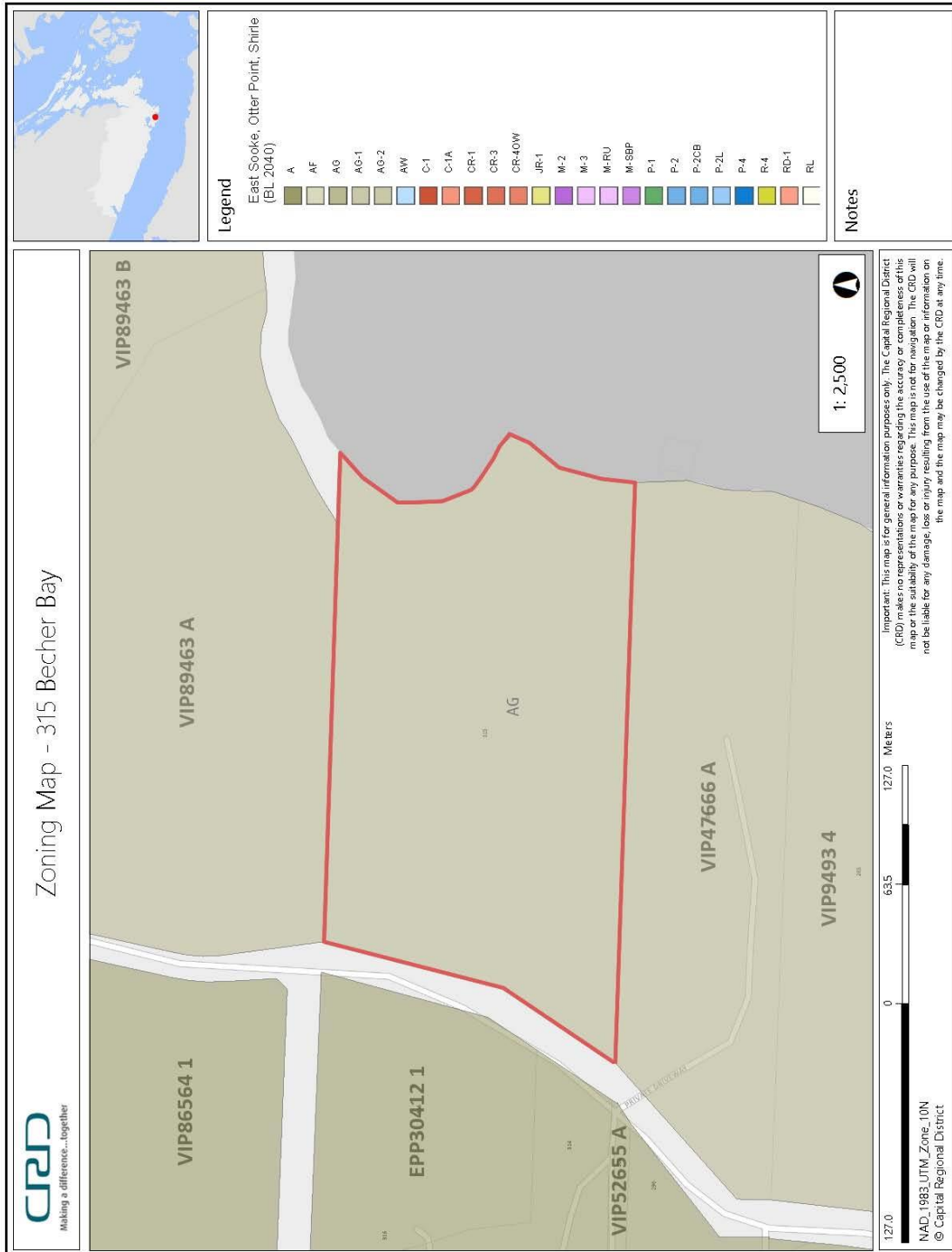
Appendix A: Subject Property Map



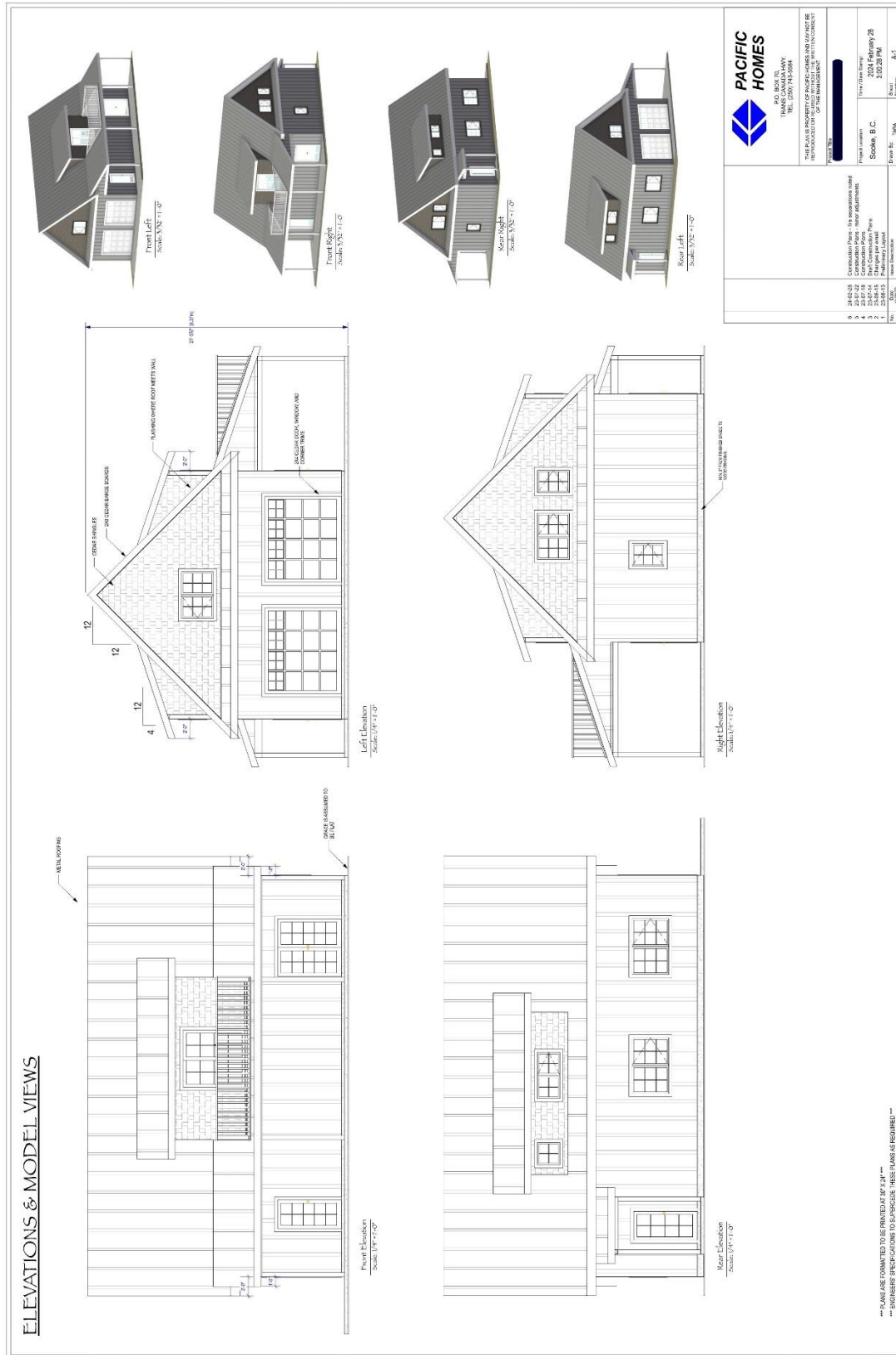
Appendix B: Agricultural Land Reserve Map

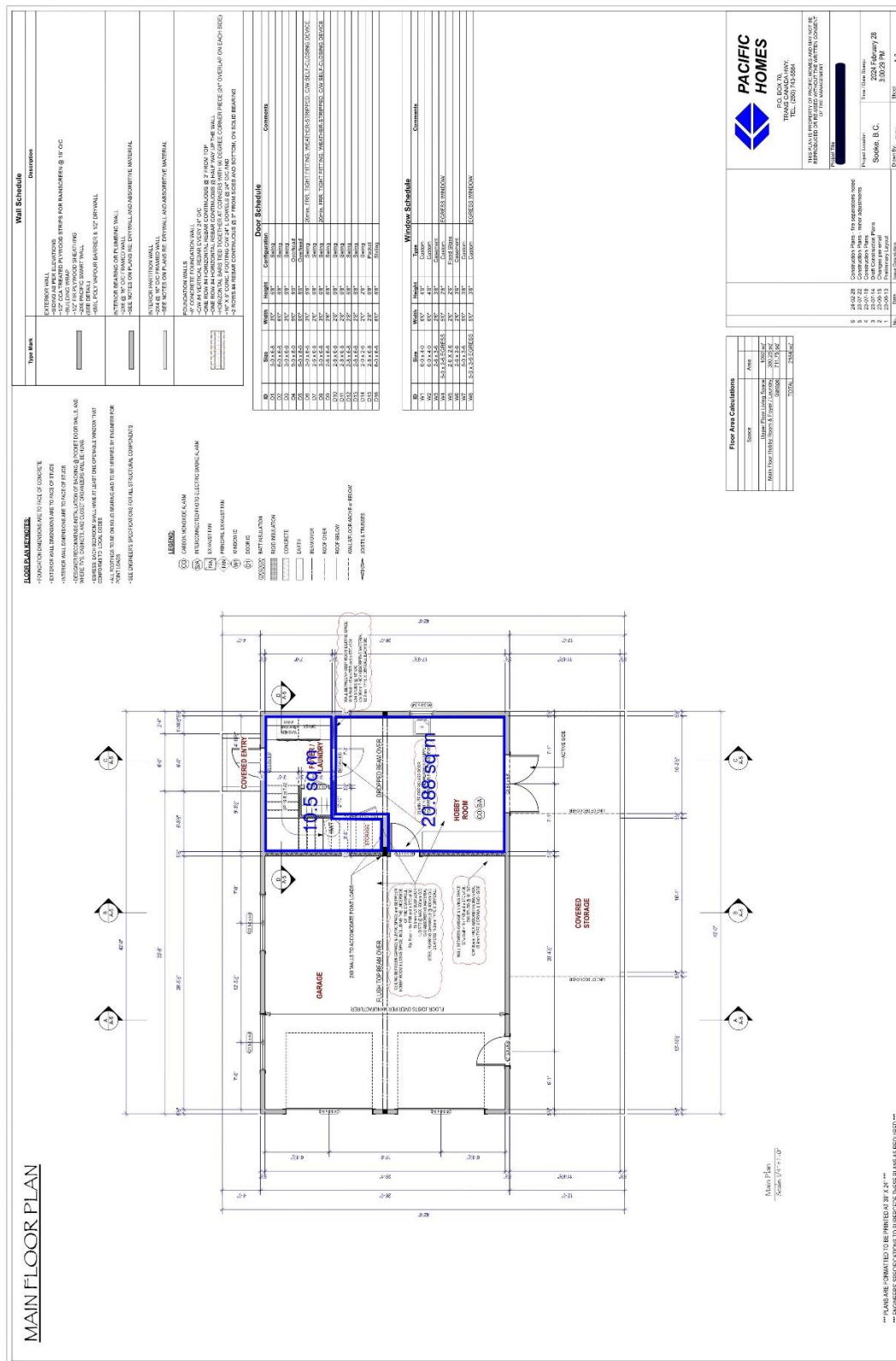


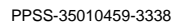
Appendix C: Zoning Map



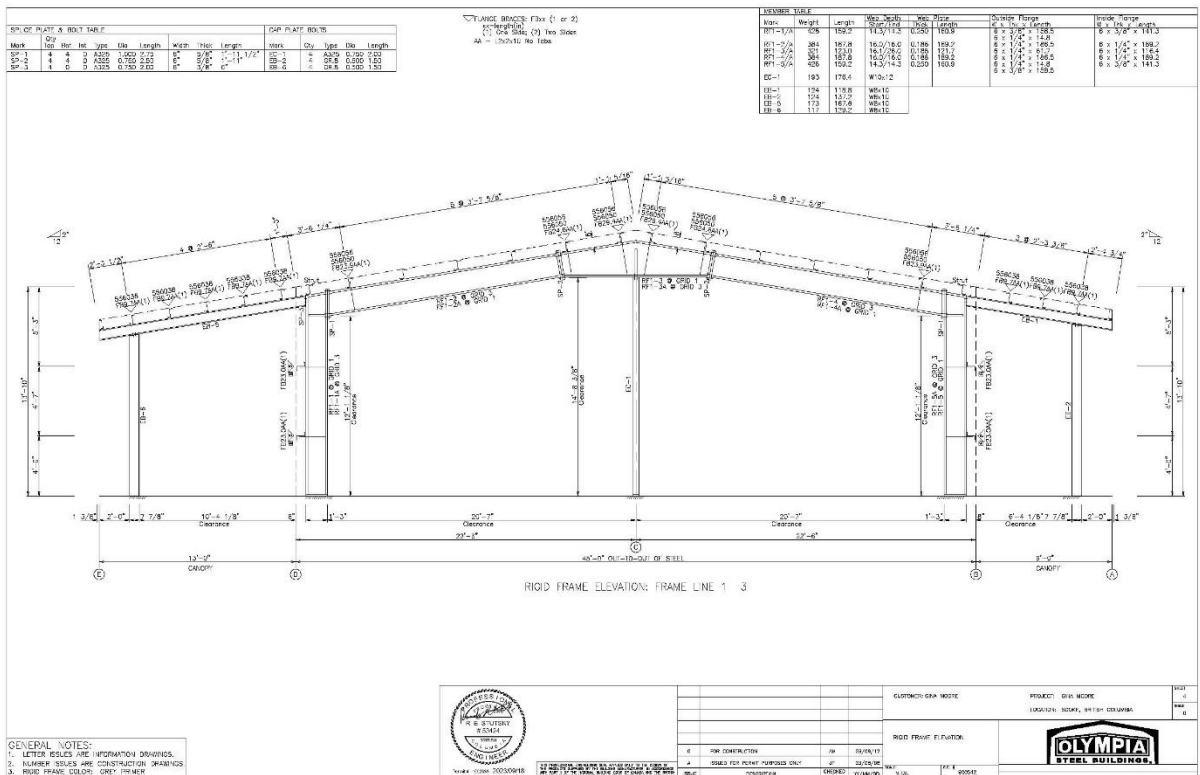
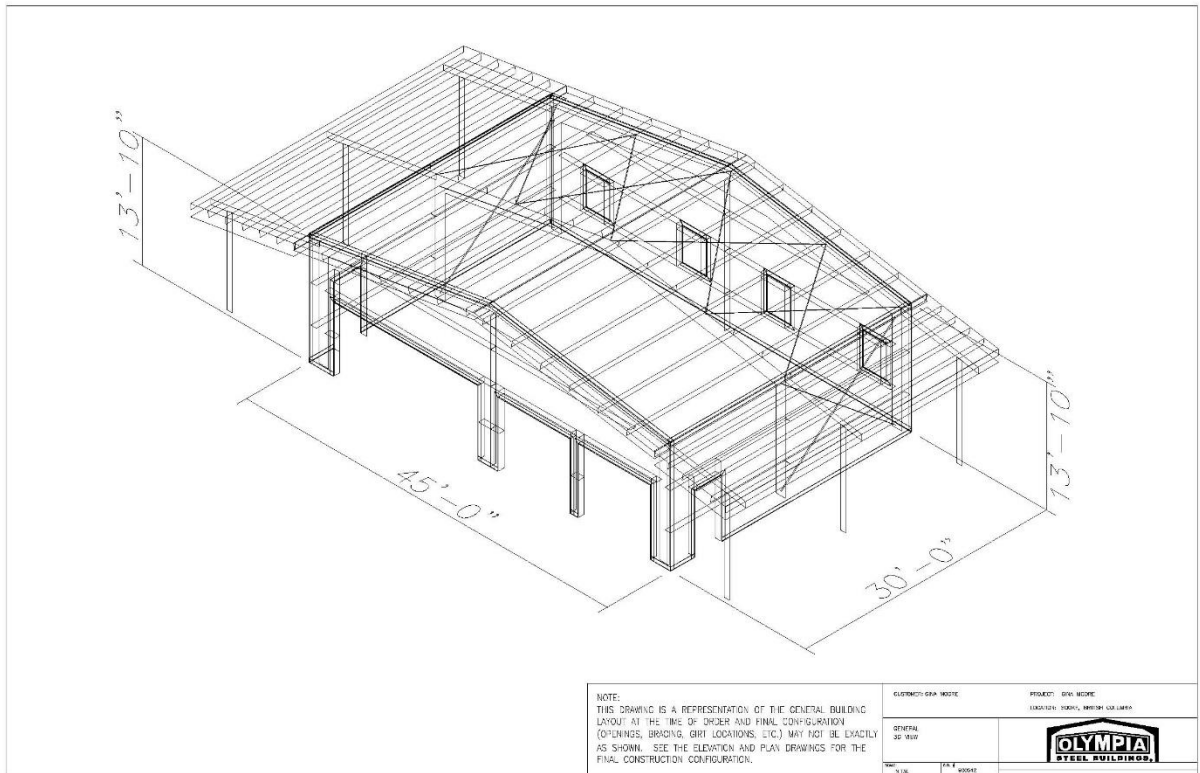
Appendix D: Proposed Detached Accessory Suite (Carriage House)







Appendix E: Proposed Accessory Building (Garage)



Appendix F: JdF AAPC Minutes



**Minutes of a Meeting of the Juan de Fuca Agricultural Advisory Planning Commission
Held Monday, July 23, 2024, at the Juan de Fuca Local Area Services Building,
#3-7450 Butler Road, Otter Point, BC**

PRESENT: Margot Swinburnson, Teresa Willman
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services
Wendy Miller, Recorder
ABSENT: Nicki Vaggoner
PUBLIC: 3 EP

EP – Electronic Participation

The meeting was called to order at 6:05 pm.

1. Elections

Iain Lawrence called for nominations for the position of Chair of the Agricultural Advisory Planning Commission (AAPC) for 2024 and Margot Swinburnson's name was put forward. Iain Lawrence called a second and third time for further nominations and, as there were none, Margot Swinburnson was declared Chair.

Teresa Willman agreed to be Vice Chair of the AAPC for 2024.

2. Approval of the Agenda

MOVED by Margot Swinburnson, **SECONDED** by Teresa Willman that the agenda be approved. **CARRIED**

3. Adoption of Minutes from the Meeting of May 9, 2016

The minutes from May 9, 2016, were adopted by unanimous consent.

4. Planner's Report

No report.

5. Non-Adhering Residential Use within the Agricultural Land Reserve Application

a) AG000085 - Parcel A (DD 800531) of Section 86, Sooke District (315 Becher Bay Road)

Iain Lawrence spoke to the application for a non-adhering residential use for the purpose of constructing a detached secondary suite (carriage house) and an accessory building (garage) on land in the Agricultural Land Reserve (ALR). It was advised that, in order to obtain a building permit and complete construction, approval for the non-adhering residential use is required prior to approval of variances to increase the allowable floor area and height of a detached accessory suite.

Iain Lawrence outlined the procedure for applications requiring local government review as prescribed by the *Agricultural Land Commission (ALC) Act*. It was confirmed that the applicant was present.

The applicant stated that the long-term intent is to occupy the subject property and use the land and garage for farm use. The short-term intent is to use the garage for vehicle storage.

PPSS-35010459-3339

Juan de Fuca Agricultural Advisory Planning Commission Meeting Minutes
July 23, 2024

2

The AAPC noted that the subject property use and buildings are in keeping with other ALR properties along Becher Bay Road and that the *ALC Act* allows for consideration of an additional residence. The AAPC was satisfied that the suite was located on the second floor of the accessory building, which reduces the overall footprint on the land and potential impact on farming. It was noted that the garage would be useful for farming purposes in the future.

MOVED by Teresa Willman, **SECONDED** by Margot Swinburnson that the Juan de Fuca Agricultural Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that Non-Adhering Residential Use within the Agricultural Land Reserve Application AG000085 for Parcel A (DD 800531) of Section 86, Sooke District, be forwarded to the Agricultural Land Commission with comment that the applicant intends to use the land and garage for farm use in future and that the two-storey carriage house has a smaller building footprint on the land than a detached accessory suite with a side-entry garage.

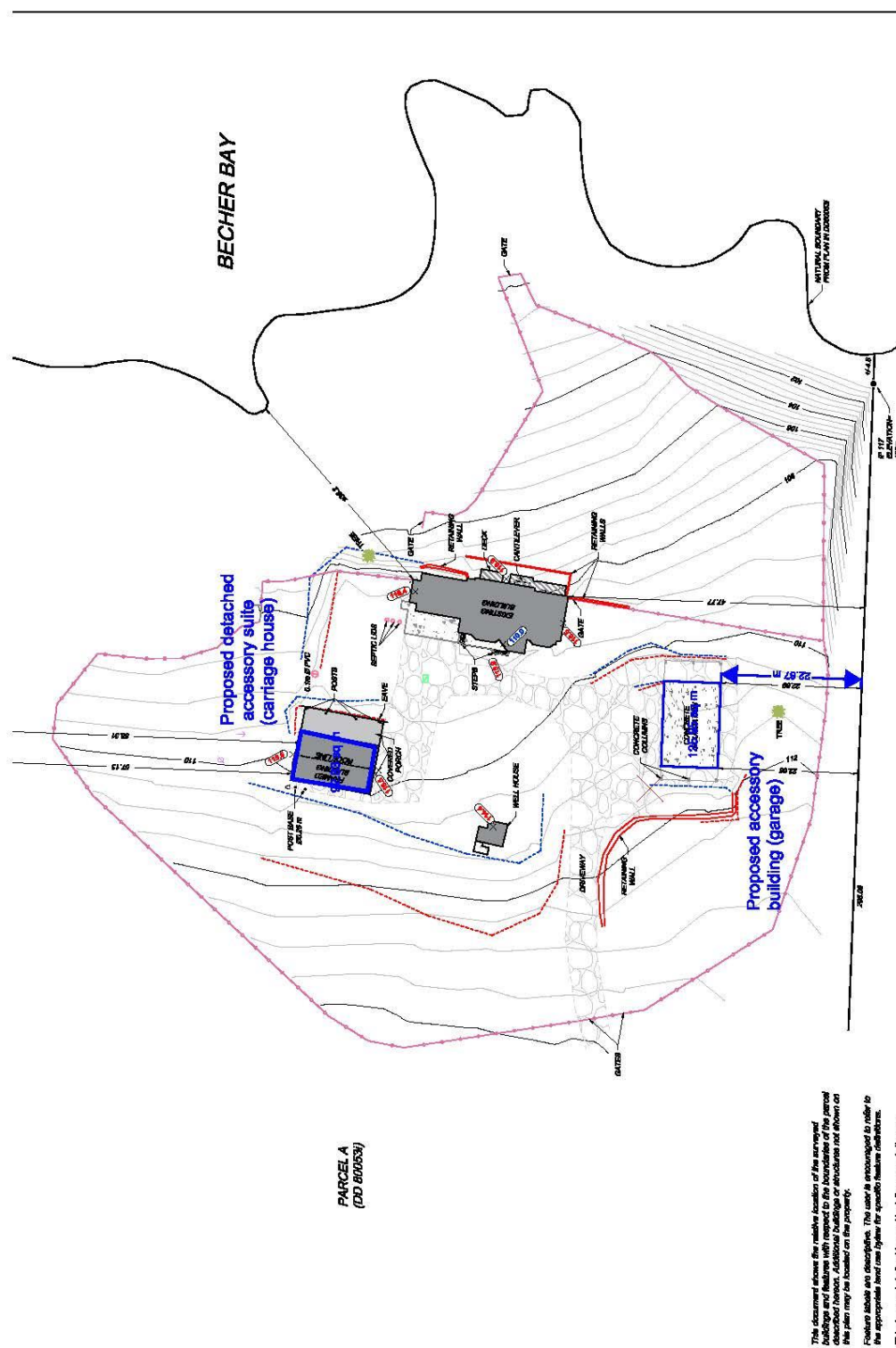
CARRIED

6. Adjournment

The meeting adjourned at 6:35 pm.

Chair

Appendix G: Site Plan



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Provincial Agricultural Land Commission - Applicant Submission

Application ID: 100902
Application Type: Non-Adhering Residential Use within the ALR
Status: Submitted to L/FNG
Applicant: [REDACTED]
Local/First Nation Government: Capital Regional District

1. Parcel(s) Under Application

Parcel #1

Parcel Type Fee Simple
Legal Description PARCEL A (DD 80053I) OF SECTION 86, SOOKE DISTRICT
Approx. Map Area 4.3 ha
PID 008-413-835
Purchase Date May 15, 2023
Farm Classification No
Civic Address 315 Becher Bay Rd, V9Z 1B7
Certificate Of Title LAND TITLE OFFICE.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
[REDACTED]	No Data	[REDACTED]	[REDACTED]	Not Applicable

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2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? No

3. Primary Contact

Will one of the landowners or government contacts added previously be the primary contact? Yes

Type Land Owner

First Name [REDACTED]

Last Name [REDACTED]

Organization (If Applicable) No Data

Phone [REDACTED]

Email [REDACTED]

4. Government

Local or First Nation Government: Capital Regional District

5. Land Use

Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the parcel(s). The property is being used for residential purposes. No agriculture

Describe all agricultural improvements made to the parcel(s). Approximately 1/3 of the property is fenced. Approx 1/2 acre of trees removed.

Describe all other uses that currently take place on the parcel(s). Residential, recreational. Vacation property

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Choose and describe neighbouring land uses

	Main Land Use Type	Specific Activity
North	Unused	raw land heavily treed
East	Other	ocean
South	Residential	neighbour
West	Unused	raw land heavily treed

6. Proposal

Selected Subtype: Additional Residence for Farm Use

What is the purpose of the proposal? We are building a carriage house to provide accommodation for family members when they come to visit as the principal residence will be losing sq. footage (bedrooms) during the renovation. Below the carriage house will be our garage as there won't be a garage in the principal residence. Note: We are also planning on building an engineered steel accessory building for storage of personal items (boat, kayaks, paddleboards, lawn equipment etc.) This building is 114 m2

What is the total floor area (m²) of the proposed additional residence? 93

Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term. The additional residence nor property will be used for farm use. It's a guest house for people to stay while on the property visiting and the accessory building will be strictly for storage of personal items.

Describe the rationale for the proposed location of the additional residence. It's located close the house. Will be able to share the driveway and have access to the yard. The accessory building will be on the opposite side as the carriage house also sharing the driveway and yard.

Provide the total area (m²) and a description of infrastructure necessary to support the additional residence. 93 m2 Concrete foundation, engineered Pacific Homes carriage house. 114 m2 Concrete foundation, engineered steel accessory building provided by Olympia Steel Buildings.

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Describe the total floor area (m²), type, number, and occupancy of all residential structures currently located on the property. 290 m2 principal residence. Tutor style home build in the 70s which will be occupied by my partner and I.

Proposal Map / Site Plan 3755-02-SITE-Signed.pdf

Do you need to import any fill to construct or conduct the proposed non-adhering residential use? No

7. Optional Documents

Type	Description	File Name
Professional Report	Geotech report	Geotechnical Schedule B - 315 Becher Bay, Sooke (1).pdf
Professional Report	Geotech report	23-747 - Geotechnical Memo 1 - Nov 23, 2023 BS2 (1).pdf



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REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, AUGUST 20, 2024

- SUBJECT** **Zoning Bylaw Amendment Application for Two Properties Located at 11237 West Coast Road – described as:**
- **Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road; PID: 024-937-207; and**
 - **That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW; PID: 009-590-412**

ISSUE SUMMARY

To rezone the subject property from the Forestry (AF) zone to an amended Rural Commercial Recreation (Campground) (CR-2) zone with amendments.

BACKGROUND

The 78.11 ha subject property is comprised of two parcels including a 7.7 ha waterfront parcel and a 70.4 ha upland Private Managed Forest Land (PMFL) parcel. The subject properties are located on the north and south sides of West Coast Road, adjacent to the eastern boundary of Jordan River Regional Park – Sandcut Beach (Appendix A). Both parcels are zoned Forestry (AF) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, and adjoin AF zoned lands to the east and west, and Resource Land (RL) zoned land to the north. The subject property is designated Coastal Upland (CU) in the Shirley-Jordan River Official Community Plan (OCP), Bylaw No. 4001. Portions of the property are located in Steep Slopes, Sensitive Ecosystem, and Riparian development permit areas.

At its meeting of January 17, 2023, the Juan de Fuca Land Use Committee (LUC) recommended referral of proposed Bylaw No. 4518 to rezone the subject property from AF to an amended CR-2 zone. The Bylaw was referred to the Shirley-Jordan River Advisory Planning Commission (APC); Pacheedaht First Nation; T'Sou-ke First Nation; CRD departments; BC Hydro; District of Sooke; Archaeology Branch, Ministry of Environment and Climate Change Strategy – Water Protection Section; Island Health; Ministry of Transportation & Infrastructure; RCMP; and Sooke School District #62.

The applicant responded to the referral comments by revising the proposed CR-2 zone amendments to reduce the overall tourist accommodation density by approximately 50%, remove the *assembly use*, add an *outdoor recreational facility use*, and offer a public trail amenity contribution (Appendix B). The proposal includes an updated concept plan (Appendix C), an Environmental Assessment Report, Geotechnical Report, Wildfire Plan, Emergency Plan, historical information, and a Water Supply Assessment (Appendix D). Staff have revised Bylaw No. 4518 in accordance with the applicant's proposal for consideration (Appendix E).

ALTERNATIVES

Alternative 1

The Land Use Committee recommends to the Capital Regional District Board:

1. That the referral of proposed Bylaw No. 4518, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 158, 2022", to the Shirley-Jordan River Advisory Planning Commission, Pacheedaht First Nation; T'Sou-ke First Nation; CRD departments, BC Hydro; District of Sooke; the Archaeology Branch and Water Protection; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; RCMP;

- and Sooke School District #62 be approved and comments be received;
2. That proposed Bylaw No. 4518 be introduced and read a first time and read a second time;
 3. That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director of the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4518; and
 4. That prior to adoption of Bylaw No. 4518:
 - a. That a commercial access permit be issued by the Ministry of Transportation and Infrastructure; and
 - b. That the landowner provide an amenity contribution by registering a statutory right-of-way adjacent to West Coast Road in favour of the Capital Regional District for the purpose of establishing a public trail, and that staff be directed to ensure that all conditions are satisfied towards completion and registration.

Alternative 2

That proposed Bylaw No. 4518 not proceed.

IMPLICATIONS

Legislative Implications

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them related to Part 14 of the *Local Government Act (LGA)*. The Shirley-Jordan River APC considered the application at its meeting on February 7, 2023.

Should the proposal proceed, a public hearing pursuant to Part 14, Division 3 of the *LGA* will be required subsequent to the amendment passing second reading by the CRD Board. Property owners within 500 m of the subject properties will be sent notice of the proposed bylaw amendment and a public hearing will be advertised in the local paper and on the CRD website.

A water licence is required for non-domestic ground or surface water use pursuant to the *Water Sustainability Act*. This approval is issued by the Province and is not a precondition for rezoning.

Regional Growth Strategy Implications

Section 445 of the *LGA* requires that all bylaws adopted by a regional district board after the board has adopted a regional growth strategy (RGS) be consistent with the RGS. In accordance with CRD policy, where a zoning bylaw amendment that applies to land within the Shirley-Jordan River OCP area is consistent with the OCP, it does not proceed to the full CRD Board for a determination of consistency with the RGS. Staff are of the opinion that the proposed amendment is consistent with the policies of the Shirley-Jordan River OCP.

First Nations Implications

The CRD pursues enhancement of reciprocal engagement and procedures with First Nation communities towards advancing reconciliation, including but not limited, to the application referral process. The subject property is located within the asserted traditional territory of the Pacheedaht and T'Sou-ke First Nations and each nation will be invited to participate in the land use review process to better inform consideration of the proposal.

Referral Comments

Referrals were sent to 11 agencies, Pacheedaht and T'Sou-ke First Nations, appropriate CRD departments, and to the Shirley-Jordan River APC. Comments received are summarized below and included in Appendix F.

BC Hydro, District of Sooke and CRD Bylaw Enforcement stated that they have no comments or concerns with the proposal.

Ministry of Forests – Archaeological Branch stated that while a permit is not required as records indicate that there are no known archaeological sites, shoreline areas of the subject property have a high potential for previously unidentified sites. Because of this high potential, if archaeological materials are exposed during future development activities, then a permit will be required. The Archaeology Branch strongly recommends engaging in an eligible consulting archaeologist prior to any land-altering activities.

Ministry of Forests – Island District stated that proposed stream crossings will require applications under Section 11 of the *Water Sustainability Act*, before such work may start.

Ministry of Land, Water and Resource Stewardship advised that a *Riparian Areas Protection Regulation* (RAPR) assessment had been received and is awaiting review. While awaiting provincial consideration, the Ministry prescribed recommendations to mitigate loss of wildlife habitat, as well as potential human-wildlife conflicts by proposing adherence to the environmental protection measures described in the Environmental Assessment. Additionally, development of the property cannot be considered by the local government prior to provincial approval of the RAPR assessment, which may stipulate additional measures.

Island Health cited provincial regulation and stated that the drinking water and sewage systems require approval and filing with Island Health. The proposed development will require a drinking water system permit issued by Island Health prior to operation and use by members of the public. Issuance of a permit is also required before any food may be sold and or produced for public consumption.

Ministry of Transportation and Infrastructure (MOTI) advised that the proposal does not fall within Section 52 of the *Transportation Act* and will not require formal Ministry approval. However, a commercial access permit will be required prior to operation.

Pacheedaht First Nation advised that it holds rights and title in this area, that members carryout traditional uses in relation to the watercourses and land, emphasizing the importance of mutual engagement regarding the proposed land uses. While recognizing the demand for camping opportunities in the Jordan River area, the Nation explained that commercial assembly uses can often be problematic and that this use needs to be further specified within the proposed bylaw. The Nation also commented that the application does not appear to contemplate the critical community need for long-term residences.

T'Sou-ke First Nation stated that it does not have confidence in this proposal and recommended that any development (following the rezoning application) should be required to develop a management strategy to address waste management; the preservation and protection of watercourses; on-going wildlife monitoring; and systems to protect and preserve species-at-risk. It was also recommended that access to areas of potential cultural and archaeological significance, such as shoreline areas that may contain a shell midden, should be restricted and investigated by an archaeologist.

CRD – First Nations Relations commented that while there are no registered archaeological sites within the subject properties, the physical characteristics and location of the development are commonly associated with such sites. The department recommended that an archaeologist be retained to conduct an archaeological assessment and apply for a permit prior to development.

CRD – Building Inspection noted that building permits will be required for each of the proposed buildings.

CRD – Protective Services, Fire and Emergency Programs confirmed that this property is within the Shirley Fire Protection Area. However, the parcels are considered “unprotected” as they are 9 km away from the nearest fire hall. The department will require a report from a qualified professional to ensure that it meets the emergency access and National Fire Protection Association Standards during the development or building permit process. The division

recommended that a report from a registered professional to address potential wildfire hazards at the property be obtained and that best practices regarding tsunami safety be followed since lower elevations of the property are within the hazard area. The division also recommended that the landowner consider severe wind and rainstorms, earthquakes, flooding, extreme heat and land subsidence for the design and management of the proposed commercial campground.

CRD – Regional Parks stated that there is support for the provision of outdoor recreation opportunities where the Sandcut Creek waterfalls, surrounded by the subject property, attracts visitors. The division was concerned about the visual impact of cabins from the beach areas and recommended that a 50 m buffer be provided on the subject property for lands abutting the regional park and parallel to West Coast Road. The division expressed interest in pursuing a coordinated approach to the management of any impacts that result from increased traffic and supported the connection of a pedestrian and bike friendly trail between the regional park and lands beyond. The department also expressed interest in acquiring the small, segmented areas of the subject property that are adjacent to the regional park.

CRD – Regional Planning advised that the proposed land uses are consistent with the OCP and RGS, and that a review by the full CRD Board is not required at this time. The division noted that communities have the ability to define low-impact uses through OCPs and zoning bylaws, as well as during the public input stages of a bylaw amendment application.

The Juan de Fuca Electoral Area Parks and Recreation Advisory Commission reviewed the application at its meeting on January 24, 2023, and provided the following recommendation by resolution:

MOVED by Commissioner McKay, **SECONDED** by Commissioner Sloan that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommends to the Juan de Fuca Land Use Committee:

1. That the Commission supports zoning amendment application RZ000280 as the proposal would provide economic benefit to tourism and recreation in the Shirley –Jordan River area;
2. That the Commission recognizes that additional visitors require additional trails and accesses by residents and visitors alike;
3. That, with this application, the Commission recommends expansion of the trail network to existing trails and future trails for connectivity; and
4. That the Commission supports the expansion of Jordan River Park to its natural boundary on the south-east boundary of Sandcut Creek.

