



Making a difference...together

**REPORT TO JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, MAY 15, 2012**

**SUBJECT PROPOSED AMENDMENT OF THE EAST SOOKE OFFICIAL COMMUNITY PLAN
BYLAW NO. 3353 (AMENDMENT BYLAW NO. 3718)**

ISSUE

The East Sooke Official Community Plan (OCP), Bylaw No. 3353 is proposed to be amended to increase the definition of steep slope from 20% to 30%, provide additional exemptions for development permits, incorporate a Greenhouse Gas (GHG) Reduction statement, reflect adoption of the Parks Plan and incorporate revised mapping.

BACKGROUND

In May 2010 the Land Use Committee directed staff to refer the proposed amendment to the East Sooke Advisory Planning Commission (APC). The East Sooke APC met on June 7, 2010 and supported the proposed amendments (additional exemptions for development permits, Greenhouse Gas (GHG) Reduction statement, adoption of the Parks Plan and revised mapping).

The Juan de Fuca Land Use Committee (LUC) considered revisions to the OCP in January 2011 and directed staff to refer the proposed amendment to agencies for comment. At the March 2011 LUC meeting staff presented revisions to the additional development permit exemptions to clarify the exemptions. At this meeting the LUC passed a motion to revise the determination of steep slope from 20% to 30%.

The proposed amendments to the OCP were referred to agencies in March 2011 and comments were received from the Agricultural Land Commission, BC Hydro, City of Langford, Cowichan Valley Regional District, Ministry of Transportation and Infrastructure, and the Sooke School District (Appendix 1). None of the comments required additional amendments to the OCP.

The proposed amendments were submitted to the CRD legal counsel and they advised that the section on GHG emissions required an actual target number to meet the requirements of the *Local Government Act*. However, the East Sooke APC was not able to meet in 2011 to revisit a greenhouse gas reduction target number.

The East Sooke APC met on April 10, 2012 and passed motions supporting the proposed amendments to increase the definition of steep slope from 20% to 30%, to provide additional exemptions for development permits, to use a 3% reduction target until the formal OCP review process considers the issue, to reflect adoption of the Parks Plan and to incorporate revised mapping. Therefore, staff has made changes to proposed Bylaw No. 3718 to reflect the comments received.

ALTERNATIVES

1. Approve the proposed amendments to the East Sooke OCP, as outlined in proposed Bylaw No. 3718 and proceed to the CRD Board for first and second readings and direct to public hearing.
2. Not proceed with the proposed amendments to the East Sooke OCP.
3. Refer the bylaw back to staff for further information.

LEGISLATIVE IMPLICATIONS

Pursuant to Section 879 of the *Local Government Act*, an amendment to an OCP requires that 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 an OCP. The decision on which bodies are consulted in accordance with the *Local Government Act* has been delegated to the Juan de Fuca LUC in Bylaw No. 3166.

Specific consideration must be given to referring the proposed amendment to the adjacent regional districts or municipalities and First Nations. Consideration should also be given to referring the proposed amendment to improvement districts and applicable provincial and federal agencies. Amendments to

Electoral Area OCPs also require the approval of the Minister of Community, Sport and Cultural Development and the Ministry of Transportation and Infrastructure.

PUBLIC CONSULTATION IMPLICATIONS

The Advisory Planning Commissions are established to make recommendations to the Land Use Committee on land use planning matters referred to them relating to Part 26 of the *Local Government Act*. The East Sooke APC considered the proposed amendments at a community meeting and further consultation with the community will be through the Public Hearing.

Should the proposal proceed, a public hearing pursuant to Section 890 of the *Local Government Act* will be required subsequent to the amendments passing second reading by the Capital Regional District Board.

CONCLUSION

As the proposed GHG reduction amendment has been legislated and the proposed amendments have been endorsed by the East Sooke APC, staff recommends that the proposed amendments proceed to the CRD Board.

Any submissions received will be considered at the Public Hearing and will be included in the Report of Public Hearing and report to the CRD Board.

RECOMMENDATION

1. That the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board that:
 - a) That Bylaw No. 3718, “Official Community Plan for East Sooke Bylaw No. Bylaw No. 1, 2010” be introduced and read a first time, read a second time; and
 - b) That in accordance with the provisions of Section 890 and 891 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternative Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 3718, “Official Community Plan for East Sooke Bylaw No. Bylaw No. 1, 2010”.

Original signed

June Klassen, MCIP
Manager, Local Area Planning Services

Original signed

Robert Lapham, MCIP
General Manager, Planning & Protective Services
Concurrence

Original signed

Kelly Daniels
Chief Administrative Officer
Concurrence

Appendices:

1. Agency Comments
2. Proposed Bylaw No. 3718

Appendix 1: Agency Comments



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

6th April 2011

Reply to the attention of Roger Cheetham
ALC Files: 35527, 35528 and 35529

June Klassen, MCIP
Manager, Local Area Planning
Capital Regional District
2-6888 West Coast Road
PO Box 283
Sooke, BC
V9Z 0S9

Dear Madam:

Re: Proposed Amendments to the East Sooke, Otter Point and Shirley/Jordan River Official Community Plans

With reference to the e-mail sent by Wendy Miller to this office on 18th March 2011 we do not consider that the proposed amendments will affect the Commission's interests. We note, however, that, possibly inadvertently, the changes made to parts 4.2.4 and 4.2.4.2 of the East Sooke and Shirley/Jordan River OCPs to change "Area" to "Reserve" have not been made to the Otter Point OCP. We suggest that for the sake of consistency a similar change be made to this OCP.

Our review of the amendments has drawn our attention to the DPA provisions that apply to land within the ALR and in this regard we are pleased to note the changes made to the draft OCPs in 2006 in response to points made in our 12th July 2006 letter. While we recognize that there is a relatively limited amount of ALR within the OCPs we note that for such areas the DPAs have a significant impact. Accordingly we continue to have some reservations in this regard and would appreciate clarification as to how the DPA provisions are intended to apply to farm uses. The DPA requirements as outlined under the guidelines could prove onerous for those farm uses for which applications are required. While we note the policies under 4.2.4.2. ensure that policies in the plan are consistent with the ALC Act the Commission's experience elsewhere has been that the application process can be sufficiently onerous to run the risk of inconsistency with the Act. The Commission strongly prefers that farm uses be exempted entirely from the DPA process except for a 3 metre set back from riparian areas to protect fish habitat.

Yours Truly

Per: 
Roger Cheetham, Regional Planner

cc: Rob Kline Regional Agrologist, Ministry of Agriculture, Victoria

rc/35527m1

CITY OF LANGFORD
Planning and Zoning
Second Floor, 877 Goldstream Avenue
Langford, BC V9B 2X8



e-mail: planning@district.langford.bc.ca
website: district.langford.bc.ca
phone: (250) 474-6919
fax: (250) 391-3436

3910-02

April 19, 2011



Ms. Wendy Miller
Administrative Clerk - JdF Electoral Area Planning
Capital Regional District
PO Box 283
Sooke, BC
V9Z 0S9

Dear Ms. Miller:

Subject: Proposed Amendments to the East Sooke, Malahat, Otter Point and Shirley/Jordan River OCPs

Please be advised that Council for the City of Langford, at their regularly scheduled meeting of Monday, April 18th, passed the following resolution:

"That Council direct staff to write and inform the CRD Regional Planning Services that the City of Langford has no comments with respect to the proposed changes to the East Sooke, Malahat, Otter Point and Shirley/Jordan River OCPs."

If you have any additional questions, comments or concerns, please do not hesitate to contact either myself or our City Planner, Matthew Baldwin, here at: 250 474 6919.

Yours truly,


Jim Bowden
Administrator

:mgsb

Wendy Miller

From: Mike Tippett <mtippett@cvrld.bc.ca>
Sent: Wednesday, May 04, 2011 2:08 PM
To: Wendy Miller
Subject: RE: Bylaw referrals 3717, 3718, 3719, 3721

Hi Wendy, I had been waiting for the next CVRD Board meeting to occur before passing the Resolution on, but that's not for another week. So here is the resolution of the CVRD's Electoral Area Services Committee on the matter, passed on April 18th:

"That the CVRD express its support for the proposed amendments to the Capital Regional District's Malahat Official Community Plan, and recommends that a reference to link the CRD's segment of the Trans-Canada Trail through to the CVRD's segment of the Trans-Canada Trail (Cowichan Valley Trail) be mentioned in the appropriate section of the Plan, and further that the CVRD has no affected interests respecting the Shirley/Jordan River, East Sooke or Otter Point OCPs."

I would expect this resolution to prevail at next week's Board meeting, because the 9 EA Directors who made this resolution in Committee are the only ones entitled to vote on it at the Board.

If no change occurs at the Board with respect to this Resolution, this email will be the last correspondence you will receive from us on the matter. If there is a change, you would hear about it by email on or before May 16th.

Thank you for the opportunity to comment on your Plans. I wish you the best of luck with these projects!

Mike Tippett, MCIP
Manager
Community and Regional Planning Division
Planning and Development Department
Cowichan Valley Regional District
Telephone: 250-746-2602

Wendy Miller

From: Evanoff, Ryan TRAN:EX <Ryan.Evanoff@gov.bc.ca>
Sent: Monday, April 18, 2011 2:57 PM
To: Wendy Miller
Subject: RE: Proposed Amendments to the East Sooke, Malahat, Otter Point and Shirley/Jordan River OCPs

Hello Wendy,
Sorry for the delay in getting back to you. I've reviewed all of the proposed changes in the Bylaws you provided. We have no objections to the proposed revisions and I have no additional submissions for your OCP revisions at this time.

Ryan Evanoff

Development Approvals Technician
Ministry of Transportation, Saanich Area Office
Phone Number: (250)952-4495 Fax: (250)952-4508

Wendy Miller

From: Pete Godau <pgodau@sd62.bc.ca>
Sent: Monday, April 25, 2011 1:15 PM
To: Wendy Miller
Subject: RE: Proposed Amendments to the East Sooke, Malahat, Otter Point and Shirley/Jordan River OCPs
Attachments: Signed Proposed amendmentApr25.11.pdf

The Sooke School District has no concerns with the proposed amendment of the OCP's.

Peter Godau,
Manager of Facilities
School District # 62 Sooke
(250)474-9841
(250)361-7330 mobile
pgodau@sd62.bc.ca

Appendix 2: Proposed Bylaw No. 3718

Capital Regional District

Bylaw No. 3718

**A BYLAW TO ESTABLISH AN OFFICIAL
COMMUNITY PLAN FOR EAST SOOKE**

- A. **WHEREAS** the Capital Regional Board wishes to update the Community Plan for the East Sooke area of the regional district;
- B. **AND WHEREAS** the residents of East Sooke, the adjacent municipalities and various external provincial and federal government agencies have reviewed this Community Plan;
- C. **AND WHEREAS** this Community Plan has been considered in conjunction with the Capital Regional District's Financial and Capital Expenditures program and the Capital Regional District's Regional Growth Strategy;
- D. **AND WHEREAS** sections 876, 877, 919.1 and 920.01 of the *Local Government Act* allows the Capital Regional District to develop a bylaw to address all of the following issues:

- The development of an Official Community Plan
- The establishment of Greenhouse Gas reduction targets
- Designation of Development Permit Areas
- Designation of Development Approval Information Areas

- E. **NOW THEREFORE** the Board of the Capital Regional District in open meeting assembled, enacts as follows:

SECTION 1 GEOGRAPHIC AREA OF THE BYLAW

This bylaw covers the area referred to as East Sooke, which is a part of the Capital Regional District, as shown on Map No. 1, which is attached to and forms a part of this bylaw.

SECTION 2 SEVERABILITY

If any section, subsection, sentence, paragraph, schedule, or map forming part of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the section, subsection, paragraph, schedule, or map may be severed from the bylaw without affecting the validity of the bylaw or any portion of the bylaw or remaining schedules or maps.

SECTION 3 INCORPORATION OF SCHEDULE AND MAPS

Schedule A and Maps Numbered 1 to 6 attached hereto are hereby made a part of this bylaw.

