

EAST SOOKE ADVISORY PLANNING COMMISSION

Notice of Meeting on Wednesday, **August 8, 2018 at 7 p.m.**

East Sooke Community Hall, 1397 Coppermine Road, East Sooke, BC

AGENDA

1. Elections
2. Approval of Agenda
3. Approval of the Supplementary Agenda
4. Adoption of Minutes of April 25, 2016
5. Planner's Report
6. Rezoning Application
 - a) RZ000253 - Lot 2, Section 97, Sooke District, Plan 15036 (6400 Block East Sooke Road)
7. Adjournment



Making a difference...together

**Minutes of a Meeting of the
East Sooke Advisory Planning Commission held Monday, April 25, 2016 at
East Sooke Community Hall, 1397 Coppermine Road, East Sooke, BC**

PRESENT: Rhonda Underwood (Chair), Janice St. John, Adele Tomlinson, Lindsay Trowell, Nita West
Staff: Iain Lawrence, Supervisor, Local Area Planning; Emma Taylor, Planner; Wendy Miller, Recorder
PUBLIC: Approximately 25

The meeting was called to order at 7:00 p.m.

1. Elections

Iain Lawrence called for nominations for the position of Chair of the East Sooke Advisory Planning Commission for 2016 and Rhonda Underwood's name was put forward. Iain Lawrence called a second time for further nominations and Lindsay Trowell's name was put forward. Iain Lawrence called a third time for nominations and hearing none, conducted a vote by secret ballot.

Staff reported the majority of votes received, declaring Rhonda Underwood Chair.

The Chair called for nominations for the position of Vice Chair of the East Sooke Advisory Planning Commission for 2016 and Lindsay Trowell's name was put forward. The Chair called a second and third time for further nominations and, as there were none, Lindsay Trowell was declared Vice Chair.

2. Approval of the Agenda

MOVED by Adele Tomlinson, **SECONDED** by Lindsay Trowell that the agenda be approved. **CARRIED**

3. Approval of the Supplementary Agenda

No supplementary submissions.

4. Adoption of Minutes from Meeting of December 15, 2014

MOVED by Lindsay Trowell, **SECONDED** by Adele Tomlinson that the minutes of December 15, 2014 be adopted. **CARRIED**

5. Planner's Report

Iain Lawrence advised that the Juan de Fuca Land Use Committee (LUC) supported referral of proposed Bylaw No. 4000 to agencies and the community at its February meeting. It was advised that the Juan de Fuca Electoral Area Parks and Recreation Commission will consider the bylaw on April 26 and that the Agricultural Advisory Planning Commission will consider the bylaw on May 9.

6. Proposed Bylaw

a) Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016"

Iain Lawrence advised that staff have been working with the East Sooke community since November 2013 to review the existing Official Community Plan (OCP). It was advised that proposed Bylaw No. 4000 reflects comments and concerns raised by the Citizens' Committee, many of whom are present this evening. It was reported that the Citizens' Committee met thirteen times and that three events were held in the community. It was reported that road safety was identified as a top priority for the residents of East Sooke.

Iain Lawrence advised that the OCP is broken into seven parts. The APC agreed to open discussion to the membership and attendees after each part is reviewed by Planning.

At this time, the APC acknowledged the amount of time and work invested in updating the OCP, turning review of the document over to staff.

Part 1 – The Community

Reviewed without comment from the APC or attendees.

Part 2 – Administrative Structure

Section 208 Regional Growth Strategy Consistency

Iain Lawrence responded to questions from the APC confirming that the OCP has to be consistent with the Regional Growth Strategy (RGS). It was advised that the OCP was written to be consistent should the RGS be amended or not.

Part 3 – Themes and Priorities

Iain Lawrence reported that Part 3 outlines the issues raised by the community, providing the content for goals, policies and objectives outlined in Part 4.

Section 310 Ecological Health

Staff confirmed that the CRD does not have an invasive species management bylaw, but that the CRD could have a nuisance bylaw addressing invasive species if there was strong community support for such a bylaw. It was reported that Scotch broom on road rights-of-way would not fall under the proposed bylaw as CRD bylaws do not apply to lands held by the Province.

APC comment was made acknowledging that there is opportunity for homeowners and volunteer groups to assist in the effort to reduce invasive species in the community.

Section 320 Parks

Iain Lawrence directed attention to Table 5 noting that there is over 1,000 ha of land designated as Park due to additional parkland acquisition and previous miscalculation. As to cash in lieu of parkland received through subdivision, it was advised that the funds are deposited in the Juan de Fuca Community Parks land acquisition fund.

It was advised that subsection 324 supports Community Parks not wishing to accept land that can be protected by methods other than parkland dedication due to their environmentally sensitive nature.

Section 330 Access to Water

The community identified Anderson Cove as a priority access to water. Roche Cove and the undeveloped end of Basso Road were mentioned as alternative locations.

Iain Lawrence responded to questions from the APC advising that the CRD only develops accesses when a need has been identified by the community. The Ministry of Transportation and Infrastructure (MOTI) oversees the accesses until developed. It was advised that the Community Parks Strategic Plan identifies priority accesses in the Juan de Fuca Electoral Area.

Section 340 Connectivity and Transportation

Iain Lawrence advised that, in discussions with the MOTI, no improvements to the road system in East Sooke are scheduled at this time.

The APC stated that a private bus service was explored in past. Should there be any improvement to the transit system, it is understood that it must be provided through BC Transit.

Section 350 Safe and Healthy Community

The APC stated positive comment regarding subsection 355 Water Supply and the language supporting extension of water services.

Regarding subsection 356 Sewage Treatment, the APC stated that the CRD will be hosting a Septic Savvy session in the community on May 11.

Valerie Braunschweig, East Sooke, requested that subsection 358 Community Gathering Place be updated to reflect use of the old fire hall as a community space as well as to reflect updates related to the new fire hall, Juan de Fuca Search and Rescue and Royal Canadian Marine Search and Rescue.

Iain Lawrence responded to a question from the APC confirming that Table 8 (p. 57) reflects that 4% of the land base in East Sooke is designated Agriculture. Subsection 364 lists agricultural activities in the community documented in the Agricultural Inventory.

