



Making a difference...together

JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **January 20, 2026, at 7 pm**

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

AGENDA

1. Territorial Acknowledgment
2. Election of Vice Chair
3. Approval of Agenda
4. Adoption of Minutes of November 18, 2025
5. Chair's Report
6. Planner's Report
7. Zoning Amendment Application
a) RZ000287 – Lot 3, Sections 84 and 88, Sooke District, Plan VIP72026 (5700 Block East Sooke Road)
8. 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.



Making a difference...together

Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, November 18, 2025, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC

PRESENT: Director Al Wickheim (Chair), Les Herring, Roy McIntyre, Ron Ramsay, Dale Risvold, Anna Russell

Staff: Iain Lawrence, Senior Manager, Juan de Fuca Administration; Regina Robinson, Recorder

ABSENT: Vern McConnell

PUBLIC: 11 in-person; 1 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 Ron Ramsay, **SECONDED** by Anna Russell that the agenda be approved, as amended, to consider Zoning Amendment Application RZ000291 as Agenda Item 6 and Development Variance Permit and Flood Exemption Application DV000093 as Agenda Item 7.

CARRIED

3. Adoption of Minutes of September 16, 2025

MOVED by Anna Russell, **SECONDED** by Ron Ramsay that the minutes from the meeting of September 16, 2025, be adopted.

CARRIED

4. Chair's Report

The Chair welcomed everyone to the meeting and noted that the two applications to consider are of varying complexity and that the membership will give careful thought to questions and decisions.

5. Planner's Report

It was advised that the Land Use Committee (LUC) will adjourn for December.

It was reported that a draft of the Port Renfrew Official Community Plan (OCP) was submitted to staff and will be circulated to the public prior to consideration by the Citizens' Committee. A final draft reflecting any changes made as a result of public comment will be presented to the LUC.

It was reported that the consultant for the Juan de Fuca Electoral Area Official Community Plan Consolidation and Willis Point OCP/Local Area Plan Update project has been selected and will be named once the contract is signed.

6. Zoning Amendment Application (noted as agenda item 7)

- a) **RZ000291 – That Part of Section 90, Renfrew District, Shown Outlined in Red on Plan 913R Lying to the North of the Southerly Boundary of Plan 503RW (9260 Invermuir Road)**

Iain Lawrence spoke to the application to rezone the subject property from the Rural (A) and Forestry (AF) zones to the Rural 2 (RU2) zone to facilitate a two-lot subdivision.

The subject property and split-zone status preventing subdivision were highlighted. The proposed zone was outlined.

LUC discussion ensued regarding:

- rationale for exclusion of the floor area ratio from the RU2 zone
- the encumbrance allowing forestry related uses
- nature of the proposed farm uses

Staff responded to questions from the LUC advising that maximum floor area specifications were used instead of floor area ratios within the RU2 zone.

Staff confirmed that the applicant was present.

Applicant comments included:

- the proposed zone is the same as the adjacent neighbor
- the forestry use encumbrance is related to the transferee having first right of refusal for any cleared timber
- the proposed agricultural use will be limited to gardens at this time
- extensive clearing of broom has been completed to facilitate the use

MOVED by Anna Russell, **SECONDED** by Les Herring that staff be directed to refer proposed Bylaw No. 4716, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 169, 2025” to the Shirley – Jordan River Advisory Planning Commission, appropriate CRD departments, external agencies and First Nations for comment.

CARRIED

7. Development Variance Permit and Flood Exemption Application

- a) **DV000093 – Lot 3, Section 15, Otter District, Plan 11437 Except Parcel A (DD33503W) (3139 Otter Point Road)**

Iain Lawrence spoke to the application for a development variance permit and floodplain exemption to reduce the yard setback requirements of the Rural (A) zone and to reduce the floodplain setback from DeMamiel Creek to meet *Riparian Areas Protection Regulation* undue hardship criteria for the purpose of constructing a dwelling. Staff noted that the application was to be considered at the October LUC meeting, but the postal strike resulted in a delay.

The subject property, yard setback variance requests and site plan from the geotechnical report were highlighted.

LUC discussion ensued regarding:

- the proposed dimensions and footings required for the 2 m x 10 m structure demonstrated on the plans
- *Riparian Areas Protection Regulation* intent and timing of the anticipated assessment report for the subject property
- rationale for the floodplain exemption being prior to the Riparian Assessment
- that the septic appears to be located within the 11 m setback from top of bank
- concern that works were undertaken prior to any permits being issued and the potential ramifications
- current use of an RV as a residence on the parcel, septic and Building Permit application status
- the necessity for the side yard variance request

Staff responded to questions from the LUC advising that:

- next steps for the proposal include submission of a Riparian Areas Assessment report for a CRD Development Permit application, submission of a Building Permit application, and securing the geotechnical report by registering a covenant on the title of the property
- the Geotechnical report assesses the risk of flooding and the setback only applies to the structure
- Building Inspection will also review the Geotechnical Report through the Building Permit process to ensure it meets requirements under Section 56 of the *Community Charter*
- reduction of the side yard setback is not vital to the current proposal

Staff confirmed that the applicant and Qualified Environmental Professional (QEP) working on the proposal were present.

Applicant comments included:

- the original 2 m X 10 m footprint was based on using a seacan for the structure, but a prefab kit option is now being explored and the Geotech confirmed that a slab on grade foundation is an option
- the parcel will be serviced by an existing water license
- the water source for the adjacent parcel is secured by an easement on the subject property
- the septic system is installed and currently connected to the RV being used as a for temporary accommodation during the construction of the dwelling

QEP comments included:

- constraints on the parcel due to the Riparian Assessment Area and the need to confirm undue hardship status prior to the Riparian Assessment Report
- change in siting of the proposed dwelling from the original survey submitted was due to the Geotechnical Engineer's recommendation

Public comments included:

- question regarding the nature of the easement demonstrated on the site plan
- site plans demonstrating different locations for the proposed dwelling
- concerns regarding drainage and contaminants entering Demamiel Creek, which is a drinking water source for many
- concern regarding request to reduce the side yards and impact of privacy for neighbouring property owner to the north

MOVED by Anna Russell, **SECONDED** by Ron Ramsay that Development Variance Permit and Floodplain Exemption DV000093 to authorize the siting of a proposed dwelling on Lot 3, Section 15, Otter District, Plan 11437, except Parcel A (DD33503W) be approved as follows:

1. Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Schedule A, Part 2:
 - a) Section 2.07(a) is varied by reducing the front yard setback requirement from 7.5 m to 4.5 m;
 - b) Section 2.07(b) is varied by reducing the side yard setback requirement from 6 m to 4.5 m; and
 - c) Section 2.07(c) is varied by reducing the flanking yard setback requirement from 6 m CTS to 4.5 m.
2. Pursuant to Section 524 of the *Local Government Act*, the floodplain setback for DeMamiel Creek specified by Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Schedule A, Part 5, Section 2(a) is reduced from 30 m from the natural boundary to 11 m from the crest of the slope above the western side of the creek as shown in the geotechnical report certified by Shane Moore, P.Geo., dated July 15, 2025, revised July 30, 2025, subject to the following:
 - a) That the professional geotechnical engineer's report certified by Shane Moore, P.Geo., dated July 15, 2025, revised July 30, 2025, be secured via a restrictive covenant registered on title pursuant to section 524(8)(c) of the *Local Government Act*;
 - b) That development of the property comply with the recommendations outlined in the professional engineer's report certified by Shane Moore, P.Geo., dated July 15, 2025, revised July 30, 2025; and
 - c) That the building setbacks be verified by BCIS survey prior to completion of the building permit.

MOVED by Ron Ramsay, **SECONDED** by Roy McIntyre to strike 1.b), the side yard setback variance from the recommendation.

LUC discussion on the amendment to the motion ensued regarding:

- change to the motion addressing concerns raised and avoids delaying the application
- clarification on the yard designations relative to the proposed dwelling

The Chair called the question on the amendment to the main motion.

CARRIED

The Chair called the question on the main motion, as amended.

CARRIED

8. **Adjournment**

The meeting adjourned at 7:53 pm.

Chair

**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, JANUARY 20, 2026**

SUBJECT **Zoning Bylaw Amendment Application for Lot 3, Sections 84 and 88, Sooke District, Plan VIP72026; PID: 024-994-944 – East Sooke Road**

ISSUE SUMMARY

The landowner has applied to rezone the subject property from the Rural A zone to the Rural Residential 6A zone (RR-6A) to facilitate subdivision.

BACKGROUND

The 6.74 ha subject property is a panhandle lot located on East Sooke Road (Appendix A). The parcel is split-zoned Rural (A) and Agricultural (AG) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, and is split-designated Settlement and Agriculture by the East Sooke Official Community Plan (OCP), Bylaw No. 4000.

An adjoining bare land strata located along the southern parcel boundary is zoned RR-6A. Neighbouring parcels to the east, west, and north are zoned Rural (A), AG and Neighbourhood Commercial (C-1). The AG zoned portion of the property comprises a narrow, 0.48 ha access strip to East Sooke Road and is located within the Agricultural Land Reserve (ALR). That portion is designated as Steep Slope, Riparian and Sensitive Ecosystem development permit areas (DPA). The remaining Rural (A) zoned portion is approximately 6.26 ha and is partially designated as a Farmland Protection DPA. The parcel is identified as a vacant property containing a gravel driveway, one unregistered well, and a small shed. The property is entirely within the East Sooke Fire Protection local service area.

The landowner has applied to amend Bylaw No. 2040 by rezoning that part of the property zoned Rural (A) (Appendix B) to RR-6A (Appendix C) to facilitate a 4-lot, bare land strata subdivision (Appendix D; CRD File: SU000762). The application was supplemented by an ALR Buffer Report (Appendix E), a Riparian Areas Regulation Report (Appendix F), and a letter from a well drilling company (Appendix G).

At their meeting of April 15, 2025, the Juan de Fuca Land Use Committee recommended referral of the proposed amendment bylaw (Appendix H) to the East Sooke Advisory Planning Commission and to appropriate CRD departments, First Nations and agencies. Comments have been received and are included in Appendix I.

ALTERNATIVES***Alternative 1***

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

1. That the referral of proposed Bylaw No. 4657, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 167, 2025", to the East Sooke Advisory Planning Commission; CRD departments; Sc'ianew (Beecher Bay) First Nation; T'Sou-ke First Nation; Agricultural Land Commission; 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 & Transit; RCMP; and Sooke School District #62 be approved and the comments received;
2. That proposed Bylaw No. 4657 be introduced and read a first, second and third time; and
3. That proposed Bylaw No. 4657 be adopted.

Alternative 2

That the CRD not proceed with proposed Bylaw No. 4657.

IMPLICATIONS***Legislative and Public Consultation 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 East Sooke APC considered the application at its meeting on May 5, 2025.

Pursuant to Section 464(3) of the *LGA*, if 1) an official community plan is in effect for the area that is the subject of the zoning bylaw, 2) the bylaw is consistent with the OCP, and 3) the sole purpose of the bylaw is to permit a development that is entirely a residential development, the CRD must not hold a public hearing with respect to the bylaw.

Since the development proposal meets all three conditions, the CRD must not hold a public hearing with respect to the bylaw. Notice of the proposed bylaw amendment advising of the date of first reading will be provided in accordance with Sections 466 and 467 of the *LGA*. Upon receipt of referral comments, the LUC may consider a recommendation for all bylaw readings and adoption at the same meeting.

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 East Sooke OCP area is consistent with the OCP, it does not proceed to the 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 East Sooke OCP.

First Nations Implications

The subject property is located within the asserted traditional territory of the Sc'ianew (Beecher Bay) and T'Sou-ke First Nations. Each Nation was invited to participate in an application review process with staff and the applicant to better inform consideration of the proposal.

T'Sou-ke First Nation commented that they had no concerns at this time, but that they would like to have someone onsite should there be any digging.

Sc'ianew (Beecher Bay) First Nation responded to advise that they did not have capacity to review the proposal and provide a detailed response.

Referral Comments

Referrals were sent to 10 agencies, CRD departments, and to the East Sooke APC and Juan de Fuca Parks and Recreation Advisory Commission. Comments received are summarized below and included in Appendix I.

CRD Electoral Area Fire Services responded that the applicant must produce a report by a Qualified Professional that recommends how the proposed development provides satisfactory access for emergency vehicles. JdF Planning staff note that confirmation of access for emergency vehicles would be addressed at the time of subdivision.

CRD First Nations Relations commented that a search of the Remote Access to Archaeological Data managed by the BC Archaeology Branch indicated that the property is not located within or immediately adjacent to a protected archaeological site and that a permit is not required to undertake work unless archaeological materials are exposed or impacted during land-altering activities.

Juan de Fuca Electoral Area Parks and Recreation Advisory Commission reviewed the application at its meeting of November 25, 2025, and provided the following recommendation by resolution:

MOVED by Commissioner Jorna, **SECONDED** by Commissioner McKay that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission state to the Juan de Fuca Land Use Committee that it considered Zoning Amendment Application RZ000287 and that its preference is for cash-in-lieu of parkland at the time of subdivision.

The Agricultural Land Commission (ALC) supported the ALR buffering recommendation, including registration of a covenant to ensure long-term protection. The ALC noted that the recommended 10-metre buffer is less than the 30-metre buffer provided in the Ministry of Agriculture and Food's *Guide to Edge Planning*. The ALC also had no concerns with the proposed strata subdivision layout provided that there is not subdivision in the ALR.

BC Hydro expressed no objection to the rezoning and proposed bare land strata subdivision.

District of Sooke stated that they had no comment regarding the proposed rezoning.

Ministry of Forests – Archaeology Branch advised that according to Provincial records, there are no known archaeological sites recorded on the subject property and that archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property.

Ministry of Water, Land and Resource Stewardship – West Coast Region Authorizations Branch noted that if wells to support the proposed subdivision were to be drilled, they would likely be completed within Aquifer 606 at a depth below sea level. Aquifer 606 consists for low productivity, fractured crystalline bedrock partially confined by Vashon till. JdF Planning staff note that the aquifer extends from Metchosin to Jordan River. Aquifer 606 was flagged in 2019 due to “Possible Water Shortage and/or Saline Intrusion Issues”. Increased groundwater extraction in the area may exacerbate current groundwater availability issues, increase potential for saltwater intrusion and impact the water supply in other wells in the area. It was noted that there are 53 registered wells in the area, with 47 of the completed in Aquifer 606. The median depth of the wells is 134 m. Due to the depth of surrounding wells and proximity to the ocean, there is an increased risk of saltwater intrusion. It was recommended that water quality be monitored during drilling and testing of new wells.

Ministry of Water, Land and Resource Stewardship – Ecosystem Section had no objection to approval of the proposed rezoning.

Ministry of Transportation and Transit had no objection to the zoning bylaw amendment and noted that approval of the bylaw pursuant to Section 52 of the *Transportation Act* is not required. The Ministry also advised that no storm drainage from the property may be directed into Ministry ditches and that the access connection to East Sooke Road must be approved under a Ministry residential access permit.

A Public Information Meeting was held in the community and the East Sooke APC considered the application on May 5, 2025, with approximately 10 members of the public in attendance. Members of the public raised concern regarding application of the ALR buffer given the topography and non-use of adjacent ALR land. The APC passed the following motion with respect to Bylaw No. 4657:

MOVED by Zac Doeding, **SECONDED** by Vicki Graham that the East Sooke Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that it supports the application and proposed Bylaw No. 4657, to rezone a portion of the subject property from the Rural (A) zone to the Rural Residential 6A zone (RR-6A) and that it recommends provision of an adequate ingress/egress to service the proposed 4 bare land strata lots and reconsideration of the agricultural buffers on the subject property.

Land Use

The East Sooke OCP designates the subject property as Settlement and Agriculture. The intent of the Settlement Land Use Designation is to support residential and agricultural uses; suites to increase housing affordability; home-based businesses; small-scale commercial and tourism activities; cottage industry; civic and institutional uses; and community parks, subject to consideration of the anticipated impact of the use in any individual circumstances. The Settlement designation supports zones with an average density of one parcel per 1.0 ha, provided that no parcels are less than 0.4 ha. Additionally, OCP policies support the rezoning of Rural (A) zoned lands for the purpose of subdivision as an alternative to a building strata to allow for one parcel per 1.0 ha. Staff are of the opinion that proposed Bylaw No. 4657, which would rezone the property from Rural (A) to RR-6A, is consistent with the OCP and its intention to maintain the East Sooke’s rural character. That part of the property that is designated Agriculture is proposed to be part of common property access driveway. Since the ALR portion is not being subdivided, the subdivision regulations of the *Agricultural Land Commission Act* for land in the ALR do not apply to the access strip.

The proponent’s subdivision plan shows the creation of a 4-lot bare land strata over that part of the property that is proposed to be rezoned from Rural (A) to RR-6A; however, the maximum potential would be for six 1.0 ha parcels. The remaining portion will continue to be used exclusively as a common access driveway for the strata and will remain in the AG zone and the ALR.

The application was supplemented by an ALR Buffer Report, Riparian Areas Regulation Report, and a letter from Drillwell Enterprises to demonstrate the feasibility of the proposed subdivision. The ALR Buffer Report provided plans for an agricultural buffer, screening, and development setbacks to meet the Farmland Protection development permit (DP) guidelines applied at the time of subdivision. While the East Sooke

APC recommended that the buffer requirements be reconsidered in light of the topography and use of adjacent ALR land, the Buffer Report was supported by the Agricultural Land Commission. The East Sooke OCP is also supportive of buffers on non-ALR land to protect the long-term viability of agriculture. JdF Planning staff concur with the recommendation of the ALC and recommend that the buffer requirements remain in place and that they be assessed at the time of subdivision. Staff also advise that the buffer would be addressed and protected through a development permit, rather than a covenant.

