



JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **April 17, 2018 at 7 p.m.**

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

AGENDA

1. Approval of Agenda
2. Approval of the Supplementary Agenda
3. Adoption of Minutes of February 20, 2018
4. Chair's Report
5. Planner's Report
6. Floodplain Exemption
 - a. DV000057 – Lot 13, Section 4, District 47, Renfrew Plan VIP79213 (Trailhead Drive)
7. Rezoning Application
 - a. RZ000255 – Strata Lots 13, 26 and 27, Section 16, Otter District, Plan VIS7096 (Sooke Business Park - 7450 Butler Road)
8. Proposed Bylaw
 - a. Bylaw No. 4000, "East Sooke Official Community Plan, Bylaw No. 5, 2018"
 - b. Bylaw No. 4001, "Shirley-Jordan River Official Community Plan, Bylaw No. 5, 2018"
9. Adjournment



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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, February 20, 2018, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Mike Hicks (Chair), Stan Jensen, Roy McIntyre, Ron Ramsay, Sandy Sinclair, Art Wynans, Dale Risvold
Staff: Iain Lawrence, Manager, Local Area Planning; Emma Taylor, Recorder

PUBLIC: 1

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

1. Approval of the Agenda

MOVED by Art Wynans, **SECONDED** by Dale Risvold that the agenda be **CARRIED**

2. Approval of the Supplementary Agenda

MOVED by Sandy Sinclair, **SECONDED** by Roy McIntyre that the supplementary agenda be **CARRIED**

3. Adoption of Minutes from the Meeting of January 16, 2018

MOVED by Roy McIntyre, **SECONDED** by Sandy Sinclair that the minutes from the meeting of January 16, 2018, be adopted. **CARRIED**

4. Chair's Report

The Chair reported that the Regional Growth Strategy (RGS) is expected to be considered by the CRD Board in April 2018.

The Chair reported that the Province of BC announced highway upgrades in the Juan de Fuca Electoral Area including replacement of the bridge at Roche Cove and a rest stop at Sombrio Beach, as well as future improvements to Otter Point Road and Parkinson Road.

The Chair updated the Committee on the CRD Board's decision to construct an anaerobic digester at Hartland Landfill as part of the sewage system project, and advised that integrated resource management and a gasification plant are no longer being considered as options.

5. Planner's Report

Iain Lawrence stated that a public information meeting is scheduled to be held on February 22, 2018, at the Port Renfrew Community Hall for rezoning application RZ000251.

Another public information meeting is scheduled to be held on February 26, 2018, at the Shawnigan Lake Community Hall for rezoning application RZ000245.

Iain Lawrence noted that there will not be a March LUC meeting and that it is anticipated that both the East Sooke and the Shirley – Jordan River Official Community Plans will be brought forward at the April LUC meeting.

6. Development Variance Application

a) VA000144 – Lot A, Block 453, Malahat District, Plan EPP72720 (1499 Trail Way)

Iain Lawrence spoke to the staff report outlining the requested variance to reduce the front yard setback for the purpose of siting a greenhouse. Staff displayed a survey and photos of the property and confirmed that the siting of the greenhouse is outside of any development permit areas and covenant areas on the property.

Staff directed attention to the items in the supplementary agenda and outlined the six letters of support and one letter stating objection. Concerns identified in the letter of opposition relate to bylaws being changed to address violations and the proposed use of the greenhouse.

A representative for the applicant was in attendance and presented a letter from the owners. The representative stated that the greenhouse is intended for the growing and propagation of horticultural plants for the owners' landscaping business and for farm-gate sales. One exterior light and one small fan are installed on the greenhouse and no nuisance to adjacent properties is expected. The siting of the structure was selected due to topographical considerations, covenant areas and the adjacent regional trail.

The Chair questioned the 30 metre setback requirement. Staff confirmed that greater setbacks apply as the greenhouse is classified as an agricultural building.

Comments from LUC members included:

- lights in greenhouse could create nuisance to neighbours
- expansion into larger commercial operation is a concern
- home-based businesses are supported
- sympathetic to concerns raised in letter of opposition
- future buildings will require permits.

MOVED by Stan Jensen, **SECONDED** by Dale Risvold that the Land Use Committee recommend to the CRD Board:

- a) That Development Variance Permit VA000144 to reduce the front yard setback for agricultural buildings from 30 m to 10.4 m, as specified by Malahat Land Use Bylaw, 1981, Bylaw No. 980, Section 3.4.04(4), for the purpose of allowing the siting of a greenhouse on Lot A, Block 453, Malahat District, Plan EPP72720, be approved.

CARRIED

7. Adjournment

The meeting adjourned at 7:21 p.m.

Chair

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

SUBJECT Floodplain Exemption for Lot 13, Section 4, Renfrew District, Plan VIP79213 – Trailhead Drive

ISSUE

A request has been made for an exemption from the 1.5 m flood construction level specified in Part 5 of the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, in order to construct a single-family dwelling below the 1.5 m flood construction level of First Creek.

BACKGROUND

The vacant 1.02 ha property is located on Trailhead Drive in Jordan River and is zoned Wildwood Terrace One (WT-1) in Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. The property is bounded by WT-1 zoned properties to the north and south, Trailhead Drive to the west and a Wildwood Terrace Four (WT-4) zoned property to the east (Appendix 1). First Creek flows in a southerly direction through the property.

The owner is proposing to construct a single-family dwelling on the property approximately 20 m from First Creek. The property was created prior to the designation of development permit (DP) areas and prior to the *Riparian Areas Regulation*. The proposed dwelling is now within a watercourses, wetlands and riparian development permit area in the Shirley/Jordan River Official Community Plan Bylaw No. 3717. A Qualified Environmental Professional's (QEP) report will be submitted separately in support of a development permit application pursuant to section 4.4.6.4 of Bylaw No. 3717.

At the time of subdivision, three covenants were registered on title in favour of the CRD and the Province. Covenant EX87075 restricts building and removal of vegetation within 7.5 metres of First Creek. Covenant EX87076 requires a geotechnical engineer to confirm the land may be used safely for the use intended prior to building. Covenant EX87077 establishes a 15 metre floodplain setback and a 1.5 metre flood construction level.

The floodplain regulations, as outlined in Part 5 of Bylaw No. 2040, also specify a 15 metre floodplain setback and a 1.5 metre flood construction level. The owner is requesting an exemption from Part 5, Section 2(1)(b) to reduce the flood construction level to allow the ground floor system elevation to be located 0.2 m above the final ground surface elevation in the proposed location.. A geotechnical engineer's report has been submitted in support of the request (Appendix 3).

ALTERNATIVES

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

1. That subject to the Ministry of Transportation and Infrastructure agreeing to discharge covenant EX87077 from title, that floodplain exemption DV000057 for Lot 13, Section 4, Renfrew District, Plan VIP79213 for the purpose of constructing a single-family dwelling, be approved subject to the following conditions:
 - a) That the underside of the ground floor system elevation be a minimum of 0.2 m above the final ground surface elevation in accordance with the recommendations outlined in the professional geotechnical engineer's report prepared by Ryzuk Geotechnical, dated March 9, 2018;
 - b) That the professional engineer's report prepared by Ryzuk Geotechnical, dated March 9, 2018, be secured via a new restrictive covenant registered on title;

- c) That the building location and elevation be verified by a BC Land Surveyor prior to completion of the building permit.
- 2. That floodplain exemption DV000057 be denied.
- 3. Refer the application back to staff for additional information.

LEGISLATIVE IMPLICATIONS

Section 524 of the *Local Government Act* (*LGA*) authorizes local governments to designate areas as floodplains and to specify flood levels, setbacks and other related provisions. Part 5 of Bylaw No. 2040 outlines requirements for floodplain management. Local government may exempt a person from the floodplain bylaw pursuant to Section 524(7) of the *LGA*, if the local government considers it advisable and has received a report from a professional engineer that the land may be used safely for the use intended. The local government may impose terms and conditions in relation to the exemption and require a covenant under section 219 of the *Land Title Act*.

Section 490 of the *LGA* authorizes local governments to issue DPs. The watercourses, wetlands and riparian DPAs are designated for protection of the environment under section 488(1)(a) of the *LGA*. CRD Bylaw No. 3462 delegates the approval authority for development permits to the General Manager, Planning and Protective Services.

PUBLIC CONSULTATION IMPLICATIONS

There is no statutory or bylaw requirement to notify members of the public about a request for a floodplain exemption. Notice of the Land Use Committee meeting is posted on the CRD website and in the newspaper. Any comments received from the public will be presented at the April 17, 2018, Land Use Committee meeting.

LAND USE IMPLICATIONS

Ryzuk Geotechnical prepared a report on March 9, 2018, in support of the request to reduce the flood construction level from 1.5 m to 0.2 m above First Creek for the purpose of constructing a single-family dwelling on the property (Appendix 3). The report acknowledges the concurrent review of the riparian development permit area by a Qualified Environmental Professional (QEP) that establishes a minimum 17.5 m setback from First Creek. Although the development permit application will be reviewed separately, the minimum creek setback established by the QEP is greater than the 15 m floodplain setback requirement established by Bylaw No. 2040 and covenant EX87077.

The geotechnical report describes the property as having an overall southward facing slope between 5 and 10 degrees with a local depression in the topography approximately 1 m above the typical creek level comprising the central portion of the property. The geotechnical engineer investigated possible excess bedload within First Creek that could indicate a threat to channel stability and increased bank erosion. The report concluded that there is little to no excess bedload and negligible potential bank instability or westward channel redirection.

The engineer concluded that the proposed building site is not subject to major erosion from First Creek and that the construction of the proposed residence is geotechnically feasible provided that the underside of the ground floor system elevation is a minimum of 0.2 m above the final ground surface. The engineer commented that construction of the proposed residence is not expected to significantly impact site drainage; however, it was recommended that grading around the residence be sloped away from the dwelling and regularly maintained in order to reduce water infiltration near the building.

It is the engineer's opinion that the site is considered safe for the use intended and the building site not at risk of flooding. Staff recommend approval of the floodplain exemption to reduce to the flood construction level from 1.5 m to allow the underside of the ground floor system elevation to be a minimum of 0.2 m above the final ground surface elevation at the proposed location subject to compliance with the geotechnical engineer's report, discharge of existing covenant EX87077, registration of a new covenant securing the March 9, 2018, geotechnical engineer's report, and verification of the building elevation by a BC Land Surveyor.

CONCLUSION

The applicant has requested a floodplain exemption on Lot 13, Section 4, Renfrew District, Plan VIP79213 for the purpose of constructing a single-family dwelling. A report prepared by Ryzuk Geotechnical confirms that construction of the proposed residence is feasible provided that the underside of the ground floor system elevation is a minimum of 0.2 m above the final ground surface elevation at the proposed location, and that the site is safe for the use intended. Staff recommend approval of the floodplain exemption subject to the conditions of the geotechnical report, discharge of existing covenant EX87077, securing the report via a restrictive covenant, and verification of the building location by a BC Land Surveyor.

RECOMMENDATION

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

That subject to the Ministry of Transportation and Infrastructure agreeing to discharge covenant EX87077 from title, that floodplain exemption DV000057 for Lot 13, Section 4, Renfrew District, Plan VIP79213 for the purpose of constructing a single-family dwelling, be approved subject to the following conditions:

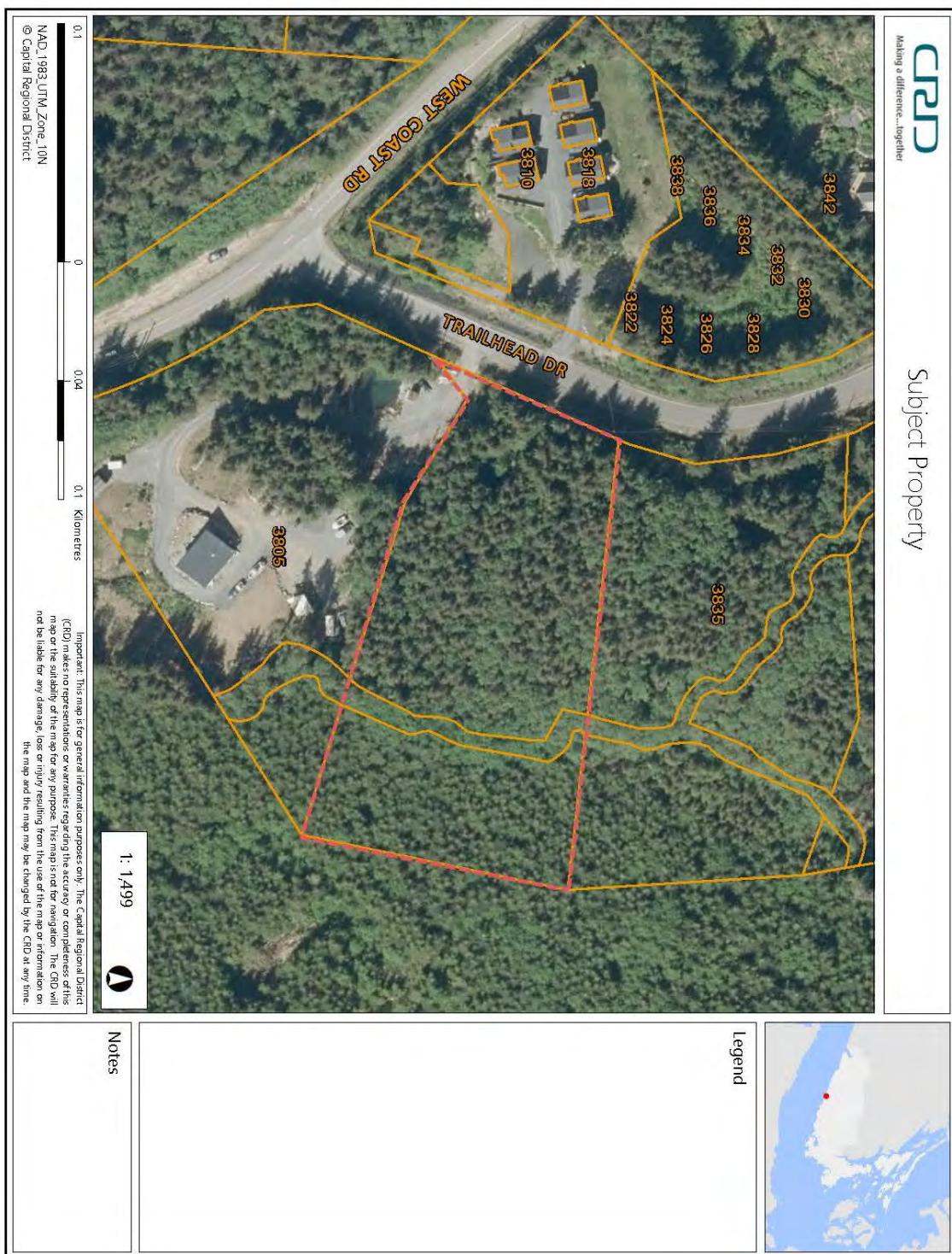
- a) That the underside of the ground floor system elevation be a minimum of 0.2 m above the final ground surface elevation in accordance with the recommendations outlined in the professional geotechnical engineer's report prepared by Ryzuk Geotechnical, dated March 9, 2018;
- b) That the professional engineer's report prepared by Ryzuk Geotechnical, dated March 9, 2018, be secured via a new restrictive covenant registered on title;
- c) That the building location and elevation be verified by a BC Land Surveyor prior to completion of the building permit.

Submitted By:	Emma Taylor, MCIP, RPP, Planner
Concurrence:	Iain Lawrence, MCIP, RPP, Manager, Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Bob Lapham, MCIP, RPP, Chief Administrative Officer

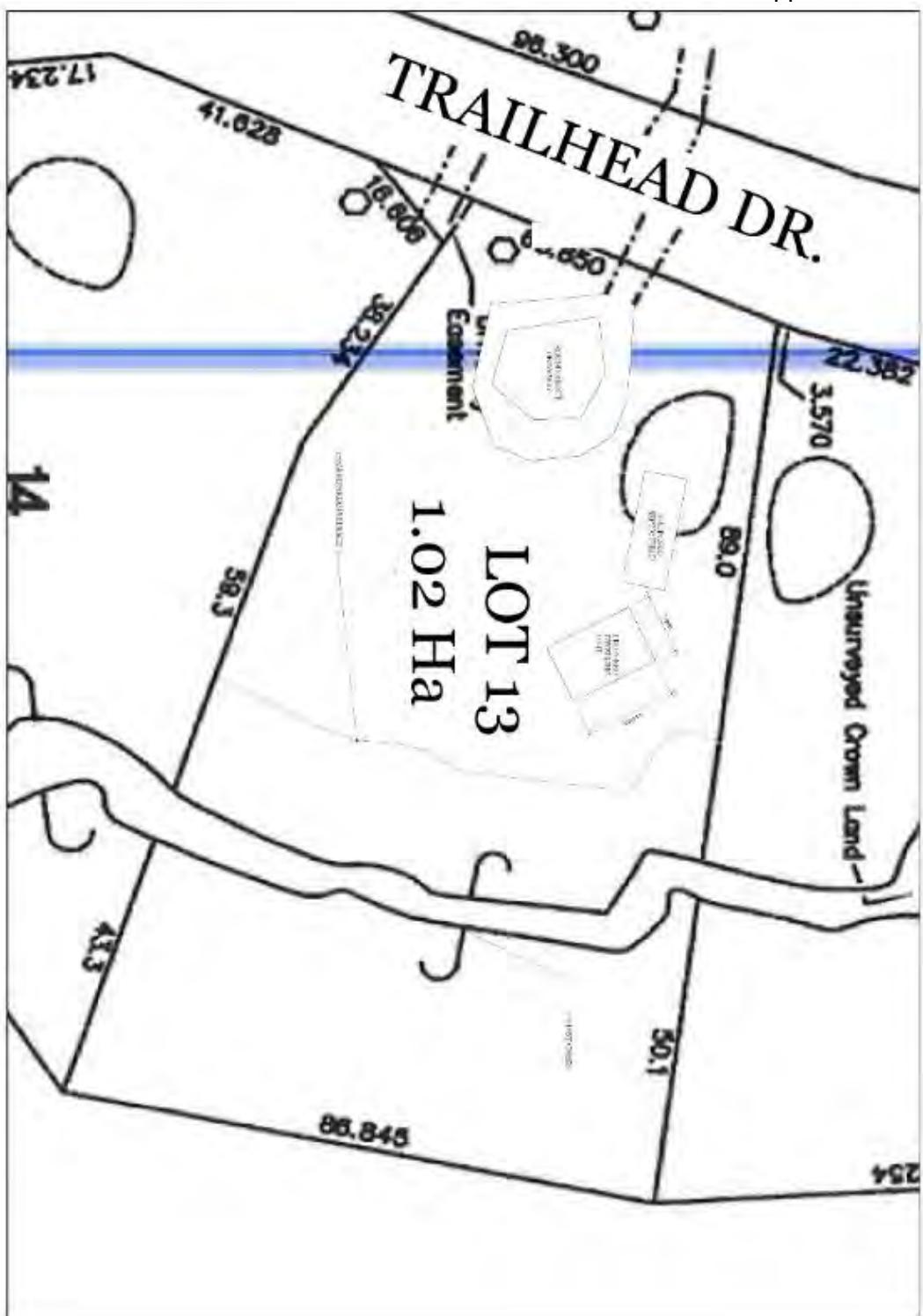
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- Appendix 1: Subject Property Map
Appendix 2: Site Plan
Appendix 3: Ryzuk Geotechnical Report, March 9, 2018

Appendix 1: Subject Property Map



Appendix 2: Site Plan



Appendix 3: Ryzuk Geotechnical Report, March 9, 2018

RYZUK GEOTECHNICAL

Engineering & Materials Testing

28 Crease Avenue, Victoria, BC, V8Z 1S3 Tel: 250-475-3131 Fax: 250-475-3611 www.ryzuk.com

March 9, 2018

File No: 8773-1

Mr. Tom Labelle
4841 Prospect Lake Road
Victoria, BC
V9E 1J5

Dear Mr. Labelle,

Re: Proposed Single Family Residence
Lot 13 Trailhead Drive – Jordan River, BC

As requested, we attended the referenced site on March 7, 2018 to assess the existing geotechnical conditions as related to the proposed development within the CRD mandated offsets from a watercourse. In this regard, our investigation involved a review of the available aerial imagery, lot plan drawings, as well as the noted site reconnaissance. Our observations and comments pertaining to the flooding hazard at the site are contained herein. Our work has been undertaken in accordance with, and is subject to, the attached Terms of Engagement.

The site is a parcel of land bounded to the north and south by neighboring residential lots, west by Trailhead Drive and east by undeveloped forested lots owned by Totangi Properties. A creek, First Creek, runs north to south through the eastern half of the site. The topography of the site is characterized by an overall slope, ranging between 5 to 10 degrees, dipping southward. A local depression in the topography, approximately 0.7 to 1.0 metres (m) above the typical creek level, comprises the central portion of the site to the west of First Creek. The site is heavily vegetated by trees and various shrubs except in the area that was cleared by the owner.

The owner provided a site plan drawing, A-01, that indicates the desired location of the proposed development. The set-back of the proposed development from First Creek was established from a previously completed Riparian Areas Regulation (RAR) report by Brian Wilkes and Associates Ltd.. The RAR report states that an alternate set-back of 17.5 m from First Creek is acceptable for the proposed development.

Aerial imagery indicates that the site and surrounding area has been exposed to logging activities in the past. Logging tends to increase the level of sediment production in downstream waterways due to the disturbance of natural drainage and infiltration systems. As a result, it was expected that there would be an excess bedload within First Creek which could indicate a threat to channel stability and increased bank erosion. Based on our observations, it would appear that there is little to no excess bedload within the assessed section of First Creek; therefore, our concern for channel redirection due to bank instability is negligible. Additionally, a local rise in the

Ryzuk Geotechnical

Mr. Tom Labelle
Lot 13 Trailhead Drive, Jordan River, BC

March 9, 2018

topography along the western bank of First Creek was observed and ranged in height from approximately 0.2 to 0.65 m above the creek's highwater mark which further reduces the likelihood of channel redirection to the west.

Soil conditions were largely obscured due to the dense vegetation, however, based on site observations and experience in the area, it is expected that a typical organic/topsoil veneer overlies more competent native soils below. Based on our site reconnaissance, we do not expect that the site is subject to major erosion caused by First Creek. There is, however a sharp bend or jog in the creek near the northern property boundary of the site, which is expected to slowly erode and create a more linear creek alignment locally. This erosion is at a distance away from the proposed building footprint that it is not expected to have an impact on the site's intended use.

We have reviewed the CRD Bylaws, *Schedule A, Part 5 – Floodplain Management*, and it stipulates that the underside elevation of the proposed building's floor system is required to be 1.5 m above the highwater mark elevation of the nearby watercourse. Therefore, a variance is required to lower the building's floor system elevation at the proposed location.

We consider the construction of the proposed residence to be geotechnically feasible provided that the underside of ground floor system elevation is a minimum of 0.2 m above the final ground surface elevation at the proposed location.

We understand that preliminary designs indicate foundation loads will consist of typical, relatively light perimeter and interior line loads. Any upper organic and loose soil should not be relied upon for foundation support and will need to be removed from the proposed building area to expose suitable subgrade, to be confirmed at the time of excavation. Any foundation elements must be embedded to a specified depth, also to be determined at the time of excavation.

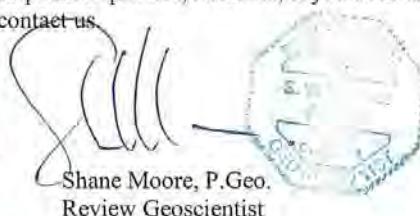
We do not anticipate that the construction of the proposed residence will significantly impact the drainage of the site. However, final grading around the residence should be sloped away from the home and regularly maintained to reduce water infiltration near the building.

Given the above and provided our recommendations are followed, we consider the site safe for its intended use from a geotechnical engineering perspective and do not expect that the construction of the proposed single-family residence would be at risk of flooding due to First Creek exceeding its carrying capacity.

We trust the preceding is suitable for your purposes at present; however, if you have any questions with respect to the above, please contact us.

Yours truly,
Ryzuk Geotechnical

Richard T. Moser, P.Eng.
Professional Engineer



Shane Moore, P.Geo.
Review Geoscientist

Attachment - Terms of Engagement

TERMS OF ENGAGEMENT

GENERAL

Ryzuk Geotechnical (the Consultant) shall render the Services, as specified in the agreed Scope of Services, to the Client for this Project in accordance with the following terms of engagement. The Services, and any other associated documents, records or data, shall be carried out and/or prepared in accordance with generally accepted engineering practices in the location where the Services were performed. No other warranty, expressed or implied is made. The Consultant may, at its discretion and at any stage, engage sub-consultants to perform all or any part of the Services.

Ryzuk Geotechnical is a wholly owned subsidiary of C. N. Ryzuk & Associates Ltd.

COMPENSATION

All charges will be payable in Canadian Dollars. Invoices will be due and payable by the Client on receipt of the invoice without hold back. Interest on overdue accounts is 24% per annum.

REPRESENTATIVES

Each party shall designate a representative who is authorized to act on behalf of that party and receive notices under this Agreement.

TERMINATION

Either party may terminate this engagement without cause upon thirty (30) days' notice in writing. On termination by either party under this paragraph, the Client shall forthwith pay to the Consultant its Charges for the Services performed, including all expenses and other charges incurred by the Consultant for this Project.

If either party breaches this engagement, the non-defaulting party may terminate this engagement after giving seven (7) days' notice to remedy the breach. On termination by the Consultant under this paragraph, the Client shall forthwith pay to the Consultant its Charges for the Services performed to the date of termination, including all fees and charges for this Project.

ENVIRONMENTAL

The Consultant's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater. The Consultant will cooperate with the Client's environmental consultant during the field work phase of the investigation.

PROFESSIONAL RESPONSIBILITY

In performing the Services, the Consultant will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices and procedures normally provided in the performance of the Services contemplated in this engagement at the time when and the location in which the Services were performed.

INSURANCE

Ryzuk Geotechnical is covered by Professional Indemnity Insurance as follows:

1. \$ 2,000,000 each and every claim
2. \$ 4,000,000 aggregate
3. \$ 5,000,000 commercial/general liability coverage

LIMITATION OF LIABILITY

The Consultant shall not be responsible for:

1. the failure of a contractor, retained by the Client, to perform the work required for the Project in accordance with the applicable contract documents;
2. the design of or defects in equipment supplied or provided by the Client for incorporation into the Project;
3. any cross-contamination resulting from subsurface investigations;
4. any Project decisions made by the Client if the decisions were made without the advice of the Consultant or contrary to or inconsistent with the Consultant's advice;
5. any consequential loss, injury or damages suffered by the Client, including but not limited to loss of use, earnings and business interruption;
6. the unauthorized distribution of any confidential document or report prepared by or on behalf of the consultant for the exclusive use of the Client
7. Subsurface structures and utilities

The Consultant will make all reasonable efforts prior to and during subsurface site investigations to minimize the risk of damaging any subsurface utilities/mains. If, in the unlikely event that damage is incurred where utilities were unmarked and/or undetected, the Consultant will not be held responsible for damages to the site or surrounding areas, utilities/mains or drilling equipment or the cost of any repairs.

The total amount of all claims the Client may have against the Consultant or any present or former partner, executive officer, director, stockholder or employee thereof under this engagement, including but not limited to claims for negligence, negligent misrepresentation and breach of contract, shall be strictly limited to the amount of any professional liability insurance the Consultant may have available for such claims.

No claim may be brought against the Consultant in contract or tort more than two (2) years after the date of discovery of such defect.

DOCUMENTS AND REPORTING

All of the documents prepared by the Consultant or on behalf of the Consultant in connection with the Project are instruments of service for the execution of the Project. The Consultant retains the property and copyright in these documents, whether the Project is executed or not. These documents may not be used on any other project without the prior written agreement of the Consultant.

The documents have been prepared specifically for the Project, and are applicable only in the case where there has been no physical alteration to, or deviation from any of the information provided to the Consultant by the Client or agents of the Client. The Client may, in light of such alterations or deviations, request that the Consultant review and revise these documents.

The identification and classification as to the extent, properties or type of soils or other materials at the Project site has been based upon investigation and interpretation consistent with the accepted standard of care in the engineering consulting practice in the location where the Services were performed. Due to the nature of geotechnical engineering, there is an inherent risk that some conditions will not be detected at the Project site, and that actual subsurface conditions may vary considerably from investigation points. The Client must be aware of, and accept this risk, as must any other party making use of any documents prepared by the Consultant regarding the Project.

Any conclusions and recommendations provided within any document prepared by the Consultant for the Client has been based on the investigative information undertaken by the Consultant, and any additional information provided to the Consultant by the Client or agents of the Client. The Consultant accepts no responsibility for any associated deficiency or inaccuracy as the result of a miss-statement or receipt of fraudulent information.

JOBSITE SAFETY AND CONTROL

The Client acknowledges that control of the jobsite lies solely with the Client, his agents or contractors. The presence of the Consultant's personnel on the site does not relieve the Client, his agents or contractors from their responsibilities for site safety. Accordingly, the Client must endeavor to inform the Consultant of all hazardous or otherwise dangerous conditions at the Project site of which the Client is aware.

The client must acknowledge that during the course of a geotechnical investigation, it is possible that a previously unknown hazard may be discovered. In this event, the Client recognizes that such a hazard may result in the necessity to undertake procedures which ensure the safety and protection of personnel and/or the environment. The Client shall be responsible for payment of any additional expenses incurred as a result of such discoveries, and recognizes that under certain circumstances, discovery of hazardous conditions or elements requires that regulatory agencies must be informed. The Client shall not bring about any action or dispute against the Consultant as a result of such notification.

FIELD SERVICES

Where applicable, field services recommended for the Project are the minimum necessary, in the sole discretion of the Consultant, to observe whether the work or a contractor retained by the Client is being carried out in general conformity with the intent of the Services. Any reduction from the level of services recommended will result in the Consultant providing qualified certifications for the work.

DISPUTE RESOLUTION

If requested in writing by either the Client or the Consultant, the Client and the Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of thirty (30) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the rules of the arbitrator appointed by agreement of the parties or by reference to a Judge of the British Columbia Court.



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RZ000255

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

SUBJECT **Zoning Amendment Application for Strata Lots 13, 26 and 27, Section 16, Otter District, Plan VIS7096**

ISSUE

The applicant is proposing to rezone three properties from the General Industrial (M-2) zone to the Sooke Business Park Industrial (M-SBP) zone in order to respond to market demand and permit licensed medical cannabis production facilities pursuant to Health Canada's *Access to Cannabis for Medical Purposes Regulations* (ACMPR).

BACKGROUND

The applicant has applied to rezone three strata properties within the Sooke Business Park development located at 7450 Butler Road in Otter Point (Appendices 1 and 2).

The parcels are zoned General Industrial (M-2) in the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, and are adjacent to General Industrial – Medical Marijuana (M-2MM) zoned and other M-2 and M-SBP zoned parcels. The parcels are designated as Settlement Area One (SA1) and as an Industrial Development Permit Area (DPA) in the Official Community Plan (OCP) for Otter Point, Bylaw No. 3819.

The subject properties were created by subdivision in 2011 as part of a 25-lot bare land strata. The strata lots share a common property access off Butler Road and have a common disposal field. All of the parcels are currently developed.

The proposed amendment to rezone the properties M-SBP would allow for the current set of permitted uses under the M-2 zone, as well as federally-licensed medical cannabis production facilities, business office and support services and private fitness clubs. In addition, the M-SBP zone prohibits those uses currently prohibited under the M-2 zone, as well as those uses listed in the Prohibited Uses covenant registered on the title of all the lots within the Sooke Business Park.

Staff have prepared Bylaw No. 4234, which would delete Lots 13, 26 and 27 from the M-2 zone, and add them to the M-SBP zone (Appendix 3).

ALTERNATIVES

1. That staff be directed to refer proposed Bylaw No. 4234, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 133, 2018", to the Otter Point Advisory Planning Commission and to the following agencies and departments for comment:

BC Hydro	District of Sooke	RCMP
CRD Building Inspection	Island Health	T'Sou-ke First Nation
CRD Protective Services	Ministry of Transportation and Infrastructure (MoTI)	

2. That proposed Bylaw No. 4234 not be referred.
3. That more information be provided by staff.

LEGISLATIVE IMPLICATIONS

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

Where an amendment or new land use and subdivision bylaw will apply to land within 800 m of a controlled access highway, the bylaw must be referred to the MoTI.

PUBLIC CONSULTATION IMPLICATIONS

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them relating to Part 14 of the *LGA*; therefore, staff recommend referring the proposed amendment to the Otter Point APC.

Should the proposal proceed, a public hearing pursuant to Section 464 of the *LGA* will be required subsequent to the amendments passing second reading by the CRD Board. Property owners within 500 m of the subject property will be sent a notice of the proposed bylaw amendments and it will be advertised in the local paper and on the website.

PLANNING ANALYSIS

The Settlement Area designation specifies that the predominant land use is rural residential; however, industrial uses on lands zoned industrial or with a valid temporary use permit are also permitted in the Settlement Area designation. The subject properties are currently zoned for general industrial uses and the proposed rezoning is consistent with the Settlement Area designation.

The Juan de Fuca Land Use Bylaw No. 2040 was amended in 2014 by Bylaw No. 3922 to define medical marihuana production facilities as an *intensive agriculture* use in keeping with the Agricultural Land Commission's determination that medical marihuana production is an agricultural use. Bylaw No. 3923, which was also adopted in 2014, established a new General Industrial Medical Marihuana (M-2MM) zone, which added *intensive agriculture – medical marihuana production* to the list of permitted uses. More recently, Bylaw No. 4187 added the Sooke Business Park Industrial (M-SBP) zone to Bylaw No. 2040, and applied it to five lots within the Sooke Business Park. The zone permits *intensive agriculture – medical marihuana production*, as well as a limited set of commercial uses such as business office and support services, and allows parking within the front yard setback on lots that front an internal strata road.

While allowing for an expanded set of uses, the M-SBP zone more clearly specifies those uses that are prohibited. Those uses include the prohibited uses under the M-2 zone, as well as those named within the Prohibited Uses covenant currently registered on the title of all lots within the Sooke Business Park.

With regards to the *intensive agriculture – medical marihuana production* use, there are no anticipated risks, odours, or security concerns related to the proposed use as the facilities are contained indoors and Health Canada's regulations require license-holders to abide by strict security and quality control measures.

As a condition of rezoning, staff recommend that a covenant be registered on the title of the subject properties requiring the remediation of any buildings used for medical cannabis production prior to commencement of any subsequent use.

Since the proposed additional uses are intended to complement the general industrial and public facility uses on adjacent parcels in the Sooke Business Park, they should not create a significant impact on adjacent properties.

At the present time, Lot 13 is occupied by a warehouse building, Lot 26 is occupied by an industrial shelter and Lot 27 is vacant. New construction will require an Industrial Development Permit to guide the form and character of the structures and require building permits.

Staff recommends Alternative 1, referral of proposed Bylaw No. 4234, to the Otter Point APC, BC Hydro, CRD Building Inspection, CRD Protective Services, District of Sooke, Island Health, MoTI, RCMP and T'Sou-ke First Nation.

CONCLUSION

The purpose of this zoning amendment application is to allow medical cannabis production and a limited set of commercial uses on three properties within the Sooke Business Park. Staff recommend referring the proposed bylaw to relevant CRD departments, the Otter Point APC and other agencies for comment.