Section 370 Social Infrastructure

Iain Lawrence spoke to the services provided outside of the community and the community desire to see health and social programs delivered locally.

Section 380 Settlement

Iain Lawrence directed attention to p. 53 reflecting development potential by Land Use Designation (LUD). Bylaw No. 4000 supports an average parcel size of 1 ha for the Settlement LUD resulting in an increase of 689 additional parcels based on rezoning and subdivision including rezoning and subdivision of Rural A parcels to fee simple lots.

Part Four – Goals, Policies and Objectives

Iain Lawrence outlined the four LUDs. It was advised that lands designated as Agriculture are lands that fall within the Agricultural Land Reserve and lands designated as Park are CRD Regional Park lands. CRD Community Parks are not designated Park. Community Parks are acquired through subdivision of lands within the Settlement designation.

Community Parks remain designated as Settlement, eliminating the need for an OCP amendment.

Zac Doeding, East Sooke, stated support for the creation of a single Settlement Area as proposed by Bylaw No. 4000.

Jane Hutchins, East Sooke, questioned the level of assurance that a Community Park will remain park when a park is designated Settlement.

Staff stated that assurance rests with the lands being held by the CRD under the Juan de Fuca Electoral Area Community Park Program. Disposition of a Community Park requires the support of the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission, the Electoral Area Services Committee and the CRD Board. Disposition of Regional Parks is regulated by the *Local Government Act*. Community Parks zoned Public Recreation (P-1) or Community Facility (P-2) would require rezoning should a park be sold for residential development. The rezoning process requires public consultation.

Section 410 Ecological Health

The APC stated that armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged, but not prohibited. It was further stated that, with sea level rise, more and more erosion is occurring.

Iain Lawrence advised that the Shoreline Protection Development Permit Area (DPA) requires submission of a geotechnical report and/or submission of a registered biologist report outlining the appropriate shoreline protection measures for the subject area.

Section 420 Parks

The APC stated that, as reflected in Bylaw No. 4000, the community is not looking for facilities but rather opportunities to support interpretative and educational park programs and activities. The Friends of Seagirt Ponds Society was forwarded as an example where volunteers are providing such opportunities.

Section 430 Water Access

The APC stated that the objectives for water access should include access to the water in the event of an emergency.

Comment from the public was forwarded stating that it is understood that the shellfish tenure at Anderson Cove has been granted to First Nations.

Section 440 Connectivity and Transportation

Staff reported that Regional Parks has requested that use of “off-road trails” be revised to “off-street trails” as off-road suggests allowing motorized vehicle use. It was further reported that options for such trails can be considered as part of rezoning and subdivision processes and through permits for works within statutory rights of way.

Section 450 Safe and Healthy Community

Iain Lawrence stated that the listed broad objectives are the objectives that the CRD has no authority to implement.

New wording for item J, Water Supply (p. 74), was read aloud to clarify that costs being borne by users includes the design and construction of an expanded water service area. It was advised that capacity of the system to support expansion would be determined through a study.

Section 460 Food Security

Reviewed without comment from the APC or attendees.

Section 470 Social Infrastructure

Reviewed without comment from the APC or attendees.

Section 480 Settlement

Iain Lawrence directed attention to policy statements D, E and F (p. 82) which support an alternative to permit rezoning and subdivision of Rural A parcels to fee simple lots. Iain Lawrence responded to a question from the public advising that policy B (p. 81) addresses parcels zoned Rural Residential 3.

Staff responded to a question from the APC advising that the scale of a cottage industry (policy statement K, p. 82) would be determined by the community through comments received at LUC and APC meetings. Opportunity to consider development of a resort or commercial hub are supported by policy statement J and M (p. 82).

Comment from the public was forwarded stating that the policy statements were developed prior to the increase in Airbnb listings.

Section 490 Climate Change Adaptation and Greenhouse Gas Reduction

Staff advised that this section does not include unique policy statements but directs to policy statements included in other sections.

Part 5 - Development Permit Areas

Iain Lawrence reported that Part 5 has been slightly reorganized since last presented to the Citizens' Committee, listing the general polices (subsection 502) and general exemptions (subsection 503) for development permits. Further exemptions are listed under the individual DPAs.

Staff advised that:

- the Ministry of Agriculture has submitted comment not supporting the Medical Marihuana Production Facilities DPA (Section 570), but that the Bylaw No. 4000 will continue to retain this DPA
- non-fish bearing watercourses are now identified under the Sensitive Ecosystem DPA

Part 6 – Development Approval Information Area

Iain Lawrence responded to questions from the APC outlining the intent of the Development Approval Information Area (DAIA). It was reported that the DAIA is shown on Schedule H includes all parcels of land that are 2 ha and larger. These parcels are reflected in yellow. It was advised that the DAIA allows the CRD to ask for information in connection with an application for an amendment to a zoning bylaw, a development permit or a temporary use permit. Parcels less than 2 ha do not have further subdivision potential and are not included in the DAIA.

Part 7 – Temporary Use Permits

Staff advised that Temporary Use Permits (TUPs) may be issued for land within all LUDs. Iain Lawrence outlined the general conditions for a TUP and reported that a TUP can be issued for a maximum total of six years (three years plus three year renewal). It was advised that a covenant can be required to ensure buildings associated with the TUP are removed upon permit expiration and that security to ensure compliance with the conditions of a permit can be requested.

Appendix A – Definitions

Definition for Qualified Environmental Professional and Stream are from the *Riparian Areas Regulation*.

Appendix B – Population Data for East Sooke

Totals for the population breakdowns will not add up as Statistics Canada suppresses data to eliminate individuals being identified.

At this time, Iain Lawrence advised that the LUC supports stronger language in the OCP to reflect the value East Sooke residents place on dark skies. It was reported that the Commercial DPA (Section 550) reflects this value. Stronger language could be incorporated to reflect this value in residential policies which would further support consideration of a bylaw for nuisance lighting. The APC and public attendees forwarded positive comment supporting the proposed language change.