Since a portion of the property is within a provincially designated riparian area, the Riparian Areas Regulation Report aimed to demonstrate that those provincial requirements for development authorization and the Riparian and Sensitive Ecosystem DP guidelines required by the CRD could be met at the time of subdivision.

The letter from Drillwell Enterprises provided an early assessment of potential groundwater availability indicating that domestic water supply for indoor use is likely based on overall productivity of wells in the immediate area. The Ministry of Water, Land and Resource Stewardship noted the characteristics of Aquifer 606 and recommended that new wells be monitored for saltwater intrusion during construction. If proposed Bylaw No. 4657 is considered for adoption, the proponent would be required to provide additional reporting to meet potable water requirements for the subdivision.

Based on the information provided by the applicants, referral comments received and the policies of the East Sooke OCP, staff recommend that proposed Bylaw No. 4657 be read a first, second and third time, and that Bylaw No. 4657 be adopted.

CONCLUSION

The purpose of Bylaw No. 4657 is to amend the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 by rezoning that portion of the Land zoned Rural A to Rural Residential 6A in order facilitate a 4-lot bare land strata subdivision. Based on the information provided and the referral comments received, Staff recommend that referral of the bylaw be approved and referral comments be received, that Bylaw No. 4657 be read a first, second and third time, and that Bylaw No. 4657 be adopted.

RECOMMENDATION

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

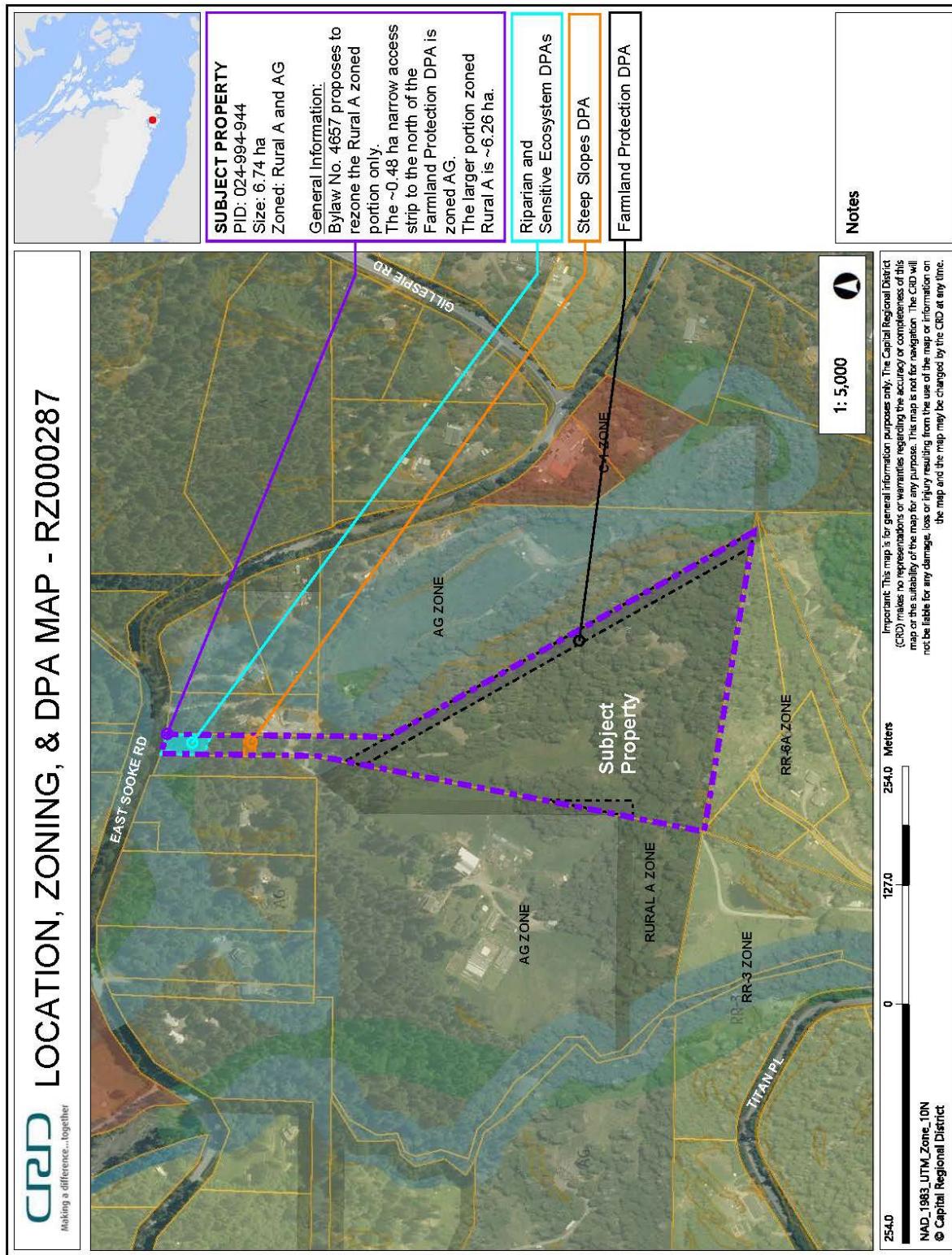
1. That the referral of proposed Bylaw No. 4657, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 167, 2025", to the East Sooke Advisory Planning Commission; CRD departments; Sc'ianew (Beecher Bay) First Nation; T'Sou-ke First Nation; Agricultural Land Commission; BC Hydro; District of Sooke; Island Health; Ministry of Forests – Archaeology Branch; Ministry of Forests – Water Protection Section; Ministry of Land, Water and Resource Stewardship; Ministry of Transportation & Transit; RCMP; and Sooke School District #62 be approved and the comments received;
2. That proposed Bylaw No. 4657 be introduced and read a first, second and third time; and
3. That proposed Bylaw No. 4657 be adopted.

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Administration
Concurrence:	Stephen Henderson, MBA, P.G.Dip.Eng., B.Sc., General Manager, Electoral Area Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENTS

- Appendix A: Location, Zoning & DPA Map
- Appendix B: Rural (A) Zone
- Appendix C: Rural Residential 6A (RR-6A) Zone
- Appendix D: Proposed Subdivision Plan
- Appendix E: ALR Buffer Report
- Appendix F: Riparian Areas Protection Regulation Report
- Appendix G: Potable Water Letter
- Appendix H: Proposed Bylaw No. 4657
- Appendix I: Referral Comments

Appendix A: Location, Zoning & DPA Map



Appendix B: Rural (A) Zone

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

2.0 RURAL ZONE - A

2.01 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 A Zone:

- (a) Agriculture;
- (b) Intensive Agriculture, except that sites for piggeries, fur farming and other similar agricultural, horticultural and animal raising activities in which the intensity and nature of the use would be materially more offensive by reason of noise, odour or appearance shall be located at least 150m from the nearest Residential or Multiple Family Residential Zone;
- (c) Silviculture;
- (d) Home Based Business Categories One, Two and Three; *Bylaw 3705*
- (e) One-family dwelling;
- (f) Two-family dwelling;
- (g) Animal Hospitals;
- (h) Veterinary Clinics;
- (i) One travel trailer or one camper may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors;
- (j) Two Boarders or Lodgers;
- (k) Accessory uses such as on-site logging, and pole- or post- or shake-cutting from trees grown on-site;
- (l) Finfish culture, land-based;
- (m) One secondary suite per lot pursuant to Part 1, Subsection 4.19; *Bylaw 2674*
- (n) Detached Accessory Suites pursuant to Part 1, Subsection 4.20. *Bylaw 3605*

2.02 Minimum Parcel Size for Subdivision Purposes

The minimum lot size shall be 4.0ha.

2.03 Number of Dwelling Units

The maximum density for residential buildings (comprised of one- and/or two-family dwellings) shall not exceed the following:

- (a) On lots of 0.4ha or less, one one-family dwelling;
- (b) On lots of more than 0.4ha and less than 0.8ha, not more than two one-family or one two-family dwelling;
- (c) On lots of more than 0.8ha and less than 4ha, not more than three one-family dwellings or three dwelling units;
- (d) On lots of more than 4ha and less than 16ha, not more than four one-family dwellings or four dwelling units;
- (e) On lots of more than 16ha and less than 32ha, not more than five one-family dwellings or five dwelling units;
- (f) On lots of more than 32ha, not more than eight one-family dwellings or eight dwelling units.

2.04 Height

The maximum height permitted shall be 11m.

2.05 Lot Coverage

The maximum lot coverage permitted shall be 15 percent.

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

- 2.06 Maximum Size of Residential Buildings** Provided applicants having either met the *Sewerage System Regulation* (e.g., a filing) or acceptance by VIHA via referral:
- Bylaw 3705*
- (a) On lots of less than 1ha in area, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45 or a Total Floor Area of 418m², whichever is less;
 - (b) On lots of 1ha or more in size, residential buildings and structure shall not exceed a Floor Area Ratio of 0.45.
- Bylaw 3705*
- 2.07 Yard Requirements for Residential Buildings**
- (a) Front yards shall be a minimum of 7.5m;
 - (b) Side yards shall be a minimum of 6m except for lots of greater than 1ha in size and where residential uses exceed a Total Floor Area of 418m², minimum side yards shall be 15 m each side;
 - (c) Flanking yards shall be a minimum of 6m CTS;
 - (d) Rear yards shall be a minimum of 11m.
- 2.08 Yard Requirements for Farm Buildings**
- (a) Front yards shall be a minimum of 30m;
 - (b) Side, flanking and rear yards shall be a minimum of 15m.
- 2.09 Yard Requirements for Finfish Culture, Land-Based Uses and Structures**
- Front, side, flanking and rear yards shall be a minimum of 30m.
- 2.10 Yard Requirements for Intensive Agriculture Uses and Buildings**
- (a) Front yards shall be a minimum of 30 m;
 - (b) Side, rear and flanking yards shall be a minimum of 30m.

Bylaw 2103

Appendix C: Rural Residential 6A (RR-6A) Zone

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

10A.0 RURAL RESIDENTIAL 6A ZONE – RR-6A

Bylaw 4246

10A.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 are permitted in the Rural Residential 6A (RR-6A) zone:

- (a) One-family dwelling;
- (b) Agriculture;
- (c) Silviculture;
- (d) Two Boarders or Lodgers;
- (e) Farm/Agriculture Buildings;
- (f) Home Based Business Categories One, Two and Three;
- (g) One travel trailer or one camper may be permitted in conjunction with a permitted residential use on a lot, to be used, but not rented, for the temporary accommodation of guests or visitors.
- (h) Secondary suite pursuant to Part 1, Section 4.19;
- (i) Detached accessory suite pursuant to Part 1, Section 4.20.

10A.02 Minimum Lot Size for Subdivision Purposes

- (a) The minimum average lot size for subdivision purposes is 1 ha and no lot shall be created with a lot size smaller than 0.5 ha.
- (b) For the purposes of this zone, the total area of land in a plan of subdivision, prior to the removal of land for road and park dedication or for common property, divided by the number of lots intended to be created shall not be less than the minimum average lot size specified in Section 10A.02(a).

10A.03 Number of Dwellings

One one-family dwelling and one of either a secondary suite or a detached accessory suite, but not both.

10A.04 Height

Maximum height shall be 9 m.

10A.05 Lot Coverage

Lot coverage shall not exceed 25 percent.

10A.06 Maximum Size of Residential Buildings

Provided applicants having either met the *Sewerage System Regulation* (e.g., a filing) or acceptance by VIHA via referral:

- (a) On lots of less than 1 ha in area, residential buildings and structures shall not exceed a Total Floor Area of 418 m²;
- (b) On lots of 1 ha or more in size, residential buildings and structures shall not exceed a Floor Area Ratio of 0.045.

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

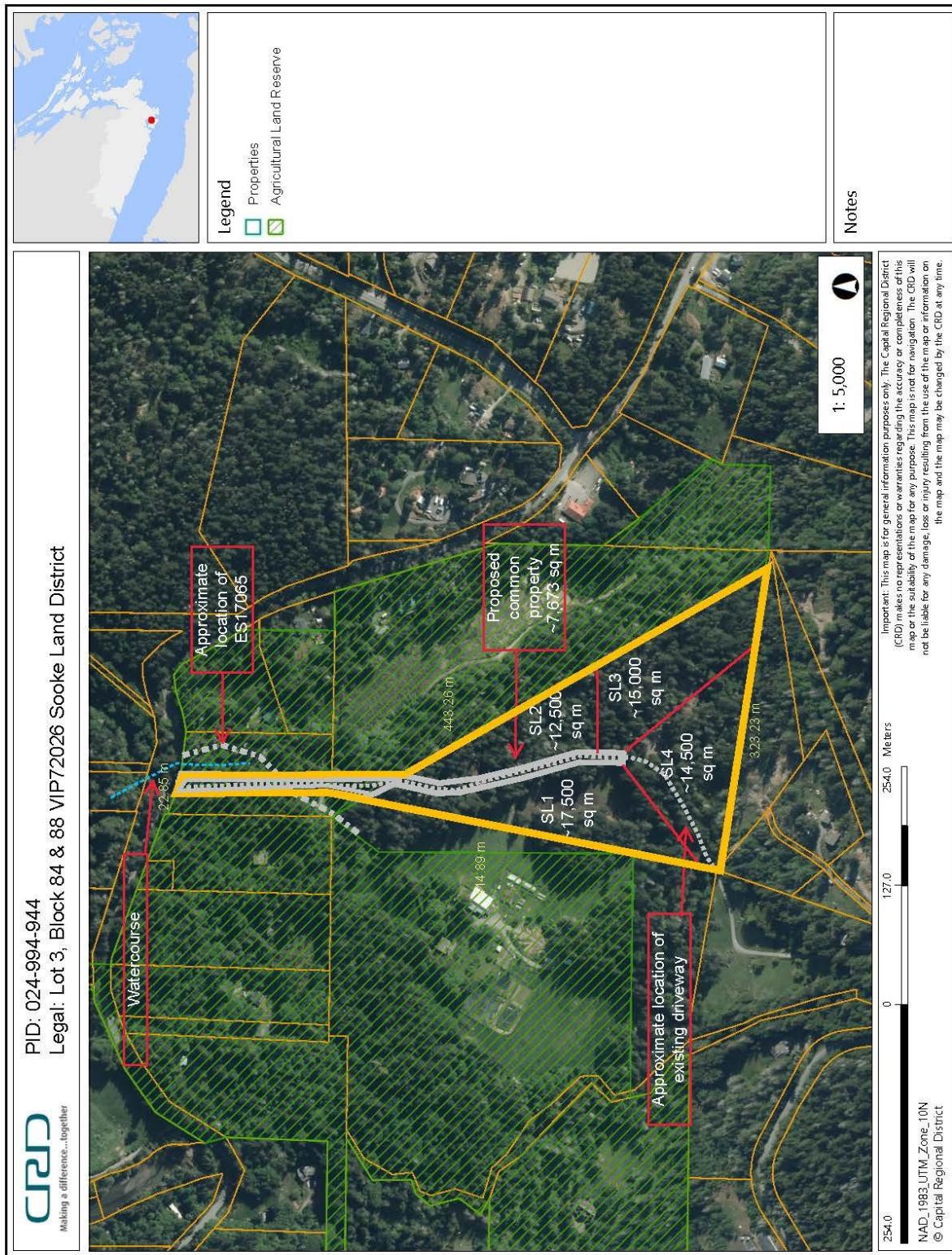
10A.07 Yard Requirements

- (a) Front yards shall be a minimum of 7.5 m;
- (b) Side yards shall be a minimum of 6 m; except that for lots of greater than 1 ha in size and where residential uses exceed a Total Floor Area of 418 m², minimum side yards shall be 15 m each side;
- (c) Flanking yards shall be a minimum of 6 m CTS;
- (d) Rear yards shall be a minimum of 10 m.

10A.08 Yard Requirements for Agricultural Buildings and Structures

Farm buildings and structures for agricultural uses shall be not less than 30 m from the front lot line and not less than 15 m from any other boundary of the lot.

Appendix D: Proposed Subdivision Plan





ALR BUFFER REPORT

East Sooke Road
PID: 024-994-944



Report Date:
September 26, 2024

Client Name:
[REDACTED]

Disclaimer

This plan has been prepared with the best information available at the time of writing, including a review of available information from the local government and Province of British Columbia. This plan has been developed to provide the owner with information to understand the requirements and constraints for developing an agricultural buffer between the Subject Property and the Agricultural Land Reserve. It is the owner's responsibility to complete the due diligence for this project.

This plan is for the use of the property owner and for the Capital Regional District. Any use of this plan by other parties is done exclusively at their risk. The author assumes no responsibility for: [i] iterations of this plan that are unsigned by the author, [ii] any changes made to this document other than those made or endorsed by the author.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

Introduction

The Client has retained Danaca Consulting ('DANACA') for the purpose of recommending an agricultural buffer, screenings and development setback for the Landowner's property located at 5700-block of East Sooke Road, Sooke, BC with the legally described as LOT 3 SECTIONS 84 AND 88 SOOKE DISTRICT PLAN VIP72026, PID 024-994-944 (hereafter referred to as 'the Subject Property'). DANACA understands that the Client intends to complete a four-lot bare land strata subdivision on the Subject Property. The eastern lot line of the Subject Property abuts the provincial Agricultural Land Reserve (ALR) and thus the Capital Regional District ('the CRD') requires the Client to submit an Agricultural Land Reserve Buffer Recommendation. This is in anticipation of the Ministry of Agriculture and Food and the Agricultural Land Commission request for a vegetated buffer between the Subject Property and the ALR which will accompany a referral response during the application for rezoning and subdivision ('the Application').