The Shirley-Jordan River APC met on February 7, 2023, to consider the application with 59 members of the public in attendance and made the following motion:

MOVED by Melody Kimmel, **SECONDED** by Vivi Curutchet that the Shirley-Jordan River Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that that the Advisory Planning Commission does not support the proposal in its current form and that the proposal return to the Advisory Planning Commission at a smaller scale and with the assembly uses more clearly specified and that the applicant address the concerns expressed by the community.

Land Use Implications

The Shirley-Jordan River OCP designates the subject properties as Coastal Upland. The intent of the Coastal Upland land use designation is to support the continued use of such lands for forestry. Lands in this designation consist primarily of parcels enrolled in the PMFL program or zoned for forestry uses. If lands are removed from the PMFL program, then uses such as low-impact recreation and low-impact tourism are supported. Community parks, single-family residential, and agriculture are also supported in this designation.

Development proposals should demonstrate that community values can be protected and

implemented subject to the criteria outlined by the OCP, including geotechnical constraints, protection of environmental and culturally significant features, emergency planning, appropriate scale of development, provision of adequate setbacks and vegetated buffers, and protection of lands that are considered regionally or locally significant. Where the OCP provides flexibility on terminology such as low-impact tourism, metrics can be established in proposed zones through the referral process and public consultation and comment.

Comments received through the referral process conveyed that the scale, *assembly use*, and tourism accommodation density presented in the initial proposal was inconsistent with low-impact tourism. It was also recommended that additional information be provided to better inform the proposed zone and stipulate regulations to address the noted concerns. In particular, the APC did not support the initial application, directing the proponent to reduce the scale of potential development, provide contextually appropriate conditions for the assembly use, and address the environmental; emergency management; traffic; and burdening of local amenity concerns expressed by the community.

The revised proposal maintains permissions for a *campground* that includes camping spaces, tourist cabins; *staff accommodation*; a *convenience store*; one *caretaker dwelling*; and one *one-family dwelling*. However, in response to the referral process, the permitted tourist accommodation density has been reduced from 2 camping spaces per hectare and a maximum of 100 camping spaces, to 0.9 camping spaces per hectare (55% decrease) and a maximum of 64 camping spaces per parcel (36% decrease); and from 2 tourist cabins per hectare and a maximum of 20 cabins per parcel, to 0.3 tourist cabins per hectare (85% decrease) and a maximum of 23 tourist cabins per parcel (23% decrease). This represents an overall average decrease of approximately 50%.

The applicant has removed *assembly use* from the proposal and submitted a separate temporary use permit (TUP) application (TP000013) with conditions to establish a gathering space at a scale intended to address the concerns expressed by the APC. The initial application intended for the *assembly use* to also encompass spaces for play and leisure related outdoor recreation activities commonly associated with a campground. With the removal of *assembly use*, the application intends to accommodate those outdoor recreation activities by permitting an *outdoor recreation facility* accessory use to establish permit parks, trails, open spaces, playing fields, and playgrounds for a commercial campground.

In response to comments from the JdF EA Parks and Recreation Advisory Commission, the proposal offers a public trail amenity contribution in the form of a statutory right-of-way through the property along West Coast Road, connecting Jordan River Regional Park to lands to the east.

The proposal also includes an Environmental Report, Geotechnical Report, Wildfire Report, Emergency Plan, historical information, and a Water Supply Assessment.

The Environmental Report responds to comments from the Ministry of Land, Water, and Resources Stewardship and public concerns. This report assesses the vegetation, riparian areas, climate, wildlife and species-at-risk features on the subject property, which informs future development and anticipated permitting requirements. Should the proposed bylaw be approved, additional reports will be required through the development permit processes along with the *Water Sustainability Act* and *Riparian Areas Regulation* requirements for works in a stream and impacts within 30 m of the watercourse. The application also provides a Water Supply Assessment anticipating that the entire proposed development has an estimated peak demand of 62 cubic meters per day. The anticipated quantity exceeds the current water license withdrawal rate of 13.6 cubic meters per day from Rockbottom Creek. The assessment identifies that an investigation of Rockbottom Creek flow rates will be required to support a new water license application. Furthermore, Island Health identified that any water system serving members of the public would require permitting by that agency.

CRD Protective Services, Fire and Emergency Programs and Building Inspection identified that future emergency management of the site is regulated and overseen by the building inspection service, the Shirley Fire Department and CRD Bylaw Enforcement. The applicant has responded to the recommendation for additional professional reports by providing a Geotechnical Report, Wildfire Report and Emergency Plan to guide hazard and risk management for the commercial campground's revised proposal.

Some members of the public expressed concern that a commercial campground would generate additional traffic impacting West Coast Road, which is the only route connecting the local area to other communities. The MoTI advised that future development would require a commercial access permit. Staff recommend that the commercial access permit be granted prior to adoption of Bylaw No. 4518.

The Archaeology Branch, CRD Archaeology, and T'Sou-ke First Nation emphasized that while there are no recorded archaeological sites, it is anticipated that the shoreline areas are of high potential; therefore, investigation by an Archaeologist is recommended. The geotechnical report identified that some of those shoreline areas are unsuitable for development, and that further geotechnical study would be necessary prior to development. In response to these comments and the information provided by the reports, the proponent has reduced the scale of development near shoreline areas. Buildings and structures adjacent to the sea will also be required to meet a 9 m setback from the shoreline property boundary and all future development will be required to comply with the requirements of the *Heritage Conservation Act*, including the potential requirement for a permit, as outlined by the Archaeological Branch.

Comments from the JdF EA Parks and Recreation Advisory Commission address public safety, recreation opportunities and connectivity along West Coast Road by recommending the establishment of a roadside trail. The applicant has committed to providing a statutory right-of-way in favour of the CRD for a roadside trail connecting the adjacent Jordan River Regional Park with land to the east as an amenity contribution should Bylaw No. 4518 proceed. Such a trail would separate pedestrians, cyclists and other users from highway traffic, and potentially reduce vehicle trips generated by campground patrons. Staff note that there is opportunity to extend the trail corridor along the frontage of the adjoining property to the east through the park dedication requirements related to an active subdivision application.

Staff are of the opinion that the proposed development is aligned with the Coastal Uplands land use designation and broader OCP policies. The OCP does not support the development of recreational vehicle parks; however, staff would not consider the proposed campground development to be of a scale and density typical of such a facility. For comparison, the Otter Point Coop is zoned Intermittent Rural Residential (RR-4), which expressly permits "campsites used for intermittent accommodation in Recreation Vehicles" with a density of 20 sites per hectare. Furthermore, the proposed zone permits a *caretaker dwelling* and *staff accommodation*, to address housing goals identified in the OCP and concerns expressed by some community members during the referral process.

Should proposed Bylaw No. 4518 proceed, future development involving building construction will require the issuance of building permits, as well as development permit applications where land alteration or building construction occurs within designated development permit areas. Geotechnical, Environmental, and Archaeological concerns would be addressed at that time. Based on revisions to the application in response to the comments received, policies of the Shirley-Jordan River OCP, and approval requirements for future development, staff recommend that that proposed Bylaw No. 4518 be introduced, read a first and second time, and that a public hearing with respect to the Bylaw be held.

CONCLUSION

The purpose of Bylaw No. 4518 is to amend Bylaw No. 2040 by removing the subject properties from the Forestry (AF) zone and adding them to an amended Rural Commercial Recreation (Campground) (CR-2) zone. Staff have prepared proposed Bylaw No. 4518 and recommend receipt of the referral comments, first and second reading, and advancement to a public hearing.

RECOMMENDATION

The Land Use Committee recommends to the Capital Regional District Board:

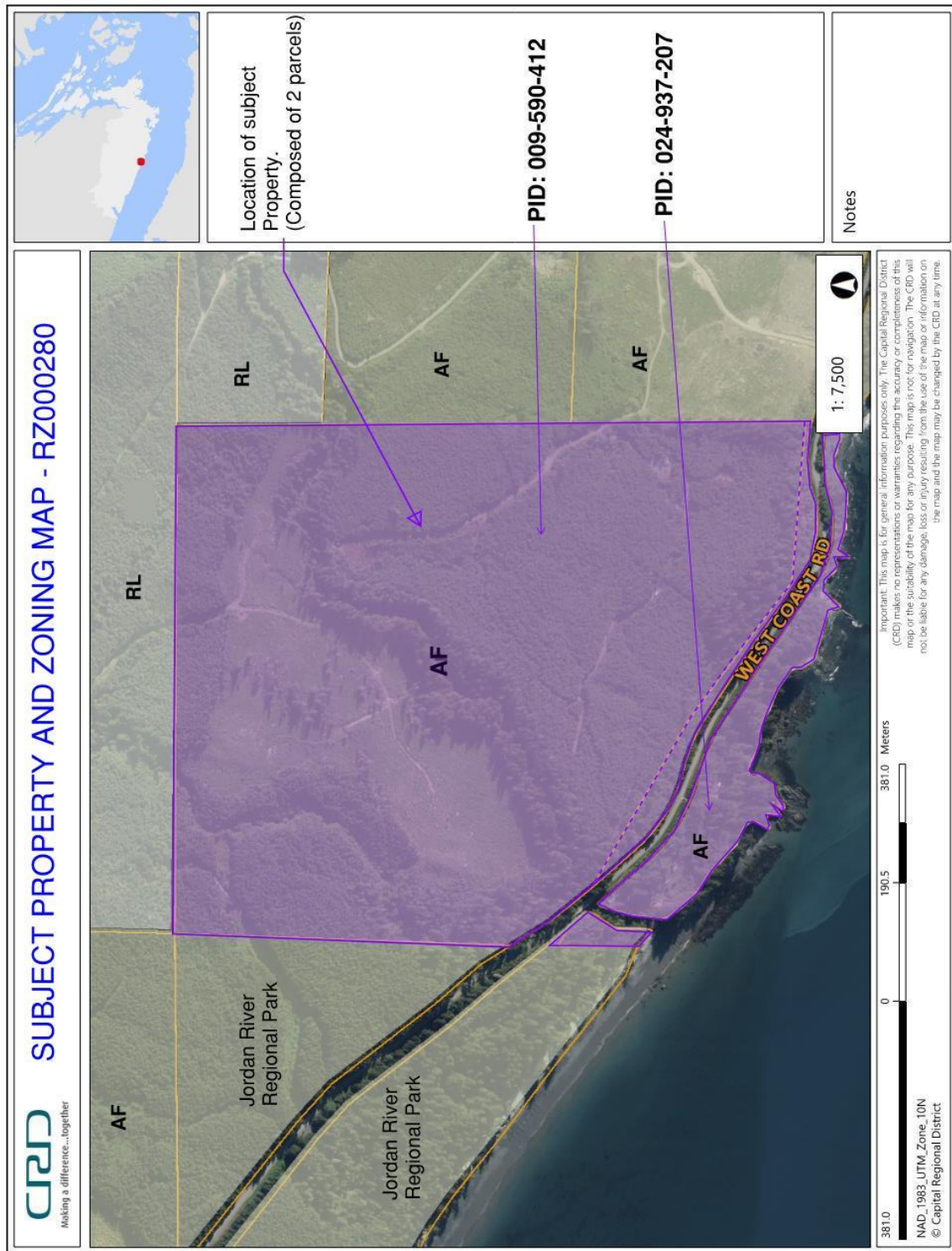
1. That the referral of proposed Bylaw No. 4518, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 158, 2022", to the Shirley-Jordan River Advisory Planning Commission, Pacheedaht First Nation; T'Sou-ke First Nation; CRD departments, BC Hydro; District of Sooke; the Archaeology Branch and Water Protection; the Ministry of Land, Water, and Resource Stewardship; the Ministry of Transportation & Infrastructure; RCMP; and Sooke School District #62 be approved and comments be received;
2. That proposed Bylaw No. 4518 be introduced and read a first time and read a second time;
3. That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director of the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4518; and
4. That prior to adoption of Bylaw No. 4518:
 - a. That a commercial access permit be issued by the Ministry of Transportation and Infrastructure; and
 - b. That the landowner provide an amenity contribution by registering a statutory right-of-way adjacent to West Coast Road in favour of the Capital Regional District for the purpose of establishing a public trail, and that staff be directed to ensure that all conditions are satisfied towards completion and registration.

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Local Area Services
Concurrence:	Shawn Carby, CD, MAL, Acting General Manager, Planning & Protective
Concurrence:	Shawn Carby, CD, MAL, Acting Chief Administrative Officer

ATTACHMENTS

- Appendix A: Subject Property and Zoning Map
- Appendix B: Proposed Amendments to the CR-2 Zone
- Appendix C: Updated Concept Plan
- Appendix D: Supplemental Reports and Supporting Information:
 1. Environmental Assessment Report, May 2022
 2. Geotechnical Report, July 24, 2022
 3. Wildfire Assessment Report, June 2, 2021
 4. Campground Emergency Plan, June 28, 2023
 5. Property History, December 2023 (Fall 1984)
 6. Water Supply Assessment, April 2023
- Appendix E: Proposed Bylaw No. 4518
- Appendix F: Referral Comments

Appendix A: Subject Property and Zoning Map



Appendix B: Proposed Amendments to the CR-2 Zone

Blue text indicates proposed additions to the CR-2 zone; **Red** text indicates regulations that are proposed to be removed.

Schedule "A" of Capital Regional District Bylaw No. 2040
Juan de Fuca Land Use Bylaw

23.0 RURAL COMMERCIAL RECREATION (CAMPGROUND) ZONE - CR-2

23.01 Permitted Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted in the Rural Commercial Recreation (Campground) CR-2 Zone:

- (a) Camp Ground;
- (b) Tourist Cabine;
- ~~(c) Dormitories;~~
- ~~(d) Restaurant;~~
- ~~(e) Private Clubs;~~
- ~~(f) Amusement Facilities, Indoor;~~
- ~~(g) Amusement Facilities, Outdoor;~~
- (c) ~~One dwelling unit.~~ One-family dwelling;

23.02 Permitted Accessory Uses

In addition to the uses permitted by Section 23.01 of Part 2 of this Bylaw, the following Accessory Uses in conjunction with a permitted Principal Use and no others shall be permitted in the Rural Commercial Recreation (Campground) CR-2 Zone:

- (d) Convenience Store accessory to a campground use;
- (e) Outdoor recreation facilities pursuant to Part 2, Subsection 23.09;
- (f) Staff accommodation pursuant to Part 2, Subsection 23.09;
- (g) Caretaker dwelling unit.

23.023 Minimum Lot Size for Subdivision Purposes

Minimum lot size for subdivision purposes is no less than be ~~4~~2ha.

~~**23.03 Number of Residential Units**~~

~~One dwelling unit per lot is permitted.~~

23.04 Density

- (a) One one-family dwelling per parcel;
- (b) 23 tourist cabins per parcel or 0.3 tourist cabins per hectare; wh less;
- (c) 64 camping spaces per parcel or 0.9 camping spaces per whichever is less;
- (d) One convenience store per parcel;
- (a) One Caretaker dwelling unit per parcel.

23.045 Height

Maximum height shall be 11m~~7.5m~~ for the dwelling unit and 6m~~4m~~ for all other principal buildings, structures and uses.

23.056 Lot Coverage

Maximum lot coverage shall be 10~~20~~ percent.

~~**23.067 Density of Development**~~

- ~~(a) A maximum of 20 camping spaces per hectare are permitted; or~~
- ~~(b) A maximum of 12 tourist cabins per hectare are permitted; or~~
- ~~(c) A maximum of 48 guests per hectare in dormitory accommodation are permitted; or~~
- ~~(d) When the above accommodation types are mixed, densities equivalent to (a) to (c) above will be permitted based on the proportion of lot area devoted to each type.~~

Schedule "A" of Capital Regional District Bylaw No. 2040
Juan de Fuca Land Use Bylaw

23.08 Yard Requirements

- (a) Front yards shall be a minimum of 7.5m;
- (b) Side yards shall be a minimum of 3m, except where the lot abuts a lot in a Residential, Rural Residential, or Multiple Family Residential Zone, the side yard shall be a minimum of 6m;
- (c) Flanking yards shall be a minimum of 6m CTS;
- (d) Rear yards shall be a minimum of 6m.

23.08 Setback Requirements

- (a) All camping spaces, buildings, and structures, must be setback a minimum of 9m from every parcel line; and 15m from the boundary of land designated as park.

23.09 Separation Space

- (a) Tourist cabins and dormitories shall be separated from other structures and from camping spaces by a minimum of 3m;
- (b) Camping spaces shall be separated from each other and from structures by a minimum of 9m.
- (a) All camping spaces and tourist cabins must be individual or freestanding; separated by a minimum of 9m measured from the outside surface of the nearest exterior wall of a building or structure; and the outermost edge of an area cleared of trees and other vegetation for a camping space or other outdoor uses.

23.10 Definitions

- (a) For the purpose of the *RURAL COMMERCIAL RECREATION (CAMPGROUND) ZONE - CR-2*, the following definitions apply:

Staff Accommodation means the accessory use of tourist cabins, for the accommodation of employees.

Outdoor Recreation Facility means a recreation infrastructure activity undertaken outdoors as a portion of, or related to, a private commercial enterprise and includes parks, trails, open space, playing fields, and playgrounds;

Proposed Scope of Work

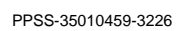
Consolidate and re-zone both properties from AF-Forestry to Rural Commercial Recreation (Campground) CR-2 Zone;
Construct Resort with campgrounds, RV lots, cabins, outdoor amusement facilities, convenience store and caretaker's unit

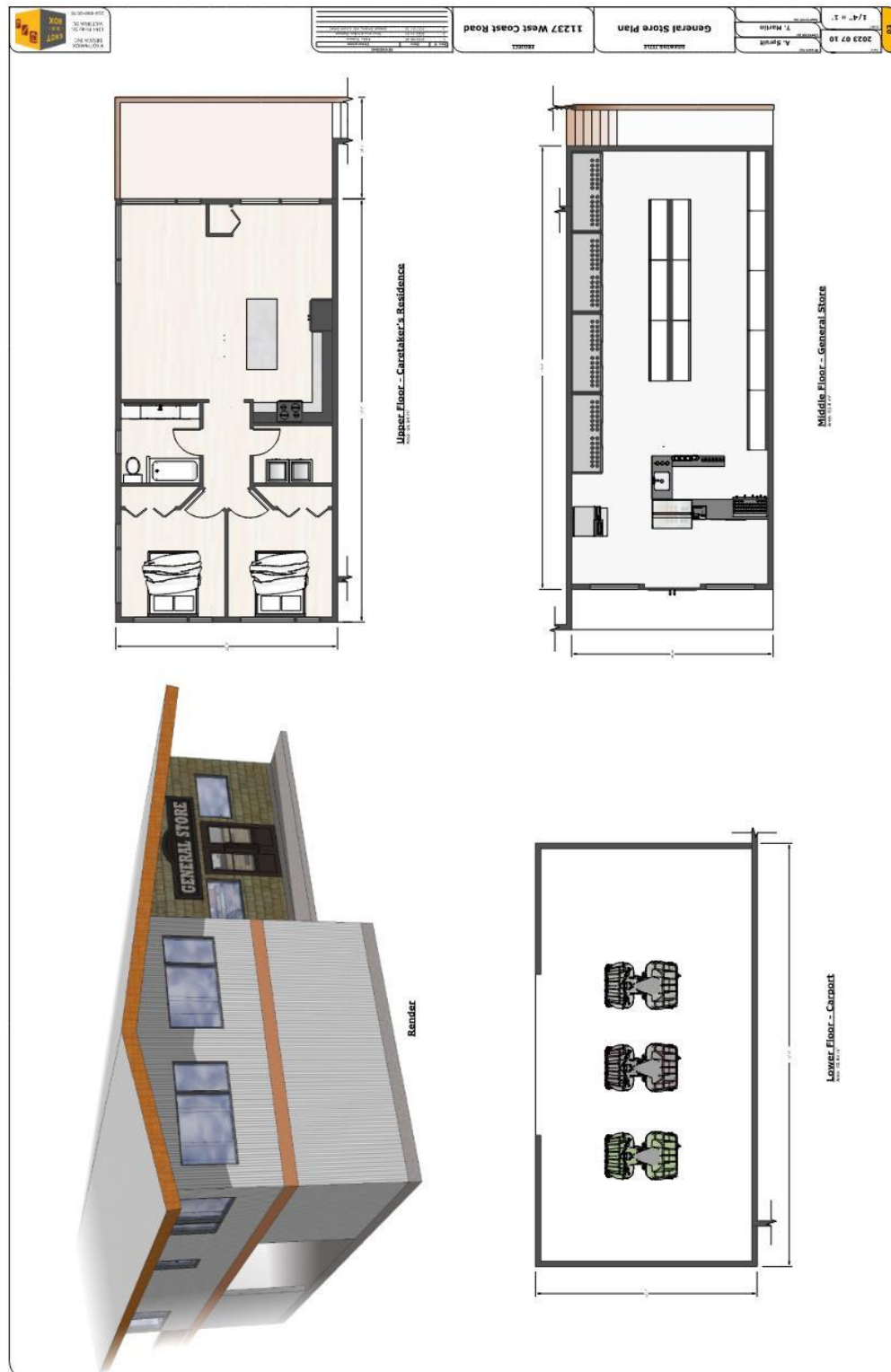
Site Data

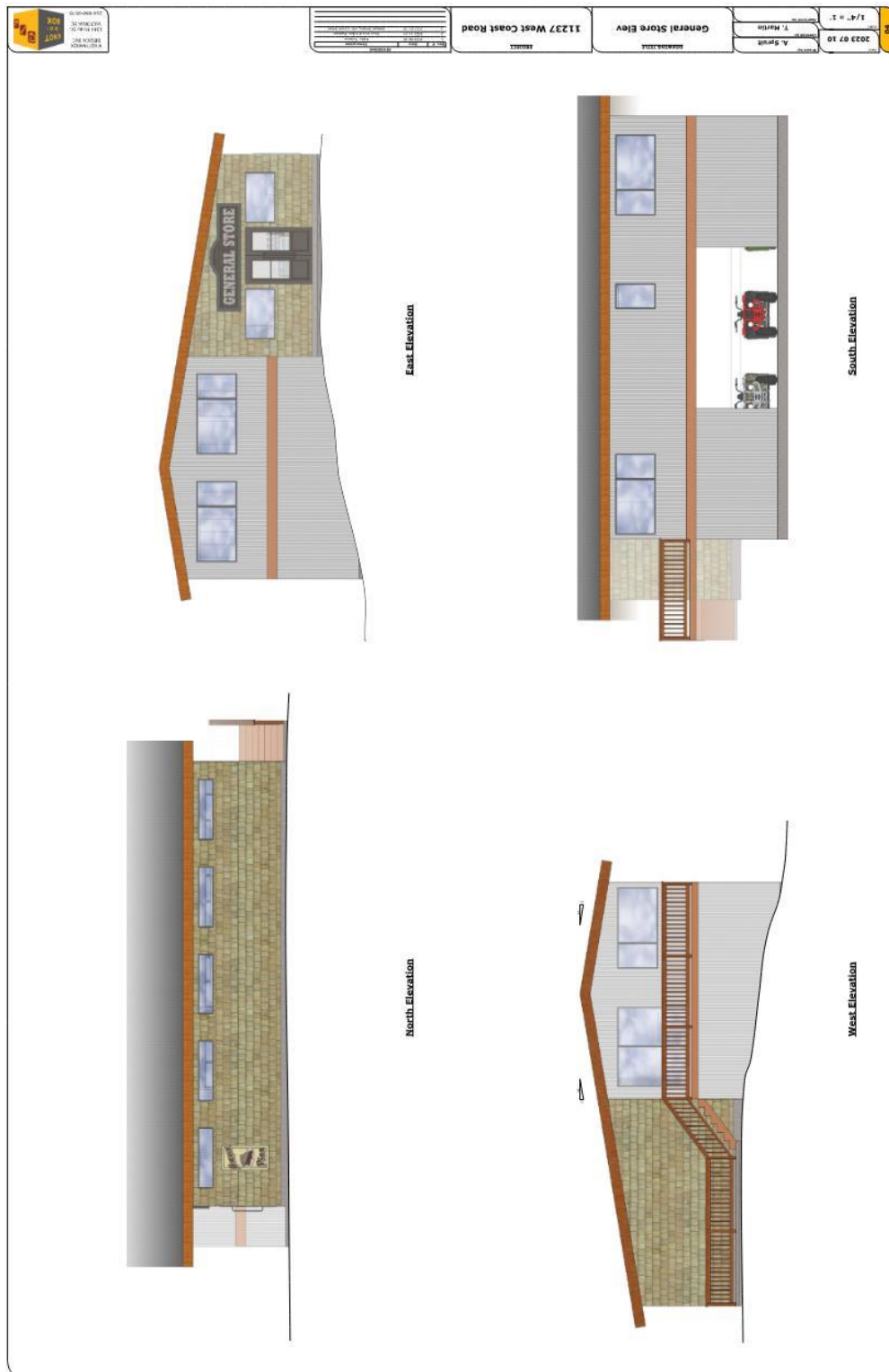
11237 West Coast Road
Lot A, Section 74, Plan VIP71883
Renfrew District
Zone = AF-Forestry

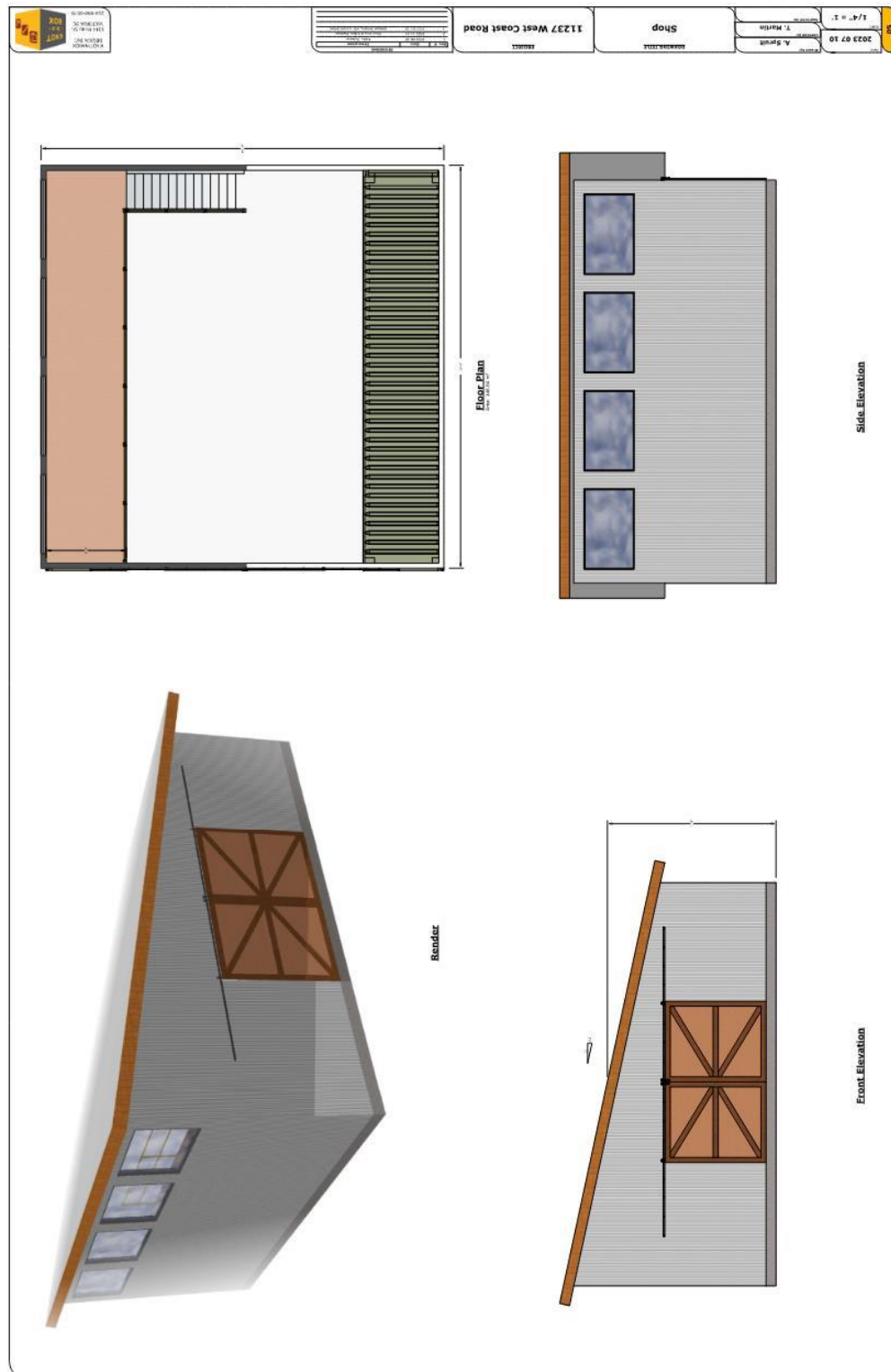
No Address - West Coast Road
That part of Section 74, Renfrew District lying to the north of the northerly boundary of Plan 109RW
Plan VIP109RW
Renfrew District
Zone = AF-Forestry

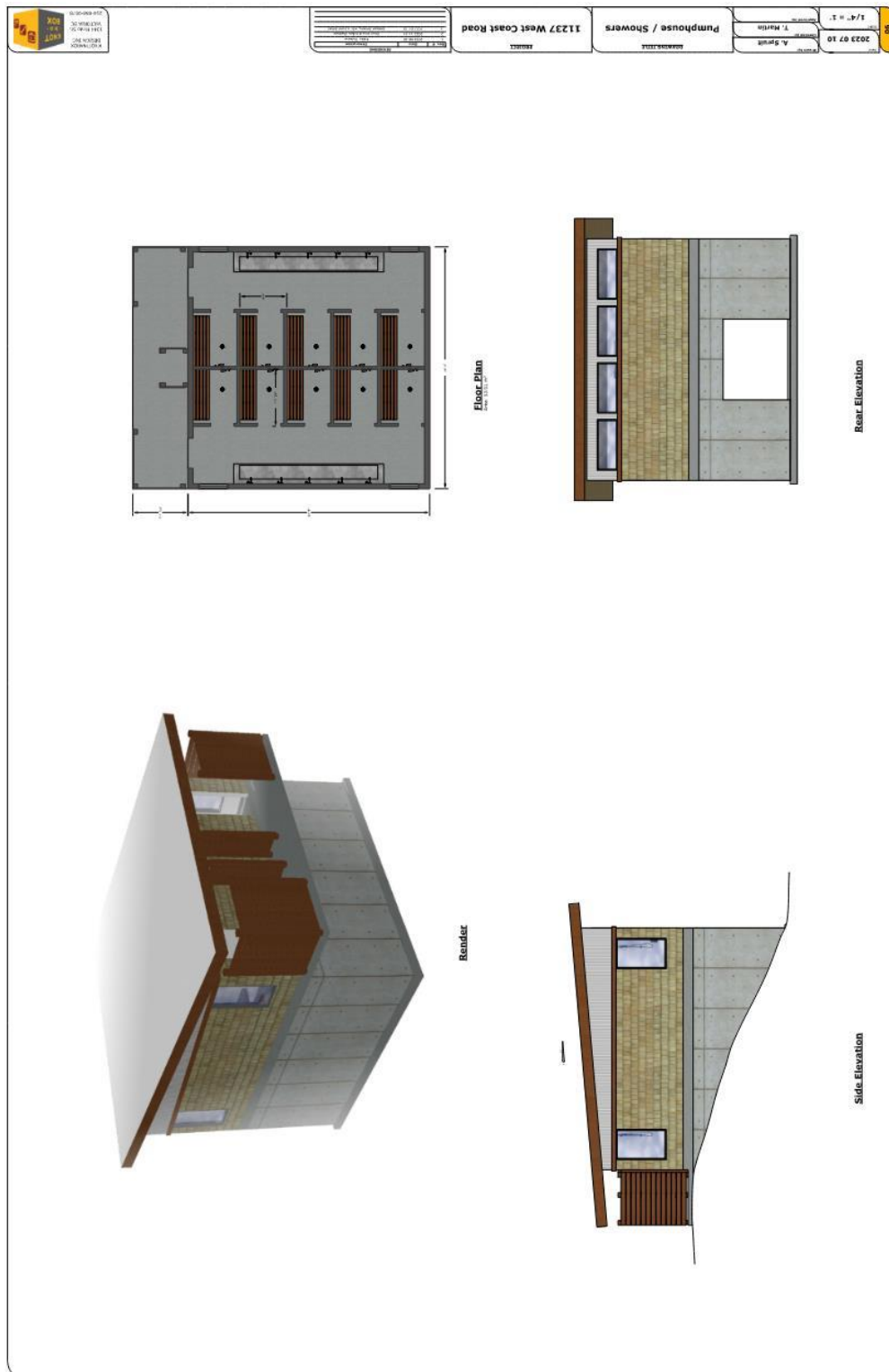
Lot Information	Required	Existing	Proposed	Coverage/Unit
Lot Area	4 ha	7.68 & 70.43 ha	78.11 ha	
Density				
Dwelling unit	1	1	1	346.4 m ²
Tourist cabin	30 (2/ha)	1	23 (0.29/ha)	66.9 m ²
Camping spaces	100 (2/ha)	0	64 (0.82/ha)	110 m ²
Convenience store	-			83.8 m ²
Caretaker's residence	-			85.8 m ²
Lower shop/storage	-			116.6 m ²
Upper shop	-			148.6 m ²
Showers/Pumphouse	-			53.5 m ²
			TOTAL	9,413.4 m²
Lot Coverage	10%	0.1%	1.2%	

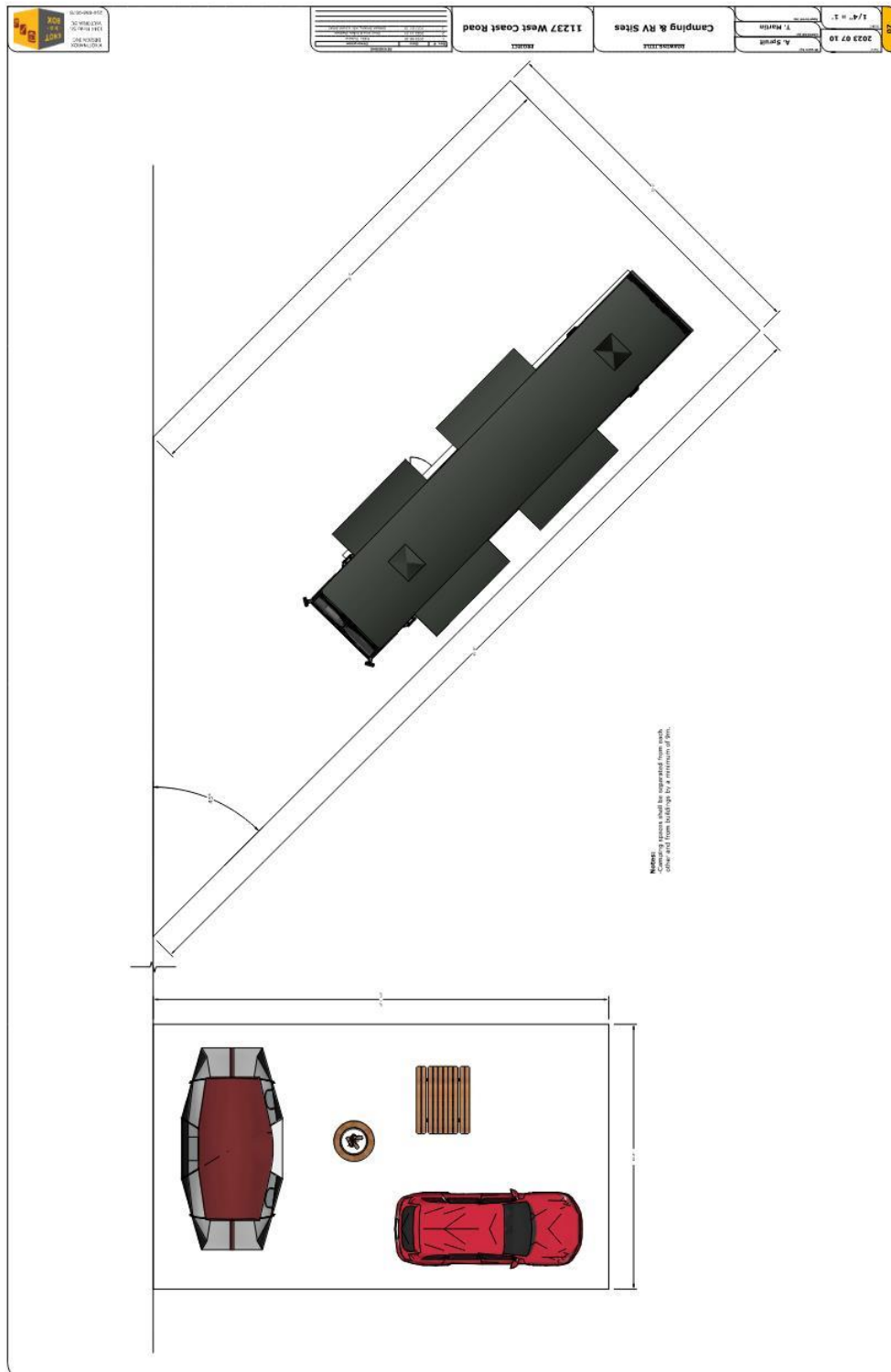












Appendix D: Supplemental Reports and Supporting Information

1. Environmental Assessment Report, May 2022 - RZ000280



ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED SANDCUT ECO-RESORT AT 11237 WEST COAST ROAD

PREPARED FOR:

Redacted: Pursuant to Section 22 of British Columbia's *Freedom of Information and Privacy Protection Act*.