It was further reported that, following consideration of the OCP by the local APCs, the proposed bylaw will be considered by the Planning, Transportation and Protective Services Committee and the CRD Board for a determination of consistency with the RGS. Bylaw No. 4000 would then proceed to first and second reading and to a public hearing followed by third reading and then adoption.

MOVED by Janice St. John, **SECONDED** by Lindsay Trowell that the East Sooke APC supports referral of proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016", to appropriate CRD departments and agencies reflected in the February 16, 2016 report to the LUC and that proposed Bylaw No. 4000 be proceed to the full CRD Board for a determination of consistency with the RGS.

CARRIED

7. Adjournment

MOVED by Lindsay Trowell, **SECONDED** by Janice St. John that the meeting adjourn.

The meeting adjourned at 8:44 p.m.

Chair



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, JULY 17, 2018**

SUBJECT Zoning Amendment Application for Lot 2, Section 97, Sooke District, Plan 15036

ISSUE

The applicant proposes to rezone the subject property from Rural A to a new Rural Residential 6A (RR-6A) zone, in order to facilitate a 9-lot subdivision.

BACKGROUND

The vacant, 9.2 ha subject property is located in East Sooke at the 6400 block of East Sooke Road (Appendices 1 and 2). The property is designated as Settlement (S) under the East Sooke Official Community Plan, 2018, Bylaw No. 4000, and zoned Rural A under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. The parcel is adjacent to other Rural A zoned lands to the north and west, Seagirt Ponds Park to the northeast, and Rural Residential 5 (RR-5) zone lands to the south.

The parcel is located within the East Sooke Participating Area of the Juan de Fuca Water Distribution Local Service Area, the Seagirt Waterworks District, and the East Sooke Fire Protection Local Service Area.

In terms of rural residential development, the current Rural A zone would allow subdivision of the subject property into two ~4.5 ha parcels and the subsequent construction of up to four dwellings on each parcel, as well as either a secondary suite or a detached accessory suite.

The proposed rezoning to a new RR-6A zone would potentially allow subdivision of the property into 9 lots with an average parcel area of 1.0 ha, and the subsequent construction one dwelling per parcel and either one secondary suite or one detached accessory suite.

Policies of the Settlement land use designation of the East Sooke OCP are supportive of a transition from the Rural A zone to a zone that accommodates a ratio of one parcel per hectare of land.

Staff have prepared Bylaw No. 4246, which would rezone the parcel from Rural A to Rural Residential 6A (RR-6A).

ALTERNATIVES

Alternative 1

That staff be directed to refer proposed Bylaw No. 4246, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 134, 2018" to the East Sooke Advisory Planning Commission, to appropriate CRD departments and the following external agencies for comment:

BC Hydro	Ministry of Transportation and Infrastructure	T'Sou-ke First Nation
District of Sooke	Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch	RCMP
Island Health	Scia'new First Nation	Sooke School District #62

Alternative 2

That proposed Bylaw No. 4246 not be referred.

Alternative 3

That more information be provided by staff.

LEGISLATIVE IMPLICATIONS

Pursuant to Section 477 of the *Local Government Act (LGA)*, an amendment to a zoning bylaw requires that the local government provide one or more opportunities for consultation it considers appropriate to the persons, organizations and authorities the local government considers may be affected by the adoption, repeal or amendment of a zoning bylaw.

Consultation under the above noted sections of the *LGA* must occur prior to the requirement under Section 477 to hold a public hearing as part of the amendment process. In this case, the comments will be received prior to proceeding to first reading of the bylaw.

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 relating to Part 14 of the *LGA*. Therefore, staff recommend referring the proposed amendment bylaw to the East Sooke APC.

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 Development Applications Procedures Bylaw No. 3110, where a zoning bylaw amendment that applies to land within the East Sooke Official Community Plan area is consistent with the OCP, it does not proceed to the full CRD Board for a determination of consistency with the RGS.

The RGS recognizes that water service may be extended to those lands designed as Settlement by the East Sooke OCP, provided that the total development of existing and new units in both Otter Point and East Sooke does not exceed 3384 units. The total number of existing and new units to be serviced identified by the East Sooke OCP is 1,407.

PLANNING ANALYSIS

The East Sooke Official Community Plan, 2018, Bylaw No. 4000, designates the subject property as Settlement (S). The objectives of this designation are to maintain the rural character of East Sooke through low-density development occurring at a gradual pace; to support a range of economic activities at a scale appropriate to the size of the community and its rural nature; and to provide affordable housing and rental accommodation options appropriate for a rural community. Settlement designation policies support the rezoning of lands currently zoned Rural A based on a ratio of one parcel per hectare of land in the parent parcel prior to the subtraction of any area for road or park dedication. Settlement policies are also supportive of an average density of one parcel per hectare within a plan of subdivision, provided that no new parcels are created with an area of less than 0.4 ha.

The proposed RR-6A zone allows a 1 ha average parcel size and a minimum parcel size of 0.5 ha. The zone allows for residential, agricultural and home based business uses, as well as secondary suites or detached accessory suites.

The East Sooke OCP designates the property as a Steep Slopes and a Sensitive Ecosystems development permit area. In support of this rezoning application, the owner has provided geotechnical and sensitive ecosystem reports prepared by qualified professionals. The lands in East Sooke are the traditional territory of the T'Sou-ke and Scia'new First Nations, and there are recorded archaeological sites in the area. In order to determine whether this specific property was previously used or occupied by First Nations, the applicant retained an archaeologist to review the land and provide an overview assessment.

Geotechnical Review

Alec Morse, P.Eng., of MGE Services Inc., prepared a geotechnical overview assessment of the subject property, dated April 16, 2018.

The property was found to have a general slope from the west side of the property down to East Sooke Road. Localized steep slope areas were found in the northwest corner of the property, with steeper

areas having slopes greater than 45 degrees, and the majority of that area having a slope of around 30 degrees. The site predominantly consists of exposed bedrock, which provides suitable slope stability, but will require drilling and blasting for the development of building sites and driveways.

Sensitive Ecosystem Review

Thomas Roy, R.P.Bio., of Cascadia Biological Services, prepared an environmental overview assessment of the subject property, dated April 10, 2018.