RECOMMENDATION

That staff be directed to refer proposed Bylaw No. 4234, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 133, 2018", to the Otter Point Advisory Planning Commission and to the following agencies and departments for comment:

BC Hydro

CRD Building Inspection

CRD Protective Services

District of Sooke

Island Health

Ministry of Transportation and
Infrastructure

RCMP

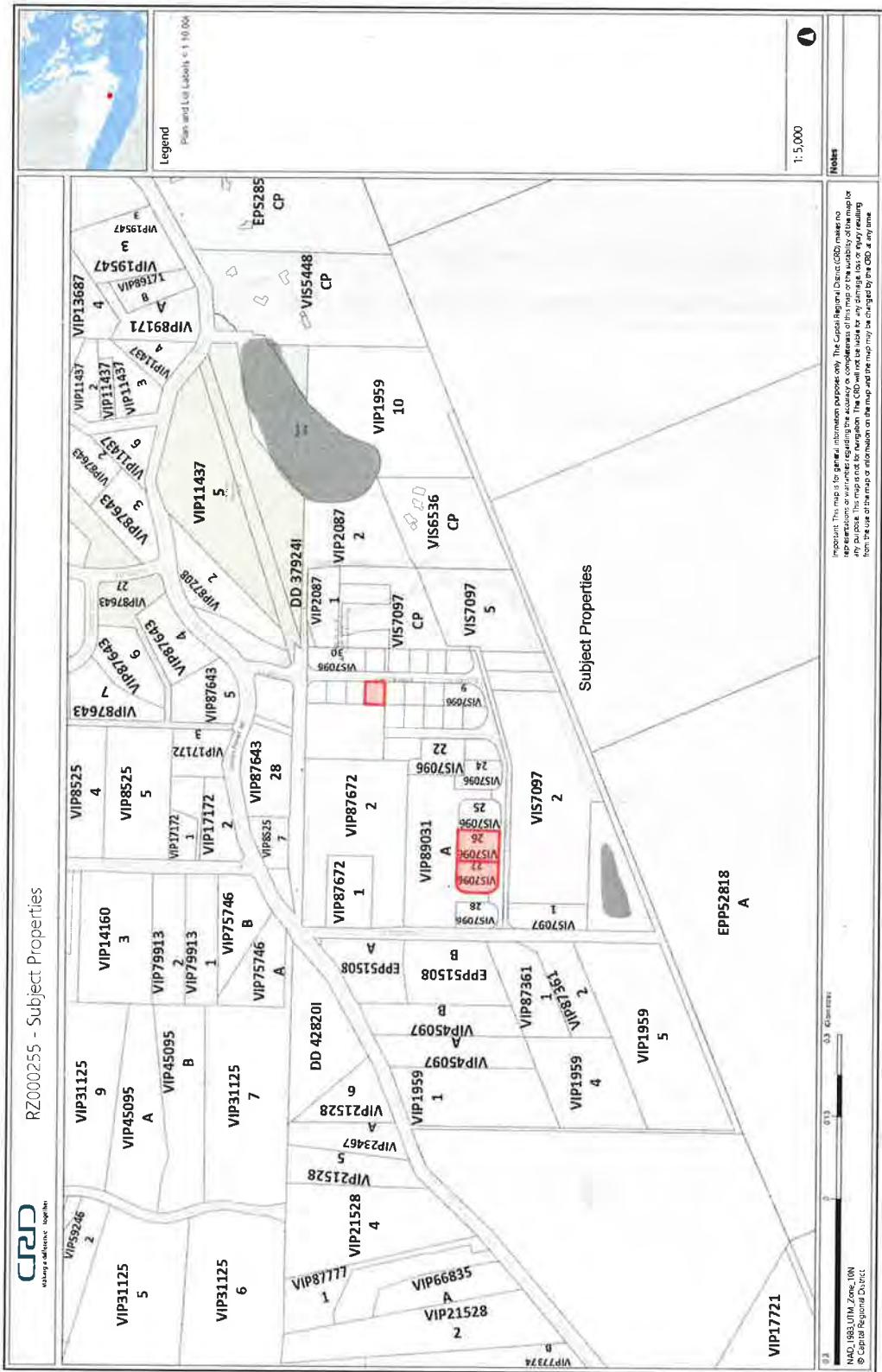
T'Sou-ke First Nation

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

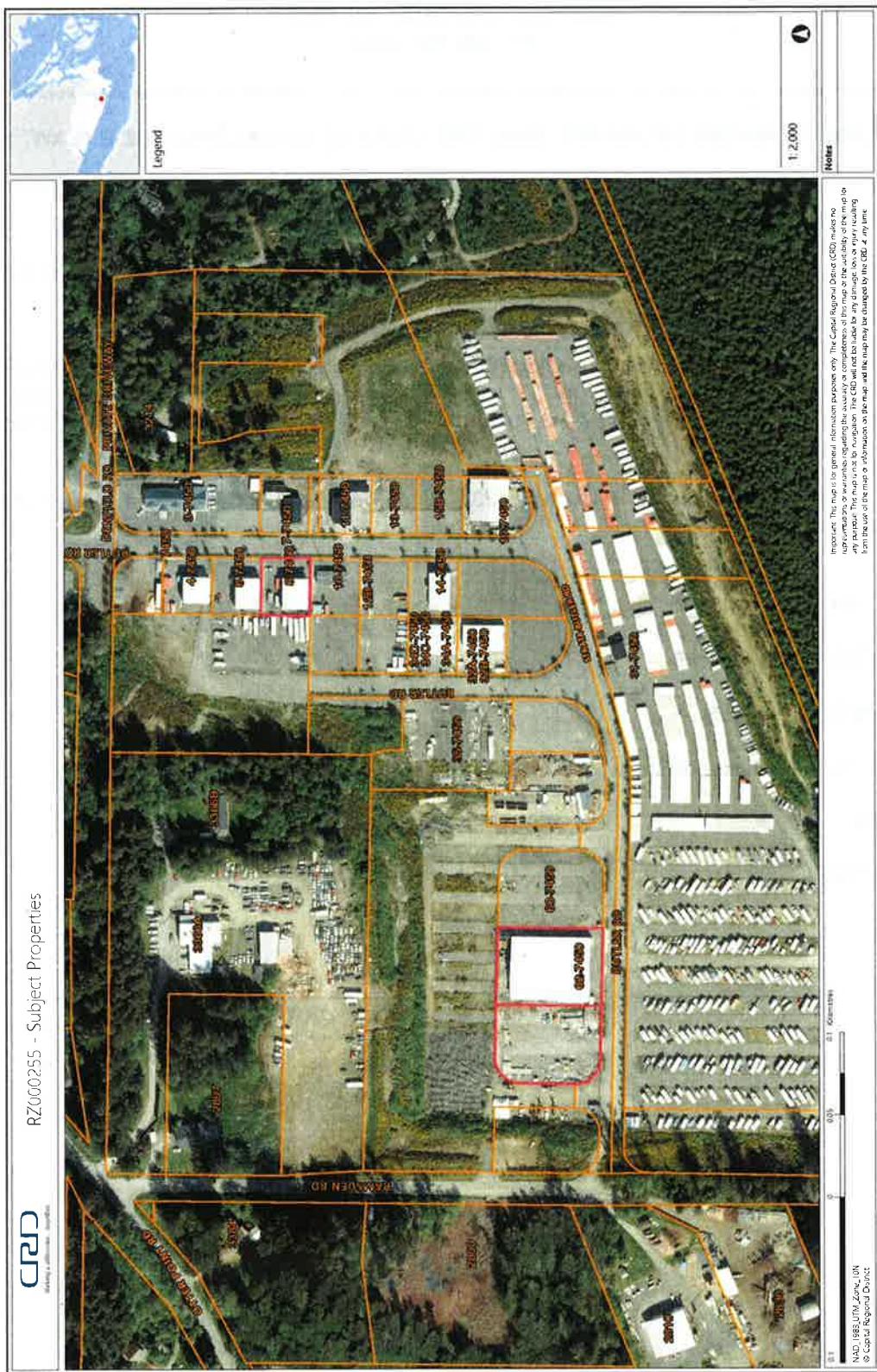
Attachments:

- Appendix 1. Subject Properties Map
- Appendix 2. Orthophoto Plan
- Appendix 3. Proposed Bylaw No. 4234

Appendix 1: Subject Properties



Appendix 2: Orthophoto Plan



Appendix 3: Proposed Bylaw No. 4234

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4234**

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

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

1. Bylaw No. 2040, being the "Juan de Fuca Land Use Bylaw, 1992", is hereby amended as follows:
 - A. SCHEDULE B, MAP NO. 2 – OTTER POINT ZONING MAP**
 - (a) By deleting Strata Lots 13, 26 and 27, Section 16, Otter District, Plan VIS7096 from the General Industrial (M-2) zone, and adding said lots to the Sooke Business Park Industrial (M-SBP) zone, as shown on Plan No. 1, attached to and forming part of this bylaw.
 2. This bylaw may be cited as Bylaw No. 4234, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 133, 2018".

READ A FIRST TIME THIS **day of** **, 2018.**

APPROVED by the Minister of Transportation and Infrastructure

THIS _____ day of _____, 2018.

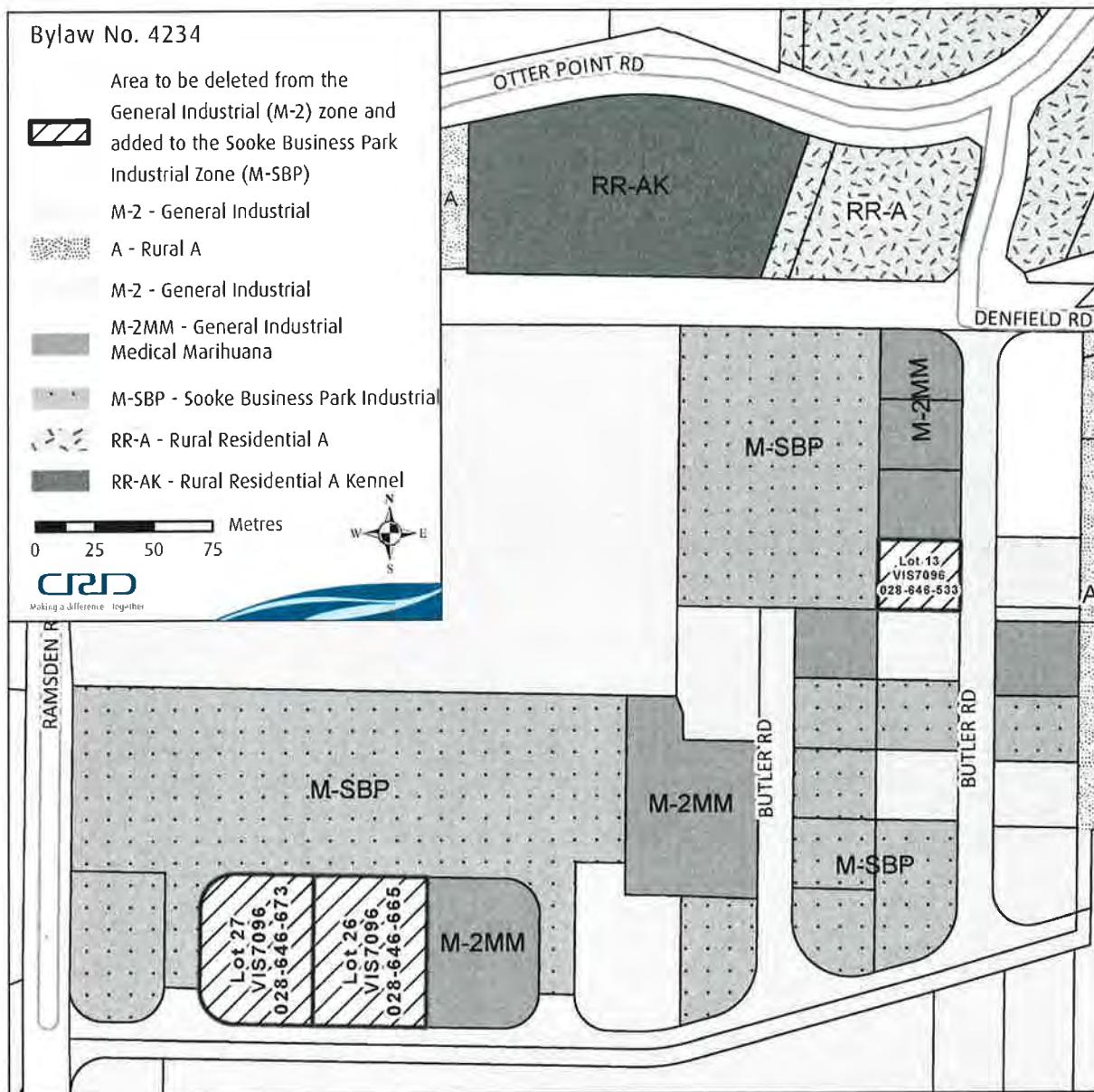
ADOPTED THIS _____ day of _____, 2018.

CHAIR

CORPORATE OFFICER

Plan No. 1 of Bylaw 4234, an amendment to Bylaw No. 2040

Strata Lots 13, 26 and 27, Section 16, Otter District, Plan VIS7096 shown on this plan attached to and forming part of this bylaw.



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

SUBJECT **East Sooke Official Community Plan, Bylaw No. 4000**

ISSUE

To consider Bylaw No. 4000, East Sooke Official Community Plan (OCP), which would repeal and replace the existing East Sooke OCP, Bylaw No. 3718.

BACKGROUND

The community of East Sooke is located within the Juan de Fuca Electoral Area (JdFEA) of the Capital Regional District (CRD) and is bounded to the east by the District of Metchosin, Scia'new First Nation and Becher Bay, to the north and west by the District of Sooke and Sooke Basin and Harbour, and to the south by the Strait of Juan de Fuca (Appendix A).

Staff and consultants have worked with the East Sooke community and a 12-member Citizens' Committee since November 2013 to review and update the existing OCP, Bylaw No. 3718, and to prepare policy amendments and new mapping. The overall goal of the OCP update was to provide an opportunity for the community to review the existing OCP and to identify policies they wanted to add, retain or amend. The proposed OCP, Bylaw No. 4000, contains a set of goals, objectives and policies for future land use in East Sooke that follow provincial legislation and relevant best practices, and that promote the aspirations and interests of the community (Appendix B).

The LUC directed referral of proposed Bylaw No. 4000 to 28 agencies and appropriate CRD departments in February, 2016. Comments were received from 10 agencies including CRD departments, the Juan de Fuca Agricultural Advisory Planning Commission (AAPC), the JdFEA Parks and Recreation Advisory Commission, and the East Sooke Advisory Planning Commission (APC) (Appendix C).

The LUC also recommended referral of Bylaw No. 4000 to the CRD Board for a determination of consistency with the Regional Growth Strategy (RGS). The Board will review the most recently revised version of the Plan prior to consideration of first and second readings.

ALTERNATIVES

That the Land Use Committee recommends to the CRD Board:

1. a. That the referral of proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 5, 2018", directed by the Juan de Fuca (JdF) Land Use Committee to the Agricultural Land Commission, BC Hydro, Cowichan Tribes, Cowichan Valley Regional District, District of Metchosin, District of Sooke, East Sooke Advisory Planning Commission, East Sooke Fire Department, Halalt First Nation, Hul'qumi'num Treaty Group, Island Health, JdF Agricultural Advisory Planning Commission, JdF Electoral Area Parks and Recreation Advisory Commission, Lake Cowichan First Nation, Lyackson First Nation, Ministry of Agriculture, Ministry of Environment, Ministry of Forests, Lands, Natural Resource Operations (MFLNRO) – Arch Branch, MFLNRO – Crown Lands/Foreshore, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, Penelakut Tribe, Scia'new First Nation, School District #62, Seagirt Waterworks Improvement District, Stz'uminus First Nation, Te'Mexw Treaty Association, T'Sou-ke First Nation, and appropriate CRD Departments, be approved and comments received;
b. That proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 5, 2018", be considered by the CRD Board for consistency with the Regional Growth Strategy;
c. That proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 5, 2018", be introduced and read a first and second time; and
d. That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4000.
2. That the CRD Board not proceed with proposed Bylaw No. 4000.

3. That the bylaw be referred back to staff for more information.

FINANCIAL IMPLICATIONS

The East Sooke OCP was a major project undertaken by a consultant and Local Area Planning staff through the fall of 2013 to the spring 2015. The Federal Gas Tax Community Works Fund was accessed in the amount of \$150,000 for the OCP reviews for both East Sooke and Shirley/Jordan River under the Integrated Community Sustainability Planning program. Funds were allocated for professional planning expertise, consultation materials and services in support of the OCP review. The JdFEA Planning budget provided for costs associated with staff time and legal advice.

INTER-DEPARTMENTAL IMPLICATIONS

Due to possible impacts on programs, other CRD divisions have been involved in the review of the bylaw, including Building Inspection, Environmental Services, Integrated Water Services, Protective Services, Regional Parks, Regional and Strategic Planning, and JdFEA Parks and Recreation.

LEGISLATIVE IMPLICATIONS

Pursuant to Section 475 of the *Local Government Act* (*LGA*), an OCP requires that local government provide one or more opportunities for consultation with persons, organizations and authorities that may be affected by the adoption, repeal or amendment of an OCP. Specific consideration must be given to referring the proposed bylaw to adjacent regional districts or municipalities and First Nations. Consideration should also be given to referring the proposed bylaw to improvement districts and to applicable provincial and federal agencies.

Pursuant to Sections 476 and 477(3)(b) of the *LGA*, an OCP must also be referred to the School District and to the Agricultural Land Commission (ALC). Although the bylaw does not apply to land within 800 m of a controlled access highway, it was referred to the Ministry of Transportation and Infrastructure (MoTI) as they own and operate the roads in East Sooke.

Consultation under the above noted sections of the *LGA* must occur prior to the requirement under Section 477(3)(c) to hold a public hearing as part of the adoption process. In this case, the LUC recommends that the referral of proposed Bylaw No. 4000 be approved prior to proceeding to first reading of the bylaw.

The Juan de Fuca Development Procedures Bylaw, Bylaw No. 3110, established a process that requires the proposed OCP be referred to the CRD Board for a determination of consistency with the RGS.

Should the proposed OCP Bylaw be deemed consistent with the RGS, and should the Regional Board grant first and second readings, a public hearing pursuant to Section 465 of the *LGA* will be required prior to the bylaw passing third reading.

PUBLIC CONSULTATION IMPLICATIONS

Prior to beginning the OCP review process, a consultation plan was prepared in order to outline how the community, government agencies, First Nations and interest groups would participate in the OCP review. The consultation plan called for the establishment of a Citizens' Committee, and a series of Citizens' Committee meetings and community events were held to work through key issues and policies, and to review several drafts of the OCP. A total of 13 Citizens' Committee meetings and three community events were held. Comments and concerns raised at the meetings and events were considered by staff in preparing the OCP.

The APCs were established to make recommendations to the Juan de Fuca Land Use Committee on land use planning matters referred to them relating to Part 14 of the *LGA*; therefore, Bylaw No. 4000 was referred to the East Sooke APC. As the proposed OCP addresses agricultural land policies and includes policies related to park land acquisition and trail development, the bylaw was also referred to the Juan de Fuca AAPC and to the JdFEA Parks and Recreation Advisory Commission.

REFERRAL COMMENTS

Referral responses for the proposed OCP Bylaw were received from ten agencies, including CRD departments, the East Sooke APC, the JdFEA AAPC, and the JdFEA Parks and Recreation Advisory Commission. The comments are summarized below and are provided in their original form in Appendix C.

Cowichan Tribes, Cowichan Valley Regional District, District of Metchosin, MFLNRO, and Pacheedaht First Nation, indicated that their interests are unaffected by the proposed OCP.

District of Sooke – Suggestions were provided for improving the format of the OCP and for expanding Sections 311 and 322 to consider invasive species that enter the ecosystem as a result of soil disturbance related to new development and site preparation.

Island Health – Outlined evidence-based information related to community health for the Sooke region. Island Health requires construction and operating permits where water supplies provide water to more than one single-family residence. Island Health also discourages rainwater capture systems as potable water supplies for subdivision. Support was given for road safety improvements, food security and provision of affordable and rental housing options. Island Health suggested that community health benefits would be realized through improvements to air quality and supports encouraging installation of CSA certified low-emitting wood stoves.

Ministry of Agriculture – The Ministry noted that the CRD does not have full jurisdiction over lands in the ALR. The Ministry does not support multiple dwellings on farm properties to make farming more affordable or a Medical Marihuana Production Facilities Development Permit Area as they are agricultural operations and could be minimized from view through applying setbacks and buffer requirements. The Ministry suggested a wording change for ‘farm direct marketing’ and recommended referencing the ‘Fire Smart’ publication.

MoTI – The Ministry had no objections to the proposed bylaw, but requested a re-referral if substantive changes are made.

CRD Protective Services – Staff recommended that subdivisions should ensure at least two means of ingress/egress, that hazardous materials sites be separated from general residential sites, and suggested that the reference to ham radios is not appropriate in the OCP. Protective Services outlined the risk associated with acquiring dams and reservoirs for firefighting purposes and suggested that water supplies be achieved through alternative methods.

CRD Regional Parks – Staff suggested a change in the reference from ‘off-road’ to ‘off-street’ trails, that developing trails on provincial land requires a tenure agreement and requested that future consultation with CRD Regional Parks occur with regards to locating trails on CRD park land.

Scia’new First Nation – Scia’new stated that should there be archaeological finds, all parties should be involved to achieve appropriate outcomes in such sensitive areas.

AAPC – The Commission provided edits to Section 360 Food Security. In relation to Section 368 Aylard Farm, the Commission indicated interest in making the ALR land available for incubator or training farms. Support for the proposed OCP was stated.

JdFEA Parks and Recreation Advisory Commission – The Commission provided edits to Section 340 Connectivity and Transportation, Section 358 Community Gathering Place, Section 391 Role as a Carbon Sink, Section 392 Reducing the Number of Vehicle Trips, and Section 420 Parks and Trails. Support for the proposed OCP was stated.

East Sooke APC – The Commission provided edits to Section 358 Community Gathering Place. Positive comments were forwarded regarding the inclusion of language related to valuing dark skies at night. Support for the proposed OCP was stated.

With the exception of the Ministry of Agriculture’s comments regarding the establishment of a development permit area addressing the form and character of medical marihuana production facilities, comments received have been incorporated into the Plan presented for First Reading. Staff recommend that the Board approve the referral of Bylaw No. 4000 and accept comments received.

REGIONAL GROWTH STRATEGY IMPLICATIONS

Section 445 of the *LGA* requires that all bylaws adopted by a regional district board after the board has adopted an RGS, be consistent with the RGS. The East Sooke Official Community Plan, Bylaw No. 4000, will be considered by the CRD Planning and Protective Services Committee on April 25, 2018. The Committee's recommendation regarding consistency will be forwarded to the CRD Board to make a final determination of consistency prior to consideration of first reading on May 9, 2018.

PLANNING ANALYSIS

The primary goal of this OCP update was to review the objectives and policies that guide decisions on planning and land use management in East Sooke. The OCP aims to protect the rural character and natural environment of the community, while accommodating rural residential, agriculture, and limited commercial uses in appropriate locations. The Plan has been restructured around themes and priorities identified by the community, and includes new policies for water servicing, residential settlement, emergency planning, community health, food security, temporary use permits, and medical marihuana production facilities.

The Plan accommodates limited growth in East Sooke through the establishment of the Settlement land use designation (LUD). The Settlement LUD supports a density of one parcel per hectare throughout the rural residential areas in East Sooke. Whereas Bylaw No. 3718 had an overall development potential of 379 additional parcels, the new Settlement LUD results in an increase in the overall subdivision potential to 689 additional parcels. This increase of 310 additional parcels is primarily the result of policies supportive of rezoning Rural A zoned parcels to permit fee simple or bareland strata subdivision, and, to a lesser extent, of the re-designation of parcels zoned Rural Residential 3 (RR-3), which have a two hectare designation in Bylaw No. 3718. The intent of the new Rural A policies is to provide property owners with an alternative to building strata development and the community with an opportunity to obtain parkland for a community trail network. These policies could result in an increase in the number of fee-simple lots in the East Sooke area, but would not result in an increase in the number of principal dwelling units currently permitted under the Rural A zone. The Agriculture, Park and Marine designations are retained from Bylaw No. 3718.

The development servicing policy in Bylaw No. 3718 states that the seven settlement containment areas will be serviced by a public water system in the future. This policy has been revised in Section 454 of Bylaw No. 4000 to provide consideration, under specific conditions, for water service to be provided to all lands designated Settlement to a maximum of 1,407 connections, which is in accordance with the RGS, Policy 2.2.2(b). These policies support the expansion of water service subject to minimizing the financial impacts on those currently serviced and avoiding negative impacts on the long-term availability of water to existing development and planned growth.

The OCP update process involved extensive public consultation and review, and edits to the document have been made to incorporate referral comments received. Should the Board determine that the Plan is consistent with the RGS, staff recommend giving first and second reading to Bylaw No. 4000 and proceeding to public hearing.

CONCLUSION

The East Sooke OCP has undergone extensive community consultation and proposed Bylaw No. 4000 addresses the comments and vision of the community based upon the referral and review process. Staff recommend that the referral of the proposed bylaw to recommended agencies, CRD departments, First Nations and the East Sooke APC be approved, that the CRD Board consider the proposed OCP Bylaw for determination of consistency with the RGS, that the Bylaw be granted first and second readings, and that a public hearing be held.

RECOMMENDATIONS

That the Land Use Committee recommends to the CRD Board:

1. a. That the referral of proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 5, 2018", directed by the Juan de Fuca (JdF) Land Use Committee to the Agricultural Land Commission, BC Hydro, Cowichan Tribes, Cowichan Valley Regional District, District of Metchosin, District of Sooke, East Sooke Advisory Planning Commission, East Sooke Fire Department, Halalt First Nation, Hul'qumi'num Treaty Group, Island Health, JdF Agricultural Advisory Planning Commission, JdF Electoral Area Parks and Recreation Advisory Commission, Lake Cowichan First Nation, Lyackson First Nation, Ministry of Agriculture, Ministry of Environment, Ministry of Forests, Lands, Natural Resource Operations (MFLNRO) – Arch Branch, MFLNRO – Crown Lands/Foreshore, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, Penelakut Tribe, Scia'new First Nation, School District #62, Seagirt Waterworks Improvement District, Stz'uminus First Nation, Te'Mexw Treaty Association, T'Sou-ke First Nation, and appropriate CRD Departments, be approved and comments received;
- b. That proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 5, 2018", be considered by the CRD Board for consistency with the Regional Growth Strategy;
- c. That proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 5, 2018", be introduced and read a first and second time; and
- d. That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4000.

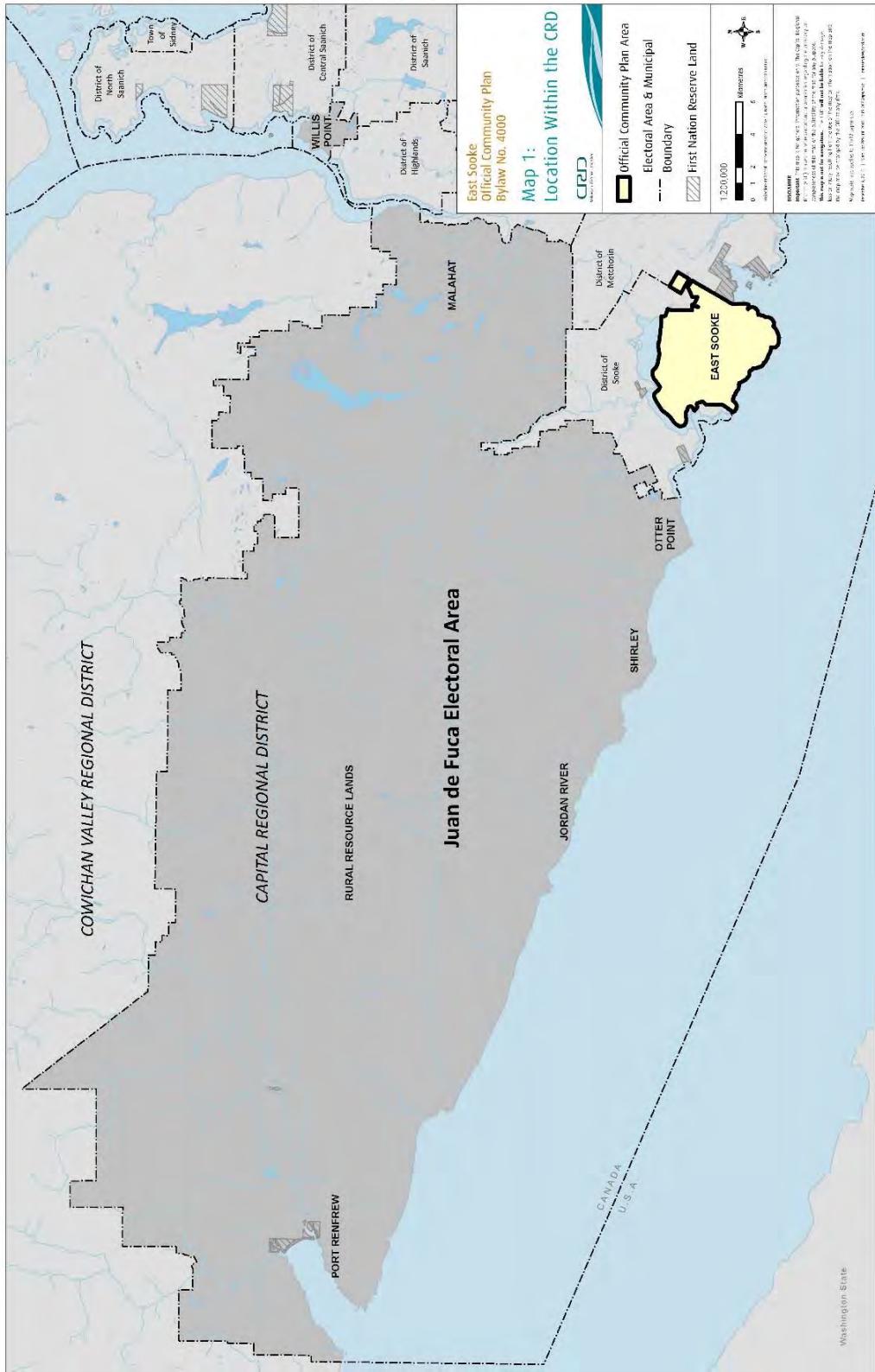
Submitted by:	Emma Taylor, MCIP, RPP, Planner, Juan de Fuca Local Area Planning
Concurrence:	Iain Lawrence, MCIP, RPP, Manager, Juan de Fuca Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ET:wm

Appendices:

- A. East Sooke Area Location Map
- B. Proposed Bylaw No. 4000
- C. Referral Comments

Appendix A – East Sooke Area Location Map



Appendix B – Proposed Bylaw No. 4000

Separate Attachment

Appendix C – Referral Comments

Cowichan Tribes

Wendy Miller

From: Tracy Fleming <Tracy.Fleming@cowichantribes.com>
Sent: Friday, February 19, 2016 1:06 PM
To: Referral Coordinator; Wendy Miller
Cc: Candace Charlie; Hilda August; Helen Reid
Subject: Re: East Sooke Official Community Plan - CRD Referral

Hello Wendy,

Thank-you for your referral package. Cowichan Tribes will defer comment to the local first nations in the Sooke area.

Tracy Fleming, M.Sc., R.P.Bio.
Referral Coordinator
Cowichan Tribes
5760 Allenby Road
Duncan, BC V9L 5J1

250-748-3196 (ext 358)

Please consider the environment before printing this message.

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>>> Wendy Miller <wmiller@crd.bc.ca> 2/17/2016 2:29 PM >>>
Good Afternoon,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" (Appendix B) which would repeal and replace the existing East Sooke Official Community Plan, Bylaw No. 3718.

Appendix B:
<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/juandefucalandusecommittee/20160216/pps-jdf-2016-02-16-bl4000-trackedchangesaccepted.pdf?sfvrsn=6>

Comment is requested by March 16, 2016.

Thank you,

Wendy Miller
Administrative Clerk | JDF Electoral Area Planning | 250.642.8100

Cowichan Valley Regional District

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4000

Interest Affected by Proposal for Reasons Outlined Below

Interest Unaffected by Proposal

Comments:



Signed _____ Manager, CVRD COMM+REG. PLANNING

Title

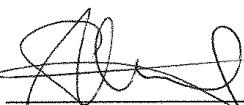
2016/03/01 _____ CowICHAN VALLEY R.D.
Date _____ Agency

District of Metchosin

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4000

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

Comments:


Signed

PLANNER
Title

MARCH 8, 2016
Date

DISTRICT OF METCHOSIN
Agency

District of Sooke

Wendy Miller

From: Danica Rice <drice@sooke.ca>
Sent: Friday, March 18, 2016 9:05 AM
To: Wendy Miller
Subject: RE: East Sooke Official Community Plan - CRD Referral

Hi Wendy,

Thank you for the opportunity to review the East Sooke OCP. Our team enjoyed the read and appreciate the efforts and new ideas you have included in the new document.

In short, we like the following:

- Solid list of necessary DPAs..(steep slope, shoreline protection, sensitive ecosystem development, farmland protection)..These are all very characteristic of East Sooke and important to protect..
- Medical Marihuana Production Facilities DPA
- Request for separated grade trails vs road side. Better for all safety and user experience
- Historic buildings inventory. This is great to see.

A few suggestions:

- Chart/chronology of public engagement process
- Identification of trail linkages might be more appropriate language than identification of trails themselves on what could be private property- sensitive..
- Map of beach/water accesses with symbols for developed , partially, undeveloped, or relinquished
- Note: Section 311 and 322 both deal with invasive species management in parks and in ecological health... Please consider that invasive species enter the ecosystem at any time of soil disturbance, and in most often as a result of new development and site alteration and or preparation. The emphasis on pets being the culprits of invasive species may not be as much of an impact as providing improved best management practices for development and soil disturbance.
- Hopefully there will be more charts and photographs to illustrate information.

We will look forward to updates with revisions to the new RGS.

At this time, we don't have any real concerns with the document and are pleased to support you in moving forward with implementation.

Sincerely,

Danica Rice

Danica Rice, MEDes, RPP, MCIP

Planner II



2205 Otter Point Road

Sooke, British Columbia, V9Z 1J2

Phone 250.642.1634

Island Health

**Excellent health and care, for everyone,
everywhere, every time.**



March 29, 2016

Iain Lawrence
Supervisor, Local Area Planning
Juan de Fuca Electoral Area Planning
Capital Regional District
3 – 7450 Butler Road
Sooke, BC V9Z 1N1

Dear Mr. Lawrence:

Re: Official Community Plan for East Sooke, Bylaw No. 1, 2016 (Your File Bylaw No. 4000)

Thank you for the opportunity to provide comment on the East Sooke Official Community Plan Update. How communities are planned and built, and the services and resources provided within them, directly impacts people's physical, mental, and social health. These impacts are reflected in levels of social cohesion, mental and physical fitness, chronic disease, obesity, and injury¹. By 2035, Sooke's population aged 45-74 is expected to increase by 53%, while the population aged 75+ is expected to grow by 194%². As the population ages, the prevalence rates of chronic conditions such as cardiovascular diseases, type 2 diabetes, and obesity will also increase³.

All of these health effects arise in part from our interaction with the built environment, e.g. the buildings, parks, schools, road systems and other infrastructure that we encounter in our daily lives. Research indicates that we can improve health and reduce illness through different approaches to planning our communities. According to the World Health Organization, 80% of some chronic diseases can be prevented through moderate exercise and improved nutrition; as well as having well designed homes, sidewalks and transportation systems to help promote activity for all ages³.

Island Health (VIHA) appreciates the opportunity to provide evidence-based recommendations and comments for this Official Community Plan review. Regulatory requirements, as well as healthy built environment based highlights and recommendations are itemized below.

Regulatory Considerations

Drinking Water

355 – On page 35 it mentions that “in the case of new home construction, a rainwater capture system can be used to provide potable water.” Rainwater capture can be utilized to provide domestic potable water to existing individual single-family residences, however Island Health greatly discourages its use as a potable water supply for the purposes of subdivision, as it is an unreliable (for quality and quantity) source of water for domestic purposes.

383 – Under the *Drinking Water Protection Act* and *Regulation* any drinking water supplies providing water to more than a single-family dwelling or commercial operation (with public access) require

Health Protection and Environmental Services

Located at: 201-771 Vernon Avenue | Victoria, BC V8X 5A7 Canada
Mailing address: 201-771 Vernon Avenue | Victoria, BC V8X 5A7 Canada

Tel: 250-519-3401 | Fax: 250-519-3402
viha.ca

Review – East Sooke OCP Update
March 29, 2016

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construction and operating permits from Island Health's – Health Protection and Environmental Services department, for more information refer to: <http://www.viha.ca/mho/water/>.

454 – Under Policies for a Safe and Healthy Community, Water Supply, on page 74 it states that “as the RGS is amended to allow the expansion of water service areas, support [will be for] the provision and extension of CRD water services within the existing water distribution service area subject to capacity...” While at Island Health we also support water system improvements and CRD service extensions it is important to note that under the *Drinking Water Protection Act and Regulation* a construction permit is required for any water system alteration. This is available through Island Health’s Public Health Engineer (PHE) and/or via contact with your local Environmental Health Officer.

Highlights and recommendation under Island Health's Healthy Built Environment Initiative:

Highlights

Transportation

Road Safety: Traffic safety is identified as a top priority for the resident of East Sooke. The goal of Gillespie and East Sooke Road safety improvements appears throughout the Plan as a broad objective (e.g. Objective 442) directed towards the Ministry of Transportation and Infrastructure (MoTI). “In 2013, the East Sooke Fire Department responded to 11 traffic incidents. While the condition of local roads poses a safety risk to drivers and passengers in cars, substandard road shoulders pose an even more serious risk to pedestrians and cyclists.”

Island Health would like to echo this sentiment and strongly encourage the Ministry of Transportation to address this intersection and main thoroughfare roads. Street safety improvements such as traffic calming and separated bicycle routes have been shown to greatly decrease the occurrence of traffic collisions and injuries among all road users. Evidence also illustrates that “safety concerns keep 1 in 5 Canadians from walking or bicycling.”

Active Transportation: To promote multi-modal transportation options, the initiatives in the OCP should be applauded on its efforts to encourage BC Transit ridership. Additionally, providing a link between the Galloping Goose regional trail, while increasing the network of neighbourhood trails, is supported. “Community connectivity in East Sooke not only needs to be improved from a safety perspective, but will also reduce the number of car trips and promote a healthy lifestyle” (page 2).

Island Health supports these elements as integral to a Healthy Built Environment (HBE) for many reasons. These include: convenient access to public transit can encourage equality by enhancing mobility among a wide range of vulnerable groups including children, older adults, women and people with disabilities¹.