SECTION 4 REPEAL OF BYLAW

The following bylaw is hereby repealed:

Schedule “A” of Capital Regional District Bylaw No. 3718 East Sooke Official Community Plan

Table of Contents

<u>PART 1.0</u>	<u>COMMUNITY BACKGROUND INFORMATION</u>	13
1.1	<u>POPULATION AND COMMUNITY INFORMATION</u>	13
1.1.1	<u>2001 Population Profile and Estimates for 2006 and 2011</u>	13
1.2	<u>BUILDING PERMIT TRENDS AND TYPES OF DWELLINGS</u>	14
1.3	<u>PHYSIOGRAPHY OF THE AREA</u>	14
1.3.1	<u>General Geographic Information</u>	14
1.3.2	<u>General Topographical Information and Main Topographical Features</u>	15
1.3.3	<u>Geological Setting and Soil Characteristics</u>	16
1.4	<u>DOMINANT AND SENSITIVE ECOSYSTEMS</u>	16
1.4.1	<u>Coastal Bluff Ecosystems</u>	17
1.4.2	<u>Second-Growth Forest Ecosystem</u>	17
1.4.3	<u>Old-Growth Forest Ecosystems</u>	17
1.4.4	<u>Terrestrial Herbaceous Ecosystems</u>	18
1.4.5	<u>Wetlands and Riparian Areas</u>	18
1.4.6	<u>Streams and Waterbodies</u>	19
1.5	<u>POTENTIAL HERITAGE SITES</u>	19
1.5.1	<u>Potential Heritage Buildings</u>	21
1.6	<u>PARKS</u>	22
1.6.1	<u>Regional Parks</u>	22
1.6.2	<u>Community Parks</u>	24
1.7	<u>BEACH ACCESS POINTS/RIGHT-OF-WAY</u>	25
1.8	<u>MARINAS</u>	32
1.8.1	<u>Pacific Lions Marina</u>	32
1.8.2	<u>Adjacent Marinas</u>	32
<u>PART 2.0</u>	<u>ADMINISTRATIVE STRUCTURE AND APPLICATION OF THE PLAN</u>	33
2.1	<u>ADMINISTRATIVE STRUCTURE OF THIS PLAN</u>	33
2.2	<u>APPLICATION OF THE PLAN</u>	33
2.3	<u>REGIONAL GROWTH STRATEGY CONSISTENCY</u>	33
2.4	<u>GREENHOUSE GAS REDUCTION TARGETS</u>	34
2.5	<u>COMMUNITY AND DEVELOPMENT POLICIES</u>	35
<u>PART 3.0</u>	<u>GOALS AND OBJECTIVES OF THE PLAN</u>	36
3.1	<u>GOAL OF THE PLAN</u>	36
3.1.1	<u>Objectives of the Plan</u>	36
3.2	<u>LAND USE INVENTORY STATISTICS</u>	37
<u>PART 4.0</u>	<u>DEVELOPMENT POLICIES</u>	38
4.1	<u>GENERAL DEVELOPMENT POLICIES - APPLICABLE TO ALL LAND USE DESIGNATIONS</u>	38
4.2	<u>LAND USE DESIGNATIONS</u>	39
4.2.1	<u>Settlement Area Designation</u>	39
4.2.2	<u>Marine Designation</u>	40

4.2.3	<u><i>Park Designation</i></u>	41
4.2.4	<u><i>Agricultural Land Reserve Designation</i></u>	42
4.3	<u>DEVELOPMENT POLICIES</u>	42
4.3.1	<u><i>Environmentally Sensitive Areas Inventory</i></u>	42
4.3.2	<u><i>Parkland and School Site Dedication Policies</i></u>	44
4.3.3	<u><i>Roads and Servicing Policies</i></u>	44
4.3.4	<u><i>Servicing Development Policies</i></u>	45
4.3.5	<u><i>Public Facilities</i></u>	45
4.3.6	<u><i>Sand and Gravel Deposits</i></u>	45
4.4	<u>DEVELOPMENT PERMIT AREAS</u>	46
4.4.1	<u><i>Preamble</i></u>	46
4.4.2	<u><i>General Development Permit Policies</i></u>	46
4.4.3	<u><i>General Exemptions for a Development Permit</i></u>	46
4.4.4	<u><i>Development Permit Area No. 1: Steep Slopes</i></u>	47
4.4.5	<u><i>Development Permit Area No. 2: Foreshore and Marine Shoreline Areas</i></u>	49
4.4.6	<u><i>Development Permit Area No. 3: Watercourses, Wetlands and Riparian Areas</i></u>	50
4.4.7	<u><i>Development Permit Area No. 4: Sensitive Ecosystems</i></u>	52
4.4.8	<u><i>Development Permit Area No. 5: Commercial Development Area</i></u>	54
4.4.9	<u><i>Development Permit Area No. 6: Protection of Farming</i></u>	54
4.5	<u>DEVELOPMENT APPROVAL INFORMATION AREA</u>	56
4.5.1	<u><i>Preamble</i></u>	56
4.5.2	<u><i>Justification</i></u>	56
4.5.3	<u><i>Objective</i></u>	56
4.5.4	<u><i>Guidelines</i></u>	56
PART 5.0	<u>DEVELOPMENT OF COMMUNITY POLICIES</u>	57
5.1	<u>GENERAL VISION STATEMENT</u>	57
5.1.1	<u><i>Preamble</i></u>	57
5.1.2	<u><i>Policies</i></u>	57
5.2	<u>ASSEMBLING OF LAND FOR TRAILS AND BIKE PATHS</u>	57
5.2.1	<u><i>Preamble</i></u>	57
5.2.2	<u><i>Policies</i></u>	57
5.3	<u>DEVELOPMENT OF A PUBLIC WHARF</u>	58
5.3.1	<u><i>Preamble</i></u>	58
5.3.2	<u><i>Policies</i></u>	58
5.4	<u>ECONOMIC DEVELOPMENT</u>	58
5.4.1	<u><i>Preamble</i></u>	58
5.4.2	<u><i>Policies</i></u>	58
5.5	<u>TRANSPORTATION</u>	58
5.5.1	<u><i>Preamble</i></u>	58
5.5.2	<u><i>Policies</i></u>	58
5.6	<u>WORKING BOUNDARIES WITH SOOKE AND METCHOSIN</u>	59
5.6.1	<u><i>Preamble</i></u>	59
5.6.2	<u><i>Policies</i></u>	59

List of Tables

Table 1: Soil Units of the East Sooke Area	16
Table 2: 2001 Population Breakdown	13
Table 3: Building Permits 2001 - 2006	14
Table 4: East Sooke Land Use Inventory Statistics	30

List of Figures

Figure 1: Period of Construction for Private Dwellings	14
--	----

List of Maps

Map No. 1 – Plan Area

Map No. 2 – Land Use Designation

Map No. 3 – [Significant](#) Features

Map No. 4 – Environmental Inventory

Map No. 5a – Steep Slopes Development Permit Area

Map No. 5b – Foreshore, Wetland and Riparian Areas Development Permit Area

Map No. 5c – Sensitive Ecosystems Development Permit Area

Map No. 5d – Commercial Development Permit Area

Map No. 5e – Farmland Protection Development Permit Area

Map No. 6 – Development Approval Information Area

PART 1.0 COMMUNITY BACKGROUND INFORMATION

The East Sooke community consists primarily of residential areas dominated by single-family dwellings situated on lots ranging from greater than four hectares down to 0.4 hectares and interspersed with agricultural land. The East Sooke Regional Park consists of the largest portion of the land base in East Sooke.

This is an area of significant relief and many homes at higher elevations or waterfront properties have excellent views towards any of the following features: Matheson Lake Park, the Strait of Juan de Fuca, Sooke Harbour or the Olympic Mountains.

1.1 Population and Community Information

1.1.1 2001 Population Profile and Estimates for 2006 and 2011

The population of the East Sooke area was estimated to be approximately 1,435 people in 2001, broken down as follows:

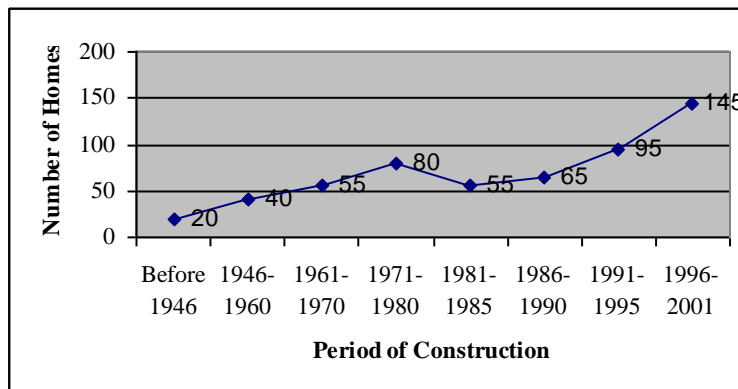
Table 1: 2001 Population Breakdown

AGE	East Sooke
0 - 4	90
5 - 9	120
10 - 14	100
15 - 19	80
20 - 24	35
25 - 29	50
30 - 34	110
35 - 39	165
40 - 44	160
45 - 49	135
50 - 54	105
55 - 59	105
60 - 64	65
65 - 69	45
70 - 74	35
75 - 79	25
80 - 84	5
85 - 89	0
90 - 94	5
95 - 99	0
100 +	0
Total - All Ages	1435

The estimated population for 2006 is 1685, an increase of 250 people. A 17% increase from 2001. Given the average annual population growth of approximately 2.67% in the Juan de Fuca Electoral Area the estimated population for 2011 is 1920.

1.2 Building Permit Trends and Types of Dwellings

Figure 1: Period of Construction for Private Dwellings



Source: Capital Regional District Regional Planning Department 2001

Notes: The data have been classified over ten-year intervals from 1961 to 1980, and five-year intervals since 1980.

Table 2: Building Permits ~~for the Past Five Years~~ 2001 - 2006

	2001	2002	2003	2004	2005	2006	Total
Building Permits Issued	22	17	13	18	19	15	104

Based upon the above information, the following trends have been observed. Home construction in East Sooke has been somewhat regular throughout the past; the peak number of homes being constructed was 145 homes and occurred in the period from 1996 to 2001. The previous period, 1991 to 1995 also saw a higher than average number of homes being constructed. For the past five years (2001-2006) the number of building permits issued each year has remained relatively constant. There has been a slight decrease in the number of permits issued from the previous five years. The dominant housing type in East Sooke at the time that this Official Community Plan was prepared is the single-detached house.

1.3 Physiography of the Area

1.3.1 General Geographic Information

East Sooke is located in the Eastern and Western Very Dry Maritime Coastal Western Hemlock Zone.

The Vancouver Island Land Use Plan (VILUP) has designated most of East Sooke as Private, which means that the area consists of forest land, as found within East Sooke and Roche Cove

Parks, with some small areas of other private use. In addition, there are several areas designated for agricultural and settlement use. The settlement designations in the VILUP recognize that land use decisions in these areas will largely come from local governments. The agriculture designation includes all areas that are found in the Agricultural Land Reserve (ALR) and are managed by the Land Commission.

The Strait of Juan de Fuca has been identified in VILUP as Coastal Planning Unit 11; this designation outlines any planning issues that pertain to the Strait, including the need to establish some marine protected areas. In addition, the Strait of Juan de Fuca provides habitat for a wide variety of marine species such as:

- Cormorants
- Loons
- Grebes
- Orcas, Grey and minke whales (using the Strait as a migratory corridor)
- Crab (important crab grounds in the Sooke Harbour)
- Salmon
- Northern abalone and octopus

The VILUP has also identified recreational and tourism opportunities located in the Strait of Juan de Fuca, which include the following activities:

- Cruising
- Sport Fishing and Angling
- Diving
- Wildlife viewing

1.3.2 General Topographical Information and Main Topographical Features

The East Sooke area can be generally characterized as having hilly topography with many areas of rocky outcrops. The major topographical features in the area include the following:

- Mt. Matheson (292 metres),
- Mt. Maguire (268 metres),
- Babbington Hill (230 metres), and
- Iron Mine Hill (105 metres).

1.3.3 Geological Setting and Soil Characteristics

The following soil associations have been identified in the East Sooke area:

Table 3: Soil Units of the East Sooke Area

Soil Unit	Drainage Rating	Usual Texture	Slope Range in Percent (Degrees)	General Topographic Characteristics
Chemainus River (CP)	Moderately well	Loam or silt loam	5-9 (3-5)	Gently rolling
Dashwood Creek (DD)	Well	Very gravelly loamy sand to gravelly sandy loam	2-9 (1-5)	Gently rolling with some undulating areas
Finlayson (FF)	Imperfect	Silt Loam	5-9 (3-5)	Gently rolling
Metchosin (MT)	Poorly Drained	High Organic material content	0.5-2 (0.3-1)	Gently undulating
Ragbark (RJ)	Rapid	Cobbly, gravelly sandy loam or cobbly gravelly loam	15-100 (8-55)	Hilly with strong rolling areas – bedrock normally 50-100 cm from the surface
Rocky Outcrops (RO)		Exposed Bedrock	15-60 (8-33)	Strongly rolling and hilly
Sprucebark (SJ)	Rapid	Cobbly, gravelly loamy sand or cobbly very gravelly loamy sand	15-60 (8-33)	Strongly rolling to hilly – bedrock within 1 metre of the surface

1.4 Dominant and Sensitive Ecosystems

This area is one of magnificent coastlines and marine environment with significant forested areas providing habitat to a variety of animals, birds and plants. Bald eagles have been sighted in the East Sooke Regional Park as well as other wildlife using the area. The following sections describe any sensitive ecosystems as outlined by the Sensitive Ecosystems Inventory (SEI) report.

1.4.1 Coastal Bluff Ecosystems

The coastal boundary region of East Sooke, defined as the area adjacent to the Strait of Juan de Fuca, has been identified by the SEI report as a sensitive coastal bluff area. Much of this ecosystem is located within the East Sooke Regional Park. These ecosystems include rocky shorelines that are dominated by grasslands, mosses and lichens. Nearby are often rocky islets, which may consist of grass, forbs, moss and lichen cover.

Because of the thin soils generally found in these areas, plant root systems may easily be disturbed. Some coastal bluffs may support upland ecosystems that can often be Garry oak, Arbutus, Douglas-fir and Rocky mountain juniper ecosystems.

These ecosystems are important due to their

- Rarity;
- Fragility (vulnerable to development and overuse from recreation);
- High biodiversity;
- Presence of specialized habitats; and
- Isolation from predators.