The Biologist found that there were no environmentally sensitive attributes, including wildlife trees, significant stick nests, nesting cavities, wildlife dens, rare or red/blue listed wildlife, vegetation and/or ecosystems, outside of a proposed 1.85 ha natural green space area, which is recommended to be covenanted.

The green space area was determined to hold environmental significance as it contains some of the larger old growth trees within the property, as well as providing a natural wildlife corridor through the area. The corridor could be protected through dedication as park land, an environmental protection covenant, being set aside as common property within a bareland strata, or some combination of those measures.

The Biologist also recommended several measures that could be applied as compensation for the removal of vegetation and the disturbance of land outside the green space area. Those measures would be implemented as conditions of the development permit required for subdivision.

Archaeological Review

Bjorn Simonsen, MA, and John Somogyi, MA, CRM Dip., of Heritage Consulting, prepared an Archaeological Overview Assessment and Preliminary Field Reconnaissance, dated March 12, 2018. The subject property was found to contain no evidence of past Indigenous land use or occupation, such as archaeological sites, or other evidence of ancient cultural activity. The Archaeologists advised that, while unlikely, isolated archaeological artifacts, such as arrow heads, may be found within the property. The Report included archaeological site mapping of the East Sooke area. In order to protect those sites, the assessment report has not been included as an attachment to this report. However, a copy of the Report would be forwarded to the Archaeological Branch as part of the referral.

Based on the information provided by the applicant and the policies of the East Sooke OCP, staff recommend referral of proposed Bylaw No 4246 to the East Sooke APC, to appropriate CRD departments and to external agencies for comment.

CONCLUSION

The purpose of this zoning bylaw amendment application is to rezone the subject property from Rural A to a new Rural Residential 6A zone in order to allow subdivision of the property into 9 lots having an average parcel size of 1.0 ha. Staff recommend referring the proposed bylaw to the East Sooke APC and to appropriate CRD departments and external agencies for comment.

RECOMMENDATION

That staff be directed to refer proposed Bylaw No. 4246, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 134, 2018" to the East Sooke Advisory Planning Commission, to appropriate CRD departments and the following external agencies for comment:

BC Hydro	Ministry of Transportation and Infrastructure	T'Sou-ke First Nation
District of Sooke	Ministry of Forests, Lands, Natural Resource Operation and Rural Development – Archaeology Branch	RCMP
Island Health	Scia'new First Nation	Sooke School District #62

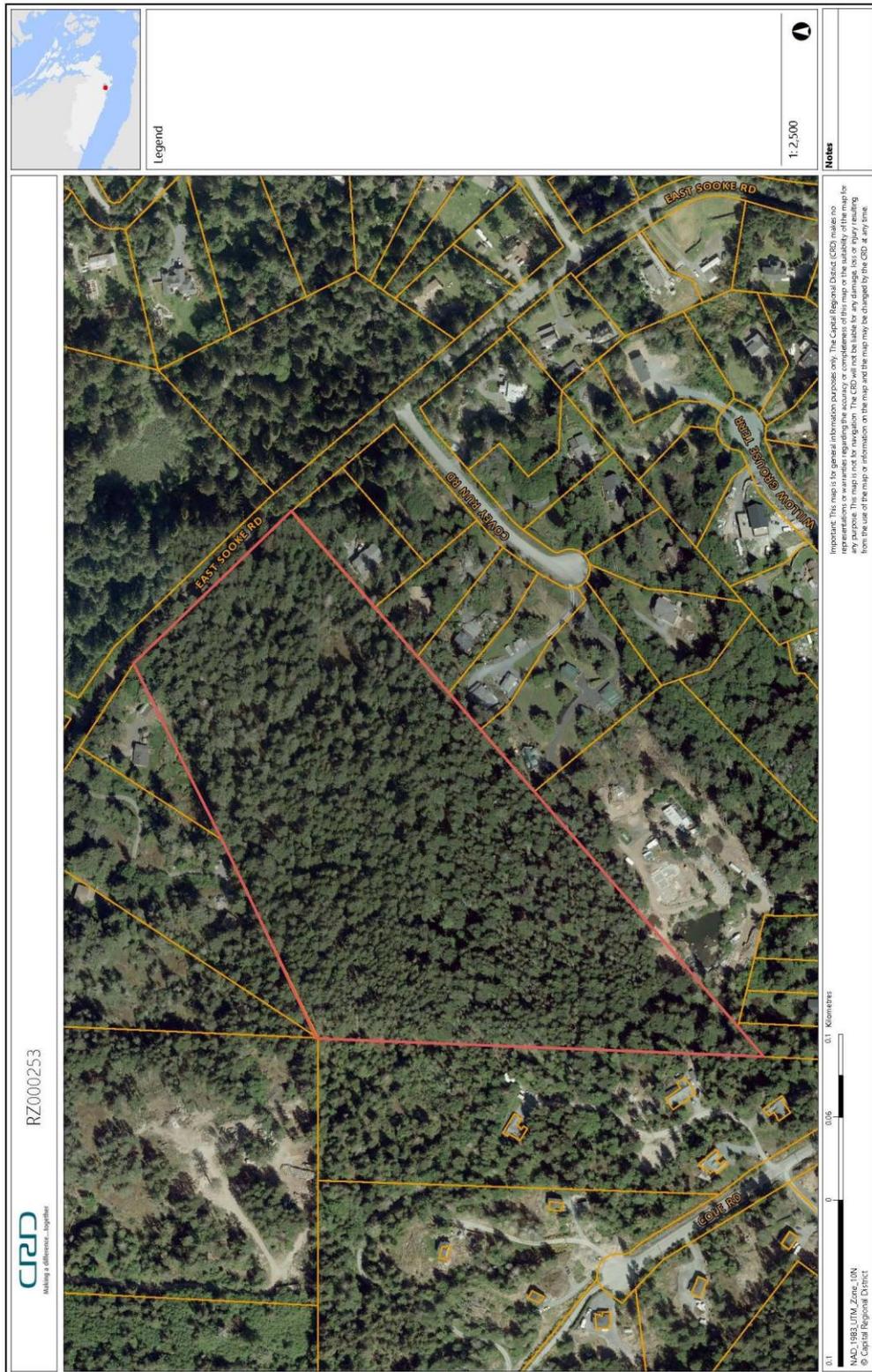
Submitted by:	Iain Lawrence, MCIP, RPP, Manager, Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services

IL:wm

Appendices:

1. Subject Property Map
2. Orthophoto Plan
3. Site Plan
4. Geotechnical Assessment Report
5. Environmental Assessment Report
6. Proposed Bylaw No. 4216
7. Rural A Zone Regulations

Appendix 2: Orthophoto Plan





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April 16, 2018

File: 18W-025

Waldo Ventures Ltd.