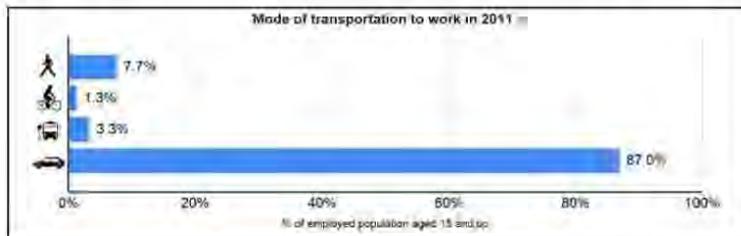
Active transportation that is convenient and safe can also increase transit use as well as walkability, and physical activity, while too improving mental health and social connectivity. Active transportation is one of the most cost-effective ways for an individual to become more physically active and remain healthy in the long-term. If all Canadians engaged in 60 minutes of physical activity per day, 33% of all deaths related to coronary heart disease, 25% of deaths related to stroke, 20% of deaths related to Type 2 diabetes, and 20% of deaths related to hypertension could be avoided⁴.

With the above HBE linkages in mind Island Health would like to highlight the illustration below. As seen in the graphic below a population of 13.7% (in Sooke) rely on alternative modes of transport to get

Review – East Sooke OCP Update
March 29, 2016

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to work. To facilitate this population and possibly foster others to commute by modes besides automobiles, making active transportation convenient and safe is an integral component.



Reference: <http://www.pssa.ca/Documents/Community-Health-Profile/Sooke.pdf>

Food Security

460 – In this Section highlighted priorities are protection of the ALR; supporting local agriculture, farmers’ markets and farm gate sales.

Agricultural capacity is a key aspect of health food systems. Expert opinion indicates that agricultural land and capacity are essential for a healthy food system, particularly at the regional or local level. Land use decisions can influence food production (or the availability of food producing lands) impacting the accessibility, quality, and variety of food available to future residents.

Farmers markets also encourage local food security and healthier food choices within the community however to keep food safety principles paramount they should be adhering to the provincial *Guidelines for the Sale of Foods at Temporary Food Markets*.

Overall, research suggests that support for local food production may increase the availability of healthy and fresh food, including fruits and vegetables, in communities while supporting local economies. We know that eating enough servings of vegetables and fruit is critical to good health; however, only 41% of British Columbians eat at least five servings of fruits and vegetables per day. There is evidence to show that even a one-serving-per-day increase is linked to a 20% reduction in chronic disease related mortality³. Therefore, these food security measures have the potential to contribute to improvements in the overall health of individuals, families, and the community of East Sooke.

Settlement (or Housing)

480 to 484 – Policies for Settlement support developing secondary suites, co-housing complexes, and clustering small-scale neighbourhood commercial.

Secondary dwellings provides the community with increased affordable housing options which may have a multitude of increased health benefits, e.g. allow people greater disposable income to buy necessities such as healthy food or medications. In addition, permitting secondary dwellings can assist families with facilitating “aging in place” such that either aging family members may be able to reside with their family, or conversely allowing seniors to bring in a tenant to offset costs or even a live in home care provider. Another benefit of this allowance will ensure suites are built to Building Code requirements rather than the installation of illegal substandard housing.

Review – East Sooke OCP Update
March 29, 2016

Page 4 of 4

With the above in mind, the following two conditions are required to ensure a safe and healthy environment for secondary dwellings:

- a) As per section 7 of the *Health Hazard Regulation* it is the duty of a landlord to provide potable water to his/her tenant for domestic purposes.
- b) Increases to living space may impact properties serviced by septic systems, therefore sewerage systems must be adequately sized and designed and may require an assessment or upgrading by an Authorized Person as per the *Sewerage System Regulation*.

In regards to clustering commercial development in the neighbourhood, this is supported by Island Health as this not only preserves the natural environment (or agricultural capacity) but has the potential to link residents and promote walkability.

Recommendation

Air Quality

This is an area that could benefit from an objective and supportive policy on air quality. One suggestion is to encourage CSA certified low emitting wood-stoves from being installed or changed out. This promotes efficient wood burning in the community resulting in improvements to outdoor air quality, including a reduction in PM_{2.5} (fine particulates). Another recommendation is to prohibit open burning and the burning of domestic waste, as the burning of wood waste and garbage releases a number of toxic chemicals into the air, e.g. including dioxins and furans. Note that we want to connect causal pathways however in light of Sooke having a higher rate of children hospitalized for respiratory disease (12.4 per 1,000 children aged 0-14) compared to BC (9.0 per 1,000) and Island Health (10.7 per 1,000) any improvements to local air quality would be an overall benefit to community health.

Thank you for the opportunity to review the East Sooke's Official Community Plan. If you have any questions please do not hesitate to contact Rory Beise, your district Environmental Health Officer for regulatory considerations at 250-519-3401, or the undersigned at 250-519-3654 regarding Island Health's *Healthy Built Environment Initiative*.

Sincerely,

Jade Yehia, CPHI(C)
Regional Built Environment Consultant

cc: Rory Beise, Environmental Health Officer, Victoria
 Joanne Lum, Senior Environmental Health Officer, Victoria

¹Provincial Health Services Authority (PHSA). (2015). Retrieved from: <http://www.phsa.ca/our-services/programs-services/population-public-health/healthy-built-environment>

²Island Health. (2013). *Local Health Area Profile*. Retrieved from http://www.viha.ca/mho/stats/lha_profiles.htm

³PlanH. (2014). Retrieved from planh.ca/sites/default/files/planh_local_government_guide-web_0.pdf and ⁴<http://planh.ca/take-action/healthy-environments/page/healthy-built-environment>

Ministry of Agriculture



Capital Regional District
Juan de Fuca Electoral Area Planning
3 – 7450 Butler Road
Sooke, BC V9Z 1N1

Via email: wmiller@crd.bc.ca

March 16, 2016

Dear Mr. Lawrence,

Re: East Sooke OCP Update

Thank you for allowing the Ministry of Agriculture to be a part of your process to adopt a new Official Community Plan. Please consider this letter as a referral response.

Ministry staff generally review Official Community Plan's for consistency with Minister's Bylaw Standards, which can be found on our website:

http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1_guide_for_bylaw_development_in_farming_areas.pdf

Noteworthy items and additional comments are listed below:

Section 208 Regional Growth Strategy Consistency

Although there are many activities the CRD can regulate in the Agricultural Land Reserve, the majority of activities cannot be prohibited; therefore, the CRD does not have full jurisdiction over lands in the ALR.

Section 464 Policies for Food Security (H)

The Ministry does not support multiple dwellings on farm properties “to make farming more affordable”, although the Ministry recognizes the ALC Act Regulations for additional dwellings. The Ministry is concerned about additional residential development and the impact on farmland costs and the increased potential for farm practice complaints. Additional dwellings for farm workers require strict enforcement to ensure this use is not abused. For additional information on temporary farm worker housing, please see the Guide for Bylaw Development in Farming Areas.

Ministry of Agriculture

Strengthening Farming Program
808 Douglas Street
PO Box 9120 Stn Prov Govt
Victoria, BC V8W 9B4

Web Address: www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1_guide_for_bylaw_development_in_farming_areas.pdf

Section 570 Medical Marihuana Production Facilities Development Permit Area

The Ministry of Agriculture is not supportive of form and character development permits that would apply to farm uses. MMPF's are considered an agricultural operation similar to a mushroom barn or a greenhouse. Ministry staff are concerned about the precedent setting nature of requiring a development permit for MMPF's. Requiring a development permit would impose additional timelines that could considerably delay the permitting process. Through setbacks and buffers, a MMPF could be minimized from view. For example, the Guide for Bylaw Development in Farming Areas recommends a 30m maximum setback from MMPF's to non-ALR residential uses with a buffer, or a 60m setback if a buffer is not employed. Please refer to the Guide for Bylaw Development for additional MMPF standards, as well as the Guide to Edge Planning for buffers.

Section 384 Local Economy

End of first paragraph: "A number of the local farms direct market". Suggest wording change to "a number of local farms practice farm direct marketing".

Section 395 Climate Change Adaptation

End of last paragraph: please source the referenced "Fire Smart" publication.

Ministry of Agriculture staff are available to assist you in meeting these objectives. If you have any questions, please feel free to contact the undersigned by telephone or email.

Sincerely,



Jessica Lam, MCIP
Land Use Planner

250-356-0488
jessica.lam@gov.bc.ca

pc: Rob Kline, Regional Agrologist
Gordon Bednard, Agricultural Land Commission

Ministry of Forests, Lands and Natural Resource Operations

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4000

Interest Affected by Proposal for Reasons Outlined Below

Interest Unaffected by Proposal

Comments:

Dr. Grant Broder
Signed

Ecologist Biologist
Title

February 24, 2016
Date

BC Ministry of Forests,
Agency
Lands and Natural Resource
Operations

Ministry of Transportation & Infrastructure

Wendy Miller

From: Sherratt, Grace TRAN:EX <Grace.Sherratt@gov.bc.ca>
Sent: Tuesday, March 01, 2016 1:50 PM
To: Wendy Miller
Subject: RE: East Sooke Official Community Plan - CRD Referral

Good Afternoon Wendy,

Please accept this email as an official response to your referral regarding the proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No.1, 2016", **Ministry file 2016-00952**.

The Ministry has no objections to Bylaw No. 4000 as proposed however, if significant revisions/changes are made, please re-refer the document for Ministry review.

If necessary, please forward the certified bylaw forms to our office for completion at your convenience.

If you have any questions, please do not hesitate to contact me.

Kind Regards,

GRACE SHERRATT | DISTRICT DEVELOPMENT TECHNICIAN
BC MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE | VANCOUVER ISLAND DISTRICT
240 - 4460 CHATTERTON WAY
VICTORIA BC V8X 5J2
T: 250.952.4511 | F: 250.952.4508

WEBSITE FOR DEVELOPMENT APPROVALS:

www.th.gov.bc.ca/Development_Approvals/home.htm | MINISTRY WEBSITE: <http://tranbc.ca/>

From: Wendy Miller [mailto:wmiller@crd.bc.ca]
Sent: Wednesday, February 17, 2016 12:10 PM
To: Sherratt, Grace TRAN:EX
Subject: East Sooke Official Community Plan - CRD Referral

Good Afternoon,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" (Appendix B) which would repeal and replace the existing East Sooke Official Community Plan, Bylaw No. 3718.

Appendix B:

<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/juandefucalandusecommittee/20160216/pps-jdf-2016-02-16-10-bl4000-trackedchangesaccepted.pdf?sfvrsn=6>

Comment is requested by March 16, 2016.

Thank you,

Pacheedaht First Nation

Wendy Miller

From: Kristine Pearson <referrals@pacheedaht.ca>
Sent: Monday, March 14, 2016 2:22 PM
To: Wendy Miller
Subject: Re: East Sooke Official Community Plan - CRD Referral

Hello Wendy,

There are no substantial comments from PFN for East Sooke's OCP, other than : When is Port Renfrew scheduled for a review?

Thanks,
Kristine Pearson
Pacheedaht Referrals Coordinator

On Mar 7, 2016, at 12:53 PM, Wendy Miller <wmiller@crd.bc.ca> wrote:

Good Afternoon,

I follow up to the below email.

Should you wish to make comment, submissions are requested by March 16, 2016.

Thank you,

Wendy

From: Wendy Miller
Sent: Wednesday, February 17, 2016 2:36 PM
To: 'referrals@pacheedaht.ca' <referrals@pacheedaht.ca>
Cc: 'seaf foam1967@hotmail.com' <seaf foam1967@hotmail.com>; Joan McKinnon <joanm@pacheedaht.ca>
Subject: East Sooke Official Community Plan - CRD Referral

Good Afternoon,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" (Appendix B) which would repeal and replace the existing East Sooke Official Community Plan, Bylaw No. 3718.

Appendix B:
<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/juandefucalandusecommittee/20160216/pps-jdf-2016-02-16-10-bl4000-trackedchangesaccepted.pdf?sfvrsn=6>

Comment is requested by March 16, 2016.

Thank you,

Scia'new First Nation

Wendy Miller

From: Bernice Millette <bernicebbfn@live.ca>
Sent: Tuesday, March 08, 2016 10:27 AM
To: Wendy Miller
Subject: RE: East Sooke Official Community Plan - CRD Referral

Good morning Ms. Miller,

Thank you for sending your community plan and the acknowledgement of the First Nations Territories.

At this time we have no concerns with your community plans, and the only comments would be: should there be a Archaeological finds pertaining to our First Nations, that all parties need to be involve to achieve appropriate outcomes in such sensitive areas.

Thank you for your time.

From: bb.fn@telus.net
To: russchipps@telus.net; bernicebbfn@live.ca; glcharles@live.ca
Subject: FW: East Sooke Official Community Plan - CRD Referral
Date: Tue, 8 Mar 2016 08:59:48 -0800

From: Wendy Miller [mailto:wmiller@crd.bc.ca]
Sent: March-07-16 12:56 PM
To: 'bbfnregistry@live.com'; bb.fn@telus.net
Subject: RE: East Sooke Official Community Plan - CRD Referral

Good Afternoon,

I follow up to the below email.

Should you wish to make comment, submissions are requested by March 16, 2016.

Thank you,

Wendy Miller
Administrative Clerk | JDF Electoral Area Planning | 250.642.8100
JDF Local Area Services Building | Capital Regional District
3 – 7450 Butler Road, Sooke, BC V9Z 1N1

From: Wendy Miller
Sent: Wednesday, February 17, 2016 2:38 PM
To: 'bbfnregistry@live.com' <bbfnregistry@live.com>; 'bb.fn@telus.net' <bb.fn@telus.net>
Subject: East Sooke Official Community Plan - CRD Referral

CRD Protective Services

Wendy Miller

From: Peter Ensor
Sent: Tuesday, March 08, 2016 7:58 AM
To: Wendy Miller
Subject: RE: East Sooke Official Community Plan - Referral

Wendy, I have had opportunity to review Section 450-454 of the OCP and have the following comments, I am not sure that I can get any response from the East Sooke Fire Department as their Chief is in Mexico for a month and I don't believe the Commission is meeting again until April. Do you want me to try and get the Commissions comments?

Section

452 Broad Objectives for a Safe Community, 453 (a) and 454 (b): This section refers to a number of road improvements and asking MoTI to improve roads. 454 (b) seeks the establishment of policy to enforce both vertical and horizontal setbacks in areas at risk of flood. It should be noted that given the forested nature of East Sooke it is at significant risk of wildfire. MoTI should be asked to ensure that all new subdivisions have at least two means of ingress/egress

453 (b) & 454 (c) refer to advising the public about known hazardous conditions and reduction of hazardous conditions through the application of a DPA respectively. The latter section specifically refers to DPA being applied relating to steep slope areas and areas subject to coastal flooding. It is felt that something should be included that separates hazardous materials sites from general residential. For example ensuring that fuel storage facilities (gas stations, (car, boat, aviation) or medical marihuana growing operations are separated from residential areas.

454 (g); Support Ham radio operators and recognize the important role they can play in an emergency: It is unclear as to what this is doing in an OCP. Ham radio is integrated and managed through the Emergency Programs

454 (n) Support improvement necessary so that local reservoirs have adequate capacity to handle firefighting efforts. This section infers the CRD will pursue acquisition of reservoirs (dams) in order to provide firefighting water. This responsibility is cleared spelled out in the building bylaw as being an essential service and the developer's responsibility. The acquisition of dams incurs very significant costs and future liabilities. Firefighting water IF necessary can be achieved through a number of alternative methods in conformity with building bylaw that do not carry similar costs or liabilities.

PE

From: Wendy Miller
Sent: Wednesday, February 17, 2016 12:53 PM
To: Peter Ensor <PEnsor@crd.bc.ca>
Cc: Ian Elliott <ielliott@crd.bc.ca>
Subject: East Sooke Official Community Plan - Referral

Good Afternoon,

Please find attached a staff report and link to proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" (Appendix B) which would repeal and replace the existing East Sooke Official Community Plan, Bylaw No. 3718.

Appendix B:

CRD Regional Parks

Wendy Miller

From: Brett Hudson
Sent: Tuesday, March 15, 2016 5:10 PM
To: Wendy Miller
Cc: Karen Ward; Lynn Wilson; Carolyn Stewart
Subject: RE: East Sooke Official Community Plan - Referral

Hello Wendy. Thanks for the opportunity to review and comment on the East Sooke Official Community Plan.

CRD Parks has reviewed the parks and trails, and connectivity and transportation sections of the plan, and support the goals and objectives outlined. We do have a few editorial suggestions and notes for areas of future collaboration, below.

- In a number of places in the plan, reference is made to "off-road" trails. You may want to consider using "off-street" trails instead or include a definition of "off-road". The term "off-road" often has connotations of allowing off-road motorized vehicular use attached to it. Similarly, you may want to consider providing a definition of "multi-use" trails—it seems in some references they mean bikes/pedestrians; while in others they may consider horse use.
- Please note that the Galloping Goose corridor is owned by the Province (and administered by the Ministry of Transportation and Infrastructure) and if a municipal government wants to develop connecting trails on the provincial land, it should contact both the Ministry and CRD before developing, as there may be a need for a tenure through the province.
- CRD Parks would like to be consulted in regards to any future proposals to locate trails on CRD park lands and during the development of any detailed trail network plan that includes proposed connections to CRD Parks.

If you have any questions or concerns with the foregoing, please don't hesitate to get in touch with me.

Thanks again for the opportunity to comment.

Regards,

Brett Hudson
Manager, Planning, Resource Management and Development
Capital Regional District Parks

250-360-3370

From: Wendy Miller
Sent: Wednesday, February 17, 2016 2:21 PM
To: Brett Hudson <bhudson@crd.bc.ca>
Cc: Karen Ward <kward@crd.bc.ca>
Subject: East Sooke Official Community Plan - Referral

Good Afternoon,

East Sooke Advisory Planning Commission

East Sooke Advisory Planning Commission Meeting Minutes
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6. Proposed Bylaw

a) **Bylaw No. 4000, “Official Community Plan for East Sooke, Bylaw No. 1, 2016”**

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

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

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

Part 1 – The Community

Reviewed without comment from the APC or attendees.

Part 2 – Administrative Structure

Section 208 Regional Growth Strategy Consistency

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

Part 3 – Themes and Priorities

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

Section 310 Ecological Health

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

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

Section 320 Parks

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

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

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Section 330 Access to Water

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

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

Section 340 Connectivity and Transportation

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

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

Section 350 Safe and Healthy Community

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

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

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

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

Section 370 Social Infrastructure

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

Section 380 Settlement

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

Part Four – Goals, Policies and Objectives

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

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

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

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

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

Section 410 Ecological Health

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

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

Section 420 Parks

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

Section 430 Water Access

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

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

Section 440 Connectivity and Transportation

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

Section 450 Safe and Healthy Community

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

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

Section 460 Food Security

Reviewed without comment from the APC or attendees.

Section 470 Social Infrastructure

Reviewed without comment from the APC or attendees.

Section 480 Settlement

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

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

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

Section 490 Climate Change Adaptation and Greenhouse Gas Reduction

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

Part 5 - Development Permit Areas

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

Staff advised that:

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

Part 6 – Development Approval Information Area

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

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Part 7 – Temporary Use Permits

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

Appendix A – Definitions

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

Appendix B – Population Data for East Sooke

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

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

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

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

CARRIED

7. Adjournment

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

The meeting adjourned at 8:44 p.m.

Chair

Agricultural Advisory Planning Commission

Juan de Fuca Agricultural Advisory Planning Commission Meeting Minutes May 9, 2016

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- the OCPs include information from the Ministry of Agriculture's Agricultural Inventory (2009)

6. Proposed Bylaw

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

Emma Taylor directed attention to the table provided comparing agricultural policy changes between existing Bylaw No. 3718 and proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016".

Emma Taylor spoke to proposed Bylaw No. 4000, highlighting changes reflected in the comparison table.

Part 2 – Administrative Structure

Subsection 208 Regional Growth Strategy Consistency

Review of the RGS includes consideration of extending water services to agricultural lands outside of growth containment boundaries.

Part 3 – Ecological Health

Section 360 Food Security

Section is a new theme.

The AAPC stated support for including policies related to regional "food-shed protection" similar to policies related to watershed protection. It was advised that the concept of food-shed protection is being explored by the Sooke Region Farmland Trust Society. The AAPC also stated support for including mention of wild food collection in the Plan area.

Subsection 368 Aylard Farm

As the park is in the Agricultural Land Reserve (ALR), policy statements support continued agricultural use of the lands, restricting intensive development of the park.

The AAPC stated that Planning regularly acknowledges the value of recreational and wildlife parks. The AAPC stated support for acknowledging the opportunity for "incubator farms" or training farms. It was suggested that Aylard Farm and lands held by Royal Canadian Search and Rescue could provide opportunity for new farmers to access land to develop skills in farming. Haliburton Farm, an educational farm in Saanich, was cited as an example.

Emma Taylor confirmed that policy statement S on p. 66 supports farm uses on Aylard Farm.

Subsection 374 Heritage

Reflects farming as a historic activity and lists historic farm buildings.

Subsection 384 Local Economy

Recognizes direct market farms and lists agricultural activities in the community documented in the Agricultural Inventory. Table 8 (p. 57) reflects that 4% of the land base in East Sooke is designated Agriculture.

Subsection 391 Role as a Carbon Sink

Recognizes contribution of agricultural areas and policies to maintain agricultural land.

Juan de Fuca Agricultural Advisory Planning Commission Meeting Minutes
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Subsection 392 Reducing the Number of Vehicle Trips

Recognizes that farm gate sales can reduce the amount of travel necessary to purchase food and other goods.

Part 4 – Goals, Policies and Objectives

Subsection 403 Agriculture Land Use Designations

Designates all lands in the ALR as Agriculture. Permits lands outside of the ALR that are being farmed to be designated Agriculture.

Subsection 414 Policies for Ecological Health

The AAPC stated support for expanding the policy related to limiting the introduction of invasive species to include invasive animals. Addling geese eggs was forwarded as an example to limit an invasive animal and the addling method was supported as a best-practice opposed to hunting.

Subsection 464 Policies for Food Security

Emma Taylor outlined the policies. It advised that policy statement G would support regulations in the Land Use Bylaw to support siting of buildings to maximize the area available for agriculture. It was further advised that policy statement H would support the concept of a cooperative or group farm if a proposal for rezoning was submitted.

Part 5 - Development Permit Areas

Subsection 503 General exemption from a Development Permit

Statement J exempts normal farm practices as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Section 540 Sensitive Ecosystem Development Permit Area

The Sensitive Ecosystem Development Permit Area (DPA) includes seasonally flooded fields.

Section 560 Farmland Protection Development Permit Area

DPA has been retained in proposed Bylaw No. 4000. Emma Taylor advised that the Farmland Protection DPA buffer is on the adjacent land and not on land within the ALR. A DP would be required at the time of rezoning/subdivision.

Section 570 Medical Marijuana Production Facilities Development Permit Area

The DPA includes all land in the ALR and guides the form and character of medical marijuana production facilities.

b) **Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016”**

Emma Taylor directed attention to the table provided comparing the agricultural policy changes between existing Bylaw No. 3717 and proposed Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016”. It was advised that Bylaw No. 4000 and Bylaw No. 4001 are structured in the same way, sharing similar policy statements. It was further advised that water was the top priority communicated by the community and that the OCP includes information from the Sensitive Ecosystem Inventory commissioned in 2014.

Juan de Fuca Agricultural Advisory Planning Commission Meeting Minutes
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Emma Taylor spoke to proposed Bylaw No. 4001, highlighting changes reflected in the comparison table.

Subsection 344 Agriculture

Agriculture has been included under the Resource section of the OCP.

An APC member indicated there may have been historical oil and gas drilling in the area, and indicated concern that this type of resource extraction could affect water supply. Emma Taylor reported that this comment was also made and recorded at the May 4, 2016 meeting of the Shirley – Jordan River Advisory Planning Commission meeting.

The AAPC stated support for acknowledging that there is potential for agricultural opportunities to increase with climate change.

Emma Taylor responded to questions from the AAPC advising that:

- air photos were used to select the lands included in the ALR
- that there has been an increase in enquiries regarding opportunities to farm in the Plan area
- there has been change at the provincial level to support farm tourism and alcohol production on ALR lands

Subsection 385 New Land Use Designations

Table 8 reflects that 77 ha are designated Agriculture in the Plan area.

Subsection 443 Objectives for Resources

Objective B supports and encourages food production, processing and storage.

Subsection 444 Policies for Resources

Includes sixteen policy statements supporting agriculture.

Part 5 – Development Permit Areas

Section 560 Farmland Protection Development Permit Area

DPA has been retained in proposed Bylaw No. 4001 and includes improved mapping (Schedule G).

The AAPC stated overall positive comment regarding proposed Bylaw No. 4000 and Bylaw No. 4001, noting that the bylaws reflect increased community support for and awareness of agriculture.

MOVED by Dominique Bernardet, **SECONDED** by Teresa Willman that the AAPC reports that it has reviewed the agricultural aspects in Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" and in Bylaw No. 4001, "Official Community Plan for Shirley - Jordan River, Bylaw No. 1, 2016" and that it supports the bylaws with the comments requested by the AAPC. **CARRIED**

7. Adjournment

The meeting adjourned at 7:12 p.m.

Chair

PPSS-35010459-968

JdFEA Parks and Recreation Advisory Commission



**Minutes of a Meeting of the
Juan de Fuca Electoral Area Parks and Recreation Advisory Commission
Held Tuesday, April 26, 2016 at the Juan de Fuca Local Area Services Building,
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: L. Paterson (Chair), C. Bennett, A. Boquist, V. Braunschweig, K. Douch, S. Jorna, M. Kimmel, P. Sloan, W. Vowles (Alternate Director)

Staff: R. Hamilton, Parks & Recreation Manager; I. Lawrence, Supervisor, Local Area Planning; E. Taylor, Planner, Local Area Planning, W. Miller, Recorder

PUBLIC: 0

The meeting was called to order at 3:06 p.m.

1. Approval of the Agenda

MOVED by Commissioner Douch, **SECONDED** by Commissioner Kimmel that the agenda be approved. **CARRIED**

2. Adoption of the Minutes of March 22, 2016

MOVED by Commissioner Boquist, **SECONDED** by Commissioner Sloan that the minutes from the meeting of March 22, 2016 be adopted. **CARRIED**

3. Chair's Report

No report.

4. Director's Report

The Alternate Director advised that the Sheringham Point Lighthouse Preservation Society (SPLPS) has signed the Operating Agreement between the Society and the CRD for use of the statutory rights-of-way held by the CRD at Sheringham Point.

5. Delegations

a) Local Area Planning:

- Proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016"
- Proposed Bylaw No. 4001, "Official Community Plan for Shirley - Jordan River Bylaw No. 1, 2016"

Proposed Bylaw No. 4000

I. Lawrence directed attention to the table provided comparing the park and recreation policy changes between existing Bylaw No. 3718 and proposed Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016", as referred by the Land Use Committee on February 16, 2016.

I. Lawrence spoke to proposed Bylaw No. 4000, highlighting changes reflected in the comparison table.

Part 1 – The Community

Reviewed without comment from the Commission.

Juan de Fuca Electoral Area Parks and Recreation
Advisory Commission Meeting Minutes
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Part 2 – Administrative Structure

Section 208 Regional Growth Strategy Consistency

Proposed Bylaw No. 4000 specifically address the Regional Growth Strategy (RGS) with respect to park objectives and protecting regional green/blue spaces.

Section 210 Greenhouse Gas Reduction

Supports alternative transportation including additional infrastructure for cycling and walking.

Part 3 – Themes and Priorities

Section 310 Ecological Health

It was confirmed that the information in this subsection is derived from the Sensitive Ecosystem Inventory (SEI) from the late 1990s.

Section 320 Parks

It was advised that Schedule B reflects the four Land Use Designations in the Plan area. Lands designated as Park are CRD Regional Park lands; CRD Community Parks are not designated as Park. Community Parks are acquired through subdivision of lands designated Settlement. Community Parks remain designated as Settlement, eliminating the need for an Official Community Plan (OCP) amendment. Table 1 in Section 320 identifies three Regional Parks and four Community Parks.

I. Lawrence responded to a question from the Commission advising that the community's desire for off-street trails for non-motorized use can be potentially received through rezoning. Such trails would assist in meeting the community's objectives for road safety and connectivity.

Section 330 Access to Water

The community identified Anderson Cove as a priority access for canoes and kayaks. As it is understood that the shellfish tenure at Anderson Cove has been granted to First Nations, Roche Cove and the undeveloped end of Basso Road are identified in the OCP as alternative locations.

The Commission stated that many of the accesses to water have little or no potential for development to support recreational access to the water. The Commission forwarded support for greater opportunity to work with the Ministry of Transportation and Infrastructure to select more appropriate accesses.

The Alternate Director noted that subdivisions are referred to Planning. Should an access to water be required under the *Land Title Act*, Planning can refer the application to the Commission.

I. Lawrence spoke to changes made respecting parks and recreation under subsections:

- 391 Role as a Carbon Sink
- 392 Reducing the Number of Vehicle Trips
- 340 Connectivity and Transportation
- 358 Community Gathering Place

Juan de Fuca Electoral Area Parks and Recreation
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Part Four – Goals, Policies and Objectives

- I. Lawrence directed attention to Table 8 noting that there is over 1,000 ha of land designated as Park due to additional parkland acquisition and previous miscalculation.

Section 420 Parks and Trails

- I. Lawrence outlined the policies as currently drafted and revisions requested by the Community Parks and Recreation Manager.

It was advised that:

- policy statement B will be revised to focus on stewardship opportunities
- policy statement H will be revised to use the word "habitat", replacing the word "ecosystem"
- policy statement H will be revised to reflect that sensitive areas and habitats may be required as natural parkland

Commission comments included:

- support for retaining "short-term projects" in policy statement B
- support for revising policy statement P to develop parks and trails for recreation for youth and other users
- considering development of a bike park in Park Heights Park, outside of the Riparian Development Permit Area

The Commission stated that the Otter Point OCP supports use of amenity bonusing to provide trails, parks and other community amenities. It was questioned if the East Sooke and Shirley – Jordan River OCPs support amenity bonusing.

- I. Lawrence advised that the East Sooke OCP supports an average parcel size of 1 ha for lands designated Settlement which would support potential parkland dedication should a parcel be rezoned and subdivided. Use of amenity bonusing would only apply to approximately two parcels in East Sooke.

Section 430 Water Access

Policy statements encourage consultation with the Commission regarding provision of water accesses under the *Land Title Act*.

Section 450 Safe and Healthy Community

Policy statements support:

- lands designated as Park to be serviced by a CRD water system at such time as the RGS is amended to support expansion of water services
- delivery of recreational and fitness programs

The Commission stated support for the creation off-street trails under subsection 454 as road safety is a key issue in all communities.

- I. Lawrence advised that, as roads and road rights-of-way fall under the Ministry of Transportation and Infrastructure, off-street trails are listed under subsection 452.

**Juan de Fuca Electoral Area Parks and Recreation
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Section 460 Food Security

Aylard Farm to be used for park, but remains in the Agricultural Land Reserve

Section 480 Settlement

Policy statements allow for fee simple or bareland strata subdivision of Rural A parcels, allowing potential park dedication opportunities.

Section 610 Development Approval Information Area

Policy statements allows for information to be obtained in connection with rezoning regarding provision of community services, including parks.

Proposed Bylaw No. 4001

E. Taylor directed attention to the table provided comparing the park and recreation policy changes between existing Bylaw No. 3717 and proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016", as referred by the Land Use Committee on February 16, 2016.

It was advised that proposed Bylaw No. 4001 includes information from the SEI commissioned in 2014.

Part 1 – Guiding Principles

Reviewed without comment from the Commission.

Part 2 – Administrative Structure

Section 208 Regional Growth Strategy Consistency

Proposed Bylaw No. 4001 specifically address the RGS with respect to park objectives and protecting regional green/blue spaces.

Section 210 Greenhouse Gas Reduction

Supports alternative transportation and protection of ecosystems through conservation and enhancement of forested areas.

Part 3 – Context

Section 320 Environment

Information has been updated to reflect the new SEI. New information includes updated creek mapping.

The Manager advised that Regional Parks wishes to proceed with a mapping exercise for the Rural Resource Lands (RRL). A meeting with the Commission is anticipated with direct follow up with some Commissioners regarding submission of ground-truth data.

E. Taylor confirmed that the SEI for Shirley – Jordan River included a degree of field verification but that further site specific opportunity is provided at the time that a parcel is considered for development.

Section 330 Parks and Trails

The Manager requested that "picnic area" for Sheringham Point be struck from Table 2.

**Juan de Fuca Electoral Area Parks and Recreation
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The Commission stated support for adding access from the Plan area to the RRL to provide opportunity to permit access to the Leech Watershed under subsection 333. It was noted that, considering the private land holdings in Shirley – Jordan River, extension of the Galloping Goose may only be viable through an extension through the RRL. The Commission further stated that BC Hydro lands at Jordan River and BC Hydro easements over private land may provide park and connectivity opportunities.

E. Taylor reported that subsection 335 supports legal access to Priest Cabin Park and securing access to the Matterhorn Trail from Tieulie Place as priorities for the community. Links between neighbourhoods is also supported by the community.

Section 360 Services and Emergency Planning

E. Taylor reported that subsection 366 reflects community support for limiting the connection between Sheringham Point Road and Seaside Road for emergency purposes only and not for public use.

Section 380 Settlement and Economy

Updated information includes a subsection on Muir Creek to support acquisition of a parkland amenity.

Part Four – Goals, Policies and Objectives

Subsection 404 to be updated to reflect additional lands held by BC Hydro in Jordan River.

Section 430 Parks and Trails

Lands designated as Park are CRD Regional Park lands; CRD Community Parks are not designated as Park. Community Parks are acquired through subdivision of lands designated Settlement. Community Parks remain designated as Settlement, eliminating the need for an OCP amendment.

Subsection 433 identifies the acquisition of parkland in accordance with the goals and objectives of the both the Regional Parks Strategic Plan and the Juan de Fuca Community Parks Strategic Plan.

The Manager noted that subsection 434, policy statement B will be updated to match the revised policy statement in the East Sooke OCP to focus on stewardship opportunities. E. Taylor noted that policy statement M reaffirms support for acquiring lands adjacent to Muir Creek.

Section 470 Community Health

Subsection 474 supports local delivery of programs including recreational opportunities and fitness programs in the community.

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Section 480 Development and Local Economy

Policy statements allow for fee-simple or bareland strata subdivision of Rural A parcels, allowing potential park dedication opportunities.

Subsection 484 recognizes use of Camp Jubilee as an outdoor recreational facility for organized camping, potentially supporting creation of the new zone for the Girl Guide camp.

The Commission stated support for a site visit to Camp Jubilee.

MOVED by Commissioner Jorna, **SECONDED** by Commissioner Kimmel that the Commission reports to the Land Use Committee that it has reviewed the parks and recreation aspects in Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" and in Bylaw No. 4001, "Official Community Plan for Shirley - Jordan River Bylaw No. 1, 2016" and that it supports adoption of the bylaws with the minor revisions requested by the Commission. **CARRIED**

6. Staff Reports
a) Staff News

Sheringham Point Community Park and Operating Agreement

Further to the Alternate Director's report, the Manager confirmed that the SPLPS has signed the Operating Agreement and that the Operating Agreement is in the process of receiving final CRD approval. It was further confirmed that the contractor has completed the new parking area and trail head at Sheringham Point Park and that new signs and information kiosk will be installed in May. It is understood that Electoral Area Services Committee (EASC) will be supporting a request from the SPLPS for Gas Tax funding to support improvements to the statutory rights-of-way at Sheringham Point.

New Bylaw – “A Bylaw to Establish A Land Acquisition Fund for Juan de Fuca Electoral Area Community Parks

A new bylaw, Bylaw No. 4101, to replace the former Sooke Electoral Area Bylaw No. 1133 Land Acquisition Reserve Fund (1983), has been prepared, along with an accompanying staff report. Proposed Bylaw No. 4101 will permit use of the land acquisition reserve fund for purposes of acquiring other lands for dedication as park. The term "acquiring" in the bylaw includes "any interest in land, including any right, title or estate in it of any tenure, with all building and houses". This will include the ability to purchase statutory rights-of-way.

Pending Commission support, it is anticipated that proposed Bylaw No. 4101 will be considered by the EASC at its June meeting.

MOVED by Commissioner Douch, **SECONDED** by Commissioner Jorna that the Commission report that it has reviewed proposed Bylaw No. 4101, "Juan de Fuca Electoral Area Community Parks Reserve Fund Bylaw No. 1, 2016", and supports adoption of the bylaw. **CARRIED**

**EAST SOOKE
OFFICIAL COMMUNITY PLAN**

Bylaw No. 4000

2018

Acknowledgements

This Official Community Plan (OCP) was developed through a collaborative effort which involved a broad cross-section of East Sooke residents and stakeholders. This OCP would not have been possible without the hard work and dedication of those involved. The CRD would like to acknowledge and thank all those who participated in the OCP review. Special thanks go out to the East Sooke OCP Review Citizens' Committee and to the East Sooke Advisory Planning Commission who all devoted a significant amount of time and energy to produce this document.