The scope of work includes:

- Review of background and development proposal information, including proposed development plans, pertinent local government policies and bylaws, and communication with key personnel within the local government.
- Conduct an on-site inspection to identify areas of potential agricultural and environmental concern.
- Provide plans pertaining to an agricultural buffer, screenings, and development setback, to provide professional recommendations to facilitate development plans.

To inform our recommendations, DANACA has completed a background review of the Subject Property and surrounding lands, and field investigation to determine current site conditions. DANACA has also reviewed all available development and site plans provided by the Client. For our recommendations, best management practices have been adopted from Ministry of Agriculture's Guide to Edge Planning¹ and the Agricultural Land Commission's (ALC) Landscaped Buffer Specifications.

Background Review

The Subject Property is located within the Juan de Fuca Electoral Area and within the Capital Regional District of southern Vancouver Island, British Columbia (Figure 1 and 2). The Subject Property is 67,440.06 m² (16.66 acres) in area with a front lot line of 22.85 m and a depth ranging between approximately 414.89 m and 443.26 m. The Subject Property is undulating, sloping gently from the southern rear property line (52 m) to East Sooke Road (24 m) and within the Coffrey Creek watershed (Figure 3). The Subject Property is split zoned: the majority of the property is Rural Zone A and a minor portion (0.48 ha) is Agricultural AG Zone. It is bordered to the north by Rural Zone A and Rural Residential Zone RR-3, and east and west by Agricultural Zone AG and to the south by Rural Residential Zone RR-6 (Figure 4). There is an access easement registered on the title in favor of 5717 East Sooke Road at the northern property line, adjacent to East Sooke Road (Figure 5). The property is undeveloped except for a driveway that bisects the property, farm fencing, and soil stockpiles.

Site Context

The following section describes the Subject Property in the context of the Agricultural Land Reserve, the watershed, and soils.

Agricultural Land Reserve

Civic information about the Subject Property, as provided by mapping from the CRD, is presented in Table 1, followed by a series of maps (Figure 1, 2, 5) showing the Subject Property in proximity to the ALR. Table 2 summarizes adjacent zoning and parcel area information provided by the CRD, and present land use.

TABLE 1. CIVIC INFORMATION, ZONING AND LAND USES OF THE SUBJECT PROPERTY.

CIVIC ADDRESS	Not Assigned – 5700-block East Sooke Road
PID	024-994-944
LEGAL	LOT 3 PLAN VIP72026 SECTION 84&88 SOOKE
AREA	67,440.1 m ²
ZONING	Rural A Zone
WITHIN ALR?	Partially 4,800 m ² is mapped as agricultural land

TABLE 2. ZONING AND LAND USES ABUTTING THE SUBJECT PROPERTY.

AREA (m ²)	DIRECTION	ZONING	WITHIN ALR
19,517.7	North	Rural A	No
66,461.1	East	Agricultural	Yes
12,570.0	South	RR-6A Residential	No
126,454.5	West	Agricultural and Rural A	Partially

The Subject Property is adjacent to three properties that are within the ALR (Figure 5):

- 5709 East Sooke Road is 0.69 hectares and has residential use.
- 5685 East Sooke Road is 6.65 hectares and has residential use but is primarily wetland (approximately 1.6 hectares) that serves as headwaters to Caffrey Creek, and a steep slope of approximately 30% from the wetland up to the Subject Property.
- 5717 East Sooke Road is 12.65 hectares that is gently sloping away from the Subject Property and has residential and farm use.

Watershed

The Subject Property is within 30 m of a watercourse, but not within 15 m of the highwater mark of the ocean. The *Water Sustainability Act* and the *Riparian Areas Protection Regulation (RAPR)* apply to this property. Assessment #8981 dated September 4, 2024, been completed under the RAPR. The Streamside Protection and Enhancement Area (SPEA) is on the land located within the ALR (Figure 3, 6).

Soils¹²

The agricultural land on the Subject Property and the ALR lands to the east and west, contain primarily 'Ragbark' soils with 'Somenos' and 'Metchosin' soils (Figure 7). 'Ragbark' is an Orthic

¹ Jungen, J. R. July 1985. Soils of Southern Vancouver Island: Ministry of Environment Technical Report 17. Report No. 44, British Columbia Soil Survey. 209 p.

² SIFT. 2018. [British Columbia Soil Information Finder Tool \(arcgis.com\)](http://www.britishcolumbiasoilinfo.ca). Accessed on September 12, 2024.

Danaca Consulting

2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024

Dystric Brunisol (O.DYB). Ragbark soils occur in the Coastal Grand Fir - Western Red Cedar Forest Zone within the Nanaimo Lowland physiographic subdivision. They have developed rubbly sandy and/or gravelly sandy colluvial and/or morainal deposits, less than 1 m thick, overlying extrusive bedrock. Slopes vary between 15 and 100%; elevations range from sea level to 300 m.

Characteristics of the 'Ragbark' soil type:

- Profile: Native soil profile that is in native condition (undisturbed by agriculture).
- Kind of Material: The soil material is primarily composed of mineral particles.
- Water Table: The water table is not present in the soil at any time.
- Root Restrictions: The growth of plant roots is restricted by a lithic (consolidated bedrock) sixth layer.
- Drainage: Water is removed from the soil rapidly in relation to supply. Excess water flows downward if underlying material is pervious. Subsurface flow may occur on steep gradients during heavy rainfall. Soils have low available water storage capacity (2.5-4 cm) within the control section, and are usually coarse textured, or shallow, or both. Water source is precipitation.
- pH: The soils are strongly acid.

Dominant Soil Limitations:

- Low water-holding capacity.
- Coarse fragment content is usually between 30 and 60%.
- Bedrock is normally encountered between 50 and 100 cm from the surface.

Agricultural Capability

The Agricultural Capability Classification³ for the ALR on the Subject Property and the adjacent ALR properties to the east and west (hereafter referred to as the 'Adjacent ALR Properties') have been mapped as Class 2D (Figure 8).

Class 2 lands have minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both. Land in Class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields or slightly smaller range of crops compared to Class 1 land, but which do not pose a threat crop loss under good management. Soils are deep hold moisture well and can be managed and cropped with little difficulty.

The "D" subclass is used for soils that are difficult to till, requiring special management for seedbed preparation and soils with trafficability problems for common farm implements. Also included are soils which have insufficient aeration, absorb and distribute water slowly, or have the depth of rooting zone restricted by conditions other than wetness (high water table) or consolidated bedrock or permafrost.

Site Layout and Intended Development

Based on recent satellite imagery and confirmed during DANACA's site investigation, the Subject Property has not been previously developed other than a historic (ca. 2000) construction of a

³ BC Ministry of Agriculture and Food and Ministry of Environment. 1983. Land Capability Classification for Agriculture in British Columbia: MOE Manual 1.

driveway, a walking trail along the eastern edge, and clearings for farm use (Photos 1-4). Access to the Subject Property is to the north of the parcel on East Sooke Road via a gravel driveway. This driveway bisects the Subject Property and continues to the southwestern property line.

It is the intention of the Landowner is to rezone the Subject Property and strata subdivide the 6.74 ha to create four lots: lot 1 (1.75 ha), lot 2 (1.25 ha), lot 3 (1.5 ha) and lot 4 (1.45 ha) with the 0.45 ha of ALR land remaining as common property and non-subdivided (Figure 9). The Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the ALR. The subdivision will be aligned to have the existing driveway (within the ALR) remain unaltered as a common access (common property) for the four strata lots. Under the proposed Rural Residential 6A Zone, the Juan de Fuca Land Use Bylaw No. 2040, 1992 there will be a minimum of a 10 m building setback from the boundary of the lot.

Field Observations

Laura Hooper, P.Ag., of DANACA, visited the Subject Property for a detailed investigation on June 16, 2024. The purpose of the investigation was to document present conditions on the Subject Property (e.g., development, vegetation, soil, drainage, topography, on-site and off-site land use) to provide recommendations regarding an agricultural buffer while considering the intended development proposal by the Landowner.

Weather conditions on the morning of investigation were overcast with a high of 16°C. Precipitation, via showers and light rain was recorded in the East Sooke area in the 48 hours prior to the investigation. There were no visual or physical barriers encountered during the investigation that may have limited any recommendations re: an agricultural buffer and/or screenings on the Subject Property. During the investigation, there was standing water in Ditch A on the western property line, flowing water in Tributary A on the northern property line, and a wetland off-property to the east (Figure 10).

Photographs taken during the investigation of the Subject Property are presented at the end of this report. Below is a summary of observations relevant to DANACA's recommendations for agricultural buffers and screenings presented in the next section.

The Subject Property crowns at the southeast corner of the property (51 m) and slopes to the northwest. The Subject Property slopes downward to the ALR land to the west and east. There is a steep slope of approximately 30% from the Subject Property down to the eastern ALR and approximately 1% from the Subject Property down to the western ALR (Figure 11).

The Subject Property is dominated by western red cedar (*Thuja plicata*), Grand fir (*Abies grandis*), and Douglas fir (*Pseudotsuga menziesii* ssp. *menziesii*) with red alder (*Alnus rubra*) and bigleaf maple (*Acer macrophyllum*). There is an understory of salmonberry (*Rubus parviflorus*), sword fern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), skunk cabbage (*Lysichiton americanum*), dull Oregon-grape (*Mahonia nervosa*), vanilla leaf (*Achlys triphylla*), salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*), foam flower (*Tiarella cordifolia*), hedge nettle (*Stachys chamissonis*), trailing blackberry (*Rubus ursinus*), rose (*Rosa* sp.) and sedges (*Carex* sp.) (Photos 5-6). Approximately 1/6 of the property has been cleared for farm use (Photo 4). There is also a wire fence that serves as a delineation between the Subject Property

and the adjacent to the ALR Property to the west (Photo 7).

The ALR property is known as 5709 East Sooke Road (PID: 006-624-766), is 0.69 hectares and has residential use. The portion of the ALR adjacent to the Subject Property is treed with western red cedar (*Thuja plicata*), Grand fir (*Abies grandis*), and Douglas fir (*Pseudotsuga menziesii* ssp. *menziesii*) with red alder (*Alnus rubra*) and bigleaf maple (*Acer macrophyllum*). There is an understory of salmonberry (*Rubus parviflorus*), sword fern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), skunk cabbage (*Lysichiton americanum*), dull Oregon-grape (*Mahonia nervosa*), vanilla leaf (*Achlys triphylla*), salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*), foam flower (*Tiarella cordifolia*), hedge nettle (*Stachys chamissonis*), trailing blackberry (*Rubus ursinus*), rose (*Rosa* sp.) and sedges (*Carex* sp.). There was no evidence of agricultural operations on the Adjacent ALR property (e.g., the property has a mature forest, new house and driveways). The property has 2020's built 1-story house with several outbuildings valued at \$1.063 million.

The ALR property is known as 5685 East Sooke Road (PID: 024-994-952), is 6.65 hectares and has residential use but is primarily wetland (approximately 1.6 hectares) that serves as headwaters to Caffrey Creek, and a steep slope from the wetland up to the Subject Property. The portion of the ALR adjacent to the Subject Property is treed with western red cedar (*Thuja plicata*), Grand fir (*Abies grandis*), and Douglas fir (*Pseudotsuga menziesii* ssp. *menziesii*). There is an understory of salmonberry (*Rubus parviflorus*), sword fern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), red huckleberry (*Vaccinium parvifolium*), trailing blackberry (*Rubus ursinus*), and salal (*Gaultheria shallon*). There was no evidence of agricultural operations on the Adjacent ALR property (e.g., the property has a mature forest, house, outbuildings and driveways). The property has 2004 built 1-story house with several outbuildings valued at \$1.092 million. The ALR land slopes steeply down from the Subject Property to a wetland (Photo 8 and 9).

The ALR property is known as 5717 East Sooke Road (PID: 024-994-936), is 12.65 hectares and has residential and mixed-farm use including greenhouses (Photo 10 and 11). The portion of the ALR adjacent to the Subject Property is a small tip of a triangle that is a field with agricultural grasses. The property has 1912 built 2-story house with several outbuildings valued at \$925,260 (Farmland – value set by BC Regulation 411/95).

Analysis

Local governments are the most appropriate bodies to design and manage the edge planning process. The Guide to Edge Planning⁴ suggests that local governments can use regional growth strategies, official community plans, neighborhood plans, agricultural plans and zoning bylaws to provide clear guidance for the development of buffers on the non-farm side of the edge. The Juan de Fuca Electoral Area's Official Community Plan for East Sooke, Bylaw 4000 has strong policy statements to support agricultural use of lands with the Agriculture Land Use Designation, and, to reduce land use conflicts.

The *Land Title Act* and *Local Government Act* provide local governments with mechanisms to

⁴ Ministry of Agriculture and Food. 2015. Guide to Edge Planning: Promoting Compatibility Along Agricultural – Urban Edges.

promote compatibility between urban development and farm operations. These mechanisms include the use of development permit areas to protect farming, and farm bylaws to manage certain farm practices and operations. The Official Community Plan for East Sooke establishes a Farmland Protection Development Permit Area (DPA) requires developing properties adjacent to ALR lands to establish a buffer strip between the lands.

The Guide to Edge Planning (the Guide) indicates that the success of edge planning relies on a shared responsibility and suggests that buffers should be considered on both the farm and non-farm sides. In this case, an urban-edge buffer strip will complement the existing ALR-side forested buffer and sloping lands.

The Guide provides recommendations for a continuous buffer along the urban side of the agriculture-urban edge. This guidance applies when there is active large-scale farming on farming on ALR lands. Additionally, the Guide (Section 3.4.b) recommends that:

"A continuous buffer along the urban side of the agriculture-urban edge will serve several functions. It will provide a visual screen should farm buildings be built on the property and farming activities commence. The fence will provide a deterrent to trespass onto farms, capture some dust and spray drift, and filter farm odors somewhat."

The British Columbia Agriculture in Brief (2021)⁵ reports the provincial average farm size is 144.3 hectares, and the Vancouver Island average is 18.6 hectares⁶. The Guide provides several farm-side edge planning tools. While the Guide does not provide specific guidance to ALR lands that are small and not being actively farmed, it does suggest that the farm-side edge guidelines are matched to farm scale (Section 4.4). There is no guidance provided of this type for urban-side edge planning when the ALR land is not being actively farmed.

Whether, and how, to apply edge planning guidelines within the Edge Planning Area (EPA) will depend on the "scale" of the farm operations along the edge. For small farms, it does not make sense to encourage or require them to follow any of these edge farm management and siting guidelines.

The Guide provides some advice to local governments when planning a subdivision. The proposed subdivision (Figure 9) is in line with the Guide as it avoids larger suburban lots along the edge and avoids roads stubs and half roads.

The buffer and screening recommendations listed below apply to the existing long-term residential use of the ALR and/or the ongoing low-intensity agricultural operations on the Adjacent ALR Property proximal to the Subject Property, as opposed to high intensity operations such as commercial feedlots, dairy operations, and chicken farms.

DANACA recognizes that due to the subdivision application, the onus of establishing an agricultural buffer and screenings is on the Landowner of the Subject Property. However, we

⁵ Ministry of Agriculture and Food, Sector Insights and Corporate Initiatives Unit, Summer 2022.

⁶ Census of Agriculture and Tax Linkage, Statistics Canada, 2016 via Grow BC – Vancouver Island-Coast Region Agricultural Profile.

recommend that the owner of the Adjacent ALR Properties consider maintaining the treed buffer. This forested area provides a natural buffer and screening due to the forest establishment. Note that our recommendation of maintaining the existing vegetation does not preclude the requirement for agricultural buffer and screening on the Subject Property.

Recommendations

Development Permit Guidelines

The following guidelines (in Part 560 of Bylaw 4000) for the Farmland Protection Development Permit Area are applicable to the development, and will be addressed in the development proposal as follows:

- A. A buffer zone consisting of setbacks, vegetative screening, fencing or berms between lands in the ALR and non-farm uses may be required.
 - a. 5709 East Sooke Road is adjacent to the section of the Subject Property that is also within the ALR. There is no planned change of use in this section as it is proposed to remain common property for the subdivision. The RAPR also applies to this northern section of the Subject Property. The RAPR prohibits vegetation alteration and the construction of structures (i.e. fences) within the environmental setbacks. Additionally, given there will be no structures in the common property, it is recommended that no additional buffer zones be placed on this section.
 - b. 5685 East Sooke Road is primarily wetland therefore environmental setbacks, combined with the slope of approximately 30% up to the Subject Property from the wetland, provide a significant setback from any future agricultural activities (i.e. spray drift). The existing mature forest, topography, and 10-meter rear yard construction setbacks on the Subject Property combine to provide adequate protection therefore additional buffers are not recommended.
 - c. The Subject Property has a page-wire fence along the western property line between 5717 East Sooke Road. The ALR land is triangular in this area and only abuts the Subject Property at the vertex of the triangle therefore creating a very small area that intersects with the subject property. This fence, combined with the 10-meter rear yard construction setbacks on the Subject Property, provide a sufficient buffer therefore additional buffers are not recommended.
- B. Drainage will be designed and constructed so that there is no increase or decrease in the amount of surface water or groundwater available to the agricultural lands.
 - a. A stormwater management plan will be developed at subdivision to comply with local bylaws. We recommend that the existing driveway within the proposed common property/Subject Property ALR land remain as-is and not hard surfaced.
- C. Subdivision design will minimize potential conflicts between farm and non-farm uses.
 - a. The proposed subdivision is in line with the Guide as it avoids roads stubs and half roads along the ALR edge.
- D. Subdivision design should avoid road endings or road frontage adjacent to land in the ALR unless required for farm vehicle access.
 - a. Not applicable.
- E. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a Qualified Professional (QP) will be considered by the CRD and may be included in the development permit.