[Redacted]
[Redacted]
[Redacted]

Attention: [Redacted]

**RE: Proposed 9-Lot Subdivision – Lot 2, Section 97, Sooke District, Plan 15036
Geotechnical Review at Re-Zoning Stage**

1.0 INTRODUCTION

As requested by Waldo Ventures (the Client), MGE Services Inc. (MGE) has carried out a geotechnical review at the above-referenced site for a proposed new residential subdivision to be developed at the site. The subject property is located within an area of bedrock-controlled terrain and has remained as forested and undeveloped land throughout the subject site. We understand that the site is currently zoned as Rural Zone A and the Client is applying to re-zone the property to allow for subdividing of the property into six strata residential lots accessed from the neighbouring property to the south and three fee simple residential lots accessed from East Sooke Road.

The site has been designated as a steep slope according to the Capital Regional District (CRD) Bylaw No. 3718, which requires geotechnical engineering review as part of the planning stage. The Client provided MGE with a preliminary lot layout schematic drawing prepared by JE Anderson & Associates (JEA). Discussion of specific lots in this report is based on JEA's East Sooke Road Rezoning Concept drawing dated Nov 03/17. This report has been prepared in support of the Client applying for re-zoning of the subject property.

2.0 SITE CONDITIONS

A desktop study of the subject site prior to our preliminary field assessment was conducted to review local geological and topographical mapping, aerial photos and preliminary plans of the proposed development provided by the Client. The site is located on the west side of East Sooke Road, with the Covey Run Road subdivision immediately south of the eastern end of the site and other residential acreages surrounding the remainder of the site. The surficial and bedrock geology mapping indicates that the site is underlain by a relatively thin veneer of glacial deposits (Vashon Till), overlying hard, sound, metamorphic bedrock (Wark Gneiss).

MGE conducted site visits to review the existing conditions on March 14 and April 12, 2018. Observations made on site confirmed the findings of the mapping, such as the overall topography of the property and outcropping bedrock. The bedrock terrain was generally hummocky across the site, with an overall slope down from west to east, towards East Sooke Road. There were localized steep portions within exposed bedrock in the northwest portion of the site that were measured to be greater than 45 degrees and the



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majority of the slope in that area was measured to be above 30 degrees, which we understand the CRD uses to categorize the site as a steep slope.

As discussed, the predominant feature of the site was exposed bedrock, which provides suitable slope stability. There were soil exposures of dense, native, silty sand till also observed during our site walkover. Based on our review of the site, competent bearing is expected in the form of bedrock, native till or structural fill from the blasted shotrock. As such, it is expected that a suitable building site is available on each of the proposed new lots and they will be able to be safe and suitable for the use intended.

3.0 DISCUSSION AND RECOMMENDATIONS

It is expected that creation of the building sites and road alignment will require drilling and blasting of the intact bedrock to create shotrock fills. It is recommended that structural filling within the road alignment and new building sites be conducted with 300mm minus, well-graded shotrock from the blasting procedures. Compaction of the shotrock should be carried out in maximum 450mm thickness lifts with a steel drum, vibratory roller or excavator-mounted hoepacker, as regularly reviewed by MGE. The extent of structural filling should be outside the house foundation or road structure limit by at least the thickness of the structural fill, ie. a 1H:1V lateral splay.

Where grade changes need to be retained, it is considered suitable to construct walls with the boulders from the blasting. If the walls can be sloped back at a minimum 1H:1V, it is considered appropriate to use boulders in a conventional, dry stack with free-draining, well-graded shotrock backfill. If the wall face needs to be steeper than 1H:1V, concrete-infilling within the boulders will be needed to meet seismic requirements. MGE can assist with retaining wall design if needed.

If bedrock cuts are needed as part of the final grading plan to create level building areas or road alignments, the intact bedrock is generally sound and expected to be locally stable at cuts of ¼H:1V. The meta-volcanic bedrock known to be onsite can have zones of fractured bedrock as part of the structural geology, which will need to be reviewed by MGE at the time of construction. Rockfall mitigation in the form of rock anchors, shotcrete, mesh installation and/or catchment walls/ditches may be needed to allow the road alignments and building sites to be considered safe and suitable for the use intended.

As this project commences the construction phase, periodic review by MGE will be needed to confirm the subgrade preparation for the road structure and building sites. The Client should schedule an initial site meeting when construction is set to begin and periodic site visits will need to occur over the earthworks portion of the project to allow MGE to provide appropriate documentation to the local building authority.



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April 16, 2018

File: 18W-025

4.0 CLOSURE

This report has been prepared exclusively for Waldo Ventures Ltd. in accordance with the April 9, 2018 contract between MGE and the Client. No third party can rely on this letter subject to the terms and conditions under which the work was completed. The Capital Regional District is considered to be an authorized user of this report.

We trust this meets your current requirements and ask that you contact the undersigned if there are any questions or concerns.

Yours truly,
MGE Services Inc.

A handwritten signature in black ink, appearing to read 'Alec Morse'.

Per: Alec Morse, P.Eng.