Source: SEI 2000

1.4.2 Second-Growth Forest Ecosystem

A significant amount of land in the area can be characterized as second-growth forest, which often supports secondary ecosystems such as terrestrial herbaceous ecosystems. These forest ecosystems tend to be primarily coniferous and trees range in age from approximately 60-100 years; these ecosystems have not been identified by the SEI as being 'sensitive' rather they have been mapped because of their importance to the area's biodiversity.

In addition, these ecosystems are important because they provide

- Habitat for a wide variety of plant and animal species;
- Connections between habitat patches;
- Buffers that minimize impact on more sensitive species;
- Non-timber forest products, such as wild mushrooms and salal; and
- Significant greenspace.

Most of the second-growth forest areas are located within East Sooke Regional Park, however there are significant second-growth forest areas outside the park that may provide important linkages between habitat patches for wildlife.

Source: SEI, 2000

1.4.3 Old-Growth Forest Ecosystems

Old-growth forest areas in East Sooke are located primarily in the following areas:

- Lot 124
- Along the west side of East Sooke Regional Park
- Creyke Point (East Sooke Park)
- Roche Cove Park

These coniferous forests, generally greater than 100 years old, provide habitat distinct from that found in second-growth forests and are valued for their

- Intrinsic Value;
- Research and availability for nature education;
- Outdoor Recreation opportunities;
- Eco-tourism opportunities;

- Forestry opportunities; and
- Non-timber forest products, such as wild mushrooms and salal.

Source: SEI, 2000

1.4.4 Terrestrial Herbaceous Ecosystems

These ecosystems consist of grassy hilltops and wildflower meadows and are generally found in the following areas:

- Anderson Cove
- Near Mount Matheson and Doerr Creek
- Bordering the boundary of Metchosin
- East Sooke and Roche Cove Regional Parks

Rare plants of these ecosystems include

- | | |
|-------------------------|-------------------------------|
| • Deltoid balsamroot | <i>Balsamorhiza deltoidea</i> |
| • Yellow montane violet | <i>Viola praemorsa</i> |
| • Scalegod | <i>Idahoa scapigera</i> |
| • Dune bentgrass | <i>Agrostis pallens</i> |

Source: SEI, 2000

1.4.5 Wetlands and Riparian Areas

- The SEI report has identified many wetland and riparian ecosystems in East Sooke. Riparian areas are those sections of land that border streams and rivers and include the river floodplain. Wetland ecosystems in East Sooke are typically of the wet meadow, fen, marsh and swamp variety and are important for the following reasons:
 - They are somewhat rare and fragile to development;
 - They provide productive breeding and feeding habitat for a wide variety of species;
 - They support a wide variety of rare plant species;
 - They help to maintain water quality by filtering sediment, nutrients and toxic chemicals; wetlands serve to remove many contaminants before they enter streams;
 - They aid in flood protection - wetlands act as storage sites for surface-water and may slow runoff during storms; and
 - They provide opportunities for outdoor recreation and greenspace.

Rare plant species of wetland ecosystems (wet meadows, swamps and marshes) include:

- | | |
|-----------------------------|------------------------------|
| • Green-sheathed sedge | <i>Carex feta</i> |
| • Geyer's onion | <i>Allium geyeri</i> |
| • Northern adder's tongue | <i>Ophioglossum pusillum</i> |
| • Graceful arrow-grass | <i>Triglochin concinnum</i> |
| • Henderson's checkermallow | <i>Sidalcea hendersonii</i> |
| • Fleshy jaumea | <i>Jaumea carnosa</i> |

Source: SEI, 2000

1.4.6 Streams and Waterbodies

There are several streams and waterbodies found in East Sooke that may provide habitat for fish species as identified below*:

- Pike Creek
 - Local information indicates that at one time this stream used to support a large run of Salmon
- Barnes Creek
- Vera Brook
- Doerr Creek
- Gillespie Creek
- Approximately 18 unnamed creeks and streams, many of which are intermittent
- Matheson Lake
 - Cutthroat Trout (Anadromous)
 - Prickly Sculpin
 - Sculpin (General)
 - Coho Salmon
 - Cutthroat Trout
 - Rainbow Trout
 - Smallmouth Bass
 - Threespine Stickleback
- Matheson Creek
 - Local information indicates that Cutthroat Trout (anadromous) is present in this stream
 - Local information indicates that there have been attempts to re-stock Salmon in the creek
- Anderson Cove
 - Local information indicates that some species of fish are present in this area
- Greens Stream (formerly known as Jacobs Creek and which drains into Murder Bay)
 - Local information indicates that this stream used to support a run of Salmon
- Two reservoirs on Mt. Matheson which provide water to the community system

Source: Ministry of Sustainable Resource Management, FISS and Local Information

* The above information regarding fish species represents existing information from Ministry of Sustainable Resource Management databases and more information is periodically being added. Absence of fish in the above list does not imply that there are no fish present.

1.5 Potential Heritage Sites

East Sooke has a diverse history, which includes First Nations activities. Local information indicates that some old tools including arrowheads, beads, stone bowls, pipes, corn crushers and stone fish weights have been found in the area (Paterson, L.). VILUP has identified some "high density" cultural heritage sites within the Beechey Head area along the coast located primarily in East Sooke Regional Park.

Industrial activities such as fishing, mining, forestry and other activities such as farming and tourism were prevalent in the area. Many pioneers participated in market gardening and raised livestock; fish traps were set in the area and local information indicates that a cannery was situated at the mouth of Pike Stream on Shingle Beach. Copper mining took place in some of the upland areas near current Copper Mine Road and there was a relatively large population of crew members within the area living in camps at the time (Paterson, L.).

Local information indicates that there have been four different school sites in East Sooke as listed below (Paterson, L.):

- The first was located near the intersection of Seagirt and East Sooke Roads
- The second was located on East Sooke Road
- Remains of the third school site can still be found in a field west of Bill's Store
- The fourth school site was situated near the intersection of Anderson Cove and East Sooke Road in the estuary

The current East Sooke Community Hall/Volunteer Fire Hall is situated on previous swampland given to the community through negotiations at the time that Copper Mine Road and Park Heights were being developed. The lot was filled using a wide variety of fill types; local information indicates that there is now a drainage issue behind the hall associated with the types of fill used (Paterson, L.).

The Basso Road South right-of-way is a historic landmark and a cairn commemorating the landing of Captain Manuel Quimper in 1790 was placed at the site in 1990.

The Sooke Region Museum has created shields/signs which, when mounted, will highlight the importance of certain sites as heritage points of interest. The following lists these sites within the East Sooke area:

- Grouse Nest
- Ragley
- Caffery (pioneer)
- Brown (pioneer, near the Aylard Farm entrance to East Sooke Park)
- Wreck of the *Surprise*
- Quimper's Landing
- Donaldson Farm
- Maclure House -
 - "Not long after the First World War, British- born Captain James Edward Radcliffe and his wife sailed for Canada and a new life on a beautiful forested hillside overlooking the water in East Sooke. In 1927 they moved into a fine new house, which they had commissioned the famous Victoria architect Samuel Maclure to create as their new Canadian home" (Sooke Region Museum). The Sooke Region Museum has preserved the cottage, which was built on the grounds of the new estate to house the Radcliffes' Chinese cook. Other residents have lived in the house and it was the Robinson family who donated the building (cook's cottage) as an artifact for the museum collection to ensure that both Maclure and Chinese immigrants be remembered for their contribution to Sooke's history. The cooks' cottage is currently on display at the Sooke Region Museum.

Source: Sooke Region Museum

Part of the plan area's heritage includes archaeological sites – evidence of the past and how people lived. These represent the only component 'written' history of the area that exist today and deserve protection. There are forty-three (43) recorded archaeological sites in the plan area and likely more to be discovered. Whether recorded or not the *Heritage Conservation Act* protects archaeological resources on both private and on Crown land. A heritage permit is required from the province to alter an archaeological site.

The OCP notes there are heritage sites within the Plan area and where development might encounter archaeological sites. It is recommended that when development occurs the developer engage a qualified archaeologist to determine if archaeological studies of the proposed development site are required. The Ministry can provide further information concerning archaeological information for the area.

1.5.1 Potential Heritage Buildings

This section describes buildings that have been identified by the Sooke Region Museum as being sites of high heritage value within the East Sooke area. ~~It~~ It is important to note that these buildings have not been officially designated, by bylaw, as heritage sites.

Seagirt - 117 Seagirt Road

This home was built in approximately 1883 when Joseph Dales "took up the land" and has since housed many families including Robinsons, Jacksons, Shares, Quelchs and Horgans. The Horgans bought the home in 1934 and established Seagirt as a resort to which they built additional guest cottages and other additions. Local information indicates that two ponds were built on the property to supply the resort with water. Today these ponds are known as Nishikawara Seagirt Ponds. In 1953, the Horgans bought Glenairley and sold Seagirt. When the property was bought by Douglas Hawkes & Co. the land was subdivided and eventually the house was bought and remodeled by Ted Lawsons for re-sale.

Glenairley White Cottage - 6040 East Sooke Road

It is unclear when this cottage was built but it is known that in 1901 it was occupied by Jack Dales, and in 1910 it had already been referred to as "an old building" (Sooke Region Museum 1985). This building housed many of the hired men for the Glenairley farm.

Glenairley - 6040 East Sooke Road

Alexander Gillespie was the first owner of the Glenairley farmhouse and was the son of bank manager, George Gillespie, "who had a lovely country house" called the Grouse Nest, which later burnt down. Glenairley farmhouse was built in 1911 and additions were completed in 1913. The family moved to Victoria in 1929 due to Gillespie's poor health, "and from 1929 until 1960 Glenairley was run as a guest resort by a succession of owners" (Sooke Region Museum). In 1950, the Horgans bought and operated the resort for ten years until it became a retreat for the Sisters of Saint Ann.

Jim Caffery House - 5841 East Sooke Road

The Caffery family moved to East Sooke after the death of the father Caffery in 1888. Caffery built this house sometime in the 1890's and was a small, one-storey frame house that has since undergone renovations. One of the subsequent owners of the house, Henry Flett, donated two acres of land to be used as a school site.

Aldersyde - 6618 East Sooke Road

Built in 1908 by Louis Doerr, this home was purchased in 1911 and named 'Aldersyde' by Robert and Amelia Read. This building housed a variety of people including one of the early

East Sooke schoolteachers, Miss Stiff. From 1952 until the present (1984), G.T Anderson has occupied the house and much of the original character of the building has been preserved including the board-and-barran exterior, wood floor, fireplace and gable corrugated metal roof.

Ragley - 5717 East Sooke Road

"This large two-and-one-half storey house in East Sooke was the home of the Reverend Mr. and Lady Emily Walker. It was built in 1912 on land purchased from Tom Oldershaw" (Sooke Region Museum). Lady Walker was a daughter of Lord Seymour, Marquess of Hertford, and she called her new Canadian home 'Ragley' in memory of her family home in England. Reverend Mr. Walker conducted church services in the house in the early years. The Walker family was active in the area; however, they left the area in the 1930's to move to Victoria.

Chipperfield farmhouse - 6850 East Sooke Road

"This house was built for Harald Hewitt in 1912 by the Richardson brothers on a hillside cleared from the forest" (Sooke Region Museum). Hewitt has a colourful history, which saw him leaving and periodically returning to the house. Hewitt planted a variety of ornamental trees on the property. In the 1930's the Hart family took over the land from then owner, Mr. Ratcliffe. The Harts named the farm Chipperfield farm and sold the property to Ralph Barer when they retired. The barn, built in 1916, was used by the Harts as they farmed the land and the Davidsons who ran the farm after the Harts but was used for storage after 1977 when intensive farming was stopped on the farm. The cedar hedge situated on the property is also important in terms of heritage value.

Wicker House

Mr. and Mrs. Wicker came from England to East Sooke in 1912 as part of an entourage of servants accompanying the Reverend and Lady Emily Walker. The Wickers worked as housekeeper and groundskeeper at Ragley (see above). During the late 1940's, a son of the Walkers, Rupert, lived there and landscaped the gardens around the house. The second East Sooke school stood adjacent to this house. In 1984 the home had been vacant for several years.

Source: Sooke Region Museum, 1985

1.6 Parks

Within the East Sooke area there are currently the following two types of parks:

- Regional
- Community

The Capital Regional District, through either CRD Parks or the Juan de Fuca Electoral Area Parks Commission, administers both of these types of parks. Approximate locations of parks and beach access points are shown on Map No. 3, which is attached and forms part of this bylaw.

1.6.1 Regional Parks

The following lists the regional parks located in East Sooke, and gives a description of the services and features that have been identified for each.