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

10

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024

DANACA offers the following recommendations and opinions to minimize potential land use conflict between the Subject Property and the Adjacent ALR Property, and promote compatibility along agricultural urban edges in consideration of the site conditions and the discussion outlined above:

1. We recommend that the existing driveway within the proposed common property/Subject Property ALR land remain as-is and not hard surfaced.
2. We recommend that the Landowner retain the wire fence along the entire property line between the Subject Property and 5717 East Sooke Road, not just the small section that is between the agricultural land reserve and the Subject Property.
3. Proposed strata lots 1, 2 and 3 should retain the existing vegetation to create 10 m forested buffers along the property lines that abut ALR.
4. The buffer must be protected by a covenant registered on title and/or a no-build covenant.

Summary

Should DANACA's recommendations in this report be followed, it is our opinion that the potential for conflict between land use on the Subject Property and on the adjacent ALR Land will be minimal if the use of the adjacent ALR parcel continue as residential use or initiate low-intensity farming operations.

Prepared by:

DANACA Consulting
Laura Hooper M. Sc. P. Ag.
Professional Agrologist



Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024

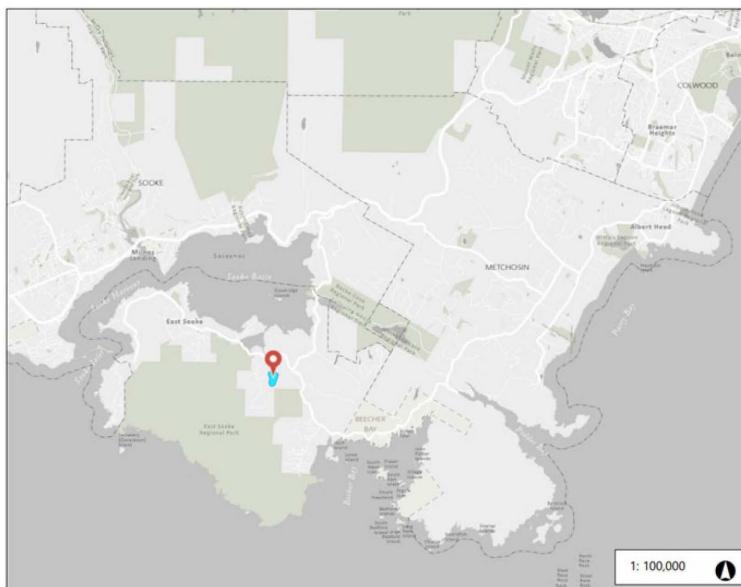


Figure 1. Regional context of PID 024-994-944, East Sooke, BC. Image courtesy of the Capital Regional District.

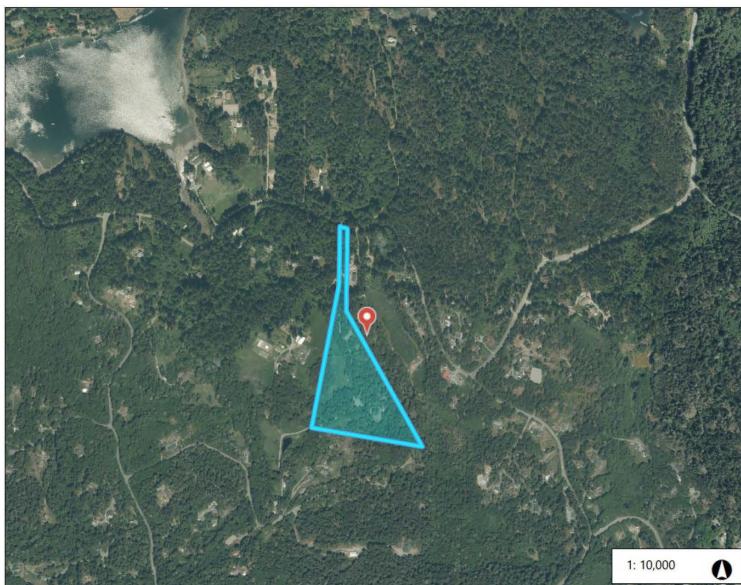


Figure 2. Location of PID 024-994-944, East Sooke, BC. Image courtesy of the Capital Regional District.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024

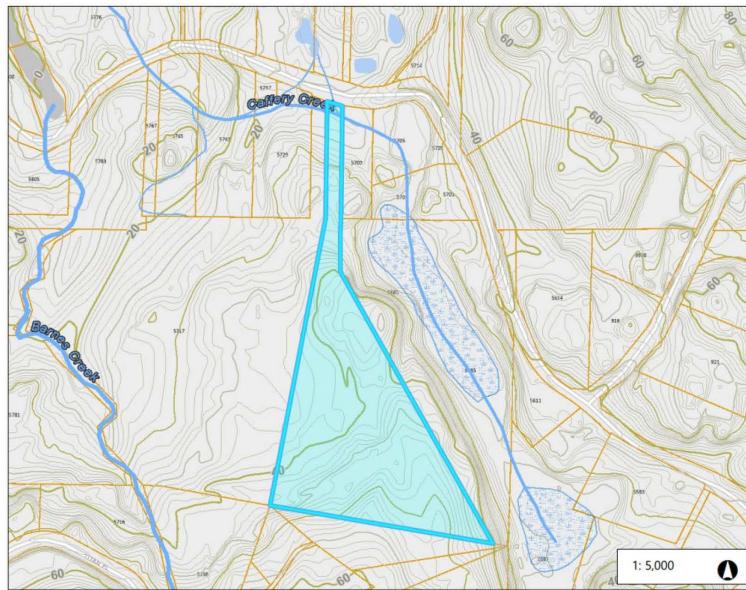


Figure 3. Location of PID 024-994-944 within the Caffrey Creek watershed with 1 m contours. Image courtesy of the Capital Regional District.

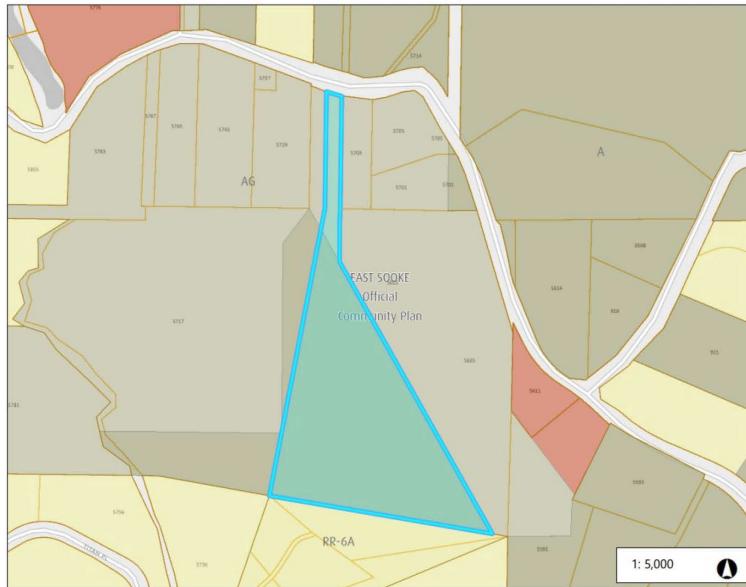


Figure 4. Official Community Plan land use designation Of PID 024-994-944 in relation to surrounding properties.
Image courtesy of the Capital Regional District.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

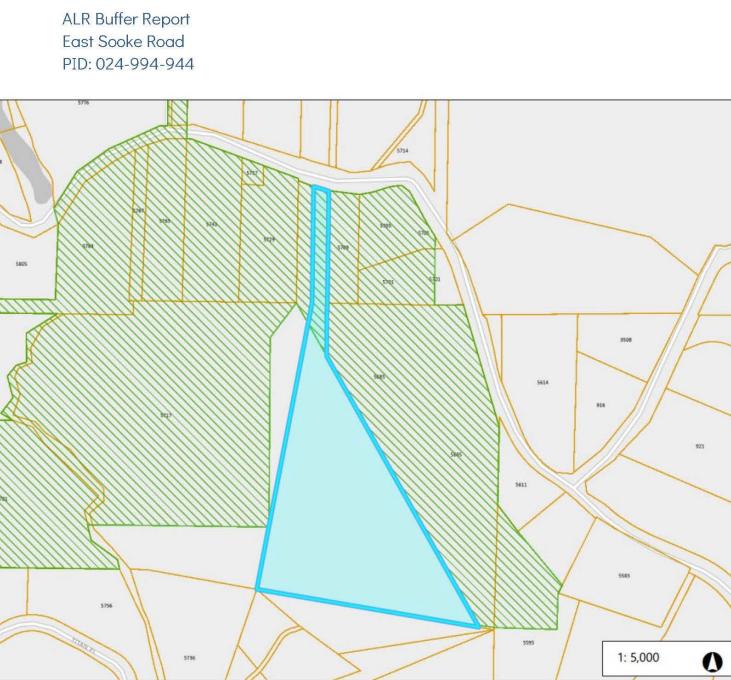


Figure 5. Location of PID 024-994-944 within the Agricultural Land Reserve in relation to neighbouring properties.
Image courtesy of the Capital Regional District.

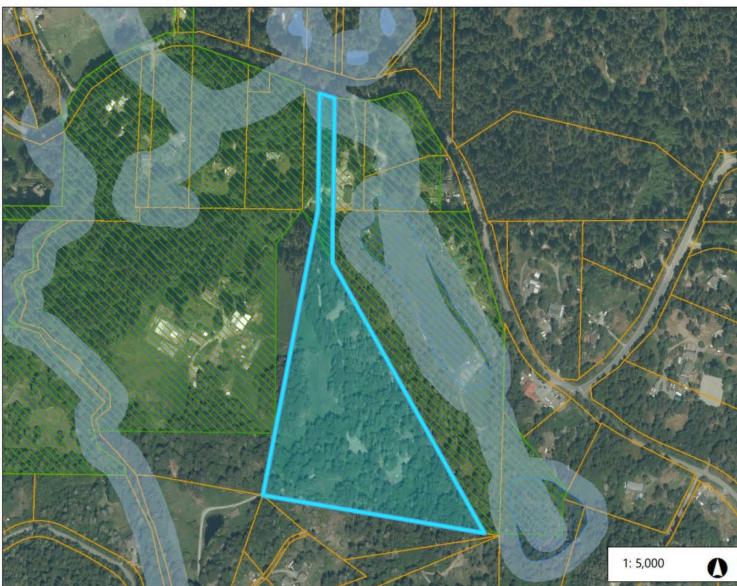


Figure 6. Riparian Assessment Areas on Subject Property in relation to Agricultural Land Reserve. Image courtesy of the Capital Regional District.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Figure 7. 'Ragbark' soil polygon on the Subject Property and the surrounding agricultural land to the east and west.
Image courtesy of iMapBC.

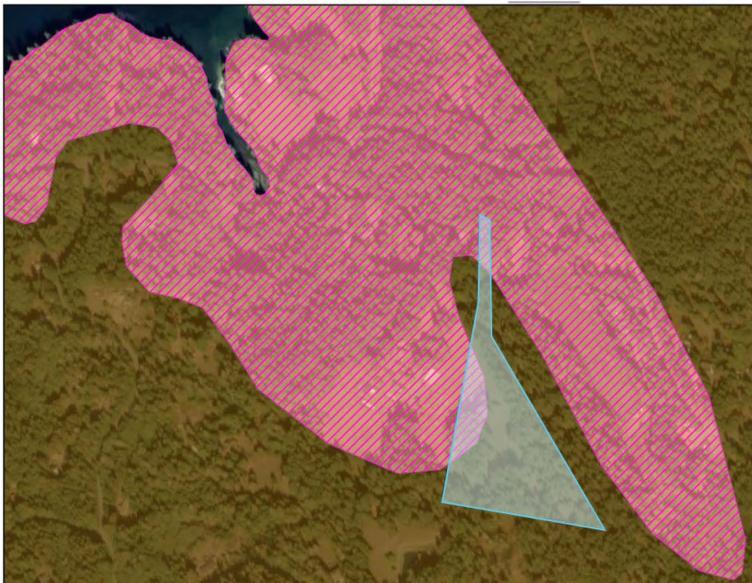


Figure 8. Agricultural capability of the Subject Property and the surrounding agricultural land to the east and west.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024

Image courtesy of iMapBC.

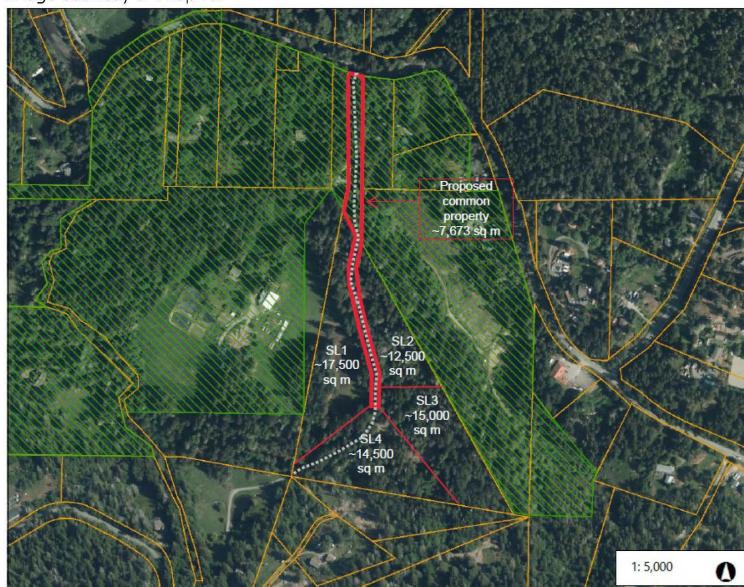


Figure 9. Proposed four-lot subdivision at PID 024-994-944.



Figure 10. Watercourse and isolated ditch on the Subject Property in relation to the Agricultural Land Reserve.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Figure 11. One-meter contours in relation to the Subject Property and the Agricultural Land Reserve.



Photo 1: Existing driveway access to the property, facing south within the ALR. 5709 East Sooke Road (ALR) and the watercourse is on the left in the photo.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Photo 2: Existing driveway access to the property within the ALR, facing north and East Sooke Road. 5709 East Sooke Road (ALR) and the watercourse is on the right in the photo.



Photo 3: Typical trails on perimeter of the Subject Property. 5685 East Sooke Road (ALR) is in the left of the photo.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Photo 4: Pasture on the western side of the Subject Property. 5717 East Sooke Road is in the background beyond the trees in the photo.



Photo 5: Typical vegetation in the ALR on the Subject Property, 5685 East Sooke Road and 5709 East Sooke Road.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Photo 6: Typical forest layer in the ALR on the Subject Property, 5685 East Sooke Road and 5709 East Sooke Road.



Photo 7: Wire fence serving as a buffer between the Subject Property and 5717 East Sooke Road. Subject Property is on the right of the photo.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Photo 8. Trail on the Subject Property and the slope to the ALR land on 5685 East Sooke Road.

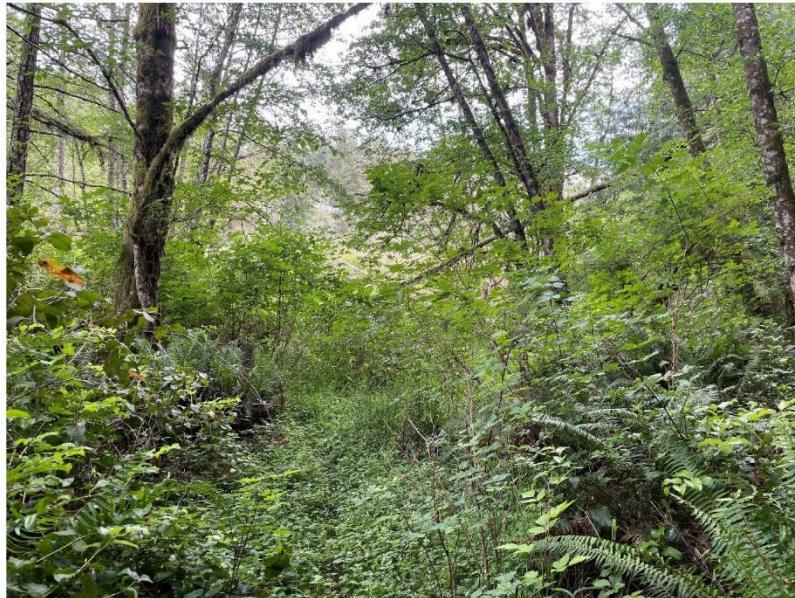


Photo 9. Wetland within the ALR land on 5685 East Sooke Road.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

ALR Buffer Report
East Sooke Road
PID: 024-994-944

September 26, 2024



Photo 10. 5717 East Sooke Road, is 12.65 hectares and has residential and mixed-farm use including greenhouses. Subject Property is to the right.



Photo 11. 5717 East Sooke Road is 12.65 hectares and has residential and mixed-farm use including greenhouses. Subject Property is to the left.