Attach: Table 1 – Site Photos



Table 1 – Site Photos
 Project: Lot 2, Section 97, Sooke Dist, Plan 15036

Waldo Ventures Ltd.
 File: 18W-025

<p>East Sooke Road frontage for proposed three fee simple lots on left (west) side of the road.</p>	<p>Bedrock outcropping immediately adjacent to East Sooke Road alignment.</p>
<p>Forested lands throughout proposed subdivision site.</p>	<p>Predominantly bedrock-controlled terrain encountered during site walkover.</p>
<p>Bedrock generally gentle to moderately sloping down to the west, with some localized steep sections.</p>	<p>Sloping bedrock found to be sloping more steeply nearer to East Sooke Road frontage for the fee simple lot sites.</p>

Attachment 5: Environmental Assessment Report



Cascadia Biological Services
772 Goldstream Ave
PO Box 27034
Victoria, BC
V9B 5S4

April 10th 2018

Attn: Planning Department
Capital Regional District

Re: Lot 2 Covey Road

To whom it may concern,

The following letter report forms an overview environmental overview assessment of Lot 2 on Covey Road located in the Capitol Regional District (CRD - East Sooke). Cascadia Biological Services was tasked with completing the overview assessment by the current owner [REDACTED]. As a result, the property was assessed on various dates between January 2018 and March 2018 by Thomas Roy, R.P. Bio., QBP and Erica Brotherston. Assessments completed during this time period included wildlife, aquatic and vegetation assessments. Please refer to Attachment I for an overview map of the property. From our assessment which focused on the entire parent property, we determined that there are no environmentally sensitive upland attributes including wildlife trees, significant stick nests, nesting cavities, wildlife dens as well as no rare red/blue listed wildlife, vegetation and/or ecosystems identified outside of the proposed natural green space area (to be covenanted). The proposed disturbed areas for this project are those outside of the proposed green space areas and are presented below in Attachment II. This includes an area mapped by the Capitol Regional District (CRD) as an older second generation mixed forests (refer to Attachment III). This area also represents the development permit area for the East Sooke Community Plan. Although the mixed older second-generation forest is present throughout the subject property, the dedication of 1.85 hectares of the property (20% of the property – refer to Attachment II) as green space will ensure a continuous track of these lands are protected and act as a conduit/corridor for local wildlife. The proposed green space covenant area was determined to hold some environmental significance as it provides some of the larger old growth attributes within the subject property as well as being a natural conduit for wildlife. It also has the potential to serve as a wildlife corridor through the property as it is being developed. Typical photos of the site are presented in Attachment IV. Further to the above, select rare elements (individual occurrences) that may be on site and that were mapped as part of the Provincial Rare Element Occurrences mapping program are presented in Attachment V. The closest potential occurrence of a rare species is that of a species of bat (*Myotis keenii*) that was found to be in an assigned radius that came at its closest point to within 400m of the site. It was not documented on the property.



As a result of the proposed subdivision and associated clearing and disturbances associated with lot clearing and the proposed strata road into the property, it is anticipated that the removal of the existing vegetation outside of those areas requiring proposed for protection, will be nil to low in scope and magnitude and will not result in any significant impacts to the environment. In order to minimize the localized disturbances associated with the proposed subdivision, we recommended the following;

1. Two larger nesting box be installed in a larger coniferous tree on the property and preferably within the proposed green space area;
2. 20% of the property be set aside as protected either via park dedication and/or natural state covenants;
3. Any crossing of the proposed protected area be done in consultation with the designated R.P. Bio. In order to ensure conflicts with wildlife are minimized;
4. Construction of a reptile basking platform (size and location to be determined by the R.P. Bio.) within the proposed protected area;
5. Monitor the site during the construction period and during heavy rainfall events;
6. Replant any significant disturbed areas with native shrubs and trees;
7. Crossing of the proposed green space area for driveway and utilities is allowed under the guidance of the R.P. Bio.;
8. Width of the proposed green space area may vary from the conceptual map in Attachment II under the guidance of the R.P. Bio. as long as the overall area and general placement is maintained.

Please do not hesitate to contact me by means below if you have any questions regarding this assessment.

Sincerely,



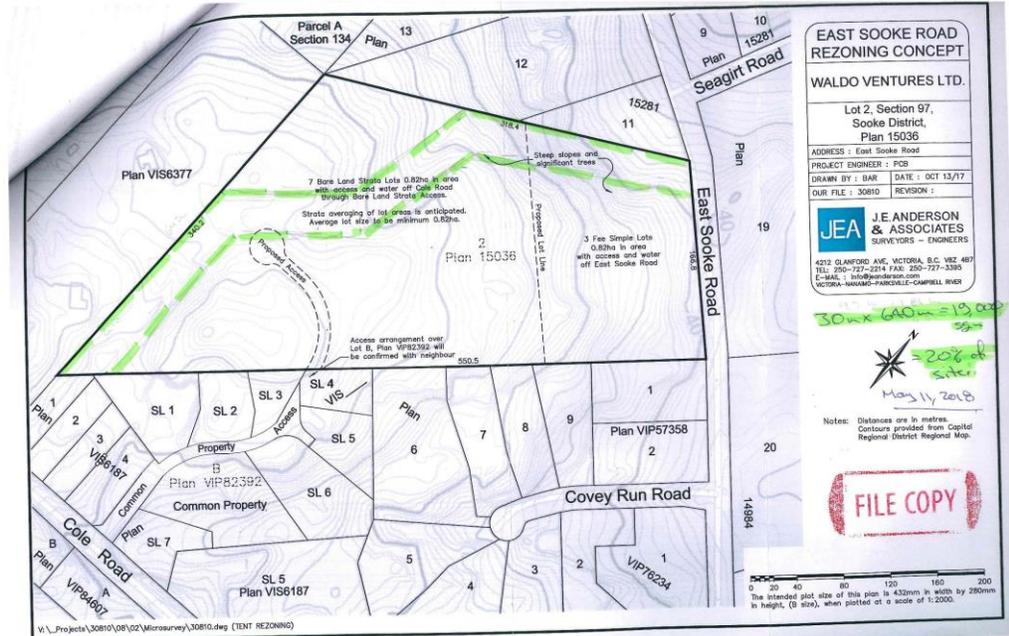
Thomas Roy, R.P. Bio.
Cascadia Biological Services
cascadiabiological@shaw.ca
Cell: (250) 888-4864