East Sooke OCP Review Citizens' Committee:

Roger Beck
Blair Cusack (part)
Zac Doeding
Layton Engwer (part)
Jane Hutchins
Linda Nehra
Stacey Scharf
Yale Shap
Neil Smith
Adele Tomlinson (part)
Rhonda Underwood
Brian White

East Sooke Advisory Planning Commission:

Janice St. John
Adele Tomlinson
Lindsay Trowell
Rhonda Underwood
Nita West

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The preparation of this sustainable Community Plan was carried out with assistance from the Green Municipal Fund, a Fund financed by the Government of Canada and administered by the Federation of Canadian Municipalities. Notwithstanding this support, the views expressed are those of the Capital Regional District. The Federation of Canadian Municipalities and the Government of Canada accept no responsibility for them.

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4000

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 municipality 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 472, 473, 474, 485, 488, 492, 493 of the *Local Government Act* authorize 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
- The designation of Development Permit Areas
- The designation of Development Approval Information Areas
- The designation of Temporary Use Permit 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 Juan de Fuca Electoral Area within the Capital Regional District, as outlined on 'Map 1: Location Within the CRD', 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 SCHEDULES AND MAPS

Schedules "A" to "H" attached hereto are hereby made a part of this bylaw.

SECTION 4 REPEAL OF BYLAWS

The following bylaw is hereby repealed:

The Capital Regional District Bylaw No. 3718, cited as the "Official Community Plan for East Sooke Bylaw No. 1, 2012".

SECTION 5 TITLE

This bylaw may be cited for all purposes as the "East Sooke Official Community Plan Bylaw No. 5, 2018".

SECTION 6 IMPLEMENTATION

READ A FIRST TIME	THIS	DAY OF	2018
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READ A SECOND TIME	THIS	DAY OF	2018
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READ A THIRD TIME	THIS	DAY OF	2018
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Approved by the
Minister of Transportation and Infrastructure

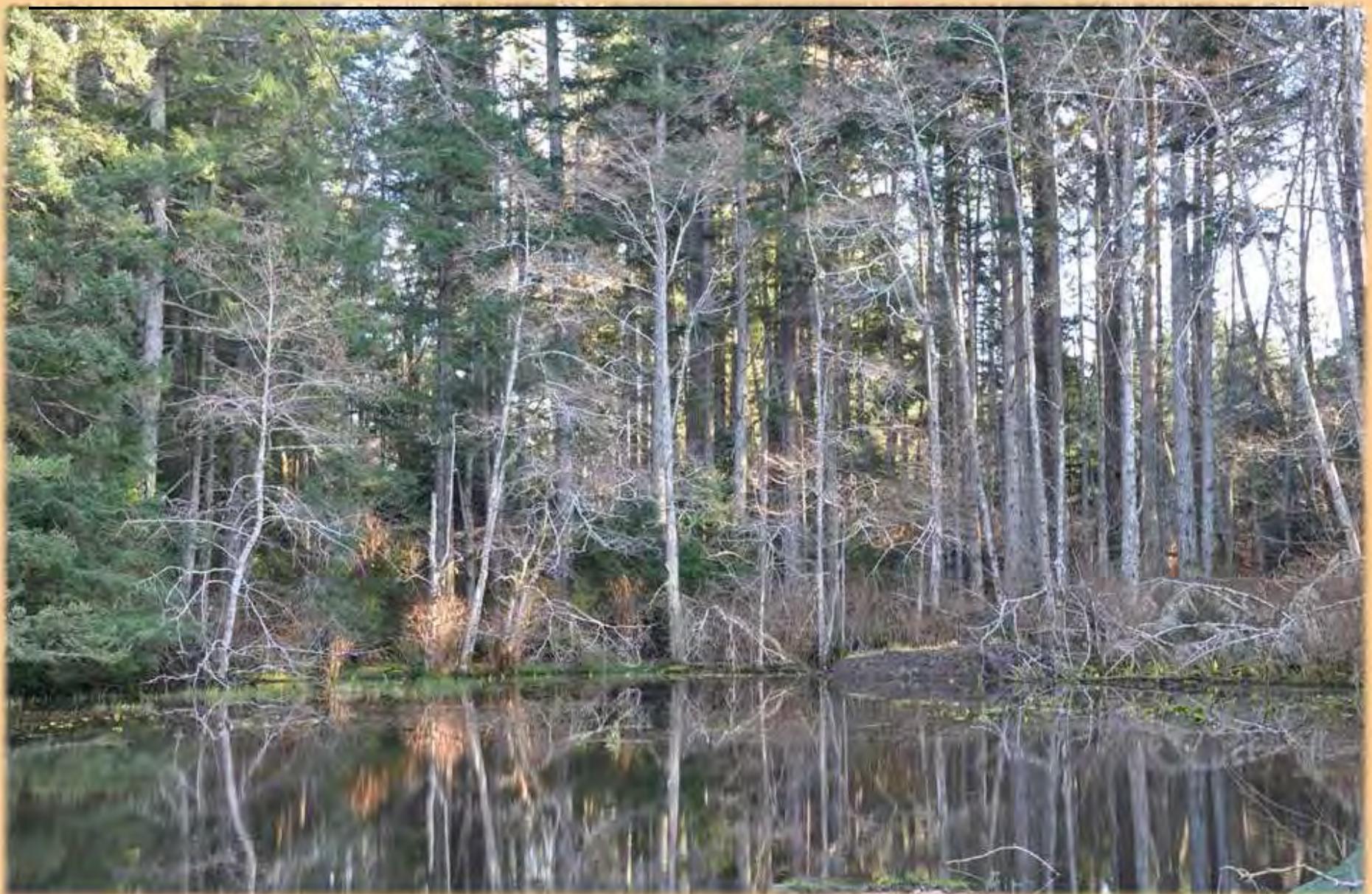
THIS	DAY OF	2018
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ADOPTED	THIS	DAY OF	2018
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CHAIR

CORPORATE OFFICER

EAST SOOKE OFFICIAL COMMUNITY PLAN



Schedule A: East Sooke Official Community Plan Bylaw No. 4000

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LIST OF ABBREVIATIONS

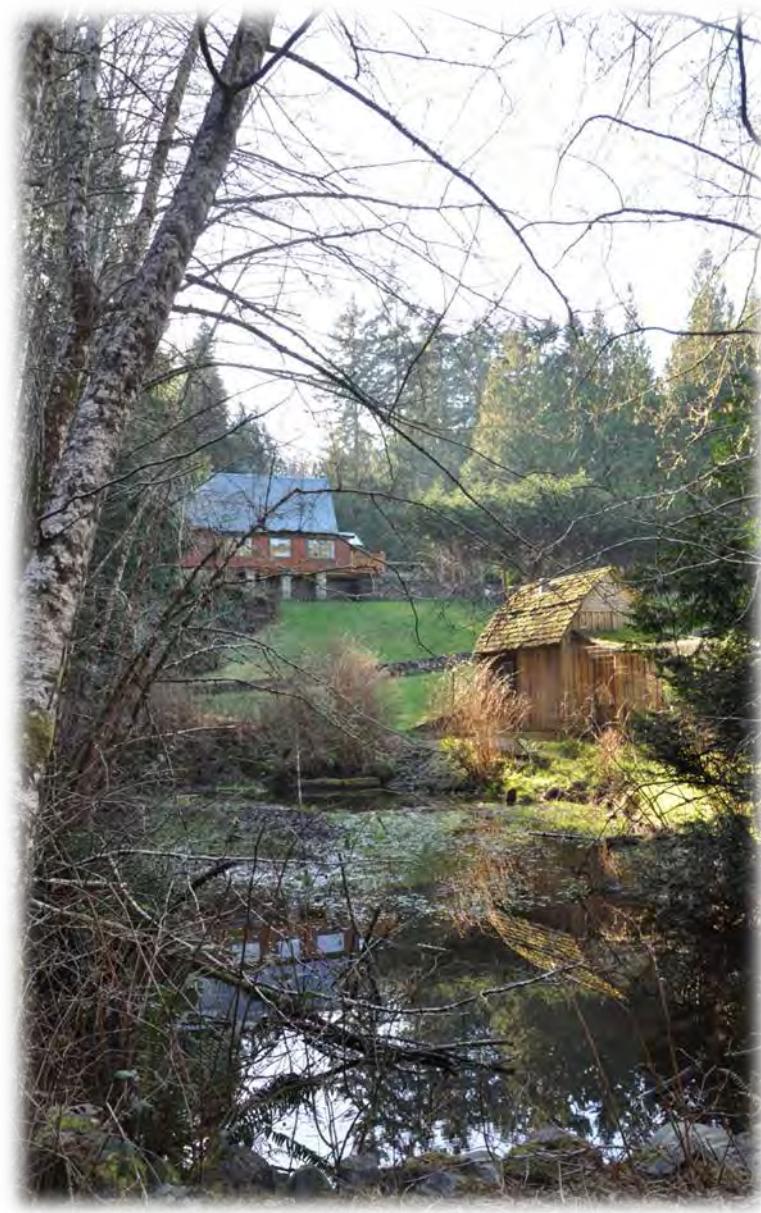
ALC	Agricultural Land Commission	OCP	Official Community Plan
ALR	Agricultural Land Reserve	PCMP	Pedestrian and Cycling Master Plan
CRD	Capital Regional District	PMFL	Private Managed Forest Land
CR-FAIR	Capital Region Food & Agriculture Initiatives Roundtable	PID	Property Identifier
CFAI	Community Food Action Initiative	QEP	Qualified Environmental Professional
CPSP	Community Parks Strategic Plan	QP	Qualified Professional
DUA	Designated Use Area	RAR	<i>Riparian Areas Regulation</i>
DPA	Development Permit Area	RGS	Regional Growth Strategy
GHG	Greenhouse Gas	RCM-SAR	Royal Canadian Marine Search and Rescue
JdF	Juan de Fuca	SEI	Sensitive Ecosystem Inventory
JdFEA	Juan de Fuca Electoral Area	SEAPARC	Sooke & Electoral Area Parks and Recreation Commission
LGA	<i>Local Government Act</i>	SRCHN	Sooke Region Community Health Network
MMPF	Medical Marihuana Production Facilities	SPEA	Streamside Protection and Enhancement Area
MoTI	Ministry of Transportation and Infrastructure	TUP	Temporary Use Permit

PART ONE – The Community

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 park land. As stewards of the community and unique natural environment, residents wish to protect the intrinsic character of East Sooke and retain sufficient lands in their natural state to permit a diversity of plant and animal life. The overarching goal of this Official Community Plan (OCP) is to protect those values and physical characteristics that make East Sooke a special and unique community so that future generations will be able to experience the lifestyle enjoyed today.

In East Sooke, the term “rural” represents a strong desire to live with easy access to nature and without negatively impacting the environment. To have ample space on a larger lot that allows for a varied lifestyle and its accoutrements, such as a home studio and extensive gardens, is one preferred option. Other rural lifestyle options are the clusters of smaller lots along the water front surrounded by the larger lots and green space or the houses with spectacular views perched on rocky bluffs. Many residents want to be self-reliant and removed from urban type nuisances such as noise and traffic. The residents of East Sooke value their property rights and seek to protect these rights.

Future development will be directed towards already settled areas and will consist primarily of residential infill including creative ways of providing



affordable housing for young adults and seniors. Copper Mine Park and the surrounding area will be the hub for outdoor recreational activities like soccer and tennis with a nearby facility that serves as a venue for meetings. Access to a community water system is not intended to facilitate development, but rather as a means for providing a reliable supply of potable water to East Sooke residents. Policies in this Plan strive to reduce the footprint of development by carefully considering integration with the natural environment to allow for the retention and protection of green spaces and sensitive ecosystems. Strong bonds develop between neighbours who cooperate on and share in community-based projects and activities. A number of local initiatives are already underway and this Plan supports their continuance and expansion.

There is a small commercial nucleus with a small grocery store and coffee shop serving local needs at the intersection of Gillespie and East Sooke Roads. There is the potential for other similar uses to locate nearby, as well as strong community support for people working from home as artisans, consultants and health care professionals. Delivery of medical and health services in East Sooke on an outreach basis or local clinic is seen as a valuable asset for the community and would reduce number of trips outside the community for these purposes. It is recognized that commercial development, regardless of what type it is, must respect the residents' quiet enjoyment of the community and its surroundings and not further contribute to existing road safety issues.

Road safety is a major issue for the residents of East Sooke. Existing roads are narrow and winding. In 2013, the East Sooke Fire Department responded to 11 traffic incidents. While the condition of local roads poses a safety risk to drivers and passengers in cars, substandard road shoulders pose an even more serious risk to pedestrians and cyclists. Upgrades and safety improvements to East Sooke Road over time are necessary and this Plan strongly urges the Ministry of Transportation and Infrastructure (MoTI) to make these improvements. Traffic generated by development must be factored in when development proposals are considered and, where appropriate, road safety improvements and upgrades will be required.

Community connectivity in East Sooke not only needs to be improved from a safety perspective, but will also reduce the number of car trips and promote a healthy lifestyle. The gradual construction of multi-use paths for biking and walking along side East Sooke and Gillespie Roads, along with a network of smaller trails between neighbourhoods, parks and other community focal points, is seen as a way to accomplish these objectives.

PART TWO – Administrative Structure

201 Purpose of the Official Community Plan

The OCP (the Plan) will guide and direct decision making on all aspects of land use and development for the East Sooke community within the Juan de Fuca Electoral Area (JdFEA). The Plan is an important statement of community values and goals, and must be used to assess any applications for rezoning or *subdivision*. The Plan takes a long-range view of land use, and forms the basis for regulatory bylaws. As the population changes and development occurs in the area, the Plan should be used to assist the Capital Regional District (CRD) Board with its decision-making process.

The policies in the Plan provide for an orderly and attractive pattern of land use that respects the physical and rural characteristics of the land. In addition, the Plan provides for parks, open spaces and the preservation of valuable natural features. The Plan also gives residents some certainty as to what future developments may be permitted in the community and it guides prospective development toward appropriate locations.

The Plan is reviewed on a regular basis to keep pace with changing attitudes, lifestyles and economic factors that might affect some aspects of the Plan. It is also recognized that the Plan may require amendments in response to future changes in legislation, changing community values and the Regional Growth Strategy (RGS).

Housing needs and anticipated development for a period of 5 to 10 years are addressed in the Plan. Population projections and estimates of housing demands to the year 2024 can be found in Section 380 of the Plan. The projections and policies in this Plan should be reviewed at five-year intervals to ensure that they reflect current conditions and concerns.

202 Legislative Authority

Authority for the Board of a Regional District to prepare or revise an OCP is set out in Section 472 of the *Local Government Act (LGA)*. An OCP does not commit the Board or any other administrative body to undertake any of the projects suggested or outlined in the Plan, but once the Plan is adopted, further bylaws adopted by the CRD Board or works of the CRD must be consistent with the Plan.

Under the terms of Section 471 of the *LGA*, an OCP is: "... a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government." The required and optional content of an OCP is described in Sections 473 and 474 of the *LGA*. The objectives and policies for the Plan area are contained in Part Four of this Plan.

This Plan is the result of a community-driven exercise reflecting the community's values with respect to growth and development. It is not the intention of the CRD in adopting this Plan to create a conflict with provincial or federal enactments. As provided for in Section 474(2) of the *LGA*, only broad objectives have been stated in regard to the regulation of matters that are not within the jurisdiction of the CRD.

203 Plan Area

This is the fifth Official Community Plan bylaw for the East Sooke area. Previous bylaws include:

Bylaw No. 226, Official Community Plan (Sooke) By-law, 1975;

Bylaw No. 1645, Sooke Official Community Plan By-law, 1988;

Bylaw No. 3353, Official Community Plan for East Sooke Bylaw No. 1, 2006;

Bylaw No. 3718, Official Community Plan for East Sooke Bylaw No. 1, 2010.

The area included in the Plan encompasses all land within the boundaries outlined on Schedule B: Land Use Designation. The Plan area includes areas below the shoreline up to 300 metres waterside of the natural boundary of the ocean, except where the boundary is shared with the District of Sooke, and where it incorporates Wolfe and Secretary Islands.

204 Organization and Format

This Plan is organized into seven parts. Part One introduces the community's vision for the future. Part Two outlines how the OCP conforms to provincial legislation and recounts the consultation process. Part Three is organized by key themes and provides the context for the Plan including the physical setting, projected population, servicing levels and a description of existing land uses within the community. Part Four establishes the land use designations and policies. Part Five designates and creates seven development permit areas (DPAs) with corresponding guidelines. Parts Six and Seven fulfill the statutory requirements for development approval information areas and temporary use permits (TUPs). Appendix A includes relevant definitions of terms used in the document. These terms are italicized and hyperlinked throughout the document. Appendix B is population statistics for East Sooke and Appendix C is a list of sources used in developing the Plan. Schedules B through H also form part of the Plan.

To accommodate future changes to the Plan that might be required by provincial legislation or by the RGS, there are deliberate gaps in the numbering of sections. The pagination used in Parts Four and Five is specifically intended to allow for more efficient printing and reproduction of key pages. Landscape orientation was used to facilitate easier reading of this document on electronic devices.

205 Public Consultation

A key feature of the preparation of this Plan is that it has been community-driven. Community members have been involved in the OCP process since it began 2013. The CRD website has been used throughout the process to inform the community about opportunities to participate in the planning process and to provide project-specific information including open house displays, meeting notes, drafts of the OCP and the final documents. Additionally, newspaper advertisements and mail-outs were used to provide notice of public meetings and events. At their request, interested parties were added to an e-mail list to receive notification of upcoming events and information on the project.

East Sooke Citizens' Committee

Eleven residents of East Sooke who expressed interest in participating were appointed by the JdFEA Director to sit on the East Sooke Citizens' Committee. Over the course of thirteen meetings, the existing Plan was reviewed in its entirety, and important issues facing East Sooke were identified and discussed. Several drafts of the revised OCP were prepared and distributed to the Citizens' Committee for review.

Public Events

Three open houses were held during the preparation of this Plan. They were timed to launch the project, share initial background information and identify key issues, and receive feedback on drafts of the OCP. All of the Citizens' Committee meetings were open to the public and opportunities were provided to speak. Feedback from the public was gathered by way of questionnaires, comment sheets and facilitated sessions. Reports on the open houses summarizing all of the comments made by the public were prepared and presented to the Citizens' Committee.

Consultation with other Committees and Groups

As required by Section 476 of the *LGA*, School District #62 Sooke has been consulted with and asked for input on its actual and anticipated needs for school facilities. A presentation regarding the OCP was made to the JdFEA Parks and Recreation Advisory Commission on June 24, 2014.

Referral Process

The draft Plan was referred to federal, provincial and regional agencies, and First Nations with an interest in the area, as well as numerous stakeholder groups. Referral comments were considered and many were incorporated into the final Plan.

206 First Nations

East Sooke has been used by the First Nations for settlement, hunting, fishing, foraging and cultural activities. East Sooke is within the traditional territory of the T'Sou-ke First Nation and the Scia'new First Nation. Both are members of the Te'Mexw Treaty Association, which represents its five member bands in treaty negotiations with Canada and British Columbia. Other First Nation and Treaty groups have identified an interest in the East Sooke area including the Cowichan Tribes, Halalt First Nation, Hul'qumi'num Treaty Group, Lake Cowichan First Nation,

Lyackson First Nation, the Penelakut Tribe and Stz'uminus First Nation. There may be interest by some of these groups in land owned by the Crown within the Plan area.

Due to the long-term use of the area by First Nations, significant archaeological resources exist in the area. The Plan supports the identification and preservation of these resources and addresses the matter in Part Four.

207 Collaboration with Other Agencies and Authorities

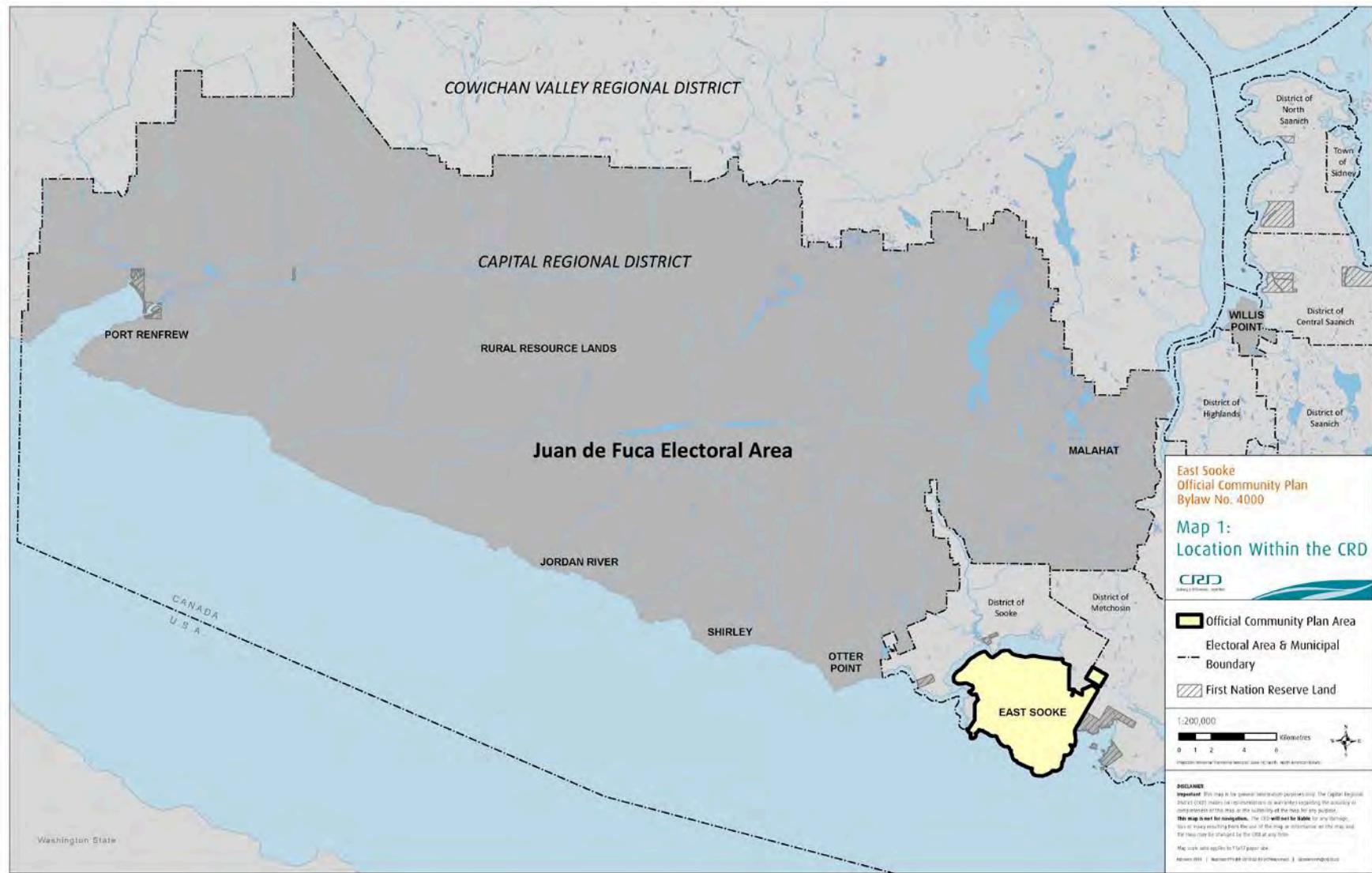
The CRD will strive to work in collaboration and partnership with First Nations, the Agricultural Land Commission (ALC), provincial ministries, federal departments, Island Health, Sooke District #62, the District of Metchosin, the District of Sooke and all other necessary agencies and groups to address infrastructure, transportation, energy and emissions management, and environmental concerns. Further to this, the CRD and the District of Sooke have signed a Memorandum of Understanding which provides a framework for reaching agreements on the provision of services, land use planning, development and environmental concerns, shared and cross-boundary issues and economic opportunities.

208 Regional Growth Strategy Consistency

The RGS adopted for the CRD in March 2018, establishes several goals and outlines the desired pattern of growth for the CRD. The East Sooke Plan area lies within the JdFEA of the CRD (see Map 1). The goals, objectives and policies of this Plan work towards and are consistent with the seven strategic objectives, the four land use policy designations, and the Growth Management Concept Plan in the RGS, in the following ways:

- A. To keep settlement compact, lands within the Plan area have been designated as Settlement and all other lands in the Plan area have been designated as Park or Agriculture. The area designated Settlement by this Plan is coincident with the Rural/Rural Residential Policy Area in the RGS.
- B. To protect the integrity of the rural community of East Sooke, low density residential and community uses are supported in the Settlement Land Use Designation. Small-scale commercial uses to service local needs, home based businesses and cottage industry are also supported providing these uses are of a scale and size appropriate for a rural community. Other types of residential

development, commercial uses and industrial uses are not supported. For the Agriculture Land Use Designation, strong policy statements support agriculture use of these lands, and, to reduce land use conflicts, a DPA establishes a buffer strip between lands in the Agricultural Land Reserve (ALR) and adjacent properties. Careful consideration has been given in the OCP to what characteristics make East Sooke a rural community. One recognized attribute is larger lot sizes. This Plan supports an average *parcel* size of one hectare for the Settlement Land Use Designation (LUD). This LUD change results in an increase in the overall development potential from the current OCP of 310 *parcels*. This is a result of decreasing the average *parcel* size for Rural Residential 3 zoned *parcels* (49) and *Rural A zoned parcels* (231). The rationale for including *Rural A parcels* within the Settlement designation and applying a one hectare average *parcel* size reflects the dwelling unit potential permitted under the *Rural A zone* and supports fee-simple *parcel* tenure as opposed to building stratas.



- C. To protect, conserve and manage ecosystem health, all areas in the Capital Green Lands Policy Area within the Plan area are designated as Park. This area amounts to approximately half of the total Plan area and is largely comprised of East Sooke Regional Park. Riparian areas, sensitive ecosystems, marine uplands and the shoreline have been designated as a DPA for environmental sensitivities. All of the marine waters in the Plan area have been designated as Marine.
- D. To manage regional infrastructure services sustainably, development in East Sooke is not to exceed 1,407 parcels within the Settlement Land Use Designation and expanded infrastructure considerations will be borne by new users. No community sewer systems are proposed in the Plan area. The CRD supports the Ministry of Environment and Island Health in their regulation of sewage.
- E. To build East Sooke as a complete community, a number of policies in this OCP support safety such as the designation of DPAs for hazardous conditions. Ways to build a healthy community include community volunteerism and local delivery of health care services, social programs and recreational programs, with a special emphasis on seniors and youth. The identification, evaluation and establishment of future community meeting place is recommended.
- F. To improve the affordability of housing, suites and home based businesses are supported by this Plan. Alternative forms of housing such as manufactured and modular homes are also supported, as are alternative sources of energy for homes such as geoexchange.
- G. To increase transportation choices, this OCP strongly encourages senior government to improve the safety of Gillespie and East Sooke Roads. The development of a multi-use trail system adjacent to, but separate from, Gillespie and East Sooke Roads is the community's desired approach to addressing the safety risk. Additionally, this Plan calls for the creation of an off-street trail network linking neighbourhoods, community focal points and parks. A safe connection with the regional trail network for pedestrians and cyclists is supported. This OCP recommends that BC Transit explore ways to increase ridership and reduce the number of car trips made by residents. Carpooling and ride-sharing are presented as another way to reduce the number of car trips.
- H. To strengthen the regional economy, the reliance of East Sooke on other regional centres is recognized in this Plan. Agriculture, home based businesses, bed and breakfasts and cottage industries such as artisan studios are viewed as East Sooke's contribution to the regional economy.

- I. To foster a resilient food and agriculture system, all land in the ALR within the Plan area and the Renewable Resource Lands Policy Area has been designated as Agriculture. Policy statements in this OCP support the use of lands designated Agriculture for farming.
- J. This OCP also discusses the impact of climate change on the Plan area and suggests ways to ameliorate potential impacts including protection of ecosystems, consideration of energy efficient building standards, development of alternative transportation infrastructure, addressing seal level rise and through education and outreach initiatives.

209 Minimum Parcel Size

Minimum lot sizes are expressed in this bylaw as policies to guide current and future planning. However, it is recognized that there are existing lots which have been created by *subdivision* within the Plan area that do not meet the general minimum lot size policies expressed in this Plan. Nothing in this Plan is intended to make *parcels* that do not meet the minimum *parcel*/sizes set out in this Plan, but that conform to current zoning regulations under Bylaw No. 2040, inconsistent with the Plan. However, it is intended that any further amendments to the zoning bylaw applicable within the Plan area will be consistent with the minimum lot sizes as specified in this Plan to reflect the vision for the community.

210 Greenhouse Gas Reduction

For the purpose of Section 473 of the *LGA*, the target for the reduction of Greenhouse Gas (GHG) emissions in the CRD is 33% below 2007 levels by 2020. This figure is consistent with the provincial target. The CRD has established a Climate Action Program to act as a regional hub and facilitator on climate change issues and collaborate with other entities on ways to reduce emissions and plan for future climate change.

As its contribution to the CRD target, the East Sooke community will work to reduce GHG emissions in the Plan area by 3% below 2007 levels by 2020. The CRD will meet the targets of 33% and 3% by developing a carbon reduction plan for CRD operations including those operations in East Sooke Plan area and by undertaking the following:

- A. Educating residents, businesses and tourists about climate change as it relates to community priorities;
- B. Reviewing existing policies and objectives within the previous OCP and establishing new policies and objectives in Part Four of this OCP with the intent of reducing energy use and protecting valuable carbon sinks; and
- C. Collaborating with other governments in examining and exploring GHG reduction strategies on a regional basis through one or more of the following:
 - development of GHG reduction standards for buildings by addressing issues 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; and
 - development of programs and policies that increase local food security and local food supply options.

211 Sand and Gravel

No new sand or gravel deposits suitable for future sand and gravel extraction were identified during the preparation of this Plan. The only known gravel deposit within the Plan area has been depleted.

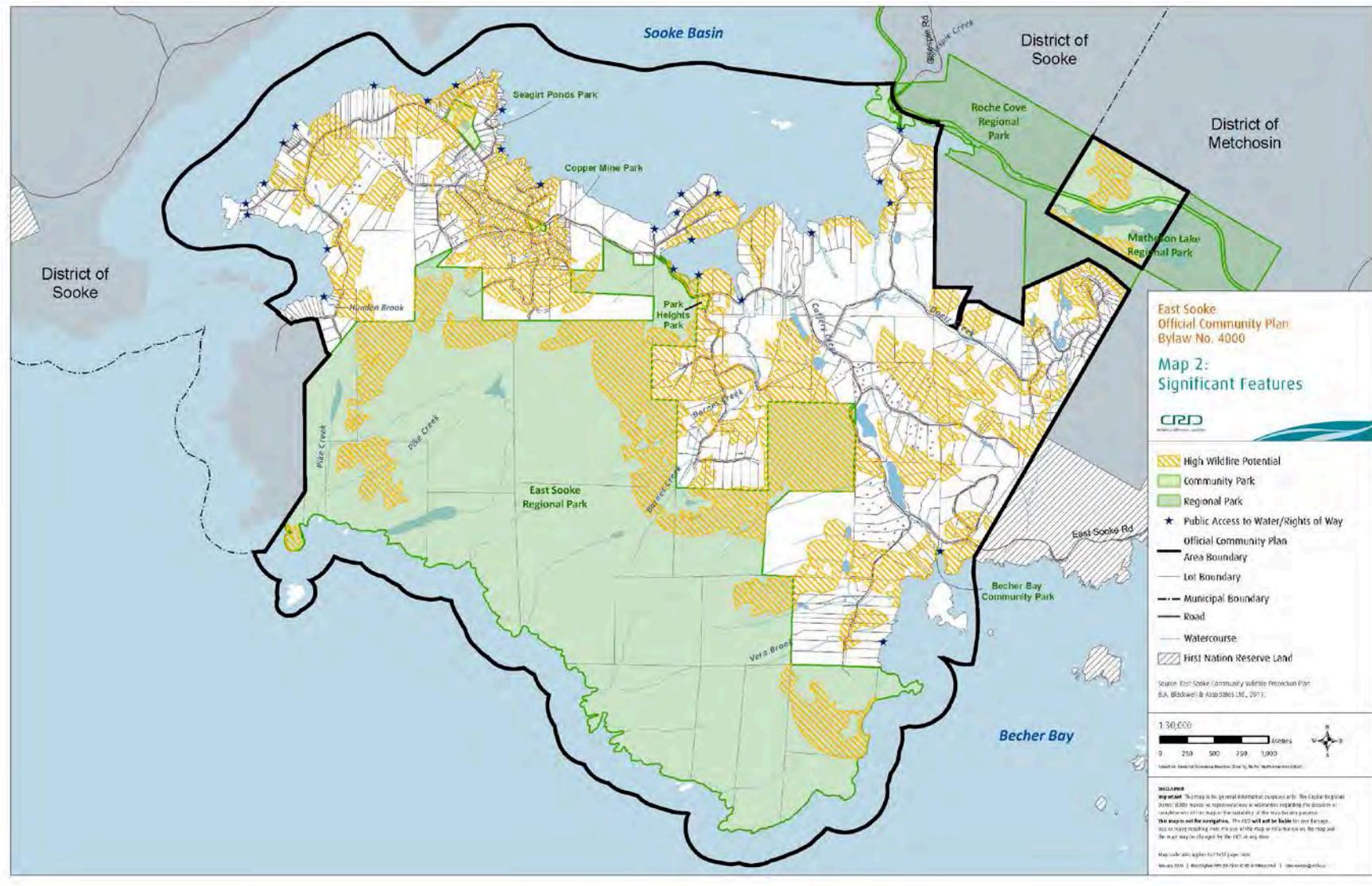


PART THREE – Themes and Priorities

301 Introduction

The consultative process used to prepare this Plan was specifically designed to focus on current and emergent issues faced by the community. Early in the public consultation process, residents of East Sooke were invited to identify issues. Issues were then grouped by theme and used to organize this Plan such that the reader can see the community through the eyes of its residents. Three of the themes, vision, process and context, are covered in Parts One and Two of the OCP. Part Three of this Plan is divided into nine sections based on the identified themes as well as the government mandated theme of climate change and GHG reduction. Each section in Part Three provides the context for a particular theme including an overview of the current situation, possible solutions and relevant background information and data. Some of the significant features discussed in Part Three are identified on Map 2.

A blending, overlapping and interrelatedness of issues and solutions is apparent throughout the Plan. Road safety was clearly identified as the issue of greatest importance to the community and its status as the top issue has been repeatedly confirmed during the public review process. Diverse and innovative road traffic safety measures and other solutions for addressing road safety have been suggested by the community and can be found under the theme heading of “Connectivity and Transportation” and other sections of this Plan.



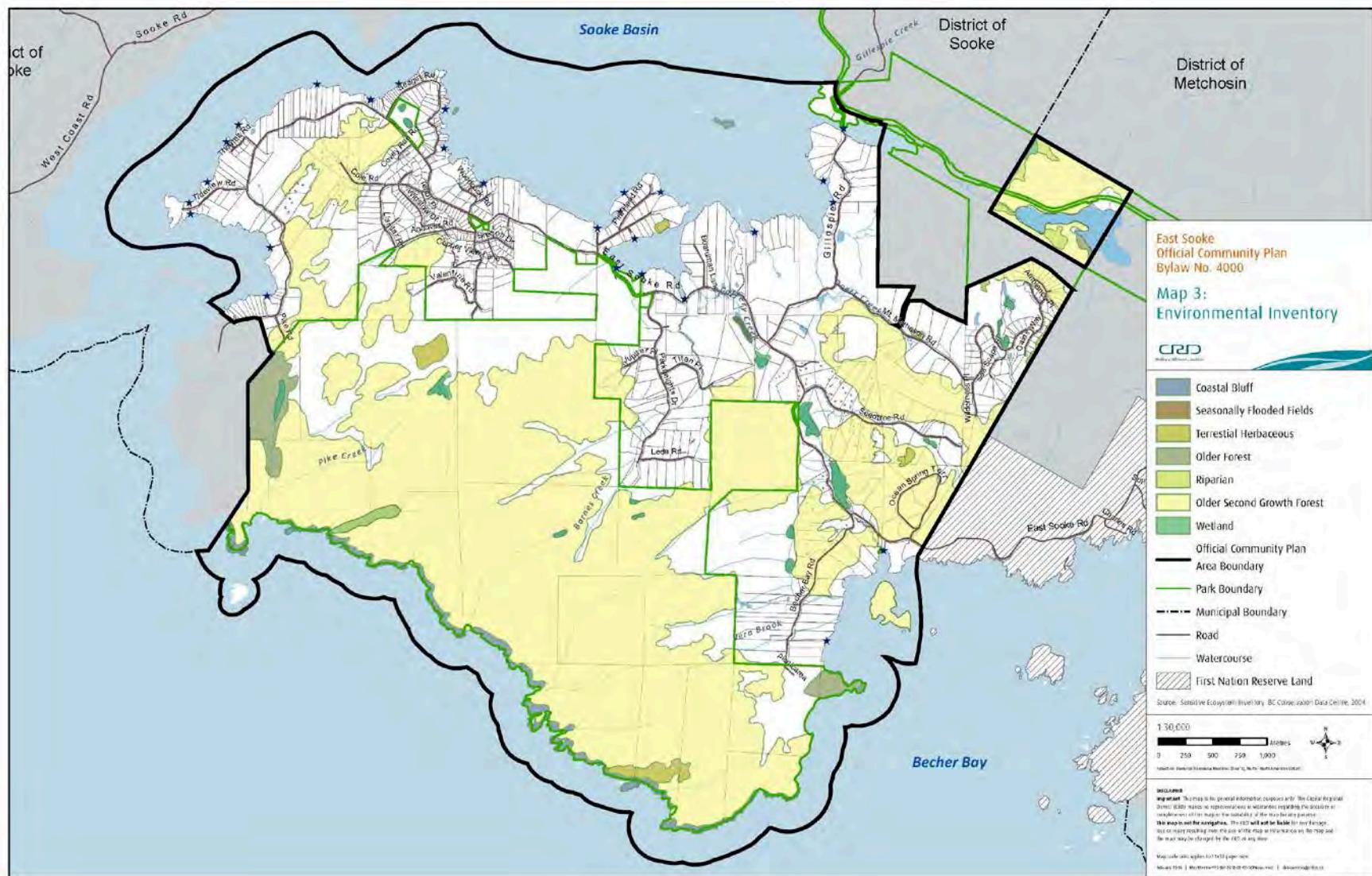
310 Ecological Health

East Sooke is located in the Eastern and Western Very Dry Maritime Coastal Western Hemlock subzones. It has magnificent coastlines and marine environment with significant forested areas providing habitat to a variety of animals, birds and plants. Bald eagles have been sighted, as well as rare and endangered wildlife using the area. A Sensitive Ecosystems Inventory (SEI) Report prepared in 2000 by the Province identified a number of rare and sensitive ecosystems in East Sooke which are shown on Map 3.