Danaca Consulting
2554 Sooke River Road, Sooke, BC V9Z 0X8 danacaconsulting@gmail.com 250.588.8208

Appendix F: Riparian Areas Protection Regulation Report



Riparian Areas Regulation Report

East Sooke Road

PID: 024-994-944



2024

Report Date:
September 4, 2024

Client Name:

This page has been intentionally left blank.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Protection Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date Sept 4, 2024

I. Primary QEP Information

First Name	Laura	Middle Name	Rose
Last Name	Hooper		
Designation	PAg	Company Danaca Consulting	
Registration #	2546	Email	danacaconsulting@gmail.com
Address	2554 Sooke River Road		
City	Sooke	Postal/Zip	V9Z 0X8
Prov/state	BC	Country	Canada

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name	Middle Name	
Last Name		
Designation		
Registration #	Email	
Address		
City	Postal/Zip	Phone #
Prov/state	Country	

III. Developer Information

First Name	Middle Name	
Last Name		
Company		
Phone #	Email	
Address		
City	Postal/Zip	
Prov/state	Country	

IV. Development Information

Development Type	Strata Development		
Area of Development (ha)	6.74	Riparian Length (m)	100
Lot Area (ha)	6.74	Nature of Development	Subdivision <6 lots
Proposed Start Date	October 1, 2024	Proposed End Date	December 31, 2025

V. Location of Proposed Development

Street Address (or nearest town)	East Sooke Road		
Local Government	Juan de Fuca Electoral Area	City	East Sooke
Stream Name	Caffrey Creek		
Legal Description (PID)	024-994-944	Region	1- Vancouver Island
Stream/River Type	Watercourse	DFO Area	South Coast
Watershed Code	No standard code listed		
Latitude	48	21	15.55
	Longitude	123	38
			47.97

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Table of Contents for Assessment Report

	Page Number
1. Description of Fisheries Resources Values	3
2. Results of Riparian Assessment (SPEA width)	5
3. Site Plan	8
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
1. Danger Trees.....	14
2. Windthrow.....	14
3. Slope Stability.....	14
4. Protection of Trees.....	14
5. Encroachment	14
6. Sediment and Erosion Control.....	14
7. Floodplain.....	15
8. Stormwater Management.....	15
5. Environmental Monitoring	17
6. Photos	18
7. Assessment Report Professional Opinion	24

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

The subject property is in the 5700-block of East Sooke Road, Sooke, BC and is 6.64 ha (Figures 1 and 2). The project is a proposed subdivision to create 4 lots (Figure 3).

On June 16, 2024, Laura Hooper, PAg visited the site to conduct a Riparian Areas Protection Regulation (RAPR) assessment for the proposed project.

Watershed Context and Fisheries Resource Values

There are 2 waterbodies on and adjacent to the subject property (Figure 4):

- Tributary A: in the north quadrant of the property, flows northwest Caffrey Creek, flows into potentially fish bearing stream (RAPR applies, SPEA 10 m).
- Agricultural Ditch: within the field on the west property line, flows west to a culvert on 5717 East Sooke Road. Flows exit the culvert into a grassed field with no defined channel. RAPR does not apply.

Caffrey Creek is a short creek less than 1200 m in length that discharges directly into the marine environment at Anderson Cove on Sooke Basin on the southwest coast of Vancouver Island. It has no standard watershed code. A search of the iMap BC fisheries layers, FIDQ - Fish Inventories Data Queries, and Habitat Wizard for Caffrey Creek produced no fish observations or other creek information (all accessed July 2, 2024) therefore it is assumed that its tributaries are also fish bearing.

Site Assessment

The RAPR assessment reviewed the subject property with a focus on the Riparian Assessment Area (RAA) for the mapped watercourse (Caffrey Creek), along the eastern property line for connectivity to the wetland to the east, and to determine if there were any tributaries to Barnes Creek to the west (Figure 4). No connections were found to either the wetland or Barnes Creek. The RAA, unnamed tributary to Caffrey Creek, and Streamside Protection & Enhancement Areas (SPEA) encompass the northern narrow portion of the lot that provides access to East Sooke Road.

There is watercourse and one ditch on the property on East Sooke Road (Figure 4, Photos 1-4). The watercourse is a tributary to Caffrey Creek, potentially fish bearing stream, therefore the RAPR applies. The agricultural ditch is not connected with a defined channel to Barnes Creek, therefore the RAPR does not apply (Photos 5 and 6).

Tributary A enters the property from the southeast, flows northwest along the eastern edge of the narrow access to the property and discharges into a culvert under East Sooke Road into 5740 East Sooke Road. It has a low gradient, in a riffle-pool series, that created a slow-moving flow of water during the stream assessment. The banks of the stream are up to 1 meter high suggesting that the stream is not deeply incised into the landscape. The width is consistent, and the depth varies (Photo 1-4). Tributary A is not known to dry out in the summers and there is a wetland upstream of the watercourse. However, this upland (off-property) wetland was not assessed. The RAPR default is fish-bearing. The watercourse flows northwest into a ca. 700 mm culvert

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

under East Sooke Road as it exits the property. The riparian forest is dominated by western red cedar (*Thuja plicata*), Grand fir (*Abies grandis*), and Douglas fir (*Pseudotsuga menziesii* ssp. *menziesii*) with red alder (*Alnus rubra*) and bigleaf maple (*Acer macrophyllum*). There is an understory of salmonberry (*Rubus parviflorus*), sword fern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), skunk cabbage (*Lysichiton americanum*), dull Oregon-grape (*Mahonia nervosa*), vanilla leaf (*Achlys triphylla*), salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*), foam flower (*Tiarella cordifolia*), hedge nettle (*Stachys chamissonis*), trailing blackberry (*Rubus ursinus*), rose (*Rosa* sp.) and sedges (*Carex* sp.) (Photos 1-4).

The SPEA is 10 m (Figure 5).

The property has not been previously developed other than a historic (ca. 2000) construction of a driveway, a walking trail along the eastern edge, and clearings for farm use (Photos 7-10).

Proposed Development

The proposed development is a rezoning and subdivision to divide (6.74 ha) into four lots: lot 1 (1.75 ha), lot 2 (1.25 ha), lot 3 (1.5 ha) and lot 4 (1.45 ha) (Figure 4). Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA. The proposed subdivision boundaries are through the centre of the parent lot and the only proposed development is installation of wells, outside the RAA. The subdivision will be aligned to have the existing driveway (within the RAA) remain unaltered as a common access (common property) for the four strata lots.

The site of the proposed development is not subject to undue hardship given the developable area for the lots range from 63% to 73% (Figure 6).

Form 3 Detailed Assessment Form
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

2. Results of Detailed Riparian Assessment

Refer to Section 3 of Technical Manual

Description of Water bodies involved (number, type)		Date: <input type="text" value="June 16, 2024"/>
Stream	<input checked="" type="checkbox"/>	
Wetland	<input type="checkbox"/>	
Lake	<input type="checkbox"/>	
Ditch	<input type="checkbox"/>	
Number of reaches	<input type="text" value="1"/>	
Reach #	<input type="text" value="1"/>	

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)
starting point	1.5	1
upstream	1.5	0
	1.7	1
	1.3	1
	1.7	1
downstream	1.7	0
	2.1	0
	1.0	2
	1.4	1
	1.2	1
	1.6	1
Total: minus high /low	13.6	7
mean	1.5	0.8
R/P	C/P	S/P
Channel Type	<input checked="" type="checkbox"/>	

Site Potential Vegetation Type (SPVT)

	Yes	No			
SPVT Polygons	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes		
	<p>I, <u>Laura Hooper</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <input type="text"/>;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and</p> <p>d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.</p>				
Polygon No:	<input type="text" value="1"/>	LC	SH	TR	Method employed if other than TR
SPVT Type	<input type="checkbox"/>				
Polygon No:	<input type="text"/>	LC	SH	TR	Method employed if other than TR
SPVT Type	<input type="checkbox"/>				
Polygon No:	<input type="text"/>	SPVT Type			
	<input type="checkbox"/>	Method employed if other than TR			

Form 3 Detailed Assessment Form
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons		
-------------	---	---	--	--

LWD, Bank and Channel	10	
Stability ZOS (m)	10	

Litter fall and insect drop ZOS (m)	4.5	South bank	Yes	X	No	
-------------------------------------	-----	------------	-----	---	----	--

Shade ZOS (m) max	4.5	South bank	Yes	X	No	
-------------------	-----	------------	-----	---	----	--

Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					
-------	---	--	--	--	--	--

Ditch Fish Bearing	Yes	No	If non-fish bearing insert no fish bearing status report			
--------------------	-----	----	--	--	--	--

SPEA maximum	10	(For ditch use table3-7)
---------------------	-----------	--------------------------

Segment No:	2	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons		
-------------	---	---	--	--

LWD, Bank and Channel	10	
Stability ZOS (m)	10	

Litter fall and insect drop ZOS (m)	4.5	South bank	Yes		No	X
-------------------------------------	-----	------------	-----	--	----	---

SPEA maximum	10	(For ditch use table3-7)
---------------------	-----------	--------------------------

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons		
-------------	--	---	--	--

LWD, Bank and Channel		
Stability ZOS (m)		

Litter fall and insect drop ZOS (m)		
Shade ZOS (m) max		

SPEA maximum		(For ditch use table3-7)
---------------------	--	--------------------------

I, Laura Hooper, hereby certify that:

- I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

Tributary A flows northwest along the eastern edge of the narrow access to the property. It has a low gradient, in a riffle-pool series, that created a slow-moving flow of water during the stream assessment. The banks of the stream are up to 1 meter high suggesting that the stream is not deeply incised into the landscape. The width is consistent, and the depth varies (Photo 1). Tributary A is not known to dry out in the summers and there is a wetland upstream of the watercourse. However, this upland (off-property) wetland was not assessed. The RAPR default is fish-bearing. The watercourse flows northwest into a ca. 700 mm culvert under East Sooke Road as it exits the property. The riparian forest is dominated by western redcedar (*Thuja plicata*), Grand fir (*Abies grandis*), and Douglas fir (*Pseudotsuga menziesii* ssp. *menziesii*) with red alder (*Alnus rubra*) and bigleaf maple (*Acer macrophyllum*). There is an understory of salmonberry (*Rubus parviflorus*), sword fern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), skunk cabbage (*Lysichiton americanum*), dull Oregon-grape (*Mahonia nervosa*), vanilla leaf (*Achlys triphylla*), salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*),

Form 3 Detailed Assessment Form
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

foam flower (*Tiarella cordifolia*), hedge nettle (*Stachys chamissonis*), trailing blackberry (*Rubus ursinus*), rose (*Rosa* sp.) and sedges (*Carex* sp.).

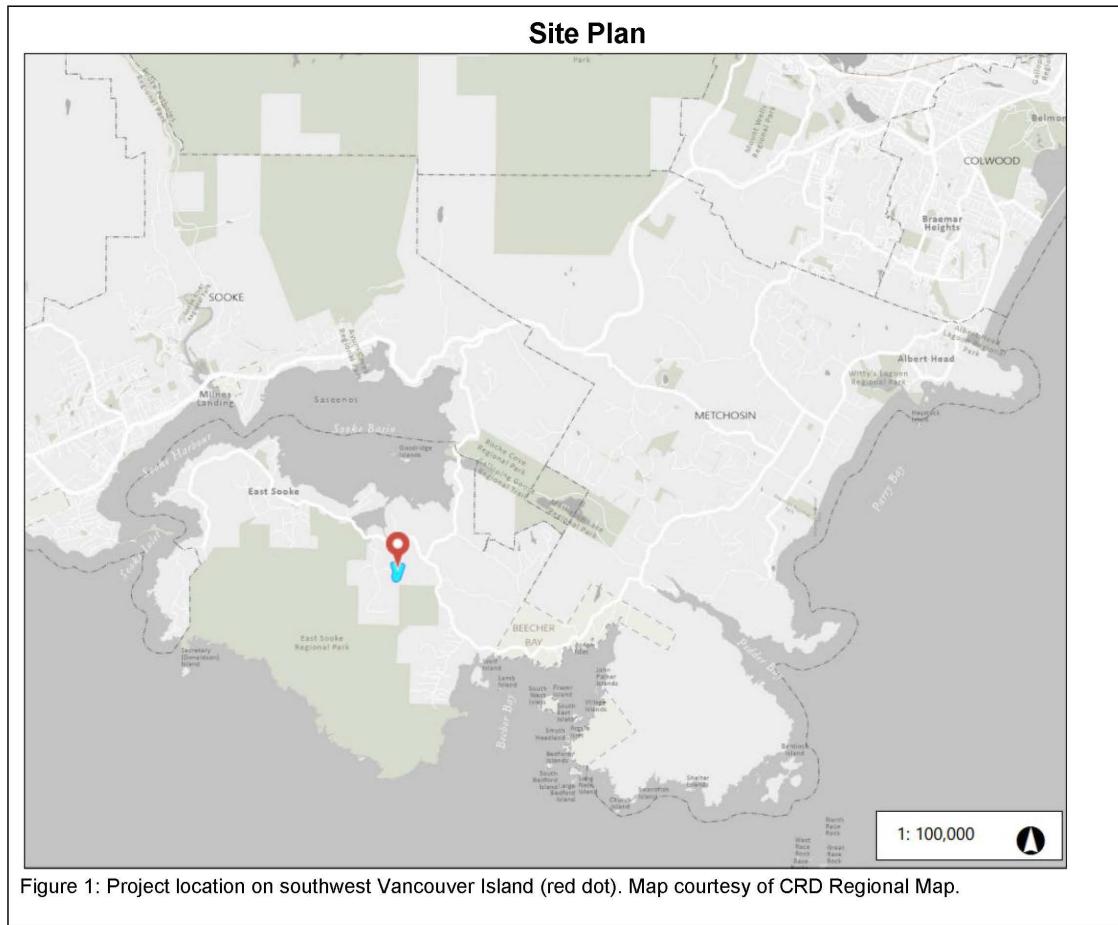
A search of the iMap BC fisheries layers, FIDQ - Fish Inventories Data Queries, and Habitat Wizard for Caffrey Creek produced no fish observations or other creek information (all accessed July 2, 2024) therefore it is assumed that its tributaries are also fish bearing.

The SPEA is 10 m.