Cascadia Biological Services
Attachment I – Overview Map of the Subject Property



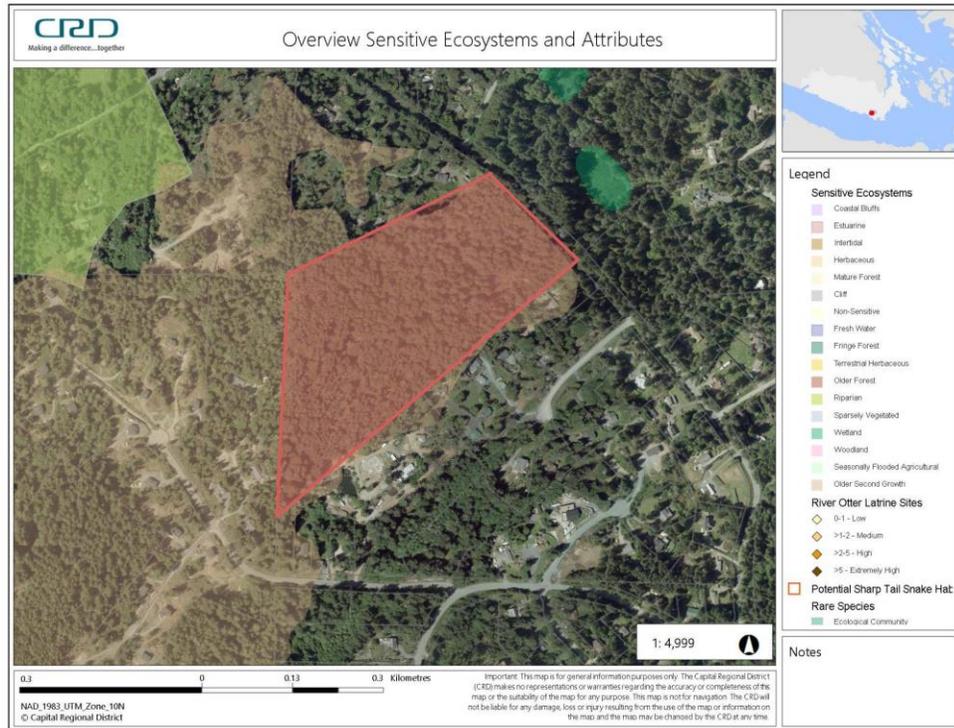
Cascadia Biological Services
Attachment II – Overview Map of the Proposed Subdivision



Note: Green polygon represents the proposed green space area (20% of site)



Attachment III – Overview Map with Rare Elements and Potential SEI Polygons



Note: SEI along the entire property represented by the beige polygon is for the potential of an older second growth mixed forest polygon


Attachment IV – Typical Site Pictures



Plate #1 – Typical view of stand structure within the property



Plate #2 – Typical view of the canopy

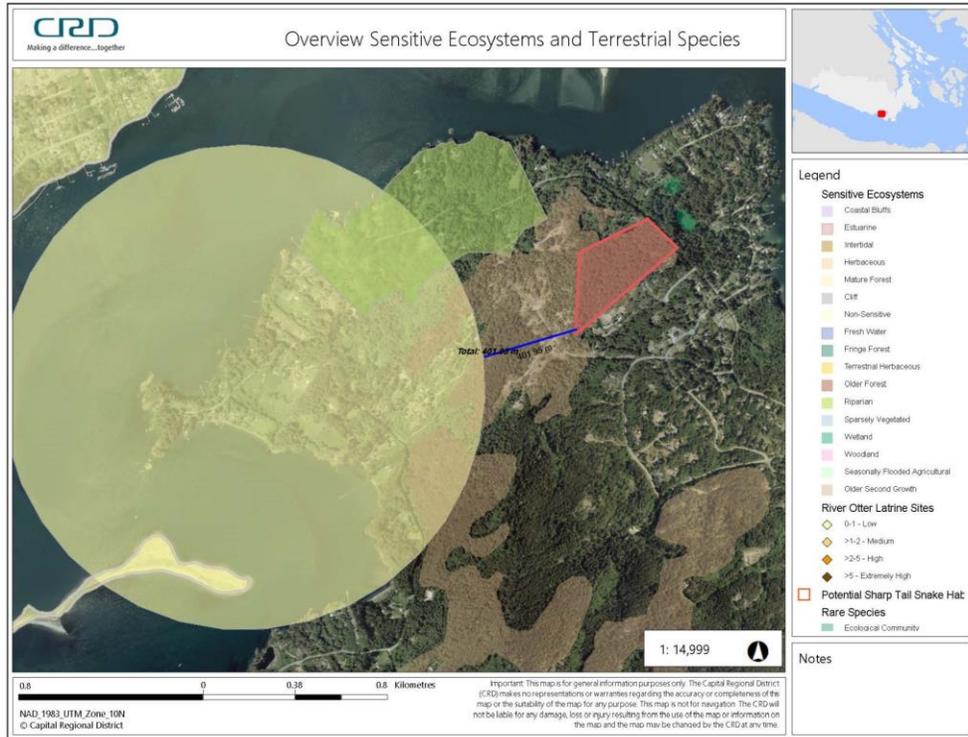


Plate #3 – Typical view of stand structure with older growth Douglas fir interspersed



Plate #4 – Typical view of small isolated rocky outcrop polygon within the subject property


Cascadia Biological Services
 Attachment V – Rare Elements Map including Terrestrial Occurrences



Note: Round yellow polygon is approximately 400m from the site and represents the potential for *Myotis keenii* (vesper bat)

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4246**

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

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

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

A. SCHEDULE A, PART 1, SECTION 3.0 ADMINISTRATION AND ENFORCEMENT

- (a) By amending subsection 3.07 Zones by inserting the words, “RR-6A Rural Residential 6A” after the words “RR-6 Rural Residential 6”.