11237 WEST COAST RD
SHIRLEY, BC V9Z 1G8

AND

IAIN LAWRENCE
CAPITAL REGIONAL DISTRICT
3 – 7450 BUTLER RD
Sooke, BC V9Z 1N1

CORVIDAE PROJECT #2021-030
MAY 2022



SOLUTION ORIENTED. PROTECTION OF THE ENVIRONMENT. ABSOLUTE INTEGRITY. OPEN COMMUNICATION. RESPECT.

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CAVEAT

This Environmental Assessment (EA) has been prepared with the best information available at the time of writing, including the CRD Official Community Plan, communications with the client and regulators, site visits, review of site plans and design drawings and other documentation relevant to the project. This EA has been developed to assist the project in remaining in compliance with relevant environmental regulations, acts and laws pertaining to the project and to identify and mitigate the expected impacts of the project and reclamation activities directly related to the project.



1 INTRODUCTION

Corvidae Environmental Consulting Inc. (Corvidae) is pleased to provide this Environmental Assessment (EA) for the proposed changes to 11237/11269/11275 West Coast Rd (the property; PID 024-937-207 and 009-590-412).

This document addresses the requirements in Section 5 of Bylaw No. 4001 and provides an assessment on the environmental conditions on the property, potential impacts of the proposed development, and recommendations on the protection of environmentally sensitive features and methods to minimize impacts of the proposed development. The property is intersected at the western end by Sandcut Creek (Figure 1). Three mapped Development Permit Areas (DPAs; Bylaw 4001, see Section 1.3 for details) are present on the property: Shoreline DPA, Riparian DPA, Sensitive Ecosystem DPA (fringe forest). A Riparian Areas Protection Regulation report (Appendix A) will be completed in parallel to this assessment.

1.1 CURRENT CONDITIONS

The current property owner acquired the property in 2017. An existing house and a small cabin near Sandcut Creek were present on the property when it was purchased. A Riparian Area Regulation assessment was completed on the creek in 2011 and a 15 m SPEA was recommended.

The property is accessed by three driveways: access to the main house (marked as 11237 West Coast Road); access to 11275, the westernmost portion of the property (narrow and gated); access to the cabin and cleared areas on the east bank of Sandcut Creek (marked as 11269 West Coast Road). The latter driveway has been surfaced with crushed rock. A small permanent utility shed has been constructed next to the driveway, and a plastic water cistern placed behind it where a water line is accessed.

In 2018 and 2019, the current property owner undertook brushing and clearing of parts of the property for future development of an ecofriendly camping accommodation. A previously cleared area in the centre of the western part of the property was re-cleared (Photo 5). In addition, an area along the eastern bank of Sandcut Creek has been recently cleared and grubbed, with some ground leveling. The existing cabin, the driveway, the utilities shed and the recently cleared area on the eastern bank of Sandcut Creek were located within the Riparian DPA as mapped by CRD (CRD 2019). A Conditions and Impacts report was completed for the development by Corvidae (Corvidae 2019).

A new road network was constructed in 2019 to access the eastern part of the property. Several small clearings and structures have been built on the property to the east of the highway, all outside the riparian DPAs for the streams on the property.

1.2 PROPOSED DEVELOPMENT

The property owner is seeking to rezone the Site from AF-Forestry to Intensive Commercial Recreation Zone CR-3 and construct a campground and resort on the property. The proposed development will include 26 RV sites, 69 tent campsites, 27 A-frame cottages, and 11 yurt/dome tents adjacent to existing roads as well as new roads that will also be constructed. A reception/general store and workshop will also be included as part of the development.



1.3 REGULATORY FRAMEWORK

This environmental assessment is designed to comply with the provisions set out in the Shirley-Jordan River Official Community Plan (OCP) for development permit areas and for compliance with the provisions for environmental protection contained in the following relevant legislation:

Municipal

- Shirley-Jordan River OCP, Bylaw No. 4001

520 Shoreline Development Permit Area (DPA)

That part of the Shirley – Jordan River Plan area indicated as Shoreline Protection DPA on Schedule D is designated as a development permit area pursuant to Sections 488(1)(a) and 488(1)(b) of the Local Government Act (LGA). The Shoreline Protection DPA established under this section includes all land lying 15 metres upland of the natural boundary of the ocean.

530 Riparian DPA

That part of the Shirley – Jordan River Plan area indicated as Riparian DPA on Schedule D is designated as a development permit area pursuant to Sections 488(1)(a) and 488(1)(i) of the Local Government Act (LGA). The Riparian DPA established under this section also includes all lands entirely or partially within a riparian assessment area as defined by the Riparian Areas Regulations (RAR), which includes: (a) for a stream, the 30 metre strip on both sides of the stream, measured from the high water mark, (b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank, and (c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

540 Sensitive Ecosystem DPA

That part of the Shirley – Jordan River area indicated as Sensitive Ecosystem DPA on Schedule E is designated as a development permit area pursuant to Sections 488(1)(a) and 488(1)(i) of the Local Government Act (LGA). The Sensitive Ecosystem DPA established under this section includes those sensitive ecosystems and other important ecosystems identified as Intertidal, Estuarine, Freshwater, Older Forest, Mature Forest, Fringe Forest, Woodland, Herbaceous, Sparsely Vegetated, Wetlands, and Riparian in the Sensitive Ecosystem Inventory (SEI) prepared by Madrone Environmental in 2014. The Sensitive Ecosystem DPA includes the strip of land 30 metres from the natural boundary on either side of all watercourses.

The guiding principle for the use of Development Permits is found within the Local Government Act. Development Permit Areas can be designated for purposes such as, but not limited to the following:

- Protects, enhances and restores the biodiversity and ecological values and functions of environmentally sensitive areas.
- Fosters compatibility between development, existing land uses and environmentally sensitive areas.
- Maintains connectivity between sensitive ecosystems; and



- Protects water quality and quantity.

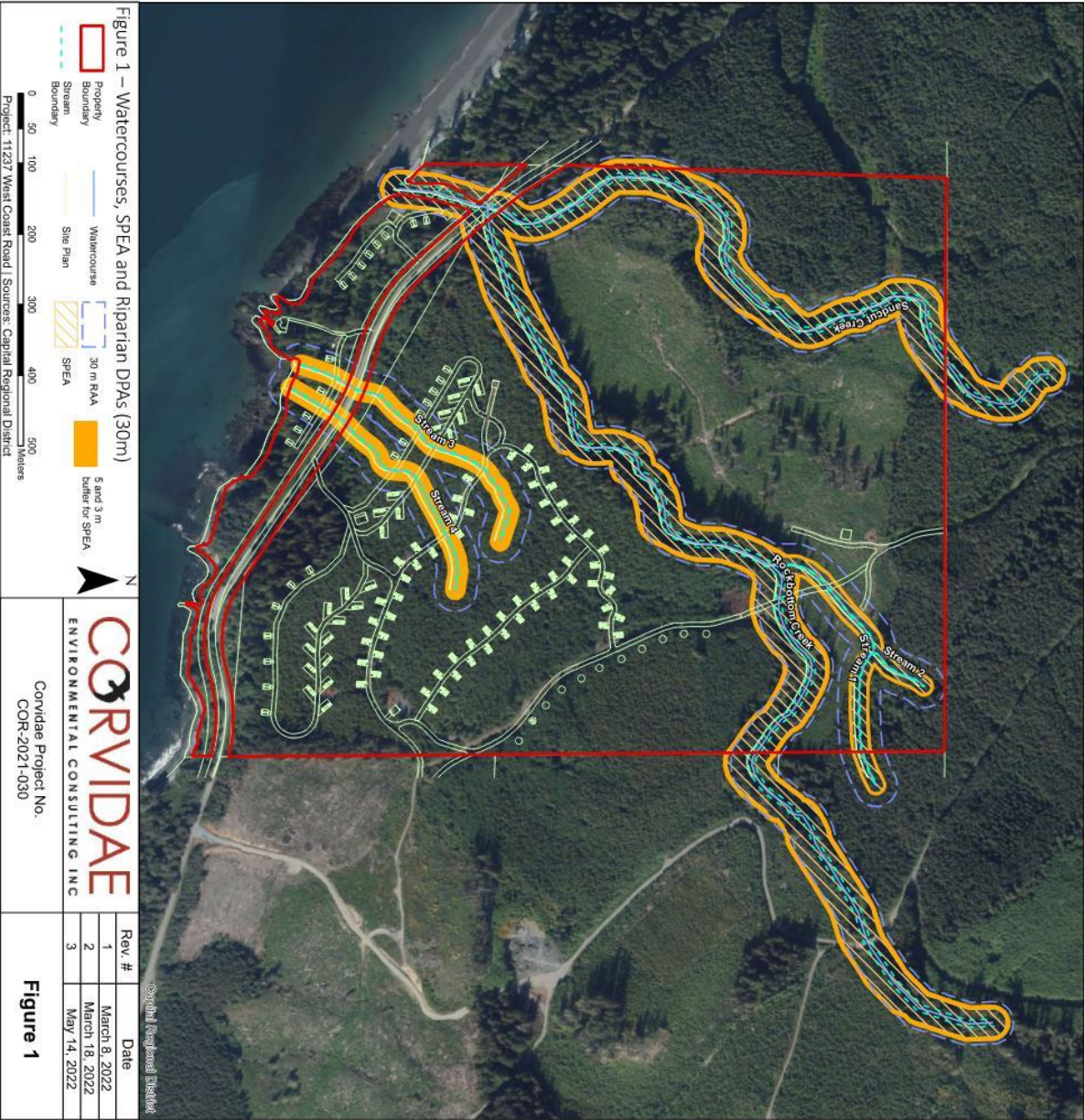
Provincial

- *Wildlife Act* (1996)
- Invasive Species Council of BC
- *Weed Control Act* (1996, current as of October 2016)
- *Water Sustainability Act* (Updated December 2021)
 - Activities in and about a stream, including culverted road crossings and bridge installation, require a Section 11 notification under the WSA
- Riparian Areas Protection Regulation (2019)
 - The objective of the Riparian Area Protection Regulation (RAPR) is to preserve and enhance sensitive riparian ecosystems, including vegetation and coarse woody debris, shade and hydrogeological conditions that are vital for maintaining stream health and productivity.
 - In the RAPR, a Streamside Protection and Enhancement Area (SPEA) is defined as "an area (a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream, and (b) the size of which is determined according to this regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal."

Federal

- *Migratory Birds Convention Act* (1994)
- *Species at Risk Act* (SARA) (2002)
- *Fisheries Act* (2018)





2 SCOPE OF WORK

Corvidae completed an environmental assessment for the property. The environmental assessment documented the ecological features on the property including riparian areas and any sensitive species or ecosystems. Background information was reviewed, including applicable databases. During the assessment, the following features were documented in this report:

- Areas of sensitivity, habitat and biodiversity values;
- Plant communities and plant species on site;
- Potential wildlife presence and wildlife habitat;
- Soil properties and terrain; and
- Surface water flow patterns.

Following the field assessment, the biophysical features and cleared areas were mapped and buffer areas have been identified. Mitigations to minimize the impacts of the proposed residential development on the environment have been provided in Section 6.

3 METHODS

3.1 DESKTOP REVIEW

Baseline biophysical conditions were compiled by reviewing the best available data and information including existing reports for the area and conducting searches of online provincial and federal databases:

- BC Conservation Data Centre (BC CDC 2021a and 2021b);
- BC HabitatWizard (Province of BC 2021);
- Aerial photographs of the property (Google Earth 2021);
- CRD regional mapping system and database (CRD 2021), and
- Shirley-Jordan River Official Community Plan Bylaw No. 4001 (CRD 2018).

3.2 FIELD ASSESSMENT

A field assessment of the property was completed by a Qualified Environmental Professional (QEP) from Corvidae. The assessment included characterization of vegetation and habitat types, wildlife sign and species observations, wildlife habitat, and assessed the current conditions of the property.

The SPEAs for the streams on the property were calculated using the detailed assessment methodology in the RAPR Technical Manual (BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development 2019).



4 ENVIRONMENTAL SITE ASSESSMENT

Corvidae completed site visits on June 2, 16, August 4 and Sept 5, 2021. The property was assessed for any environmental concerns that may be present, including the riparian area of Sandcut Creek, Rockbottom Creek and the small seasonal streams on the property. Appendix B shows photos of the property and riparian areas.

4.1 CLIMATE AND BIOGEOCLIMATIC ZONE

The project is located within the Coastal Western Hemlock (CWH) biogeoclimatic zone, and specifically in the western variant of the Very Dry Maritime subzone (classified as CWHxm2; BC CDC 2019b). The CWHxm2 occurs from sea-level to 450m of elevation on southern Vancouver Island. The CWHxm2 has warm, dry summers and moist, mild winters with relatively little snowfall. Growing seasons are long and can experience water deficits.

It is a unique habitat that occurs on the central and southeastern section of Vancouver Island. The average rainfall is 1497.1 mm/annually (Sooke Lake North Station, Environmental Canada 2018).

4.2 TERRAIN AND SOILS

Soils in this biogeoclimatic zone are typically moderately deep Orthic Humo-Ferric Podzols with Hemimor humus forms (Pojar et al. 1991).

The soils on the site were a clay-loam and sandy-silty loam.

The topography of the property is varied. The property generally slopes from the highway (north side) towards the beach (south boundary of the property). Localized low areas occur where Sandcut Creek intersects the property, and where a drainage runs parallel to the highway and driveway, towards the beach. The existing house and cabin are both located on high areas, where rocky bluffs overhang the beach below. Areas north of West Coast Road generally slope in a south/southwest direction toward the roadway.

4.3 VEGETATION

The CWHxm2 is typically dominated by components of western hemlock (*Tsuga heterophylla*), Douglas-fir (*Pseudotsuga menziesii*) and western red cedar (*Thuja plicata*) (Pojar et al. 1991). Salal (*Gaultheria shallon*), dull Oregon-grape (*Mahonia nervosa*), and red huckleberry (*Vaccinium parvifolium*) typify the poorly to moderately developed shrub layer. Oregon beaked moss (*Kindbergia oregana*), step moss (*Hylocomium splendens*), lanky moss (*Rhytidiadelphus loreus*), and flat moss (*Plagiothecium undulatum*) dominate the well-developed moss layer (Pojar et al. 1991).

There are two types of ecosystems on the property: dry mature forest and riparian forest.

- The dry mature forests are dominated by Douglas-fir, with a shrubby understory that includes salal and oceanspray.
- Adjacent to the streams, and in localized areas with concentrated moisture in the soil, forests contain more bigleaf maple, red alder western hemlock, and western redcedar. The understory in riparian areas is dominated by salmonberry and sword fern.



During the site assessment the species in Table 1 were found on the site. Six invasive species were observed on the site: bull thistle, Canada thistle, English holly, Himalayan blackberry, scotch broom and spurge laurel. Measures to remove and prevent invasive species are discussed in Section 6 of this report.

During the site assessment the species in Table 1 were found on the site.

Table 1. Plant species observed on site during field visit in 2021

Common Name	Scientific Name	BC Provincial Status ¹	SARA Schedule 1 Status ²
Black twinberry	<i>Lonicera involucrata</i> var. <i>involucrata</i>	Yellow	--
Bracken fern	<i>Pteridium aquilinum</i>	Yellow	--
Bull thistle	<i>Cirsium vulgare</i>	Invasive; Exotic	--
Canada goldenrod	<i>Solidago canadensis</i>	Exotic	--
Canada thistle	<i>Cirsium arvense</i>	Invasive; Exotic	--
Coastal leafy moss	<i>Plagiomnium insigne</i>	Yellow	--
Coastal strawberry	<i>Fragaria chiloensis</i>	Yellow	--
Common horsetail	<i>Equisetum arvense</i>	Yellow	--
Common rush	<i>Juncus effusus</i>	Yellow	--
Douglas-fir	<i>Pseudotsuga menziesii</i>	Yellow	--
English holly	<i>Ilex aquifolium</i>	Invasive; Exotic	--
Foxglove	<i>Digitalis purpurea</i>	Exotic	--
Goatsbeard	<i>Aruncus dioicus</i> var. <i>acuminatus</i>	Yellow	--
Hairy cat's-ear	<i>Hypochaeris radicata</i>	Exotic	--
Himalayan blackberry	<i>Rubus armeniacus</i>	Invasive; Exotic	--
Maidenhair fern	<i>Adiantum aleuticum</i>	Yellow	--
Oregon-beaked moss	<i>Kinbergia oregana</i>	Yellow	--
Pacific sanicle	<i>Sanicula crassicaulis</i>	Yellow	--
Palm tree moss	<i>Leucolepis acanthoneuron</i>	Yellow	--
Pearly everlasting	<i>Anaphalis margaritacea</i>	Yellow	--
Red alder	<i>Alnus rubra</i>	Yellow	--
Red elderberry	<i>Sambucus racemosa</i>	Yellow	--
Red huckleberry	<i>Vaccinium parvifolium</i>	Yellow	--
Salal	<i>Gaultheria shallon</i>	Yellow	--
Salmonberry	<i>Rubus spectabilis</i>	Yellow	--
Scotch broom	<i>Cytisus scoparius</i>	Invasive; Exotic	--
Slough sedge	<i>Carex obnupta</i>	Yellow	--
Snowberry	<i>Symphoricarpos albus</i>	Yellow	--
Spurge laurel	<i>Daphne laureola</i>	Invasive; Exotic	--
Step moss	<i>Hylocomium splendens</i>	Yellow	--
Sword fern	<i>Polystichum munitum</i>	Yellow	--
Thimbleberry	<i>Rubus parviflorus</i>	Yellow	--
Trailing blackberry	<i>Rubus ursinus</i>	Yellow	--
Trembling aspen	<i>Populus tremuloides</i>	Yellow	--
Wall lettuce	<i>Mycelis muralis</i>	Exotic	--



Common Name	Scientific Name	BC Provincial Status ¹	SARA Schedule 1 Status ²
Western hemlock	<i>Tsuga heterophylla</i>	Yellow	--
Western redcedar	<i>Thuja plicata</i>	Yellow	--
Willowherb	<i>Epilobium</i> sp.	--	--

¹ BC CDC 2021a

² Government of Canada 2021

4.4 WILDLIFE

The habitat is found in the Coastal Western Hemlock biogeoclimatic zone is home to many wildlife species. Black-tailed deer, black bear, marten, and gray wolf are the most common large mammals in this zone on Vancouver Island. For bird species in this zone, the following typically occur: great horned owl, barred owl, ruffed grouse, band-tailed pigeon, northern flicker, hairy woodpecker, common raven, Steller's jay, chestnut-backed chickadee, red-breasted nuthatch, varied thrush, red-tailed hawk, Townsend's warbler. The following amphibians may occur in this biogeoclimatic zone: western toad, Pacific treefrog, western redbacked salamander (Pojar et al. 1991).

The forest on the property is home to a variety of birds, mammals, reptiles and amphibians. Mature trees provide nesting and roosting habitat for songbirds, owls and woodpeckers. Large and small coarse woody debris provide cover habitat for small mammals, snakes and amphibians. No suitable amphibian breeding habitat was observed on the site; however, amphibians were observed using terrestrial habitat adjacent to the streams. During the site assessment the species in Table 2 were found on the site.

Table 2. Wildlife Species observed on site during field visits in 2021

Common Name	Scientific Name	BC Provincial Status ¹	SARA Schedule 1 Status ²
American black bear (scat)	<i>Ursus americanus</i>	Yellow	--
American robin	<i>Turdus migratorius</i>	Yellow	--
Bald eagle	<i>Haliaeetus leucocephalus</i>	Yellow	--
Black-tailed deer (scat)	<i>Odocoileus hemionus</i>	Yellow	--
Chestnut-backed chickadee	<i>Poecile rufescens</i>	Yellow	--
Common raven	<i>Corvus corax</i>	Yellow	--
Dark-eyed junco	<i>Junco hyemalis</i>	Yellow	--
Pacific wren	<i>Troglodytes pacificus</i>	Yellow	--
Red squirrel	<i>Tamiasciurus hudsonicus</i>	Yellow	--
Red-breasted nuthatch	<i>Sitta canadensis</i>	Yellow	--
Varied thrush	<i>Ixoreus naevius</i>	Yellow	--

¹ BC CDC 2021a

² Government of Canada 2021

4.5 SPECIES AT RISK

A query of the BC CDC iMap tool yielded no occurrences of species at risk within a two-kilometer radius of the property (Figure 2; BC CDC 2019). One record exists in the Jordan River area: red-legged frog



(*Rana aurora*; approximately 2.4 km from the property). This species was observed on the property during the site visits for this assessment.

CRITICAL HABITAT

Marbled Murrelet

Critical habitat for marbled murrelet has been mapped adjacent to nearby Desolation Creek in Jordan River Regional Park (approximately 1.3 km northwest the property). The mapping for the critical habitat for this species is based on a 2002 model using the biophysical attributes of nesting habitat. Suitable nesting habitat may be found in complex old growth stands (140+ years old) at 0-600m of elevation and within 50km of saltwater. Nest trees within suitable habitat are generally >30m tall with large mossy nest platforms on large upper limbs that are still protected by the canopy.

As the property has been historically logged, suitable stands are unlikely to occur. Veteran trees on the property may have the attributes of a suitable nest tree, but their exposure and isolation would likely reduce the probability of use by nesting murrelets.

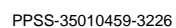
Bats

A 50 km grid square of critical habitat for *Myotis lucifugus* and *Myotis septentrionalis* (Little Brown Myotis and Northern Myotis) overlaps the property.

Note, critical habitat mapping is done at a high level to indicate areas in which the biophysical attributes of critical habitat are known to or may occur. For example, the 50 km² polygon for bats contains a known occurrence of the species and therefore, it is assumed that additional populations may occur in suitable habitat. Painted turtles are known to travel within aquatic ecosystems connected to known locations and may occur up to 150m from the water.

During the field visit, no suitable roosting habitat was observed for bats (old growth snags or rock crevasses).





4.6 RIPARIAN AREAS AND FISHERIES

The property is intersected at the west end by Sandcut Creek (Figure 1). Sandcut Creek, joined by Rockbottom Creek, passes under a highway bridge and flows south into the Juan de Fuca Strait. North of the bridge, and at the bridge location, the creek is within a steep-sided gully. South of the bridge, the creek widens. The western streambank remains very steep to the shoreline. The eastern streambank is relatively flat, varying from approximately 1 to 5 degrees of slope.

South of the bridge, Sandcut Creek has a rock bed, with pools and channels cut into the bedrock (Photo 9 and 11). Several small steps and waterfalls occur in this stretch of the creek (Photo 10). The creek ends with a waterfall over the rocks to the cobble beach. The waterfall, approximately 2-3 m tall, serves as a complete barrier to fish passage.

A search of the BC HabitatWizard (Province of British Columbia 2018) confirmed a lack of fish records in Sandcut Creek and Rockbottom Creek (Figure 4). The search revealed a number of records in neighbouring streams, including Desolation Creek and Jordan River to the west: cutthroat trout (anadromous; *Onchorynchus clarki clarkii*), Coho salmon (*Oncorhynchus kisutch*), steelhead salmon (*Oncorhynchus mykiss*) and rainbow trout (*Oncorhynchus mykiss*).

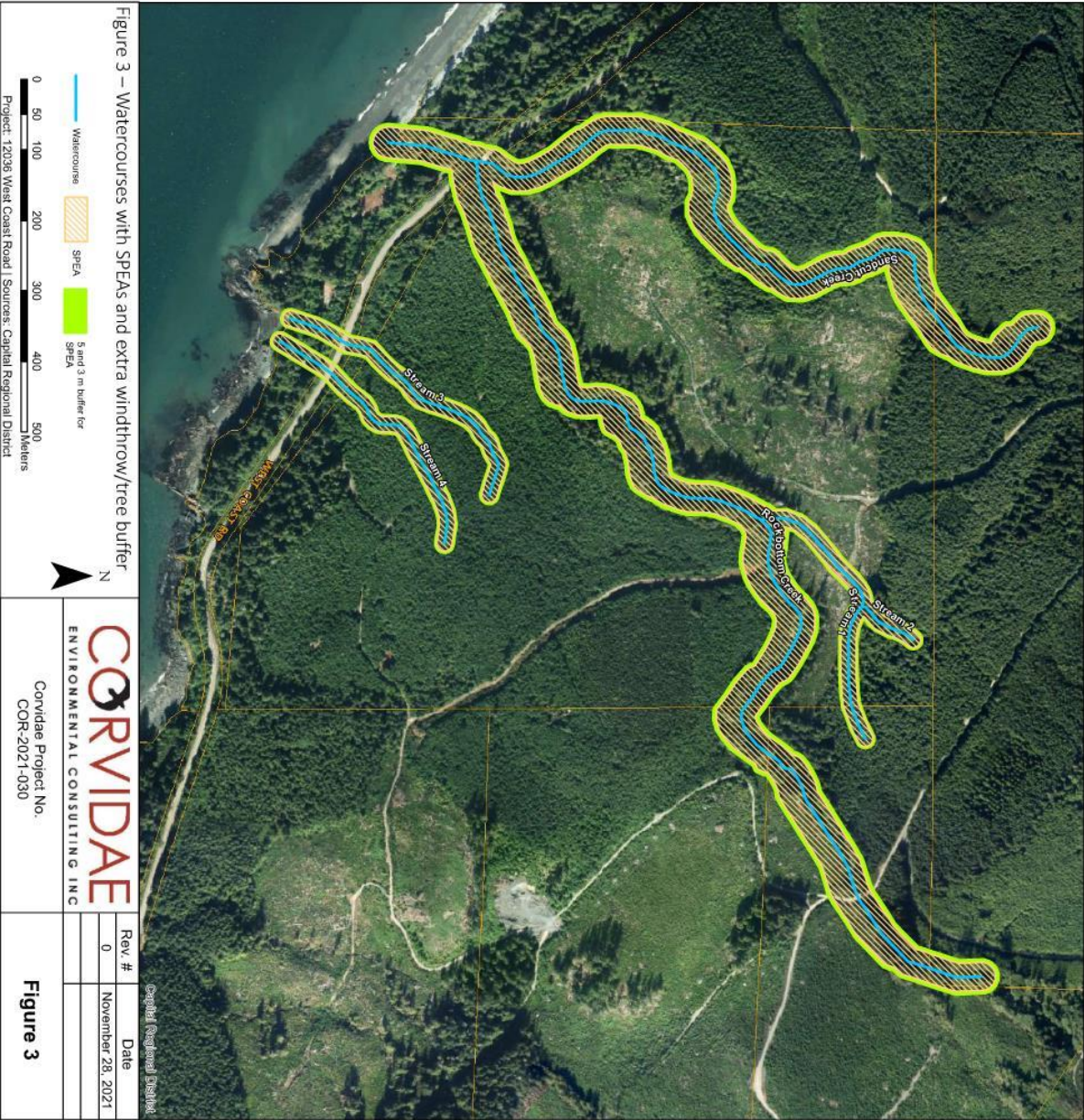
Several tributaries to Rockbottom Creek occur on the property. These are relatively narrow streams (0.5m to 2m width) with rock and cobble bottoms and a cascade-pool structure. Two additional small streams originate on the property and are culverted under the highway, emptying into the ocean.

An additional drainage is present in the middle section of the property to the west of the highway. The drainage appears to begin from the side of the driveway and continues through a low area between the highway and the central (cleared) part of the property, ending in a marshy depression near the shoreline, but not connected due to the beach structure. The watercourse is channelized intermittently, with saturated wet areas in between (Photo 12). This watercourse is isolated from any other watercourses and the ocean, and therefore is not eligible under the RAPR.

The calculated SPEAs for Sandcut and Rockbottom Creeks vary from 15-30m, depending on the shade zone of sensitivity and the stream direction. The SPEAs on the tributaries are all 10m either side of the stream.

In addition to the SPEA, a 3-5m windthrow/tree protection zone buffer is added outside the SPEA in order to protect the integrity of the SPEA (Figure 3). This additional protection is required by the RAPR.





5 POTENTIAL ENVIRONMENTAL EFFECTS

The potential impacts of the proposed development of the property on the environment are:

- Impacts on sensitive ecosystem areas such as riparian habitat,
- Loss of existing vegetation and spread of invasive plant species,
- Change in wildlife habitat availability and wildlife mortality risk, and
- Erosion and sediment transport within and around the project area.

The residual environmental impacts of the activities on the property will be reduced by the implementation of the mitigation and restoration measures recommended in Section 6 of this report.

VEGETATION

The effects of tree removal may include loss of biodiversity of plant species and increased susceptibility to invasive plants not only in the cleared area but also in adjacent plant communities. Vegetation immediately adjacent to cleared areas may experience in changes to the canopy structure and understory plant species due windthrow and increased light and moisture penetration.

INVASIVE SPECIES

Invasive plants are particularly adept at colonizing degraded plant communities and disturbed soils in high traffic areas, such as the margins of roads and parking areas. Invasive plants establish readily in disturbed areas as they have a wide ecological tolerance and grow and propagate quickly. The effects of invasive plant establishment may be the reduction or displacement native species by capturing resources and occupying habitats.

WILDLIFE AND WILDLIFE HABITAT

Habitat loss and alteration from vegetation clearing can cause displacement of wildlife, use of less suitable habitat, reduced foraging ability, increased energy expenditure and lower reproductive success. Reduced habitat effectiveness can occur as a result from the creation of habitat edges and the introduction of buildings with many windows into previously unused spaces can increase mortality risk for birds.

AQUATIC ENVIRONMENT

Vegetation in the foreshore area controls surface water run-off from the upland areas, preventing excessive silt and surface run-off pollution from entering the aquatic environment. Increased levels of sediment and turbidity can impact the productivity of aquatic ecosystems. Sediment in the water may change the amount of light reaching aquatic plants, thereby negatively impacting growth. Sediment has both lethal and sublethal impacts on fish. Aside from direct mortality from suffocation, sediment in the water may limit visual feeding, change fish behaviour, and reduce egg and embryo survival.



RIPARIAN ENVIRONMENT

The removal of vegetation in the riparian area may result in the loss of features, functions and conditions that are vital for maintaining bank stability and fish habitat conditions. Vegetation in the riparian area controls surface water run-off from the upland areas, preventing excessive silt and surface run-off pollution from entering the aquatic environment. Vegetation removal for the project will only occur outside of the SPEA and tree protection zones.

EROSION AND SEDIMENT

Removal of vegetation and ground disturbance may expose soils to erosion and can result in the movement of sediment on the property. Damage or degradation of soil surfaces during construction can include loss of soil structure, increased erosion, and soil compaction which can negatively affect post-construction reclamation efforts.

6 RECOMMENDED ENVIRONMENTAL PROTECTION MEASURES

The mitigation measures provided in this report are designed to protect sensitive ecosystems and were developed in accordance with:

- Procedures for Mitigating Impacts on Environmental Values (Environmental Mitigation Procedures) (BC Ministry of Environment [MOE] 2014a),
- Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia (Government of BC 2014),
- Environmental Best Management Practices for Urban and Rural Land Development in British Columbia (BC Ministry of Water, Land and Air Protection 2004), and
- RAPR Technical Manual (BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development 2019).

RIPARIAN ENVIRONMENT

No clearing of vegetation or trees, or disturbance of any kind shall occur within the SPEAs; and recommended no tree clearing in the windthrow and TPZ buffer. Danger trees within the buffers must be assessed by a certified arborist and removed under supervision of a QEP to ensure no damage is done to the SPEA.

VEGETATION

Areas disturbed by development that are not part of the permanent road or facilities footprint should be replanted with native trees and shrubs and/or seeded with native seed mix (Table 3). Overall plant density should be approximately one plant per 1 to 2 m².



Table 3. Recommended native vegetation to plant in disturbed area

Common Name	Species
Salal	<i>Gaultheria shallon</i>
Salmonberry	<i>Rubus spectabilis</i>
Nootka rose	<i>Rosa nutkana</i>
Oceanspray	<i>Holodiscus discolor</i>
Sword fern	<i>Polystichum munitum</i>
Western redcedar	<i>Thuja plicata</i>
Bigleaf maple	<i>Acer macrophyllum</i>
Coastal Revegetation Mix by Pacific Premier or equivalent	

*shrubs and ferns should be at least 1 gallon size; trees should be 3 gallon size at minimum pending availability

INVASIVE SPECIES

Invasive weed control is difficult for established populations. Immediate eradication of new and existing infestations should be a high priority during any maintenance and re-development of the lake shoreline area. Species should be removed using the most appropriate methods, at the correct time of year, and plant material must be disposed of correctly (burned or bagged and disposed of properly in a landfill) to avoid re-establishment or spread. Following removal, re-seed bare soil with desirable, competing vegetation. Chemical control is not recommended due to the sensitive aquatic ecosystems on the property.

Table 4. Removal and disposal methods for invasive species

Species	Removal Method	Removal Timing	Plant Disposal
Bull thistle	Regular cutting or pulling can help wear down plant reserves, reduce plant growth, and reduce populations, but is not likely to eradicate the species.	Cutting and pulling are best done before flowering to eliminate seed production.	If plants are cut prior to flowering, the plant material can be left on the site to decompose. If plants are cut post flowering, all plant parts, including flower heads, should be bagged and disposed of properly in a landfill.
Canada thistle	Regular cutting or pulling can help wear down plant reserves, reduce plant growth, and reduce populations, but is not likely to eradicate the species.	Cutting and pulling are best done before flowering to eliminate seed production.	If plants are cut prior to flowering, the plant material can be left on the site to decompose. If plants are cut post flowering, all plant parts, including flower heads, should be bagged and disposed of properly in a landfill.
English holly	English holly can be removed by hand pulling small seedlings or cutting mature trees at ground level removing all plant material.	Removal is best done before flowering to eliminate seed production.	Holly does not root again once removed, so it can also be piled to desiccate on site. Can be bagged and disposed of properly in a landfill. Do not compost.
English ivy	Can be removed by hand pulling and cutting of vines. Roots should be pulled so no rooted portions re-grow.	Removal should occur fall, when plants are easier to remove due to moist soil conditions.	Bagged and disposed of properly in a landfill. Do not compost.



Environmental Assessment for 11237 West Coast Rd

May 2022

Species	Removal Method	Removal Timing	Plant Disposal
Himalayan blackberry	Can be removed by pulling or cutting the canes from the ground. If possible, dig out the roots, paying careful attention not to damage nearby vegetation.	Removal should occur in the spring and early summer before they produce berries as canes that are cut as the plant is producing flowers are least likely to re-sprout.	Burned or bagged and disposed of properly in a landfill. Do not compost.
Scotch broom	Avoid disturbing the soil which can stimulate dormant broom seeds to sprout. Small broom plants can be pulled easily from the ground by hand without disturbing the soil. Larger plants should be cut below the root crown using loppers or a pruning saw.	Scotch broom removal should occur mid-April through early June before its seed pods begin to open.	Bagged and disposed of properly in a landfill. Do not 'recycle' garden debris or compost.
Spurge laurel	Spurge laurel can be removed by pulling small plants or cutting larger plants just below the soil. Spurge laurel stems may re-sprout after cutting and numerous seedlings may germinate so repeated site visits are necessary. Always wear gloves when handling spurge laurel because it produces a noxious substance which can cause severe eye and skin irritation. Avoid spreading berries during removal.	Can be removed year-round.	Removed plants should be bagged and disposed of properly in a landfill. Do not transport inside an enclosed vehicle as the plants can cause respiratory irritation.

WILDLIFE AND WILDLIFE HABITAT

The following measures should be taken to minimize impacts on wildlife and wildlife habitat:

- Clearing of existing vegetation, including tree cutting, brushing, or clearing and grubbing, should occur outside of the sensitive time period for breeding and nesting birds (mid-March to end of August; Government of Canada 2021b). If disturbance of vegetation is to occur within this time period, then a QEP must perform a nesting bird survey to identify any nesting birds that may be potentially impacted by the project. The survey must be completed within 5 days of the planned clearing/disturbance, and the results are valid for 5 days. If nesting bird activity is detected, then the QEP will recommend the appropriate mitigation, such as protective buffers or delay of clearing until nesting activity is complete.
- Where suitable and safe, retain habitat that provides shelter for wildlife, such as standing dead trees and rocky outcrops.
- In the event that an amphibian or reptile is encountered during clearing or construction, the QEP will recommend the appropriate mitigation, such as avoidance or relocation. All salvage must be done by the QEP and with the appropriate wildlife permit.