Adjacent to the Strait of Juan de Fuca, the coastal boundary region of East Sooke is classed as a sensitive coastal bluff ecosystem. Much of this ecosystem is located within the East Sooke Regional Park. This ecosystem includes rocky shorelines and islets dominated by grasslands, mosses, forbs and lichen cover. This type of ecosystem is considered important due to its rarity, fragility, high biodiversity, presence of specialized habitats and isolation from predators. Because of the thin soils generally found in coastal bluff ecosystems, plant root systems may easily be disturbed by human and other activities. Some coastal bluffs support upland ecosystems such as Garry oak (*Quercus garryana*), arbutus (*Arbutus menziesii*), Douglas-fir (*Pseudotsuga menziesii*) and rocky mountain juniper (*Juniperus scopulorum*).

The marine area around East Sooke is comprised of two types: 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, estuaries and the saltwater of either the Sooke Harbour or Strait of Juan de Fuca meet. The extensive rocky shore lines in East Sooke, in particular those areas in East Sooke Regional Park, are used by hikers. Low-impact activity such as beachcombing and picnicking occur on gravel beaches.

Terrestrial herbaceous ecosystems consist of grassy hilltops and wildflower meadows. A number of rare plants are native to this type of ecosystem including deltoid balsamroot (*Balsamorhiza deltoidea*), yellow montane violet, (*Viola praemorsa*), scalepod (*Idahoa scapigera*) and dune bentgrass (*Agrostis pallens*). This type of ecosystem can be found in the areas of Anderson Cove, near Mount Matheson and Doerr Creek, and along the boundary between East Sooke and Metchosin. Both East Sooke and Roche Cove Regional Parks contain areas of terrestrial herbaceous ecosystems.



A significant amount of land in East Sooke can be characterized as older second growth forest, which often supports secondary ecosystems such as terrestrial herbaceous ecosystems. These forest ecosystems tend to be primarily coniferous with trees ranging in age from 60 to 100 years. While not identified by the SEI as being 'sensitive', these forest ecosystems were mapped because of their importance to the area's biodiversity.

Older second growth forests provide habitat for a wide variety of plant and animal species, connectivity between other habitat areas and can act as a buffer minimizing the impact on more sensitive areas and species. Non-timber forest products, such as wild mushrooms and salal grow in second growth forest. 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 wildlife habitats.

Old-growth forests contain trees over 100 years old and provides habitat distinct from that found in second growth forests. Along with intrinsic habitat values, they provide opportunities for eco-tourism, research and environmental education. Old-growth forests can be found along the west side of East Sooke Regional Park, Creyke Point in East Sooke Park and in Roche Cove Regional Park.

The SEI report 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 flood plain. Wetland ecosystems in East Sooke are typically of the wet meadow, fen, marsh and swamp variety. This type of ecosystem is somewhat rare and fragile to development. It provides productive breeding and feeding habitat for a wide variety of species and helps to maintain water quality by filtering sediment, nutrients and toxic chemicals. Wetlands filter out many contaminants before they enter *streams*, act as storage sites for surface-water, and may slow runoff during storms, thereby acting as natural flood protection. Rare plant species of wetland ecosystems include green-sheathed sedge (*Carex feta*), Geyer's onion (*Allium geyeri*), northern adder's tongue (*Ophioglossum pusillum*), graceful arrow-grass (*Triglochin concinnum*), Henderson's checkermallow (*Sidalcea hendersonii*) and fleshy jaumea (*Jaumea carnosa*). Riparian areas and wetlands provide green space and opportunities for outdoor recreation uses complementary to environmental protection of these sensitive areas such as bird-watching.

Regionally significant animal species for the East Sooke area include the blue heron, bald eagle, red-legged frog, Vancouver Island water shrew, northern alligator lizard, phantom orchid and Vancouver Island beggarticks. In the fall, Aylard Farm in East Sooke Regional Park is an important staging area for turkey vultures on their journey south.

Several *streams* and water bodies found in East Sooke provide habitat for fish species. Matheson Lake may contain cutthroat trout (anadromous), prickly sculpin, coho salmon, rainbow trout, smallmouth bass, and threespine stickleback. Matheson Lake is stocked annually with cutthroat and rainbow trout. Local information indicates that Matheson Creek, which flows out of Matheson Lake to Roche Cove, may have cutthroat trout (anadromous) and attempts were made in 1980 to restock this *stream* with coho salmon. Both Pike Creek and Greens Stream may have once supported salmon runs. Other named creeks include Barnes Creek, Caffery Creek, Dixie Brook, Doerr Creek, Frederickson Creek, Hunden Brook, Thomas Brook, and Vera Brook. There are also unnamed creeks and *streams*, many of which are intermittent, as well as several springs.

311 Invasive Species Management

After habitat loss, invasive species are recognized as the second greatest threat to native species and the loss of biodiversity. Their effects on biodiversity can be significant and often irreversible. Invasive species in the regional and community parks in East Sooke are managed in accordance with applicable plans and practices. Invasive species found within public road rights-of-way and on Crown lands can be reported to the Province.

Invasive plant species can also be found on private lands. The *LGA* gives local governments the option to be involved in the management of invasive plant species and, in 2017, the CRD assumed responsibility for this function. The CRD will take on a regional coordination role for invasive species management with a focus on early detection and rapid response for priority species as well as conduct education and outreach programs. The Capital Region Invasive Species Partnership (CRISP) maintains a regional status/priority list of invasive plant species. The Province has an online program for the sighting and removal of invasive species through its Report-a-Weed program.

In East Sooke, Scotch broom, gorse, thistles, blackberries, holly, English ivy and tansy ragwort are common invasive plant species. Gray squirrels, starlings, barred owls, feral rabbits and feral cats contribute to the destruction of native species and animals and, to a lesser extent, domestic cats and dogs can as well. Local residents can assist by leashing dogs in environmentally sensitive areas and keeping cats indoors. Through its education and outreach function, the CRD Community Clean-up program supports groups that make visible environmental improvements to their community through organized clean-ups. This program has provided support to the local Sea Cadet group in its removal of Scotch broom from parts of East Sooke Regional Park.

312 Riparian Areas Regulations

Under the *Riparian Areas Protection Act* and the *Riparian Areas Regulation (RAR)*, the Ministry of Environment protects fish habitat including the riparian areas adjacent to *streams*. By 2006, local governments that did not already have appropriate bylaws in place were required by the Province to formally integrate the *RAR* into existing OCPs or zoning bylaws. In East Sooke, a DPA for riparian areas has been designated and includes all mapped *streams*, as well as the adjacent riparian areas. Also included in this DPA are any riparian areas subject to the *RAR*.

An assessment by a *Qualified Environmental Professional (QEP)* pursuant to the *RAR* will be required if development is proposed near a *stream* that is determined to be fish-bearing. All or part of the riparian assessment area may be classed by the *QEP* as a Streamside Protection and Enhancement Area (SPEA). No or very little development will be permitted in the SPEA. Restrictions and conditions may be placed on development outside the SPEA but still within the riparian assessment area.

320 Parks and Trails

Over half of East Sooke's land base is dedicated as park land (see Table 1). There are three regional parks: Matheson Lake Regional Park, Roche Cove Regional Park, and East Sooke Regional Park. Matheson Lake Regional Park was donated to the Province in the 1950s by the Matheson family and acquired by the CRD in 1994. Roche Cove Regional Park, established in 1985, features a secluded cove, a picnic area and water vistas. East Sooke Regional Park, established in 1970, is the second largest park in the CRD and attracts over 120,000 visitors per year. Its amenities include petroglyphs, two beaches, an abandoned mine site and an extensive trail network. Aldridge Point in this park was designated as a Provincial Heritage Site in 1927.

CRD Regional Parks are managed in accordance with the goals and objectives described in the CRD Regional Parks Strategic Plan 2012-2021. This Strategic Plan classes East Sooke Regional Park and Matheson Lake Regional Parks as regional wilderness areas and Roche Cove Regional Park as a regional natural area.

The JdFEA Community Parks and Recreation Program manages four community parks in East Sooke. Copper Mine Community Park provides the only athletic field in East Sooke and there is a playground on a nearby lot. Seagirt Ponds Community Park, acquired in 2005 through a land transfer, is under development as a natural park with an interpretative loop trail passing two ponds. Park Heights Community Park is undeveloped natural land adjacent to East Sooke Regional Park. Becher Bay Community Park is a recently acquired, undeveloped water front lot located in Murder Bay.

Table 1: Park Land in East Sooke

NAME	AREA (HA.)	FEATURES
Regional Parks		
Matheson Lake	65	Beach, swimming, fishing, hiking, multi-use trail
Roche Cove	8	Beach, hiking, multi-use trail
East Sooke	2910	Beach, hiking, horseback riding, picnic shelter
Community Parks		
Becher Bay	0.6	Viewpoint and trail under development
Copper Mine	1.25	Intensive athletic field, tennis court, playground
Park Heights	1.2	Undeveloped nature park
Seagirt Ponds	7.24	Nature park, picnic area, trail, sensitive ecosystem
TOTAL AREA:	2993*	(rounded to nearest hectare)

*NB. Only the area of those portions of Matheson Lake and Roche Cove Regional Parks within the boundaries of the East Sooke Plan area are included.

321 Trails

The Galloping Goose Trail, a 55-kilometre multi-use trail from Victoria to Sooke, is administered by CRD Regional Parks. A key goal of the Regional Parks Strategic Plan is to develop an arterial trail system connecting all of the municipalities and electoral areas in the region. The Galloping Goose is a major trail in this system serving non-motorized commuters and recreational users. Portions of the Galloping Goose travel through both Matheson Lake and Roche Cove Regional Parks.

Residents of East Sooke are interested in improving the connectivity of their community with the Galloping Goose and the regional parks. As a step in expanding the network of trails connecting to the Galloping Goose. Construction of a community trail to connect the residential neighbourhood of Mount Matheson Estates with the trails in Matheson Lake Regional Park and the Galloping Goose was completed in 2015.

During the preparation of this Plan, there was strong community support for the development of two types of trail networks: off-street and roadside trails. The CRD's stated objective of developing trails connecting regional parks to other national, provincial and major municipal parks and trails supports the interest of local residents in improving trail connectivity in East Sooke. The residents of East Sooke would like to see the development of a connection between East Sooke Regional Park and the Galloping Goose. Parts of this connection would consist of existing public roads while other portions would require the construction of an off-street trail. Until a community connection is developed, most residents of East Sooke will choose to transport their bikes to the Goose by car instead of cycling because of safety concerns related to cycling on the local roads.

The recommendations of the CRD Regional Pedestrian and Cycling Master Plan (PCMP), released in 2012, are complementary to the goals and objectives of CRD Parks. The PCMP identifies Gillespie and East Sooke Roads as part of the regional multi-modal network with the connection between the Galloping Goose and East Sooke shown on Map 10 of the PCMP, and recommends upgrading these roads to have separated on-street bikeways. No funding has been identified for these upgrades but some of the projects identified in the PCMP for elsewhere in the region are being implemented with assistance from Federal Gas Tax revenues for infrastructure improvements. During the consultative process of preparing this Plan, residents expressed a strong preference for multi-use trails beside the two main roads separated by swales or ditches instead of developing road side shoulders for walking and cycling.

It is recognized that creative approaches to secure funding for multi-use and off-street trail construction in East Sooke may be necessary. The recently completed SEAPARC Bike Park and Multi-Use Connector Project in the District of Sooke is a local example of a partnership between the District of Sooke, JdFEA and SEAPARC that resulted in a multi-use connector trail providing a safe, separated trail connection. The project was funded in part by the District of Sooke, SEAPARC, in-kind efforts and donations, and the CRD Active Transportation Innovative Infrastructure Funding Program.

322 Invasive Species Management in Parks

In regional parks, invasive species management focuses on priority species that pose ecological or human health risks and species new to the region that still have the potential to be eradicated. Invasive species at sites with extremely high ecological or recreational values are also

targeted. CRD Parks operates a volunteer restoration program that removed daphne and yellow iris from East Sooke Regional Park. In Seagirt Ponds Community Park, the Seagirt Ponds Preservation Society assists with the removal of yellow iris, English holly and ivy.

323 Park Land Acquisition

The CRD Board makes all park land acquisition decisions and holds title to all lands acquired. CRD Regional Parks is responsible for making recommendations to the Board on the acquisition of regional park land. For community parks and trails, the JdFEA Parks and Recreation Advisory Commission has the responsibility for identifying and recommending acquisitions to the Regional Board through the Juan de Fuca Land Use Committee. Rezoning and *subdivision* applications involving lands in East Sooke are routinely referred to the Advisory Commission which represents the community's interests for park land acquisition in its review of these development proposals. In accordance with Section 510 of the *LGA*, the location and type of park land of interest for potential acquisition through *subdivision* and rezoning are described in this section and in Section 420 Parks and Trails.

CRD Regional Parks has noted that future park land acquisition should focus on the following underrepresented ecosystems: bogs, subalpine, Garry oak woodlands, coastal bluffs, wetlands, cliffs, dunes and spits. Old-growth forest on lands in the Coastal Douglas-fir, Coastal Western Hemlock and Mountain Hemlock biogeoclimatic zones are also considered a priority for acquisition. There is also interest by CRD Parks in acquiring an area adjacent to East Sooke Regional Park as shown on Map 4 of the Regional Parks Strategic Plan 2012-2021.

In the 2010 JdFEA Community Parks Strategic Plan (CPSP), the priorities for park land acquisition are identified as Special Preservation Areas consisting of environmentally sensitive areas and ecosystems, and those lands necessary for the protection of historic and archaeological sites. Additionally, it recognizes that all neighbourhoods should be serviced by appropriate public park land. The CPSP says that the JdFEA Parks and Recreation Advisory Commission will consider the donation of lands for park as well as any Crown land that becomes available. In collaboration with Local Area Planning and the Provincial Approving Officer, the JdFEA Parks and Recreation Advisory Commission makes recommendations on the most beneficial location of any public accesses to water required in a *subdivision* proposal by Section 75 of the *Land Title Act*.

During the preparation of this OCP, the residents of East Sooke identified trails to improve safety and connectivity as the top priority for park land acquisition.

324 Streamside Enhancement and Protection Areas

Provincial legislation requires that there be an environmental assessment of any development proposal within a prescribed distance of a riparian area. Within this Riparian Assessment Area, a *QEP* determines what habitat is critical for the ecological health of fish and then classes the area as a SPEA. SPEAs that are identified as part of a development proposal should be protected by methods other than dedication as park land due to their environmentally sensitive nature. Trail construction within a Riparian DPA on existing park land or other public lands will only be considered subject to the recommendations of a *QEP*.

325 Public Education in Parks

CRD Regional Parks wants to provide park visitors with stimulating educational experiences leading to a greater appreciation of the region's natural ecosystems and cultural resources, and that motivate visitors to conserve and protect those ecosystems and resources. Current, accurate and comprehensive information for visitors gives them a better understanding and enjoyment of regional parks and trails.

It is recognized that local residents develop a sense of pride and stewardship by volunteering in park planning and management, and by helping remove invasive species. Volunteers can also assist by disseminating information to park visitors and monitoring parks and trails. For these reasons, there is strong support in East Sooke for participation in the parks through volunteering/stewardship agreements and the delivery of environmental education and interpretative programs in the parks.



330 Access to the Water Front

There is a considerable amount of water front property in East Sooke. The Strait of Juan de Fuca forms the southern boundary of East Sooke, while Sooke Harbour and Basin act as the northern and western boundaries. The shoreline fronting the Strait is rugged and steep with two rocky beaches at Becher Bay and Iron Mine Bay, both accessible only by foot. Along Sooke Harbour and Basin, there is a combination of low and high bank shoreline where shingle beaches, muddy shoreline, and small coves are prevalent. There are four developed accesses on this side of the community, as well as a number of partially developed or undeveloped ones (see Table 2 and Map 2).

Table 2: Status of Public Water Front Accesses in East Sooke 2014

DEVELOPED	PARTIALLY DEVELOPED	UNDEVELOPED	RELINQUISHED SINCE 2003
Anderson Cove	Basso Road North Basso Road South Berkeley Road Cockle Lane Cornelius Road Covina Drive Fife Lane Large Road Norwach Road, Seagirt Road 90 Block Thornett Place Eliza Point Road	Bishop Road Bracken Road Discovery Road Eaglewood Place Edith Road Ensign Road Inch Arran Road Klatza Road, Lascall Place Midden Road 5200 block E. Sooke Rd. (Becher Bay) 5700 block E. Sooke Rd. (Sooke Basin)	Seagirt Park
Gillespie Road at Roche Cove			
Roclair Place decommissioned right-of way			
4	12	12	1
TOTAL NUMBER OF PUBLIC WATER FRONT ACCESSES: 28			

Sources: CRD Juan de Fuca Electoral Area Foreshore Access Report, Prepared by I. Bourhill, Capital Regional District, 2003 and recent subdivision plans.

When water front properties are subdivided, provincial land title legislation has long required the dedication of a 20-metre wide strip as highway at specified intervals to facilitate future *subdivision* and provide access to water. This requirement can be waived by the Province if there are compelling reasons. A Public Access to Water Memorandum of Agreement (MoA) between CRD and MOTI was signed in 2006 that establishes a referral process for applications involving provision or development of access to water to the local community parks and recreation commission. Often when a high bank is involved, the right-of-way is not suitable as a road and it remains undeveloped. In East Sooke, the rights-of-way are owned and administered by the Province. The Province is not obligated to develop these rights-of-way as road or to maintain them. When properties adjacent to the rights-of-way are subdivided, a developer can be required to construct a public road. Organizations and individuals can also request permission from the Province to develop rights-of-way.

In 2003, a study undertaken of all the rights-of-way in the JdFEA identified 27 rights-of-way in East Sooke. Midden Road, the 90 block of Seagirt and Klatza Roads are all described as having excellent potential for development. Other rights-of-way had less potential with some deemed unsafe, having ecological concerns or adjacent to an existing access. Since the 2003 study, two additional road dedications have been taken and a land exchange eliminated a right-of-way off Seagirt Road. One of the new road dedications is under serious consideration by the JdFEA Parks and Recreation Advisory Commission for development as a trail access to Becher Bay.

Road rights-of-way are also discussed in the 2010 JdFEA CPSP. The JdFEA Parks and Recreation Advisory Commission is willing to evaluate which rights-of-way are of high priority for improvements and to enter into agreements with the Province for licences to develop and manage these locations as community trails with the caveat that it is not necessary to seek management of all accesses. Management of a public access will only be considered by the Advisory Commission when the values of an access complement the park and recreation objectives of the CPSP.

Rights-of-way provide the public with access to the water for recreational activities such as kayaking, fishing, sun-bathing and wildlife viewing. The 2003 study identified limited development potential for kayak launching at the Cockle Lane and both Basso Road rights-of-way; moderate potential at Thorne Place; and excellent potential for kayaks and small watercraft in the 90 block of Seagirt Road right-of-way. Development of any right-of-way would be subject to funding, adequate parking and addressing the concerns of surrounding property owners. During the

consultative process of preparing this Plan, no specific water accesses were identified by the public for future development but retention of the existing water access points, regardless of whether they were developed or not, is deemed important.

While there is a commercial marina on Becher Bay allowing boat access to the Strait of Juan de Fuca, local residents would like to see development of a recreational boat launch on the Sooke Harbour side of the community. There is a public boat launch at Anderson Cove for canoes and kayaks but there are concerns regarding parking, access and potential disturbance to foreshore ecosystems.

In 2012, parts of the Sooke Harbour and Basin were established by the Province as a Section 17 Designated Use Area (DUA) to improve water quality and promote shellfish harvesting. This DUA includes parts of Anderson Cove, which may result in foreshore leases not being renewed by the Province. If the Anderson Cove access is no longer available, there is strong community interest in developing an alternative site. Roche Cove and the undeveloped end of Basso Road have been mentioned as possibilities. Although the potential to develop another boat launch was discussed in the preparation of this Plan, the identification and advancement of an alternative boat launch site will require further study and public consultation independent of the OCP process. Despite the potential obstacles to the future use of the Anderson Cove site, continued use of this site is preferred over the development of an alternative site.

East Sooke residents are concerned about access and egress to the community during an emergency. To the west of its intersection with Gillespie Road, East Sooke Road is the only road into the community. If access along East Sooke Road is blocked, the only alternatives for evacuation and bringing in supplies are by water or by foot via the trails in East Sooke Park. To provide water access for emergency purposes, there is interest in a possible agreement with the Royal Canadian Marine Search and Rescue (RCM-SAR) to use a boat launch at the training base in East Sooke.

340 Connectivity and Transportation

Two main roads service East Sooke: Gillespie Road and East Sooke Road. Gillespie Road acts as the main north-south link between East Sooke and Highway #14. The 2.8 kilometre length of Gillespie Road within the Plan area is winding and narrows at one point to a one-lane bridge over Roche Cove. A new two-lane bridge is scheduled for construction in 2018. Additional upgrades announced by the Province in 2018 include new safety signs at major intersections along Sooke Road, including Gillespie Road, as well as new bus pull-outs. Gillespie Road has a 20 metre wide right-of-way for most of its length allowing for wide gravel and occasional paved shoulders. Both East Sooke and Gillespie Roads are classified by the Province as a "Rural Collector" from which direct access to individual properties is minimized. All other roads in East Sooke are classed as "Rural Local". None of the roads are classified as "Major".

At the entrance to East Sooke, there is a large pull-out where informational signage about the community is posted. Gillespie Road intersects with East Sooke Road at a small commercial node. West of this intersection, East Sooke Road is the only road into the western portion of the community causing concern about emergency access and egress.

Despite having a 20 metre road right-of-way for most of its 10.7 kilometre length, the paved portion of East Sooke Road is narrow and winding. There are numerous physical constraints that would affect the widening of East Sooke Road such as rocky outcrops, steep slopes, drainage ditches and large trees. The gravel shoulders beside the road are extremely narrow and in some places there is no shoulder, posing a risk to pedestrians and cyclists.

Despite the public's concerns about road capacity and road safety, it is unlikely that a traffic study would determine that any of the roads in East Sooke have reached their capacity. Traffic studies rely on a rating system which assigns grades from A to F based on wait times at intersections. Roads are only considered to be at capacity when traffic studies give ratings of "D, E or F". Because of the short wait times at intersections along Gillespie and East Sooke Roads, none of the intersections are likely to receive a poor rating. Similar methodological challenges arise when trying to document road safety problems. The number of accidents at intersections is a criterion often used to determine if a road is unsafe. While there are accidents on the roads in East Sooke, there are not enough to warrant major road improvements. In 2014, the East Sooke Fire Department responded to 5 motor vehicle accidents.

Public consultation during the preparation of this Plan firmly established that the residents of East Sooke view road safety and road quality as top priorities for the community. There is strong support for alternative means of travel including walking and cycling and using transit. Off-street trails that can be used by pedestrians, cyclists and in some circumstances, equestrians are preferred to on-road cycle lanes. Two important components to the successful implementation of this recommendation are: the development of a detailed trail network plan and the adoption of servicing standards for East Sooke and Gillespie Roads with specifications for a roadside trail.

The MoTI is responsible for the development, operation and maintenance of roads in the Plan area. No major roads are planned for East Sooke. Highway maintenance and repairs are provided by a private company contracted by the Ministry. Questions about the maintenance of public roads in East Sooke were raised by the public during the preparation of this Plan. All requests to subdivide in East Sooke are sent to the Provincial Approving Officer for consideration and determination of the servicing standards.

341 Alternative Transportation Options

Residents of East Sooke have expressed interest in developing a network of multi-use trails to improve pedestrian and cyclist safety. Some of these trails would likely be within the public road right-of-way. Amenities such as trails within a Provincial road right-of-way can be accomplished provided that an official organization is willing to be responsible. All of the funding for the trails including the cost of surveying and engineering must be provided by the official organization. Application for permission to construct a trail must be made to the MoTI. One of the more difficult and costly challenges to building trails can be the physical obstacles to siting the trail within the public road right-of-way. Examples of the type of multi-use trail that residents of East Sooke are interested in can be found elsewhere in the CRD, such as the new roadside trails on the Southern Gulf Islands.

342 Transit

Two transit routes provide service to East Sooke. Based on ridership, Route #61 Sooke/Downtown, which travels along Highway #14, is one of the top 20 routes in the Greater Victoria. Residents of East Sooke board this bus by driving to an informal park and ride across from 17 Mile

House in Sooke or connect via Route #64 East Sooke. Alternatively, residents drive to the Colwood park and ride beside the JdF Recreation Centre, a major transportation hub, to board buses with a wide range of routing options.

The informal park and ride at 17 Mile House is often at capacity and its location on one side of a congested road with poor sight lines and no traffic signals make access and egress difficult and dangerous. The Colwood park and ride is also at capacity during peak times. Currently, the ridership on Route #64 is well-below the performance targets set by BC Transit. Along most of East Sooke Road, there are no pull-outs so the bus must stop on the road, blocking traffic. The bus stops are on the road shoulder and do not have shelters.

Amongst the suggestions made by residents to increase ridership are changing the bus schedule for Route #64 to allow for better connections with Route #61, run smaller buses on Route #64 to lower costs, make the existing bus stops in East Sooke safer, change Route #64 to include additional areas of East Sooke and improve safety at the park and ride or else relocate it to another location nearby. The next step is to have either a committee or elected official lobby the BC Transit Commission asking for an opportunity to work closer with BC Transit staff to find ways of increasing ridership on Route #64.

343 Carpooling and Car Shares

Formalized carpool arrangements between friends and co-workers are a well-known option to reduce the number of car trips. Lesser known alternative transportation options are carpooling and car shares. “Car Stops” are a series of clearly identifiable spots at strategic locations beside a road where vehicles can safely pull over to pick up individuals waiting for rides. Drivers usually carry some visible form of identification on their car while riders hold out distinctive colour cards indicating where they would like to travel to. Residents can also set up internet sites or use social media to arrange a ride. Bowen Island LIFT is an example of a car stop program in a rural community.

Any efforts to develop a more organized approach to carpooling and car sharing will likely need to be community-driven. Local volunteers could solicit public opinion on what options might work best for East Sooke and then establish a website or media page to promote and host the program.

350 Safe and Healthy Community

Traffic safety was identified as the top priority during the public consultation process. Recommendations on how to improve safety on East Sooke and Gillespie Roads are discussed under the theme of Connectivity and Transportation when it pertains to the public road rights-of-way. Improvements that rely on the acquisition of park land for trails or connecting with existing parks and trails are featured in the Parks section. This section addresses health and safety as they relate to natural hazards, emergency services and preparedness, infrastructure and other community services.

351 Natural Hazards

Along the coastline and in mountainous areas, there are areas of steep slopes that could be subject to erosion and landslip. Low-lying areas adjacent to the ocean and *watercourses* can be flooded. In East Sooke, there are designated DPAs for steep slopes and coastal areas to alert property owners and purchasers of potential risks to development. To safely carry out development in these areas, the services and advice of a *Qualified Professional (QP)* will typically be needed to determine the extent of the hazard and whether it can be mitigated. *Subdivision* proposals are routinely screened for potential hazards and may be refused unless the hazard can be mitigated.

Tsunami modelling indicates that there could be up to three metre waves for the lands facing the Strait of Juan de Fuca and one metre waves for the lands fronting the Sooke Harbour and Basin. The areas at greatest risk from flooding from this type of event are the lower lying lands at the end of Tideview and Becher Bay Roads. If a sustained earthquake occurs, residents living in these low-lying areas should be aware that they need to evacuate to higher ground nearby.

The west coast of BC and Vancouver Island are in a known earthquake zone and several fault lines run through the Plan area. The bridge over Roche Cove straddles one of these fault lines and could be affected by an earthquake.

Wildland-rural interface fire was viewed during the public consultation process to be the natural hazard posing the greatest risk to the community. Instead of a defined interface between the forest and settled areas, residents describe the risk in East Sooke as an "inter-mix" situation with houses on large lots dispersed throughout wooded areas. Another wildland fire risk factor is East Sooke Regional Park. This

large wooded area with its extensive network of public trails, but no roads is immediately adjacent to residential areas. The Province does not have a mandate to fight fires in regional parks; however, in the event of a large fire in East Sooke Regional Park it may lend its services provided that its equipment is not otherwise deployed.

Some members of the public would like to see East Sooke become a “Fire Smart” community. In communities wishing to achieve this goal, homeowners can be required to clear all vegetation within 30 metres of their homes in order to decrease the fire risk. To maintain ecosystem health, this approach is not preferred in East Sooke. An alternative approach is to only clear dead and dying trees within a 30 metre radius along with removing the forest litter. There is still an ecological impact associated with this approach as the lack of debris leads to little regrowth. Another common preventative measure in rural areas is community fire breaks but these may not be effective in East Sooke. Although fire breaks allow firefighters better access, the winds in East Sooke can carry the sparks across a typical fire break.

352 Police, Ambulance and Fire

Policing services for East Sooke are provided by the Sooke Detachment of the RCMP. Its 15 member detachment responded to 265 calls for service in East Sooke in 2013. There is an ambulance station in Sooke which serves the community of East Sooke. Victoria General Hospital is approximately 30 kilometres away in the Town of View Royal.

The East Sooke Volunteer Fire Department was created as a service by the CRD in 1983 and is funded by property taxes. The Fire Department has approximately 20 volunteers and responded to 103 calls for service in 2013 and 93 in 2014. The Electoral Area Services Committee oversees and makes recommendations to the CRD Board regarding fire protection in the electoral areas. The East Sooke Fire Protection and Emergency Response Service Commission is involved in the day to day administration of this service. The fire chief reports directly to CRD Protective Services.

The original fire hall on Copper Mine Road was built in 1985 when the fire department had only one truck. After a study of the fire hall revealed a number of deficiencies in the building’s suitability, a 2013 referendum approved the borrowing of \$2.12 million for a new fire hall with bays for six trucks. Construction of the new fire hall on East Sooke Road was completed in December 2015. The fire hall was built to a post-disaster standard and will serve as the Emergency Operations Centre during an emergency.

353 Emergency Preparedness

The CRD has developed a Corporate Emergency Plan for regional district emergency preparedness. An Emergency Coordinating Committee and Emergency Management Committee help to support the CRD Emergency Operation Centres and programs in the electoral areas. The JdF Emergency Program provides comprehensive support, planning and management of emergency response for East Sooke. This program provides assistance to residents who are evacuated during an emergency. In cases where residents are left without power, water or access to amenities during storms, natural disasters or other incidents, provisions will be provided for food, shelter and clothing needs.

In the event of a large scale emergency, there are no reception centres in East Sooke, which means that residents must be prepared to shelter in place. If residents needed to be evacuated from parts of East Sooke, the fire hall could serve as a reception centre for the purposes of registration, but once registered, residents would need to be evacuated to emergency reception centres in neighbouring communities. To this end, there is a mutual aid agreement in place with the District of Sooke.

East Sooke Road is the only point of access to that portion of the community lying west of Gillespie Road, raising concerns about the ability to evacuate residents if East Sooke Road were to be blocked. In the past, there was an informal agreement with the Sisters of St. Ann at Glenairley to act as a temporary shelter and for possible use for evacuation by boat to the other side of the Sooke Basin. This property is now owned by the RCM-SAR. The RCM-SAR has been approached to explore options for possible assistance with emergency preparedness.

354 Search and Rescue

The JdF Search and Rescue Association was founded in 1983, has over 30 members, and is currently based out of the old East Sooke Fire Hall. The Association works with the RCMP and Fire Departments in missing person cases and rescue missions. While the western headquarters and training facility for the RCM-SAR is located in East Sooke, the Sooke RCM-SAR rescue station is located on the other side of Sooke Harbour. Its roster of approximately 30 volunteers covers the area from Race Rocks to Nitnat Lake, the largest search and rescue area on the west coast. It handles approximately 30 calls a year providing assistance to mariners and injured hikers on popular coastal trails.

355 Water Supply

Residents of East Sooke obtain their potable water supply in several different ways depending on where their property is located. Much of the western portion of East Sooke is within the CRD Integrated Water Services' JdF Water Distribution System Service Area, which is administered by the JdF Water Distribution Commission. Water is provided by an extension of the CRD Regional Water Supply System via two underwater pipes across Sooke Basin to Cockle Lane and to East Sooke Road west of Seagirt Road. The water from Cockle Lane is pumped to the Copper Mine reservoir and then distributed to 228 current customers in the Copper Mine and Cole Road neighbourhoods. The water from East Sooke Road is distributed to 86 current customers in the Tideview, Eliza Point and Silver Spray neighbourhoods. There are 92 parcels within the JdF Water Distribution System Service Area in the Anderson Cove area of East Sooke that are not currently connected. The extension of water to these properties within the existing JdF Water Distribution System Service Area is supported by the community but there are no immediate plans to expand the infrastructure.

The Seagirt Water Improvement District receives its water supply from the CRD Regional Water Supply System via a single residential connection at a retail rate. This Water Improvement District then distributes water to 83 homes in the Seagirt Road neighbourhood. There are six parcels currently not connected.

First subdivided in 1981, Mount Matheson Estates was serviced by a privately operated water utility until it was converted to a CRD service in 2008. CRD Integrated Water Services is now responsible for the overall operation of the Wilderness Mountain Water Service. The Wilderness Mountain Water Service Commission acts as an advisory body to the CRD. The service consists of the Wilfred Reservoir, a small man-made lake that is the primary water source, two dams, a pump house, two distribution tanks and other infrastructure. Water taken from the reservoir is treated by chlorination, filtration and ultraviolet light and is available to 82 lots. Of the 82 lots, 70 were customers of the water system in 2016. The reservoir level has been increasingly drawn down during summer months and water quality concerns resulted in two boil water advisories in 2016. Several capital projects to upgrade the water system are ongoing and alternative supply options are being considered.

The remaining neighbourhoods in East Sooke, including Park Heights, Seedtree, Ocean Springs and Becher Bay, rely on surface and well water sources. There are domestic water licences on Barnes Creek, Dixie Brook, Frederickson Creek, Gaisford Spring, Hill Spring, McLean Brook, Thomas Brook, Vera Brook, Ward Spring and Whitwell Spring. Some water sources are subject to seasonal or occasional shortages, in which case water can be trucked from either Langford or Sooke. The CRD has built a new bulk water dispensing station in East Sooke near Llanilar Road. Potable water haulers are able obtain water from a standpipe for delivery to cisterns and wells in East Sooke and surrounding areas.

Interest is growing in using rainwater capture to supply domestic water. At the present time, CRD and Island Health will not accept rainwater capture systems as a potable water supply for the purposes of *subdivision*, although it can be used for gray water. However, in the case of new home construction, CRD Building Inspection accepts a rainwater capture system to provide potable water.

Although there are no current plans to expand the existing water service areas, the service may be extended at some point in the future through adoption of a new service establishment bylaw. If the further extension of CRD water becomes feasible, the community supports providing all of East Sooke with a public water system.

356 Sewage Treatment

In East Sooke, sewage is treated by on-site systems and there are no plans for a sewer system. Individual homeowners are completely responsible for the operation and maintenance of their on-site wastewater treatment system. If an on-site system is poorly maintained, untreated effluent can flow into *watercourses* or to a neighbouring property's source of domestic water. CRD Integrated Water Services regularly tests the quality of water at a number of locations in East Sooke. Island Health is responsible in situations where there is a suspected failure of a septic treatment system.

357 Other Services

BC Hydro supplies electricity to most of the homes in East Sooke. A three-phase power line runs along Gillespie Road and the western portion of East Sooke Road. All other power lines are single phase.

Cell phone coverage is available throughout East Sooke from a number of commercial providers. Hilly topography and the presence of a large ore deposit mean that not all areas of East Sooke have good coverage. First responders and emergency services personnel are equipped with satellite phones which will work in all areas of East Sooke. During a serious emergency, ham radio operators can play an important role in providing communication with outside areas.