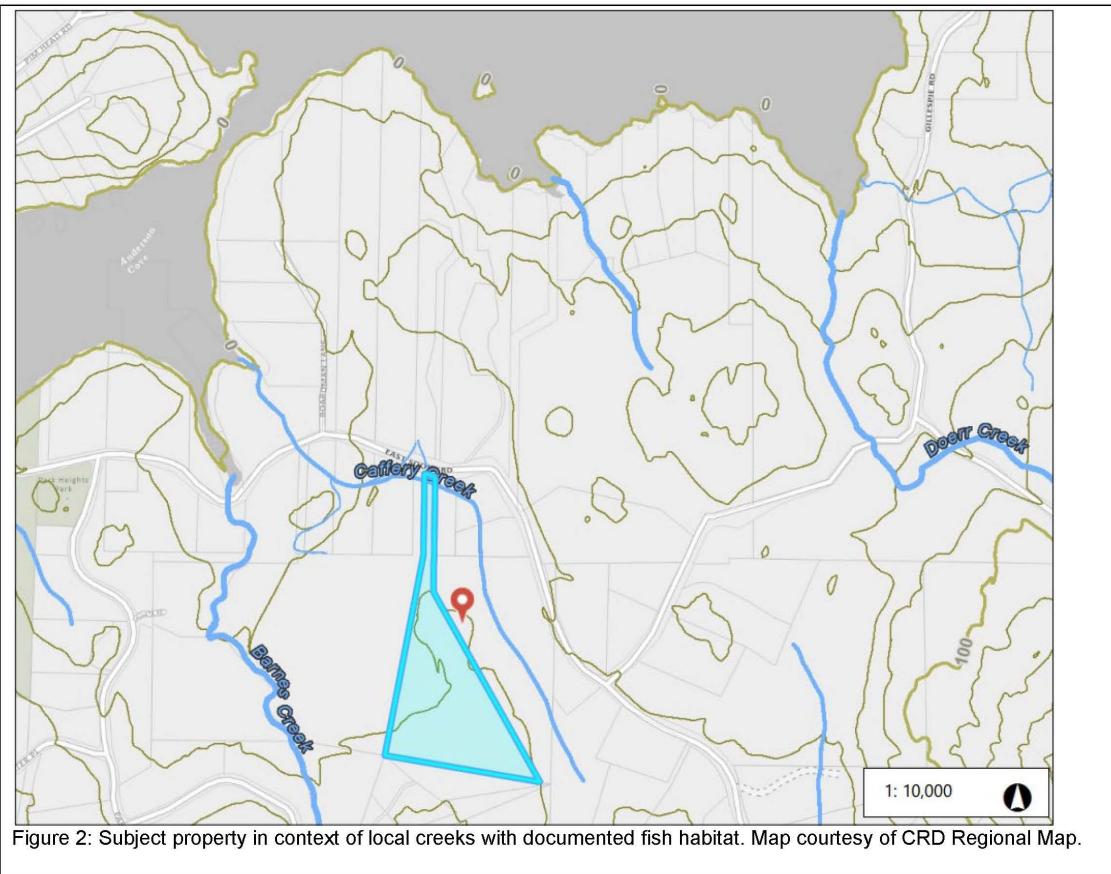
FORM 1

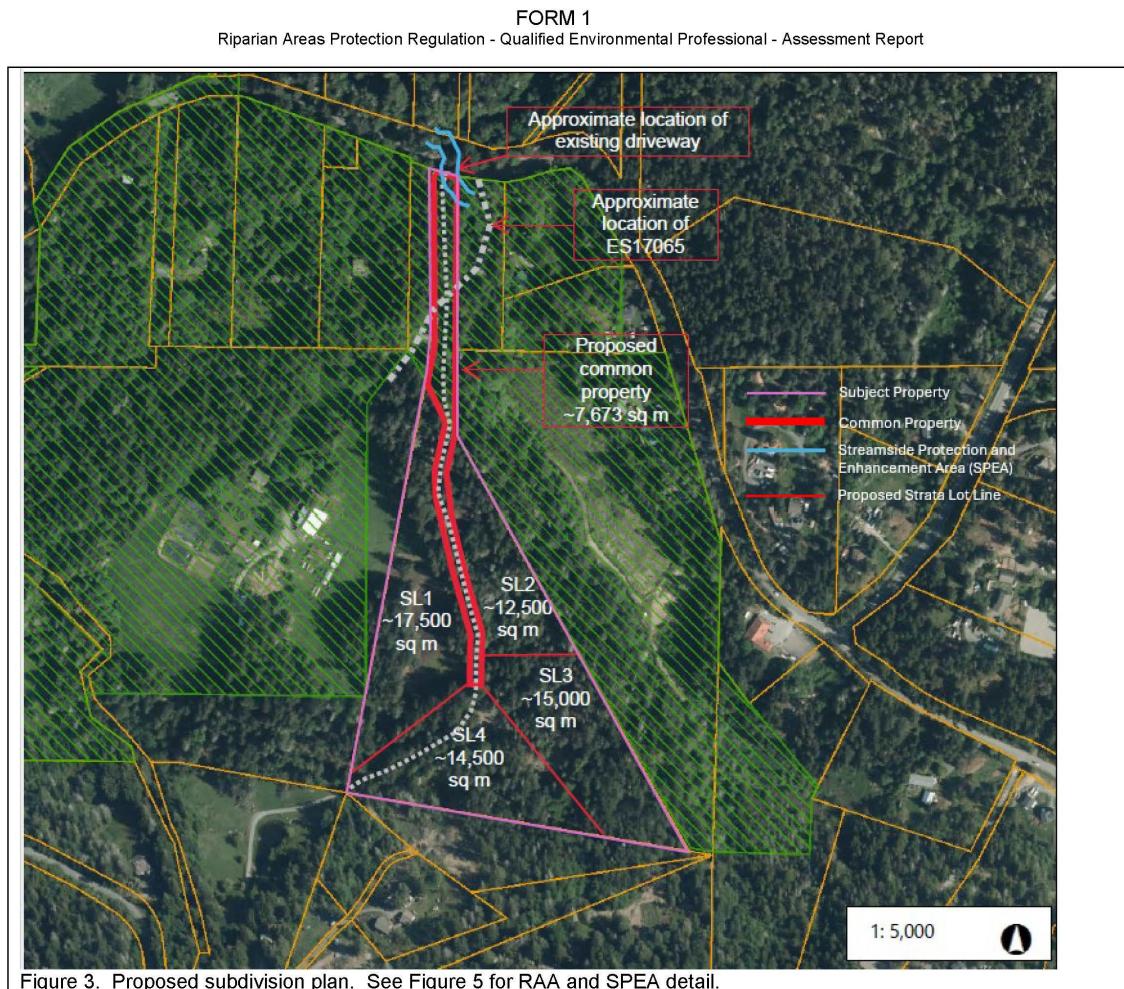
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 3. Site Plan

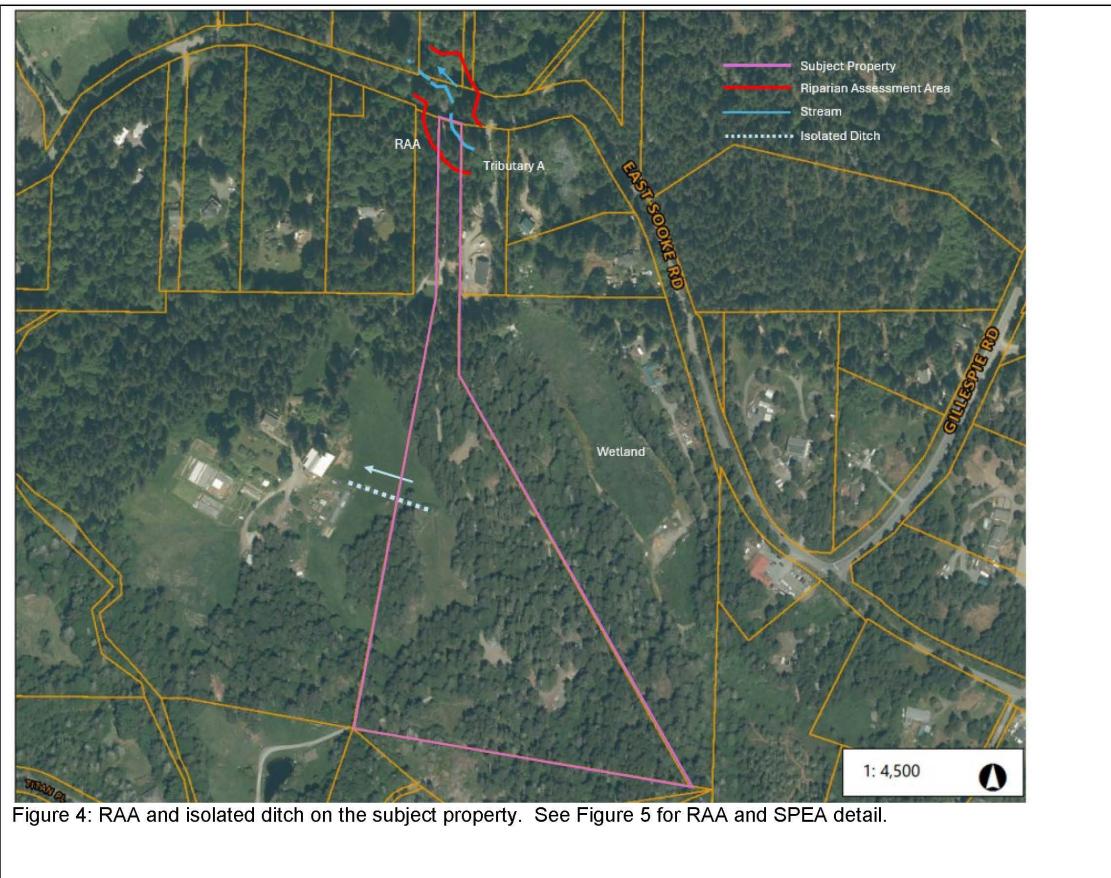


FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

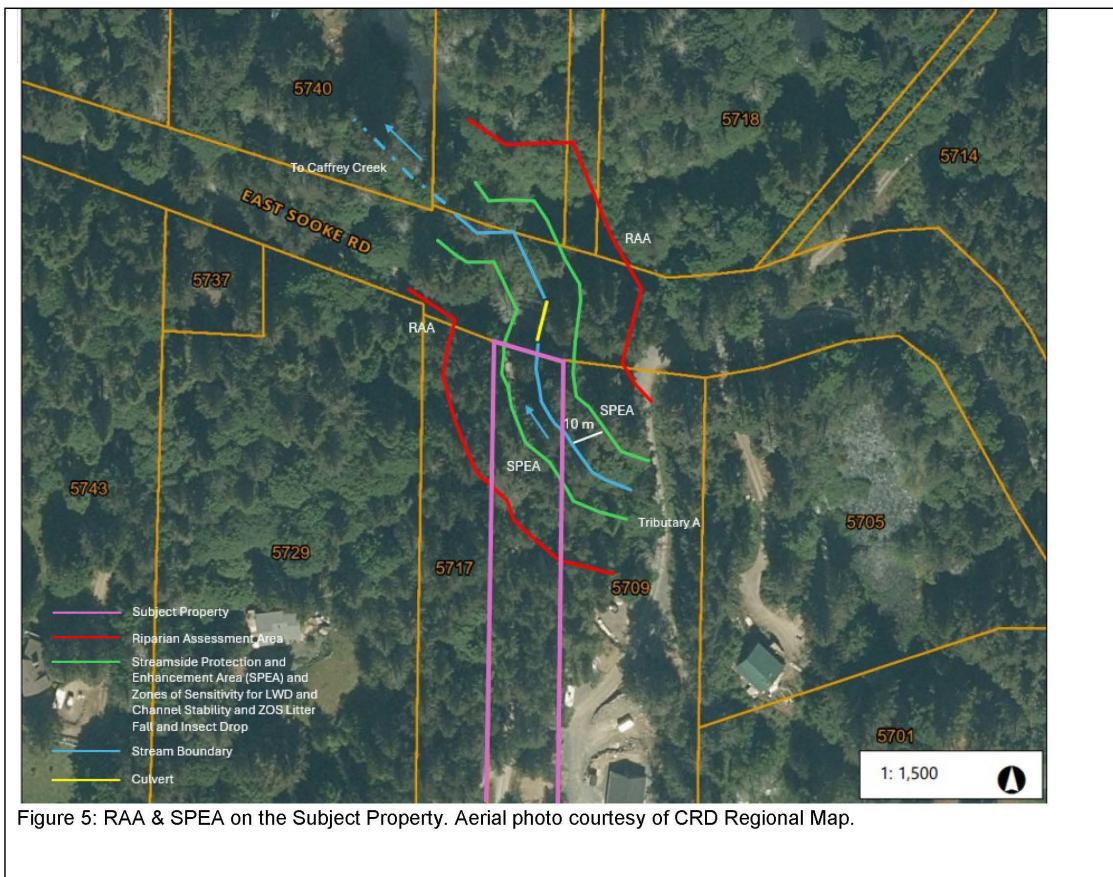




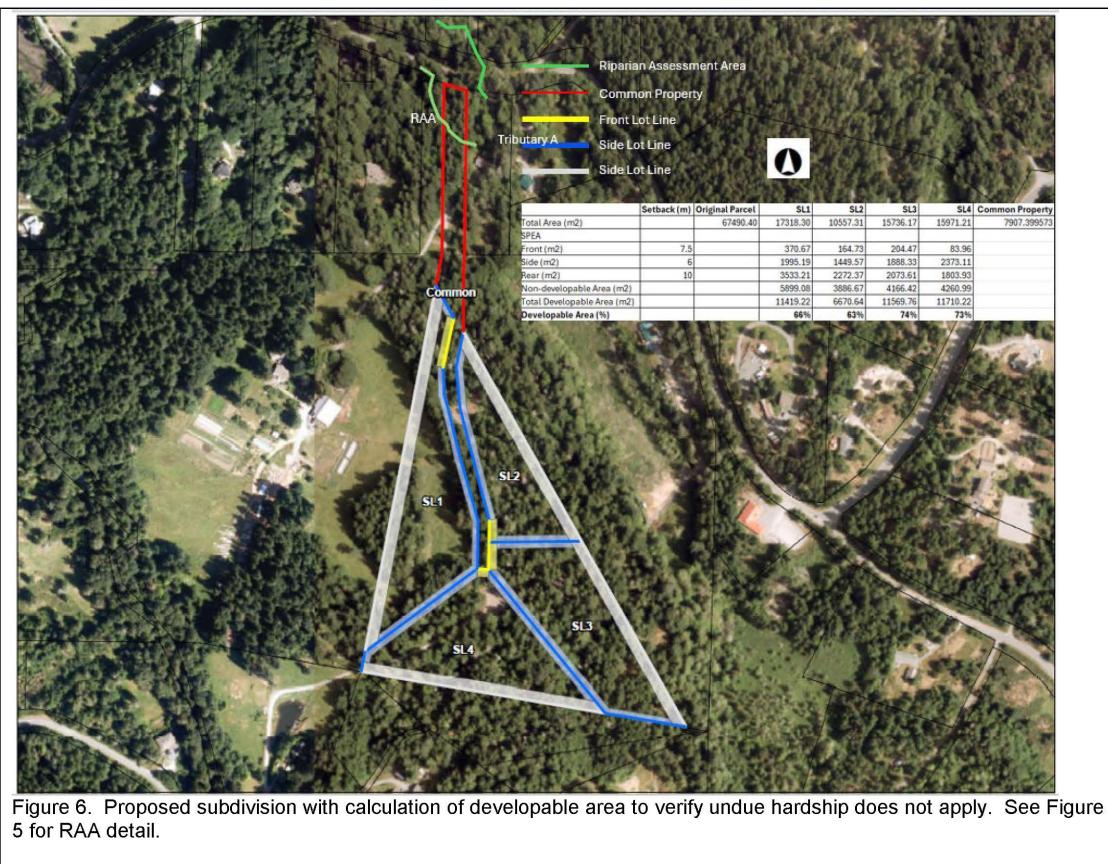
FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in Part 4 of the RAPR. It is suggested that documents be converted to PDF before inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

4.1 Danger Trees

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA; therefore, a tree assessment was not conducted.

4.2 Windthrow

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA; therefore, there is no expected increased risk of windthrow in the SPEA. A tree assessment was not conducted.

4.3 Slope Stability

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA; therefore, a geotechnical assessment was not conducted.

4.4 Protection of Trees

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA; therefore, no tree protection is required.

4.5 Encroachment

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA.

The existing uses within the SPEA of the unnamed tributary will remain as is (driveway to subject property).

The owners are aware via this report that the current uses are permitted, and that the following restrictions exist for new activities within the SPEA:

- The driveway assess should not be paved or surfaced with impermeable materials
- Planting native plants only
- Removal of non-native species
- Tree removal is only permitted for hazard trees, which must be identified by an ISA certified arborist, and replacement trees planted
- Trees and limbs that fall naturally in the SPEA should be left to provide organic debris for stream function, habitat and contributions to natural nutrient regimes, rather than being cleared or used for firewood
- No other development activities (e.g. clearing, buildings, road building, etc.) are permitted within the SPEA
- Any other development in the RAA than what is described in this report will require a new RAPR Assessment

4.6 Erosion & Sediment Control

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

4.7 Stormwater Management

Proposal is for rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA. Stormwater management for dwelling units must occur outside the RAA.

4.8 Floodplain Concerns

Proposal is for a four lot subdivision only and no development is proposed within the floodplains.

1. Danger Trees	
<p>I, <u>Laura Hooper, PAg</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED]; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
2. Windthrow	
<p>I, <u>Laura Hooper, PAg</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED]; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
3. Slope Stability	
<p>I, <u>Laura Hooper, PAg</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED]; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
4. Protection of Trees	
<p>I, <u>Laura Hooper, PAg</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED]; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
5. Encroachment	
<p>I, <u>Laura Hooper, PAg</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED]; [REDACTED] I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	
6. Sediment and Erosion Control	
<p>I, <u>Laura Hooper, PAg</u>, hereby certify that:</p> <ul style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED]; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation. 	

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

7. Stormwater Management	
I, <u>Laura Hooper, PAg</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
8. Floodplain Concerns (highly mobile channel)	
I, <u>Laura Hooper, PAg</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all documents be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Proposal is for a rezoning and subdivision only, no clearing, construction, or development is proposed in the RAA, and environmental monitoring is not required.

The owner has been informed of the obligation to protect the Streamside Protection and Enhancement Area (SPEA) and waterbodies, and that any future development in the RAA than what is described in this report will require a new RAPR Assessment.

The owners have been informed of the obligation of a QEP to submit a conformance statement and post-development report to the RAPR Notification System and have agreed to obtain the services of a QEP to complete this task. A post development report will include a field inspection of the development site and SPEA to ensure that the measures in the RAPR report have been implemented and that no damage has occurred or is expected to occur to the integrity of the SPEA.

If a QEP is not retained to monitor the project, it may not be possible to provide assurance that the work-site procedures were followed appropriately, or the work completed to an acceptable standard, or to sign a conformance statement and submit a post-development report.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 6. Photos



Photo 1: Typical section of the tributary to Caffrey Creek.

FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



Photo 2: Typical section of the tributary to Caffrey Creek and riparian vegetation.



Photo 3: Typical riparian vegetation of the tributary to Caffrey Creek.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

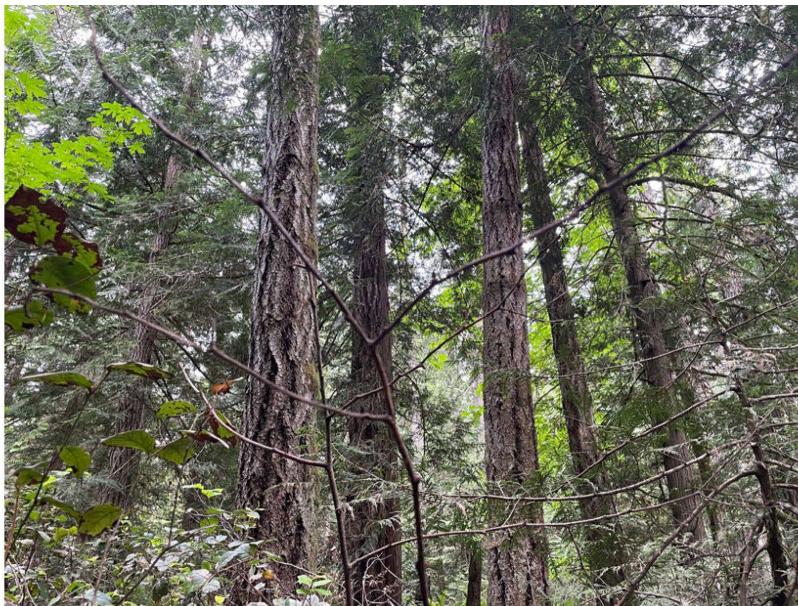


Photo 4: Typical forest layer of the tributary to Caffrey Creek.