- East Sooke Regional Park
 - 1424 ha. (3417.6 acres)
 - In 2002, East Sooke Regional Park received 98,000 visitors
 - Access to East Sooke Park is via the following entrance points:

- Anderson Cove
 - Pike Road
 - Aylard Farm (Becher Bay Road)
 - Copper Mine Road
 - Park Heights Road (Endurance Ridge Trail)
 - East Sooke Road (Endurance Ridge Trail)
- The purpose of the park is to provide access to wilderness, and to showcase the following natural environments:
 - rivers/Streams
 - forest
 - coastline
- Activities in the park include
 - hiking
 - swimming and beach activities
 - nature study
 - picnicking
 - fishing
- Many interesting features that depict the park's importance to First Nations, specifically Coast Salish petroglyphs that are found in the park
- Other features include
 - Mount Maguire
 - an old copper mine
 - Aylard farm
 - an Old Trap Shack
- Services provided at the park include
 - 3 public parking areas, washrooms, information kiosks, portal signs
 - group Picnic Shelter
 - 19 Boardwalks and bridges within the park
 - extensive trail networks with trail information (signage)
- Matheson Lake Regional Park
 - 162 ha. (388 acres)
 - This park is primarily located in the District of Metchosin; however, it provides significant greenspace to residents of East Sooke and is an important land use in the area
 - The purpose of the park is for the following features
 - forested area
 - lake
 - Activities in the park include
 - fishing
 - freshwater swimming
 - hiking
 - horseback Riding
 - Facilities provided at the park include
 - parking areas
 - picnic areas
 - pit privies
 - naturally surfaced trails

- Roche Cove Regional Park
 - 160 ha. (384 acres)
 - The purpose of the park is as a regional conservation area and it showcases many natural environments such as
 - hilltops
 - forest
 - coastline
 - Activities in the park include
 - hiking
 - horseback riding
 - picnicking
 - Facilities provided at the park include
 - wheelchair accessible pit privies
 - naturally surfaced trails

In addition to the above, the Galloping Goose Regional Trail travels through areas of East Sooke including Roche Cove Regional Park and Matheson Lake Regional Park.

1.6.2 Community Parks

There are several developed local, or community, parks within the area as outlined below; however, in addition to these, there are many undeveloped park spaces owned by the CRD throughout East Sooke, which are not listed below.

The following is a brief description of each park, including information regarding services, features and park recommendations as outlined in the most current community parks inventory report.

- Copper Mine Park
 - 1.25 ha (3.1 acres)
 - This is the only park providing athletic fields and facilities in East Sooke
 - Facilities provided include
 - a non-regulation size sports field
 - a tennis court
 - a playground
 - Recommendations made by SEALRP
 - consider adding barbeque area
 - add pre-school age play equipment
 - add dog-proof fencing
 - locate washrooms in a more convenient spot (presently only found in the Fire Hall)
 - variety of landscape recommendations
- Seagirt fPark
 - 1.4 ha. (3.45 acres)
 - This park is an undeveloped natural park
 - The purpose of the park is for the following features:
 - views of Sooke Basin
 - some waterfront access
 - natural forest landscape
 - the presence of an intermittent stream

- Recommendations made by SEALRP include the following:
 - Footpaths are required to provide safe access to the beach that will not cause increased traffic to the sensitive flora
 - Interpretative signage indicating special features should be added to the park
 - Investigate the possibility of acquiring adjacent property to expand the water access of the existing park
- Park Heights Park
 - 1.2 ha. (2.96 acres)
 - This park in an undeveloped natural park
 - The topography of the park can be characterized as being steep
 - The purpose of the park is for the following features:
 - forested landscape
 - presence of intermittent stream
 - This park also provides amphibious species habitat and may require a habitat survey before making any changes to the park.

1.7 Beach Access Points/Right-of-Way

A report commissioned by the CRD through the Economic Development Commission, "Juan de Fuca Electoral Area Foreshore Access Report 2003," outlines various constraints and opportunities associated with the development of public beach access points. Listed below is a summary of the findings.

- Gillespie at Roche Cove
 - 3-4 parking spaces are provided at the northern end of the bridge across from Roche Cove
 - Not recommended for development for the following reasons, as outlined in the report:
 - The steep topography and rocky foreshore
 - The busy traffic along Gillespie Road
 - The close proximity to Roche Cove Regional Park
- Midden Road
 - Undeveloped road right-of-way extending Southwest from Gillespie Road
 - The area is sparsely populated and there are few beach access points located in this area
 - This area is recommended for development for the following reasons, as outlined in the report:
 - The right-of-way has been somewhat cleared and the terrain would pose few challenges to trail development
 - This right-of-way encompasses 100 metres of the foreshore
 - Preserves the natural character, and there is adequate space for active and passive recreational activities
 - Potential site-specific issues that would need to be resolved if increased access occurs at the site, as outlined by the report:
 - Would require construction of additional parking area
 - Debris (garbage) that wash up on the beach would require removal and may add to the on-going maintenance costs of the beach access point
 - Water drainage flows through the middle of the right-of-way

- Inch Arran Road
 - Undeveloped road right-of-way provides access from Gillespie Road to the Sooke Basin
 - Significant features of the site include the presence of old Douglas-fir trees, some greater than 100 years, and other tree species, such as Western hemlock
 - This site should be preserved due to its high wildlife habitat potential; in addition, it provides greenspace to the community
 - Development of the site is not recommended for the following reasons as outlined by the report:
 - The steep cliff (10 metres) at the foreshore prevents direct and easy access to the waterfront
- East Sooke Road at Barnes Creek
 - The foreshore at this site is an estuary with mudflats vegetated by American Glasswort (*Salicornia virginica*) and grasses
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - Increased foot traffic would damage the fragile plant and mollusk colonies in the inter-tidal area
 - Parking is not feasible along East Sooke Road
 - The presence of an aquaculture operation detracts from the desirability of this site as a public beach access point
- Discovery Road Right-of-way
 - Undeveloped road right-of-way extending from East Sooke Road to Anderson Cove
 - The site is densely vegetated by young coniferous and older Western red cedar trees estimated to be approximately 80 to 100 years of age
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - There is no safe parking at East Sooke Road due to a blind corner located west of the site
 - The presence of old cars amongst the trees, which may indicate that an Environmental Impact Assessment is necessary
 - The presence of an aquaculture operation in Anderson Cove detracts from the site's desirability as a public beach access point
 - The foreshore is a narrow and muddy shingle beach, which is not ideal for a public walking area
- Eaglewood Place
 - Undeveloped road right-of-way extending southeast from Anderson Cove Road to the northern reaches of Anderson Cove
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - The steep slope and lack of a significant foreshore area
 - The close proximity to East Sooke Regional Park, which already provides access to the foreshore region
 - The surrounding residences on the waterfront may be vulnerable to increased public walking on the foreshore

- Roclair Place
 - Decommissioned road right-of-way extending northeast from Pim Head Road towards the Sooke Basin
 - The foreshore consists of muddy inter-tidal area and rocky outcrops
 - Access is presently blocked due to a log placed across the right-of-way by neighbours who indicated there have been problems in the past with garbage dumping, noise and clam diggers frequenting the area
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - Lack of space for public recreational activities
 - Close proximity to East Sooke Regional Park, which provides access to the foreshore
 - The rough terrain of the site
- Norwach Road
 - Partially developed road right-of-way extending from Pim Head Road to the southern shores of the Sooke Basin
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - The presence of a steep cliff
 - The presence of private residential accesses and other structures
 - The foreshore is quite restricted in terms of its potential to provide recreational opportunities
- Covina Drive
 - Partially developed road right-of-way extending from Anderson Cove to the southern shores of Sooke Basin
 - The site could be a valuable recreation space in the future if there is an increased user base
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - The low population in the adjacent agricultural property
 - The beach is completely submerged during high-tide
 - There is limited parking on Covina Drive
 - The presence of a steep drop-off, which would require stairs for safe access
 - Presence of large Western red cedar trees, and this site potentially provides habitat for owls
- Cockle Lane
 - Partially developed road right-of-way extending northeast from Woodcock Road to Sooke Basin
 - Foreshore at the site is ecologically productive and diverse; there are mollusks, birds and other marine fauna present at the site
 - This site has good potential for development for the following reasons, as outlined in the report:
 - It is currently the closest public foreshore access point for the neighbourhood to the south
 - There is an abundance of space for recreational activities and the beach is suitable for kayak and canoe pull-up sites
 - Parking space is available

- Adjacent property owners are supportive of increased accessibility
 - There are some site-specific issues that may need to be resolved if development occurs:
 - The provision of a staircase is necessary to provide access over the steep embankment
 - Construction of the staircase around utility cables and the water main so that damage does not occur to them during construction
 - Since the area is ecologically productive, the community may desire to keep the site as greenspace in order to preserve the existing marine wildlife
- Bishop Road
 - Undeveloped road right-of-way extending from Seagirt Road to the Sooke Basin
 - Development is not recommended for the following reasons as outlined in the report:
 - The presence of a steep cliff
 - There is sensitive ground cover such as moss, shrubs and grasses at the site
- Bracken Road
 - Undeveloped road right-of-way extending from Seagirt Road to Sooke Basin
 - Development of the site is not recommended for the following reasons, as outlined in the report*:
 - The site is small and there is little potential space for parking
 - The shoreline is very rocky
 - The presence of flora that would be sensitive to increased foot traffic

*Note: Based upon the above information the site should be retained as a community greenspace site.

- Right-of-way at the Western end of Seagirt Road
 - Partially undeveloped road right-of-way extending from Seagirt Road to Sooke Basin
 - The site has excellent potential for development for the following reasons, as outlined in the report:
 - The area has been recently cleared; therefore, any future disturbance would be minimal
 - The beach is suitable for recreational activities, as well as for a personal watercraft launch and pull-up site
 - The excellent views of Sooke Harbour and Sooke Mountains add to the beauty of the site
 - Several site-specific issues would need to be resolved if development occurs, as outlined in the report:
 - The steep section would require the construction of a staircase
 - The offshore waters are a navigation channel and may be hazardous to swimmers and small watercraft users
 - There is the presence of a watermain and pipeline
 - The adjacent residential structures may be vulnerable to increased public access

- Cornelius Road
 - Partially developed road right-of-way extending from East Sooke Road to Sooke Basin
 - Development is not recommended for the following reasons, as outlined in the report:
 - There is no parking area
 - The steep grade of slope, 15-30 percent (8-17 degrees)
 - Environmental damage at the site consisting of large pieces of debris
 - Adjacent residences are located near the right-of-way
- Berkeley Road
 - Partially developed road right-of-way extending from East Sooke Road to Sooke Harbour
 - Significant features of the site include the presence of old-growth trees such as Sitka Spruce, Western Red Cedar and Big Leaf Maple
 - Development of the site is not recommended for the following reasons, as outlined in the report*:
 - Sooke Harbour is busy with commercial and recreational traffic and would be a safety concern if the site were to be used as a kayak launching site
 - The site is only 12 metres wide and any land use change adjacent to the area would take away from the natural aesthetic of the site

*Note: Based upon the above information this site should be retained as a greenspace site or the site could host a small nature trail from East Sooke Road to the foreshore.

- Eliza Point Road
 - The paved section of Eliza Point Road located off of East Sooke Road
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - The foreshore is very rocky
 - Leases would need to be negotiated with adjacent landowners to provide walking space along headlands
- Thornett Place
 - Partially developed road right-of-way extending from Thornett Place to Sooke Harbour
 - The site could be considered as a potential site for boat launching
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - The foreshore is not suitable for recreational activities
 - Parking would need to be provided
- Large Road
 - Partially developed road right-of-way extending from Tideview Road to Sooke Harbour
 - Development of the site is not recommended for the following reasons, as outlined in the report:
 - The foreshore is not suitable for recreational activities
 - Removal of trees could destabilize the clay embankment along the shoreline

- Basso Road North
 - Partially developed road right-of-way extending from Tideview Road to Sooke Harbour
 - The site has moderate potential for development for the following reasons, as outlined in the report:
 - The attractive sand and pebble beach
 - In addition, the site may be considered as a good potential location for parking adjacent to the Basso Road South beach access point
 - Site development potential is only considered moderate for the following reasons, as outlined in the report:
 - The steep embankment to the shore
 - The rough trail to Tideview Road
 - Many adjacent residences have private wharves and care would need to be taken to keep the public from using these private structures
- Basso Road South
 - Partially developed road right-of-way extending from Tideview Road to the Sooke Harbour
 - Development of the site has moderate potential for the following reasons, as outlined by the report:
 - There is good space at the foreshore for recreational activities
 - This site should be considered for its high heritage value since it is the landing site of Captain Manuel Quimper in 1790. A cairn placed in 1990 at the site commemorates the historic events of the site and may be of interest to the users of this beach access point
 - Site-specific issues that would need to be resolved for development of the site include:
 - Sooke Harbour is a busy area for motorized boat traffic and may present a boat safety hazard
 - Trespassing could increase due to the close proximity of the adjacent private property
 - Construction of a staircase is required for safe access to the site
- Ensign Road
 - Undeveloped road right-of-way extending from East Sooke Road to Sooke Harbour
 - Development of the site is not recommended for the following reasons, as outlined by the report:
 - The present undisturbed coastal forest provides good habitat for wildlife
 - The presence of kelp beds in the nearshore area that could be easily damaged by foot traffic
 - Parking is unsafe due to the winding road conditions at East Sooke Road and Ensign Road
 - Trail provision on the steep sections may be cost prohibitive

- Klatza Road
 - Undeveloped road right-of-way extending from East Sooke Road and encompassing Shingle Spit
 - The surrounding area is currently zoned as Rural Residential 6 (RR6)
 - This site has excellent potential for development for the following reasons, as outlined by the report:
 - The pebble beach is suitable for recreational activities
 - The grassed, upland area is available for additional recreational activities
 - Site-specific issues that need to be resolved if development occurs, as outlined by the report include:
 - There are safety issues associated with the steep sections of the present trail
 - The adjacent water is heavily used for navigational purposes, which presents safety issues for non-motorized watercraft users
 - There is little available space for the provision of parking
 - The site is extremely sensitive to development and care would need to be taken to ensure that any impact is minimal. This could be accomplished by following the guidelines of Best Management Practices developed by Ministry of Sustainable Resource Management
- Edith Road
 - Undeveloped road right-of-way extending from East Sooke Road to Sooke Inlet
 - The site should be considered for reforestation to act as a buffer between the Silver Spray Development and the land to the east
 - Development of the site is not recommended for the following reasons, as outlined by the report:
 - The close proximity to the site of the Silver Spray marina, which will provide its own access to the foreshore
 - The steep and rocky topography, 15-30 percent (8-17 degrees)
 - The limited size of the site
- Fife Lane
 - Partially developed right-of-way extending from Becher Bay Road to Becher Bay
 - Development at this site is not recommended for the following reasons, as outlined by the report:
 - The proximity to the Pacific Lions Marina which could pose conflicts between public users of beach access point and the marina users
 - Proximity to East Sooke park which provides established public access
 - The adjacent faulty septic field systems detract from the site's desirability as a public beach access point
- Anderson Cove Access at East Sooke Regional Park
 - CRD Parks has developed three access points at this site consisting of a picnic area, a flat area on the shoulder of the road with a nature trail to the beach, and a short access lane used for launching small

boats. Some improvements in terms of signage and recreational infrastructure are necessary.