The federal government requires operators to consult with the public when locating any permanent antenna systems for use by telecommunications carriers, broadcasting undertakings or third party tower owners as well as for any new antenna towers 15 metres or greater in height. If the community does not have specific policy in place, then the process outlined by Industry Canada must be followed. At this point in time, the CRD does not have a consultation policy for antenna systems. Even if the public objects to a proposed location, the federal government can still give its approval and local zoning bylaws cannot override this approval.

CRD Bylaw Enforcement staff enforces the unsightly premises and noise bylaws for East Sooke. After office hours, the RCMP responds to noise complaints. To ensure that new construction meets the minimum standards for health and safety established by the BC Building Code, Building Inspection Services for the JdFEA operate out of the JdF Local Area Services Office.

Sooke & Electoral Area Parks and Recreation Commission (SEAPARC) provides recreational opportunities for the public through the planning, development and operation of recreation facilities and programs for the JdFEA. The Juan de Fuca Community Recreation Program sponsors programs at the current East Sooke Fire Hall.

358 Community Gathering Place

The old East Sooke Fire Hall on Copper Mine Road now functions as a community gathering place suitable for hosting community meetings, exercise classes, youth activities and mobile health care services. The lower floor is used for some of these purposes and the upper floor is used by the Juan de Fuca Search and Rescue Association.

360 Food Security

Food security was raised as an issue by the residents of East Sooke. In BC, the ALR, which protects agricultural land, has been in place since 1974. Approximately 158 hectares of land in East Sooke are in the ALR.

361 Provincial Food Security Programs

Strengthening Farming is an initiative of the BC Ministry of Agriculture jointly implemented with the ALC. The program has two components: Farm Practices Protection and Planning for Agriculture. The *Farm Practices Protection (Right to Farm) Act* focuses on coordinating the relationship between farming and non-farming neighbours and on protecting farms from nuisance suits arising from normal farm practices. This legislation exempts farm practices from certain local government bylaws. Two of the key functions of Planning for Agriculture are the review of OCPs by the ALC for compliance with the *ALC Act* and giving guidance to local government on how to draft bylaws supportive of agriculture.

The Province provides relief from certain property taxes if a property used for agricultural production is classed as a farm by BC Assessment Authority. Land can qualify for farm class if the land is not zoned for business, commercial or industrial purposes, it meets a highest and best use test and the farm meets certain income requirements.

362 Regional Food Security Programs

The Community Food Action Initiative (CFAI) is a provincial program administered by Island Health that provides funding to projects intended to foster local food security. The Capital Region Food and Agriculture Initiatives Roundtable (CR-FAIR) is the designated regional food security hub. Its mission is to increase knowledge of and bring positive change to the food and agricultural system in the CRD by strengthening regional food security. CR-FAIR is funded as the by Island Health and the Community Social Planning Council.

The CRD Roundtable on the Environment is a community based group that provides advice to the CRD Board on long-term, environmental sustainability. It has a sub-committee on Food and Agriculture. In 2008, a Capital Region Food Charter was jointly developed by CR-FAIR and the CRD Roundtable.

In the process of updating the 2003 Regional Growth Strategy, the CRD identified food and agriculture as a high priority. The CRD Regional Food & Agriculture Strategy, completed in 2016, identifies the CRD's role in food and agriculture along with recommendations, actions and resourcing requirements. The Regional Food and Agriculture Task Force was appointed by the CRD Board in 2016 to examine options for assisting agriculture in the region. Development of a land banking solution was identified as a 2015-2018 CRD Board Priority and, in 2018, a Regional Food Land Access Feasibility Study and Business Case will be conducted.

The JdF Agricultural Advisory Planning Commission makes recommendations on land use planning matters and agricultural issues referred to it.

363 Sooke Region Food Initiatives

Incorporated in 2007 as a non-profit society, the members of the Sooke Region Food Community Health Initiative (Food CHI) are producers and consumers from the District of Sooke, Otter Point, East Sooke and Shirley. Food CHI is very active in the development and implementation of a Food Strategy for the Sooke region and strongly supports local and affordable options for healthy food.

Since 2010, Food CHI has organized annual tours of local farms and "Sooke Seedy Saturday". Food CHI publishes a comprehensive listing of the farms in the region, has published a book for those interested in starting to farm, and organizes the Sooke Regional New Farmer Mentorship Program and farming forums. Sunriver Community Gardens is managed by Food CHI and membership is open to anyone in the Sooke region who wants an allotment garden.

The Sooke Region Farmland Trust Society was founded in 2013 with the objectives of acquiring, preserving, and managing farmland in the Sooke region. Methods of acquisition include donation and purchase or lease agreements with individuals and/or organizations to farm

properties in an environmentally sensitive manner. The Society also aims to advance community awareness, local resilience and participation in food security for the benefit of current and future generations.

Farmers markets are held seasonally in Sooke and Metchosin offering locally produced food for sale. A number of the farms in East Sooke market directly to the consumer or have farm gate sales. Support for farm gate sales can be provided through reduced setbacks for market stalls and allowing temporary or permanent signage at the farm entrance.

There are also opportunities for wild food collection in the Sooke Region.

364 Agricultural Inventory

In 2013, the Ministry of Agriculture released an Agricultural Land Inventory for the JdFEA based on fieldwork done in 2009. According to the Inventory, of the 158 hectares of ALR land in East Sooke, 130 were available for agricultural use but only 20 hectares were cultivated or used for farm structures, leaving 99 hectares with the potential for agricultural use. Based on the criteria of *parcel*/size and area, beef, horses and pasture were the largest primary agricultural activities in East Sooke on ALR lands. Other primary agricultural activities included a tree plantation, chicken, tree fruits and sheep/lambs. Five *parcels* completely outside the ALR were used for commercial agricultural activities including crops under cover, forage, llamas and pasture.

365 Interface Issues

Farms abutting residential *subdivisions* can experience problems such as fence damage, vandalism, theft of crops, harassment of livestock and trespassing. Wildlife can be attracted into residential neighbourhoods and then to neighbouring farms by ripening fruit and edible plants. To improve compatibility between agricultural and non-agricultural uses, specific policies to address the interface issues can be developed such as the implementation of a Farmland Protection Development Permit Area.

366 Soil Protection

Critical to the integrity of ecosystems, water purification and food production, soil needs protection from contamination, degradation, erosion and unnecessary removal. The CRD Soil Deposit or Removal Bylaw regulates the placement and removal of soil or fill. The *ALC Act* regulates soil removal and placement on lands in the ALR. Careful planning of development can avoid the potential for erosion, contamination and degradation.

367 Aylard Farm

In November of 1972, the CRD purchased Aylard Farm and incorporated it into East Sooke Regional Park. Once part of an operating farm, the arable areas of Aylard Farm, including a former orchard, are in the ALR. While the land is dedicated park land, because it is in the ALR it is necessary to include policy statements supportive of the agricultural use of these lands. These lands can be designated as Park on Schedule B provided that only passive recreational uses that do not preclude future agricultural use are supported. Locally, members of the public are interested in re-cultivation of the abandoned apple orchard and opportunities to support new farmers by providing access to farmland and training and to incubate new farm businesses.

370 Social Infrastructure

Many of the community services and supportive housing options accessed by East Sooke residents are based in the District of Sooke. If specialized services are not available in Sooke, they can usually be accessed in Greater Victoria. For almost all of their health care needs, East Sooke residents must travel outside their community.

371 Community Services

Sooke Region Community Health Network (SRCHN) is a partnership of community members, health and social service providers working towards, advocating for, and supporting healthy communities from Becher Bay to Port Renfrew. SRCHN is housed along with many other health and social service providers in the Sooke Child, Youth & Family Centre.

The Sooke Region Resource Inventory is an online resource for finding services, programs and events that was launched in 2010. It is operated by SRCHN in partnership with and funded by the District of Sooke and Island Health.



There is a Meals on Wheels program in Sooke and seniors' lunches are offered two days a week upstairs at the Sooke Fire Hall. The Community Food Bank is open once a week, three times a month, and there are community meals offered at the Baptist Church. The Good Food Box program provides seasonal food. A monthly seniors' lunch is provided at the old East Sooke fire hall.

Health care programs in Sooke include a pre-natal program, urgent health care clinics, health care for youth aged 13 to 25 and a young parents group. Medical equipment can be rented for a small fee and volunteers will provide transportation to medical appointments. Counselling services are available for alcoholism and narcotic addiction. Home support services are available in East Sooke.

Sooke Hospice Society offers care to clients in their homes. The Sooke Transition House Society provides emergency shelter for women and their children seeking relief from family violence. M'akola Group of Societies in partnership with the Society of St. Vincent de Paul's, the CRD and the District of Sooke recently opened the Hope Centre which provides 25 units of affordable housing for aboriginal and non-aboriginal singles without homes, and in particular, youth with few local resources or supports. Ayre Manor in the Sooke town centre provides a continuum of services for seniors. The facility is supported by Island Health, BC Housing, and the District of Sooke in partnership with Sooke Elderly Citizens' Housing Society.

Residents of the Plan area would like to see some community health and social programs delivered locally through outreach programs and mobile clinics at a suitable location in the community. Suggested locations include rezoning an existing residential building or converting parts of the existing fire hall to accommodate these types of uses once the new fire hall is completed.

372 Youth

The 2011 census indicates that there were 345 people under the age of 18 living in East Sooke but only 135 aged 18 to 29. These younger residents face challenges in obtaining jobs, furthering their education and finding affordable housing within the community. As there are no post-secondary educational facilities in the Sooke area, youth must travel elsewhere. Victoria has a wide range of post-secondary institutions including a university and a college, but the average commuting time is approximately an hour each way. Job opportunities in the Sooke area are limited due to the prevailing labour market. East Sooke itself has no industrial development and only a few commercial businesses. Secondary suites and houses are the only options for renting in East Sooke as there are no multi-family developments. In 2013, the average

house price in East Sooke was \$615,000, well-beyond the reach of most first time home buyers. The shortage of affordable housing in East Sooke likely discourages youth from staying in the local area. For youth under the age of 18, there are limited opportunities in East Sooke for recreational and social activities. Parents must drive their children to many of their events which are held outside the community. An evening bus service and more activities for youth within the community are seen as possible ways to improve this situation as well as reducing the number of vehicle trips; however, the commuting time to workplaces and post-secondary education facilities, combined with the lack of rental housing in the Sooke area results in a net out-migration of youth from the Sooke area.

373 Seniors

According to the 2011 census, there were 135 people aged 60 to 64, and 205 people aged 65 and older living in East Sooke. Seniors living independently in rural communities face similar challenges to those in urban centres, but there are additional ones caused by a lack of local services. With limited bus service, no local health care facilities, no sidewalks for those relying on mobility aids, narrow winding roads for driving, and houses on large acreages, seniors with physical challenges, extensive health needs or an inability to drive often must relocate. One possible approach for keeping seniors in the community is to establish a supportive network of volunteers who can assist in certain circumstances such as driving or shovelling snow. Another way is to increase mobile health and home care services in the community working towards a community health facility. Other activities such as organized communal meals and social events can reduce the isolation some seniors face living in rural areas.

374 Heritage

First Nations once were the only inhabitants of the East Sooke area. There are several "high density" cultural heritage sites in the Plan area in the Beechey Head area, along the coast in East Sooke Regional Park, and areas bordering the Sooke Basin. Local information indicates that old tools including arrowheads, beads, stone bowls, pipes and stone fish weights have been found in areas of East Sooke.

One of the earliest arrivals of Europeans on the West Coast of Canada occurred in East Sooke. A landmark and a cairn have been installed at the end of the Basso Road (South) road right-of-way commemorating the landing of Captain Manuel Quimper in 1790.

During the late 19th and first half of the 20th century, industrial activities such as fishing, mining, forestry and other activities such as farming and tourism were prevalent in the East Sooke 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 upland areas near current Copper Mine Road and crew members lived nearby in camps.

Although there are no longer any schools in East Sooke, there have been three different school sites in East Sooke. The first school was built in 1888 near the intersection of Seagirt and East Sooke Roads and operated until it closed due to a shortage of students. The remnants of a second school, which operated from 1921 to 1946, can still be seen in a field off East Sooke Road, west of Ragley Farm. A third school was built near the intersection of Anderson Cove and East Sooke Roads, but was only used from 1946 to 1949.

The Sooke Region Museum is an important source of local history. In East Sooke, along with the signage at Quimper's Landing, the museum has mounted other information signs pointing out historical sites, such as the Wreck of the Surprise, and at historically important buildings (see Table 3).

Table 3: Historic Buildings in East Sooke

LOCATION	BACKGROUND
117 Seagirt Road	<i>Seagirt</i> - Built in approximately 1883, the house has since been remodelled. Local information indicates that the two ponds known as Nishikawara Seagirt Ponds were built on the property to supply water.
6040 East Sooke Road	<i>Glenairley White Cottage</i> - Although it is unclear when this cottage was built, it was occupied as early as 1901 and was used to house hired men for the Glenairley farm.
6040 East Sooke Road	<i>Glenairley</i> - The farmhouse was built in 1911 for Alexander Gillespie. From 1929 until 1960 Glenairley was run as a guest resort. In 1960, it became a retreat for the Sisters of St. Ann until sold to RCM-SAR in 2012, for use as a training facility.
5841 East Sooke Road	<i>Jim Caffery House</i> - The Caffery family built this house in the 1890s. The home has since undergone renovations.
6618 East Sooke Road	<i>Aldersyde</i> - Built in 1908, and later named 'Aldersyde'. Much of the original character of the building has been preserved including the board-and-batten exterior, wood floor, fireplace and gable corrugated metal roof.
5717 East Sooke Road	<i>Ragley</i> - The large two-and-one-half storey house in East Sooke was built in 1912 and used to conduct church services in the 1920s.
6850 East Sooke Road	<i>Chipperfield Farmhouse</i> This house was built in 1912 and the barn in 1916. There are a variety of ornamental trees and an important cedar hedge on the property.
5700 block East Sooke Road	<i>Wicker House</i> - The owners arrived in East Sooke in 1912 as servants of the owners of Ragley. The second East Sooke School was adjacent to this home.

375 Arts and Culture

Arts and culture are part of the social infrastructure in any community and the residents of East Sooke participate in events held around the region. In particular, several East Sooke artists participate with the District of Metchosin in hosting public tours of local artists' studios during the annual Stinking Fish Studio Tour.

The Sooke Community Arts Council encourages participation and excellence in all of the arts. The Council supports the development of opportunities for the performance and exhibition of arts, acts as a clearing house for information and brings the artistic needs of the community to the attention of government. It sponsors a number of annual events including the Family Arts Fair, Beach Art, Art in the Park and showings of members' works.

The Edward Milne Community School Society, a founding member of the Sooke Community Arts Council, is responsible for the Sooke Community Theatre, a venue for local performing artists. Key community presenters at this theatre are Stagewest Players and the Sooke Community Choir.

Stagewest formed in 1982 as an amateur theatre company which produces an average of two plays a year including drama, humour and musical theatre. Formed in 1989, the Sooke Community Choir is made up of 40 members and performs a variety of music. The Sooke Philharmonic Orchestra, with more than 80 members, was founded in 1997. It now includes the Chamber Players and the Sooke Philharmonic Chorus, and features workshops, eight concerts a year plus an open air pops concert in the summer.

380 Settlement

East Sooke is a rural residential community characterized by disperse settlement that is primarily residential on larger size lots. The Park Heights neighbourhood, built in the 1980s, and the Mount Matheson Estates and Seedtree Road *subdivisions*, created in the 1990s, are representative of this form of settlement. The earliest *subdivisions* in East Sooke occurred along Gillespie and East Sooke Roads in the 1900s. The 114-lot Copper Mine *subdivision* was built out in the early 1980s, and the 65 lots in the 1960s Seagirt *subdivision* consist of smaller lots in the range of 0.2 hectares (see Table 4).

Table 4: Approximate Age of Housing Stock

TIME FRAME	PRE-1960	1961 – 1980	1981 – 1990	1991 - 2000	2001 - 2010	2011-2017
Number of New Houses*	30	90	100	265	119	78

Source: National Housing Survey, 2011 and CRD Building Permits

**Number of new houses does not include secondary suites or detached accessory suites.*

The residents value dark skies at night and limiting the extent of light pollution from residential and commercial properties. This OCP includes guidelines for commercial development permit areas that encourage ground-oriented lighting, and supports ways to ensure dark skies at night in East Sooke as a means for protecting the rural character.

381 Population

According to the 2011 census, the population of East Sooke has decreased by 17% from 2006 and is now the same as it was in 2001 (see Table 5 and Appendix B). Over this same time period, there was 3% decrease in population in the JdFEA. BC Statistics has estimated that the population of the CRD will increase 0.8% annually from 2012 to 2016 and then by 0.7% from 2017 until 2020. Due to the lack of historical

data specific to the Plan area, the rates of change applied to the CRD were used to project population growth for the East Sooke Plan area in Table 5.

The median age of East Sooke residents is 48 years compared to 44.8 years for the CRD and 41.1 years for British Columbia indicating a slightly older than average population. The average family size is consistent with that of the CRD (2.7 people) and similar to the provincial average of 2.8.

According to the National Household Survey, as of May 2011, 80% of the population aged 18 or older who live in East Sooke have had some form of post-secondary education. Of the 875 people aged 15 years and over in the labour force at that time, 17.7% were employed in the construction industry, 13.7 % worked in public administration and 12% were working the health care and social assistance sector.

Table 5: Population Projections

YEAR	POPULATION	RATE OF CHANGE (%) ¹
2001	1435	2
2006	1685	+17.4% ³
2011	1435	-14.8% ⁴
2014 estimated	1470	+2.4%
2019 estimated	1526	+3.9%
2024 estimated	1581	+3.5%

¹This column is the simple percentage change. Column 2 was calculated exponentially at a rate of +0.8% from 2012 to 2016 and +0.7% from 2017 to 2024.

²In December of 1999, a portion of the former Sooke Electoral Area (EA) was incorporated as the District of Sooke. The JdFEA was then created from the remaining unincorporated areas of the Sooke and Langford EAs. Because the boundary changes were not coincident with the census collection areas, demographics are not available for the Plan area for the 1996 census and earlier.

³The 2006 census population counts were based on the geographic boundaries as of January 1st, 2006, however this is the same year in which further changes were made to boundaries of the JdFEA and specifically, East Sooke.

⁴includes 2.9% undercount.

382 Housing Supply and Demand

According to the 2011 census, as of May 2011, there were 600 dwelling units in East Sooke. Five additional building permits for single-family dwellings were issued prior to the end of 2011 bringing the total number of dwelling units for that year to 605. By adding the number of new houses and subtracting the number of houses demolished since 2011, the estimated total number of dwelling units in East Sooke is 645 as the end of 2014 (see Table 6). There has been an average of 10 dwelling units built per year since 2004.

Based on the average family size of 2.7, there is a need for approximately 22 new housing units to meet the five year demand for housing until 2019, and a total of approximately 42 units to meet the ten year demand until 2024. The five year demand for new housing can easily be met through the current rate of construction and inventory of lots. It is anticipated that single-family dwelling units will continue to be the preferred housing type.

Approximately 90% of the housing units in East Sooke are single-family dwellings. The remaining housing units are mobile homes or duplexes. There are no apartment buildings or row housing. Secondary suites and detached suites are allowed in most residential zones and are a potential source of affordable housing in the community as property owners derive additional income from their suites and the suites provide rental housing. Duplexes, another affordable housing option, are permitted in some zones. Increasingly, there seems to be seasonal occupation of houses along the water front accompanied by a rise in the number of homes being advertised as vacation rentals.

Table 6: Number of Dwelling Units Construction, Demolished and Moved, 2005-2017

YEAR	NEW SINGLE-FAMILY DWELLING	MOVED IN OR CONVERT TO SINGLE-FAMILY	DUPLEX**	MANUFACTURED OR MOBILE MOVED IN	DETACHED SUITE***	SECONDARY SUITE***	DEMOLITION, REMOVAL AND CONVERSION	ADDITIONAL HOUSING UNITS BY YEAR *	CUMULATIVE TOTAL # OF DWELLING UNITS
2005	12	1	2	3			- 6	12	562
2006	14	-		1			- 6	9	571
2007	8	-		-			-	8	579
2008	9	-		1			-3	7	586
2009	7	1		-			-1	7	593
2010	5	-		3			-1	7	600
2011	11	-		2			-1	12	612
2012	10	-		1	1		-2	9	621
2013	14	-		-	1		-	14	635
2014	7	2		-			-	9	644
2015	11			1	2		-2	10	654
2016	5	1				2		6	660
2017	18		2		1	1		20	680

Source: CRD Building Inspection.

* Number of new units less the number of demolitions, removal and conversions of a dwelling unit for other use.

**A duplex counts as two dwelling units.

***Detached accessory suites and secondary suites are not included in the calculation of housing units by year or the cumulative total # of dwelling units

383 Multiple Dwelling Unit Zoning

In the Plan area, lands zoned *Rural A* are a significant source of development potential. For the purposes of *subdivision*, the minimum lot size for the *Rural A zone* is four hectares. However, the *Rural A zone* allows for four single-family dwelling units on each lot plus one suite on a four hectare *parcel*.

Since the *Rural A zone* allows for multiple dwellings on one lot, when properties in this zone are developed, the houses are often strata-titled in a form of tenure commonly called a “building strata”. This type of tenure has benefits, but can also create problems. Unlike a fee-simple *subdivision* or a bare land strata *subdivision*, where the property owner(s) own an individual lot, in a building strata, only the house itself up to the centre of the walls is privately owned. The remainder of the property is “common property” and its ownership is shared amongst the members of the strata. Common property may be designated as “limited common property”, but there can also be exclusive use of common property that is not designated as limited common property. Shared ownership of the common property and services sited on those lands can lead to conflict amongst the owners and a desire to dissolve the strata. Under the *Drinking Water Protection Act* and *Regulation*, any drinking water supplies providing water to more than one single-family dwelling require construction and operating permits from Island Health.

Despite the potential for disagreement arising from shared ownership, there is a desire to retain the *Rural A zone* as it addresses circumstances where multiple dwelling units on one lot are desired, such as in the case of an extended family wanting to live on the same property. There is, however, strong interest in having policies supportive of requests to rezone these *Rural A zoned* properties, both developed and undeveloped, to another zone that would permit only one dwelling unit per lot and eliminate building strata ownership. A fee-simple or bare land strata *subdivision* would also be necessary and could include park or road dedication.

To facilitate rezoning applications for the purpose of providing an alternative to building stratas, a policy supporting a minimum lot size based on a ratio of one *parcel*/in the proposed plan of *subdivision* per each one hectare of land in the parent *parcel*/prior to the subtraction of any area for road and park dedication is necessary. Since the *Rural A zone* allows four houses on a four hectare lot, land dedication for park and road may be required. For this reason, the average lot size may be less than one hectare.

For developed properties where owners are interested in dissolving the strata in favour of a conventional *subdivision*, policies should anticipate unique situations where unusual lot sizes and shapes may be required, but be contingent upon no increase in overall dwelling unit density. In such circumstances, suites are not intended to be included in the consideration of dwelling unit density.

384 Local Economy

Home based businesses can be found throughout the community and are strongly supported. The most common types of home based businesses are consulting, research and bed and breakfasts. On larger *parcels*, home industries such as contractor services and equipment repair are also permitted. A number of the local farms practice farm direct marketing.

Very little of the land in East Sooke is specifically zoned for commercial use. The East Sooke Grocery Store occupies one of the only three commercially zoned properties. One commercially zoned property remains vacant while the third fronts Anderson Cove and was once used for shellfish harvesting. Other commercial uses in East Sooke include a commercial marina in Becher Bay on the Strait of Juan de Fuca.

In addition to bed and breakfasts, small, low-impact, tourism related businesses that blend well with the surrounding rural residential areas are acceptable to the community. There is interest among community members in being able to access limited medical services locally either on an outreach basis in an existing public building or in a small medical facility in a residential building.

Large-scale commercial or industrial endeavours are not supported as they could generate an increase in traffic, which cannot be safely accommodated on the narrow, winding roads and may have other negative impacts on the rural nature of the community. No lands in East Sooke are zoned for industrial use. In order to provide employment locally and to reduce the number of commuters, there is some support for cottage industrial uses such as product assembly, light manufacturing and research and development. It may be possible to add a new category of home based businesses to the zoning bylaw for cottage industries. A rezoning application should be required for this new category of home based business as the size and scale of the proposed use needs to be carefully evaluated. Minimal impact on the rural nature of the community would be a critical component of any rezoning application for a use of this nature and would involve consideration of factors such as limited traffic on local roads, minimal noise, adequate screening and the size of the operation.

The dispersed nature of economic activity is recognized as one of the attributes of a rural community. Notwithstanding this aspect of rural character, safety improvements are needed to the main roads in the community. In exchange for road improvements, the community has expressed support for the clustering of commercial uses at the intersection of East Sooke and Gillespie Roads, provided that they service the local community. Such commercial uses might include a restaurant or medical office.

Despite the limited amount of commercial development, there is still interest in regulating the form and character of this type of use to ensure it reflects the rural ambience of the community. Additionally, there is support for green building initiatives and water conservation measures.

Recent changes to the federal government's regulations for Medical Marihuana Production Facilities (MMPF) coupled with acceptance by the ALC and the provincial government of MMPF which have a clear commercial purpose as an agricultural use have sparked concerns about the potential for MMPFs to locate on lands in the ALR in East Sooke. No rezoning application would be needed and the security measures required by the federal government have resulted in the construction of stark, industrial-style buildings elsewhere in BC. Many community members feel that the addition of minor detailing to the building's exterior and site would result in a building form and character that would blend better with the surrounding rural character of East Sooke. For this reason, this OCP includes a Medical Marihuana Production Facilities DPA.

385 Private Managed Forest

There are two *parcels* of Private Managed Forest Land (PMFL) in East Sooke, neither of which are being logged at the present time. One *parcel* is 16.4 hectares in size and the other is 52 hectares. These *parcels* are immediately adjacent to each other and zoned *Rural A*. At such time as they are removed from the PMFL, the policies of this plan will apply.

386 Future Development

Future development is anticipated to be primarily residential and to occur at a relatively gradual but stable rate in the area designated for settlement (see Table 7). Over half the land base of East Sooke is park land and approximately 158 hectares are in the ALR, meaning that residential development of these areas extremely unlikely. For further information on land use designations, see Part Four and Schedule B.

Table 7: Development Potential by Land Use Designation (Based on Lot Yield)

	NUMBER OF PARCELS	AREA (HA)	TOTAL POTENTIAL PARCELS EXISTING ZONING*	ADDITIONAL PARCELS	POTENTIAL NUMBER OF DWELLINGS WITH 4 HA SUBDIVISION	TOTAL POTENTIAL PARCELS EXISTING LUD**	ADDITIONAL PARCELS	TOTAL POTENTIAL PARCELS PROPOSED LUD	ADDITIONAL PARCELS
AGRICULTURE	40	158	40	0	0	40	0	40	0
SETTLEMENT AREA	718	1332.12	889	171	739	1097	379	1407	689
AREA TOTAL	758	1490.12	929	171	739	1137	379	1447	689

* Existing zone designation in Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, as of the date of adoption of this plan

** Land use designations in East Sooke Official Community Plan, Bylaw No. 3718, as of January 2016

*** Includes strata parcels.

Note: The development potential is the new additional parcels that could be created based on the potential lot yield through subdivision and rezoning in accordance with the policies in this Plan. The figure is an upper limit based entirely on the area of a parcel.

390 Climate Change Adaptation and Greenhouse Gas Reduction

GHG emissions are generated within a community by transportation, energy use and the quantity and composition of waste and disposal methods. The provincial government has prepared a Community Energy and Emissions Inventory that provides baseline community-wide energy and emissions information. This information is available for the JdFEA as a whole, but not for the individual communities. In 2010, on-road transportation was the largest contributor to GHG emissions at 48% in the JdFEA, and residential heating the second largest contributor at 37%. The remaining 15% is attributable to solid waste. It is reasonable to extrapolate from these statistics that on-road transportation and residential heating are the largest two contributors of GHG in East Sooke.

391 Role as a Carbon Sink

With its extensive park land, forest cover, agricultural areas and large treed residential lots, East Sooke plays an important role in carbon sequestration for the CRD. This regional role will be continued through OCP policies supportive of parks, the maintenance of agricultural and forest lands, and the conservation and enhancement of sensitive ecosystems. Residents of East Sooke recognize that trees and natural vegetation contribute to the community's rural nature and are supportive of their retention on private and public lands.

392 Reducing the Number of Vehicle Trips

One of the key ways East Sooke can contribute towards reducing GHG is through reducing the number of car trips. Home based businesses reduce the need to commute. Use of transit, carpooling and alternative means of transportation such as cycling and walking all reduce dependency on cars. Delivery of medical and community outreach programs at a venue in East Sooke would see the service providers making one or two round trips to East Sooke instead of multiple trips outside the community by residents travelling elsewhere to access those services. Increased recreational and social opportunities for youth within East Sooke would reduce the need for parents to take their children to and from activities in Sooke. Friday and Saturday night bus service to and from Sooke would also reduce the need for people to use their car to get to town. Support for neighbourhood commercial uses and farm gate sales in East Sooke can reduce the amount of travel necessary to purchase food and other goods.

A small fuel depot will be included as part of the new East Sooke Fire Hall. Instead of individual fire department vehicles making multiple trips outside the Plan area to obtain fuel, one delivery truck will occasionally travel to East Sooke to fill up the gasoline storage tank.

393 Energy Efficient Building Standards

New development in East Sooke will primarily be single-family residential. Siting and designing homes to be more energy efficient can help reduce the community's carbon footprint. It is estimated that a new home built to EnerGuide 80 standards will consume approximately 30% less energy than a house built to minimum building standards. Older, inefficient homes can become more energy efficient with simple retrofits for which government and private funding is available. Homeowners can be encouraged to purchase low-energy appliances and light bulbs. Renewable energy such as geoexchange and solar are feasible on the larger lots found throughout this community.

394 Waste Reduction

The CRD provides a recycling pick-up program in East Sooke. At the regional level, there are a number of programs and initiatives to reduce the amount of waste through enhanced waste diversion of recyclable and compostable materials. Composting within East Sooke can be problematic as it can attract bears and other wildlife.

Solid waste is either picked up by private contractors or taken by residents to waste transfer stations. To reduce the amount of solid waste produced, personal initiatives to reduce household waste such as selective purchasing are encouraged.

395 Climate Change Adaptation

The most likely impacts of climate change on East Sooke will be coastal flooding and erosion from sea level rise, and wind damage from increased storm activity. However, much of that portion of East Sooke facing the Strait of Juan de Fuca is park land, minimizing the potential for



damage to buildings and infrastructure. Sooke Harbour and Basin is a relatively sheltered area and much of the shoreline is high bank, which reduces the risk of damage. Lower lying areas are more likely to be impacted by sea level rise and increased storm activity. Local governments are responsible for making land use decisions so that developments are built in a manner that limits flood damage and ensures public safety. The Province recommends that local governments discourage residential, commercial and industrial development in areas at high risk of flooding, storm activity and sea level rise.

With drier summers anticipated in the future, there will be an increased risk of wildfire. While it is appreciated that land clearing can reduce the fuel load for wildfires, the environmental and aesthetic importance of trees and vegetation must also be recognized. It is largely left to the discretion of the individual property owner to determine if they wish to implement recommendations found in provincial publications such as "Fire Smart".

PART FOUR – Goals, Policies and Objectives

401 Introduction

- ❖ **Goals** represent the long-term vision for the East Sooke community and are a general statement of what each section seeks to achieve. Goals are based on community values and shape the objectives and policies for each section.
- ❖ **Broad Objectives** are suggestions and recommendations for senior levels of government having jurisdiction over matters outside the scope of the CRD.
- ❖ **Objectives** are measurable and tangible expressions of the Plan's goals and serve as the mechanism to translate goals into policies.
- ❖ **Policies** provide guidance for subsequent decisions by the CRD Board in order to attain the goals and objectives of the Plan.

402 Land Use Designations

In addition to the general objectives and policies which apply to all areas of the East Sooke Plan area, the following land use designations have been established with the intent of guiding future development in specific areas (see Table 8). The specific areas to which these designations apply are shown on Schedule B.

Table 8: Land Use Designations by Area and Parcel Number

LAND USE DESIGNATION	NUMBER OF PARCELS	APPROXIMATE LAND AREA	
		Hectares	% of Land Base
Agriculture	40	158	4%
Park	N/A	2983	67%
Settlement	793	1300	29%
TOTAL PLAN AREA	833	4441	100%

403 Agriculture Land Use Designation

The intent of the Agriculture land use designation is to protect farming from other types of development. All lands in the ALR are designated Agriculture in this Plan, with the exception of Aylard Farm, which is part of East Sooke Regional Park. Lands outside the ALR that are being farmed can also be designated as Agriculture.

404 Marine Land Use Designation

The intent of the Marine land use designation is to support development that is compatible with the upland uses and sensitive ecology of coastal areas. Although the Province owns the shoreline and seabed adjacent to the East Sooke Plan area, the CRD has the ability to regulate the use of land, including the shoreline area and the surface of water. Any type of boathouse, wharf, pier, float or any other man-made structure located on Crown land including the surface of the water will require approval from the Province.

405 Park Land Use Designation

The intent of the Park land use designation is to support only that type of development which is required for the operation and maintenance of a public park. All CRD Regional Parks are in this designation.



406 Settlement Area

Lands in the Settlement designation generally consist of rural-residential *subdivisions* and undeveloped *parcels*. The intent of the Settlement land use designation is to support the following, subject to consideration in any individual circumstances of the anticipated impact of the use:

- A. Residential uses including single-family and duplex units;
- B. Agriculture;
- C. Suites to increase the affordability of housing and offer rental accommodation;
- D. Home based businesses, small-scale neighbourhood commercial activities and small-scale tourism activities;
- E. Cottage industry of a type and scale appropriate to a rural community;
- F. Civic and institutional uses; and
- G. Community parks.

410 Ecological Health

411 Goals for Ecological Health

- A. Protect the natural flora and fauna of East Sooke.
- B. Maintain or enhance ecological integrity through well-planned development, conservation efforts and public support.

412 Broad Objectives for Ecological Health

- A. Avoid the alteration of *watercourse* channels and banks; however, where they are altered, careful consideration should be given to potential adverse environmental impacts.
- B. Avoid the unnecessary removal of gravel and soil from *watercourse* beds and ensure that there is no modification of *watercourse* channels and banks without careful consideration of potential adverse environmental effects.
- C. Require *watercourses* to be re-routed through original channels, if any temporary *watercourse* alteration or diversion takes place.
- D. Under the *BC Wildlife Act*, it is an offence to improperly manage attractants, such as garbage, by making them accessible to dangerous wildlife. In support of this legislation and to avoid negative consequences of human-wildlife interaction, the residents of East Sooke support animal proof waste management.
- E. The Province is encouraged to collect and assemble data for the purposes of environmental monitoring.

413 Objectives for Ecological Health

- A. Encourage and support the protection, restoration and enhancement of sensitive terrestrial, marine and aquatic ecosystems for the benefit of present and future generations.
- B. Buffer and protect environmentally sensitive areas from new development and surrounding land uses.
- C. Investigate opportunities for homeowners and volunteer groups to assist in the effort to reduce invasive species on private land.

414 Policies for Ecological Health

GENERAL

- A. Development will be planned and implemented in a manner that will not adversely affect or disturb environmentally sensitive areas.
- B. Protection of sensitive ecosystems may take the form of regulation, buffering, park acquisition or conservation covenant.
- C. Opportunities for the restoration and enhancement of sensitive ecosystems will be supported.
- D. Stewardship of ecologically significant areas on private land is encouraged through support for conservation covenants.
- E. Existing mapping of sensitive ecosystems will be updated with more detailed and current mapping as it becomes available.
- F. Techniques such as drainage retention basins and reduced impervious surfaces should be incorporated into new development to mitigate peak storm flows, reduce erosion and maximize groundwater recharge.
- G. The protection of aquifers from contamination and depletion will be considered in all development proposals.

TERRRESTRIAL

- H. Important terrestrial habitats will be protected through the application of a DPA.
- I. The retention of the natural topography and existing vegetation and trees may be required.
- J. The enhancement and restoration of degraded or disturbed sites of ecological significance using native plant species may be required.
- K. The planting of native species over non-native species is encouraged.
- L. The introduction of invasive plants and animals is to be avoided and best-practices for the removal of invasive and nuisance species are encouraged.

MARINE AND FORESHORE

- M. Within the Marine land use designation, public recreational use will be consistent with the suitability of the shore type for the proposed use.
- N. Within the Marine land use designation, land uses that disturb or pollute the marine and related terrestrial habitats are not supported.

- O. Ecologically sensitive shoreline and upland areas will be protected through the application of a DPA over the shoreline and immediately adjacent upland areas within the Plan area.
- P. Log booming grounds are not supported on that part of the Sooke Harbour and Basin within the Plan area.
- Q. Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.
- R. Interruptions across the foreshore (groynes, breakwaters) that disrupt long-shore sediment transport are discouraged.
- S. Natural features in the foreshore will be preserved and protected from development.

RIPARIAN AND WETLANDS

- T. Fish and aquatic habitat will be protected through the application of a DPA over riparian areas within the Plan area and implementation of the *RAR*.
- U. Disturbances to riparian areas and wetlands will be avoided except for habitat restoration projects with the necessary approvals.
- V. Disturbances in SPEAs are not supported except in accordance with the *RAR*, *Water Sustainability Act* and with an approved development permit.