Figure 6: Isolated ditch on subject property. 5717 East Sooke Road is in the forest in the background.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



Figure 6: Outlet of culvert into agricultural field on 5717 East Sooke Road. Barnes Creek is in the forest in the background.



Photo 7: Existing driveway access to the property, facing south. The tributary is on the left of the photo.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



Photo 8: Existing driveway access to the property, facing north and East Sooke Road. The tributary is on the right of the photo.



Photo 9: Typical trails on perimeter of the subject property.

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report



Photo 10: Pasture on the western side of the subject property.

FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 7. Professional Opinion

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date Sept 4, 2024

1. I/We Laura Hooper, PAg hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer , which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) N/A the site of the proposed development is subject to undue hardship, (if applicable, indicate N/A otherwise) and
- b) the proposed development will meet the **riparian protection standard** if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.]

FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Submission Instructions
Riparian Areas Protection Regulation – Qualified Environmental Professional –
Assessment Report RAR-QEP-AR

Forms you will need to complete are

- Form 1 which has the database information, the description of the fisheries resources, development site plan, measures to protect and maintain the SPEA, and environmental monitoring.
- Form 2, if more QEPs are part of the project team.
- Either Form 3 the detailed assessment form(s) or Form 4 simple assessment form(s) which is for the results of the riparian assessment (SPEA width). Use enough copies of the form to complete the assessment of the site.
- Form 5 is the photo form(s). Duplicate for additional photos.

NB: Refer to Part 4 of the RAPR and the Technical Manual for detailed instructions on the information required for completing the Assessment Report.

A complete Riparian Assessment Report based on the template forms must be converted to a *single* Portable Document Format PDF file prior to uploading onto the Notification System.

The Assessment Report must be submitted complete with all information specified and posted to the notification system to be reviewed by the province. Upon approval notification will be provided to the local government.

Tips for working with MS Word Template Forms

Using the forms

- Before beginning, print a hard copy of the form and the guidance files for reference
- Open the template
- Enter data into the shaded fields on the form
- Use TAB to move from one field to another; SHIFT-TAB to go in reverse
- Text and digital photos may be inserted from other applications
- The amount of text that can be entered in each box is limited and cannot be changed by the user; boxes with date information, for example, require input like: yyyy-mm-dd.

Saving the completed form

- Assign name to the completed form
- Save a word document (*.doc file)
- Do not overwrite the Template (*.dot file) with your completed form
- If you do overwrite the template, you can download a new copy from this web site

Appendix G: Potable Water Letter

Drillwell Enterprises

4994 Polkey Road
Duncan, V9L 6W3, B.C.

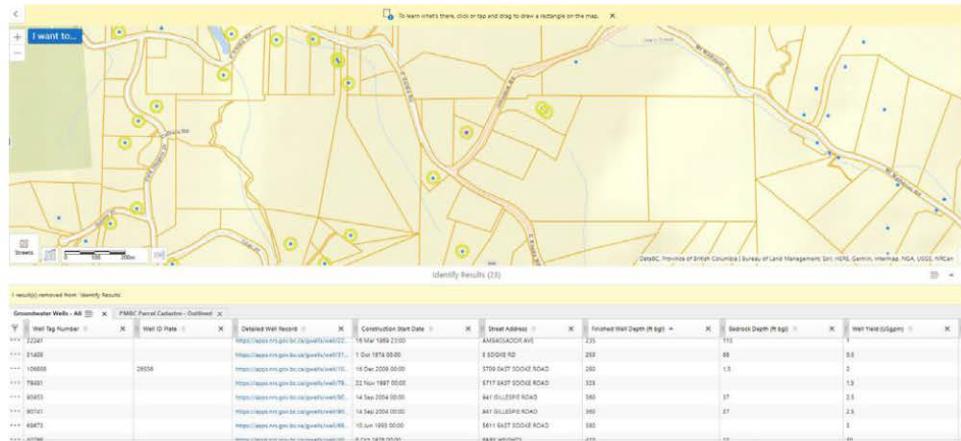


Phone: (800) 746-7444
Fax: (250) 746-8404
Email: drill@drillwell.com



Re: LOT 3, PLAN VIP72026, SECTION 84&88, SOOKE LAND DISTRICT PID: 024-994-944

The drilled wells in this area are primarily in bedrock and although they tend to be lower yield, most are adequate domestic supplies. Drilled wells in this area range from 100' to 600' deep and produce up to 7 gallons per minute (GPM) with most in the 200' to 450' range producing 0.5-3GPM.



500 Gallons per day is often considered a luxurious domestic supply for indoor water use and those mindful of their water usage often find a well producing 0.25GPM (360 Gallons per day) will meet their needs when they have storage to meet peak demands.

There are some unsuccessful wells to the southwest of the parcel and at some point (off map) the odds of a successful well appear to drop significantly. Based on the information available it seems likely adequate domestic supplies will be possible on the subject property similar in depth and yield to those surrounding. In the unfortunate event a drilled well was unsuccessful it is likely that hydrofracturing it or exploring again some distance away could provide an adequate water supply.

Best regards,

Colin Slade

Appendix H: Proposed Bylaw No. 4657

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4657**

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

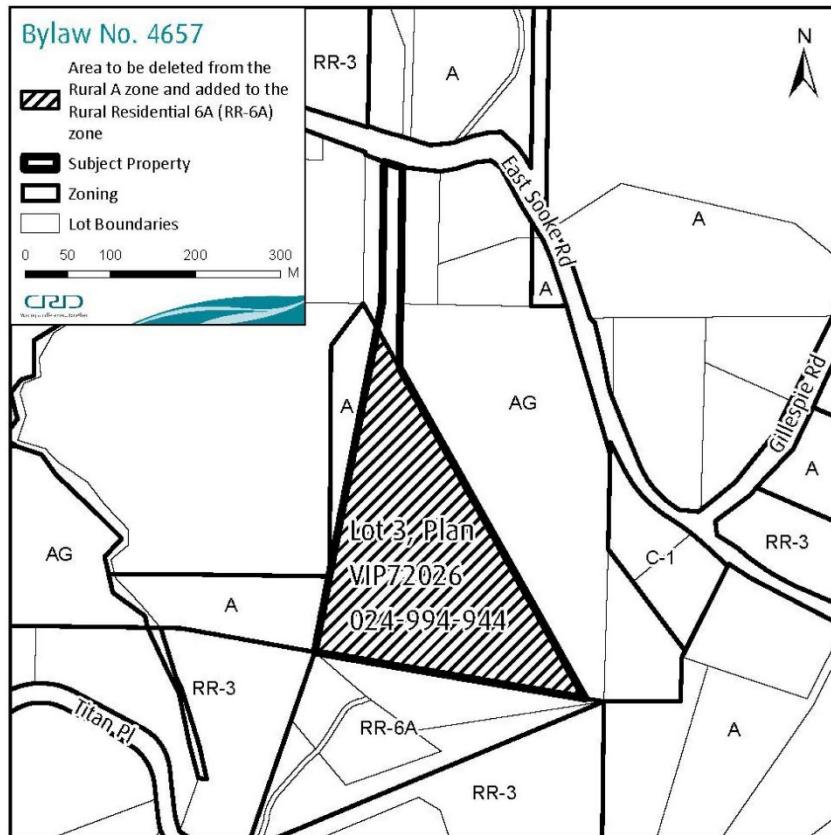
The Capital Regional District Board, in open meeting assembled, enacts as follows:

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

A. SCHEDULE B, Map No. 1 – EAST SOOKE ZONING MAP

- (a) By deleting that portion of Lot 3 Sections 84 and 88 Sooke District Plan VIP72026 from the Rural Zone – A (Rural A) and adding that portion to the Rural Residential 6A (RR-6A) zone, as shown on Plan No. 1.

Plan No. 1 of Bylaw No. 4657, an amendment to Bylaw No. 2040



CRD Bylaw No. 4657

2

2. This bylaw may be cited as "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 167, 2025".

READ A FIRST TIME THIS **day of** , 2026.

READ A SECOND TIME THIS , 2026. day of

READ A THIRD TIME THIS , 2026. day of

ADOPTED THIS _____ day of _____, 2026.

CHAIR

CORPORATE OFFICER

Appendix I: Referral Comments

T'Sou-ke First Nation

Darren Lucas

From: [REDACTED]
Sent: Tuesday, October 07, 2025 11:23 AM
To: Darren Lucas
Cc: Lands Manager
Subject: Re: SU000762 and Rezoning application RZ000287 and the T'Sou-ke Nation

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 Darren

we have no concerns at this time but if they do any digging we would like to have someone on sight

CRD Protective Services
Fire Services

From: [Chris J Vrabel](#)
To: [Wendy Miller](#)
Subject: RE: Rezoning Application RZ000287 - CRD Referral (Rural A to RR-6A - East Sooke)
Date: Monday, May 12, 2025 2:03:10 PM

OK. My comment is:

The application must produce report by a Qualified Professional that recommends how the proposed development provides satisfactory access to emergency vehicles.

Thanks,
Chris

CRD First Nations Relations & Archaeology

From: [Shauna Huculak](#)
To: [Wendy Miller](#)
Cc: [Sandra Allen](#); [Caitlyn Vernon](#)
Subject: RE: Rezoning Application RZ000287 - CRD Referral (Rural A to RR-6A - East Sooke)
Date: Thursday, April 24, 2025 9:50:41 AM

Hi Wendy,

Pls see below:

A search of the *Remote Access to Archaeological Data* (RAAD) managed by the BC Archaeology Branch (Ministry of Forests) was conducted on 24-04-2025. The search indicates that the property is not located within or immediately adjacent to a registered *Heritage Conservation Act* (HCA) protected archaeological site. However there is no record of an archaeological assessment having occurred on the property. A search of RAAD also indicates that the property is not within a high potential area as per the provincial archaeological overview assessment model available for the property.

Given that there is no registered archaeological site on the property, a Provincial *Heritage Conservation Act* permit is not required to undertake the work. However, a Provincial *Heritage Conservation Act* permit will be required if archaeological deposits, features or materials are exposed and/or encountered during land-altering activities that include tree felling. 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 and potential costs.

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) this includes culturally modified trees. Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The *Heritage Conservation Act* 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).

shauna

Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
November 25, 2025

2

Shirley – Sheringham Point Trail

- trail is looking good after recent clean-up done by the parks crew

Otter Point – Elrose Park

- the Otter Point Community Association (OPCA) has relayed positive comment regarding recent flail mower work at the park and overall progress of the community hall project

Otter Point – Kemp Lake Dock

- the OPCA has relayed positive comment regarding the dock extension at Chubb Road

East Sooke – Copper Mine

- grounds are looking good after the recent leaf removal and clean-up done by the parks crew

East Sooke – Seagirt Ponds

- Seagirt Ponds Preservation Society held an educational session at the East Sooke Community Hall on November 17

Willis Point – Invasive Species

- reports of holly and daphne have been received and will be directed to BC Parks

7. Staff Reports

a) **Zoning Amendment Application RZ000287 - Lot 3, Sections 84 and 88, Sooke District, Plan VIP72026 (5700 Block East Sooke Road)**

Jessica Boquist spoke to the application to zone part of the subject property to Rural Residential 6A (RR-6A) in order to permit a 4-lot subdivision. It was advised that the proposed lot configuration will require the provision of park land or cash in lieu equivalent.

The proposed subdivision plan, Parkheights Drive neighbourhood and transportation gaps identified by the Active Transportation Plan were highlighted. Official Community Plan policies supporting road safety and the development of an off-street network linking neighbourhoods, community focal points and parks were outlined.

Staff confirmed that the application agent was present.

The agent stated that the property owner supports cash-in-lieu of park land dedication.

Commission discussion ensued regarding options for trail along East Sooke Road or an active transportation connection to the commercial node at the Gillespie intersection.

MOVED by Commissioner Jorna, **SECONDED** by Commissioner McKay that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission state to the Juan de Fuca Land Use Committee that it considered Zoning Amendment Application RZ000287 and that its preference is for cash-in-lieu of parkland at the time of subdivision.

CARRIED

ALC

From: ALC Referrals ALC:EX
To: Wendy Miller
Subject: RE: Rezoning Application RZ000287 - CRD Referral (Rural A to RR-6A - East Sooke)
Date: Tuesday, May 13, 2025 10:36:56 AM
Attachments: [image002.png](#)
[image003.png](#)

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

Hi Wendy,

Thanks for referring this to the ALC for Comment. I understand that the proposal would rezone the portion of the Property outside of the ALR to facilitate a 4-lot strata subdivision, outside of the ALR. The result would be 4 rural-residential lots, which border in places along the ALR boundary, with the common property access panhandle contained within the ALR portion of the Property. No development is proposed for the existing road within the ALR portion of the Property.

The Buffer Report submitted with the referral materials submits that there is significant buffering already on the ALR property to the East (5685 East Sooke Road) due to a 30% slope and wetland-related setbacks, that there is a fence along the western property boundary (adjacent to 5717 East Sooke Road) and 10-m rear-yard construction setbacks, and that the portion of the Property within the ALR (the common property road) is within the Riparian Areas Protected Regulation where vegetation alteration and construction of structures such as fencing is prohibited.

The Buffer Report refers to the Ministry of Agriculture and Food's [Guide to Edge Planning](#), however suggests that the situation under Application, urban-side edge planning for "ALR lands that are small and not being actively farmed" is not addressed in the Guide.

The Buffer Report recommends:

- No hard-surfacing of the common property driveway (retaining as-is)
- Retaining the wire fencing running alongside the entire west property boundary (adjacent 5717 East Sooke Road)
- Retaining existing vegetation on proposed strata lots 1, 2, and 3 to create 10 m forested buffers along property lines abutting the ALR
- Protecting the buffer with a covenant registered on title or a no-build covenant

The buffer report submits that, with these recommendations in place, and if adjacent ALR lands continue as residential use or initiate low-intensity farming, edge conflicts stemming from the proposed subdivision will be minimized.

ALC Staff support the CRD's requirement that the applicant submit an ALR buffer recommendation as setbacks and buffering are critical urban-side edge planning tools to promote urban/rural compatibility. ALC Staff further support the recommendation that buffering along the eastern and western property boundaries be protected for the long term by means of a covenant registered on title. In addition, that the entire fence along the western property boundary be maintained.

ALC Staff note that the recommended 10-m vegetative buffers are less than the minimum recommended urban-side residential setback and buffer in the *Guide*, which recommends a 30-m building setback that contains a 15-m buffer. While the Buffer Report asserts that the guide does not provide for situations where ALR land is not being actively farmed, ALC staff note that land-use planning alongside the ALR must take a long-range outlook, accounting for potential future land uses that do not limit the types of agriculture that could occur on ALR land.

ALC Staff have no concerns with the proposed strata configuration provided there is no subdivision within the ALR and the road does not require dedication or additional development for its use as a residential (non-farm) road. [ALC Information Bulletin 09 provides additional information on subdivision and plans that cause subdivision in the ALR.](#)

ALC



Figure 10. Watercourse and isolated ditch on the Subject Property in relation to the Agricultural Land Reserve.

Image courtesy of iMapBC.

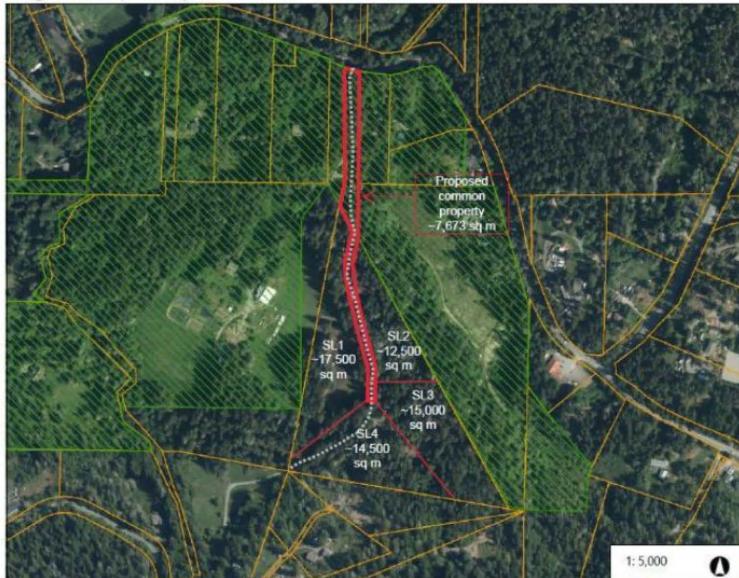


Figure 9. Proposed four-lot subdivision at PID 024-994-944.

Please let me know if you have any questions.

Sincerely,

ALC



Alex Haalboom | MRM Planning | she/her/hers
Regional Planner | Agricultural Land Commission
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6
T 236.468.1617 | F 604.660.033
e-mail | alex.haalboom@gov.bc.ca

If you are not the intended recipient of this e-mail and attachments please notify the sender by return e-mail and delete the e-mail and attachments immediately. This e-mail and attachments may be confidential and privileged. Confidentiality and privilege are not lost by this e-mail and attachments having been sent to the wrong person. Any use of this e-mail and attachments by an unintended recipient is prohibited.