- A raptor nest survey should be completed prior to development activities. A QEP must perform a multi-visit nest survey to identify any nests that may be potentially impacted by the project. If nesting raptor activity is detected, then the QEP will recommend the appropriate mitigation, such as protective buffers.

EROSION AND SEDIMENT CONTROL

The primary focus of erosion and sediment control planning is erosion control; if there is no erosion then there is no sediment. Erosion control is far more cost effective to implement and manage than sediment control.

Erosion controls, including the recommendations listed below, are recommended to be maintained for the duration of the project.

- Install a silt fence barrier outside of the SPEA edge and tree protection zones between the building site and the construction area to prevent sediment laden runoff from entering the wetland.
- Store materials and soils in dry, flat areas at least 15m outside the edge of the SPEA.
- Revegetation of disturbed areas adjacent to the SPEA should be undertaken upon the completion of construction or disturbance. Prevent erosion and invasive plant colonization by planting native species of shrubs and trees (see Table 3), which naturally have deep roots to aid in soil stabilization, compete against weeds and do not require irrigation.
- Heed weather advisories and scheduling work to avoid wet and rainy periods that may result in high surface water flow volumes and/ or increase erosion and sedimentation.
- Regularly monitor the aquatic environment for signs of sedimentation during all phases of the work, undertaking or activity and taking corrective action if required.



7 CONCLUSION

The observations from the site visits to the property have been detailed in this report. No permanent habitat features (e.g., bat roosts in rocky outcrops, raptor stick nests) were observed.

Subsequent field visits should be completed to update the biophysical observations and RAPR report as needed for each phase of the development planning (i.e., following the rezoning, future development permits).

During the development at 11237 West Coast Road, implementation of the mitigation measures recommended in this report, including the protection of the riparian area and revegetation of cleared areas to prevent invasive species, will minimize the impacts of the proposed development on the environment.

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APPENDIX A – SITE PHOTOGRAPHS

Photo 1. Sandcut Creek south of West Coast Road (Hwy 14). June 2021.



Photo 2. Rockbottom Creek near the northern edge of the property. September 2021.



Photo 3. Typical mature riparian forest adjacent to Sandcut and Rockbottom Creeks. September 2021.



Photo 4. Cleared area adjacent to riparian DPA for Rockbottom Creek. September 2021.



Photo 5. Cleared area and new/improved roads on the property. September 2021.



Photo 6. Stream 1 (tributary to Rockbottom Creek) in old clearcut near the northern edge of the property. September 2021.



Photo 7. Stream 3 in the centre of the property to the northeast of Hwy 14. September 2021.



Photo 8. Stream 2 near top of property. June 2021.

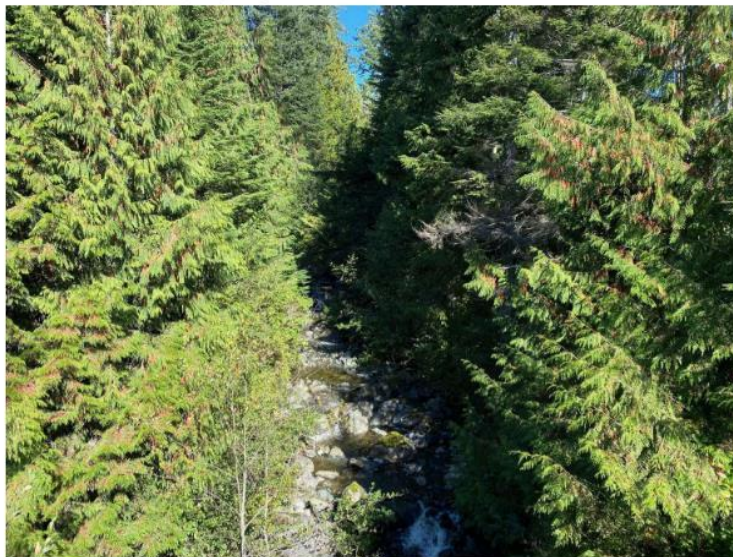


Photo 9. Stream 3 adjacent to old road. June 2021.



Photo 10. Representative photo of the middle section of stream 1. June 2021.



Photo 11. Stream 6 adjacent to old road. August 2021.



Photo 12. View looking south at the existing road from the north end of the property. August 2021.





2. Geotechnical Report, July 24, 2023 - RZ000280

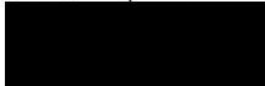
RYZUK GEOTECHNICAL

Engineering & Materials Testing

6-40 Cadillac Ave, Victoria, BC, V8Z 1T2 Tel: 250-475-3131 E-mail: mail@ryzuk.com www.ryzuk.com

July 24, 2023
File No: 9892-2

Sandcut Properties and Developments Ltd.



Redacted: Pursuant to Section 22 of British Columbia's *Freedom of Information and Privacy Protection Act*.

Attn:



Re: Proposed Campground/Resort
11237 West Coast Rd – Port Renfrew, BC

As requested, we attended the above referenced site on June 1, 2023, to carry out a visual geotechnical assessment. We understand it is proposed to construct a campground and resort within the two properties to the north and south of West Coast Road. The site is located within the Capital Regional District, who have requested a geohazard assessment. This assessment has been prepared as per the safe building construction criterion as set out in Section 56 of the Community Charter and in consideration of a seismic event with a 2% return probability of exceedance in 50 years (1 in 2,475 years) for permanent structures. Contained herein are our associated observations, comments, recommendations related to the potential for geotechnical hazards. Our work has been carried out in accordance with, and is subject to, the attached Terms of Engagement.

1.0 PROPOSED DEVELOPMENT

We understand it is proposed to consolidate two properties located to the north and south of West Coast Road and rezone to Rural Commercial Recreation (Campground) CR-2 Zone. The campground will consist of sixty-one (61) tent campsites, twenty-three (23) RV campsites, twenty-seven (27) A-Frame cottages, eleven (11) cabins, a general store/caretaker residence, a workshop, a shop, a pumphouse/showers, a septic field, potable and non-potable water lines, a bridge, and associated road access.

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Sandcut Properties and Developments Ltd.
Proposed Campground/Resort

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2.0 SITE DESCRIPTION

The proposed development is roughly rectangular in shape with a total area of approximately 78 hectares. The development is bounded to the north, east, and west by cutblocks, and to the south by Salish Sea. The southern property contains a single family residence, a cabin, a power shed/water tank, and associated road access. The northern property is a old cutblock which contains several logging roads and various temporary structures.

The proposed development terrain generally slopes down from the northeast to southwest, with an approximate total relief of 116 m. Generally, the slopes ranged from 5 to 20 degrees below horizontal with the exception of the creek banks and foreshore area. A total of four (4) creeks are present within the development, that being Sandcut Creek, Rockbottom Creek, and two (2) unnamed creeks. Sandcut and Rockbottom Creeks intersect the development at the north and west property lines, respectively, and extend to the southwest corner of the property where they meet near West Coast Road and outfall approximately 100 m south into the Salish Sea, west of several proposed A-Frame cottages. Sandcut and Rockbottom bank slopes range from 25 degrees below horizontal to vertical where bedrock is exposed and are up to 14 m in height. Two minor seasonal unnamed creeks originate within the center of campground development and extend to the southwest where they outfall into the Salish Sea, to the east of the existing single family residence. The catchment for the seasonal creeks is generally contained within the are of the proposed campground. The bank slopes of the unnamed creeks are between 20 and 35 degrees below horizontal with heights of up to 6 m. The foreshore slopes ranged from 27 degrees below horizontal to vertical where bedrock was exposed. The foreshore ranges from 3 m to 16 m in relief. Finally, a draw is present within the foreshore area south of West Coast Road between the western group of proposed A-Frame cottages and the existing family residence. The banks of the draw slope 35 degrees below horizontal and have a height of approximately 8 m in height. It appears a road was previously constructed at the southern portion of the draw down to the beach.

Vegetation throughout the proposed development ranged from a logged cutblock to mature trees. The areas adjacent to West Coast Road, Sandcut Creek, and Rockbottom Creek contained mature trees with very thick brush/undergrowth. The area between Sandcut Creek and Rockbottom Creek appears to have been logged within the last 8 years. Vegetation within this area consists of thick brush, sporadic mature trees within the central portion, and recently planted trees. The areas to the west and east of the creeks were previously logged and appear to have been replanted within the last 20 years. The area consists of thick immature trees with varying undergrowth.

We note that we did not traverse the entire proposed development, just the areas where campground/resort is proposed. Further, due to this thick undergrowth in the foreshore area to the east of the existing family residence, we were unable to properly visually assess the slopes where the five (5) A-Frame cottages are proposed.

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We have attached a Location Plan for reference of terrain, creek locations, vegetation, and proposed campground/resort structures.

3.0 GEOLOGY

During our site attendance we observed bedrock and soil were exposed throughout the proposed development. Based on our observations, soil generally observed consisted of varying amounts of topsoil/organics atop, native brown stiff silty clay to dense sandy gravel with varying cobble content atop bedrock. Bedrock was exposed throughout the foreshore area and consisted of massive sandstone of the Sooke Formation at the southwest corner of the development. The sandstone was observed within the creek banks in the northwest corner of the development where the bridge is proposed. The remainder of the exposed bedrock within the foreshore area is from the Metchosin Volcanics consisting of massive basalt with a brecciated layer atop. Further, basalt was also observed within various outcrops in the northeastern portion of the development.

4.0 GEOTECHNICAL ASSESSMENT

Our visual assessment indicates no hazards are present to the proposed structures located within the northern property. We consider all the permanent and temporary structures proposed within the northern property to be sufficiently offset from Rockbottom Creek for no flood or debris flow hazard to be present, with the possible exception of the proposed bridge. From review of Google Earth, the average creek channel gradient above the proposed bridge location is approximately 8 degrees below horizontal, which is considered to be a depositional environment, however further assessment of the bridge abutments is required. Once the bridge abutment locations and deck height are finalized, we can traverse Rockbottom Creek to assess if a flood or debris flow hazard is present and review the banks for slope stability. Depending on our visual assessment, a subsurface investigation, slope stability analysis, and/or flood analysis may be required.

At this time, the A-Frame cottages proposed in the southwest corner of the development are generally considered to have no hazards present, with the exception of the three (3) east most and two (2) west most cottages. Based on the supplied drawings, our review of aerial imagery, and contours from LiDAR mapping, the east most proposed cottages are adjacent to the crest of the previously mentioned draw in the foreshore area. Once the Cottage locations have been finalized and survey/staked in the field, we will be able to visually assess offsets from the crest of the slopes to determine if potential landslide hazard is present, or if a subsurface investigation and slope stability analysis is required.

The two west most A-Frame cottages are adjacent to the crest of the east Sandcut Creek bank. From review of LiDAR contours the proposed cottages are approximately 4 to 6 m above the channel base. Review of Google Earth indicates the average channel gradient upstream to be less than 10 degrees below horizontal. However, once location have been finalized a review of the creeks upstream to determine if a debris flow hazard is present will need to be carried out. At this

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time a flood analysis has not been conducted. This may need to be carried out once cottage locations have been established.

As noted above, due to the thick vegetation at the proposed A- Frame cottages east of the existing single family residence, we were unable to properly visually assess the area. From review of the supplied Site Plan, aerial imagery, and LiDAR contour mapping, we consider the east four (4) cottages may be at risk of landslide and depending on the finalized location of the western most cottage, it may also be at risk. If these cottages are desired to be constructed further assessment will be required. Assessment will require survey/layout of structure locations to determine proximity to slope crest, a subsurface investigation to confirm soils, soil competency, and depth to bedrock. Based on the investigation results a slope stability analysis may be required.

5.0 RECOMMENDATIONS

We consider the proposed building sites in the northern property and the three (3) middle A-Frame cottages in the southern property to be feasible for the proposed structures. We consider the native brown stiff silty clay to dense sandy gravel with varying cobble content, bedrock, or approved select engineered backfill atop such, will be capable of providing stable long term support to the foundation elements of the A-Frame cottages, cabins, a general store/caretaker residence, a workshop, a shop, a pumphouse/showers considering an allowable design bearing resistance of 150 kPa (SLS). All foundation preparations should be inspected by a qualified professional and construction should be conformant with the BC Building Code.

We consider the placement of engineered fill to raise the existing grade for the proposed structures to be feasible. Engineered fill should consist of approved select granular material. Engineered fill for foundation support must be placed and compacted atop approved subgrade. Fill is to be compacted to a minimum of 95% Standard Proctor Maximum Dry Density (SPMDD). Engineered fill must extend beyond the footing edges by an amount equal to at least the depth of fill placed, to provide adequate splay. Final slope orientation will be dependent on material selection, such can be reviewed when material is known.

For road access construction, we consider that the placement of fill material may be undertaken without any adverse effect on slope stability. We do not anticipate significant production of sediment, however, simple remediation such as silt fencing may be installed down slope to intercept any sediment produced during construction. In addition, we recommend to revegetate the areas disturbed during construction and that all finished slopes should be shaped as flat as possible given the sites sloping conditions.

As stated above, further assessment of the proposed bridge and noted A-Frame cottages located in the north and south properties, respectively, will be required to determine if a landslide, flood, or debris flow hazards are present.

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6.0 CLOSURE

Given the above and our understanding of the proposed development, and provided our recommendations are followed, we consider the proposed structures in the northern property to be feasible from a geotechnical perspective, and that the land may be used safely for the use intended, namely for proposed single family residential construction which is completed in accordance with the BC Building Code, pursuant to Section 56 of the Community Charter. Our assessment considers a design seismic occurrence with a 2% probability of exceedance in 50 years, in accordance with the current BC Building Code.

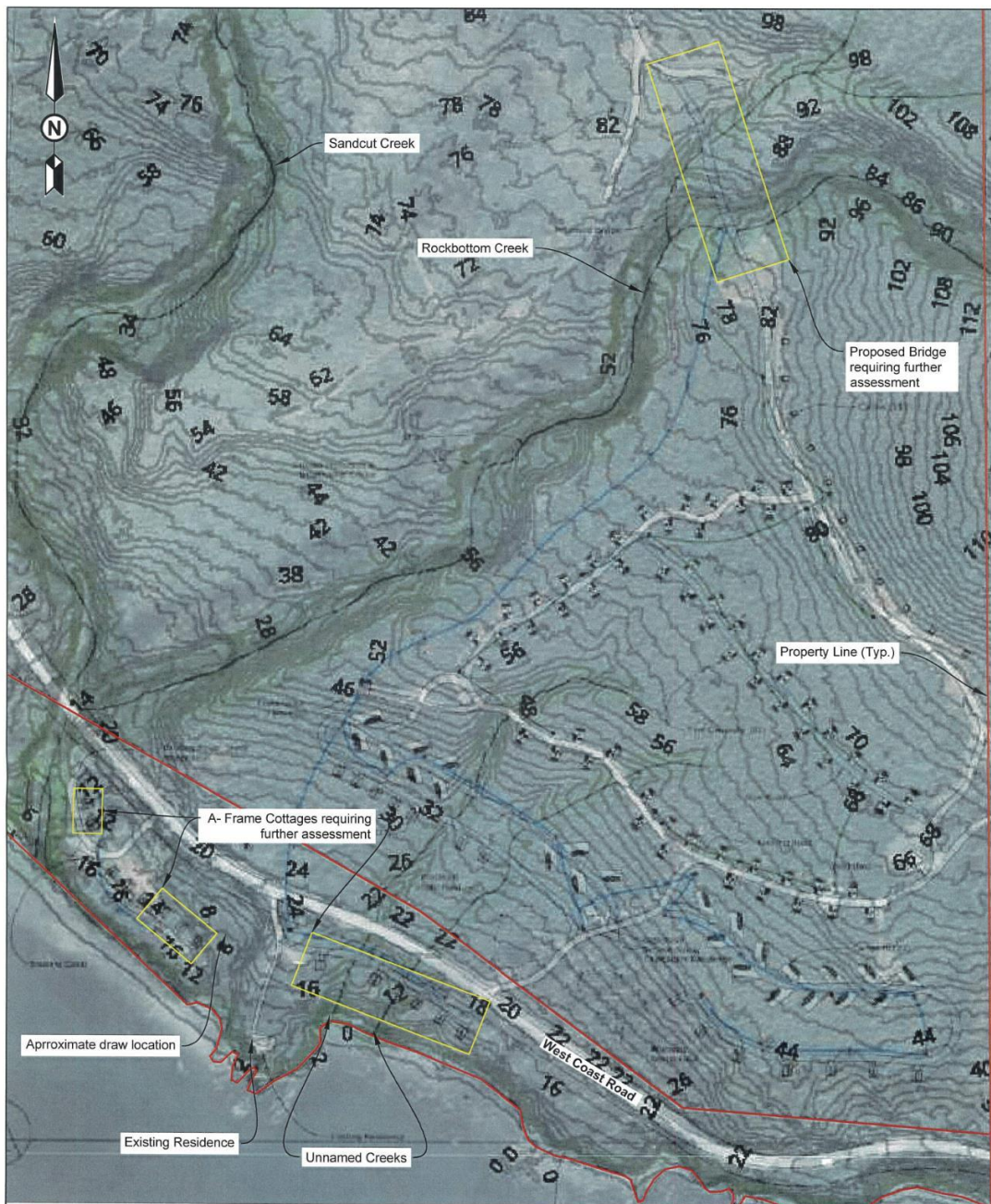
We trust the above is suitable for your current requirements. Please contact us if you have any questions or concerns.

Yours very truly,
Ryzuk Geotechnical


Simon Jones, P.Eng.
Intermediate Engineer
Professional Engineer Seal: S. D. JONES #51945, PROVINCE OF BRITISH COLUMBIA, ENGINEER, dated 24/07/23, P251002946


Scott Currie, P.Eng.
Senior Engineer

Attachments: Terms of Engagement
 Location Plan



RYZUK
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ENGINEERING & MATERIALS TESTING
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TEL: 250-475-3131
mail@ryzuk.com

NOTES

1. This drawing is scaled for 11x17 sheet and does not require further scaling to fit. Scales will differ if printed on different sheet size.
2. Base plan taken from Knot in a Box drawing titled "11237 West Coast Road" Sheet 01, dated 2022/11/01.
3. Contours from LIDAR BC, 2019.

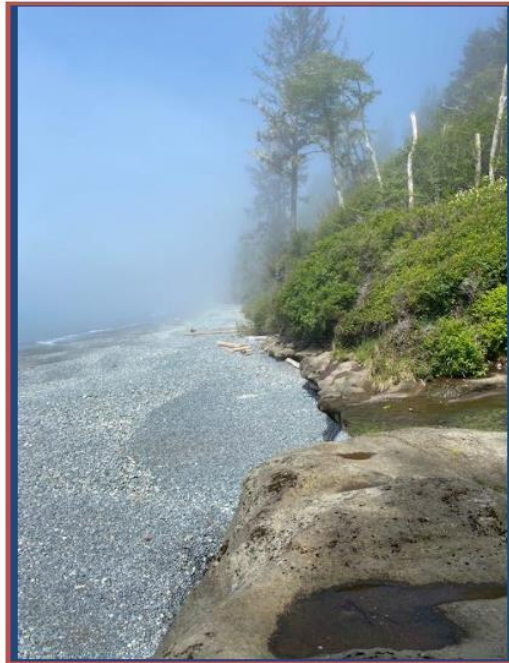
mangzyak.com				SEAL	PROJECT NO.	CLIENT	
					9892-2	Sandcut Properties and Developments Ltd.	
					DRAWN BY	SDJ	
					PROJECT TITLE	Proposed Campground/Resort	
					PROJECT ADDRESS	11237 West Coast Road - Port Renfrew, BC	
				PTPN: 1002996	SCALE	DRAWING PACKAGE	
0		ISSUED WITH REPORT	23/07/24		SDJ	1:3000	
REV.		DESCRIPTION	YYMMDD		DRAWN BY	SHEET No.	SHEET NAME
					01 of 01	LOCATION PLAN	

11237 West Coast Road

3. Wildfire Hazard Assessment Report, June 2, 2021 - RZ000280



Strathcona Forestry Consulting



Sandcut Resort Proposal

Wildfire Hazard Assessment

Redacted: Pursuant to Section 22 of British Columbia's *Freedom of Information and Privacy Protection Act*.

Prepared for:

Prepared by: Strathcona Forestry Consulting
PO Box 387 Stn Mn
Duncan BC V9L 3X5

strathcona.fc@shaw.ca

2 June 2021

Executive Summary

In accordance with the Capital Regional District's Development Permit guidelines for Wildfire, Sandcut Properties and Developments Ltd. retained Strathcona Forestry Consulting to conduct a wildfire hazard assessment of the "Sandcut" property at 11237 West Coast Road.

Results of the assessments determined that the wildfire threat at the site is currently High. Current contributing factors include: continuity and extent of fuel (forest vegetation) loading at the site and in the general area, intermix (> 1 structure/ha), current HeadFire Intensity > 2000 kw/M, lack of currently developed access and fireflow, and potential for delayed response. Additionally, the Highway 14 corridor is designated a high risk wildfire interface zone by the British Columbia Wildfire Service. Under the provincial Wildfire Threat Rating system, ratings must be moderate or less to be considered acceptable.

Living in a fire-prone ecosystem involves taking the necessary steps to protect homes, property, and community from wildfire. Development standards play a significant role in reducing the potential impact a wildfire will have on an area (FireSmartCanada.ca; FireSmartBC.ca). This report outlines FireSmart recommendations for vegetation management, access improvements, provision of water sources, and construction options. In addition, there are recommendations to reduce wildfire risk through suppression and evacuation preparedness.

In my professional opinion, if the wildfire risk reduction recommendations contained in this report are followed through all stages of the subject proposal, the risk of wildfire can be reduced to ensure the safety of the intended project.

Fire prevention and protection in the interface zone are ongoing processes. Long-term implementation of FireSmart mitigation is essential to increase resiliency of life, property, and ecological processes in the southwest coast's wildland interface.

Introduction

In accordance with the Capital Regional District's Development Permit guidelines for wildfire, Sandcut Properties and Developments Ltd. retained Strathcona Forestry Consulting to conduct a wildfire hazard assessment of two adjoining properties proposed for development of a small resort at 11237 West Coast Road (Highway 14).

The interface (wildland urban interface) describes any area where combustible wildland fuels are found adjacent to homes or other buildings and/or infrastructure. Under Section 919.1(1) (a) of the Local Government Act, development permits may be designated where protection of Natural Hazard Lands is justified to warrant special protection or development control. Natural hazards, including wildfires, may put life and property, and local biodiversity, at risk if development is inappropriately situated and not well planned. Areas assigned at high or extreme risk from wildfires are designated in a Development Permit Area (DPA). The objective of the DPA is to properly manage the risks associated with the hazard (interface wildfires).

The Highway 14 corridor is designated a high risk wildfire interface zone by the British Columbia Wildfire Service. Industrial and commercial operators in high risk areas must comply with obligations and responsibilities with respect to wildfire prevention.



Subject proposal is located in a high risk interface area (red = high risk). BCWS risk map.

Hazard Assessment

This report describes the vegetation, terrain, and infrastructure on and around the subject property, and provides recommendations to reduce the risk of wildfire. Assessment criteria are based on Rating Interface Wildfire Threats in British Columbia (<https://www2.gov.bc.ca/>), FireSmart (FireSmart, Protecting Your Community From Wildfire (Second Edition. Partners in Protection Partners in Protection, 2003 (<https://www.firesmartcanada.ca/>), and the Home Owners FireSmart Manual (BC Edition (<https://www2.gov.bc.ca/assets/gov/public-safety-and.../homeowner-firesmart.pdf>)). Fire behavior modeling is standardized after the Canadian Forest Fire Danger Rating System (CFFDRS). Fuel Types listed in this assessment are customized from the CFFDRS Fuel Type list for applicability in south coastal BC. Wildfire threat assessment was conducted through an analysis of fuel threats in and adjacent to the proposed development, as described in the [2017 Wildfire Threat Assessment Guide and Worksheets](#) (MFLNRO, 2017). This process, as used by qualified environmental professionals, employs physical and biophysical factors, combined with fuel hazards, to determine the wildfire threat (low, moderate, high, or extreme). Fire risk is based on four classes: low, moderate, high, and extreme. Recommendations in this report conform to BC Building Code standards and fire hazard planning authorized by Section 3(2) of the BC Fire Services Act.

Field Inspection: Strathcona Forestry Consulting conducted fieldwork in May 2021. Field investigation entailed an analysis of the interface fire hazard that the lands are exposed to, from the perspective of the general area, local sites, and proposed and existing structures in the general vicinity, up to 100+ m from property boundaries, where feasible.

Location and Description of Proposal: The subject proposal encompasses two properties totaling approximately 193 acres at 11237 West Coast Road (Highway 14) at Sandcut Creek/Beach roughly midway between Shirley and Jordan River, on the southwest coast of Vancouver Island. The lower property fronts the waterfront. The upper property extends upslope from the West Coast Road. The phased wilderness resort will initially feature camping, then cabins, followed by a small hall to be used for weddings and reunions. A “welcome centre” is planned where there would also be some serviced and non- serviced campsites.

11237 West Coast Road Strathcona Forestry Consulting

The lower property straddling the outflow of Sandcut Creek has an existing water license, which the owner is hoping to use for development. The upslope property currently does not have water access.

The owner has asked to designer to employ fire-resistive materials such as hardiplank and corrugated steel as much as possible, in addition to steel roofs on all buildings and cabins.

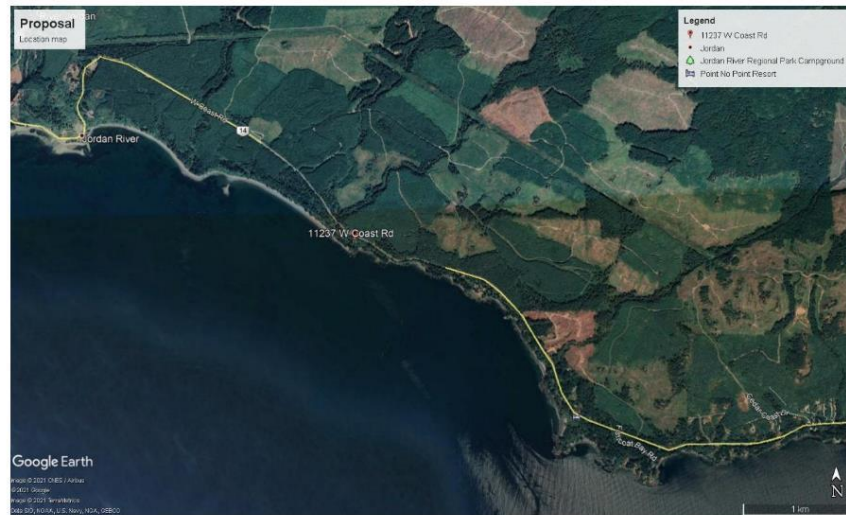
A collection of small accessory structures, including some derelict buildings, found on the lower property, will be removed in conjunction with phased development. A couple of “off-the-grid” temporary structures occupied by the property caretakers are located on the upper property.



Top photos: Views of proposal from West Coast Road. Left: view to NE; right: view to W.
Bottom: Sandcut Creek flows into the Strait of Juan de Fuca along western portion of property.

Next page: Proposed Site Plan.

11237 West Coast Road Strathcona Forestry Consulting



The subject proposal is situated on the West Coast Road between Shirley and Jordan River.

Wildfire Hazard and Risk

Wildfire hazard is a process, a phenomenon or a human activity that may cause loss of life, injury, or other health impacts, property damage, social and economic disruption or environmental degradation. Wildfire hazard can be described qualitatively as a fire environment—fuel, weather, topography, and ignitions.

Risk assessment for wildfire and its impacts to communities considers both the likelihood of a wildfire and the potential consequence associated with that likelihood. For example, if the fuel (i.e. the hazard) ignites and the fire spreads towards the community (probability), the wildfire can become a threat to life and property (consequence) with an associated risk of loss.

Determination of the wildfire hazard and risk involves a detailed assessment of potential fire behaviour, field reviewed fuel characteristics, proximity of fuel to the community, local fire spread patterns, topographical considerations and local factors.

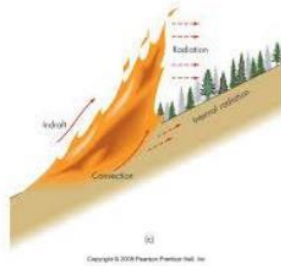
Fire Behaviour. Fire behaviour has three components: weather, topography, and fuel. Fire behavior predicts how forest and wildland vegetation (fuel) will burn under different conditions. Weather and topography cannot be changed; alteration of fuels across the landscape is the only way to lower fire intensity and change fire behaviour (See Recommendations).

Biogeoclimatic Classification. The Biogeoclimatic Ecosystem Classification is a system used to classify BC ecosystems based on plant communities and their associated topography, soil, and climate (Green & Klinka, 1994). The subject proposal is located in the Coastal Western Hemlock (CWH) zone transitional between the very dry maritime subzone (CWHxm) and submontane very wet maritime variant (CWHvm1). The CWH Zone occurs at low to middle elevations mostly west of the coastal mountains along the entire British Columbia coast. Southern portions of the zone (i.e., southwest coast of Vancouver Island) in the CWHxm subzone are warmer and drier. Here, Fire Danger Ratings (i.e., the risk of a fire starting) can reach High or Extreme during consecutive days in summer. Forest fires (usually human-caused) between April and October are not uncommon in the general area. Prevailing winds in summer are generally onshore westerlies. Sea fog is common on the west coast of Vancouver Island; it mediates temperature and moisture content.

11237 West Coast Road

Strathcona Forestry Consulting

Topography. Physical site characteristics impact fire behavior by affecting ignition



potential and the rate of fire spread. The subject proposal occupies a lower/midslope with gently to moderately sloping terrain. Fires typically spread faster uphill. Hilly terrain tends to increase potential for wildfire behaviour. Warm south- and west-facing aspects are conducive to hotter fires; the subject proposal occupies a southwest aspect. During warmer, drier months in the fire season, there would be an increased fire threat.



Lower portion of proposal occupies a gentle toe slope with an open, mature coniferous forest.



Upper portion of proposal occupies moderate slope with dense coniferous and deciduous forest cover.

Vegetation. Vegetative cover at the site reflects previous human disturbance activities (historical logging, road building for the West Coast Highway, and land clearing).

The subject proposal encompasses a mix of site associations. The lower portion of the area surrounding the outflow of Sandcut Creek occupies a water-receiving, nutrient-medium to rich site where forest cover is dominated by mature second-growth Sitka spruce, western redcedar and western hemlock (with scattered Douglas-fir). *Gaultheria shallon* (salal), *Vaccinium parvifolium* (red huckleberry), and *Rubus spectabilis* (salmonberry) comprise the moderately well-developed shrub layer. There is a moderately well-developed moss layer.

Upslope of the West Coast Road, water shedding sites on fairly well drained soils support dense stands of immature second- and third- growth Douglas-fir and western hemlock (Western hemlock – Douglas-fir – salal association). There is a minimal understory layer in the young coniferous forest; the shrub layer is very well developed in gaps and deciduous pockets, with *Gaultheria shallon* and *Vaccinium parvifolium* dominant, and *Mahonia nervosa* (Oregon-grape) and scattered ferns.

Soils disturbed within the last decade (by roadbuilding, clearing, etc.) support thick growths of deciduous brush and tree species (cherry and red alder).

Fuel Types. Fire behavior predicts how forest and wildland fuels (vegetation) will burn under different conditions. Fuel hazard means the potential fire behaviour, without regard to the state of weather or topography, based on the physical fuel characteristics, including fuel arrangement, fuel load, condition of herbaceous vegetation and the presence of ladder fuels.

The Canadian Forest Fire Danger Rating System – Fire Behaviour Prediction (FBP) classifies fuels into five major groups and 16 benchmark fuel types to forecast how a wildfire will react (cwffis.cfs.nrcan.gc.ca) (Appendix 2). Fuel Types are classified according to stand structure, species composition, surface and ladder fuels and the organic (duff) layer. Each fuel type represents a different fire behaviour pattern. Ongoing work is being done to apply fuel type categories to the diverse forests of British Columbia based on observed fire behaviour (Perrakis & Eade, 2015). Fuel types at the subject site and perimeter area were determined using field reconnaissance:

Major Fuel Types at subject proposal at 11237 W Coast Rd:

Fuel Types	Description/ Location	Forest Floor & Surface Fuels	Ladder Fuels	Wildfire Behaviour (why and how a fire spreads)
C-2 Brush	Patchy to continuous brush In canopy gaps and at disturbed areas: roadsides	Scattered trees. Surface fuel loading variable: generally low, consists mostly of native shrubs, forbs; low woody accumulations (some new, mostly older decaying woody debris)	Lower area: Discontinuous vertical continuity; light fuel loading; Upper area: dense ladder fuels at immature coniferous forest. Brushy pockets have high ladder fuels	Ignition start during warm dry windy weather will increase Rate of Spread– Moderately heavy Fuel loading would contribute to Head Fire Intensity that could > 2000 kW/m – Sloping terrain upslope and brisk winds could facilitate spread of fire
C-5 (modified) coniferous stands	Mature coniferous 2nd-growth trees (along lower reaches Sandcut Creek); denser immature coniferous forests upslope	Lower area: Patchy downed woody fuels and woody shrubs; Upper area: Continuous needle litter; accumulations of dead and downed woody material. debris piles common	Moderately heavy Fuel Loading. Moderately heavy deadfall; ladder fuels moderate	Similar to above, fire start during warm, dry windy weather could increase potential for Crown Fire Initiation.
M-2 (modified) Mixed stands	Mixed (coniferous and deciduous) brushy pockets dominated by deciduous (red alder, wild cherry)	Low to moderate dead and downed woody fuels; continuous brushy understorey with relatively high MC	Scattered conifer crowns extend to ground; scattered to moderate conifer understorey	Rate of spread weighted according to % of softwood/hardwood/broadleaf components; in summer, under canopy, fire spread reduced. Surface torching and crowning.

Risk of Ignition. Risk of ignition represents the potential for fire starts. Risk of ignition could arise from current owners and land users in the area, land development activities, and vehicle activity along the West Coast Road. Observations of squatter activity (i.e., old cabin previously occupied by transients) increases ignition risk. Risk of ignition is currently rated Moderate-high.



Old shack near Sandcut Creek appears to have been recently occupied by transients.

Fire Spread and Intensity. Head fire intensity is a numerical ranking of difficulty of control for specific fuel types. Flame length is a main visual manifestation. Head fire intensity is a major determinant of certain fire effects and difficulty of control. Numerically, it is equal to the product of the net heat of combustion, quantity of fuel consumed in the flaming front, and the linear rate of spread. Under warm, dry conditions, there is currently sufficient continuity of surface and ladder fuels at the subject property to enable a fire to spread relatively quickly. Dry, windy conditions would increase the rate of spread. A goal of Wildfire Risk Reduction (WRR) is to reduce HeadFire Intensity from current estimates of 4 or 5 – at the upper portion of the area - (under High to Extreme Fire Danger Ratings) to less than 2000 kW/m (< 3, HFI column Moderate).

Fire Weather Indices

Hazard Rating	FFMC Fine Fuel Moisture Code	DMC Duff Moisture Code	DC Drought Code	ISI Initial Spread Index	BUI Build Up Index	FWI Fire Weather Index	HFI Head Fire Intensity
Low	0-76	0-21	0-79	0-1.5	0-24	0-4.5	1-2
Moderate	77-84	22-27	80-189	2-4	25-40	4.5-10.5	3
High	85-88	28-40	190-299	5-8	41-60	10.5-18.5	4
Very High	89-91	41-60	300-424	9-15	61-89	18.5-29.5	5
Extreme	92+	61+	425+	16+	90+	29.5+	6

Spotting Potential. Spotting is a fire behavior characteristic in which sparks or embers are carried up by the wind and/or convective column and fall into other downwind fuels to ignite additional fires beyond the zone of direct ignition by the main fire (Firewise.org). During the process of combustion in a wildland fire, vegetative fuels are reduced to flammable vapors, soot, and ash. During the decomposition of the fuel, and before complete consumption, particles of varying size (firebrands) break away from the main fuel source and are lofted upwards by the fire's convection column.

The danger of spotting in wildland fires is that when conditions exist to loft firebrands into the air, the probability exists for multiple subsequent ignitions over a wide area depending on the intensity of the convection and the wind speed and direction. Multiple ignitions can overwhelm any firefighting force.