1.8 Marinas

The following sections will outline the marina facilities available in East Sooke.

1.8.1 Pacific Lions Marina

- Situated at 214 Becher Bay Road, this marina operates in the summer and spring providing trailer holiday facilities and over-winter storage of campers and trailers throughout the rest of the year (Bourhill 2003). This is a private facility and is not open to the public.

1.8.2 Adjacent Marinas

The Cheanuh Marina situated on the Becher Bay First Nations land provides services for residents and visitors to the area.

PART 2.0 ADMINISTRATIVE STRUCTURE AND APPLICATION OF THE PLAN

2.1 Administrative Structure of this Plan

This Official Community Plan (OCP) is intended to provide information on the community of East Sooke and to provide direction for decision-making with respect to community development and planning. An OCP or Community “Plan” is authorized by the *Local Government Act*, which defines an OCP as:

“ . . . a general statement of the broad objectives and policies of the local government respecting the form and character of existing and proposed land use and servicing requirements.”

The key to developing a Community Plan is that it is a community-driven exercise that reflects the community's values with respect to growth and development.

2.2 Application of the Plan

This Official Community Plan applies to the East Sooke settlement area as shown on Map No. 1, which is attached to and forms part of this Bylaw. It is not the intention of the Capital Regional District in adopting the East Sooke Official Community Plan to create a conflict with provincial enactments.

2.3 Regional Growth Strategy Consistency

Section 849 (1) of the *Local Government Act* states that “the purpose of a regional growth strategy is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources.”

The eight goals of the Capital Regional District's Regional Growth Strategy, which was adopted in August 2003, are as follows:

- 1/. Keep urban settlement compact
- 2/. Protect the integrity of rural communities
- 3/. Protect regional green/blue spaces
- 4/. Manage natural resources and the environment sustainably
- 5/. Build more complete communities
- 6/. Improve housing affordability
- 7/. Increase transportation choices
- 8/. Strengthen the regional economy

As the development policies of this Official Community Plan should work towards the goals of the Regional Growth Strategy, the following paragraphs will outline how this Official Community Plan supports these goals.

Firstly, in order to keep settlement compact this Official Community Plan outlines a number of settlement containment areas. The goal of which is to have smaller lots contained within these areas, and larger lots outside the containment areas. The settlement containment areas also strive to maintain the integrity of rural communities through preservation of large lot development. The integrity of rural communities is supported through the use of a protection of farming Development Permit Area, the objective of which is to regulate development in such areas in a manner that protects the viability of agriculture for present and future generations.

Additionally, this Plan strives to protect the environment by identifying environmentally sensitive areas and by designating these as Development Permit Areas.

To the extent possible as permitted through the *Local Government Act*, Development Permit Areas will assist the Juan de Fuca Electoral Area in managing the environment in a sustainable manner. The Electoral Area, realizing that the Vancouver Island Health Authority is the main agency responsible for the control of sewage disposal and other health related issues with respect to land development, supports the Vancouver Island Health Authority in controlling and regulating waste discharge in a sustainable manner.

Management of natural resources is regulated and controlled through respective federal and provincial agencies, and the Electoral Area comments on referrals within the context of sustainable development in order to assist these external agencies in managing the natural environment in a sustainable manner. While the Electoral Area does not have direct jurisdiction over the management of any natural resources, aside from agriculture activities, within the planning area it anticipates working cooperatively with other external decision-making agencies to ensure that all decision-making gives priority to options that maintain the ecological integrity of local ecosystems.

Additionally, residents are encouraged to participate in local initiatives and any regional programs that promote the principles of reducing, reusing and recycling.

In order to build more complete communities and strengthen the regional economy, as envisioned by the Regional Growth Strategy, the Plan encourages the development of home-based business and agricultural, tourism or neighbourhood commercial activities within settlement areas. To improve housing affordability, the desired type of housing within the settlement containment areas includes not only low-density single-family dwellings but also special needs, rental and affordable housing.

- Lastly, in order to increase transportation choice the Plan permits the use of an amenity bonusing provision to, as opportunities arise, potentially acquire land for park-and-ride sites. It is also desired that by increasing local economic opportunities fewer car trips may be needed.

As outlined above, this Community Plan has been prepared in a manner consistent with the goals of the Capital Regional District's Regional Growth Strategy.

2.4 Greenhouse Gas Reduction Targets

The Capital Regional District will work to reduce greenhouse gas (GHG) emissions within the plan area shown on Map No. 1 by 3% below 2007 levels by 2020.

This target will be met by:

- a. Developing a carbon reduction plan for the Capital Regional District operations in the East Sooke area; and
- b. Undertaking the following:
 - 1) Educating residents, businesses and tourists about climate change as it relates to community priorities.
 - 2) Reviewing existing policies and objectives within the OCP and/or establishing new policies and objectives with the intent of reducing energy use and protection of valuable carbon sinks.
 - 3) Collaborating with other governments in examining and implementing GHG reduction strategies on a regional basis through one or more of the following:

- development of GHG reduction standards for buildings by addressing each issue such as energy performance, local material, orientation and density;
- development of additional infrastructure for cycling, walking, transit and carpooling as alternatives to single occupant vehicle use;
- waste reduction including enhanced waste diversion of recyclable materials;
- protection of ecosystems through the conservation and enhancement of forested areas;
- development of a renewable energy generation plan;
- development of programs and policies that increase local food security and local food supply options.

2.5 Community and Development Policies

The residents of East Sooke understand that the development and protection of their community takes an effort from both the future residents through the development process, and the current residents by collectively working towards their community goal. This Official Community Plan has two policy sections for that purpose: development policies in Part 4.0 to be addressed at the development stage and community policies in Part 5.0, which can be collectively refined by the community over the long-term.

PART 3.0 GOALS AND OBJECTIVES OF THE PLAN

3.1 Goal of the Plan

The underlying principle of this Plan is to guide future development. The development must work with the existing man-made and the natural environment. The goal of the Plan is to have development that must respond to the various opportunities and constraints offered by each unique geographic site, respect the past and work with the current values of the community.

~~Without limiting Section 4.6 “Parkland and School Site Dedication Policies”, while it is a general policy of this Plan to support initiatives likely to result in the preservation of Lot 20, Section 97, Plan 14984 in its current undeveloped state or the dedication or acquisition of this area as park by a provincial or local government, the Plan will allow for low density private residential use and accessory home-based use in the area noted as potential park.~~

3.1.1 Objectives of the Plan

The above-referenced goal will be achieved through the following objectives:

- Cluster growth into the following existing areas:
 - Mt. Matheson;
 - Seedtree;
 - Park Heights;
 - Anderson Cove;
 - Coppermine Estates;
 - Seagirt;
 - Tideview and Eliza Point;
 - Pike Road;
 - The north end of Gillespie Road; and
 - East Sooke Road near the Silver Spray development
- Understand and research any potential impact that development will have upon the East Sooke community;
- Prohibit any type of large-scale industrial development in the area;
- Encourage the use of home-based businesses that are respectful of the community and its residents;
- Enhance and protect the East Sooke, Roche Cove and Matheson Lake Regional Parks interface areas with any potential development;
- Protect the natural environment including areas of ecological sensitivity, aquatic and terrestrial habitat, rare and endangered species, watercourses, wetlands, riparian areas and the marine ecosystem;
- As outlined through Section 2.4 of this bylaw and through the *Local Government Act*, the Official Community Plan should work towards the goals of the Regional Growth Strategy.

3.2 Land Use Inventory Statistics

Table 4: East Sooke Land Use Inventory Statistics

Land Use Area	Approximate Land Area	Percentage of Plan Area
Settlement Area	1364.1 ha (3370.7 acres)	44.0
Existing Park and Open Space	1516.8 ha (3748.0 acres)	49.0
Potential Park	1.8 ha 4.55 acres	0.06
Agricultural Land Reserve	133.3 ha (329.5 acres)	4.3
Roads	82.0 ha (202.6 acres)	2.7
Total Land Area (not including Marine)¹	3098.0 ha (7655.31 acres)	100
Marine Shoreline Areas	745.3 ha (1841.8 acres)	
Settlement Containment Areas	529.2 ha (1307.73 acres)	

Note: ¹ Does not include lakes which have not been classified.

See Maps No. 2 and 3, which are attached to and form a part of this bylaw, for approximate locations of the land uses identified above.

The approximate land area figures were derived from the Capital Regional District's Geographic Information Systems (GIS) mapping system and may not be an accurate representation of land areas.

PART 4.0 DEVELOPMENT POLICIES

4.1 General Development Policies - applicable to all land use designations

- 1] Any development, construction or alteration of land within an area designated as a Development Permit Area (DPA) is subject to the requirements of the relevant Development Permit (DP) policies contained in this Plan.
- 2] Any development should be consistent with the retention of the visual landscape of the natural areas, especially on or near hilltops and ridges.
- 3] If any development occurs, care must be taken to minimize the impact on the natural environment, the existing neighbourhoods and any ALR designated land.
- 4] All development must respond to the physical constraints of the site and must limit the removal of or damage to any of the natural vegetation cover.
- 5] Any development must be designed to protect lakes, watercourses and their tributaries by not allowing sediments or other effluents into the water system as outlined through the Development Approval Information process in Section 4.5 of this bylaw.
- 6] Stream crossings must be located so as to minimize the disturbance of banks, channels and vegetation cover. Where a stream crossing is necessary, the use of a bridge as opposed to a culvert is strongly recommended.
- 7] If any temporary watercourse alteration or diversion takes place, streams should be rerouted through their original channels.
- 8] The appropriate authorities should prohibit the unnecessary removal of gravel and soil from the streambeds of the above-referenced watercourses, and should also ensure that there is no modification of these stream channels and banks without careful consideration of potential adverse environmental impacts.
- 9] Access to lakes, rivers, streams, the sea and other water sources for emergency purposes must be provided.
- 10] Any development proposal must incorporate designs that reduce forest fire risks for homes within and at the edge of forested lands.
- 11] The development must be sited to allow access for emergency vehicles.
- 12] Development proposals should address the requirements established in National Fire Protection Association (NFPA) standards 1142 (Water Supplies for Suburban and Rural Fire Fighting).
- 13] There are several archaeological sites within the planning area; therefore, any proposed development may be subject to an archaeological search conducted by CRD Planning staff. As a result, the applicant may be required to contact the Archaeological Branch of the provincial government in order to satisfy their requirements.
- 14] Historic and archaeological sites are sensitive to human presence. Development proposals will be review in relation to existing and possible archaeological sites, and where sites are apparent, such proposals will be referred to the Heritage Conservation Branch of the provincial government for comment.
- 15] Where forestry and forestry-related activities are practiced as a permitted use, such activities are supported and encouraged to continue.

- 16] Any privately-owned forestland that is assessed as Managed Forest under the *Private Managed Forest Land Act* should be retained and managed as long-term forestry lands.
- 17] Where lands are assessed as Managed Forest under the *Private Managed Forest Land Act*, uses permitted under the *Act* will be deemed permitted uses under this Plan.
- 18] Conformance with the guidelines in the provincial publication *Best Management Practices for Urban and Rural Land Development in British Columbia* and in the joint federal-provincial publication *Land Development Guidelines for the Protection of Aquatic Habitat* is encouraged.

4.2 Land Use Designations

4.2.1 Settlement Area Designation

4.2.1.1 Preamble

The settlement designation signifies that the predominant land use is for residential purposes. The Plan is required by law to ensure that the housing stock available in the Plan area meets the needs and requirements of the market place for at least five (5) years. Residential housing may include, but is not limited to private ownership, special needs housing, rental and affordable housing. The housing stock may or may not be occupied on a full-time basis. Home-based businesses may be considered as a venue for additional economic development activities for the individuals situated in an area with the settlement designation.

The following land use activities are allowed within settlement areas:

- a. small-scale neighbourhood commercial activities;
- b. tourism related developments and their associated uses; and
- c. non-ALR designated agricultural activities.