BC Hydro

From: [Mann, Elaine](#)
To: [Wendy Miller](#)
Cc: [Design, SVI](#)
Subject: FW: [External] Rezoning Application RZ000287 - CRD Referral (Rural A to RR-6A - East Sooke)
Date: Monday, April 28, 2025 12:27:34 PM
Attachments: [REFERRED-FORM-AGENCIES-RZ000287.pdf](#)
[STAFFRPT-LUC-REFERRED-RZ000287.pdf](#)
[TITLE-ET45919-PID-024-994-944.pdf](#)

Hi Wendy

BC Hydro, Property Rights Services have no objection to the rezoning and proposed -lot bare land strata subdivision as there is neither a road dedication involved nor a BC Hydro right of way charge registered on the property title. In the event that BC Hydro Field Operations' Distribution Engineering & Design Department in Victoria wishes to comment, they will provide you with a response under separate cover.

The following comments are for the property owner's information:

1. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.
2. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafeBC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).
3. For any new electrical connections please call BC Hydro's Electric Service Coordination Centre at 1-877-520-1355 or email: expressconnect@bchydro.com

Please let me know if you have any questions or concerns.

Regards,

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: 2025, April 16 12:45 PM

District of Sooke

RESPONSE SUMMARY – REZONING APPLICATION RZ000287

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

Comments:

No comment.



Holden Blue

Senior Planner

Signed

Title

May 12, 2025

District of Sooke

Date

Agency

Ministry of Forests Archaeology Branch

From: [Arch Data Request FOR:EX](#)
To: [Wendy Miller](#)
Subject: RE: Rezoning Application RZ000287 - CRD Referral (Rural A to RR-6A - East Sooke)
Date: Friday, April 25, 2025 12:35:16 PM
Attachments: [image002.png](#)
[image003.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,

Thank you for your referral regarding the property legally described as LOT 3 SECTIONS 84 AND 88 SOOKE DISTRICT PLAN VIP72026 with PID 024994944. 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 referral.

Results of Provincial Archaeological Inventory Search

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

Archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property.

Archaeology Branch Advice

The Archaeology Branch does not identify a need for archaeological study or Provincial heritage permit(s) at the time of this information request.

Please notify all individuals (e.g., owners, developers, equipment operators) involved in land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) 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.

Rationale and Supplemental Information

- Archaeological study and Provincial heritage permit(s) are not required in the absence of an archaeological site.
- There is always a possibility for previously unidentified archaeological sites 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.

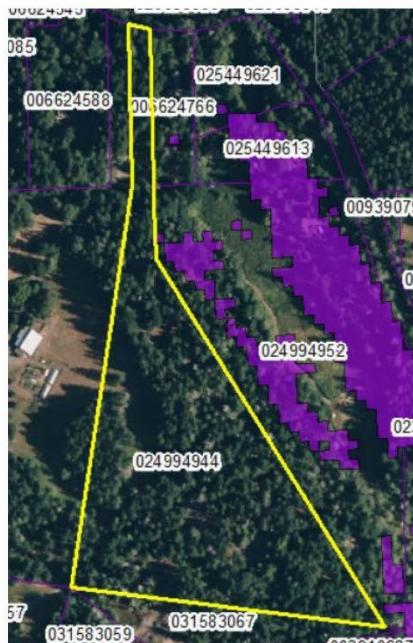
Ministry of Forests Archaeology Branch

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.

Kind regards,
Jen



Please note that subject lot boundaries (yellow) and areas of archaeological potential (purple) 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. If you are experiencing difficulties viewing the layers in the above screenshot, please contact us.



Archaeology Branch | Ministry of Forests

Email: ArchDataRequest@gov.bc.ca

Phone: 1-250-953-3334

PO Box 9816 Stn Prov. Gov't, Victoria BC V8W 9W3

Visit our website at: www.gov.bc.ca/archaeology

Ministry of Water, Land, and Resource Stewardship
Groundwater
RESPONSE SUMMARY – REZONING APPLICATION RZ000287

Interest Affected by Proposal for Reasons Outlined Below

Interest Unaffected by Proposal

Comments:

The Ministry of Water, Land, and Resource Stewardship, West Coast Region Authorizations Branch, has received a referral with respect to proposed rezoning and subdivision of the subject property. Based on the subdivision plan provided, the northern portion of the subject property will remain Agricultural Land Reserve (ALR) and not be included in the subdivision plan, while the southern portion of the subject lot, currently zoned as Rural Zone A (RZ-A), will be re-zoned as Rural Residential Zone 6A (RR-6A) and subdivided into four lots. Historically the subject property has remained undeveloped except for a narrow gravel access driveway occupying the northern portion of the lot. The southern portion of the subject lot contains mostly forested areas with a cattle-grazing pasture and corresponding fencing/gates. A tributary of Caffery Creek also flows through the northeastern portion of the subject lot, in the ALR portion of the property. Under the current RZ-A zoning, the 6.47 ha subject lot could support a maximum of four dwelling units with one additional secondary suite. Under the proposed subdivision and change to RR-6A zoning, each proposed lot could support a dwelling unit and secondary suite. Therefore, this subdivision and re-zoning proposal has the potential to increase population density on the subject lot.

No development or construction applications for the subject lot were included with this subdivision permit, however the ALR Buffer Report submitted, mentions the installation of wells as part of the proposed plan. No wells or surface water diversion points are currently registered to the subject property and no water supply plan was submitted to the Juan de Fuca Land Use Committee (LUC) so, the location and nature of potential, future water supply is unknown at this time. As this area does not appear to have a local water service provider, the applicants should be advised that a water licence for surface water or for non-domestic groundwater use is required under the *Water Sustainability Act* (<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14015>).

Information about water application requirements and process can be found here:

<https://portal.nrs.gov.bc.ca/web/client/-/water-licence-application>.

If a water service is planned, a licence for diversion of groundwater is required which also requires approval from Vancouver Island Health Authority under the *Drinking Water Protection Act* and the *Drinking Water Protection Regulation* which regulate protection of drinking water. A groundwater license for domestic use on a single lot is not required for domestic parcels serviced by individual wells.

Included in the report to the Juan de Fuca LUC was a letter from Drillwell Enterprises Ltd. (Drillwell) summarizing the well depths and yields in the area. Based on the nearby wells, Drillwell concluded that it was likely that a drilled well on the subject property could yield enough water for domestic purposes. If groundwater wells were to be used to supply water to the properties, it is likely that they would be completed within Aquifer 606 (AQ 606). AQ 606 consists of low productivity fractured crystalline bedrock partially confined by Vashon Till. A link to the AQ 606 factsheet is provided here: <https://apps.nrs.gov.bc.ca/gwells/aquifers/606>. Provincial Groundwater Observation Well 443 (OW 443) is located within AQ 606, approximately 8 km northwest of the subject property. There is not enough data recorded at OW 443 to produce a long-term groundwater level trend analysis however, the annual minimum groundwater levels measured in OW 443 have decreased by a total of approximately 17.5 m since the well was first added to the PGOWN system in 2018. This decrease in annual minimum groundwater levels may suggest increased stress on the aquifer over time. Aquifer 606 was flagged in 2019 with Aquifer Notation NO198052 due to "Possible Water Shortage and/or Saline Intrusion Issues". Increased groundwater extraction in the area may exacerbate current groundwater availability issues, increase potential for saltwater intrusion, and impact the water supply to other wells in the area.

Ministry of Water, Land, and Resource Stewardship
Groundwater

Based on the Groundwater Wells Database (GWELLS <https://apps.nrs.gov.bc.ca/gwells>) there are 53 registered wells completed in the 1 km radius surrounding the subject property; 47 wells were completed in AQ 606. The median finished well depth of the wells completed in AQ 606 was 134 m. The subject property elevation ranges from 30 to 50 meters above sea level (masl) therefore, it is likely that wells completed on the property would have finished well depths below sea level.

Based on the anticipated depths of potential water supply wells and the proximity of the subject property to the ocean shoreline (approximately 300-400 m), the saltwater intrusion risk is increased. We recommend, because of the increased saltwater intrusion risk, that during drilling and testing of new water supply wells, the water quality (e.g., electrical conductivity) be monitored to provide warning of potential saltwater intrusion impacts to the well water.

The nearest surface water body, Caffery Creek, is located on the northeastern portion of the subject lot. There are no points of diversions or notations associated with Caffery Creek. The next nearest surface water body to the site is Barnes Creek, located approximately 170 m west from the subject property. There are three points of diversion associated with Barnes Creek (F123676, F123677, F123734) and no notations. For more information on water licensing and rights refer to: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights>.

Aquifer 606 is classified as having an overall high vulnerability to contaminants introduced at the land surface because of the inconsistent till layer overlying the aquifer. Intrinsic vulnerability mapping (<https://catalogue.data.gov.bc.ca/dataset/drastic-aquifer-intrinsic-vulnerability>) indicates that aquifer vulnerability to contamination in the area of the subject parcel is considered high. Animal grazing areas, septic fields, and locations of manure storage can be sources of nutrient and bacterial contamination of surface and groundwater sources, therefore adequate (minimum 30 m) setbacks of these contaminant source from wells and surface water sources is required (in accordance with *Public Health Act*, Health Hazard Regulation https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/216_2011), and agricultural best practices (Code of Practice for Agricultural Environmental Management) https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/8_2019) to reduce runoff of contaminants are recommended to be employed.

No additional concerns are noted with respect to the proposed bylaw.

Jennifer Veitch	Groundwater Technician
Signed	Title
Jessica Doyle	Groundwater Authorizations Section Head
Reviewed by	Title
April 29, 2025	Ministry of Water, Land, and Resource Stewardship
Date	Agency

Ministry of Water, Land, and Resource Stewardship
Ecosystems

From: [Stefanyk, Michael WLRS:EX](#)
To: [Wendy Miller](#)
Subject: RE: Rezoning Application RZ000287 - CRD Referral Rural A to RR-6A - East Sooke
Date: Friday, May 02, 2025 2:05:35 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,

Thanks for the opportunity to review the referral for rezoning application RZ000287. Based on the information provided we have no objection to approval of the application.

Kind Regards,

Mike Stefanyk (he/him)
Ecosystems Biologist
Ministry of Water, Land and Resource Stewardship
Phone: 250-739-8642
Email: Michael.Stefanyk@gov.bc.ca
I acknowledge with gratitude and respect, the Lekwungen peoples known today as the Songhees and Esquimalt Nations on whose territory I live and work.

MOTT

From: [Thompson, Gilbert TT:EX](#)
To: [Wendy Miller](#)
Subject: MOTT File# 2025-02254 Rezoning Application RZ000287 - CRD Referral (Rural A to RR-6A - East Sooke)
Date: Monday, May 12, 2025 1:32:50 PM
Attachments: [image002.png](#)
[MoT Online eDAS Application Guide.docx](#)

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,

The Ministry of Transportation and Transit has received subject referral package. It has been inputted into our approval system, and assigned File# 2025-02254. The Ministry would like to offer the following feedback...

As no part of this parcel is located within 800m of a controlled access highway intersection, the proposed rezoning does not require Ministry approval under section 52 of the Transportation Act to proceed.

No storm drainage from the property may be directed into Ministry ditches, and must be handled entirely on the property.

Connection of the proposed common property access road to East Sooke Road must be approved under a Ministry of Transportation and Transit residential access permit.

Please be advised that the Ministry of Transportation and Transit is in receipt of an application for subdivision for this parcel, MOTT File# 2023-04901

Please also be advised that beginning June 1st, 2025 the Ministry will no longer be accepting referrals, or permit/subdivision applications that are submitted via email or post. All referrals, permit and subdivision applications must be submitted by the applicant through our online portal, eDAS. To access the portal you will need to obtain a BCeID if the CRD does not already have one. A business BCeID is recommended, as this allows multiple agency staff to work within a larger business account, which can be managed by a department head or other appropriate authority.

Please utilize the following for any BCeID troubleshooting that may be required.

- Helpline: 1-888-356-2741
- Help Form: https://www.bceid.ca/help_request/default.aspx?referrer=R%2fBUS%2fGS%2f11

Attached is an eDAS Application Guide for submitting referrals, permits, etc. to the Ministry. When submitting applications, your MoT office will be Southern Vancouver Island. The various application types related to Municipal activities (zoning bylaw updates, development permits, bylaw text amendments etc.) are located in the Apply for Approval tab. Please ensure you fill out the required fields including contact information, location, and upload any relevant documentation to the application.

MOTT

Once your application is received it will be assigned to the appropriate Development Services Officer. The Ministry appreciates your efforts to utilize eDAS as this will eliminate the need for MOTT staff to manually enter every referral, permit, etc. into eDAS and will improve initial response times.

If you have any questions, feel free to reach out.

Regards,

Gilbert Thompson (He/Him)
Development Services Officer
Ministry of Transportation & Transit – Southern Vancouver Island Area Office,
Suite 240 – 4460 Chatterton Way,
Victoria, BC V8X 5J2

Office: (250) 739 - 8691 | Email: Gilbert.Thompson@gov.bc.ca

[APPLY FOR A PERMIT OR APPROVAL](#)
[REGISTER FOR A BCeID](#)
[SUBDIVISION INFORMATION](#)



I recognize and respectfully acknowledge the Snuneymuxw First Nation, on whose traditional territory I live and work.



Notes from a Public Information Meeting
Held Monday, May 5, 2025, at the at the East Sooke Community Hall, 1397 Coppermine Road, East Sooke, BC

SUBJECT: Zoning Amendment Application RZ000287 – Lot 3, Sections 84 and 88, Sooke District, Plan VIP72026 (5700 Block of East Sooke Road)

PRESENT: Director Al Wickheim
East Sooke Advisory Planning Commission Members: Zac Doeding, Vicki Graham, Tim Marks, Janice St. John
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services; Wendy Miller, Recorder

PUBLIC: 10

The meeting was called to order at 6:34 pm.

Director Wickheim welcomed everyone to the meeting and provided a Territorial Acknowledgement.

Iain Lawrence introduced the proposal considered by the Juan de Fuca Land Use Committee (LUC) at its meeting of April 15, 2025, to rezone part of the subject property from the Rural (A) zone to the Rural Residential 6A (RR-6A) zone to facilitate subdivision. At that meeting, the LUC recommended that the proposal be referred to agencies and to the East Sooke Advisory Planning Commission (APC).

It was advised that a meeting of the APC will follow the close of the public information meeting. It was further advised that the application agent and proponent were present and the agent was invited to speak to the application.

The agent stated that:

- the application is supplemented by an Agricultural Land Reserve (ALR) Buffer Report, a Riparian Areas Regulation Report, and a letter from a well drilling company
- current zoning permits a building strata development
- the proponent is proposing a bare land strata through concurrent subdivision application SU000762, which would reduce common property ownership and require provision of park land
- the proponent proposes to provide cash-in-lieu of park dedication
- lots would be accessed from a common property driveway and serviced by individual well and septic
- the property to the east holds an easement over the property to the west and the subject property
- the property owner to the east has been granted egress over the subject property driveway

Public comment included:

- support for formalizing the egress through the development application process
- reconsideration of the farmland buffer on the subject property considering the topography and use of the Agricultural Land Reserve property to the east and the west

Public Information Meeting Minutes
May 5, 2025

2

Iain Lawrence advised that the Ministry of Transportation and Transit would review the road standard for the bare land strata and that a Qualified Professional report would make recommendations regarding conditions related to the Farmland Protection Development Permit Area as part of a development permit process required for subdivision. It was further advised that the application has been referred to the Agricultural Land Commission.

The meeting adjourned at 7:00 pm



Minutes of a Meeting of the East Sooke Advisory Planning Commission
Held Monday, May 5, 2025. at the East Sooke Community Hall, 1397 Coppermine Road,
East Sooke, BC

PRESENT: Zac Doeding (Chair), Vicki Graham, Tim Marks, Janice St. John
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services;
Wendy Miller, Recorder

ABSENT: Shandelle Conrad

PUBLIC: 9

The meeting was called to order at 7:02 pm

1. Elections

Iain Lawrence called for nominations for the position of Chair of the East Sooke Advisory Planning Commission (APC) for 2025 and Zac Doeding's name was put forward. Iain Lawrence called two additional times for further nominations and, as there were none, Zac Doeding was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the East Sooke APC for 2025 and Tim Marks' name was put forward. The Chair called two additional times for further nominations and, as there were none, Tim Marks was acclaimed Vice Chair.

2. Approval of the Agenda

MOVED by Vicki Graham, SECONDED by Tim Marks that the agenda be approved.

CARRIED

3. Adoption of the Minutes of November 7, 2022

MOVED by Tim Marks, SECONDED by Vicki Graham that the minutes from the meeting of November 7, 2022, be adopted.

CARRIED

4. Planner's Report

No report.

5. Zoning Amendment Application

a) **RZ000287 – Lot 3, Sections 84 and 88, Sooke District, Plan VIP72026 (5700 Block East Sooke Road)**

The APC considered the proposal to rezone part of the subject property from the Rural (A) zone to the Rural Residential 6A (RR-6A) zone to facilitate subdivision, as well as the comments received at the preceding public information meeting.

East Sooke Advisory Planning Commission Meeting Minutes
May 5, 2025

2

MOVED by Zac Doeding, SECONDED by Vicki Graham that the East Sooke Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee that it supports the application and proposed Bylaw No. 4657, to rezone a portion of the subject property from the Rural (A) zone to the Rural Residential 6A zone (RR-6A) and that it recommends provision of an adequate ingress/egress to service the proposed 4 bare land strata lots and reconsideration of the agricultural buffers on the subject property.

CARRIED

6. Adjournment

The meeting adjourned at 7:14 pm.

Chair