B. SCHEDULE A, PART 2 – ZONING DISTRICTS

- (a) By creating a new zone, “Rural Residential 6A – RR-6A”, to be inserted after Section 10.0, and to be read as follows:

10A.0 Rural Residential 6A Zone – RR-6A

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) Veterinary Clinic
- (e) Animal Hospital
- (f) Two Boarders or Lodgers;
- (g) Farm/Agriculture Buildings;
- (h) Home Based Business Categories One, Two and Three;
- (i) 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.
- (j) Secondary suite pursuant to Part 1, Section 4.19;
- (k) Detached accessory suite pursuant to Part 1, Section 4.20;

10A.02 Minimum Lot Size for Subdivision Purposes

The average lot size for subdivision purposes is 1 ha and no lot shall be created with a lot size smaller than 0.5 ha.

10A.03 Number of Dwellings

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

10A.04 Height

Maximum height shall be 9 m.

10A.05 Lot Coverage

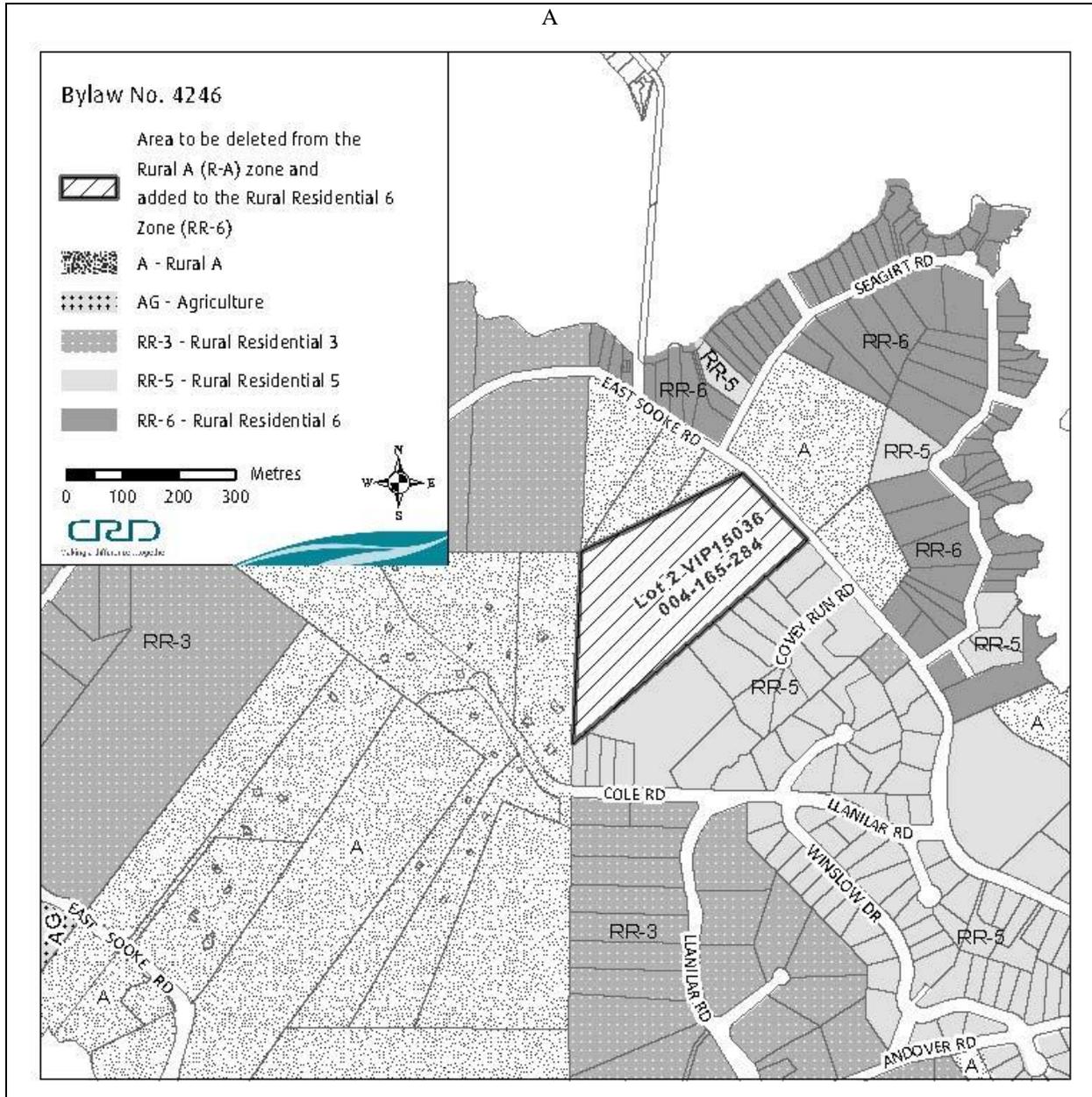
Lot coverage shall not exceed 25 percent.

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:

Plan No. 1 of Bylaw 4246, an amendment to Bylaw No. 2040

Lot 2, Section 97, Sooke District, Plan 15036 shown on this plan attached to and forming part of this bylaw.



Attachment 7: Rural A Zone Regulations

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.

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

- 2.05 Lot Coverage** The maximum lot coverage permitted shall be 15 percent.
- 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

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4246**

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

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

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

A. SCHEDULE A, PART 1, SECTION 3.0 ADMINISTRATION AND ENFORCEMENT

- (a) By amending subsection 3.07 Zones by inserting the words, "RR-6A Rural Residential 6A" after the words "RR-6 Rural Residential 6".

B. SCHEDULE A, PART 2 – ZONING DISTRICTS

- (a) By creating a new zone, "Rural Residential 6A – RR-6A", to be inserted after Section 10.0, and to be read as follows:

10A.0 Rural Residential 6A Zone – RR-6A

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

The average lot size for subdivision purposes is 1 ha and no lot shall be created with a lot size smaller than 0.5 ha.

10A.03 Number of Dwellings

One one-family dwelling and one of either a secondary suite or 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:

- (i) On lots of less than 1 ha in area, residential buildings and structures shall not exceed a Total Floor Area of 418 m²;

As amended by the Juan de Fuca Land Use Committee at its July 17, 2018 meeting

Plan No. 1 of Bylaw 4246, an amendment to Bylaw No. 2040

Lot 2, Section 97, Sooke District, Plan 15036 shown on this plan attached to and forming part of this bylaw.