4.2.1.2 Settlement Area Policies

- 1]
 - a. Development must be consistent with the goals and objectives of this Plan.
 - b. The desired parcel size for residential development within settlement containment areas should be in the 1 ha. (2.5 acres) range. Residential development outside the settlement containment areas should consist of parcels greater than 2 ha. (5 acres).
- 2] Development of residential or commercial parcels may be supported subject to the following:
 - a. Development of the site will have minimal impact on the existing man-made and the natural physical features of the area;
 - b. The development of the site is compatible with the protection of existing wells from depletion due to interference;
 - c. The proposed sewage disposal system would function properly with the various soil types and topography of the Plan area without posing any risks to potable water supplies;
 - d. The proposed development is designed to prevent pollutants from entering into the water system. This includes surface-water runoff channels, aquifers, groundwater areas or wetland areas;
 - e. Greenbelts, natural buffer areas and berms must be used to separate incompatible land uses;
 - f. Future residential growth should be in one of the designated settlement containment areas.

- 3] Community-sponsored facilities, programs and activities that serve to enhance the community's lifestyle may be considered.
- 4] Any non-ALR designated land that is developed adjacent to any Agricultural Land Reserve designated parcel must adhere to the Landscape Buffer Specifications publication produced by the Agricultural Land Commission.
- 5] The subdivision layout must not suggest that the road network or future development will expand into the ALR designated agricultural land. This means that road endings must not be directed to or about any agricultural designated lands.
- 6] This area may be subject to the amenity bonusing provision as outlined in the *Local Government Act* and as allowed through the applicable zoning district.

Developers who propose a mixed commercial/residential use must adhere to the following policies as well as to the foregoing:

- 7] Any mixed-use development must be compatible with the form and character of neighbouring land uses and must ensure that:
 - a. There is adequate parking space for the required commercial use and the residential use. The commercial parking spaces are to be physically separated from the required residential parking spaces;
 - b. The residential use must be protected from any adverse impact from the commercial activities;
 - c. The area to be used for residential purposes is to be physically separated from the commercial area. The residential use and the commercial use may be either in the same building and separated by either a wall or floor, or on the same lot but in two separate buildings. The development must meet the BC Building Code and the BC Fire Code requirements. Preference will be given to mixed-use developments that are in a single building or structure; and
 - d. Adequate and well-designed off-street parking, loading and service areas should be provided on the site of each mixed-use development with consideration given to:
 - i. Safe movement of vehicular and pedestrian traffic on and off the site;
 - ii. Design of a safe access and egress point; and
 - iii. Type and design of signs in relation to commercial uses with traffic signs.
- 8] ~~The d~~ Developers ~~are is~~ advised to ensure that they have reviewed the other development policies as outlined in this bylaw.

4.2.2 Marine ~~Shoreline~~ Designation

4.2.2.1 Preamble

Although the Province of British Columbia owns the shoreline adjacent to the study area, the Regional District does have the jurisdiction in regard to the use of this area by persons other than the Crown pursuant to its ability to regulate the use of land, which includes the surface of water. This area consists of two regions: a beach/rocky shore area and confluence areas.

- The beach/rocky area consists of rock platforms or shelves overlain with beach veneers of boulders or gravel.

- The confluence areas consist of the regions where the freshwater of the various intermittent or permanent streams and the saltwater of either the Sooke harbour or Juan de Fuca Strait meet.

The marine ~~shoreline~~ designated area extends out from the East Sooke Official Community Plan area across either Sooke Harbour or the Juan de Fuca Strait for a distance of 200 metres from the foreshore area as shown on Map No. 2.

4.2.2.2 Marine ~~Shoreline~~ Policies

- 1] In order to protect the marine shoreline and to ensure that it is not negatively impacted by development, shoreline areas as shown on Map No. 5b are designated as Development Permit Areas. Policies for these areas are contained in section 4.4.5.
- 2] Any construction or development within 15.0 metres of the natural boundary of the sea is subject to the requirement for a Development Permit as set out in section 4.4.5.
- 3] Except where otherwise permitted in the zoning bylaw or by a Development Permit, buildings and structures must be set back at least 15.0 metres (50 feet) from the natural boundary of the sea.
- 4] Natural features should be preserved and protected if any development is contemplated along the foreshore, as indicated by the policies in section 4.4.5.
- 5] Public recreational use of marine shorelands should be consistent with the suitability of each shore type for the proposed use, and users are encouraged to refrain from disturbing or polluting marine and related terrestrial habitats.
- 6] Flood construction level will be regulated by the applicable flood hazard management bylaw.
- 7] The protection, retention and restoration of natural shoreline vegetation, natural features and naturally occurring driftwood and rocks is encouraged.
- 8] Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.
- 9] Where shoreline protection is required, new and reconstructed protection structures should be constructed of rip-rap, large boulders or large wood material, rather than concrete walls.
- 10] Log booms and commercial marinas will not be permitted on the Sooke Harbour portion of the East Sooke planning area.
- 11] Any type of boathouse, wharf, pier, float or any other type of man-made structure that will be located on Crown land requires approval from the Province of B.C.

4.2.3 Park Designation

4.2.3.1 Preamble

The Park designation, as shown on Map No. 2, signifies the predominant use of these lands is for park. The Capital Regional District manages these lands as Regional Park.

4.2.3.2 Park Policies

- 1] The protection of these lands is important for conserving ecosystems and to create opportunities for public recreation.

4.2.4 Agricultural Land Reserve Designation

4.2.4.1 Preamble

The Agricultural Land designation, which consists of land within the Agricultural Land Reserve (ALR), signifies that the predominant land use is for agricultural purposes. Associated with the agricultural land reserve designation, the following land use activities are allowed within this designation:

- a. Farming activities and other land uses as permitted by the Land Commission in the ALR designated lands.

4.2.4.2 Agricultural Land Reserve Policies

- 1] Development adjacent to agricultural areas may be supported subject to the following:
 - a. The site will have minimal impact on the existing man-made and the natural physical features of the area;
 - b. There must be a buffer used between the proposed land use and the agricultural parcels of land; and
 - c. Development Permit requirements as outlined in section 4.4.8.
- 2] For land located within the ALR as outlined on Map No. 2, attached to and forming a part of this bylaw, this bylaw is binding only insofar as it is not contrary to the *Agricultural Land Reserve Act* and the *Agricultural Land Reserve Land Use, Subdivision and Procedure Regulation 171/2002*.
- 3] The subdivision of any land within the Agricultural Land designation can be supported for agricultural activities only.
- 4] It is a policy of the Capital Regional District not to support any subdivision for a relative in any ALR area as designated by the Province of British Columbia.
- 5] The CRD supports the preservation of agriculture and encourages farming.

4.3 Development Policies

4.3.1 Environmentally Sensitive Areas DesignationInventory

4.3.1.1 Preamble

Any environmentally sensitive area, as identified on Map No. 4, which is attached to and forms a part of this bylaw, should be preserved in its natural state. In order to achieve this goal and to protect watercourses, wetlands, riparian areas, habitat, sensitive ecosystems and rare and endangered species, these areas are designated as Development Permit Areas, as indicated on Maps No. 5b and 5c.

4.3.1.2 Watercourse, Wetland and Riparian Areas Policies

- 1] In order to protect fish habitat, fish-feeding and fish-supportive watercourses and watercourse ecosystems and in keeping with the intent of the *Riparian Areas Regulation*, the retention in their natural state of all streams and watercourses and the land within 30 metres of the high water mark on both sides of the streams is recommended.
- 2] The watercourses and wetlands that are subject to the *Riparian Areas Regulations* are designated as Development Permit Areas and are shown on Map No. 5b. Development Permit policies for these areas are contained in section 4.4.6.
- 3] For residential, commercial and industrial development adjacent to any creek, stream, river or lake proposed within the 30-metre setback requirement the developer must follow the criteria for the determination of the riparian protection and streamside protection enhancement areas as outlined in Section 4 of the *Riparian Areas Regulation*, B.C. Regulation 837/2004.
- 4] That when land in a watercourse, wetland and/or riparian area is being cleared for farm uses as defined in the *Agricultural Land Commission Act*, the required setback on both sides of a riparian area shall not be less than three (3.0) metres.

4.3.1.3 Sensitive Ecosystems Policies

- 1] Sensitive ecosystems are designated as Development Permit Areas, as shown on Map No. 5c. Policies for these areas are contained in section 4.4.7.
- 2] All development activities, subdivisions and rezoning applications should be planned and implemented in a manner that will not adversely affect or disturb identified environmentally sensitive areas.
- 3] Preservation of natural topography and existing vegetation and trees is encouraged.
- 4] Public ownership or covenants on title of lands that are deemed to be environmentally sensitive is encouraged.
- 5] Where land within a designated Sensitive Ecosystem Development Permit Area is within the Agricultural Land Reserve is being cleared for farm use as defined in the *Agricultural Land Commission Act* policies 1] through 4] of this section do not apply.

4.3.1.4 Natural Hazard Areas Policies

- 1] Areas with a slope exceeding ~~20~~30 percent are designated DPAs as indicated on Map No. 5a. Policies for these areas are contained in section 4.4.4.
- 2] Areas that are potentially subject to flooding or erosion are generally included within the foreshore DPA and indicated on Map No. 5b. Policies for these areas are contained in section 4.4.5.
- 3] Areas that are considered to be at high or extreme risk of wildfire are shown on Map No. 3. Within these areas, it is recommended that a 10-metre buffer in order to provide a fuel-free zone for fire protection be maintained between buildings and forested areas in new subdivisions where these areas are adjacent to forestland and woodlots of 20 hectares or more.
- 4] Within wildfire hazard areas, all development activities, subdivision and rezoning applications should be planned and implemented in a manner that will reduce risks associated with wildfires.

- 5] Owner/applicants are responsible for reviewing all subdivision proposals and rezoning applications in accordance with relevant provincial fire protection guidelines and policies.
- 6] Property owners are encouraged to adhere to the guidelines contained in the publication entitled *FireSmart: Protecting Your Community from Wildfire*.

4.3.2 Parkland and School Site Dedication Policies

4.3.2.1 Parkland

- 1] Provision of parkland must help the community achieve their quality of life objectives. This can be accomplished through the provision of having the developer provide parkland, without compensation, to the community. Depending upon the number of parcels of land being created and the size and location of the parcel being subdivided, the size, location and form of parkland will be determined by the Capital Regional District pursuant to the requirements of the *Local Government Act* and with input from the community. The parkland provided must be in the form of:

- (a) trails;
- (b) tot lots;
- (c) community parks;
- (d) a regulation-size sports fields;
- (e) regional parks;
- (f) interpretive parks;
- (g) waterfront parks;
- (h) greenspace; or
- (i) any combination of the above.

The provision and type of any parkland must be in a location that is acceptable to the Capital Regional District.

- 2] At its discretion the Capital Regional District may ask for cash-in-lieu, as the requirement for compliance with Section 941 of the *Local Government Act*, for the future purchase of land for parks or development of parks in East Sooke.

~~3] For information relative to the acquisition, development, operation, preservation and maintenance of parks in the Juan de Fuca Electoral Area, applicants shall refer to the Parks Appendix of this Official Community Plan, the Juan de Fuca Electoral Area Parks Plan." [Juan de Fuca Electoral Area Community Parks Strategic Plan.](#)~~

4.3.2.2 School Site Dedications

School site acquisition charges are payable in respect of development in accordance with Division 10.1 of Part 26 of the *Local Government Act*.

4.3.3 Roads and Servicing Policies

4.3.3.1 Preamble

The provision of roads and services of the land could play a role in shaping the land use development patterns in the East Sooke Plan area. No major roads, sewer systems or water systems are planned for the East Sooke area at the time of preparation of this Plan.

4.3.3.2 Road Development Policies

- 1] The Ministry of Transportation and Infrastructure road standards and requirements will be adhered to.

4.3.4 Servicing Development Policies

- 1] It is the intent of this Plan that, if not already serviced by a public water system, settlement containment areas as designated on Map No. 2 of this bylaw will be serviced by a public water system in the future.
- 2] It is unknown when the settlement containment areas will be serviced. However, servicing of settlement containment areas should be provided in the order presented on Map No. 2, beginning with settlement containment area No. 1.
- 3] In accordance with the CRD's Regional Growth Strategy, water and sewer services will not be extended, nor hookup permitted, outside the settlement containment areas identified on Map No. 2. To address extraordinary circumstances of risk to public and environmental health from water contamination, or from wildfire hazard, the CRD Board may permit the extension of water services only, beyond the designated settlement areas providing:
 - a) A proposal to extend water services is prepared that identifies and documents the extraordinary circumstances of risk to public and environmental health from water contamination or from wildfire hazard, supported by the appropriate public health and/or fire protection officials;
 - b) The proposal is submitted to the CRD's General Manager of Planning and Protective Services for review in concert with the General Manager of CRD Water Services, with a resolution of support from the Electoral Area Land Use Committee;
 - c) The proposal, the supporting resolution of the Land Use Committee and the recommendations of the General Manager of Planning and Protective Services and the General Manager of Water Services are reviewed and considered by the Board's standing committee responsible for the Regional Growth Strategy in making a recommendation to the full CRD Board regarding either approval or refusal of the proposal to extend water services; and,
 - d) The full CRD Board passes a resolution giving approval for the extension of water services.

4.3.5 Public Facilities

The location of public facilities, such as schools, parks, water distribution systems, waste treatment and disposal sites could play a role in shaping the land use development patterns in the East Sooke Plan area. No new public facilities are planned for the East Sooke area at the time of preparation of this Plan. When public facilities are contemplated for an area, consideration needs to be given to community infrastructure to support the proposed use.

4.3.6 Sand and Gravel Deposits

No sand or gravel deposits were identified during the preparation of this Plan. The location and operation of any sand and gravel extraction activities are subject to the requirements of the *Mines Act*.