Fire spotting is one of the major ways that fires spread and homes are ignited and destroyed in wildland/urban interface fires. Firebrands can come down on and ignite combustible roofs, combustible items stored adjacent to homes, and other nearby combustible fuels. The resulting spot fires may go unnoticed and thus unsuppressed when an area has been evacuated of residents, when firefighters are spread too thin, or when spot fires are too numerous.

Fire spotting is related to fire danger ratings. The maximum spotting distance in a particular fire varies according to several factors, including overall fire intensity, wind speed, fuel type, initial size of the ember when lofted up, and how rapidly it is burning (Firewise.org). Many embers burn up completely before landing, but larger embers of slow-burning fuels can keep burning for up to six minutes and travel for several kilometres.

If a fire start occurred during warm dry, windy weather (High/Extreme Fire Danger Ratings), the probability of spotting at the subject proposal is currently very High.

Fire Protection. The CRD provides fire protection services in the Electoral Areas in accordance with service establishment bylaws. The subject proposal is located within the Fire Protection Service Area of the Shirley Volunteer Fire Department. This local community based volunteer department is funded by property taxes from within the fire protection area it serves collected under a CRD establishment bylaw.

The subject proposal is estimated outside a 10 minute response from the volunteer department. This area is also not serviced by hydrants, so a tender shuttle would be required for any suppression activity.

The British Columbia Building Code addresses situations where the firefighter response time 'exceeds 10 minutes in 10% or more of all calls' by requiring higher levels of non-combustible construction and reductions on allowable areas of unprotected openings. The Building Code should address Fire Department concerns.

Fire department response time is the elapsed time, in minutes, from when the first firefighting unit is dispatched to when the first fire fighting unit arrives at the emergency scene. Fire department intervention time is crucial in determining the consequences of a fire in terms of deaths, injuries, and loss of property and damage to the environment.

An early aggressive and offensive primary interior attack on a working fire is usually the most effective strategy to reduce the loss of lives and property damage.

In addition to the potential for delayed response, suppression challenges associated with this proposal include lack of developed fireflow (water storage), lack of developed access, and significant fuel loading (vegetation cover).

Mutual Aid Fire Departments within the CRD operate under a mutual aid agreement with other fire departments within (and outside) the region. In the case of a serious fire, mutual aid from adjoining fire departments can benefit fire suppression by pooling manpower and resources (water supply, water tenders, etc.,). Mutual aid, however, may not always be available.

Wildfires The CRD automatically responds to structure fires and small, easily accessible bush fires inside the fire service protection area (FPA). The Wildfire Management Branch generally responds to forested areas outside a FPA.

Water Supply An adequate and reliable water supply for firefighting is an essential part of a community's fire protection system. The Fire Underwriters Survey (FUS) Guidelines outline water specifications for fire protection. The BC Building Code governs the minimum water requirements for buildings.

In fire protection areas served by a community water system, water supply for fire protection generally consists of a piped system in common with domestic potable water. The subject proposal will not be serviced by community water and hydrants.

One of the two properties has a water license which the owner is hoping to use for development. At the upper portion of the proposal, where water will not be as easily accessible in case of fire, the developer has plans to locate 1000L IBC totes of water every 300' throughout the tent camping area for emergency use.

Fire flow would be dependent on the access and staging for tenders along the location of the fire. Strategically located, emergency water storage (minimum 7500 L) is recommended at the tent camping area, cabin area and welcome centre.

Access FireSmart infrastructure and access increase the resident and firefighter safety, and facilitate quick response by firefighters. Developments should have sufficient access

for emergency vehicles, including 2-way road access in and out of any site, and safe driveway accesses. FireSmart infrastructure and access increase the resident and firefighter safety, and facilitate quick response by firefighters. Local government standards for public roads generally follow the BC Building Code and Geometric Design Guide for Canadian Roads (www.tac-atc).

A forking drive will access the cabins below West Coast Road. The upslope area will be accessed via a looping drive. A small footpath at the northwest corner of the upper development will provide pedestrian access to the lower portion of the development.

Wildfire Threat Assessment Results

Site level scoring of field data resulted in a CURRENT Fuel Assessment rating of High (see chart next page), with an overall High Wildfire Threat Rating. Factors contributing to the current scores include: existing fuel loading; lack of currently developed access; no developed fireflow; and HeadFire Intensity > 2000 kW/m. Mitigative measures are essential to ensure the threat level is reduced and maintained at safe levels (see Recommendations pg. xx). Threat ratings must be low or moderate to ensure an area and/or structure(s) are safe.

WILDFIRE THREAT RATING SUMMARY: 11237 West Coast Road			
System:	Subcomponents	CURRENT ratings	Projected Ratings post-development*
MFLNRO Wildfire Threat Assessment	Fire Behaviour: Fuel, Weather, Topography	Fuel Assessment Class: High (see chart next pg.)	Moderate
	Structural (incl vicinity)	High	Moderate
Overall Rating:		High	
HIRV Model	Hazard Impact Risk Vulnerability	High	Moderate
		High	Moderate
		High	Moderate
		High	Moderate
Wildfire Risk	Likelihood Intensity Susceptibility	High	Moderate

*Projected ratings conditional upon compliance with recommendations contained in this report.

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Wildfire Risk: Wildfire risk is the product of the likelihood of a fire occurring (likelihood), the associated fire behavior when a fire occurs (intensity), and the effects of the fire (susceptibility) on highly valued resources and assets (HVRA) (Scott, J.,

Thompson M. & Calkin D, USDA, USFS. 2013). Wildfire risk is currently rated **HIGH** (Refer to Appendix 3). Wildfire risk mitigation is achieved when any of the three aspects are reduced.



Wildfire risk triangle. (Scott et al. 2013).

Generalized Descriptions of the “Fuel Assessment Rating” classes:

Low	Fires may start and spread slowly. There will be minimal involvement of deeper fuel layers or larger fuels.
Moderate	Forest fuels are drier and there is an increased risk of surface fires starting. There will be involvement of the organic layer but larger dead material will not readily combust.
High	Forest fuels are very dry, new fires may start easily, burn vigorously; aerial fuel will be engaged in the flaming front. Most fuel in the organic layer will be consumed and larger dead fuel will be consumed in the smoldering combustion.
Extreme	Extremely dry forest fuel, new fires will start easily, burn vigorously; all aerial fuel will be engaged in the flaming front. Most fuel in the organic layer will be consumed and larger dead fuel will be consumed in the smoldering combustion.

FMC (Fuel Moisture Content) 95% value based on 90th percentile drought conditions.

Fuel reduction targets should be sufficient to be effective to meet treatment objectives of reduced fire behaviour under 90th Percentile Fire Weather Index (FWI) Conditions (FFMC, ISI, BUI) from the BCWS weather network.

At project completion, the desired rating should be Moderate or less.

Recommendations

Wildfires are a natural process on southern Vancouver Islands' forest ecosystems. Development in a fire-prone ecosystem involves taking the necessary steps to protect life and land from wildfire. The BC FireSmart program supports wildfire preparedness, prevention and mitigation to increase resilience to wildfire. FireSmart principles connect to planning at many levels (i.e., infrastructure and planning, construction, vegetation management). FireSmart strategies are essential to the subject proposal to ensure it is resilient to wildfire and safe for the intended purposes.

General Precautions During Land Clearing and Construction

- Ensure any land clearing activities are conducted in compliance with BC's Wildfire Act local bylaws.
- Avoid tree felling during the bird nesting season (mid March to mid July).
- As per the BC Wildfire Act, if a high risk activity (i.e., land clearing) is taking place between 1 April and 31 October, the operator must keep at the activity site fire fighting hand tools, in a combination and type to properly equip each person who works at the site with a minimum of one fire fighting hand tool, and an adequate fire suppression system (onsite portable water tanker and fire fighting tools – shovels, pulaskis, portable water backpacks). In addition, efforts must be made to maintain an adequate fire break between any high risk activity and areas of continuous forest to ensure a fire originating at the site does not escape the site.
- During landclearing, develop an Emergency Plan of Action, listing key contact information in case of fire and/or other emergency at the site.
- Hazard abatement (removal of slash/disposal of debris piles) must take place in compliance with local bylaws.
- Ensure construction workers are made aware of the risk of fire in the interface zone, especially during dry summer weather.

Safety for Workers - Hazardous Tree Assessment/Treatment

- Prior to commencement of construction, a survey should take place to identify hazardous trees. Appropriate treatment must be implemented prior to clearing/construction in order to ensure the site is safe for the uses intended.
- Should any trees be designated as Danger Trees that require falling, a qualified tree service equipped must be employed for tree felling and removal.
- Any hazardous trees identified within the work zone of the BC Hydro powerlines (1.5 tree lengths) will require treatment from a Certified Utility Arborist (CUA).

If hazard trees need to be removed, follow the guidelines of the *Best Management Practices for Hazard Tree and Non-Hazard Tree Limbing, Topping or Removal*. Note that a hazard tree assessor is the only qualified professional for assessing danger trees. Consider topping any identified danger tree (at 5 m to 10 m or more) as an alternative to removal, and retaining this as

a **wildlife tree**. Where hazard removal is unavoidable, the work should be as non-intrusive as possible.

Land Use Planning

- As is planned, phase the proposed project to effectively reduce the amount of interface area.

Vegetation Management

FireSmart Zones – (see Appendix 1)

- **Priority Zone 1a: 0-1.5 m**

Zone 1a - The structure itself is sometimes considered as the Home Ignition Zone (1A).

A noncombustible surface should extend for 1.5 m around structures and any attachments, such as decks at the proposed welcome centre, cabins, and campsites. Avoid storing flammable outdoor items, such as wicker or wooden patio furniture, cushions, doormats, window boxes and planters, garbage cans without lids and BBQ propane tanks, which are all places where embers can land and start a fire, in this critical area adjacent to homes/structures.

- Landscape with noncombustible landscaping materials, such as gravel, brick, or concrete.
- Avoid woody shrubs, trees, or tree branches in this zone.
- Create a noncombustible zone underneath and for 1.5 m around any trailers/vehicles.
- Mitigate any auxiliary structures to same standards as those of main structures.

- **FireSmart Priority Zone 1: 0-10 m**

Zone 1 –In this area directly surrounding structure: (all buildings and campsites) out to 10m, people and structures are at risk from radiant heat associated with a wildfire. Analysis of recent large-scale wildfire events (i.e., 2016 Fort McMurray fire) indicate that critical factors protecting structures are exterior construction materials and landscaping immediately surrounding the structures (Westhaver, 2016).

Establish and maintain an environment around all structures (and campsites) that will not support fire. Focus on fuel removal, conversion, and reduction.

- Plan on landscaping with a low density of fire resistant plants and shrubs. Avoid the use of cedar hedging. Incorporate any existing, native, fire resistant vegetation (i.e., salal, sword fern, red huckleberry, salmonberry).
- Maintain landscapes with regular irrigation, mowing, pruning, raking, weeding and dead plant removal.
- Create non-flammable hardscapes, such as rock, gravel, and water features, which, function as firebreaks by breaking up areas of fuel. Rock can provide a natural looking, low-maintenance and water-efficient mulch and as well as a fire-resistant buffer zone.
- Group fire resistant plant materials in islands. Group plants in islands surrounded by nonflammable materials, such as rock; employ landscape elements together to create breaks between fuels.

- Limb (prune) trees at least 3m from the ground. Create space between trees and shrubs – a general rule is twice the height of what the plant will be at maturity. Remove tree limbs closer than 5m from power lines and any structures.
- Avoid using woody debris, including bark mulch, as it provides potential places for fires to start. Instead, use fire-resistant landscaping materials (i.e., rock).

- **FireSmart Priority Zone 2: 10-30 m** (where applicable)

Zone 2 includes the area from 10 m to 30 m from a structure or facility. There is still a risk from radiant heat but there is also risk associated with flying embers. In order to prevent a crown fire from establishing in this area, fuels need to be treated aggressively. Conduct FireSmart thinning, lift pruning, and removal of ground fuels in this zone to reduce fuel loading.

- Thin and prune (up to 3 m height from ground) evergreen trees to reduce hazard in this area.
- Within 30 m of structures, selectively remove evergreen trees to create at least 3 m of horizontal space between the single or grouped tree crowns, and remove all branches to a height of at least 2.5 m from the ground on the remaining evergreen trees.
- Regularly clean up accumulations of fallen branches, dry grass, dried arbutus leaves, and conifer needles from the ground to eliminate potential surface fires.
- As discussed at the January 22, 2021 site visit, scattered, low-height Class 3 and 4 cedar snags are permissible to retain (for wildlife) purposes, but it will be important to monitor these trees for any future safety concerns.

- **FireSmart Priority Zone 3: 30-100 m** (where applicable)

Zone 3 - is the area from 30m out to around 100m. People and structures are at risk from ember transport associated with a wildfire in this area. Where fuel modification in Zone 1 and Zone 2 is insufficient to protect structures and/or property, and where property boundaries permit, thinning to reduce stand densities is advised in order to create an environment that will not support high-intensity crown fires.

- Look for opportunities to create a fire break by creating spaces between trees and other potentially flammable vegetation.
- If possible, prune the trees located up to 100 m from the structures.
- Thin and prune overgrown trees to reduce hazard.
- Regularly clean up accumulations of fallen branches, dry grass, and needles from the ground to eliminate potential surface fires.

Site Restoration

- Rehabilitate any disturbed site by planting with a mix of “wildlife friendly,” “fire-resistant,” native shrubs and forbs: salmonberry, evergreen huckleberry, salal, sword fern, and ferns.

FireSmart Landscaping

- Incorporate FireSmart landscaping by using fire-resistive, widely spaced trees, native shrubs and groundcover in combination with stone and/or water features and/or maintained lawn areas. See FireSmart Guide to Landscaping.
<https://www.firesmartcanada.ca/resources-library/firesmart-guide-to-landscaping>

Invasive Weed Plants

- Promptly re-vegetate any areas of soil disturbed during clearing and construction with approved landscaping materials and/or native plant species to prevent encroachment from invasive plant species (i.e., broom).

Construction

For all structures:

- Use fire-retardant roof covering assemblies rated Class A, B, or C (i.e., metal, tile, ULC-rated asphalt) and feature non-combustible siding materials (i.e., stucco, metal siding, brick, cement shingles or cementitious materials, poured concrete, or ULC-rated wood siding) on all new structures. Metal, clay tile, and rated asphalt shingles are the most fire resistant roofing materials. Siding materials such as stucco, metal, brick and concrete offer superior fire resistance to wildfire. Logs and heavy timbers are less effective, while wood and vinyl siding offer very little protection.
- Follow FireSmart guidelines for design, construction, and maintenance of window and door glazing, eaves and vents, and decking <https://www.firesmartcanada.ca/>
- Ensure structures are equipped with working smoke alarm(s).
- Sheath in the base of decks, balconies and structures with fire-resistant material to reduce the risk of sparks and embers igniting structures.

Water Supply / Fire Protection

- Fireflow is dependent on access and staging for tenders.
- Install onsite fireflow (minimum volume 7500L) at strategic locations every 100 m through the tent camping area. Alternatively, install large volume gravity-fed tank in a central location to service all building and facilities. Ensure fittings are FD-compatible.
- Explore potential for setting up a pump station.
- Maintain hoses, sprinklers, and firetools (shovels, buckets) to be used in an emergency.
- Ensure water storage is mapped on fire department "pre-org" (fire planning) maps.

Access

- Ensure access/egress meets BC Building Code and CRD Engineering requirements.
- As is planned, develop a pedestrian access route between the upper development area and the lower portion of the site. This pedestrian access could also serve as an emergency egress route.
- Ensure strategically located staging areas are established and maintained.
- Ensure access routes are developed with adequate turnouts.
- Ensure address signage (on West Coast Road) is clearly evident during the development phase and at project completion. Letters, numbers, and symbols should be at least 10

cm high, with a 12 mm stroke, contrast with the background colour of the sign, and be reflective.

- As the project proceeds, ensure directional signage is installed to ensure emergency responders can locate specific structures and campsites.
- Ensure any new structures are mapped on fire department “pre-org” (fire planning) maps.

FireSmart Community Resilience

- Conduct regular staff training in emergency response and basic fire suppression and safety training (\$100). Ensure training includes regular drills.
- As noted under water supply, ensure there is sufficient onsite water storage strategically located throughout the site for staff to address small wildfires. It should be understood it is beyond the capacity of staff to intercept larger wildfires, which fall under the responsibility of BCWS.
- Establish suppression equipment caches at the camping site, welcome building, and cabins. Equip each cache with: 1 Wajax Pump; • 1 Pump Kit; • 1 Intake Hose; • 1 5-gallon fuel tank with fuel line; • 1200 feet of 1.5” forestry hose; • 2 Pulaskis; • 2 Shovels; • 2 Wajax bags; • Hardhats. Ensure equipment is maintained in good working order
- Develop an emergency response plan for fire and other hazards (i.e., earthquake, flooding, major MVI). Ensure all staff is familiar with the plan. Review and update the plan annually. Establish muster areas. Post awareness signs detailing emergency response procedures. Ensure staff and public are familiar with emergency procedures, including reporting a wildfire.
- Enforce a strict “no-smoking” policy.
- Ensure staff is aware of potential ignition sources from specific types of maintenance work (i.e., power saws, welding, etc.) Avoid “hot work” when the Fire Danger Rating is Extreme.
- Explore the benefits of becoming a local FireSmart community:
<https://www.google.ca/url?sa=t&rct=i&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwig1oGy-vrdAhUQHjQIHfuWA1EQFiAAegQIBhAB&url=https%3A%2F%2Fwww.firesmartcanada.ca%2Ffiresmart-communities%2Fcommunity-recognition-program%2F&usg=AOvVaw0ss0JqM2picvyHEiczSjU>

Regulatory Provisions

- Conduct follow-up assessment to ensure appropriate mitigation measures have been implemented.

Appendix 1. FireSmart Interface Priority Zones

In interface areas, FireSmart advocates the establishment and maintenance of Fuel Management Zones* extending outward from structures and along access routes:

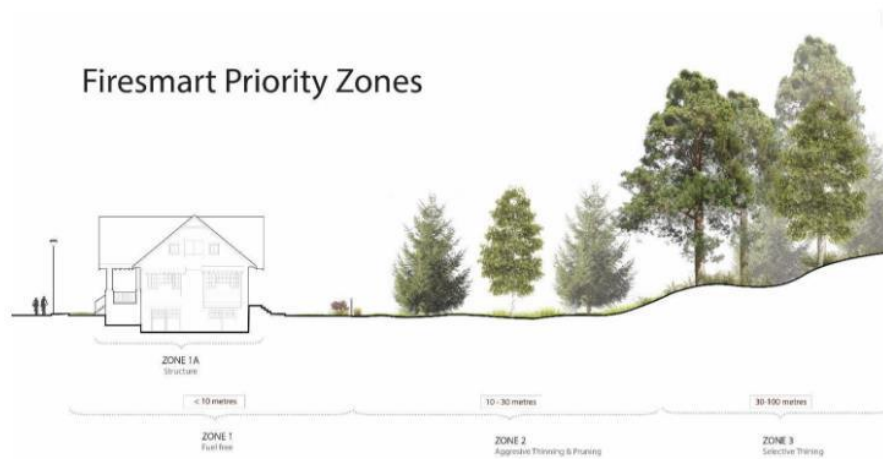
Zone 1a (0-1.5 m): This is the noncombustible zone, where it is very important not to have any combustibles next to buildings.

Zone 1 (0-10 m): The main objective of vegetation management is to create an environment that will not support fire. Vegetation management focuses on fuel removal, conversion, and reduction.

Zone 2 (10-30 m): Where treatment in PZ 1 is not sufficient to significantly reduce the fire hazard due to fuel loading, extend the fuel modified area with a variety of thinning and pruning actions.

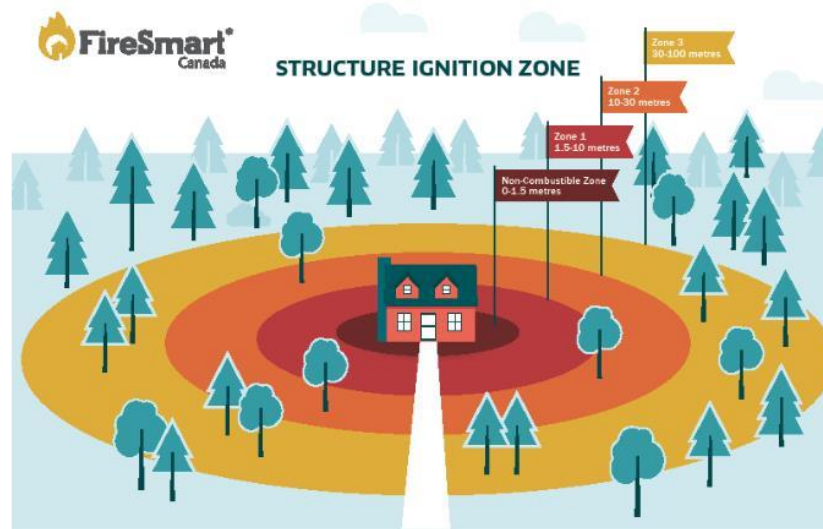
Zone 3 (30-100 m): Where fuel modification in PZ1 and PZ2 is insufficient to protect structures and/or property, FireSmart advocates treatment in Priority Zone 3 with a variety of thinning and pruning actions in order to create an environment that will not support high-intensity crown fires.

*Setback Zone distances may be extended depending on aspect, slope, fuel loading, etc.



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Work with your neighbours in any overlapping priority zones!

Non-combustible Zone (0-1.5 metres)	<p>Reduce the chance of wind-blown embers igniting materials near your home. A non-combustible surface should extend around the entire home and any attachments, such as decks. Creating a non-combustible surface can be as easy as clearing vegetation and combustible material down to mineral soil. To add to your landscape design, use non-combustible materials such as gravel, brick, or concrete in this critical area adjacent to your home. Woody shrubs, trees or tree branches should be avoided in this zone, any that are present should be properly mitigated.</p>
Zone 1 (1.5-10 metres)	<p>Create a landscape that will not easily transmit fire to the home. A FireSmart yard includes making smart choices for your plants, shrubs, grass and mulch. Selecting fire-resistant plants and materials can increase the likelihood of your home surviving a wildfire. Plant a low density of fire-resistant plants and shrubs. Avoid having any woody debris, including mulch, as it provides potential places for fires to start. Storing items such as firewood piles, construction materials, patio furniture, tools and decorative pieces against or near a house is a major fire hazard. Move firewood piles, trailers/ recreational vehicles, storage sheds and other combustible structures out of this zone and into Zone 2. If unable to move, store firewood inside your mitigated garage, shed or other ember resistant structures, create a non-combustible zone underneath and for 1.5 metres around trailers/ vehicles and mitigate sheds and other structures to the same standards as those of your home.</p>
Zone 2 (10-30 metres)	<p>If your property extends out to this zone, thin and prune evergreen trees to reduce hazard in this area. Within 30 metres of your home, selectively remove evergreen trees to create at least 3 metres of horizontal space between the single or grouped tree crowns and remove all branches to a height of 2 metres from the ground on the remaining evergreen trees. If possible, pruning trees up to 100 metres from your home (Zone 3) is recommended. Regularly clean up accumulations of fallen branches, dry grass and needles from on the ground to eliminate potential surface fuels. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.</p>
Zone 3 (30-100 metres)	<p>Taking FireSmart actions in Zone 3 on your property will influence how a wildfire approaches your home. You can change the dynamics of wildfire behaviour by managing vegetation within this zone. Look for opportunities to create a fire break by creating space between trees and other potentially flammable vegetation. Thinning and pruning is effective here as well. These actions will help reduce the intensity of a wildfire. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.</p>



Begins at Home

Appendix 2. Generic Fuel Types (adopted from CFFDRS).

Fuel Type	Description	Wildfire Behaviour Under High Wildfire Danger
Coniferous:		
C1	Terrestrial herbaceous ecosystem: mossy rock outcroppings	High potential for surface fire, especially if high moss/lichen
C2	Dense regeneration to pole-sapling (immature) forest with crowns almost to ground	High potential for crown fires; low to very high fire intensity and rate of spread
C3	Fully stocked, mature forest, crowns separated from ground; sparse understorey	Surface and crown fire, low to very high fire intensity and rate of spread
C4	Dense, pole-sapling (immature) forest, heavy standing dead and down, dead woody fuel; continuous needle litter; continuous vertical crown fuel continuity	High potential for crown fires, high to very high fire intensity and rate of spread
C5	Moderately well-stocked, mature forest, moderate dense understorey crowns well separated from ground; continuous needle litter	Low to moderately fast-spreading, low to moderate intensity surface fire
C6	Fully stocked conifer plantation; absent understorey; tree crowns separated from ground; continuous needle litter	Surface fire may spread rapidly to become high intensity fire with high rate of spread
C7	Open, mature coniferous stand; uneven-aged; discontinuous understorey; tree crowns mostly separated from ground	Surface, torching, rarely crowning (except on steeper slopes), moderate to high intensity and rate of spread
D (Deciduous)	Moderately well-stocked deciduous stands; moderate medium to tall shrubs and herb layers D-1 Leafless D-2 In leaf	Typically a surface fire; low to moderate rate of spread and fire intensity
M (Mixed Forest)	Moderately well-stocked mixed stand of conifers and deciduous tree species; moderate shrub understorey; conifer crowns extend nearly to ground M-1 Leafless M-2 In leaf	Surface, torching and crowning; moderate to very high intensity and spread rate (varies with slope and % vegetation cover)
S (Slash)	Slash from logging and land clearing	Fine fuel % and cedar foliage retention will result in faster ignition and spread
01-Long	Continuous standing grass – fuel loading is 0.3 kg/m ² ; scattered trees 01-a Matted 01-b Tall	Rapid spreading, moderate to high intensity surface fire
01-Short	Continuous human modified short grass	The taller, and more cured the grass, the more rapid spread; low to moderate intensity surface fire
		Typically low rate and spread and low fire intensity.

Appendix 3. Fire Risk Classes.

RELATIVE WILDFIRE RISK
Low
Moderate
High
Extreme

Fire Risk Classes

Low (Green): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns, and known local wildfire threat factors make it a lower potential for threatening a community. These stands will support surface fires, single tree or small groups of conifer trees could torch/ candle in extreme fire weather conditions. Fuel type spot potential is very low, low risk to any values at risk.

Moderate (Yellow): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns and known local wildfire threat factors make it possible that a wildfire in this area would threaten the community. Areas of matted grass, slash, conifer plantations, mature conifer stands with very high crown base height, and deciduous stands with 26 to 49% conifers. These stands will support surface fires, single tree or small groups of conifer trees could torch/ candle. Rates of spread would average between 2-5 meters/ minute. Forest stands would have potential to impact values in extreme weather conditions. Fuel type spot potential is unlikely to impact values at a long distance (<400m).

High (Orange): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns, and known local wildfire threat factors make it likely that a wildfire in this area would threaten the community. This includes stands with continuous surface/ crown fuel that will support regular torching/ candling, intermittent crown and/or continuous crown fires. Rates of spread would average 6 -10 meters/ minute. Fuel type spot potential is likely to impact values at a long distance (400 -1 000m).

Extreme (Red): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns, and known local wildfire threat factors make it very likely that a wildfire in this area would threaten the community. Stands with continuous surface/ crown fuel and fuel characteristics that tend to support the development of intermittent or continuous crown fires. Rates of spread would average >10 meters/ minute. Fuel type spot potential is probable to impact values at a long distance (400 -1 000m or greater). These forest stands have the greater potential to produce extreme fire behaviour (long range spotting, fire whirls and other fire behaviour phenomena).

4. Campground Emergency Plan June 28, 2023 - RZ000280

Sandcut wilderness Campground emergency plan.

First edition June 28, 2023

The main objective of this plan is to prevent fatalities or injuries, protect the environment and the community. This plan is to help prepare us in case of an emergency so that all employees onsite know what to do.

This plan analyzes our vulnerabilities and this first draft considers what we see as our top ten most likely emergency situations.

This plan is to include:

- Top ten possible emergencies, required actions, written procedures and resources available.
- Detailed lists of emergency response personnel, their duties and responsibilities.
- Site plans, signage and equipment lists.
- Large scale maps showing evacuation routes and service conduits.

As well as addressing these topics we will also have sections of this plan on

Signage and Sitemap

General site security and communications.

First aid training

Development of the plan begins with a vulnerability assessment. The results of the study will show:

- How likely a situation is to occur.
- What means are available to stop or prevent the situation.
- What is necessary for a given situation.
- What training or tools could we make available to help in such a situation

From this analysis, appropriate emergency procedures can be established.

In all situations, communication, training and periodic drills will help make sure the plan is executed well.

Note: In some cases, other authorities may have jurisdiction, such as if a serious injury or fatality occurred. Your organization should establish, implement, and maintain a procedure to coordinate managing incidents with the authority having jurisdiction (e.g., police, OH&S inspectors, etc.). This coordination may include the authority taking control of the incident scene.

Although emergencies by definition are sudden events, their occurrence can be predicted with some degree of certainty.

In order to try and anticipate what types of situations we may encounter in our day to day business we have conducted a vulnerability assessment

We have compiled a list of the top ten potential hazards we may encounter below:

- Wildfire
- Earthquakes and Tsunamis
- Snow or severe wind storms.
- Disruptive or violent guest
- Dangerous interactions with wildlife
- Medical emergency.
- Downed power lines
- MVI on Hwy 14
- Missing person
- Loss of electrical power
- Dangerous tree situations

With each possible situation we must consider the series of events or decisions that will need to be made.

What is the situation and how best do we deal with it ?

Based on these events, the required actions are determined. For example:

- Declare emergency.
- Sound the alert.
- Evacuate danger zone.
- Close main gates to incoming traffic if applicable.
- Call for external aid.
- Initiate rescue operations.
- Attend to casualties.
- Fight fire local small fires before they explode into major events

Also consider what resources are required and their location, such as:

- Medical supplies.
- communication equipment.
- Power generators.
- PPE
- Emergency protective clothing.
- Fire fighting equipment.
- Ambulance.
- Rescue equipment.
- Trained personnel.

Our vast and remote location will attract visitors from around the world and this plan is an integral part of our commitment to keep them safe while onsite. It identifies several possible emergency situations we may encounter and outlines clear written systems to best deal with them.

Once operational our campground will be staffed twenty four hours a day and our staff will conduct regular patrols. Our plan to include staff housing will enable us to build a trained team able to help out in case of emergency on short notice.

Management team will have the authority to implement each aspect of this plan and one member must be on the site at all times when the premises are occupied as critical initial decisions usually must be made immediately.

Testing and Revision

Completing a comprehensive plan for handling emergencies is a major step toward preventing disasters. However, it is difficult to predict all of the problems that may happen unless the plan is tested.

Exercises and drills may be conducted to practice all or critical portions (such as evacuation) of the plan. A thorough and immediate review after each exercise, drill, or after an actual emergency will point out areas that require improvement. Knowledge of individual responsibilities can be evaluated through paper tests or interviews.

The plan should be revised when shortcomings have become known, and should be reviewed at least annually. Changes in plant infrastructure, processes, materials used, and key personnel are occasions for updating the plan.

It should be stressed that provision must be made for the training of both individuals and teams, if they are expected to perform adequately in an emergency. An annual full-scale exercise will help in maintaining a high level of proficiency.

Our organization

Our current fire employees are

John Beaumier

Hollie Pethany

Lorne Martin

Eric Albert

Alex Scuffil

John Beaumier is to act as Emergency Coordinator and Hollie Pethany as our "back-up" co-ordinator.

They are both members of and train with the Shirley Volunteer fire department.

Having staff living on site will help ensure that either John or Hollie are onsite incase of emergency and we are also planning on training other staff to be prepared to assume emergency duties in case of their absence. John or Hollie both have the authority to declare an emergency at which point our emergency plan will be activated.

- Reporting the emergency to the highest ranking trained staff onsite who will assume command of the situation.
- Activating the emergency plan and contacting the relevant authorities if necessary be it fire, police or ambulance.
- Establishing communication. - determine what type of emergency and communicate the situation to staff and guests if necessary.
- Providing medical or first aid. The most well trained staff will take charge of this task.
- Ordering response, including evacuation of beach or campground if deemed necessary.
- Restricting access to the site if deemed necessary.
- Alerting external agencies, as necessary.
- Get staff to assist in evacuation.
- Coordinating activities of various groups.

Features of our revised site plan that were not listed on the initial site plan.

Clearly marked footpaths and egress routes from tsunami danger zones and emergency exits from the upper campsite in case of wildfire or other emergency.

Muster area

In the event of an emergency, the muster area on our site map is located by the main emergency egress route. The safety and well-being of our customers and staff is our top priority, and having a well-defined muster area is crucial for effective emergency management.

The muster area is clearly marked with signage and is easily accessible from all areas of the facility. It provides a safe and secure location where individuals can gather and be accounted for in case of an emergency. Our trained staff members are responsible for guiding customers to the muster area, ensuring everyone is aware of the evacuation procedures and assisting those who may need additional support.

Agency Contacts.

All emergency services can be dispatched by dialing 911.

External organizations that may be available to assist (with varying response times) include:

- Shirley Volunteer fire department
- Juan de Fuca Search and Rescue 1397 Copper Mine Rd, Sooke, BC V9Z 1B2
- BC Ambulance Service (Sooke) 250-642-5241 - 6742 W Coast Rd, Sooke, BC V9Z 0E4
- Sooke RCMP - 250-642-5241 2076 Church Rd, Sooke, BC V9Z 0W7
- BC Hydro **Emergency** - 1 800 224 -9376
- Conservation Officer 1-877-952-7277 (To report a conflict with wildlife that threatens public safety)
- BC Archeology Branch 250-953-3334 2975 Jutland Rd, Victoria, BC V8W 2K7

Once we have called for assistance to either Fire, Ambulance or SAR, once onsite we let that outside agency assume command of the situation and try to be of assistance.

Once fully operational the site's reception building will have a backup power generator making it an ideal emergency control center in case of an extreme event.

Many factors determine what procedures are needed in an emergency, such as:

- Nature of emergency.
- Degree of emergency.
- Size of organization.
- Capabilities of the organization in an emergency situation.
- Immediacy of outside aid.
- Physical layout of the premises.

Common elements to be considered in all emergencies include pre-emergency preparation and provisions for alerting and evacuating staff, handling casualties, and for containing the hazards.

The evacuation order is of greatest importance in alerting staff and staff would be alerted over radio communications. .

Earthquake and Tsunami

Post signage detailing emergency response procedures at all entrances to the beaches and throughout the property.

Establish muster areas on the property. Install audible alarms to alert guests on the beach to get to higher ground.

Clearly marked egress pathways for people to higher ground incase of tsunami.

Wild Fire plan

The main aspects of our fire plan involve spacing and limbing trees as well as removing any excess fuel from the forest. This will consist of a massive initial effort before we open for business followed by regularly clean up accumulations of fallen branches, dry grass, and needles from the ground to eliminate potential surface fires.

Much of the following is directly from the risk reduction recommendations contained in the wildfire hazard assessment report by Strathcona Forestry Consulting we had commissioned.

General Precautions During Land Clearing and Construction

Avoid tree felling during the bird nesting season (mid March to mid July).
Ensure any land clearing activities are conducted in compliance with BC's Wildfire Act local bylaws.

As per the BC Wildfire Act, if a high risk activity (i.e., land clearing) is taking place between 1 April and 31 October, the operator must keep at the activity site fire fighting hand tools, in a combination and type to properly equip each person who works at the site with a minimum of one fire fighting hand tool, and an adequate fire suppression system (onsite portable water tanker and fire fighting tools – shovels, pulaskis, portable water backpacks). In addition, efforts must be made to maintain an adequate fire break between any high risk activity and areas of continuous forest to ensure a fire originating at the site does not escape the site.

Hazard abatement (removal of slash/disposal of debris piles) must take place in compliance with local bylaws.

Hazardous Tree Assessment/Treatment

Prior to commencement of business, a survey will take place to identify hazardous trees.

Appropriate treatment will be implemented prior to opening in order to ensure the site is safe for the uses intended.

Should any trees be designated as Danger Trees that require falling, a qualified tree

service equipped must be employed for tree felling and removal.

Any hazardous trees identified within the work zone of the BC Hydro power lines (1.5 tree lengths) will require treatment from a Certified Utility Arborist (CUA).

If hazard trees need to be removed, follow the guidelines of the Best Management Practices for Hazard Tree and Non-Hazard Tree Limbing, Topping or Removal. Note that a hazard tree assessor is the only qualified professional for assessing danger trees. Consider topping any identified danger tree (at 5 m to 10 m or more) as an alternative to removal, and retaining this as a wildlife tree. Where hazard removal is unavoidable, the work should be as non-intrusive as possible.

A preliminary assessment was done at in the spring of 2023, several hazardous trees were identified and sanitized by Roddy Leask of top it all tree service.

Vegetation Management

A noncombustible surface should extend for 1.5 m around structures and any attachments, such as decks at the proposed welcome centre, cabins, and campsites. Avoid storing flammable outdoor items, such as wicker or wooden patio furniture, cushions, doormats, window boxes and planters, garbage cans without lids and BBQ propane tanks, which are all places where embers can land and start a fire, in this critical area adjacent to homes/structures.