420 Parks and Trails

421 Goals for Parks

- A. Build a healthy park system that offers broad educational and recreational opportunities and that protects sensitive ecosystems, wildlife habitat and natural features.
- B. Provide a safe and well-used network of trails connecting parks, neighbourhoods and services.

422 Broad Objectives for Parks and Trails

Encourage local government and community organizations to take advantage of government programs and funding to develop and improve parks and trails in East Sooke.

423 Objectives for Parks and Trails

- A. Support initiatives in parks for public awareness and education.
- B. Encourage the participation by residents, interested organizations and societies in the restoration and enhancement of ecosystems in parks and the development of trails.
- C. Carefully consider trail development in environmentally sensitive and hazardous areas, and to minimize wildlife encounters.
- D. Plan for the connectivity of parks, open space and trails to enhance biodiversity.
- E. Develop a trail system that encourages the use of alternative transportation and promotes community health and well-being.
- F. Develop linkages between community trails and trails in regional and community parks and the Galloping Goose.
- G. Encourage the development of community trails adjacent to East Sooke and Gillespie Roads for use by pedestrians of all age groups, cyclists and in certain circumstances, equestrians.
- H. Recognize the primary purpose of a SPEA is to support the ecological function of fish habitat.

- I. Avoid the acceptance of the dedication of inappropriately small parks or lands not suitable for parks and trails by requesting cash-in-lieu of the land at the time of *subdivision*.
- J. Support the acquisition of park land in accordance with the goals and objectives of both the Regional Parks Strategic Plan and the Juan de Fuca CPSP.
- K. Collaborate with adjacent jurisdictions and appropriate authorities on matters related to parks and trails.

424 Policies for Parks and Trails

GENERAL

- A. Interpretive and educational park programs and activities for the public are supported.
- B. Habitat restoration of community parks is supported through short-term projects or stewardship agreements.
- C. Partnerships to construct trails that include local volunteers are supported.

LOCATION AND TYPE OF FUTURE PARKS INCLUDING TRAILS

- D. SPEAs that are part of a development proposal will be protected by methods other than park dedication.
- E. The provision of trail accesses in SPEAs as a condition of development is not supported.
- F. While trails in a SPEA are not supported, public trail accesses may be sited in a DPA designated for environmental sensitivities or hazardous conditions subject to a determination by a *QEP* that the trail will not have a detrimental impact on an environmentally sensitive area and a report by a *QP* regarding the nature and risk of the hazard.
- G. The preferred methods for acquiring park land and trails are: as a condition of a rezoning, as an amenity contribution, as dedication at time of *subdivision*, as a bequest or donation, or the purchase of land.
- H. Environmentally sensitive areas and sensitive habitats, as part of the broader ecosystem, may be acquired as natural park land.
- I. Acquisition of park land to protect or create wildlife corridors is supported.
- J. Acquisition of park land to buffer and provide continuity to environmentally sensitive ecosystems and areas will be considered.

- K. Wherever possible, acquisition of park land will take into consideration opportunities to protect historical or archaeological features as Special Preservation Areas.
- L. Other than park land for Special Preservation Areas, emphasis will be given to acquiring lands that can afford a range of appropriate and unstructured physical activities and recreational experiences, in particular, activities for youth such as biking and outdoor sports.
- M. A blanket easement to connect Copper Mine Park and the nearby playground over the lands formerly occupied by the East Sooke Fire Hall will be retained.
- N. Expanding the trail network throughout East Sooke and improving connections with the Galloping Goose Regional Trail and regional parks is supported with the emphasis on:
 - i. A connection between the Galloping Goose, Roche Cove Regional Park and the intersection of East Sooke and Gillespie Roads;
 - ii. A connection between Llanillar Road and Copper Mine Road;
 - iii. A connection between the Copper Mine and Park Heights neighbourhoods; and
 - iv. A connection between the Park Heights neighbourhood and the East Sooke Grocery Store.
- O. Acquisition of a *parcel* of land adjacent to East Sooke Regional Park as shown on Map 4 in the Regional Parks Strategic Plan 2012-2021 is supported.
- P. The development of some parks and trails specifically for recreational uses of interest to youth, such as a bike park, is supported.
- Q. In addition to using the road right-of-way adjacent to East Sooke and Gillespie Roads for the development of multi-use trails, the acquisition of new park land for this purpose is supported when there are constraints such as steep terrain within the road right-of-way.
- R. Where there is insufficient room or other constraints preventing siting of multi-use trails within the East Sooke Road right-of-way, collaboration with CRD Regional Parks and JdF Community Parks regarding the possible siting of a portion of the trail in existing park land is supported.
- S. Only passive recreational uses that do not involve the alteration of land or farm uses are supported on lands in the ALR in East Sooke Regional Park known as Aylard Farm.

NB: Multi-use trails adjacent to East Sooke and Gillespie Roads are also addressed in the policies of Section 440 Connectivity and Transportation as this aspect of a trail network involves provincial highways.



430 Water Access

431 Goals for Water Access

- A. Provide safe access to the water front for the general public to enjoy low-impact activities such as beachcombing, kayaking or canoeing, and for emergency access.
- B. Retain undeveloped water front accesses on public roads as undeveloped green space or to provide water views.

432 Broad Objective for Water Access

Encourage consultation by the MoTI with JdFEA Parks and Recreation Advisory Commission and CRD Planning staff in the administration of Section 75 of the *Land Title Act* through implementation of the 2006 Public Accesses to Water Memorandum of Agreement between the MoTI and CRD.

433 Objectives for Water Access

- A. Provide a number of access points to the water front to allow for low-impact recreational activities.
- B. Develop a recreational boat launch with safe access for canoes and kayaks on the Sooke Harbour side of the community.
- C. Secure the use of a boat launch for emergency purposes on the Sooke Harbour side of the community.
- D. Retain all existing water accesses.
- E. Review and update the CRD Juan de Fuca Electoral Area Foreshore Access Report.

434 Policies for Water Access

- A. All existing water front accesses will be retained regardless of whether or not they are developed or will be developed.
- B. Discuss with the RCM-SAR the possibility of using their boat launch in the 6000 block of East Sooke Road during an emergency.

- C. Further develop the boat launch at Anderson Cove subject to funding, safe access, adequate parking, limited impact on the marine foreshore and the current restrictions placed on foreshore tenure by the Province.
- D. If the boat launch at Anderson Cove cannot be continued, then development of an alternative boat launch is supported.
- E. Water accesses should only be developed for low-impact recreational activities other than the boat launch at Anderson Cove or its alternative location.
- F. Respect the privacy of adjacent land owners and potential parking issues for the neighbourhood when considering the development of water front accesses.
- G. Insurance should not be viewed as an obstacle to developing a water access providing the cost of coverage is nominal.



440 Connectivity and Transportation

441 Goals for Connectivity and Transportation

- A. Improve safety along Gillespie and East Sooke Road.
- B. Establish a network of multi-use trails on public lands adjacent to but separated from Gillespie and East Sooke Roads.
- C. Reduce the number of car trips to and from East Sooke.

442 Broad Objectives for Connectivity and Transportation

To encourage the MoTI to:

- A. Make improvements to the efficiency and safety of East Sooke and Gillespie Roads.
- B. Support the development of multi-use trails (bicycle and pedestrian) within the Gillespie and East Sooke Road rights-of-way.
- C. Consider current and future transit requirements for pull-outs and turn-arounds when *subdivision* applications are reviewed.
- D. Consult with School District #62 Sooke on the provision of pull-off areas and turn-around points to meet future school transportation needs.
- E. Consult with School District #62 Sooke on ways to address school bus safety issues in East Sooke.



443 Objectives for Connectivity and Transportation

- A. Reduce dependency on motor vehicles through support for public transit, alternative transportation methods, carpooling, the development of multi-use trails adjacent to East Sooke and Gillespie Roads, and a network of off-street trails.

- B. Develop a connection with the Galloping Goose Regional Trail that can be used by cyclists for commuting purposes.
- C. Encourage BC Transit to develop and implement community specific strategies for increasing ridership and improving accessibility.
- D. Develop a trail system that encourages the use of alternative transportation and promotes community health and well-being.
- E. Develop linkages between community trails and trails in regional and community parks and the Galloping Goose.
- F. Encourage the development of community trails adjacent to East Sooke and Gillespie Roads for use by pedestrians of all age groups, cyclists and in certain circumstances, equestrians.

444 Policies for Connectivity and Transportation

- A. As part of a rezoning proposal, current and future transit requirements, as well as alternative transit options such as walking and cycling, will be taken into consideration.
- B. To increase local ridership, ask BC Transit to review the timing of connections between Route #64 East Sooke and Route #61 Sooke and look at alternative routing options for Route #64.
- C. Work with BC Transit to promote strong and frequent transit service provision to East Sooke with special consideration being given to youth attending evening activities in Sooke.
- D. If necessary to improve the operating efficiency of Route #64, there is support for deploying smaller transit vehicles on this route.
- E. Work with BC Transit to increase accessibility for those with mobility challenges, including low-step and lift-equipped buses, and suitably designed bus stops.
- F. Work with BC Transit and the Province to increase the capacity and improve the safety of the park and ride at 17 Mile House either by improvements to the existing facility or relocating this facility to a more suitable location nearby.
- G. Prepare a detailed plan for an off-street trail network to connect neighbourhoods, community focal points and parks in East Sooke.
- H. Develop and implement servicing standards for multi-use and off-street trails.
- I. Establish and construct a connection between the Galloping Goose Regional Trail at Gillespie Road to East Sooke Road.
- J. Support the development, implementation and promotion of carpooling and ride share programs.

- K. As part of rezoning and *subdivision* applications, consider increased connectivity between neighbourhoods through the development of multi-use and off-street trails and connections between:
- i. Roche Cove and the intersection of East Sooke and Gillespie Roads;
 - ii. Llanillar Road and Copper Mine Road;
 - iii. the Copper Mine and Park Heights neighbourhoods; and
 - iv. between the Park Heights neighbourhood and the East Sooke Grocery Store.

450 Safe and Healthy Community

451 Goals for a Safe and Healthy Community

- A. East Sooke and Gillespie Roads are safe.
- B. In case of an emergency or natural disaster, the residents of East Sooke are well-prepared and able to recover, and the necessary resources are available and the emergency responders well-trained.
- C. All residents have a safe and reliable supply of potable water and there is adequate provision for water used in fighting fires.
- D. Community health is improved through increased social and recreational opportunities for youth, volunteer programs to assist seniors and the local delivery of medical and community outreach programs.
- E. Identification and development of a community hall.

452 Broad Objectives for a Safe and Healthy Community

- A. Seek provincial and federal assistance for emergency planning and equipment.
- B. Collaboration among the Province, the CRD and the JdF Emergency Program for joint response to emergencies and disasters.
- C. Make the MoTI aware that traffic safety is a top priority for the community and the proposed solution is the construction of roadside multi-use trails.
- D. Ask the MoTI for improvements to the maintenance of East Sooke and Gillespie Roads.
- E. Ask the MoTI to consider the impact that incremental and new development is having on the safety of East Sooke Road in terms of driveway accesses and traffic volume.
- F. Ask the MoTI to determine the maximum carrying capacity of East Sooke Road, and once that limit is reached, to restrict future development unless improvements are made to East Sooke Road.
- G. Encourage the MoTI to consider improvements for emergency preparedness to the roads and bridge in the Plan area.

453 Objectives for a Safe and Healthy Community

- A. Work towards protecting area residents from loss of property and personal injury.
- B. Inform community members about known hazardous conditions within the Plan area and to provide information to enable the community to obtain advice regarding the appropriate risk reduction measures that community members can take.
- C. Work towards preparing the community to respond to and recover from a major disaster or emergency.
- D. Support improvements to police, fire, ambulance and emergency services to meet community needs.
- E. Support the provision of a safe and reliable water supply.
- F. Ensure that the costs of any required upgrades to the CRD water service are borne by those property owners who benefit.
- G. Foster community health and well-being and decrease the need to travel to other locations for social events and medical services through the identification and development of a local community hall.
- H. Increase the social and recreational opportunities for youth.
- I. Instigate a program to provide volunteer assistance for seniors and those in need living in East Sooke.
- J. Ensure that there is public consultation for proposed antenna systems for telecommunications and broadcasting.
- K. Support local delivery of community health and social programs.

454 Policies for a Safe and Healthy Community

EMERGENCY PREPAREDNESS AND SAFETY

- A. Protect against the loss of life and minimize property damage associated with flood events and sea level rise by establishing a horizontal and a vertical setback from the sea and *watercourses* as identified in the Provincial Flood Hazard Area Land Use Management Guidelines
- B. The risk to people and property from hazardous conditions will be reduced through the application of a DPA over steep slope areas and over areas subject to coastal flooding.
- C. Encourage public preparedness for possible disasters such as wildfires and earthquakes through education.

- D. Encourage residents to be personally prepared in the event of a disaster as they may need to shelter in place.
- E. Develop a strategy for the evacuation of the residents during a serious emergency in case roads are impassable.
- F. Support ham radio operators and recognize the important role they can play in an emergency.
- G. Require a public consultation process for the siting of any permanent antenna system with towers 15 metres or greater in height or regardless of height, proposed by telecommunications carriers, broadcasting undertakings or third party tower owners.
- H. Encourage a secure garbage collection system to minimize wildlife conflicts.

WATER SUPPLY

- I. In accordance with the RGS, lands designated as Settlement on Schedule B may be serviced by a public or private water distribution system subject to:
 - i. Servicing being based on 467 parcels currently connected to community water and 110 additional parcels to be connected within the existing water service areas;
 - ii. Priority being given to the 110 parcels within existing water service areas not currently connected, or to address a pressing public health, public safety or environmental issue;
 - iii. A total potential of 1,407 parcels to be serviced in the future, as outlined in Table 7;
 - iv. Confirmation that an expansion of the infrastructure will not result in negative impacts to the capacity, costs and long-term availability of existing water and fire protection supply systems;
 - v. Costs for the evaluation, design, construction, operation and maintenance to expand the water infrastructure will be borne by new users;
 - vi. Support for the adoption of a water service establishment bylaw for public water distribution systems managed and operated by the CRD, and for establishing a mechanism to cover costs of the service and infrastructure.

COMMUNITY SERVICES

- J. Seek ways to provide health and social services locally.

- K. Develop a strategy to maintain and use the community hall for local meetings, fitness programs, the delivery of medical and community outreach services and social events.
- L. Work with the Sooke Region Volunteer Centre, Juan de Fuca Community Recreation Program, and SEAPARC and other appropriate agencies to develop recreational and social activities for youth that can be delivered in East Sooke.
- M. Improve home care services and initiate a volunteer program focused on seniors living independently on rural properties.
- N. Improve home care services and initiate a volunteer program focused on seniors living independently on rural properties.



460 Food Security

461 Goals for Food Security

- A. Increased use of land capable of agriculture for agricultural purposes.
- B. Farmers have easy access to markets and local residents have easy access to locally produced food.
- C. Environmentally sound and economically viable farming is carried out in the community.
- D. Interface land conflicts are kept to a minimum through public support and policy.

462 Broad Objectives for Food Security

- A. All lands in the ALR have been designated by this Plan as Agriculture to protect those lands for current and future agricultural activities, with the exception of Aylard Farm in East Sooke Regional Park, which is designated as Park.
- B. For land located within the ALR, this bylaw is binding only insofar as it is not contrary to the *ALC Act* and the regulations and orders of the ALC.

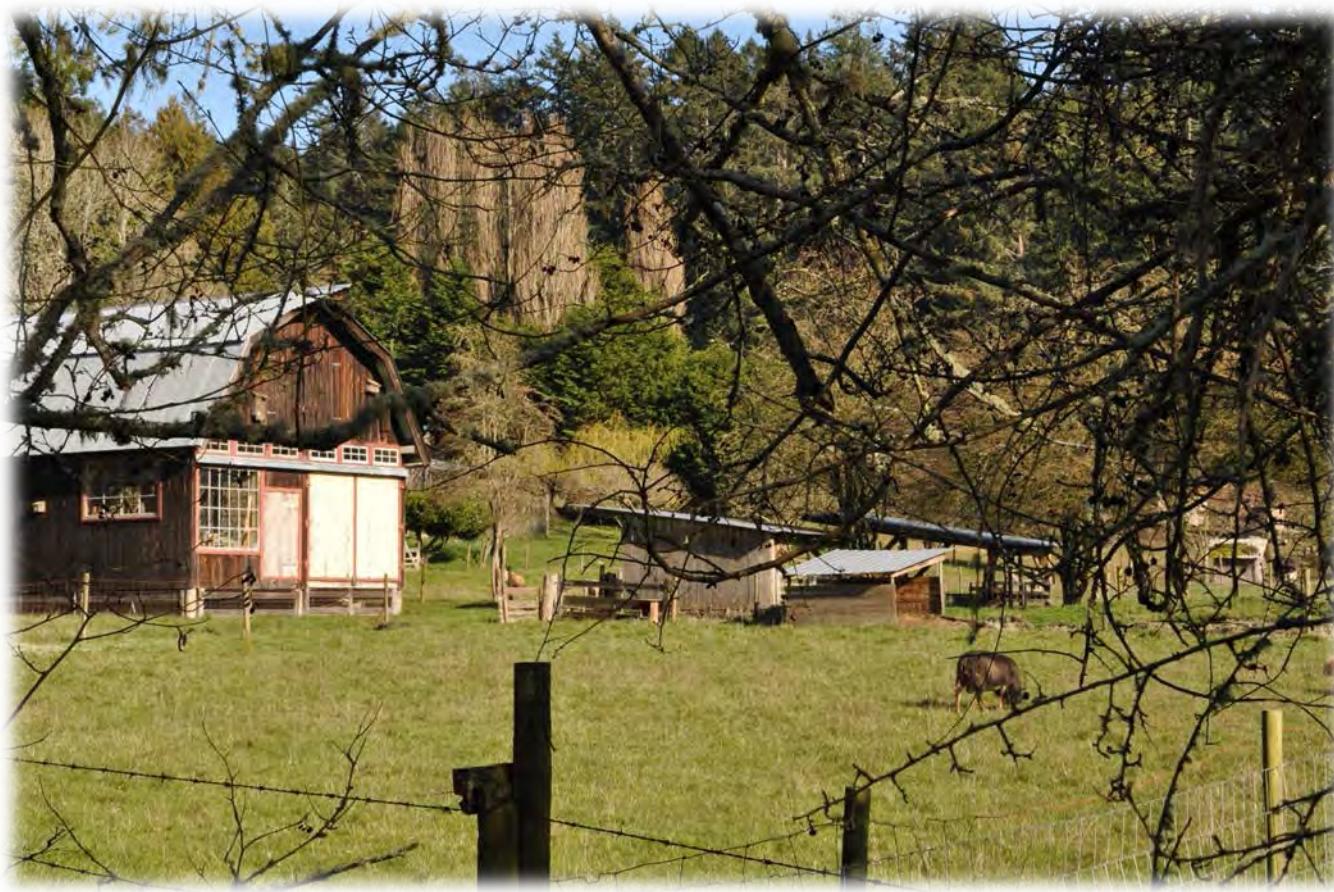
463 Objectives for Food Security

- A. Protect the capability and long-term potential of lands designated Agriculture for agricultural use.
- B. Support and encourage food production, processing and storage at both the commercial and individual level.
- C. Improve market accessibility for local food producers and provide opportunities for residents to purchase locally grown food.
- D. Encourage sustainable and environmentally sound farming practices, which protect the quality of surface water, groundwater and soil.
- E. Support diversification of the local agricultural base and efforts to increase local food production.
- F. Minimize conflicts between farm and non-farm uses.
- G. Protect the long-term potential of Aylard Farm in East Sooke Regional Park for farm use.

464 Policies for Food Security

- A. All lands in the ALR have been designated on Schedule B of this Plan as Agriculture to protect these lands for current and future agricultural activities, with the exception of Aylard Farm in East Sooke Regional Park, which is designated as Park.
- B. Lands outside the ALR suitable for agricultural use and zoned for agricultural use may also be designated on Schedule B as Agriculture.
- C. Agriculture uses are supported on those lands in the ALR in East Sooke Regional Park known as Aylard Farm.
- D. *Subdivision* of any lands designated Agriculture will only be supported in accordance with the *ALC Act*.
- E. *Subdivision* for a relative, as provided for in the *LGA*, of any lands designated Agriculture is not supported.
- F. The *ALC Act* and its regulations will be taken into account in the review of any land use or building application on lands in the ALR.
- G. On lands designated Agriculture, the siting of buildings on less productive lands and the clustering of buildings is recommended to maximize the area available for agriculture.
- H. To make farming more affordable, site specific zoning to allow multiple residences on a *parcel* designated Agriculture will be considered subject to appropriate controls being in place to ensure long-term farm use and approval of the ALC, if the land is in the ALR.
- I. Potential conflicts between farm use on ALR lands and nearby non-farm uses will be lessened through the application of a DPA on those lands adjoining or reasonably adjacent to lands in the ALR.
- J. Development of lands adjacent to land designated Agriculture may be supported provided that the development will have minimal impact on the agricultural capability and activities on those lands designated Agriculture.
- K. Reduce conflicts between wildlife and agriculture by raising public awareness of the “Wild Safe BC” and “Bear Smart” programs, as well as the negative impacts that domestic animals can have on agriculture.
- L. The introduction of invasive plants and animals is to be avoided and best-practices for the removal of invasive and nuisance species are encouraged.
- M. Normal farm practices as defined by the *Farm Practices Protection (Right to Farm) Act* are recognized and supported.
- N. Participation in the BC Environmental Farm Plan Program is encouraged for agricultural and farming practices.

- O. Community and home gardens are supported in all land use designations.
- P. The development of a farmers' market for the sale of farm products is supported.
- Q. The on-site sale of farm products produced on the same *parcel* is supported by allowing small produce stands near the lot line and road subject to road safety and parking.
- R. To protect and enhance soil, careful consideration will be given to how soil removal or fill placement may affect agricultural capability.



470 Social Infrastructure

471 Goals for Social Infrastructure

- A. Preservation of the community's heritage, historic buildings and sites, and cultural landscape.
- B. Active participation by community members in a wide range of local arts and culture opportunities.

472 Broad Objectives for Social Infrastructure

- A. There are forty-three recorded archaeological sites in the Plan area. Archaeological resources, regardless of whether they are recorded or not, are protected under the *Heritage Conservation Act*, and must not be altered or damaged without a permit from the Province.
- B. Prior to the submission of a development application, including building permits, it is the responsibility of the proponent to contact the Archeological Branch for information regarding archaeological sites within the proposed development area.
- C. It is the responsibility of the proponent to have any studies or permits required by the Province in place prior to development.

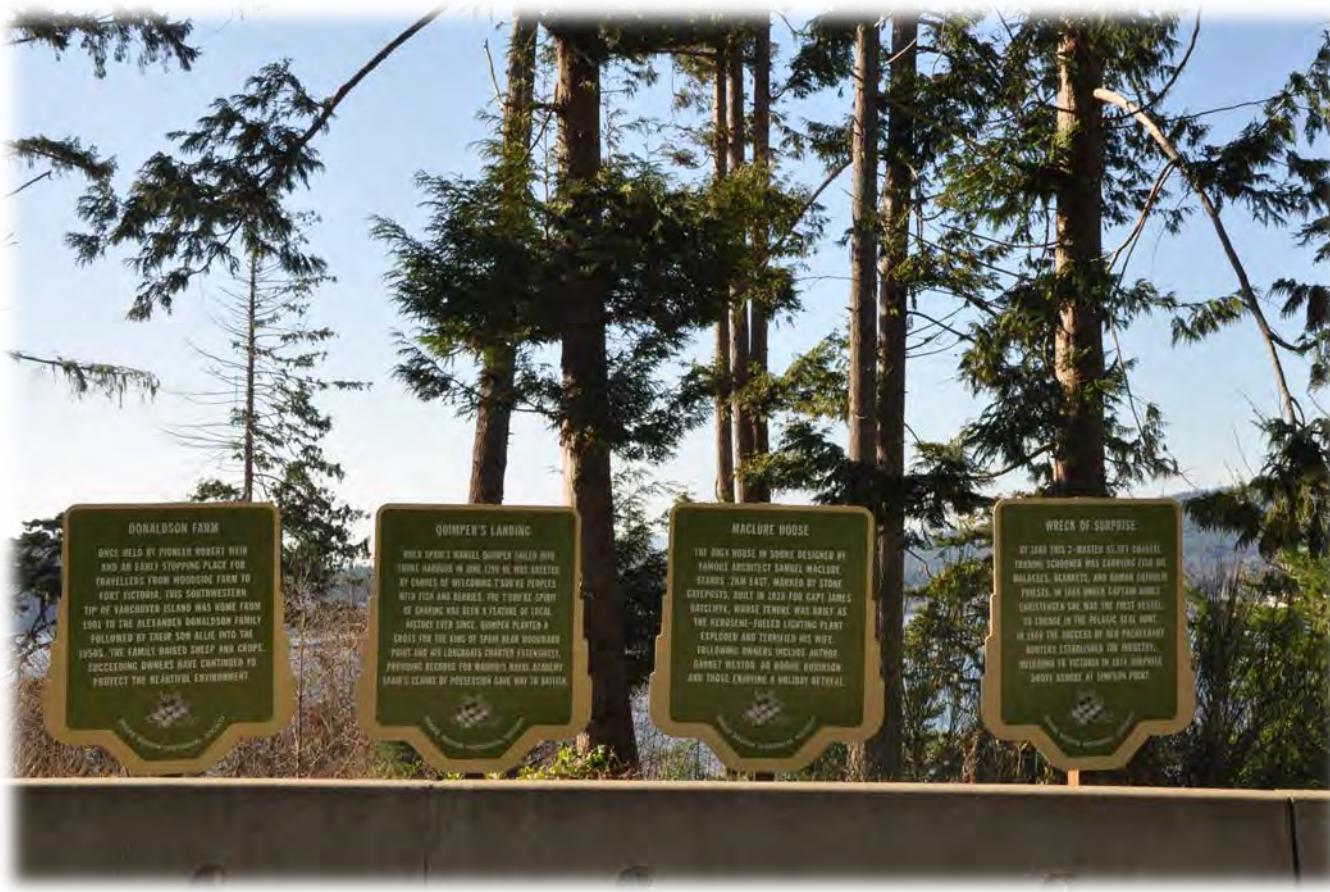


473 Objectives for Social Infrastructure

- A. Protect, maintain and increase the awareness and appreciation of East Sooke's heritage and historical features.
- B. Support and encourage the growth and appreciation of arts and culture, and increase local opportunities for participation.

474 Policies for Social Infrastructure

- A. Encourage initiatives by private owners and government to preserve the heritage characteristics of their buildings and sites.
- B. Support local efforts to preserve and promote historically significant features and the heritage of East Sooke, in particular, the mounting of signage at historically significant sites.
- C. Support community initiatives to provide and improve local arts and cultural opportunities in East Sooke and encourage community events.



480 Settlement

481 Goals for Settlement

- A. East Sooke is a rural community comprised primarily of single-family residential development on larger sized *parcels*, home based businesses, agriculture and limited neighbourhood commercial activities.
- B. Affordable housing and rental accommodation options are available.
- C. Policies supportive of the rezoning of properties from multiple dwelling zoning to single-family residential.

482 Broad Objectives for Settlement

- A. The community supports small daycares and small group homes licensed under the *Community Care and Facilities Act*.
- B. The community recognizes and supports large daycares and assisted living facilities being sited in Sooke and other centres.

483 Objectives for Settlement

- A. Maintain the rural nature of East Sooke through low-density development occurring at a gradual pace.
- B. Support a range of economic activities at a scale appropriate to the size of the community and its rural nature.
- C. Provide affordable housing and rental accommodation options appropriate for a rural community.

484 Policies for Settlement

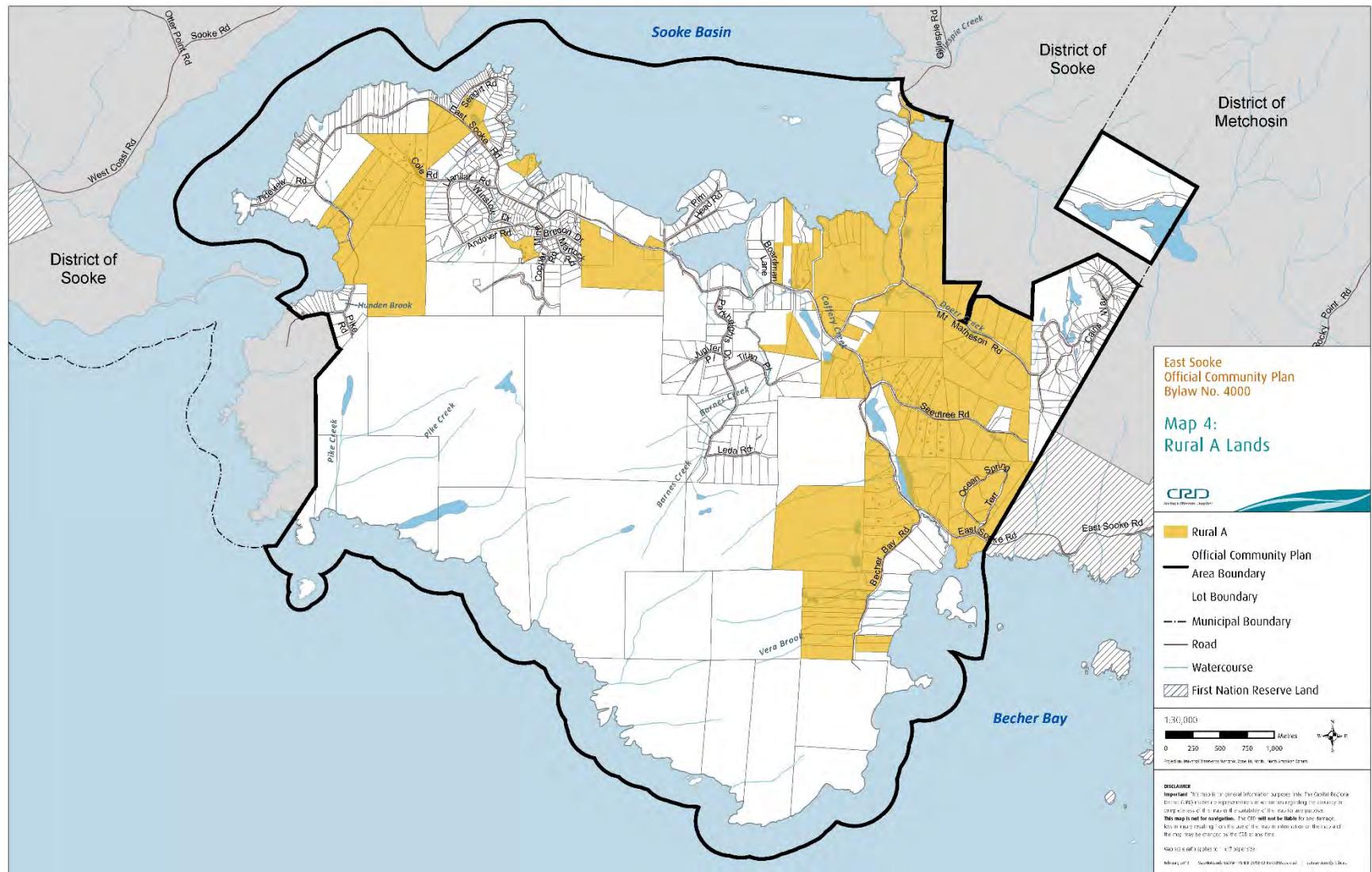
On lands designated as Settlement on Schedule B, the following policies apply:

- A. Growth should be gradual and of a low density to maintain the rural character of the Plan area.
- B. Except as noted below, on lands designated Settlement, an average density of one *parcel*/per one hectare within a plan of *subdivision*, with one single-family dwelling or one-two-unit dwelling, is supported provided that no new *parcels* are created with an area of less than 0.4 hectares.

- C. On District Lot 185, Land District 55 (PID: 009-392-882) also known as Wolfe Island, a density of one *parcel*/per four hectares or greater is required.
- D. Rezoning of land to the *Rural A zone* is not supported, but those lands already zoned *Rural A* at the date of adoption of this Plan, which are shown on Map 4, may continue to be zoned *Rural A* if a new zoning bylaw is adopted.
- E. As an alternative to building strata development on *Rural A zoned* lands, there is support for rezoning applications to permit *subdivision* of *parcels* zoned *Rural A* as of the date of adoption of this Plan, based on a ratio of one *parcel*/in the proposed plan of *subdivision* per each one hectare of land in the parent *parcel*/prior to the subtraction of any area for road and park dedication.
- F. Notwithstanding other policies in this Plan concerning density, *parcels* with multiple dwelling units constructed or building stratas registered prior to adoption of this Plan may be considered for rezoning to permit *subdivision* to create the equivalent number of *parcels* which may not meet the average *parcel*/size; however, park and road dedication may be required.
- G. *Parcel*/size averaging is supported.
- H. Suites are supported.
- I. Large and medium scale industrial and commercial developments are not supported in the Plan area.
- J. Only small-scale tourism developments such as bed and breakfasts, small lodges and country inns, eco-tourism, and low-impact adventure tourism, are supported provided they are scattered throughout the community.
- K. Rezoning applications for cottage industry such as research and development, light manufacturing or the assembly of goods will be considered on a site specific basis providing they will have a minimal impact on the surrounding neighbourhood and traffic volume.
- L. Home based businesses are supported.
- M. The clustering of small-scale neighbourhood commercial activities near the intersection of East Sooke and Gillespie Roads is supported.
- N. Rezoning of a site for the purposes of creating a facility to host medical and community outreach programs is supported.
- O. Rezoning applications for co-housing developments will be supported subject to neighbourhood support, density and traffic.
- P. Future residential development should be clustered in previously developed areas in the vicinity of the Copper Mine neighbourhood.
- Q. Density bonusing may be considered if community amenities such as the conservation of natural features, the provision of trails or funding dedicated towards a building for the delivery of social and medical outreach services, are provided.

- R. Subject to approval by the MoTI, *subdivisions* for family members pursuant to Section 514 of the *LGA* are supported.
- S. Investigate ways to ensure dark skies at night in East Sooke as a means for protecting the rural character.





490 Climate Change Adaptation and Greenhouse Gas Reduction

491 Goals for Climate Change Adaptation and Greenhouse Gas Reduction

- A. To have adaptive measures in place that address climate change and ameliorate the potential damaging impacts of sea level rise and increased storm activity.
- B. To reduce GHG emissions in the Plan area, the main goals are to reduce the number of car trips, improve energy efficiency through site and building design, and increase the use of alternative energy sources.

492 Broad Objectives for Climate Change Adaptation and Greenhouse Gas Reduction

To encourage senior government to establish programs, identify funding, and develop incentives to address climate change and reduce GHG specific to rural areas.

493 Objectives for Climate Change Adaptation and Greenhouse Gas Reduction

- A. Discourage residential and commercial uses from locating in areas at high risk of flooding, erosion and exposure to high winds.
- B. Preserve and enhance East Sooke's significant environmental resources including trees and other plants that shield the community from storms, store carbon and reduce GHG.
- C. Maintain forest and agricultural lands.
- D. Encourage innovative and site-sensitive housing and *subdivision* designs that conserve water, reduce runoff, minimize the removal of vegetation and demonstrate a sensitive response to the site and its context.
- E. Encourage development and retrofits that use energy efficient design and incorporate alternative forms of energy including geoexchange and solar thermal energy sources.
- F. Reduce the number of car trips to and from the Plan area by:
 - i. increasing transit ridership;

- ii. supporting carpooling networks and car sharing;
- iii. creating a network of pedestrian and cycling trails to encourage alternative modes of transportation;
- iv. allowing home based businesses;
- v. encouraging the delivery of medical and community outreach programs in East Sooke;
- vi. creating recreational and social opportunities in East Sooke for youth; and
- vii. supporting neighbourhood commercial uses and farm gate sales.

494 Policies for Climate Change and Greenhouse Gas Reduction

Policies that support the goals and objectives for climate change adaptation and GHG reduction can be found throughout Part Four of this Plan. Generally speaking, policies targeting the reduction of GHG focus on the three main generators of GHG (transportation, residential heating and solid waste) in the Plan area, with emissions from vehicles as the number one contributor. The community proposes to reduce the number of vehicle trips by developing a trail network, which will increase connectivity and encourage active transportation. Enhancing the safety for pedestrian and cyclists by accessing grants and funding for green infrastructure to plan, design and construct new trails is essential to achieving this goal. Community members want to work with BC Transit to find ways to improve local ridership. Volunteers and social media can be used to encourage carpooling and ride sharing.

This Plan supports green building technology which can reduce the emissions created by heating and cooling systems. Zoning and building bylaws will need to be reviewed to ensure these bylaws do not contain barriers that prevent the implementation of green building design. There is also support in this Plan for alternative energy sources to heat homes.

Solid waste, the third leading contributor of GHG emissions, can be diverted from the landfill by local residents reducing, reusing and recycling.



PART FIVE – Development Permit Areas

501 Development Permits

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 CRD Board or its delegates and may require some sort of security to ensure that the conditions in the permit have been achieved. A development permit cannot vary use, density or flood plain specifications.