4.4 Development Permit Areas

4.4.1 Preamble

A Development Permit is a planning tool for sites, buildings and structures that warrant special protection or development control. These Permits must be approved by the Capital Regional District Board and may require some sort of security to ensure that the conditions in the permit have been achieved. The guiding principle for the use of Development Permits is found within Section 919.1 of the *Local Government Act*. Development Permit Areas can be designated for purposes such as, but not limited to the following:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions;
- Protection of farming;
- Establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

With respect to areas designated as Development Permit Areas, the Community Plan must:

- describe the conditions or objectives that justify the designation; and
- specify guidelines respecting the manner by which the special conditions or objectives will be addressed.

4.4.2 General Development Permit Policies

1. Where land lies within more than one Development Permit Area, all of the applicable
2. permit requirements must be met.
3. In accordance with the *Local Government Act*, a Development Permit must be obtained prior to subdivision, construction, alteration of land, soil deposit or removal or any other development or activity that would impact on any of the elements protected by a Development Permit.
4. Any additional information requested by the Capital Regional District as outlined in the following sections must be provided at the applicant's expense.

4.4.3 General Exemptions for a Development Permit

No Development Permit will be required for the following:

1. internal alterations to a building;
2. accessory buildings built after the main residential structure, but included in the original building permit plans;
3. structures which are not greater in area than 10.0 square metres (107 square feet) and are accessory to an existing residence. This may include, but is not limited to:
 - a. gazebos;
 - b. garden sheds;
 - c. tool sheds; and
 - d. decks.
4. walkways, ramps and/or stairways for providing pedestrian and/or wheelchair access to any structure exempted in paragraph 3 above;

5. removal of hazard trees;
6. emergency actions for flood or erosion protection;
7. emergency works to repair or replace public utilities or infrastructure;
8. removal of invasive non-native vegetation from riparian areas;
9. in-stream habitat development or restoration that complies with provincial and federal legislation and requirements.
10. subdivision and development applications on lands subject to steep slopes, sensitive ecosystems or watercourses, wetlands or riparian development permit, where a qualified professional submits a report or provides certification acceptable to the CRD that the parcel does not include slopes exceeding 30-percent or 16.7 degrees in slope over a minimum 10 metre run, or does not contain sensitive ecosystems or does not contain a watercourse or wetland (that is, no features requiring protection are located on the parcel);
11. development applications on lands subject to steep slopes, sensitive ecosystems or watercourses, wetlands or riparian development permit, where a qualified professional submits a report or provides certification acceptable to the CRD that the proposed development is located outside the steep slopes, or sensitive ecosystems or riparian assessment area or the setbacks for non-fish bearing watercourses and wetlands (that is, no feature requiring protection will be affected). This exemption does not apply to subdivision applications.

4.4.4 Development Permit Area No. 1: Steep Slopes

4.4.4.1 Designation

That part of the East Sooke area shown in blue hatching ~~and red outline~~ on Map No. 5a, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area under Section 919.1(1)(b) of the *Local Government Act*.

All areas having slopes exceeding ~~20~~30-percent or ~~14~~16.7 degrees in slope over a minimum 6 metre run are designated as Development Permit Areas and are shown on the '~~Hazardous Protection~~Steep Slopes Development Permit Area' Map No. 5a, which is attached to and forms a part of this bylaw.

4.4.4.2 Justification

As pursuant to S 919.1(1)(b) of the *Local Government Act*

(Protection of development from hazardous conditions)

The topography of the area, as well as the slope gradation and thin soil cover, renders the area highly susceptible to erosion and high windthrow hazard. Careful control of development or other alteration of these slopes is needed to reduce the risk to life and property, to prevent erosion and potential risks to down-slope properties, to prevent destabilization of slopes and to protect the visual quality of the slopes. Land clearing, road construction, changes in slope profiles, construction of buildings or roads or other site disturbance in these areas could increase risk to life and property and harm the environmental values of the slopes.

4.4.4.3 Objective

To regulate development in the area with a view to protecting the integrity of the slopes and reducing the risk of injury to persons or damage to property.

4.4.4.4 Guidelines

Development Permits issued in steep slope areas will be in accordance with the following:

- 1] There will be no site disturbances on a steep slope other than those allowed in a Development Permit or subject to a general exemption as outlined in section 4.4.3.
- 2] Excluding trees that present a safety hazard or those that a higher-level government has authorized to be removed, no disturbance of vegetation or movement of substrate will be allowed where there is any potential for erosion, other than that allowed in a Development Permit or subject to a general exemption.
- 3] Erosion control measures, during and after construction, will be specified in the permit application.
- 4] Any development must be designed to avoid stormwater runoff that could destabilize the slope or cause damage to neighbouring properties.
- 5] Removal of vegetation should be minimized to allow only for building sites, sewage disposal systems, driveways, landscaping and other permitted land uses.
- 6] A disturbed site should be revegetated using plant material indigenous to the site or other suitable non-invasive plants.
- 7] An applicant will be required to provide a Slope Stability Plan certified by a qualified professional with relevant expertise, showing how the proposed development is to be designed and constructed so as to prevent any destabilization or erosion on the slope. The Slope Stability Plan must take account of, but is not limited to, whichever of the following factors are relevant to the proposed development:
 - a) Slope stability prior to development, identification of any areas subject to landslide, landslip, rockfall and windthrow;
 - b) Soil types, depths and conditions;
 - c) Siting of all buildings and other structures, services, driveways and parking areas;
 - d) Existing and proposed impervious surfaces;
 - e) Stream channeling and drainage systems;
 - f) Measures to safeguard neighbouring properties and structures from hazards arising from the siting, the preparation of the site (including but not limited to blasting) and the construction of the proposed development;
 - g) Design of mitigation measures, such as sediment traps in areas subject to destabilization during land clearing, construction and rehabilitation;
 - h) Alternative vegetation and erosion control measures;
 - i) Survey of tree cover and other major vegetation cover shown before and after the proposed development;
 - j) Location of well, sewage disposal system and soil test sites; and
 - k) Anticipated removal or additions of soil, sand or gravel.

4.4.5 Development Permit Area No. 2: Foreshore and Marine Shoreline Areas

4.4.5.1 Designation

That part of the East Sooke foreshore area, shown in a heavy ~~red-blue~~ line ~~and shaded yellow~~ on Map No. 5b, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area.

4.4.5.2 Justification

As pursuant to Section 919.1(1)(a) of the *Local Government Act*

(Protection of the natural environment, its ecosystems and biological diversity)

All foreshore areas are considered fragile. A Development Permit will be required for any uses, buildings or structures proposed within 15.0 metres (50 feet) of the natural boundary of sea.

4.4.5.3 Objective

To regulate development adjacent to foreshore and marine shoreline areas in order to maintain the ecological value of these areas and to guard against their contamination.

4.4.5.4 Guidelines

Development Permits issued in these areas will be in accordance with the following:

- 1] No development, building, structure, site disturbances or sewage disposal system will be permitted in a foreshore Development Permit Area, as specified in the Justification above, except those allowed in a Development Permit or subject to the general exemptions as outlined under section 4.4.3.
- 2] An assessment by a qualified professional and a B.C. land surveyor's certificate will be conditions of the Development Permit for shoreline protection ~~devises~~ devices or works.
- 3] Vegetation appropriate, preferably indigenous, to the site may be required to be planted on the site to reduce erosion risk, restore the natural character of the site, improve water quality or stabilize slopes and banks.
- 4] Modification of banks or shores, which could result in environmental harm or significantly alter local hydrological conditions, will not be permitted.
- 5] All new developments or modifications to existing developments must be designed to avoid any increase in runoff.
- 6] A Development Permit application will include the following:
 - a scale-drawn site plan, certified by a qualified, licensed professional with relevant expertise, drawn at a scale of 1:2,000, or, with approval of the Capital Regional District, at a scale of 1:5,000. The site plan must show:
 - a) the foreshore areas on the site;
 - b) the proposed location of the principal dwelling or other buildings and any accessory structures, wells, sewage disposal systems, driveways, parking areas, impermeable surfaces and direction and quantity of any surface-water
 - c) discharge before and after any development;
 - d) any other feature of the development (including but not limited to alteration of the ground surface by removal, filling or blasting) with the potential to affect the protected areas.

4.4.6 Development Permit Area No. 3: Watercourses, Wetlands and Riparian Areas

4.4.6.1 Designation

That part of the East Sooke area shaded blue, adjacent to the various creeks and streams as outlined on Map No. 5b, which is attached to and forms a part of this bylaw, and

That part of the East Sooke area shaded ~~pink~~-blue adjacent to the various lakes and wetlands as outlined on Map No. 5b, which is attached to and forms a part of this bylaw, are designated as Development Permit Areas under Section 919.1(1)(a) of the *Local Government Act*.

4.4.6.2 Justification

As pursuant to Section 919.1(1)(a) of the Local Government Act (Protection of the natural environment, its ecosystems and biological diversity).

Riparian ecosystems occur adjacent to lakes, streams, creeks and rivers where the increased soil moisture supports and enhances plant communities distinct from the adjacent terrestrial areas. As a general rule, the protection of the riparian systems is important for the following reasons: the protection of their biodiversity, the maintenance of water quality, the protection of aquatic habitat and the retention of wildlife corridors.

The wetlands function as drainage, storage and recharge areas for down-slope groundwater regions. These areas are important to the ecological integrity of East Sooke, serve as temporary stormwater retention and transmission areas and are crucial to the natural environment and, therefore the community's water supply. Building of structures or roads, or substantial land clearing or disturbance in these areas could harm the functions of these water and riparian areas.

The Development Permit Area established under this section includes:

1. all non-tidal water, such as watercourses, wetlands and all lands lying within 30 metres (100 feet) of these features; and
2. riparian areas as identified on Map No. 5b, the extent of which will be determined through the *Riparian Areas Regulation* process.

4.4.6.3 Objective

To regulate development adjacent to water features and riparian areas in order to protect the community's water supply, to maintain the ecological value of these areas and to guard against their contamination.

4.4.6.4 Guidelines

Development Permits issued in these areas will be in accordance with the following:

- 1] Development or alteration of land should be planned to avoid intrusion into Development Permit Areas and to minimize the impact of any activity on these areas.
- 2] No development, building or other structure, sewage disposal system or site disturbance will be permitted on the Development Permit Areas, as indicated on Map No. 5b, except as allowed by a Development Permit.
- 3] Development activities or proposals that have addressed the requirements of the *Riparian Areas Regulation* will be deemed to have met the requirements of this Development Permit Area.

- 4] Development Permit applications will include a report prepared by a Qualified Environmental Professional (QEP), as defined by the *Riparian Areas Regulation*, outlining the following information:
 - a) a detailed site plan, drawn at a scale of 1:2,000, or, with approval of the Capital Regional District, at a scale of 1:5,000, identifying the high water mark of a stream or top of a ravine bank and a line 30 metres from the high water mark or top of ravine bank;
 - b) any intermittent or permanent wetlands on the site;
 - c) an assessment carried out using the assessment methods appended to the *Riparian Areas Regulation*;
 - d) identification of the streamside protection and enhancement areas (SPEAs) and criteria used to define the boundaries of the SPEAs;
 - e) an inventory of fish species and related habitat;
 - f) an impact statement describing the effects of the proposed development on the natural conditions;
 - g) measures deemed necessary to protect the integrity of SPEAs from the effects of development;
 - h) guidelines and procedures for mitigating habitat degradation including limits of proposed leave areas;
 - i) habitat compensation alternatives, where compensation is approved.
- 5] An application for a Development Permit will also include a plan showing the following:
 - a) the proposed location of the principal dwelling or other buildings and any accessory structures, wells, sewage disposal systems, driveways, parking areas, impermeable surfaces and direction and quantity of any surface-water discharge before and after any development;
 - b) any other feature of the development (including but not limited to alteration of the ground surface by removal, filling or blasting) with the potential to affect the protected areas.
- 6] Any development must be designed so as to maintain the quality of any stormwater flowing toward or into the identified water features and to prevent any increase in volume and peak flow of runoff.
- 7] Development Permit applications should include a vegetation management plan indicating the extent of proposed buffer areas and the proposed management of vegetation in these areas.
- 8] Based on the biophysical assessment of the site within the Development Permit Area, vegetation appropriate, preferably indigenous, to the site may be required to be planted on the site to reduce erosion risk, restore the natural character of the site, improve water quality or stabilize slopes and banks.
- 9] Modification of channels, banks or shores, which could result in environmental harm or significantly alter local hydrological conditions, will not be permitted.
- 10] All new developments or modifications to existing developments, site works, gardening and other related residential activities should be designed and implemented to avoid any increase in runoff and to prevent pollutants from entering water features.

- 11] The Development Permit may designate and specify, where necessary, a buffer zone within which land alteration or structures will be limited to those compatible with safeguarding the characteristics of the water feature.
- 12] Development Permits issued with regard to road and driveway construction in this area will ensure that:
 - a) watercourse crossings are located so as to minimize disturbance of water feature banks, channels, shores and vegetation cover;
 - b) wherever possible, bridges are used instead of culverts for crossings of fish-bearing watercourses;
 - c) culverts are sited to allow unrestricted movement of fish in both directions. Where desirable, culverts may be designed to encourage in-stream storage of water.
- 13] That when land is being cleared for farm uses as defined in the Agricultural Land Commission Act, the required setback on both sides of a riparian area shall not be less than three (3.0) metres.