When possible landscape with noncombustible landscaping materials, such as gravel, brick, or concrete. Minimize and thin woody shrubs, trees, or tree branches in this zone.

Create a noncombustible zone underneath and for 1.5 m around any trailers/vehicles.

Mitigate any auxiliary structures to same standards as those of main structures.

Establish and maintain an environment around all structures (and campsites) that will not support fire. Focus on fuel removal, conversion, and reduction.

Incorporate any existing, native, fire resistant vegetation (i.e., salal, sword fern, red huckleberry, salmonberry).

Maintain landscapes with regular irrigation, mowing, pruning, raking, weeding and dead plant removal.

Create non-flammable hardscapes, such as rock, gravel, and water features, which, function as firebreaks by breaking up areas of fuel. Rock can provide a natural looking, low-maintenance and water-efficient mulch and as well as a fire-resistant buffer zone.

Group fire resistant plant materials in islands. Group plants in islands surrounded by nonflammable materials, such as rock; employ landscape elements together to create breaks between fuels.

Limb (prune) trees at least 3m from the ground. Create space between trees and shrubs. A general rule is twice the height of what the plant will be at maturity. Remove tree

limbs closer than 5m from power lines and any structures.

Avoid using woody debris, including bark mulch, as it provides potential places for fires to start. Instead, use fire-resistant landscaping materials (i.e., rock).

Thin and prune (up to 3 m height from ground) trees to reduce hazard in this area.

Maintain all roads and cut back vegetation to reinforce the fire break the roads we have built create.

Space trees and other potentially flammable vegetation along the road.

Prune all trees located up to 15 m from all campsites and

During construction

For all structures:

Use fire-retardant roof covering assemblies rated Class A, B, or C (i.e., metal, tile, ULC-rated asphalt) and feature non-combustible siding materials (i.e., stucco, metal siding, brick, cement shingles or cementitious materials, poured concrete, or ULC-rated wood siding) on all new structures. Metal, clay tile, and rated asphalt shingles are the most fire resistant roofing materials. Siding materials such as stucco, metal, brick and concrete offer superior fire resistance to wildfire. Logs and heavy timbers are less effective, while wood and vinyl siding offer very little protection.

Follow FireSmart guidelines for design, construction, and maintenance of window and door glazing, eaves and vents, and decking <https://www.firesmartcanada.ca/>

Ensure structures are equipped with working smoke alarm(s).

Sheath in the base of decks, balconies and structures with fire-resistant material to reduce the risk of sparks and embers igniting structures.

Wildfire Fire fighting

Our fire fighting plan consists of the following actions.

Ensure there is sufficient onsite water storage strategically located throughout the site to knock down small wildfires. It should be understood it is beyond the capacity of staff to intercept larger wildfires, which fall under the responsibility of BCWS.

Build a fire suppression skid equipped with a 2000 liter tank, a high pressure pump, 1000 feet of forestry hose and other fire fighting tools such as Pulaskis, shovels and other implements.

Ensure equipment is maintained in good working and regularly inspected.

Ensure staff is aware of potential ignition sources from specific types of maintenance work (i.e., power saws, welding, etc.) Avoid "hot work" when the Fire Danger Rating is Extreme.

Fire prevention and how to mitigate fire risk.

General site and maintenance.

Site Restoration

Rehabilitate any disturbed site by planting with a mix of "wildlife friendly," "fire-resistant," native shrubs and forbs: salmonberry, evergreen huckleberry, salal, sword fern, and ferns.

Incorporate FireSmart landscaping by using fire-resistive, widely spaced trees, native shrubs and groundcover in combination with stone and/or water features and/or maintained lawn areas. See FireSmart Guide to Landscaping.

Invasive Weed Plants

Promptly re-vegetate any areas of soil disturbed during clearing and construction with approved landscaping materials and/or native plant species to prevent encroachment from invasive plant species (i.e., broom).

<https://www.firesmartcanada.ca/resources-library/firesmart-guide-to-landscaping>

Actions to mitigate the risk of fires spreading from campsites.

Limb all trees within 10 meters of all campsites to 3 meters from the ground and lay an aggregate base for all campsites.

Post signage at each camp site detailing our clean camp, smoking and campfire policies.

Each campsite will have a steel fire ring to contain campfires and a 18L bucket to fetch utility water which will be made available to guests at several refilling stations throughout the property.

Enforce all local fire regulations and a no smoking policy. Guests will only be allowed to smoke if at their campsites and within six feet of their fire ring.

Nightly patrols will help enforce our policies and monitor campfires.

Local fire regulations will be enforced can be found on the coastal fire centers website at the following link

<https://www2.gov.bc.ca/gov/content/safety/wildfire-status/prevention/fire-bans-and-restrictions/coastal-fire-centre-bans>

Fire fighting equipment, training and resources.

By far the best resource we have to help us prepare for a wildfire emergency is the Shirley Volunteer fire department where several of our staff are members.

Our plan is to install large volume gravity-fed tank with FD-compatible fittings in a central location to service all buildings and facilities and we will also explore the potential of setting up a hydrant on West Coast road to service SFD tenders.

- We will maintain equipment such as trucks, pumps, hoses, sprinklers, and firetools (shovels, buckets) to be used in an emergency.
- Install directional signage to ensure emergency responders can locate specific structures and campsites.
- Ensure SFD always has the most up to date sitemap showing all the facilities, buildings, campsites, cabins and water storage. Ensure any new structures are mapped on fire department planning maps.
- Ensure access/egress meets BC Building Code and CRD Engineering requirements.
- Develop a pedestrian access route between the upper development area and the lower portion of the site. This pedestrian access could also serve as an emergency egress route.

- Ensure strategically located muster areas are established and maintained.
- Ensure access routes are developed with adequate turnouts.
- Post signage marking directions to muster areas and emergency exit paths and roads.
- Maintain emergency egress roads from C loop onto neighboring lands to connect to the new logging main.

Fuel storage

Areas where flammables, explosives, or chemicals are used or stored should be considered as the most likely place for a technological hazard emergency to occur.

All fuel stored onsite will be done in accordance with the BC Government regulations found at the following link.

https://www2.gov.bc.ca/assets/gov/environment/waste-management/industrial-waste/industrial-waste/oilandgas/fuel_handle_guide.pdf

Our plan to mitigate any dangerous wildlife encounters.

- Create fenced off and bear proof enclosures around all garbage dumpsters, compost and recycling facilities.
- Create and post signage and brochures containing information of bears and cougars at several locations around the property.
- Equip the campsite with several “bear saver” garbage bins to prevent feeding of wildlife.
- Food storage lockers will be provided for campers arriving by shuttle, bike, or foot (those without a vehicle).
- Our on-site service vehicles will be outfitted with radios, sirens, air horns, and bear bangers and spray in case of any close encounters with potentially dangerous wildlife around the campsites.
- While visitors are welcome to bring dogs, they will be required to keep them on a leash at all times for the safety of other guests and to avoid provoking any wildlife.

Although encounters with dangerous wildlife are *extremely* rare (only two black bear-related attacks have been recorded in the last 50 years on the island, both non-fatal), we will still vigilantly plan for them to keep our guests and animals safe.



Hollie and John on their first day at the SFD. They have since both been on several fire and rescue calls and other than a few weeks vacation have yet to miss practise.



An image of some of our current fire fighting equipment.

General site security

Our security plan involves the three main elements below.

1. Training and tasks

Hollie and John both plan on completing basic BST training before we open for business. Our employees tasked with patrolling the grounds will be trained

2 - Equipment

Currently we have a CCTV system installed at the house but will install a second in and around the reception center and at the front gate as infrastructure is built out. We are also going to be looking into business management software to track all of our guests and effectively ban any trouble makers.

Our equipment our staff will have are patrol vehicles and radios.

3 - Communications

We have purchased high quality two way radios that cover the entire site and plan on applying for a private radio band on which to operate and will train staff in proper radio communications

We plan on writing a manual to help our staff deal with any unruly guests which will include de escalation tactics and have other helpful resources.

5. Property History, December 2023 (Fall 1984) - RZ000280



Climax locomotive working for Cooke and Moore of Sooke before its move to Point No Point. (Sooke Region Museum photo No. 444)

by Patrick O. Hind

To Islanders and visitors alike, one of the most scenic and certainly interesting drives is to take the Westcoast Highway past Sooke to Jordan River and Port Renfrew. Spectacular views of mountain and sea greet those who venture along this route. At the Point No Point resort and tea house many enjoy traditional English afternoon tea, looking out over the Ocean and the distant mountains of the Olympic Peninsula. Few would recall, or know that in earlier years, the late 1920s, the Point was the scene of an active logging operation, its logging railway harvesting the green gold that grew from the Ocean shore into the distant hills. Several steam locomotives worked over a dozen miles of rail hauling logs to tidewater, where they were boomed and towed in rafts to the mills in Victoria, 35 miles away.

During the 1920s the Canadian Puget Sound Lumber and Timber Co. operated a large mill in Rock Bay at Victoria, employing 350 men to produce up to 250,000 feet of lumber per day. It was one of the largest Island concerns at the time. To supply their mill with logs C.P.S., as they were widely known, were operating a logging railway that ran from Jordan River inland to stands of timber while a subsidiary, the Island Logging Company, was operating at Charter Siding, west of Duncan. By 1927, logging was

being completed at the latter location and plans were being made to open two new camps. Camp 3 was to be at the head of Cowichan Lake, at Kissinger on the C.N.R., while Camp 2 would open at Point No Point where C.P.S. had extensive timber limits. The B.C. Lumberman in early 1928 reported on the activity.

"The Jordan River country is now coming into prominence and within a few months will probably be one of the most active scenes of logging, as a result of the plans for big-scale operation by the Canadian Puget Sound Lumber & Timber Company. The company has at the present time about four miles of railroad in there and this will be extended as logging progresses. An unloading dock has been constructed; also a breakwater at Point No Point, where logs will be dumped. Bunkhouses and camps have been built on sleds so that they can be moved from place to place without reconstruction. New equipment throughout is being put in. In the past twelve months new equipment purchased comprises a 90-ton Shay locomotive, 13x14 Washington unit, 12x14 Washington yarder, two 9x10½ Washington duplex loaders, 30 logging cars, 1 moving car and 2 gas shovels. A fuel oil tank capable of storing 2200 barrels of oil is now being installed. According to John D. Kissinger, resident manager, it is

proposed to put between four and five million feet of logs into the water every month at the outset. This will be steadily increased. About a billion feet of timber is to be logged by the company in the Jordan River district."

Despite the elaborate plans of the Island Logging Company and the fact that the timber available was of the finest grade of Douglas-fir and Spruce on the southern coast, they were soon to experience many difficulties in operation. Not the least was the booming of logs in open water on the turbulent Pacific.

The company planned to dump their logs at a wharf which was to be constructed in a bay on the east side of the Point. This necessitated a breakwater to be built to protect the proposed wharf, and a quarry was located about one quarter of a mile inland where suitable rock could be obtained. The remains can still be seen of this quarry as can the remains of the breakwater and trestle work at very low water. The site of the latter, through the courtesy of Western Forest Products, is a favorite picnic ground for the general public.

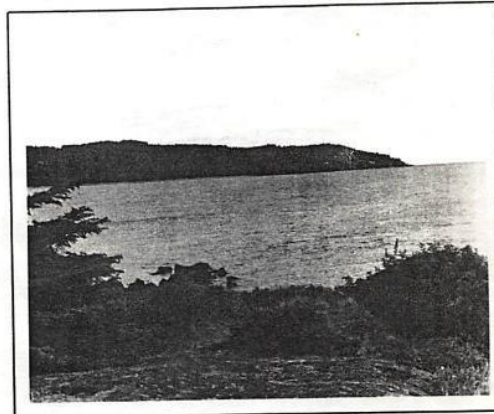
The first piece of equipment to be landed at Point No Point was a small steam donkey which was then used to haul the first of the railway equipment off a barge. This was a Climax locomotive that the company brought over from the Jordan River operation. Prior to that the locomotive had been used by Cooke and Moore of Sooke on their line from Demamiel Stream to Sooke Harbour. It was put to work hauling rock from the quarry to build the breakwater, then not being considered heavy enough for the intended logging operation was taken back to Jordan River where it remained for some years afterward.

In order to facilitate the unloading of larger and heavier equipment at the Point, the company built an elaborate underwater ramp on the inside of the breakwater. This was formed by a crib of logs filled with large rocks and enabled a barge to be positioned at high tide and then unloaded after it had settled on the receding tide. Sections of rail were then connected to the rails on the barge and the equipment could be moved on or off the barge with relative safety. The remains of this underwater crib can also be seen at extremely low tide today.

Once this crib was built, the company landed a large 3-truck 107 ton Class 90 Lima Shay locomotive which was immediately placed in service to aid in construction of the railway. It was to become Island Logging Company's No. 3, procured new from the Lima Locomotive Works (builders number 3313). Track was laid from a point west of the breakwater in a northwesterly direction towards Jacobs Creek, which empties into the sea just west of the Point. Track crossed the Westcoast Road, or as it was then, a trail, on a 2% grade then ascended the gently rolling southern slope of Mount Campbell, so named for the pioneer grandfather of Miss Christine Clark of Shirley. West of Jacobs Creek the camp was located, built of moveable bunkhouses, and would house from 100 to 150 men, and some families. The repair shop was located on the northwest side of the camp.

From the camp, the line traversed a series of switch-

backs that wound their way up the side of Mount Campbell. Because of the undulating nature of the ground and small streams, many small to medium-sized trestles were required in building the line which eventually was close to 12 miles in length.



Site of former wharf which extended 400 feet from waters edge.

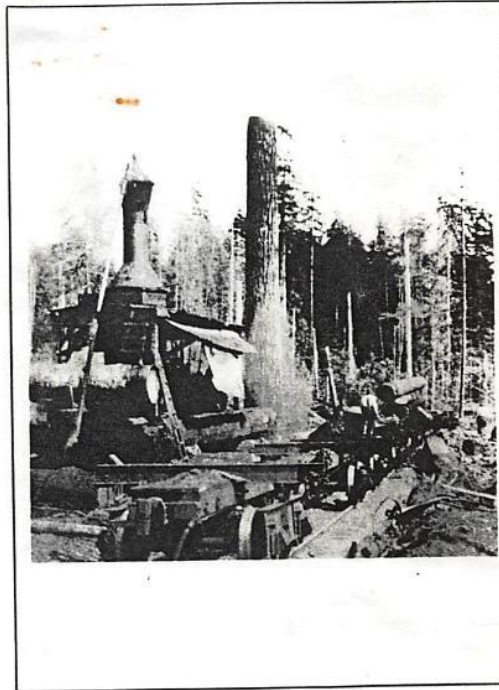


Huge rocks that formed part of the breakwater, seen at very low tide. Bay where logs were boomed is visible at left.

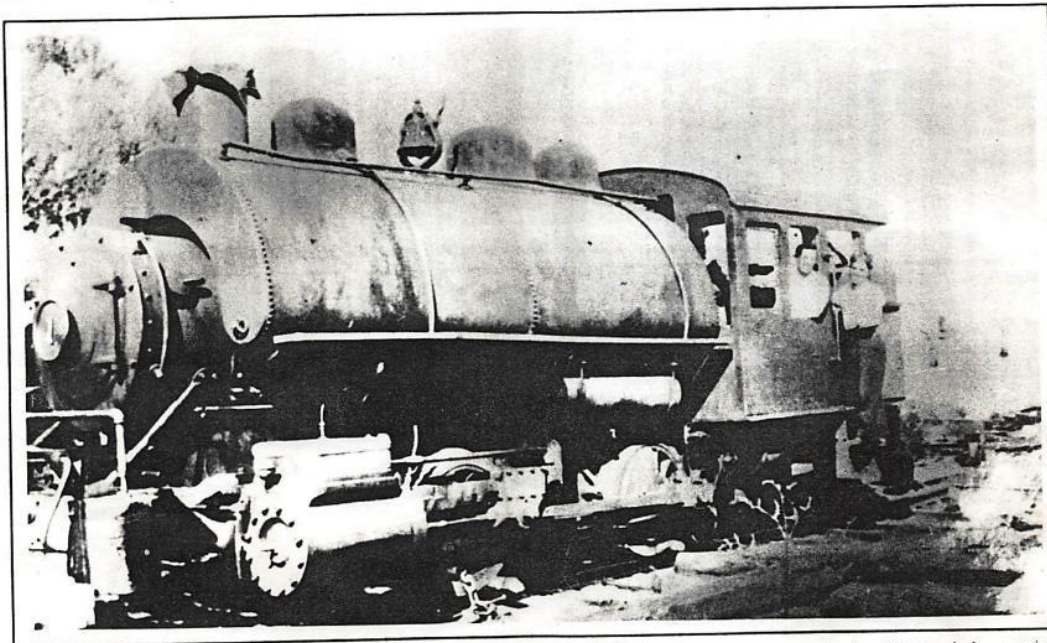


Site of underwater crib where equipment was unloaded, located just to the left of the breakwater. (Author's photos)

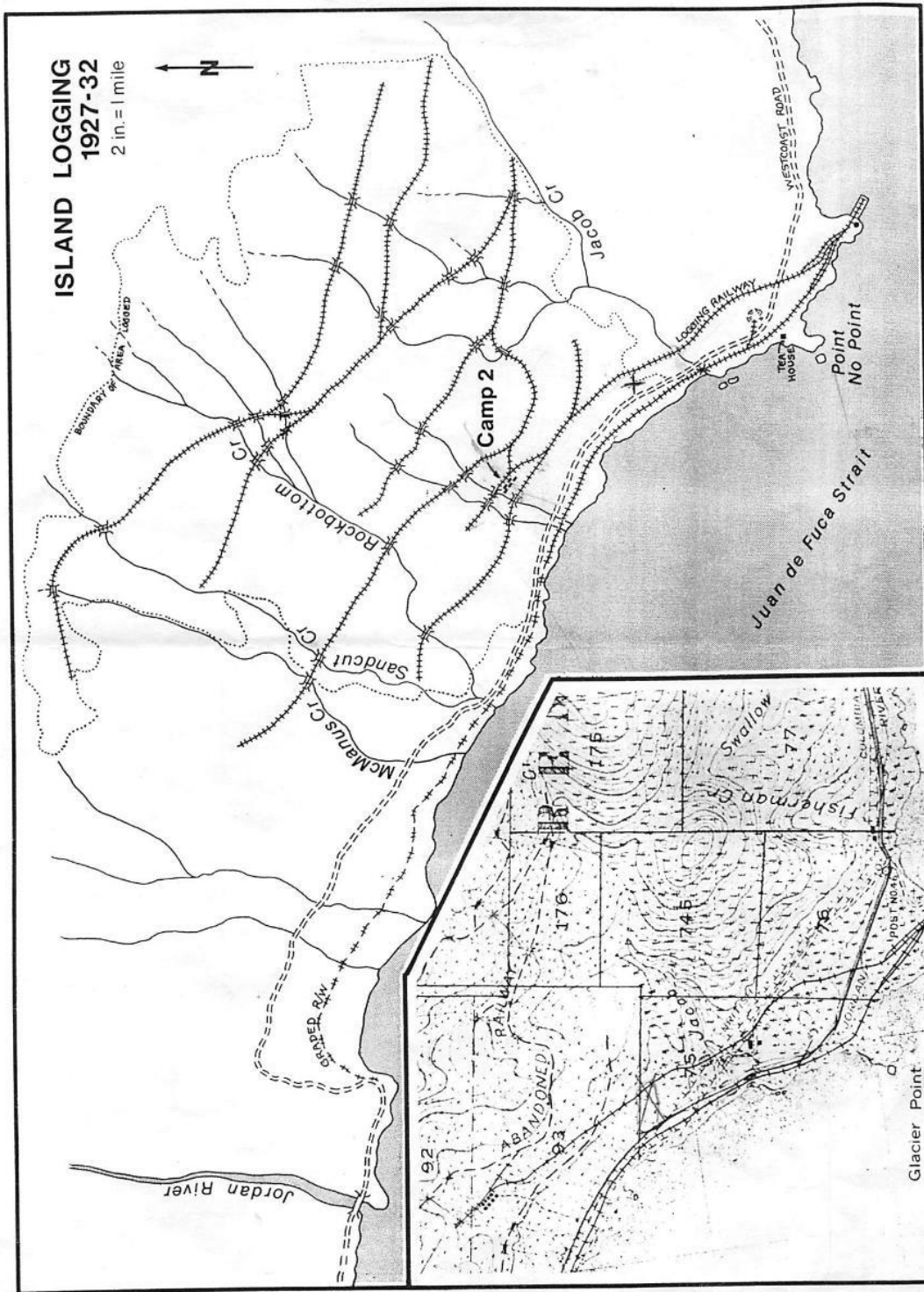
A second Shay locomotive, a 2-truck 50 ton Shay (builders number 3228) that had been used at Charter Siding, and in 1929 a third and final Shay were added. The last was a 3-truck 'Pacific Coast' Shay purchased new from Lima (builders number 3340). A fourth locomotive was also brought from Charter Siding, an 0-4-0 saddle tank locomotive with an interesting and eventful career to that time. It was built by Vulcan in July, 1912 (builders number 1960) and was standard gauge with 15x20 inch cylinders and 37 inch drivers. The locomotive was first sold to Foley, Welch and Stewart who were then constructing the Grand Trunk Pacific Railway west towards Fort George and eventually the west coast at Prince Rupert. It was their No. 51 and appears to have worked as far west as Prince Rupert on this construction. In 1912 the same company took over the construction of the proposed railway from Squamish to Fort George and it is believed the locomotive worked on the northern section until construction there ceased. In 1917 the locomotive, then numbered P.G.E. No. 1, was used by the Capilano Timber Company in building their line into the Capilano Valley. Afterwards it was sold to Falls Logging who were then working at Charter Siding and here it was featured in a minor wreck. On November 9th, 1920 with Engineer Dean at the controls Locomotive No. 1 with "No Air, No Sand and slippery rails, with 2 cars of logs," as the subsequent report stated "went down a grade and ran into a coal car injuring three Japanese workers." Taken over by C.P.S. it found its way to Point No Point where it was probably only used for transportation of men and equipment on the railway and not for the hauling of logs.



Typical logging scene of the period with steam skidder and loader adjacent to tracks and skeleton log cars. This photo taken at Port Renfrew. (Sooke Museum photo)



0-4-0 Vulcan locomotive No. 1 shown at Point No Point with Mr. Kissinger in the cab. This locomotive had a long and colourful history before coming to Point No Point. (photo Sooke Region Museum No. 3262)



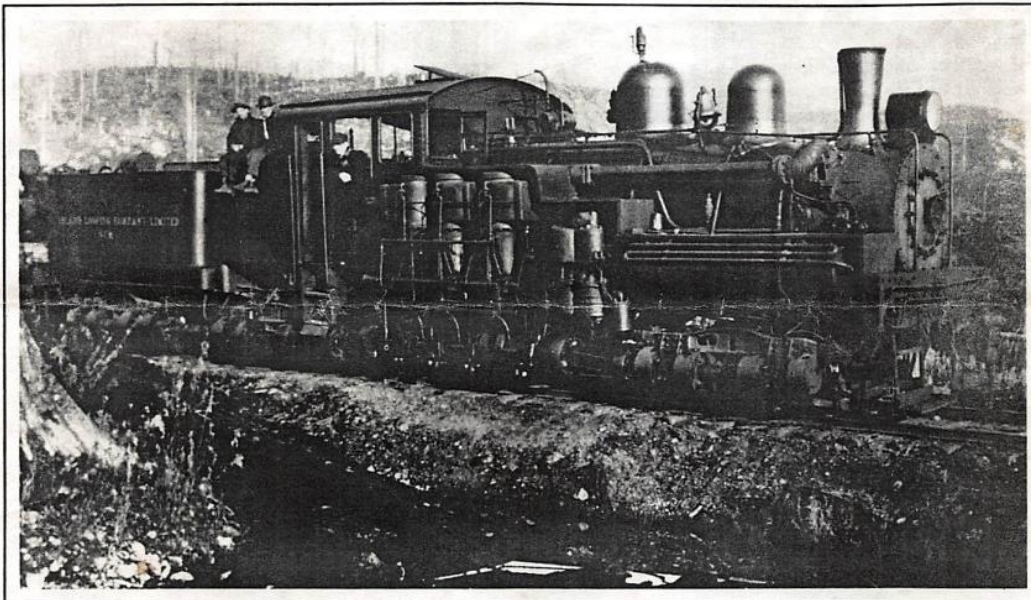
Two sides were operated at the Point under foreman Charles Kaske and his replacement L. Kingery. The equipment consisted of two high lead units and a Diesel cold deck yarder which was one of two the company had purchased. "They," the B.C. Lumberman noted, "are the latest in logging equipment and have an advantage in being safe as far as fire is concerned. These machines, of which the cost is understood to be \$27,000 each, without lines, have proved of considerable interest to logging operators, many of whom have travelled to see them in operation. They are the only machines of this kind on the island."

At the wharf a Jill Poke or 'Stiff Leg' was located and as each car moved past this apparatus the logs were dumped into the water. The length of the wharf was long enough to accommodate nine fully loaded skeleton log cars at a time. Once the logs were dumped they were boomed in the bay before being towed to the C.P.S. mill at Victoria. Between

not be unloaded, let alone boomed, and production in the woods would have to be curtailed until weather improved.

Another unforeseen factor that was to plague the operation, although from a distant source, was that by late 1930 the export market, Japan and China in particular on which the C.P.S. mill depended, had virtually disappeared. An oversupply of lumber in the yard and limited sales, sometimes at "prices excessively low", forced an indefinite closure of the mill. Sporadic logging continued but it was not until after the depression that the company was able to resume a steady logging operation. By this time truck logging was gaining in popularity, most of the accessed timber had been logged, and the railway at Point No Point was no longer required.

However, before this ultimate demise the company had proceeded with a plan to rectify their dump problems by



Island Logging's Shay No. 3 on the south slope of Mount Campbell in 1929. (photo D. Muralt collection)

Camps 2 and 3 log production, at least in 1929, was 11 million feet per month, of which 6 million was used in the mill and the remainder sold in the open market.

The difficulties encountered by Island Logging were extreme. As mentioned, tidal action was heavy and the dumping of logs and forming of booms was sometimes disrupted. Ivan French, a longtime resident of the area and former logger, tells of many occasions when the log booms would be broken apart by the waves. One time he remembers when the boom shack was sunk by errant logs. In severe storms large waves would break completely over the breakwater and wharf trestlework and one time the oil storage tank located at the Point was left sitting on one side, its foundation completely washed out by the waves. The first winter found many days when logs could

finding a safer location. Accordingly, in early 1930, a plan was unveiled to build a line of railway west from the Point to Jordan River where there was relative safety. The plan was not new to the company. At one time in the early part of the century, a scheme had been unfolded for a logging railway to run from the mouth of the San Juan River at Port Renfrew south along the coast to a connection with the Canadian Northern Railway, then under construction, at Milnes Landing. From there logs could be shipped over C.N. tracks to the company's mill in Victoria. This elaborate scheme was not to be realized.

The latter attempt by Island Logging saw the entire route from the Point to Jordan River surveyed and graded. It left the existing grade west of Point No Point, at a location about 200 yards east of the present tea house. It



6. Water Supply Assessment, April 2023 - RZ000280

COLQUITZ ENGINEERING LTD.
4115 Elwood Avenue
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(778) 749-1114

TECHNICAL MEMORANDUM

April 10, 2023

Sandcut Properties and Developments Ltd.
11237 West Coast Road
Shirley, BC V9Z 1G9

**RE: 11237 WEST COAST ROAD
Water System Supply
Project Number: 307.001**

Introduction

The purpose of this technical memorandum is to outline the surface water supply conditions for the proposed development of 11237 West Coast Road. This memorandum is based on the proposed development as outlined on the drawings *11237 West Coast Road, Sandcut Campground & Resort, Rezoning Application, Knotinabox Design Inc., November 1, 2022*. These drawings outline the proposed land-use as follows:

- Dwelling units (existing house) – 1
- Reception / general store / caretaker residence - 1
- Tourist cabins – 38
- Standard campsites (no hook-ups) – 61
- RV campsites (full hook-ups) – 23

Water Supply and Demand

Sandcut Properties and Developments Ltd. hold a current water licence for withdrawal of 13.6 m³/day from Rockbottom Creek. This water licence is attached to this memorandum for reference.

The estimated water demands (daily design value) for the proposed land-uses are summarized in Table 1 below. These values, with the exception of the *standard campsite*, are calculated in accordance with the *Sewerage System Standard Practice Manual Version 3, September 2014, Health Protection Branch, Ministry of Health*. The *standard campsites* are to be serviced by a central shower facility, tap stands and composting toilets, with estimated demands as described below based on information provided by the Ministry.

Table 1: Water System Demands

Proposed Land-use	# Units	Design Demand (L/unit/day)	Design Demand (m ³ /day) ⁽⁶⁾
Dwelling units (existing house)	1	1,600 ⁽¹⁾	1.6
Reception / general store / caretaker residence	1	490 ⁽²⁾	0.5
Tourist cabins	38	900 ⁽³⁾	34.2
Standard campsites (no hook-ups)	61	300 ⁽⁴⁾	18.3
RV campsites (full hook-ups)	23	340 ⁽⁵⁾	7.8

Notes:

- 1- Based on 3 bedrooms – Table II-8
- 2- Based on 2 resident workers (170 L/c/day + 75 L/c/day) x 2 (P.F.) – Table III-11
- 3- Based on 2 person occupancy (225 L/c/day) x 2 (P.F.) – Table III-11
- 4- Based on 3 person per site occupancy and a peak demand of 130 L/c/day minus 30 L/c/day (for composting toilets)
- 5- Based on average of demand (170 L/site/day) x 2 (P.F.) – Table III-11
- 6- Demands exclude irrigation

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11237 WEST COAST ROAD
Water System Supply
April 10, 2023

The total daily design demand for the proposed land-use is estimated to be 62 m³/day, which exceeds the water licence quantity of 13.6 m³/day. Working within the existing water licence quantity, we estimate the proposed land-use could include:

- Dwelling unit, Reception / general store / caretaker residence, and 12 tourist cabins, or;
- Dwelling unit, Reception / general store / caretaker residence, and 38 standard campsites, or;
- Dwelling unit, Reception / general store / caretaker residence, 23 RV campsites, and 12 standard campsites, or;
- Dwelling unit, Reception / general store / caretaker residence, 4 tourist cabins, and 26 standard campsites.

Water Licence Changes

We understand that the following changes to the water licence are proposed to support the development:

- Revise the purpose of the current water licence from "domestic" to "commercial enterprise".
- Move the water intake location upstream by approximately 650 m upstream.
- Increase the water licence withdrawal quantity to approximately 62 m³/day.

In discussions with the Ministry of Forests (MoF), we understand that a change in purpose and change in the water intake location can be handled as a water licence amendment. In reviewing the contours and watercourse layers on the CRD Regional Map (<https://maps.crd.bc.ca>) we estimate that the reduction in catchment area by moving the intake upstream is approximately 5%. To apply for a water licence amendment, an application will have to be submitted through FrountCounterBC (<https://portal.nrs.gov.bc.ca/web/client/home>). The acceptance of the amendment application is decided upon by a Water Manager from the Province of British Columbia. We do not anticipate there will be issues with the proposed amendments.

The water licence only limits the daily withdrawal. If on-site storage is provided, 13.6 m³/day could be withdrawn even when it is not needed. For example, if only 4 cabins and 15 standard campsites are used during weekdays (total demand of 10.2 m³/day - includes dwelling unit, reception / general store / caretaker residence), approximately 3.6 m³/day could be stored daily (total of 18 m³ over five days) for use on the weekend. This would allow for approximately 8 cabins and 44 standard campsites to be occupied during two-day weekends.

To increase the water licence withdrawal quantity, a new water licence application will be required. A key consideration is the availability of flow for proper functioning of the aquatic ecosystem, as described in the provincial environmental flow needs (EFN) policy (https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/water-rights/efn_policy_jan-2022_signed.pdf). This policy defines the sensitivity of the stream based on a number of factors including the proposed withdrawal as a percentage of the long-term mean annual discharge (MAD) and mean monthly discharge (MMD). A search the Water Survey of Canada (WSC) database did not show any flow data (active or historical) for Rockbottom Creek or Sandcut Creek. Therefore, it is likely that a minimum one-year flow monitoring program will be required to determine the MAD and MMD values for Rockbottom Creek to use in the EFN calculations.

Additionally, the physical works of constructing the new intake would be considered "changes in and about a stream" as defined by the Water Sustainability Act (WSA). Therefore, a WSA Section 11 application will be required. This application is to be made once the intake works, have been designed, and typically take a minimum of 140 days for approval. Applications may be referred to other provincial and federal regulatory agencies for comment.

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11237 WEST COAST ROAD
Water System Supply
April 10, 2023

Summary

In summary, the proposed campground and resort development will have an estimated peak water demand of 62 m³/day. This exceeds the current water licence withdrawal rate of 13.6 m³/day. Working within the existing water licence quantity, we estimate that the site could be partially developed, as described above. We anticipate that a change to the current water licence purpose and intake location can be done as a water licence amendment.

Working within the existing water licence withdrawal rate, on-site water storage could be beneficial to take advantage of partial occupancy during weekdays, allowing for greater occupancy during weekends.

The full development exceeds the current water licence withdrawal rate and therefore a new water licence will be required. We anticipate that one year of flow monitoring data of Rockbottom Creek will be required to support the new water licence application.

The acceptance of the water licence amendment or new water licence will be decided upon by the Provincial Water Manager. We therefore recommend that the MoF be consulted with prior to going ahead with either option (water licence amendment or new application), including providing them with copies of this memorandum and the environmental assessment report.

Additionally, a Water Sustainability Act Section 11 application will be required for the construction of the new intake.

Prepared By

Regards,

COLQUITZ ENGINEERING LTD. (Permit to Practice 1002144)



Jeff Howard, P.Eng.
Water Resources Engineer

JH/jh



11237 WEST COAST ROAD
Water System Supply
April 10, 2023

Statement of Limitations

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Revision History

Revision #	Date	Status	Revisions	Author
0	Mar 8, 2023	DRAFT	In progress, submitted for client information	J. Howard
1	Mar 20, 2023	DRAFT	Submitted for client review	J. Howard
2	Apr 10, 2023	FINAL	Submitted for client acceptance	J. Howard



Province of British Columbia
Water Sustainability Act

CONDITIONAL WATER LICENCE

The owner of the land to which this licence is appurtenant is hereby authorized to divert and use water as follows:

- a) The stream on which the rights are granted is Rockbottom Creek.
- b) The point of diversion is located as shown on the attached plan.
- c) The date from which this licence shall have precedence is September 11, 1956.
- d) The purpose for which this licence is issued is domestic.
- e) The maximum quantity of water which may be diverted for domestic purpose is 13.6 cubic metres per day.
- f) The period of the year during which the water may be used is the whole year.
- g) The land upon which the water is to be used and to which this licence is appurtenant is Lot A, Section 74, Renfrew District, Plan VIP71883.
- h) The authorized works are pipe, tank, pump and intake which shall be located approximately as shown on the attached plan.
- i) The construction of the said works has been completed and the water is being beneficially used. The licensee shall continue to make regular beneficial use of the water in a manner authorized herein.
- j) This licence authorizes the use of water for domestic purpose in a maximum of 6 dwellings, 3 of which are located approximately as shown on the attached plan.
- k) This licence is issued in substitution of Conditional Water Licence C023427.

A handwritten signature in black ink, appearing to read "DR", followed by a horizontal line.

David Robinson
Assistant Water Manager



WATER DISTRICT: Victoria
PRECINCT: Victoria
LAND DISTRICT: Renfrew

Signature: _____
Date: _____

LEGEND:

Scale: 1: 4,000
Point of Diversion: ●
Map Number: 92C.050.2.2
Pipe: - - - - -

C.L. 502921
File 0213380

This licence supersedes Conditional Water Licence C023427

The boundaries of the land to which this license is appurtenant are shown thus: **—————**

Appendix E: Proposed Bylaw No. 4518

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4518**

A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended as follows:

A. SCHEDULE A, PART 2 - ZONING DISTRICTS

- (a) By deleting the section 23.0 Rural Commercial Recreation (Campground) Zone – CR-2 and replacing it with the new 23.0 Rural Commercial Recreation (Campground) Zone – CR-2 as follows:

23.0 RURAL COMMERCIAL RECREATION (CAMPGROUND) ZONE – CR-2

23.01 Permitted Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted in the Rural Commercial Recreation (Campground) CR-2 Zone:

- (a) Camp ground;
- (b) Tourist Cabin;
- (c) One-family dwelling;

23.02 Permitted Accessory Uses

In addition to the uses permitted by Section 23.01 of Part 2 of this Bylaw, the following Accessory Uses in conjunction with a permitted Principal Use and no others shall be permitted in the Rural Commercial Recreation (Campground) CR-2 Zone:

- (d) Convenience store accessory to a campground use;
- (e) Outdoor recreation facilities pursuant to Part 2, Subsection 23.09
- (f) Staff accommodation pursuant to Part 2, Subsection 23.09.
- (g) Caretaker dwelling unit.

**23.03 Minimum Lot Size for Subdivision
Purposes**

- (a) The minimum lot size for subdivision purposes is no less than 4 ha.

23.04 Density

- (a) One one-family dwelling per parcel;
- (b) 23 tourist cabins per parcel or 0.3 tourist cabins per hectare; whichever is less;
- (c) 64 camping spaces per parcel or 0.9 camping spaces per hectare; whichever is less;
- (d) One convenience store per parcel;
- (a) One Caretaker dwelling unit per parcel.

CRD Bylaw No. 4518

2

23.05 Height

Maximum height shall be 11m for the dwelling unit and 6m for all other principal buildings, structures and uses.

23.06 Lot Coverage

Maximum lot coverage shall be 10 percent.

23.07 Setback Requirements

(a) All camping spaces, buildings, and structures must be setback a minimum of 9m from every parcel line; and 15m from the boundary of land designated as park.

23.08 Separation Space

(a) All camping spaces and tourist cabins must be individual or freestanding; separated by a minimum of 9m measured from the outside surface of the nearest exterior wall of a building or structure; and the outermost edge of an area cleared of trees and other vegetation for a camping space or other outdoor uses.

23.09 Definitions

(a) For the purpose of the *RURAL COMMERCIAL RECREATION (CAMPGROUND) ZONE - CR-2*, the following definitions apply:

Staff Accommodation means the accessory use of tourist cabins, for the accommodation of employees.

Outdoor Recreation Facility means a recreation infrastructure activity undertaken outdoors as a portion of, or related to, a private commercial enterprise and includes parks, trails, open space, playing fields, and playgrounds;

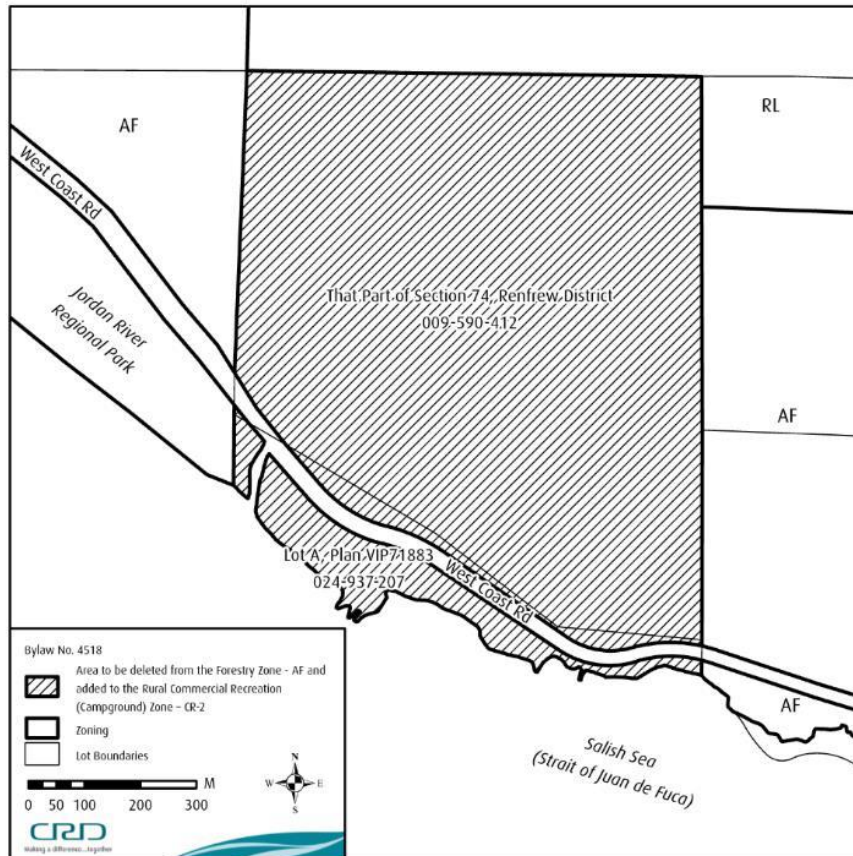
D. SCHEDULE B, ZONING MAPS

- a. By deleting LOT A SECTION 74 RENFREW DISTRICT PLAN VIP71883 from the Forestry zone - AF, and adding to the Rural Commercial Recreation (Campground Zone – CR-2, as shown in Plan No. 1.
- b. By deleting THAT PART OF SECTION 74, RENFREW DISTRICT LYING TO THE NORTH OF THE NORTHERLY BOUNDARY OF PLAN 109RW from the Forestry zone - AF, and adding to the Rural Commercial Recreation (Campground Zone – CR-2, as shown in Plan No. 1.

CRD Bylaw No. 4518

3

Plan No. 1 of Bylaw No. 4518, an amendment to Bylaw No. 2040



2. This Bylaw may be cited as "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 158, 2022"

READ A FIRST TIME THIS	day of	2024
READ A SECOND TIME THIS	day of	2024
READ A THIRD TIME THIS	day of	2024
ADOPTED THIS	day of	2024

CHAIR

CORPORATE OFFICER

Appendix F: Referral Comments

From: [Design, SVI](#)
To: [Wendy Miller](#)
Subject: FW: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)
Date: Tuesday, February 14, 2023 1:53:02 PM
Attachments: [image001.png](#)

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello Wendy,

I can see no issues with this referral.
A SRW will be required for servicing the site.

Thanks.

Mike Hoekstra
Design Technician Work Leader
BC Hydro
4400 West Saanich Rd
Victoria, BC V8Z 3E9

T 250.727.5172
M 250.888.8486
E michael.hoekstra@bchydro.com
E design.svi@bchydro.com

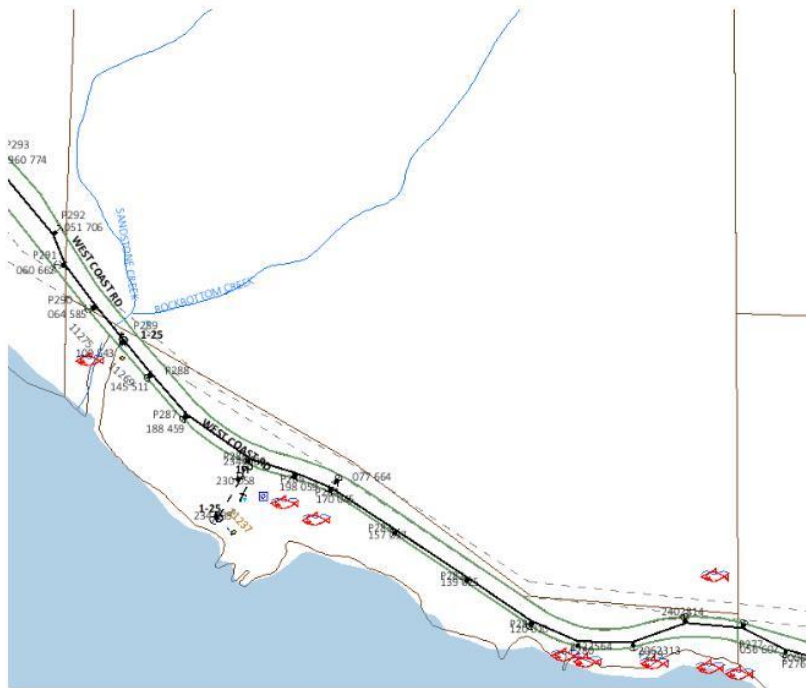
-
[Initiate & Manage Connection Requests Online with MyHydro](#)

From: Mann, Elaine <Elaine.Mann@bchydro.com>
Sent: 2023, January 20 3:27 PM
To: Design, SVI <design.svi@bchydro.com>
Cc: Reidy, Drew <Drew.Reidy@bchydro.com>
Subject: FW: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)

Hello

Please see attach referral for rezoning of 2 properties located at 11237 West Coast Road from Forestry to Rural Commercial Recreation (Campground). The landowner proposes to develop 39 cabins; 84 campsites; staff accommodation; office and reception space combined with a convenience store and a caretaker dwelling unit; assembly uses; and accessory and utility buildings.

Please contact Wendy Miller, wmiller@crd.bc.ca if you have any concerns.



Elaine Mann | Property Coordinator, Property Rights Services

BC Hydro
Vancouver Island
400 Madsen Road | Nanaimo, BC V9R 5M3

P 250-755-7169
E elaine.mann@bchydro.com

bchydro.com

Smart about power in all we do.

From: Wendy Miller <wmiller@crd.bc.ca>
Sent: 2023, January 20 11:35 AM
To: Mann, Elaine <Elaine.Mann@bchydro.com>
Subject: [External] Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)

Security Risk Assessment: HIGH

The email is from <wmiller@crd.bc.ca> with a friendly name of Wendy Miller <wmiller@crd.bc.ca>

DO NOT click on links or open attachments unless you trust the sender and are expecting the link or attachment.

From: [Lauren Mattiussi](#)
To: [Wendy Miller](#)
Cc: [Planning](#); [Matthew Pawlow](#)
Subject: RE: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)
Date: Friday, January 20, 2023 2:20:39 PM

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good Afternoon Wendy,

District of Sooke has no concerns with this zoning amendment.

Best,
Lauren

From: [Partridge, Erin FOR:EX](#)
To: [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)
Date: Tuesday, March 21, 2023 10:10:18 AM
Attachments: [image001.png](#)

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good morning Wendy,

Thank you for your archaeological information request regarding 11237 West Coast Road, Shirley BC, PID 024937207, LOT A SECTION 74 RENFREW DISTRICT PLAN VIP71883. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your information request.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, given the property's waterfront location, there is high potential for previously unidentified archaeological sites to exist on the property.

Archaeology Branch Advice

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned on the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

If there are no plans for land-altering activities on the property, no action needs to be taken at this time.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist on the property.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.

- If a permit is required, be advised that the permit application and issuance process takes approximately 15 to 35 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories. Please note, the Archaeology Branch cannot provide specific recommendations for consultants or cost estimates for archaeological assessments. Please contact an eligible consulting archaeologist to obtain a quote.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Best wishes,
Erin



Please note that subject lot boundaries (yellow) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change. Archaeological site boundaries may not be identical to actual site extent.

Erin Partridge (They/Them/She/Her)
Archaeological Information Administrator
Archaeology Branch | Ministry of Forests
Email: Erin.Partridge@gov.bc.ca
441 Columbia Street, Kamloops BC, V2C 6K4

RESPONSE SUMMARY – REZONING APPLICATION RZ000280

☒ Interest Affected by Proposal for Reasons Outlined Below

☐ Interest Unaffected by Proposal

Comments:

Proposed stream crossings in this plan will require application(s) to be submitted through
Front Counter BC for Water Sustainability Act Section 11 "changes in and about a stream"
For review and conditional authorization, if granted, by a South Island Natural Resource
District water officer.

Signed	Resource Manager
	Title
Date	Ministry of Forests, South Island District
	Agency

Response from the Ministry of Water, Land and Resource Stewardship, Land Use Policy, Planning and Ecosystem Division, West Coast Region – February 17, 2023

Thank you for the opportunity to comment on this referral for rezoning application RZ000280 encompassing:

- Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road; PID: 024-937-207; and
- That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW; PID: 009-590-412

The following legislation, policy and guidance documents were considered in this review:

- BC Riparian Areas Protection Regulation (RAPR) and the associated [Technical Assessment Manual](#)
- BC *Water Sustainability Act* and associated [User Guide for Changes In and About a Stream](#)
- BC *Wildlife Act*
- [Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia](#)
- [Guidelines for Amphibian and Reptile Conservation during Urban and Rural Land Development in British Columbia \(2014\)](#)
- Canada's *Species at Risk Act*
- Canada's *Migratory Bird Convention Act*
- Canada's *Fisheries Act*
- [Guidelines to avoid harm to migratory birds - Canada.ca](#)

A RAPR assessment report for the project was submitted to the provincial Riparian Areas Regulation Notification System dated May 20, 2022 and is currently in que for review by the Provincial RAPR team. The information provided in this referral document does not constitute a review of the RAPR assessment. Instead, a notification is sent to the local government when the RAPR assessment has been reviewed. As per RAPR, local governments cannot issue a development permit until notification has been received that the assessment was approved.

We recommend adhering to the environmental protection measures described in the environmental assessment as well as any additional measures from the approved RAPR assessment. An Environmental Monitor should be retained for construction and should be a Registered Professional Biologist (RPBio) in good standing with the College of Applied Biology. The environmental monitor can advise implementation of the environmental protection measures to prevent contravening applicable legislation and policy described above.

To mitigate the loss of wildlife habitat associated with construction of the project we recommend creating habitats for wildlife by replanting native shrubs and trees as soon as possible following construction and installing nest boxes for birds and bats in appropriate locations as advised by the environmental monitor.

To mitigate potential human-wildlife conflict during operation of the project we recommend employing best practices to avoid habituating wildlife. Under the BC *Wildlife Act* it is an offence to improperly manage attractants, such as garbage, leaving them accessible to dangerous wildlife (coyotes, wolves,

cougars, and bears). Further information on how to avoid human-wildlife conflicts can be found here:
<https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-3.pdf>

If you require further information, please do not hesitate to contact us.

RESPONSE SUMMARY – REZONING APPLICATION RZ000280

- ☒ Interest Affected by Proposal for Reasons Outlined Below
☐ Interest Unaffected by Proposal

Comments:

Thank you for reaching out for comment.

Any construction of a sewage system must be done in accordance with the BC Sewerage System Regulation. This includes submitting filings to Island Health by an Authorized Person.

If the property is not supplied by a municipal water source then any connections, other than to a single family dwelling, is considered to be a drinking water system. Before any construction can be done on a drinking water system, a construction permit or construction permit waiver is required. Also, a permit from Island Health is required to operate a drinking water system.

If there is any food production or food sales taking place then approval and/or a permit will be required from Island Health. This is governed under the Food Premises Regulation.

Signed	Environmental Health Officer
February 17, 2023	Island Health
Date	Agency

RESPONSE SUMMARY – REZONING APPLICATION RZ000280

☐ Interest Affected by Proposal for Reasons Outlined Below

☒ Interest Unaffected by Proposal

Comments:

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral to rezone the subject properties from the Forestry (AF) zone to the Rural Commercial Recreation (Campground) (CR-2) zone. The proposal does not fall within Section 52 of the Transportation Act and will not require formal Ministry approval and signature. The Ministry has no objections to the proposed rezoning, however the applicant will be required to apply for commercial access to West Coast Road. Applications can be submitted online here: <https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/permits>



Senior Development Officer

Signed

Title

February 2, 2023

Ministry of Transportation and Infrastructure

Date

Agency



From: Kristine Pearson <referrals@pacheedaht.ca>
Sent: Tuesday, March 28, 2023 8:54 PM
To: Darren Lucas <DLucas@crd.bc.ca>; Iain Lawrence <ilawrence@crd.bc.ca>
Subject: PFN Response on RZ000280

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello Darren and Iain,

PFN for taking the time to meet on this referral and to set up the meeting with the applicant. We would like to offer the following considerations moving forward:

- Pacheedaht holds exclusive rights and title in this area, and it would be critical to be fully engaged in this type of land use being proposed.
- The applicant has included the commercial aspect of assembly, and given our experience in Port Renfrew, this has been problematic. There is indication that the applicant would be working with Pacheedaht, but assembly as a use would need to be better understood.
- The demand for camping opportunities in Jordan River area is significant and fully recognized by PFN. The Nation is currently seeking to advance these opportunities, and play a significant role in ecotourism and commercial development in the area.
- There is also a critical need for long term residences as preferred options to build the community in Jordan River and build the base population to allocate the services that have been lost due to the BC Hydro buy out. This application does not contemplate supporting this need.
- The water course that runs through the property was utilized and managed by PFN through out time, and was relied on for several species of fish. Therefore there are concerns about impacts to the creek, and also concerns about fire safety with limited resources.
- It is important to understand the vision as related to the CRD park lands located in proximity and how this influx of visitation would be managed.

Again, thank you for your patience and happy to work through any of these points as the application moves forward.

Kristine

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2154 Lazzar Road, Sooke B.C., V9Z 1G1
Ph.: 250-642-3957 Fax: 250-642-7808

8 May 2023

Re: 11237 West Coast Road Zoning Amendment Application

File: RZ000280

Attention: Darren Lucas

Dear: Darren

Thank you for submitting information about the zoning amendment application to T'Sou-ke Nation. We have completed a desktop review of the materials provided and conducted two field visits, the first between forestry and environment, lands, and guardian staff and CRD, and a second field visit with T'Sou-ke Nation leadership, lands, and the property owner. The letter provides information from each stage of our review with several conclusions.

T'Sou-ke Nation does not have confidence in this proposal. There are several requirements the owner should be required to undertake.

Desktop Review

T'Sou-ke Nation is also concerned about garbage accumulations and how garbage will be minimized and controlled at the campsite and beach. Further information is required to determine how garbage will be controlled.

The streams are not fish-bearing according to Habitat Wizard. However, this does mean they do not contain fish. Streams should be assessed, stream slopes, the presence/absence of barriers to fish recorded, and then mitigations applied if streams are determined to be fish bearing. The RAPR report was not available during the review; riparian areas should be preserved in accordance with the *Riparian Areas Regulation* and the Sensitive Ecosystem DPA.

Whether or not streams contain fish, they lead to the ocean or to fish-bearing creeks. Therefore, stream crossings should be built to provincial standards to mitigate the transportation of sediment into the streams within the campsite. There is little evidence about during peak flows with high water volumes and how impacts will be mitigated. The owner needs to consult a forest hydrologist to determine how their plans may impact streams and the organisms within them.

The campground and other areas should be monitored for species at risk and wildlife. In particular bat boxes could be located throughout the campground to provide additional roosting spots. Also, if bear dens are found on site they should be protected.

The maps provided look like the owners intend to apply for or already have a water use permit in place. This needs to be acquired prior to drawing water from the streams in the property.

Field Visit #1:

During the field visit we were told that the owner will preserve as much of the forest as possible and will space out the trees rather than remove all the trees. T'Sou-ke Nation is not in favour of land area clearing as it will likely have an impact on overland waterflow and would transport sediment into streams. It would also leave the ground open to encroachment of invasive plants.

T'Sou-ke Nation is concerned about access to a portion of the beach that may contain shell midden. These areas should be fenced or otherwise protected to prevent impacts to the midden occurring from residents of the campsite.

If not already done, a preliminary field reconnaissance for archaeology should be completed. Not all archaeological resources have been determined nor recorded in provincial datasets. The preliminary field reconnaissance can be done to determine the presence/absence of archaeological values on site.

Field Visit #2

Our biggest concern is the overall strategy – T'Sou-ke Nation needs to see long term plans. The owner should have a management plan for the site and a business plan to forecast the number of required users.

T'Sou-ke Nation representatives questioned whether the owners would consider installing pit toilets; the owner had stated he wants to have steel drums inserted into the ground for the facilities and black water management. The owner said people can urinate on rocks on the ground. These proposed effluent management measures are illegal. The owner should be required to construct facilities in accordance with the provincial *Environmental Management Act*. Furthermore, the facilities are required to be designed and installed by a Registered Onsite Wastewater Practitioner.

T'Sou-ke Nation identified further environmental concerns during the field visit. The trees need more spacing, there are known elk herds near the property.

Conclusion

T'Sou-ke Nation remains concerned about this application and does not approve the transfer of the land from the forestry zone to rural commercial recreation. There remain too many issues:

- Garbage control: a plan needs to be written to demonstrate how garbage will be controlled.
- The owner needs to provide proof of water permit to extract water from the streams. T'Sou-ke Nation needs separate consultation on water withdrawals

- A preliminary field reconnaissance needs to be conducted to determine the presence of unrecorded archaeological values on the site:
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/assessments-studies/preliminary-reconnaissance>
- If the preliminary field reconnaissance recommends an archaeological impact assessment, this must be undertaken. T'Sou-ke Nation can recommend archaeologists if needed.
- Fisheries and water management: a hydrologist needs to be consulted on the plan.
- Professionally designed toilet facilities need to be installed and the consequences of not doing so made clear to the owner.
- The trees need to be thinned to allow elk to use the site, and a plan created to mitigate impacts from human-wildlife interactions.
- A long-term plan for the site is required. T'Sou-ke Nation needs to know future plans for expansion, how the site will be managed, and the number of people expected (in terms of severity of impacts).

Please contact our office if you have any questions or concerns:
landsmanager@tsoukenation.com or 250-634-4050.

Thank you.

Sincerely,



Sam Coggins
A/Lands Manager, T'Sou-ke Nation

Cc:

Michelle Thut; Administrator, T'Sou-ke Nation
Larry Underwood, Forestry and Environment, T'Sou-ke Nation

From: [Mike Taylor](#)
To: [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)
Date: Wednesday, February 22, 2023 9:01:27 PM

Hello, Wendy. I am sorry this is late. I spoke with Iain today and he advised that a response could still be provided. Comments on behalf of the Building Inspection Dept. are as follows.

-Building Permits will be required for each of the proposed buildings, demonstrating complete compliance with the BC Building Code.

-Building Permit information must include a complete review of spatial separation to demonstrate that each building is placed, as required by the Code, to prevent fire spread from one building to the next.

Please contact me if additional information is required.

Mike

Michael Taylor

Manager and Chief Building Inspector
Capital Regional District T: 250.360.3291
Email: mtaylor@crd.bc.ca

From: [Mark Groulx](#)
To: [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)
Date: Tuesday, February 14, 2023 1:30:57 PM

Hi Wendy,

Negative, I did some checking on GIS, no comments.

thanx

Mark Groulx | Chief Bylaw Officer
Bylaw and Animal Care Services | Capital Regional District
212-2780 Veterans Memorial Parkway, Victoria BC V9B 3S6
T: 250.474.3351 | F : 250.391.9727
mgroulx@crd.bc.ca

From: [Wendy Miller](#)
To: [Wendy Miller](#)
Subject: FW: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)
Date: Thursday, February 16, 2023 2:19:23 PM

From: Shauna Huculak <SHuculak@crd.bc.ca>
Sent: Thursday, February 16, 2023 8:48 AM
To: Wendy Miller <wmiller@crd.bc.ca>
Cc: Sandra Allen <SAllen@crd.bc.ca>; Caitlyn Vernon <CVernon@crd.bc.ca>
Subject: RE: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)

Hi Wendy,

A review of the Provincial Heritage Register (16-Feb-2023) indicates that there are no registered Heritage Conservation Act (HCA) protected archaeological site within the Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley) footprint, the application area is characterized by numerous hydrological and topographic features commonly associated with archaeological sites in the general area (e.g., locations near streams, shorelines). It is recommended that an archaeological assessment be undertaken to address potential impacts to as yet identified archaeological sites that may be present in the development area prior to ground disturbance. The applicant is reminded that that all archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the HCA (S.13). Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. The HCA does not distinguish between those archaeological sites which are "intact," (i.e., those sites which are in a pristine, or undisturbed state) and those which are "disturbed" (i.e., those sites which have been subject to alteration, permitted or otherwise). All archaeological sites, regardless of condition, are protected by the HCA, as described above. HCA-protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests).

If you have any questions pls let me know.

shauna



TO: Darren Lucas, Planner, Juan de Fuca Local Area Services

FROM: Jonathan Reimer, Manager, Electoral Area Fire and Emergency Programs

DATE: February 10, 2023

SUBJECT: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)

Thank you for your referral requesting Protective Services' comment on hazards information for the above proposal. Recommendations were drafted in collaboration with the Juan de Fuca Emergency Program and Shirley Volunteer Fire Department. These are intended to assist the Land Use Planning Committee while considering the rezoning proposal.

- **Is this property within a Fire Protection Area?**

Yes, this property is located within the Shirley Fire Protection Area. Note that the property is 9kms from the Fire Hall, which is considered 'unprotected' by Fire Underwriters Survey standards and may impact the developer's ability to procure fire insurance.

- **Are structural fire protection safety measures recommended?**

Yes, protective measures should be addressed during the development or building permit process. CRD Protective Services recommends that the applicant, when applying for a development or building permit, be required to provide a report by a Qualified Professional that confirms that any proposed development provides (1) satisfactory access to emergency vehicles, and (2) meets National Fire Protections Association Standards 1142: Water Supplies for Suburban and Rural Fire Fighting, or an equivalent protection level.

- **What is the wildfire hazard?**

The proponent has proactively provided a professional assessment listing wildfire hazard as **High**.

- **Are wildfire safety measures recommended?**

Yes. Development applications should include a report from a registered professional addressing the management of ignition sources, the storage of flammables and combustibles, road access, on-site wildfire mitigation capabilities (equipment and trained staff) intended to provide early intervention for accidental fires, including but not limited to, runaway campfires.

- **What is the tsunami hazard?**

Some lower elevation areas of the property **are within** the Tsunami Hazard zone. The tsunami risk is from local source tsunamis, which will be preceded by strong shaking. There is little to no risk from distant tsunamis. A map of the tsunami hazard zone can be found at <http://maps.prepareyourself.ca>

PS Development Hazard Memo

- **Are tsunami safety measures recommended?**

Yes, this development should follow best practices on tsunami safety, including distributing information on tsunami risk and identifying safe assembly areas outside of the hazard zone.

The Land Use Planning committee may consider restricting the types of improvements that can be built within the tsunami hazard zone. In considering development approvals in areas subject to tsunamis, the Province of BC recommends: "building conditions should protect improvements from damage from a tsunami of [...] a possible Cascadia Subduction Zone earthquake" (Flood Hazard Area Land Use Management Guidelines 3.5.6)

- **What other hazards should be considered?**

Local hazards identified by the Juan de Fuca Emergency Program include severe wind and rainstorms, earthquakes and liquefaction, flooding, extreme heat, and land subsidence.

- **What other hazard mitigation measures are recommended?**

The Emergency Program recommends that the developer prepare an emergency plan appropriate to the hazard exposure and land use and make that plan available for review upon request.

Respectfully,

Jonathan Reimer
Manager, Electoral Area Emergency Programs
Protective Services
Capital Regional District

CRD Regional Parks – Referral Response

Started March 3, 2023/Finalized May 10, 2023

SUBJECT: Zoning Bylaw Amendment Application for Two Properties Located at 11237 West Coast Road – described as:

- **Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road; PID: 024-937-207; and**
- **That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW; PID: 009-590-412**

ISSUE SUMMARY

The landowner has applied to rezone the subject properties from the Forestry (AF) zone to the Rural Commercial Recreation (Campground) (CR-2) zone with amendments.

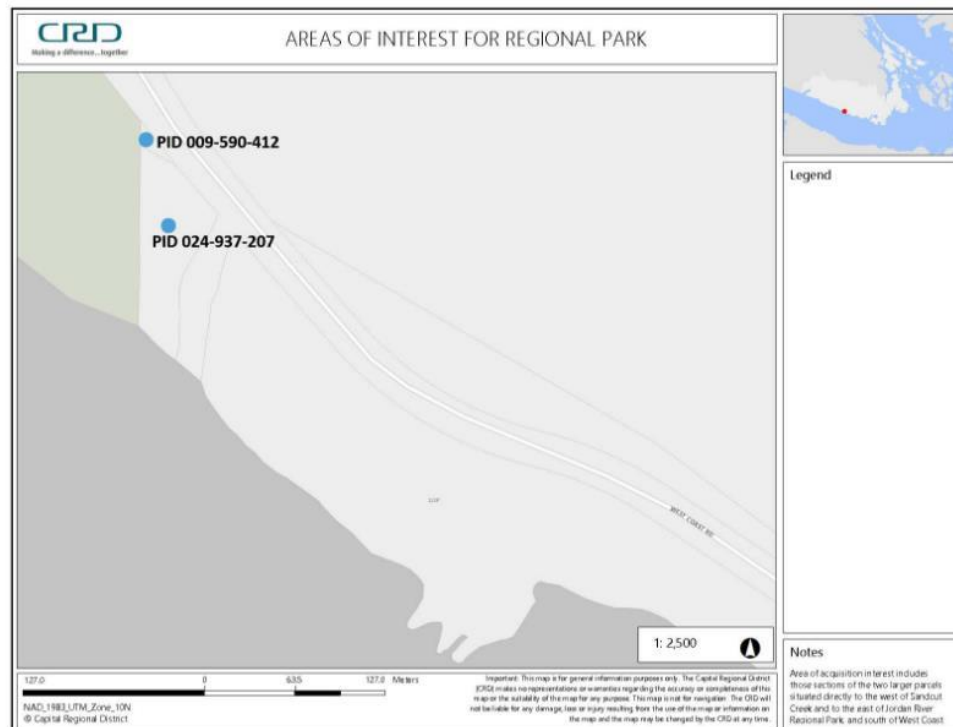
Comments:

- The CRD Regional Parks and Trails Strategic Plan 2022-2032 supports the provision of outdoor recreation opportunities that *connects us to each other and immerses us in nature*, as well leadership in conservation and stewardship that *restore[s] and enhance[s] the region’s cultural heritage, biodiversity, and rare and unique ecosystems*.
- The proposed development is adjacent to Sandcut Beach, which is at the southeast end of Jordan River Regional Park and a popular destination within the area (avg. 33,400 visitors over the past five years).
- No management plan has been prepared for Jordan River Regional Park as it is a relatively new park (acquired in 2010), subsequently, existing site conditions and future management direction has yet to be fully understood/established.
- Sandcut Creek is outside of the Regional Park and within the proposed development lands, but the creek forms a waterfall which cascades over eroded sandstone cliffs and onto Sandcut Beach, which is a main attraction for visitors to the park.
- Regional Parks is interested in maintaining an adequate buffer between Jordan River Regional Park and the proposed development to ensure park values are preserved.
- The development of multiple cabins above a portion of Sandcut Creek and Sandcut Beach that are visible from the Sandcut Beach may negatively impact the experience of visitors to the park by degrading the natural esthetic value of the area. We are interested in knowing more about the site layout and how the developer intends to mitigate any visual impacts from the cabins on the experience of viewing the waterfall at Sandcut Beach.
- No information has been provided on proposed tree retention/removal adjacent to the park. We would like to see an expanded 50-meter vegetated buffer along the applicant’s property and CRD lands north and south of West Coast Road.
- We recommend ensuring there are adequate setbacks from the proposed development, and that natural trees and vegetation are preserved around the park boundary, Sandcut Creek, and Sandcut Beach to preserve the natural character of the area.
- Regional Parks supports the implementation of the Recommended Environmental Protection Measures within the Environmental Assessment report prepared by Corvidae consulting, dated May 2022.

CRD Regional Parks – Referral Response

Started March 3, 2023/Finalized May 10, 2023

- Regional Parks is interested in pursuing a coordinated approach to managing any emerging traffic, parking, cultural, environmental and/or visitor use impacts that could result from this development. However, in principle, Regional Parks supports the zoning amendment application for its economic benefit to tourism and recreation in the Shirley-Jordan River area.
- In principle, Regional Parks supports the development of pedestrian and bike friendly trails to improve connectivity between Jordan River Regional Park and lands beyond the park boundary. Such trails should support the Regional Park's strategic priorities around active transportation, accessibility and climate change. Regional Parks would primarily seek to coordinate trail connectivity projects with the JdFEA, and through a park management planning process.
- Regional Parks is interested in a possible acquisition of the small sections of PID 009-590-412 and PID 024-937-207 that are situated west of Sandcut Creek, east of Jordan River Regional Park, and south of West Coast Road, to add to Jordan River Regional Park (see map below), should such a possibility arise during or after the rezoning process.



15 February 2023

Re: ZONING AMENDMENT APPLICATION RZ000280 – 11237 WEST COAST ROAD

Page 1

Memorandum



TO: Darren Lucas, Planner, Juan de Fuca Local Area Services

FROM: Emily Sinclair, Senior Manager, Regional and Strategic Planning

DATE: February 15, 2023

SUBJECT: ZONING AMENDMENT APPLICATION RZ000280 – 11237 WEST COAST ROAD

Thank you for the opportunity to respond with respect to Bylaw No. 4518, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 158, 2022".

Per the Juan de Fuca Development Application Consistency Policy, the Capital Region District (CRD) Board reviews Official Community Plan (OCP) amendments for Regional Growth Strategy (RGS) consistency. As this is an amendment of the zoning bylaw, a consistency review by the full CRD Board is not required at this time.

Upon staff-level review of the proposed zoning amendment and the supporting documentation, Regional and Strategic Planning (RSP) staff of the CRD finds that:

- The parcel is within the Renewable Resource Lands Policy Area (RRLPA) of the RGS.
- Both the Coastal Uplands zone and the Rural Commercial Recreation (Campground) Zone (CR-2 zone) in the Shirley-Jordan River zoning bylaw are aligned with the RGS designation of RRLPA.
- Policy 5.4 of the RGS provides for low-impact tourism and recreation land uses within parts of the RRLPA that are Private Managed Forests, Crown lands, and other forest lands.
- Communities have the ability to define low-impact uses through tools such as OCPs and zoning bylaws.

RSP staff concur with the findings of the staff report to the Juan de Fuca Land Use Committee (January 17, 2023), that the proposed zoning bylaw amendment is consistent with the Shirley-Jordan River OCP. As noted above, this application does not require RGS consistency review by the CRD Board.

Respectfully,

A handwritten signature in black ink, appearing to read 'Emily Sinclair', is placed above the printed name and title.

Emily Sinclair, MCIP, RPP

Senior Manager, Regional and Strategic Planning
Capital Region District

**Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
January 24, 2023**

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- mountain biking continues to grow in popularity with people travelling to Malahat, Duncan, North Cowichan, Nanaimo and Cumberland to enjoy trail riding, bringing revenue into the communities
- SIMBS is working with Sooke Bike Club to advocate for more trail riding in the Juan de Fuca
- CRD Regional Parks' acquisition focus is conservation
- the Juan de Fuca has opportunity to support greater trail riding
- SIMBS has the expertise to assist with trail building/design
- SIMBS wishes to see mountain bike trail targets and related resources incorporated into the Juan de Fuca Community Parks and Recreation Strategic Plan

b) Sooke Bike Club

Ethan Wigley, President, stated:

- Sooke Bike Club (SBC) maintains trails at Harbour View, Sea to Sea Regional Park, through an agreement with the CRD
- SBC has returned two trails to working condition at Harbour View
- SBC wishes to add its voice to the efforts to increase mountain biking opportunities in the Juan de Fuca

c) Sooke to Port Renfrew Tourism Association

Daniel Baker, Incoming President, stated:

- wishes to build relationships to support tourism
- mountain bike tourism continues to grow
- there is opportunity to invest in and develop mountain biking tourism

d) Juan de Fuca Community Planning - Zoning Amendment Application RZ000280 – Lot A Section 74 Renfrew District Plan VIP71883 (11237 West Coast Road) and That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW

Darren Lucas spoke to the staff memo to the Commission regarding the application to rezone the subject properties from the Forestry (AF) zone to an amended Rural Commercial Recreation (Campground) (CR-2) zone. It was advised that the provision of park land or payment for parks purposes is not a requirement for bylaw amendment (rezoning) applications; however, consistency with a community's Official Community Plan (OCP) is required in the evaluation of these applications.

Darren Lucas directed attention to the location and context map and policy statements for parks and trails as provided by the Shirley-Jordan River OCP, Bylaw No. 4001.

Commission comments included:

- subject properties are adjacent to Sandcut Beach, Jordan River Regional Park
- Sandcut Beach is a high usage park
- the parking lot at Sandcut Beach is regularly at capacity resulting in visitors parking on the road right-of-way
- parking lot and road right-of-way is an area of traffic congestion which is a safety concern
- community is in need of tourist facilities
- rezoning proposal would provide tourist facilities while supporting opportunity for onsite trails, expanding opportunity for trail connectivity along West Coast Road and or into adjacent properties including the Sandcut Beach trail network
- other communities have provided safe walking routes by providing trails adjacent to major roads that demonstrates options for further consideration

PREC-227576723-725

**Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
January 24, 2023**

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- properties were the subject of a previous subdivision (S-01-11), which was subsequently cancelled
- at the time that the previous subdivision was under review, a water access at the boundary Jordan River Park and Sandcut Creek was considered

MOVED by Commissioner McKay, **SECONDED** by Commissioner Sloan that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommends to the Juan de Fuca Land Use Committee:

1. That the Commission supports zoning amendment application RZ000280 as the proposal would provide economic benefit to tourism and recreation in the Shirley – Jordan River area;
2. That the Commission recognizes that additional visitors require additional trails and accesses by residents and visitors alike;
3. That, with this application, the Commission recommends expansion of the trail network to existing trails and future trails for connectivity; and
4. That the Commission supports the expansion of Jordan River Park to its natural boundary on the south-east boundary of Sandcut Creek.