4.4.7 Development Permit Area No. 4: Sensitive Ecosystems

4.4.7.1 Designation

That part of the East Sooke area shown in ~~a heavy red outline and shaded in orange~~, green, ~~pink or brown~~ as outlined on Map No. 5c, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area under Section 919.1(1)(a) of the *Local Government Act*.

4.4.7.2 Justification

As pursuant to Section 919.1(1)(a) of the Local Government Act
(Protection of the natural environment, its ecosystems and biological diversity).

This area is considered by the Sensitive Ecosystems Inventory as a unique ecological region with exceptionally high biodiversity values. It supports many unique ecosystems. The size of the area and its location adjacent to the East Sooke Regional Park further enhances its ecological value.

Land clearing, construction of buildings or roads or other site disturbance in this area would degrade the ecological value of this area.

4.4.7.3 Objective

To regulate development in such areas in a manner that protects biodiversity and ecological values.

4.4.7.4 Guidelines

Development Permits issued in sensitive ecosystem areas will be in accordance with the following:

- 1] No development or site disturbance will be permitted within an older forest as outlined on Map No. 5c.
- 2] A Development Permit will be required for any activity, work or alteration of land in all other sensitive ecosystems shown on Map 5c.

- 3] Development Permit applications will include a report prepared by a Qualified Environmental Professional outlining the following information:
 - a) a detailed site plan drawn at a scale of 1:2,000 (or with the approval of the Capital Regional District, 1:5,000) identifying the sensitive ecosystems within the site;
 - b) criteria used to define the boundaries of the sensitive ecosystems;
 - c) an inventory of rare or endangered plants and animal species and related habitat;
 - d) an impact statement describing effects of proposed development on the natural conditions;
 - e) procedures for protection of the sensitive ecosystems during construction;
 - f) guidelines for mitigating sensitive ecosystem or habitat degradation including limits of proposed leave areas and buffers;
 - g) habitat compensation alternatives, where compensation is approved.

- 4] An application for a Development Permit will also include a plan showing the following:
 - a) The proposed location of the principal dwelling or dwellings and any accessory structures, wells, sewage disposal systems, driveways, parking areas or impermeable surfaces;
 - b) Identification of all other features of the development with the potential to affect the protected area, including but not limited to the direction and quantity of any surface-water discharge before and after any development.

- 5] Changes in the land surface, which could affect the health of vegetation or the biodiversity of any plant communities, and disturbance of mature vegetation and understory plants will be minimized.

- 6] 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 sensitive ecosystem.

- 7] Where necessary, provision will be made and works undertaken to maintain the quality of water reaching the sensitive ecosystem.

- 8] The Development Permit may designate and specify where necessary, a buffer zone within which land alteration or structures will be limited to those compatible with the characteristics of the sensitive ecosystem.

- 9] Nest trees are protected and must be buffered under the provincial *Wildlife Act*. This includes known nest trees and nest trees that may be identified during the course of site assessment or development.

- 10] Planting of invasive non-native vegetation adjacent to or in designated sensitive ecosystem areas will be discouraged.

- 11] The Development Permit will include requirements for a comprehensive stormwater management plan designed or intended to limit possible entry of oil, greases and other contaminants to natural watercourses and the marine environment.

4.4.8 Development Permit Area No. 5: Commercial Development Area

4.4.8.1 Designation

The area of land shown shaded yellow on Map No. 5d, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area for the form and character of commercial development.

4.4.8.2 Justification

As pursuant to Section 919.1 (1) (f) of the *Local Government Act* (Establishment of objectives for the form and character of commercial, industrial or multi-family residential development).

The various commercial areas in East Sooke merit designation as Development Permit Areas for the form and character of commercial development due to their unique location and their relationship to surrounding land uses.

4.4.8.3 Objective

To encourage a building design theme that is complementary to and respectful of the natural setting.

4.4.8.4 Guidelines

Development Permits issued in these areas will be in accordance with the following:

- 1] Design buildings to take advantage of natural contours and features of the landscape so that buildings and structures fit into the natural surroundings.
- 2] Cluster buildings to reduce and minimize disturbance of the natural vegetative cover.
- 3] Design buildings in a form which can make best use of the natural environment, which allows for retention of natural vegetative cover and which reinforces existing aesthetic and natural advantages of area.
- 4] Retain existing second-growth forest and native understorey plants in areas where there are no buildings, structures, parking areas or other constructed features.
- 5] Minimize outdoor storage and screen outdoor storage and loading/unloading facilities from neighbouring properties through the retention of trees and native understorey plants or the planting of native or complementary species.
- 6] Screen parking areas to the greatest extent possible with existing and new landscaping as described in subparagraph (5).
- 7] Install outdoor lighting which is of low intensity and pedestrian-oriented or which is directed down and away from surrounding residential areas so as to reduce and minimize glare into the environment.
- 8] If applicable, site accessory developments, such as parking and storage away from the shoreline to reduce the visual impact of the development from the water.

4.4.9 Development Permit Area No. 6: Protection of Farming

4.4.9.1 Designation

That part of the East Sooke area ~~shaded-outlined purple-brown as outlined~~ on Map No. 5e, which extends 15 metres from the Agricultural Land Reserve boundaries as outlined on Map No

5e, which is attached to and forms a part of this bylaw, is designated as a Development Permit Area under Section 919.1 (1) (c) of the *Local Government Act*.

4.4.9.2 Justification

As pursuant to Section 919.1 (1) (c) of the *Local Government Act* (Protection of Farming).

These areas are situated immediately adjacent to designated Agricultural Land Reserve areas. The *Farm Practices Protection Act* gives farmers the right to farm provided they are following normal farm practices. This Development Permit Area will ensure that adjacent land uses do not interfere with the functioning of normal farm operations and help mitigate potential conflicts between adjacent uses. Retaining the viability of these lands for agriculture is important in terms of providing local food security and economic diversity but also in terms of preserving valuable rural landscapes for the community.

4.4.9.3 Objective

To regulate development in such areas in a manner that protects the viability of agriculture for present and future generations.

4.4.9.4 Guidelines

Development Permits issued in agricultural areas will be in accordance with the following:

- 1] Require the siting of buildings or structures such that road access is oriented away from adjacent land used for farming.
- 2] The Development Permit may designate and specify, where necessary, a buffer zone within which land alteration or structures will be limited to those compatible with the characteristics of agriculture.
- 3] Areas within any designated buffer zone should be landscaped in such a way as to provide a physical barrier between the agricultural use and the adjacent uses. This could include the planting of trees or shrubs that are natural to the area.
- 4] If applicable, there will be no siting of buildings or structures, including structures associated with the development of a trail or linear park, inside the buffer area.
- 5] Drainage in the Development Permit Area 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.
- 6] A scale-drawn site plan, certified by a qualified professional, drawn at a scale of 1:2,000, or, with approval of the Capital Regional District at a scale of 1:5,000, must be prepared and provided to the Capital Regional District.

The site plan must show:

- a) The proposed location of the principal dwellings, any accessory structures, wells, sewage disposal systems, driveways, parking areas and impermeable surfaces;
- b) Identification of all other features of the development with the potential to affect the protected area, including but not limited to the direction and quantity of any surface-water discharge before and after development.

4.5 Development Approval Information Area

4.5.1 Preamble

Part of the East Sooke study area as shown on Map No. 6, which is attached to and forms a part of this bylaw, is designated as a Development Approval Information area.

4.5.2 Justification

1. The natural environment of the East Sooke area supports an ecosystem of great diversity, including rare species of flora and fauna, and supports human habitation. Any development with the potential to deplete the groundwater or otherwise interfere with the wetlands in one region also has the potential to diminish the quantity and quality of available groundwater in one or more of the other groundwater regions. In particular, the extent to which a new well is likely to interfere with an existing well cannot be reliably inferred except from actual interference testing of the affected wells.
2. East Sooke and Gillespie Roads are the two fixed or highway access routes into East Sooke. Any large-scale development could increase the traffic flows along these roads.* Information is required in reviewing the potential impact that the larger traffic flows may have upon these highway points.
3. New development may affect the provision of fire and police protection in East Sooke. Information is required on the possible impact that development may have upon the provision of fire and police protection.
4. Given the topography and the rich biodiversity of East Sooke, the Plan area has numerous environmentally sensitive features that require a thorough analysis to be completed prior to development taking place. This also includes an analysis of any liquid waste disposal to ensure that it has no adverse effect on human health or the natural environment.

4.5.3 Objective

Information relating to the following matters is required whenever an application is made for either a zoning change or a Development Permit:

- (a) the natural environment;
- (b) traffic flows;
- (c) the provision of community services; including but not limited to schools, fire protection, policing and similar services;
- (d) the local infrastructure, which means water service, sewage disposal and other utilities.

4.5.4 Guidelines

- 1] As part of applications for a zoning change or the issuance of a Development Permit, applicants must provide, at their expense, an assessment by an appropriate professional, as outlined in the Development Approval Information Bylaw, of the impact that the proposed development may have on any of the above-referenced matters.

* In terms of traffic flow, large-scale development is defined as the creation of 20 or more lots. This includes phased approaches or one time application for all the new lots.

PART 5.0 DEVELOPMENT OF COMMUNITY POLICIES

5.1 General Vision Statement

5.1.1 Preamble

The East Sooke OCP Review Committee feels that East Sooke is a rural community of clustered residential settlements, blessed with an exceptional abundance of scenic beauty, native plant and animal life, and public parkland. As stewards of our community and unique natural environment, we will protect the integrity of East Sooke, retaining sufficient lands in their natural state to permit a diversity of plant and animal life. Future development in East Sooke will leave a small footprint and respect residents' privacy so that future generations will experience the rural lifestyle that we enjoy today. The East Sooke OCP Review Committee supports the eight goals as outlined in the Regional Growth Strategy. This Plan reflects the committee's view of what it means to be a good neighbour in East Sooke.

5.1.2 Policies

1/. A local community association should take a leadership role in the protection of our rural community.

5.2 Assembling of Land for Trails and Bike Paths

5.2.1 Preamble

The East Sooke OCP Review Committee feels that opportunities for safe and enjoyable walking, cycling and horseback riding could be greatly increased if trails were developed from the Galloping Goose to other parts of East Sooke. The linking of the settlement containment areas identified in this Plan would provide an alternative to motor transport and would serve to promote a stronger, healthier community. Residents from any one of these settlement containment areas should find support from within to approach the Juan de Fuca Electoral Area Parks and Recreation Commission to acquire, over time, a network of trails for the community's use (eg. residents from Seedtree might want to have a path away from East Sooke Road to Bill's store).

5.2.2 Policies

1/. The following are to be used in conjunction with the parkland dedication features of the *Local Government Act*. Encourage the acquisition of land for trails by such means as, but not limited to:

- using bequests and donations;
- setting up conditional gifts;
- using management agreements;
- utilizing an option-to-purchase;
- working with any local, provincial or national Land Trust organization.
- As well, the committee encourages the Ministry of Transportation and Infrastructure to consider developing pathways along road right-of-ways.

5.3 Development of a Public Wharf

5.3.1 Preamble

The East Sooke OCP Review Committee is of the belief that a waterfront facility for public use is badly needed in East Sooke. Not only would it serve those who wish to enjoy the basin actively, but it could also serve as a gathering place to enjoy sunset and sunrise views over the water. A public wharf would make Sooke accessible by water rather than by car. As such, the Juan de Fuca Electoral Area Parks and Recreation Commission is encouraged to investigate ~~the Seagirt Park or other~~ suitable sites s to develop, or to acquire and to develop for the enjoyment of the public.

5.3.2 Policies

- 1/. The committee encourages the development of a public wharf through such means as, but not limited to the following:
 - using bequests and donations;
 - setting up conditional gifts;
 - using management agreements;
 - utilising an option-to-purchase approach;
 - working with local, provincial or national Land Trust organization.

5.4 Economic Development

5.4.1 Preamble

The East Sooke OCP Review Committee encourages the establishment of small businesses in East Sooke that respect the maintenance of community values and operate within the parameters of this Plan, to produce social, economic or environmental good for the community.

5.4.2 Policies

- 1/. That every effort be made to apprise entrepreneurs planning new business in East Sooke of the OCP and its policies.
- 2/. That East Sooke continue to participate in the Juan de Fuca Economic Development Commission (EDC).
- 3/. That the EDC make every effort to communicate its activities to the residents of East Sooke.

5.5 Transportation

5.5.1 Preamble

The East Sooke OCP Review Committee recognizes the need for alternate modes of transportation, including public transit and the encouragement of carpooling.

5.5.2 Policies

- 1/. The Ministry of Transportation and Infrastructure is strongly encouraged to conduct periodic traffic studies to monitor road usage and carrying capacity.
- 2/. The committee recommends that BC Transit ~~develop~~ improve a public transportation system to service residents of East Sooke ~~as soon as~~ to the extent possible.

5.6 Working Boundaries with Sooke and Metchosin

5.6.1 Preamble

The East Sooke area shares a boundary with both the municipalities of Sooke and Metchosin. There is significant potential benefit to all parties in collaborating about future land uses around their common boundaries.

5.6.2 Policies

- 1/. The East Sooke OCP review committee supports the establishment of a joint mechanism between East Sooke, Sooke and Metchosin with a mandate to share information and recommend complementary land use policies affecting their shared boundaries.