CARRIED

7. Commissioner Reports

East Sooke – Seagirt Ponds

A Commissioner reported that the Seagirt Ponds Preservation Society held its annual general meeting on December 2 and that the Society is endeavouring to resurrect its regular guest speaker program.

Don Closson requested that the Society limit its holly management to pruning.

Willis Point/Malahat

The Chair received comment regarding the quarry project in Bamberton and requested that comments be directed to Director Wickheim.

8. Staff Reports

a) Staff News

Don Closson provided an overview of the report. Discussion ensued regarding the following items:

Priest Cabin Access

- invitation to submit a quote for mini-excavator services for trail construction has been issued
- reports of downed trees on the cabin have been received
- the cabin was not overly damaged by the downed trees

Kemp Lake Fishing Dock – Chubb Road Location

- approval has been granted to proceed with direct award of the contract for the dock purchase and install
- the Ministry of Transportation and Infrastructure (MoTI) has approved the parking plan



**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission
Held February 7, 2023, at the Shirley Community Hall, 2795 Sheringham Point Road,
Shirley, BC**

PRESENT: Fiona McDannold (Chair), Emily Anderson, Vivi Curutchet, Melody Kimmel
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services;
Darren Lucas, Planner; Wendy Miller, Recorder
PUBLIC: Approximately 59

The meeting was called to order at 7:00 pm.

Iain Lawrence provided a Territorial Acknowledgement.

1. Elections

Iain Lawrence called for nominations for the position of Chair of the Shirley-Jordan River Advisory Planning Commission (APC) for 2023 and Fiona McDannold's name was put forward. Iain Lawrence called two further times for nominations and, as there were none, Fiona McDannold was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the Shirley-Jordan River APC for 2023 and Melody Kimmel's name was put forward. The Chair called two further times for nominations and, as there were none, Melody Kimmel was acclaimed Vice Chair.

2. Approval of the Agenda

MOVED by Melody Kimmel, **SECONDED** by Emily Anderson that the agenda be approved.
CARRIED

3. Approval of the Supplementary Agenda

MOVED by Vivi Curutchet, **SECONDED** by Emily Anderson that the supplementary agenda be approved.
CARRIED

4. Adoption of the Minutes of November 15, 2022

MOVED by Melody Kimmel, **SECONDED** by Vivi Curutchet that the minutes of November 15, 2023, be adopted.
CARRIED

5. Planner's Report

No report.

6. Zoning Amendment Application

- a) **RZ000280 – Lot A Section 74 Renfrew District Plan VIP71883 (11237 West Coast Road) and That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW**

Darren Lucas spoke to the staff report for the application to rezone the subject properties from the Forestry (AF) zone to the Rural Commercial Recreation (Campground) (CR-2) zone with amendments for the purpose of permitting 39 cabins; 84 campsites; staff

**Shirley-Jordan River Advisory Planning Commission Meeting Minutes
February 7, 2023**

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accommodation; office and reception space combined with a convenience store and a caretaker dwelling unit; assembly uses; and accessory and utility buildings.

Staff confirmed that the applicant was present.

Iain Lawrence reported that agency comments and comments from this evening's meeting will be returned to the LUC. When the proposal returns to the LUC, the LUC will consider recommending to the CRD Board whether Bylaw No. 4518 should receive first and second reading and direction to proceed to public hearing. Should the proposal proceed to public hearing, the CRD Board will consider giving Bylaw No. 4518 third reading and adopting Bylaw No. 4518, which would rezone the subject properties.

Jen Ferris, Shirley

- questioned the long-term vision for the property

Iain Lawrence stated that:

- the applicant's concept plan currently reflects 39 cabins and 84 campsites
- proposed Bylaw No. 4518 would permit 30 cabins per parcel or one tourist cabin per 0.5 ha; whichever is less
- proposed Bylaw No. 4518 would permit 100 camping spaces per parcel or one campsite per 0.5 ha; whichever is less
- the Environmental Assessment distributed with the staff report reflects a zone (Intensive Commercial Recreation Zone) initially considered by applicant which has since been amended

Claire Denesovych, Shirley

- more details regarding the proposal are required as adequate information was not provided in advance of the meeting
- concerned about impact on traffic, riparian areas and wildlife and about the long-term density permitted by the proposed bylaw as well as the assembly use/event scale proposed by the applicant
- proposal is not in keeping with the policies of the Official Community Plan (OCP) and would change the character of the community

James Powell, Shirley

- concerned that RV trailers will become permanent homes
- concerned about impact on water resources

Malcolm Taylor, Shirley

- cited OCP sections related to the scale of low-impact tourism supported by the OCP
- the OCP does not anticipate or support the applicant's proposal as the OCP does not support recreational vehicle parks and destination resorts
- should rezoning be supported, the CR-2 zoning would apply to the land and zoning would not change if there was a change in ownership

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Jeff Head, Shirley

- stated concern regarding the proposal's impact on the aquifer, adjacent wells and Sandcut and Rockbottom Creeks as no information has been provided regarding anticipated water use or if rainwater capture is planned
- Shirley Volunteer Fire Department has limited resources and no information has been provided regarding evacuation plans in the event of an earthquake or wildfire
- concerned regarding the scale of proposed assembly use

Trevor Churcher, Shirley

- questioned if the proposal will impact beach accesses

Dale Williams, Shirley

- supports the proposal as it will provide benefit to the community
- campground use will not have a large draw on water resources
- there is demand for campgrounds and a shortage of camping accommodations

John Russell, Shirley

- too much has been proposed too quickly
- the current housing crisis will put pressure on the subject properties to be used for permanent housing

Member of the public, Jordan River

- China Beach campground is being expanded
- Jordan River is not within a fire protection service area

Brent Cann, Shirley

- questioned what makes the development an eco-resort

Member of the public

- proposal will allow people who are not fortunate enough to live in the community to visit the community, exposing families with children to nature
- proposed bylaw reflects the long-term development scale

Jay Evans, Shirley

- not opposed to a campsite development
- proposal is not specific enough and needs to be refined and returned to the community for consideration

Member of the public, Shirley

- proposal should be downsized and considered over a five-year pilot period
- proposal will have a huge impact on the community
- everyone is concerned about water

Member of the public, Shirley

- French Beach campground has staff on site
- stated concern regarding how clients of the proposed campground will be monitored
- Shirley Volunteer Fire Department has limited resources

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Jill Foweraker, Shirley

- questioned length of stay
- stated concern regarding the scale of events proposed by the applicant, noting that the Shirley Community Hall has had issue with the scale of previous events

Matt Fox, Shirley

- supports the proposal as the proposal will provide benefit to the community
- looks forward to welcoming visitors to the community
- water is a community concern but such concerns can be addressed through the rezoning process

Robert Gardener, Shirley

- in addition to camping and tourist cabins, zoning proposes a convenience store, staff accommodation, and caretaker units
- proposal is not small scale
- rezoning would be precedent setting

Member of the public, Shirley

- questioned the level of staffing and if staff will be controlling entry and providing security/monitoring

Adam Pratt, Jordan River

- not opposed to camping tourism but has concerns regarding the scope/scale of the proposal
- questioned how the community will benefit from the proposal
- questioned if the applicant will be hiring locals

Brian Einarson, Shirley (Chair of the Shirley Fire Protection and Emergency Service Commission)

- questioned the onsite person capacity and fire suppression measures
- directed attention to the questions raised in Gerard LeBlanc's letter, as circulated in the supplementary agenda

Eric Albert, Shirley

- lives locally and is employed by the applicant
- a percentage of sales was taken as a donation for the Shirley Volunteer Fire Department at a recent music event

Patrick Saul, Shirley

- increased tourism has resulted in increased visitations and parking demand at Fishboat Bay and Sandcut Beach

Member of the public

- not in support due to impact on the tranquility of the community and volunteer-based services.

Don Landberg, Shirley

- stated support for subsequent meetings being held in the community

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Member of the public

- commented that China Beach campground is being expanded

Member of the public

- concerned that the proposal will result in more people walking along Sandcut Creek, negatively impacting the watercourse

The applicant stated that:

- proposed zoning reflects long-term plan to operate a year-round campground with short-term cabins
- the proposal is in keeping with an eco-resort in its design, space separation, retention of nature, low water usage, and limited paving and foundations
- properties will be fully staffed/patrolled and events would be organized and insured

Staff responded to questions from the public advising that:

- application has been referred to numerous agencies including CRD Protective Services/Juan de Fuca Emergency Program, Ministry of Forests – Water Protection, BC Wildfire and Pacheedaht First Nation
- agency and First Nation comments would be included in the staff report returned to the LUC
- at this time, there are no other active rezoning applications for lands in Shirley

APC discussion ensued regarding OCP policies related to low-impact tourism, public feedback and overall impact of the proposal on the community, should the subject properties be rezoned.

MOVED by Melody Kimmel, **SECONDED** by Vivi Curutchet that the Shirley-Jordan River Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that that the Advisory Planning Commission does not support the proposal in its current form and that the proposal return to the Advisory Planning Commission at a smaller scale and with the assembly uses more clearly specified and that the applicant address the concerns expressed by the community.

CARRIED

7. Adjournment

The meeting adjourned at 9:33 pm.

Chair



Making a difference...together

REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, AUGUST 20, 2024

SUBJECT Temporary Use Permit Application for Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road; PID: 024-937-207; and That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW; PID: 009-590-412

ISSUE SUMMARY

To consider referral of a temporary use permit application to authorize a *gathering space* use for a proposed campground being considered under application RZ000280 and Bylaw No. 4518.

BACKGROUND

The 78.11 ha subject area is comprised of two parcels including a 7.7 ha waterfront parcel and a 70.4 ha upland parcel, currently classified as Private Managed Forest Land (PMFL). The subject properties are located on the north and south sides of West Coast Road, adjacent to the eastern boundary of Jordan River Regional Park – Sandcut Beach (Appendix A). The parcels are zoned Forestry (AF) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, and adjoin AF zoned lands to the east and west, and Resource Land (RL) zoned land to the north. The subject lands are designated Coastal Upland (CU) in the Shirley-Jordan River Official Community Plan (OCP), Bylaw No. 4001. Portions of the property are located in Steep Slopes, Sensitive Ecosystem, and Riparian development permit areas.

The landowner has submitted an application for a Temporary Use Permit (TUP) to authorize *gathering space* as a permitted use to provide a venue for outdoor events within the commercial campground proposed in Bylaw No. 4518.

Bylaw No. 4518 originally proposed to rezone the subject properties from AF to Rural Commercial Recreation (Campground) (CR-2) with amendments, including *assembly use* to allow outdoor commercial events. At its January 17, 2023, meeting, the Juan de Fuca Land Use Committee (LUC) recommended referral of Bylaw No. 4518 to various agencies including the Shirley-Jordan River Advisory Planning Commission (APC) for comment. At its February 7, 2023, meeting, the APC recommended that the proposed *assembly use* should be more clearly specified and address community concerns such as overall impact on the community related to the scale of events, parking availability and noise, among other things (Appendix B).

In response to the comments received, the landowner revised the proposal for Bylaw No. 4518 to remove *assembly use*. The landowner is now proposing a *gathering space* use specified and regulated under a temporary use permit.

As proposed, the permit would authorize a total of 16 events per calendar year to occur between the hours of 12:00 pm and 12 am (noon to midnight) for commercial artistic and cultural endeavors, as well as food and beverage services in two potential locations (Appendix C). Staff have prepared Temporary Use Permit TP000013 for consideration (Appendix D).

ALTERNATIVES

Alternative 1:

That staff be directed to refer Temporary Use Permit TP000013 to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments and the following external agencies for comment:

Pacheedaht First Nation

T-Sou-ke First Nation

Island Health

Ministry of Transportation & Infrastructure

RCMP

And that all comments received be returned to the CRD Board for consideration of approval of the Permit.

Alternative 2:

That Temporary Use Permit application TP000013 not be referred and the application be denied.

IMPLICATIONS

Legislative

Section 492 of the *Local Government Act (LGA)* enables a local government to designate areas where temporary uses may be allowed and to specify general conditions regarding the issuance of temporary use permits (TUPs) in those areas. TUPs may be issued throughout the Shirley – Jordan River (OCP) plan area as outlined in Section 711, and in accordance with Sections 493 of the *LGA*.

Public Consultation

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them related to Part 14 of the *LGA*. Staff recommend referring the proposed TP000013 to the Shirley-Jordan River APC.

A public notice of intent to issue TP000013 will be published in the Sooke News Mirror prior to the CRD Board meeting at which the resolution to issue the permit will be considered.

First Nations Implications

The CRD pursues enhancement of reciprocal engagement and procedures with First Nation communities towards advancing reconciliation, including but not limited, to the application referral process. The subject property is located within the asserted traditional territory of the Pacheedaht and T'Sou-ke First Nations and each nation will be invited to participate in the land use review process to better inform consideration of the proposal.

Land Use Implications

The Shirley-Jordan River OCP designates the subject properties as Coast Upland. The intent of the Coastal Upland land use designation is to support the continued use of those such lands for forestry; however, if lands are removed from the PMFL program, then uses such as low-impact recreation and low-impact tourism are supported. Community parks, single-family residential, and agriculture are also supported in this designation. In addition to land use designation policy, the OCP provides policies for considering temporary use permit applications. Together, the OCP's Coast Uplands designation and TUP policies allow for consideration of low-impact tourism that consider the impact and compatibility with the zone, adjacent uses and the natural environment (Appendix D).

The permitted uses now proposed in the CR-2 zone include *campground*, *tourist cabin*, and *residential* as principal uses, and *convenience store*, *outdoor recreation facilities*, and a *caretaker dwelling* as accessory uses. *Assembly use* is no longer proposed as part of the CR-2 zone. Instead, the applicant has requested a temporary use permit to authorize a *gathering space* should proposed Bylaw No. 4518 be approved and the lands be rezoned to permit a commercial campground.

The proposed *gathering space* use is described as the use of land, buildings, or a portion thereof, for the presentation and display of artistic and cultural endeavours for commercial purposes. The applicant proposes that the *gathering space* use will be specified as an outdoor area cleared of vegetation and distinctly separate from other uses with up to 16 events per calendar year held between the hours of 12:00 pm and 12:00 am (noon to midnight) for commercial artistic and cultural endeavors, as well as food and beverage services. The proposed *gathering space* could occupy a land area up to 2,000 m² in two locations and would be required to be sited at least 30 m from all parcel lines and 200 m from parcel lines that adjoin a public park or Residential, Rural Residential, or Rural zone. The reports provided by the applicant in support of the rezoning application (RZ000280) and to address development permit requirements also address the environmental and design related temporary use permit policies identified by the OCP.

Staff recommend that temporary use permit application TP000013 be referred to the Shirley–Jordan River APC, as well as to relevant CRD departments, and external agencies for comment. While the proposed *gathering space* use is more clearly defined by the proposed permit than *assembly use* was in the CR-2 zone, the permit conditions can be further amended by the LUC and in response to referral comments prior to consideration of permit approval. Staff recommend that that all comments received with regards to the temporary use permit be returned to the CRD Board for consideration of permit approval concurrent with or following consideration of adoption of Bylaw No. 4518.

CONCLUSION

An application has been submitted for a temporary use permit to authorize *gathering space* as permitted use on land that is proposed to be zoned for a commercial campground. Staff recommend that temporary use permit application TP000013 be referred for comment. Staff further recommend that all comments received with respect to the temporary use permit be brought to the CRD Board for consideration of approval of the permit concurrent with or following consideration of adoption of Bylaw No. 4518.

RECOMMENDATION

That staff be directed to refer Temporary Use Permit TP000013 to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments and the following external agencies for comment:

Pacheedaht First Nation

T-Sou-ke First Nation

Island Health

Ministry of Transportation & Infrastructure

RCMP

And that all comments received be returned to the CRD Board for consideration of approval of the Permit.

Submitted by:	Iain Lawrence, MCIP, RPP, Senior Manager, JdF Local Area Services
Concurrence:	Shawn Carby, CD, MAL, Acting General Manager, Planning & Protective Services

Attachments:

Appendix A: Subject Property Map

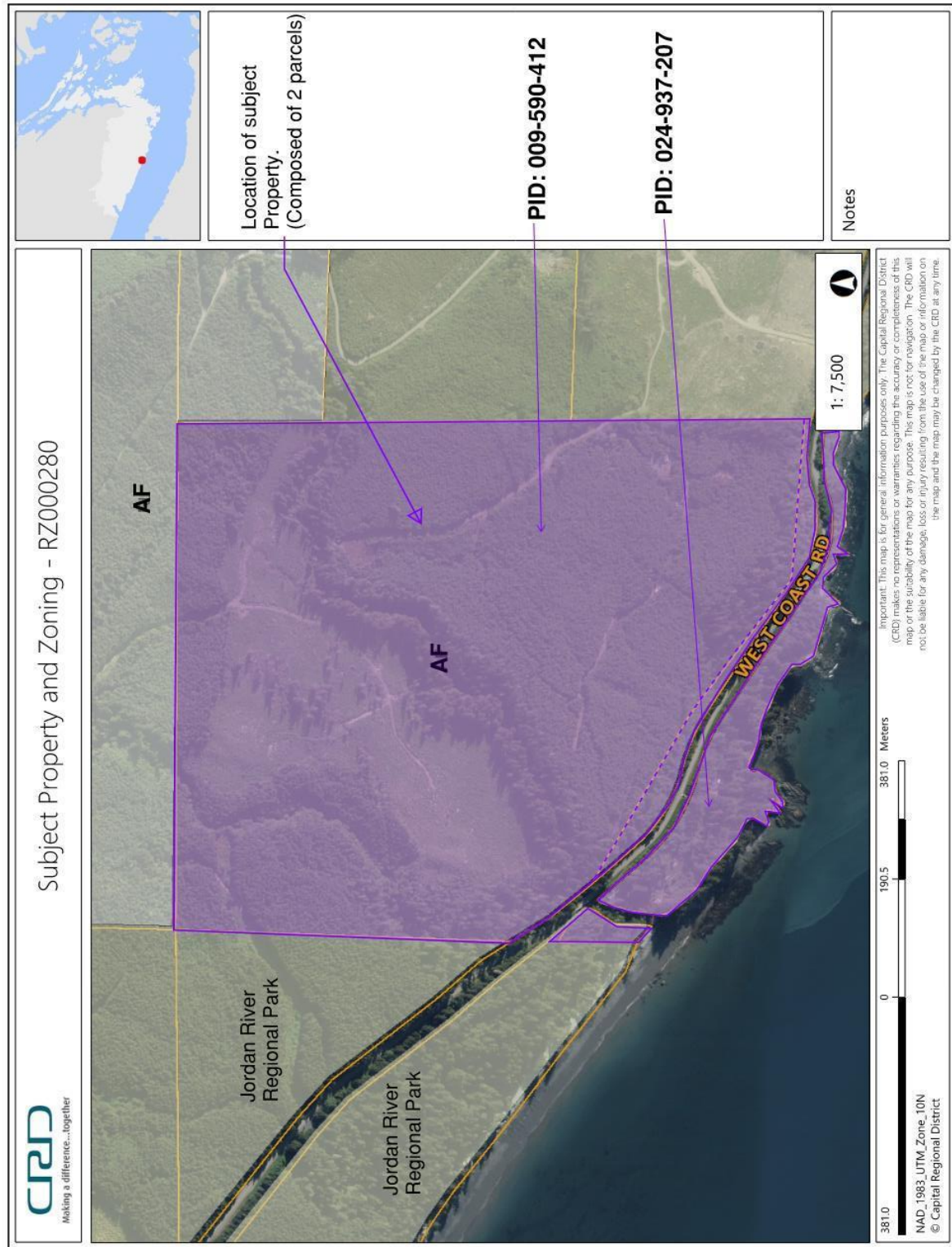
Appendix B: February 7, 2023, Shirley-Jordan River Advisory Planning Commission Meeting Minutes

Appendix C: Site Plan

Appendix D: Shirley-Jordan River OCP Temporary Use Permit Policies

Appendix E: Temporary Use Permit TP000013 - Draft

Appendix A: Subject Property Map



Appendix B: February 7, 2023, Shirley-Jordan River Advisory Planning Commission Meeting Minutes



**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission
Held February 7, 2023, at the Shirley Community Hall, 2795 Sheringham Point Road,
Shirley, BC**

PRESENT: Fiona McDannold (Chair), Emily Anderson, Vivi Curutchet, Melody Kimmel
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services;
Darren Lucas, Planner; Wendy Miller, Recorder
PUBLIC: Approximately 59

The meeting was called to order at 7:00 pm.

Iain Lawrence provided a Territorial Acknowledgement.

1. Elections

Iain Lawrence called for nominations for the position of Chair of the Shirley-Jordan River Advisory Planning Commission (APC) for 2023 and Fiona McDannold's name was put forward. Iain Lawrence called two further times for nominations and, as there were none, Fiona McDannold was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the Shirley-Jordan River APC for 2023 and Melody Kimmel's name was put forward. The Chair called two further times for nominations and, as there were none, Melody Kimmel was acclaimed Vice Chair.

2. Approval of the Agenda

MOVED by Melody Kimmel, **SECONDED** by Emily Anderson that the agenda be approved.
CARRIED

3. Approval of the Supplementary Agenda

MOVED by Vivi Curutchet, **SECONDED** by Emily Anderson that the supplementary agenda be approved.
CARRIED

4. Adoption of the Minutes of November 15, 2022

MOVED by Melody Kimmel, **SECONDED** by Vivi Curutchet that the minutes of November 15, 2023, be adopted.
CARRIED

5. Planner's Report

No report.

6. Zoning Amendment Application

- a) **RZ000280 – Lot A Section 74 Renfrew District Plan VIP71883 (11237 West Coast Road) and That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW**

Darren Lucas spoke to the staff report for the application to rezone the subject properties from the Forestry (AF) zone to the Rural Commercial Recreation (Campground) (CR-2) zone with amendments for the purpose of permitting 39 cabins; 84 campsites; staff

**Shirley-Jordan River Advisory Planning Commission Meeting Minutes
February 7, 2023**

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accommodation; office and reception space combined with a convenience store and a caretaker dwelling unit; assembly uses; and accessory and utility buildings.

Staff confirmed that the applicant was present.

Iain Lawrence reported that agency comments and comments from this evening's meeting will be returned to the LUC. When the proposal returns to the LUC, the LUC will consider recommending to the CRD Board whether Bylaw No. 4518 should receive first and second reading and direction to proceed to public hearing. Should the proposal proceed to public hearing, the CRD Board will consider giving Bylaw No. 4518 third reading and adopting Bylaw No. 4518, which would rezone the subject properties.

Jen Ferris, Shirley

- questioned the long-term vision for the property

Iain Lawrence stated that:

- the applicant's concept plan currently reflects 39 cabins and 84 campsites
- proposed Bylaw No. 4518 would permit 30 cabins per parcel or one tourist cabin per 0.5 ha; whichever is less
- proposed Bylaw No. 4518 would permit 100 camping spaces per parcel or one campsite per 0.5 ha; whichever is less
- the Environmental Assessment distributed with the staff report reflects a zone (Intensive Commercial Recreation Zone) initially considered by applicant which has since been amended

Claire Denesovych, Shirley

- more details regarding the proposal are required as adequate information was not provided in advance of the meeting
- concerned about impact on traffic, riparian areas and wildlife and about the long-term density permitted by the proposed bylaw as well as the assembly use/event scale proposed by the applicant
- proposal is not in keeping with the policies of the Official Community Plan (OCP) and would change the character of the community

James Powell, Shirley

- concerned that RV trailers will become permanent homes
- concerned about impact on water resources

Malcolm Taylor, Shirley

- cited OCP sections related to the scale of low-impact tourism supported by the OCP
- the OCP does not anticipate or support the applicant's proposal as the OCP does not support recreational vehicle parks and destination resorts
- should rezoning be supported, the CR-2 zoning would apply to the land and zoning would not change if there was a change in ownership

**Shirley-Jordan River Advisory Planning Commission Meeting Minutes
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Jeff Head, Shirley

- stated concern regarding the proposal's impact on the aquifer, adjacent wells and Sandcut and Rockbottom Creeks as no information has been provided regarding anticipated water use or if rainwater capture is planned
- Shirley Volunteer Fire Department has limited resources and no information has been provided regarding evacuation plans in the event of an earthquake or wildfire
- concerned regarding the scale of proposed assembly use

Trevor Churcher, Shirley

- questioned if the proposal will impact beach accesses

Dale Williams, Shirley

- supports the proposal as it will provide benefit to the community
- campground use will not have a large draw on water resources
- there is demand for campgrounds and a shortage of camping accommodations

John Russell, Shirley

- too much has been proposed too quickly
- the current housing crisis will put pressure on the subject properties to be used for permanent housing

Member of the public, Jordan River

- China Beach campground is being expanded
- Jordan River is not within a fire protection service area

Brent Cann, Shirley

- questioned what makes the development an eco-resort

Member of the public

- proposal will allow people who are not fortunate enough to live in the community to visit the community, exposing families with children to nature
- proposed bylaw reflects the long-term development scale

Jay Evans, Shirley

- not opposed to a campsite development
- proposal is not specific enough and needs to be refined and returned to the community for consideration

Member of the public, Shirley

- proposal should be downsized and considered over a five-year pilot period
- proposal will have a huge impact on the community
- everyone is concerned about water

Member of the public, Shirley

- French Beach campground has staff on site
- stated concern regarding how clients of the proposed campground will be monitored
- Shirley Volunteer Fire Department has limited resources

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Jill Foweraker, Shirley

- questioned length of stay
- stated concern regarding the scale of events proposed by the applicant, noting that the Shirley Community Hall has had issue with the scale of previous events

Matt Fox, Shirley

- supports the proposal as the proposal will provide benefit to the community
- looks forward to welcoming visitors to the community
- water is a community concern but such concerns can be addressed through the rezoning process

Robert Gardener, Shirley

- in addition to camping and tourist cabins, zoning proposes a convenience store, staff accommodation, and caretaker units
- proposal is not small scale
- rezoning would be precedent setting

Member of the public, Shirley

- questioned the level of staffing and if staff will be controlling entry and providing security/monitoring

Adam Pratt, Jordan River

- not opposed to camping tourism but has concerns regarding the scope/scale of the proposal
- questioned how the community will benefit from the proposal
- questioned if the applicant will be hiring locals

Brian Einarson, Shirley (Chair of the Shirley Fire Protection and Emergency Service Commission)

- questioned the onsite person capacity and fire suppression measures
- directed attention to the questions raised in Gerard LeBlanc's letter, as circulated in the supplementary agenda

Eric Albert, Shirley

- lives locally and is employed by the applicant
- a percentage of sales was taken as a donation for the Shirley Volunteer Fire Department at a recent music event

Patrick Saul, Shirley

- increased tourism has resulted in increased visitations and parking demand at Fishboat Bay and Sandcut Beach

Member of the public

- not in support due to impact on the tranquility of the community and volunteer-based services.

Don Landberg, Shirley

- stated support for subsequent meetings being held in the community

**Shirley-Jordan River Advisory Planning Commission Meeting Minutes
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Member of the public

- commented that China Beach campground is being expanded

Member of the public

- concerned that the proposal will result in more people walking along Sandcut Creek, negatively impacting the watercourse

The applicant stated that:

- proposed zoning reflects long-term plan to operate a year-round campground with short-term cabins
- the proposal is in keeping with an eco-resort in its design, space separation, retention of nature, low water usage, and limited paving and foundations
- properties will be fully staffed/patrolled and events would be organized and insured

Staff responded to questions from the public advising that:

- application has been referred to numerous agencies including CRD Protective Services/Juan de Fuca Emergency Program, Ministry of Forests – Water Protection, BC Wildfire and Pacheedaht First Nation
- agency and First Nation comments would be included in the staff report returned to the LUC
- at this time, there are no other active rezoning applications for lands in Shirley

APC discussion ensued regarding OCP policies related to low-impact tourism, public feedback and overall impact of the proposal on the community, should the subject properties be rezoned.

MOVED by Melody Kimmel, **SECONDED** by Vivi Curutchet that the Shirley-Jordan River Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that that the Advisory Planning Commission does not support the proposal in its current form and that the proposal return to the Advisory Planning Commission at a smaller scale and with the assembly uses more clearly specified and that the applicant address the concerns expressed by the community.

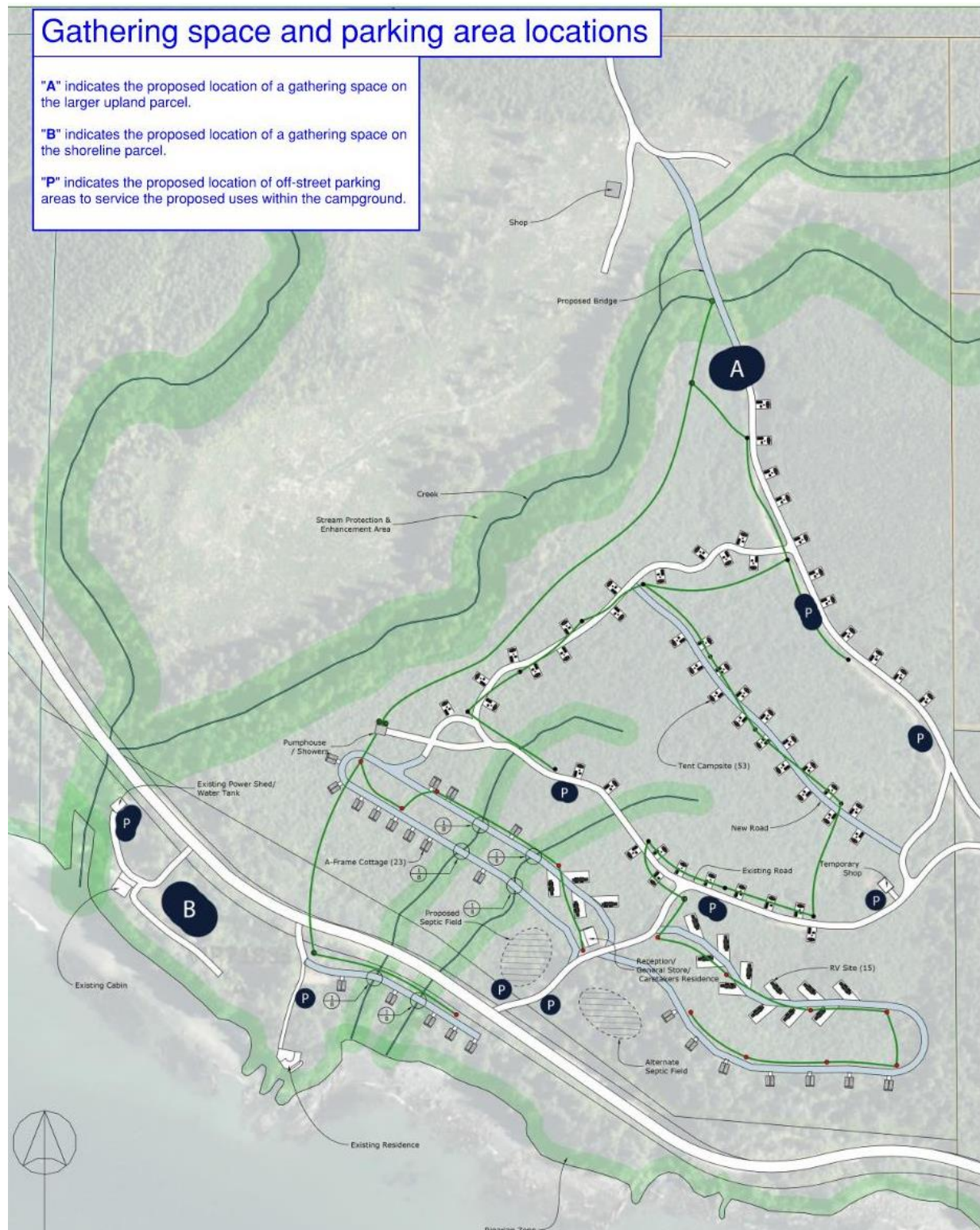
CARRIED

7. Adjournment

The meeting adjourned at 9:33 pm.

Chair

Appendix C: Site Plan



Appendix D: Shirley-Jordan River OCP Temporary Use Permit Policies

Section 712 of the OCP provides guidelines when considering TUP authorization:

- A. TUPs may be issued by the CRD throughout the Shirley – Jordan River Plan area subject to the policies of this Plan.
- B. No public health, public safety or negative environmental impacts can result from the proposed activity.
- C. In evaluating a TUP application, the CRD will consider the following:
 - i. Whether the use is clearly temporary or seasonal in nature;
 - ii. Whether the use is compatible with adjacent uses;
 - iii. The impact of the proposed use on the natural environment;
 - iv. The intensity of the proposed use; and
 - v. The opportunity to conduct the proposed use on other land in the Plan area.
- D. In issuing a TUP, the CRD may specify conditions including, but not limited to:
 - i. The buildings to be used;
 - ii. Siting;
 - iii. Environmental protection, remediation and mitigation measures to address any impact to the natural environment;
 - iv. Hours of operation;
 - v. Parking and traffic management;
 - vi. On-site storage, buffers and screening;
 - vii. External lighting;
 - viii. Nuisance, dust and noise abatement;
 - ix. Waste management; and
 - x. A post-use site restoration plan and implementation strategy.
- E. An applicant may be required to indemnify the CRD and post security to ensure compliance with the conditions of a permit.

Appendix E: Temporary Use Permit TP000013 - Draft



CAPITAL REGIONAL DISTRICT

TEMPORARY USE PERMIT NO. TP000013

1. This Permit is issued under the authority of Section 493 of the *Local Government Act* and subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically authorized by this Permit.
2. This Permit applies to and only to those lands within the Regional District described below (legal description), and to any and all buildings, structures, and other development thereon:

PID: 024-937-207

Legal Description: Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road

AND

PID: 009-590-412

Legal Description: That Part of Section 74, Renfrew District lying to the North of the Northerly Boundary of Plan 109RW

Together herein referred to as the “Land”

3. This Permit authorizes a *Gathering Space* use, which is the use of land, buildings, or a portion thereof, for an event such as the presentation and display of artistic and cultural endeavours for commercial purposes with food and beverage services (the “Temporary Use”), on the Land, in accordance with the Site Plan submitted to the CRD and subject to the conditions set out in this Permit.
4. This Permit is only authorized on the condition that proposed Bylaw No. 4518, Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 158, 2022, is adopted by the Capital Regional District Board.
5. The terms and conditions under which the Temporary Use referred to in Section 3 must be carried out are as follows:
 - a) The components of the temporary use must be in general conformity with the Site Plan attached to this Permit as Appendix A;
 - b) The impacts to adjacent land uses are kept to a minimum whereby nothing must be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, dust, fumes, vibration, noise glare or illumination; nor must anything be done which creates or causes a health, fire or explosion hazard, electrical or navigational interference; and
 - c) The Temporary Use must only occur:
 - i. On not more than 16 separate days in a calendar year; and
 - ii. Entirely within the hours of 12:00 to 24:00 (noon to midnight) Pacific Standard Time.
 - d) The Temporary Use permit must only occupy:
 - i. One physically contiguous land area at a time that is visually and physically separated from other active uses on the Land through the implementation of a clearly defined perimeter delineated by a wall, fence, gate, berm, natural vegetation and or landscaping; and

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- ii. A total land area that must not exceed 2,000 m², where the total land area is measured from the outermost surface of the clearly delineated perimeter.
- e) The Temporary Use must only serve:
 - i. Patrons that are actively staying at the campground or tourist cabins for a 24-hour period or more;
 - ii. Not more than 150 persons of the general public that are visiting the Land for less than a 24-hour period;
 - iii. At any given time, the total number of persons must not exceed the maximum number of persons that is determined as safe by the governing body responsible or by a qualified professional that is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association;
- f) The Temporary Use must provide:
 - i. A minimum of 75 parking spaces on the Land in addition to all other parking requirements.
 - ii. Traffic controlling where required by a provincial agency.
- 6. Notice of this Permit shall be filed in the Land Title Office at Victoria as required by Section 503 of the *Local Government Act*, and the terms of this Permit (TP000013) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
- 7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit which shall form a part hereof.
- 8. The following plans and specifications are attached:
Appendix A: Site Plan
- 9. That an irrevocable Letter of Credit in the amount of \$10,000.00 be provided to the CRD held for the period of the permit to ensure compliance with the permit conditions.
- 10. In default of compliance with any of the provisions of this Permit, the Permit shall lapse.
- 11. The owner agrees to indemnify and save harmless the CRD against all costs and expenses incurred by the CRD, in default by the owner, in the conversion, demolition or removal of the temporary use, and/or legal costs incurred in pursuing such legal remedies as the CRD sees fit.
- 12. This Permit is NOT a Building Permit.
- 13. This Permit shall expire 3 years after the date of issuance of the permit.

RESOLUTION PASSED BY THE BOARD, THE _____ day of _____, 2024

ISSUED this ____ day of _____, 2024

Corporate Officer

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Appendix A: Site Plan