The guiding principle for the use of development permits is found within Section 488 of the *Local Government Act (LGA)*. 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;
- Establishment of objectives to promote energy conservation;
- Establishment of objectives to promote water conservation; and
- Establishment of objectives to promote the reduction of GHG emissions.

With respect to areas designated as DPAs, the OCP 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.

502 General Policies for Development Permit Areas and Development Permits

Without limiting the authority of the CRD under the *LGA* or this OCP, the following principles apply to development permits:

- A. In accordance with the *LGA*, 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 any of the elements protected by a development permit area.
- B. A development permit is not required where it can be demonstrated that the proposed development is located on that part of a *parcel* outside the designated DPA. This determination is based on a report or other certification acceptable to the CRD by a *Qualified Environmental Professional (QEP)*, a *Qualified Professional (QP)* or other appropriately registered professional that the proposed development is not within the designated DPA.
- C. Any development, construction or alteration of land within an area designated as a DPA is subject to the requirements of the relevant development permit guidelines and policies contained in this Plan.
- D. Where land lies within more than one DPA, only a single development permit is required; however, the application is subject to the requirements of all applicable DPAs.
- E. Development permits may specify areas of land that may be subject to natural hazards as areas that will remain free of development except in accordance with any conditions contained in the permit.
- F. Development permits designated for the protection of development from hazardous conditions may prohibit the installation of septic tanks, drainage and deposit fields and irrigation and water systems in areas that contain unstable soil or water that is subject to degradation.
- G. If the nature of the proposed project in a DPA changes after a report by a *QEP* or a *QP* has been prepared, the CRD may require the applicant to have the *QEP* or *QP* update the assessment at the applicant's expense and the development permit conditions may be revised.
- H. Any information requested by the CRD will be provided at the applicant's expense.
- I. Security in a form acceptable to the CRD may be required as the condition of issuance of a development permit.

503 General Exemptions from a Development Permit

No development permit will be required in any DPA for the following:

- A. Internal alterations to a building.
- B. Structures which are not greater in area than 10 m² (107 ft²) and are accessory to an existing residence, provided that no part of the structure is to be within a Riparian DPA. This may include, but is not limited to gazebos, garden sheds, tool sheds, and decks.
- C. Walkways, ramps, at-grade patios, or stairways, provided that they are not located in a Riparian DPA.
- D. Placement of impermanent items such as tables, benches and garden ornaments provided there is no site clearing.
- E. Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property from forest fire, flood, erosion or other natural or human caused disaster.
- F. Emergency works to repair or replace public utilities or infrastructure.
- G. Clearing of an obstruction from a bridge, culvert or *watercourse*.
- H. *In-stream* habitat development or restoration that complies with provincial and federal legislation and requirements.
- I. Boundary adjustments when no new *parcels* are created, each *parcel* has a building envelope outside the DPA and the adjusted boundary is not located in a Riparian DPA.
- J. Normal farm practices as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.
- K. Forest management activities as defined in the *PMFL Regulation* on land classified as managed forest land under the *PMFL Act*.
- L. Public works, services and maintenance activities carried out by, or on behalf of, the CRD, generally in accordance with the development permit guidelines. This exemption does not apply to public trails to be developed within a Riparian DPA.

510 Steep Slope Development Permit Area

511 Designation of the Steep Slope Development Permit Area

That part of the East Sooke Plan area indicated as Steep Slope DPA on Schedule C is designated as a development permit area pursuant to Section 488(1)(b) of the *Local Government Act (LGA)*. The Steep Slope DPA includes all those areas having slopes exceeding 30% or 16.7 degrees over a minimum 10 metre run.

512 Justification for the Steep Slope Development Permit Area

Section 488(1)(b) of the *LGA* authorizes local government to designate development permits areas where the protection of development from hazardous conditions is desired and can be justified.

The topography of steep slopes, as well as the slope gradient and thin soil cover, renders the area highly susceptible to erosion, high wind throw hazard and slope failure. Land clearing, removal of vegetation, road construction, changes to slope geometry, construction of buildings or roads, placement of fill or other site disturbance in steep slope areas could lead to erosion and slope destabilization. Changes in the hydrology of a steep slope area can lead to erosion and subsequent slope failure. Vegetation on steep slopes can prevent or reduce slope failure. Root networks bind soil particles together increasing soil sheer strength and cohesion. Tree roots anchor soil strata and buttress slopes. The foliage on trees and plants intercept rainfall through absorptive and evaporative processes that reduce surface water runoff and erosion. Soil saturation is reduced through the extraction of moisture by evapotranspiration. Fractured slopes and rockfall can be caused by natural processes, but also by development. Careful control of development or other alteration of these slopes is needed to reduce the risk to life and property and potential risks to down-slope properties.

513 Objective for the Steep Slope Development Permit Area

To regulate development on steep slopes in a manner that:

- i. Protects the integrity of the slopes and;

- ii. Reduces the risk of injury to persons or damage to property.

514 Specific Exemptions for the Steep Slope Development Permit Area

In the Steep Slope DPA, no development permit will be required for the following:

- A. External alterations, including the addition of a second storey, that are entirely within the building footprint.
- B. The proposed development is located outside the Steep Slope DPA, as verified by a *Qualified Professional (QP)* report or other certification demonstrating to the CRD that the proposed development is not located on land with slopes exceeding 30% or having a slope greater than 16.7 degrees over a minimum 10 metre run.
- C. Recognizing that the Building Inspector has the necessary authority to require a geotechnical report to ensure land is safe for the intended use, a development permit is not required for a building constructed under a valid building permit in the Steep Slope DPA provided that no other part of the land in the Steep Slope DPA will be altered for other purposes, such as the construction of driveways or septic systems.
- D. Pruning of trees that does not adversely affect the health of the tree.
- E. Removal of hazardous trees that threaten the immediate safety of life and buildings.
- F. The removal of trees by hand-held tools providing the tree root ball remains intact and in situ with no soil disturbance.



515 Guidelines for the Steep Slope Development Permit Area

Development permits for development in the Steep Slope DPA will be considered in accordance with the following guidelines:

- A. Development and alteration of land will be planned to avoid intrusion into and minimize the impact on the Steep Slope DPA.
- B. The removal of vegetation and impact to tree root zones will be minimized.
- C. The placement of fill, disturbance to the soil, undercutting and blasting will be minimized.
- D. Development should minimize alterations to steep slopes and the development should be designed to reflect the site rather than altering the site to reflect the development.
- E. Changes in hydrology will be minimized.
- F. Runoff from the development will not destabilize or cause damage to the subject property or neighbouring properties.
- G. Development will be designed to avoid erosion and sedimentation.
- H. Erosion control measures and temporary fencing may be required during and after construction.
- I. The planting of native vegetation in both disturbed and undisturbed areas may be required to reduce the risk of erosion and improve slope stability.
- J. Heavy machinery cannot be used in circumstances where or when it might cause erosion or destabilize the slope.
- K. The clustering of buildings and structures on less steep areas is encouraged and setbacks may be varied to accommodate this.
- L. Variances to allow the siting of buildings and structures outside the Steep Slope DPA will be considered.
- M. Over-steep driveways and sharp switchbacks are discouraged and will be minimized.
- N. Shared driveways may be required where they will minimize the disturbance to steep slopes.
- O. Large, single-plane retaining walls are discouraged and landscaping should follow the natural contours of the land.
- P. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QP* will be considered by the CRD and may be included in development permit.

520 Shoreline Protection Development Permit Area

521 Designation of the Shoreline Protection Development Permit Area

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

522 Justification for the Shoreline Protection Development Permit Area

Section 488(1)(a) of the *LGA* authorizes local government to designate DPAs where the protection of the natural environment, its ecosystems and biological diversity is desired and can be justified. Section 488(1)(b) authorizes local government to designate DPAs where the protection of development from hazardous conditions is desired and can be justified.

The marine shoreline and adjacent uplands are ecologically fragile areas and subject to the complex biophysical forces shaping coastlines. Activities on the uplands such as land clearing and adding impermeable surfaces can have harmful impacts on site drainage, bank stability, bird nesting and roosting habitat, shading of intertidal areas and reduction of important organic inputs to foreshore areas. Hard-surfaced retaining walls along the shoreline can result in loss of habitat and upland connectivity and may increase wave action and erosion on adjacent properties. An uninterrupted shoreline allows for the natural transport of sand and cobble materials along beaches.

Anticipated sea level rise and more frequent severe storm events could increase coastal flooding and erosion. Keeping permanent structures out of high-risk areas for coastal flooding and erosion is a cost-effective and practical approach to reducing this potential threat to life and property. Innovative shore protection measures can maintain and restore habitat values while protecting upland property from wave action and erosion. Development in the Shoreline Protection DPA will be carefully designed and executed to reduce the risk to property and life and maintain the integrity of the ecology unique to coastal areas.

523 Objectives for the Shoreline Protection Development Permit Area

To regulate development in a manner that:

- i. Protects coastal properties from damage and hazardous conditions that can arise from erosion and flooding;
- ii. Protects and enhances the ecological health of marine waters, the shoreline and adjacent uplands; and
- iii. Preserves the integrity and connectivity of coastal processes.

524 Specific Exemptions for the Shoreline Protection Development Permit Area

In the Shoreline Protection DPA, no development permit will be required for the following:

- A. External alterations, including adding an additional storey, that are entirely within the building footprint.
- B. Tree pruning that does not adversely affect the health of the tree.
- C. Gardening and yard maintenance activities within an existing landscaped area such as lawn mowing, weeding and minor soil disturbances that do not alter the general contours of the land.
- D. Removal of non-native, invasive species provided that the area is not also in the Steep Slope DPA, in which case the specific exemptions for the Steep Slope DPA take precedence over this exemption.
- E. Removal of hazardous trees that threaten the immediate safety of life and buildings.

525 Guidelines for the Shoreline Protection Development Permit Area

Development permits for development in the Shoreline Protection DPA will be considered in accordance with the following guidelines:

- A. Development or alteration of land will be planned to avoid intrusion into and minimize the impact on the Shoreline Protection DPA.
- B. Alteration of natural shorelines will be avoided.
- C. Erosion and sedimentation will be avoided.
- D. The removal of vegetation and impact to tree root zones will be minimized.
- E. Changes in natural shoreline processes will be minimized.
- F. The use of fill, disturbance to the soil and blasting will be minimized.
- G. Non-structural and soft armouring are the preferred type of works for shore protection and where this approach is not possible, riprap and stone revetment is preferred over single-plane seawalls.
- H. A *Qualified Professional (QP)* must design any shore protection devices or works.
- I. Proposed development that may have the potential to adversely affect fish habitat will require the review and approval by appropriate federal and provincial agencies prior to the issuance of a development permit.
- J. Setbacks for buildings and structures will consider the current risk from storms and flooding as well as minimum elevation guidelines established by the CRD or other public authority with respect to the potential risk from erosion and coastal flooding associated with climate change and sea level rise.
- K. Variances to allow the siting of buildings and structures outside the Shoreline Protection DPA will be considered.
- L. Compliance with the conditions or recommendations in a report by a *QP* will be considered by the CRD and may be included in a development permit.
- M. The planting of native vegetation may be required to reduce the risk of erosion, restore the natural ecology, revegetate disturbed areas, improve water quality and ensure the stability of slopes and banks.
- N. Erosion control measures and fencing may be required during and after construction.
- O. Machinery working in this environmentally sensitive area may be required to use biofuels instead of fossil fuels.

- P. To avoid disturbance of the upland and foreshore areas for a purpose referred to in Section 491(1)(e) of the *LGA*, heavy machinery may be required to be barged to the site.
- Q. Construction may be restricted to certain times of the year to avoid storm seasons, unusually high or low tides and sensitive life-cycle times for wildlife such as nesting or migrating.
- R. Where possible, vegetation and natural resources such as anchored logs and riparian plantings on protected shorelines, should be incorporated into shore protection works.



530 Riparian Development Permit Area

531 Designation of the Riparian Development Permit Area

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

532 Justification for the Riparian Development Permit Area

Section 488(1)(a) of the *LGA* authorizes local government to designate DPAs where the protection of the natural environment, its ecosystems and biological diversity is desired and can be justified. Section 488(1)(i) of the *LGA* authorizes local government to designate DPAs where the promotion of water conservation is desired and can be justified.

The Province has enacted the *RAR*, under the *Riparian Areas Protection Act*, which applies to the exercise of local government powers by the CRD under Part 14 of the *LGA*. The *RAR* is intended to protect the features, functions and conditions that support fish life processes. With respect to development proposals related wholly or partially to riparian assessment areas within the Plan area, the CRD must not approve or allow development to proceed in those riparian assessment areas unless it receives notification that the Province has received a copy of an assessment report, prepared in accordance with the *RAR* by a *Qualified Environmental Professional (QEP)*. In addition, when exercising its powers with respect to development, the CRD must protect its riparian areas in accordance with the *RAR*.

Wells are relied upon in parts of East Sooke for potable water. It is important to maintain the quality and quantity of surface water and aquifers, both below ground and in surface recharge areas. Through the protection of riparian ecosystems, the Riparian DPA is also intended to address maintenance of the natural hydraulic regime for environmental and water conservation purposes.

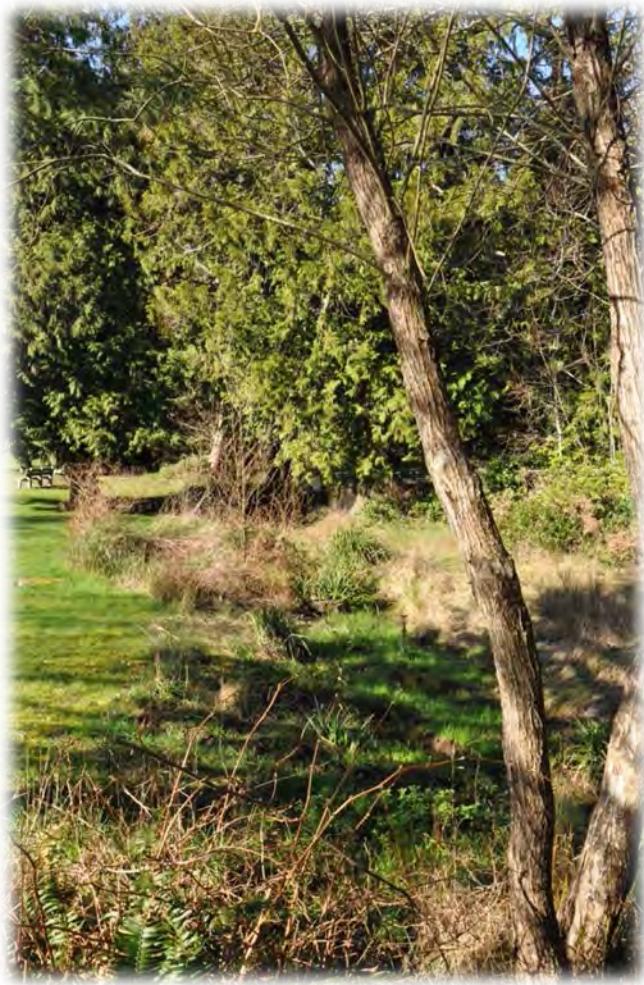
533 Objectives for the Riparian Development Permit Area

To plan and regulate development in a manner that:

- i. Preserves and protects fish habitat and riparian areas;
- ii. Protects, restores and enhances fish habitat and riparian areas in a relatively natural state while supporting adjacent land uses;
- iii. Meets the requirements of the *RAR*; and
- iv. Protects water quality and quantity.

534 Specific Exemptions for the Riparian Development Permit Area

In the Riparian DPA, no development permit will be required for the following:



- A. Development where a *QEP* submits a report or provides certification acceptable to the CRD that the proposed development is located outside a riparian assessment area and the Riparian DPA. In the case of a *subdivision*, the entire plan of *subdivision* must be outside a riparian assessment area and the Riparian DPA.
- B. External alterations, including adding an additional storey, that are entirely within the existing building footprint, provided that established driveways are used and there is no clearing of land.
- C. Gardening and yard maintenance activities such as lawn mowing, pruning and minor soil disturbances that do not alter the general contours of the land within an existing landscaped area.
- D. Removal of trees that threaten the immediate safety of life and buildings, provided that such trees are deemed hazardous by a *QEP*.
- E. Removal of non-native, invasive species subject to the prior provision and acceptance by the CRD of a report by a *QEP*.
- F. *Watercourses* that have been determined to be non-fish bearing by a *QEP*.
- G. Public trails may be developed in the Riparian DPA, but not within a SPEA.
- H. Public trails may only be developed in the Riparian DPA if a *QEP* has determined that the trail will not have a detrimental impact on the riparian assessment area, including the SPEA.

535 Guidelines for the Riparian Development Permit Area

Development permits for development in the Riparian DPA will be considered in accordance with the following guidelines:

- A. Development or alteration of land will be planned to avoid intrusion into and minimize the impact on the Riparian DPA.
- B. Modification of channels, banks or shores must not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes within the Riparian DPA.
- C. The removal of gravel and soil from *streams* is prohibited unless otherwise approved by the provincial or federal government.
- D. Proposed plans of *subdivision* will avoid *stream* crossings where possible and demonstrate the presence of building areas outside of the SPEA.
- E. *Stream* crossings will be avoided, but where this is not possible, bridges are preferred rather than culverts, and any works will be sited to minimize disturbance to banks, channels, shores and vegetative cover, and must be approved by the Province.
- F. Culverts may be designed to encourage in-*stream* storage of water to allow the unrestricted movement of fish in both directions.
- G. Construction at a certain time of year and using methods that minimize the impacts on rare and sensitive species may be required.
- H. To minimize encroachments into the Riparian DPA, variances for the height and location of buildings and structures may be considered.
- I. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QEP*, prepared in accordance with the *RAR*, will be considered by the CRD and may be included in a development permit.
- J. Development permits may include requirements for environmental monitoring and when required, these monitoring reports must be prepared by a *QEP*.
- K. All of the measures specified by a *QEP* necessary to maintain the integrity of a SPEA will be considered by the CRD for inclusion as a condition in a development permit.
- L. Development permits will not be issued until the CRD has been notified by the Riparian Areas Regulation Notification System (RARNS) that the Province has received a riparian areas assessment report.

- M. Where a *QEP* has required the planting of native vegetation to reduce the risk of erosion, restore the natural state of the site, improve water quality, or stabilize slopes and banks, a landscaping plan of the re-vegetation may be required.
- N. In situations where a SPEA would reduce the density of development permitted by the zoning bylaw, a *QEP* is required to provide recommendations on how the permitted density of development could be accommodated with the least possible impact on fish habit.
- O. An applicant may be required to provide an explanatory plan of a SPEA.
- P. For all or part of land within a SPEA that has been identified by a *QEP*, property owners may wish to consider dedicating the land back to the Crown, gifting the land to a nature conservation organization or registering a conservation covenant.
- Q. All new developments or modifications to existing developments including site works, gardening, landscaping and other related residential activities should be designed and implemented to maintain the quantity and quality of water and to avoid the entry of pollutants or nutrient rich water flowing into *streams* and wetlands.
- R. Development will be designed to avoid any increase in the volume and peak flow of runoff and a drainage plan may be required in support of this guideline.
- S. Plantings of native vegetation may be required to reduce the risk of erosion, restore the natural state of the site, improve water quality, or stabilize slopes and banks.
- T. Where necessary or desirable, a buffer zone to remain free of development may be specified and protection measures for retention and management of vegetation in these areas may be established.
- U. To avoid encroachment, fencing may be required prior to, during or after construction.

540 Sensitive Ecosystem Development Permit Area

541 Designation of the Sensitive Ecosystem Development Permit Area

That part of the East Sooke area indicated as a Sensitive Ecosystem DPA on Schedule E is designated as a development permit area pursuant to Sections 488(1)(a) and 488(1)(i) of the *Local Government Act (LGA)*. The Sensitive Ecosystem DPA established under this section includes those sensitive ecosystems and other important ecosystems identified as Coastal Bluff, Older Forest, Older Second Growth Forest, Terrestrial Herbaceous, Seasonally Flooded Fields, Wetlands, and Riparian in the Sensitive Ecosystem Inventory (SEI) prepared by the Province in 2000. The Sensitive Ecosystem DPA also includes the strip of land 30 metres from the natural boundary on either side of all *watercourses*.

542 Justification for the Sensitive Ecosystem Development Permit Area

Section 488(1)(a) of the *LGA* authorizes local government to designate DPAs where the protection of the natural environment, its ecosystems and biological diversity is desired and can be justified. Section 488(1)(i) of the *LGA* authorizes local government to designate DPAs where the promotion of water conservation is desired and can be justified.

East Sooke is part of a unique ecological region with exceptionally high biodiversity values, as described in the 2000 SEI of east Vancouver Island and the Gulf Islands. The sensitive ecosystems identified by the SEI are home to a variety of rare and endangered plants, animals and plant communities. In addition to their value to the environment, there is growing understanding that these areas are an important part of a healthy economy and add to the social well-being of a community. Because of the sensitivity of these ecosystems and their gradual erosion by human activities, it is important to protect them from land clearing, tree removal, fragmentation, construction of buildings or roads, or other site disturbances having the potential to degrade their ecological value.

The seven sensitive ecosystems mapped in the 2000 SEI, as well as the strip of land 30 metres from the natural boundary on either side of all *watercourses*, have been designated in this Plan as a Sensitive Ecosystem DPA. The coastal bluff ecosystem is considered important due to its rarity, fragility, high biodiversity, presence of specialized habitats and the isolation from predators it provides for nesting birds. This ecosystem is easily disturbed by human and other activities. Older forest provides habitat distinct from that of second growth forests. Certain

wildlife and plant species are dependent or associated with the specific habitat features only found in this ecosystem. Terrestrial herbaceous ecosystems host a number of rare plants and provide a highly specialized habitat. Although this type of ecosystem develops on bedrock, its thin soils and the associated species are easily disturbed by development and human activity.

Older second growth forests and seasonally flooded fields are two other important ecosystems recognised by the 2000 SEI that are designated as a Sensitive Ecosystem DPA in this Plan. Older second growth forests provide habitat for a wide variety of plant and animal species, connectivity between other habitat areas and can act as a buffer to minimize the impact on more sensitive areas and species. It often supports secondary ecosystems such as terrestrial herbaceous ecosystems. Seasonally flooded fields (referred to in the SEI as agricultural fields) are not common in the SEI study area, but form part of a wetlands complex important to wintering waterfowl.

Riparian ecosystems support a disproportionately high number of species for the area they occupy and are very diverse in terms of plant composition and structure. They support a high number of habitat niches, which provide critical habitats for numerous mammal, bird, reptile, amphibian, fish and vertebrate species. A number of wildlife species are dependent upon these ecosystems for all of their life cycle, while others utilize this type of habitat at critical life stages.

Wetlands result from the close proximity of water and soil. Along with supporting animal and plant species, wetlands also function as drainage, storage and recharge areas for down-slope groundwater regions important to the community's water supply. They serve as temporary storm water retention and transmission areas and are crucial to the natural environment.

Wells are relied upon in parts of East Sooke for potable water. It is important to maintain the quality and quantity of surface water and aquifers, both below ground and in surface recharge areas. Through the protection of riparian ecosystems, the Sensitive Ecosystem DPA is also intended to address maintenance of the natural hydraulic regime for environmental and water conservation purposes.

543 Objectives for the Sensitive Ecosystem Development Permit Area

To regulate development in a manner that:

- i. Protects, enhances and restores the biodiversity and ecological values and functions of environmentally sensitive areas;

- ii. Fosters compatibility between development, existing land uses and environmentally sensitive areas;
- iii. Maintains connectivity between sensitive ecosystems; and
- iv. Protects water quality and quantity.

544 Specific Exemptions for the Sensitive Ecosystem Development Permit Area

In the Sensitive Ecosystem DPA, no development permit will be required for the following:

- A. Gardening and yard maintenance activities, such as lawn mowing, pruning and minor soil disturbances that do not alter the general contours of the land, within an existing landscaped area.
- B. Removal of hazardous trees that threaten the immediate safety of life and buildings.
- C. Removal of non-native, invasive species.
- D. External alterations that are entirely within the existing building footprint, including adding an additional storey, provided that established driveways are used and there is no clearing of land.
- E. Development where a *Qualified Professional (QP)* submits a report or provides certification acceptable to the CRD that the proposed development is located outside of any sensitive ecosystem.
- F. Where the sensitive ecosystem has been identified by a *QP* and is protected by a registered restrictive covenant that includes a reference plan showing the location of the sensitive ecosystem on that *parcel*.
- G. Development in a riparian assessment area that is subject to the *RAR* and the Riparian DPA.

545 Guidelines for the Sensitive Ecosystem Development Permit Area

Development permits for development in Sensitive Ecosystem DPA will be considered in accordance with the following guidelines:

- A. Development or alteration of land will be planned to avoid intrusion into and minimize the impact on the Sensitive Ecosystem DPA.
- B. The removal of gravel and soil from *watercourses* is prohibited unless otherwise approved by the provincial or federal government.
- C. Proposed plans of *subdivision* will avoid *watercourse* crossings where possible.
- D. *Watercourse* crossings will be avoided, but where this is not possible, bridges are preferred rather than culverts, and any works will be sited to minimize disturbance to banks, channels, shores and vegetative cover, and must be approved by the provincial government.
- E. 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 understorey plants, will be minimized.
- F. Disturbance to existing vegetation not directly affected by the footprint of buildings, ancillary uses and driveways will be minimized.
- G. Planting of non-native vegetation or invasive species in designated sensitive ecosystem development permit areas is not supported.
- H. The CRD may consider variances to siting or size regulations where the variance could result in the enhanced protection of an environmentally sensitive area.
- I. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QP* will be considered by the CRD and may be included in the development permit.
- J. Those areas where existing vegetation is disturbed will be rehabilitated with appropriate landscaping and habitat compensation measures in a manner recommended in a report by a *QP*.
- K. Development and associated 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.
- L. Culverts may be designed to encourage storage of water within the *watercourse*.
- M. Where necessary, provision will be made and works undertaken to maintain the quality of water reaching the sensitive ecosystem.

- N. All new developments or modifications to existing developments including site works, gardening, landscaping and other related residential activities should be designed and implemented to maintain the quantity and quality of water and to avoid the entry of pollutants or nutrient rich water flowing into *watercourses*, lakes, ponds and wetlands.
- O. Development will be designed to avoid any increase in the volume and peak flow of runoff and a drainage plan may be required in support of this guideline.
- P. Plantings of native vegetation may be required to reduce the risk of erosion, restore the natural state of the site, improve water quality, or stabilize slopes and banks.
- Q. The planting of non-native vegetation or alien invasive species, as defined in the provincial *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation 144/2004*, is not supported.
- R. Construction at a certain time of year and using methods that minimize the impacts on rare and sensitive species may be required.
- S. Where possible, large tracts of wildlife habitat or continuous habitat corridors will be preserved, in order to facilitate movement of wildlife.
- T. A buffer zone may be specified where land alteration or structures will be limited to those compatible with the characteristics of the sensitive ecosystem or those that can be mitigated in a manner recommended by a *QP*.
- U. In order to ensure unnecessary encroachment does not occur into the sensitive ecosystem at the time of construction, permanent or temporary fencing measures may be required.
- V. Development may be restricted during sensitive life-cycle times.

550 Commercial Development Permit Area

551 Designation of the Commercial DPA

That part of the East Sooke Plan area indicated as Commercial DPA on Schedule F is designated as a development permit area pursuant to Sections 488(1)(f), 488(1)(h), 488(1)(i) and 488(1)(j) of the *Local Government Act (LGA)*. The Commercial DPA established under this section includes all land zoned commercial.

552 Justification for the Commercial DPA

Section 488(1)(f) of the *LGA* authorizes local government to designate DPAs to develop objectives for the form and character of commercial, industrial or multi-family residential development. Section 488(1)(h) of the *LGA* authorizes local government to designate DPAs for the promotion of energy conservation. Section 488(1)(i) of the *LGA* authorizes local government to designate DPAs for the promotion of water conservation. Section 488(1)(j) of the *LGA* authorizes local government to designate DPAs for the promotion of GHG emission reduction.

The residents of East Sooke value the rural ambience of their community and feel that it is characterized, in part, by the disperse nature of commercial development, the integration of commercial development with the natural surroundings, unique elements such as signage or building forms not typically seen in urban settings, dark skies at night, and building forms that blend well with the immediate topography. Commercial areas in East Sooke merit designation as DPAs for the form and character of development due the rural nature of the community.

Parts of East Sooke are reliant on well water as their potable water supply. It is important that rainfall is protected from contamination, water is conserved and development does not interfere with the natural processes of surface water runoff and groundwater recharge.

All communities in BC must contribute to the reduction of GHG emissions and East Sooke is interested in implementing measures appropriate for a small, rural community. Energy conservation and the use of alternative energy sources can contribute indirectly to the reduction of GHG emissions by decreasing the reliance on hydro-electricity.

553 Objectives for the Commercial DPA

To regulate development in a manner that:

- i. Encourages building designs, themes and forms that are complementary to and respectful of the natural setting and the rural character of the area;
- ii. Protects and maintains the quality and quantity of water; and
- iii. Conserves energy and contributes to the reduction of GHG emissions at the community level.

554 Specific Exemptions for the Commercial DPA

In the Commercial DPA, no development permit will be required for the following:

- A. Changes that do not affect the form and character of the development, such as the replacement of existing awnings and features.

555 Guidelines for the Commercial DPA

Development permits for development in the Commercial DPA will be considered in accordance with the following guidelines:

SITE DESIGN

- A. Buildings, parking and associated structures will be situated so as to leave as much space as possible for landscaping, retention of existing vegetation and open natural space on the site.
- B. Orient buildings to maximize opportunities for passive solar heating and cooling, natural lighting and minimizing wind exposure.
- C. Provide natural filtration of rainwater into the site through techniques such as rain gardens, rainwater collection systems, bio-swales or rock pits and permeable paving for hard surfaces such as driveways.
- D. Where applicable, site accessory buildings and parking away from the shoreline to reduce the visual impact of the development from the water.

BUILDING DESIGN

- E. Design buildings in a form that follows the natural topography of the site.
- F. Incorporate natural materials, such as heavy timber, exposed wood and stone, into the exterior design of buildings.
- G. Balconies, walkways, corridors and exterior doors should be protected from the weather.
- H. Colours should either be earth-toned to blend with the natural surroundings or reflective of the unique nature of rural communities.
- I. Roof-top equipment should be kept to a minimum and integrated into the overall building design, but when this is not possible, the equipment will be screened.
- J. Building design should incorporate alternative energy sources and energy conservation measures such as natural ventilation and cooling systems.
- K. Consider the use of green roof systems to reduce stormwater runoff, reduce energy costs and improve visual appearance.
- L. Where possible, use building products that demonstrate green technology.

LIGHTING

- M. Outdoor lighting should be of a low intensity, pedestrian oriented and directed down and away from surrounding residential areas.
- N. Illumination levels should be appropriate for the function while avoiding light pollution. Examples of preferred lighting types include downcast gooseneck lights, pot lights and LED lights.

STORAGE, PARKING AND SCREENING

- O. Outdoor storage will be minimized, enclosed in an accessory building or fenced compound or sited at the rear of buildings.
- P. Outdoor storage and loading/unloading facilities will be screened from neighbouring properties through the retention of existing vegetation and the planting of vegetation.
- Q. Parking areas will be screened to the greatest extent possible with existing and new landscaping.
- R. Large parking areas will be interspersed with landscaped areas, natural areas and trees.

LANDSCAPING

- S. The natural vegetation should be retained as landscaping in areas where there are no buildings, structures, parking areas or other constructed features or integrated into parking areas.
- T. For new landscaping, native trees and plants suited to the climate and soil are preferred.
- U. Limit the use of potable water for landscape irrigation through measures such as using captured water and drip irrigation.

SIGNAGE

- V. Low profile, small signs that are non-illuminating, and complement the character of the development are preferred.

560 Farmland Protection Development Permit Area

561 Designation of the Farmland Protection DPA

That part of the East Sooke Plan area indicated as a Farmland Protection DPA on Schedule G is designated as a development permit area pursuant to Section 488(1)(c) of the *Local Government Act (LGA)*. The Farmland Protection DPA established under this section includes all land within 15 metres of land in the ALR as shown on Schedule G.

562 Justification for the Farmland Protection DPA

Section 488(1)(c) of the *LGA* authorizes local government to designate DPAs for the protection of farming.

Farming provides food security and is part of the local economy. The *Farm Practices Protection (Right to Farm) Act* gives farmers the right to farm provided that they employ normal farm practices. Normal farm practices can produce odour, light and noise which neighbours may not appreciate. To avoid interface conflicts along the ALR boundary, a buffer strip can be used to create a physical separation between the agricultural and adjoining neighbourhoods. The buffer is an area where fencing and other barriers such as vegetation can be used to separate land uses. The Farmland Protection DPA is intended to act as a buffer strip to mitigate conflicts between uses and protect the use of farmland. It is also important that roads do not end at the edge of the ALR boundary in order to avoid pressure to extend the road into the ALR for further development.

563 Objectives for the Farmland Protection DPA

To regulate development in a manner that:

- i. Reduces conflicts between farm and non-farm uses through physical separation and the installation of barriers;
- ii. Minimizes the impact on nearby and adjacent farm uses; and
- iii. Avoids road endings adjacent to the ALR.

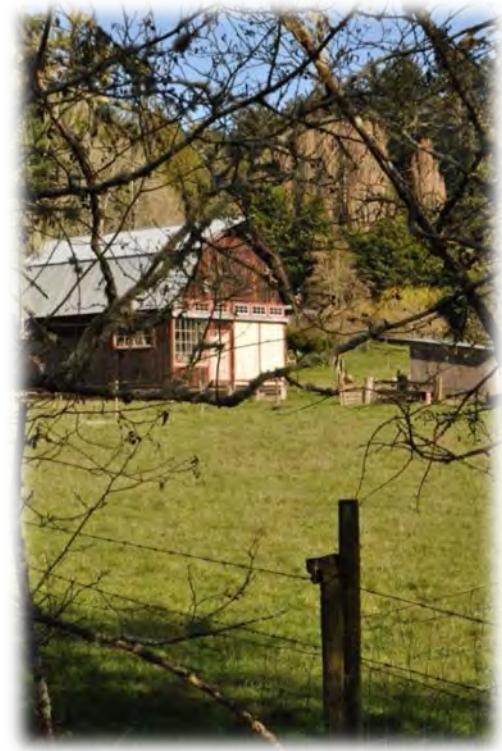
564 Specific Exemptions for the Farmland Protection DPA

- A. In the Farmland Protection DPA, a development permit is only required for a *subdivision*.
- B. In the Farmland Protection DPA, a development permit is not required for a *subdivision* for agricultural purposes.

565 Guidelines for the Farmland Protection DPA

Development permits for development in the Farmland Protection DPA will be considered in accordance with the following guidelines:

- A. A buffer zone consisting of setbacks, vegetative screening, fencing or berms between lands in the ALR and non-farm uses may be required.
- B. Drainage will be designed and constructed so that there is no increase or decrease in the amount of surface water or groundwater available to the agricultural lands.
- C. *Subdivision* design will minimize potential conflicts between farm and non-farm uses.
- D. *Subdivision* design should avoid road endings or road frontage adjacent to land in the ALR unless required for farm vehicle access.
- E. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *Qualified Professional (QP)* will be considered by the CRD and may be included in the development permit.



570 Medical Marihuana Production Facilities Development Permit Area

571 Designation of the Medical Marihuana Production Facilities Development Permit Area

That part of the East Sooke Plan area indicated as a Medical Marihuana Production Facilities DPA on Schedule G is designated as a development permit area pursuant to Section 488(1)(f) of the *Local Government Act (LGA)*. The Medical Marihuana Production Facilities DPA established under this section includes all land in the Agricultural Land Reserve.

572 Justification for the Medical Marihuana Production Facilities Development Permit Area

Section 488(1)(f) of the *LGA* authorizes local government to designate DPAs to establish objectives relating to the form and character of commercial development.

The federal government's *Access to Cannabis for Medical Purposes Regulations* took effect in 2016. Medical Marihuana Production Facilities (MMPFs) are no longer allowed in residential dwellings and must comply with rigorous security requirements. The ALC has determined that MMPFs are a permitted agricultural use on land in the ALR. Some of the necessary security measures such as physical barriers around the site's perimeter, solid exteriors, security cameras and a minimal number of entranceways and openings affect the building's form and character.

New MMPF buildings constructed in accordance with federal security standards can result in a squat, solid building without detailing and with almost no openings, surrounded by a security fence, which if built on lands in the ALR, would be in sharp contrast to the neighbouring farm uses.

The residents of East Sooke value the rural ambience of their community, which is characterized, in part, by the integration of development with the natural surroundings, building forms that blend well with the immediate topography and pastoral scenery found throughout the area, especially on lands in the ALR. To avoid the construction of an industrial style building discordant with the rural nature of East Sooke, design standards are necessary provided that they do not conflict with federal and provincial government legislation.

573 Objectives for the Medical Marihuana Production Facilities Development Permit Area

To regulate the form and character of MMPFs in a manner that:

- i. Complements the rural nature of the community and the surrounding natural environment; and
- ii. Protects and maintains the rural ambience of East Sooke.

574 Specific Exemptions for the Medical Marihuana Production Facilities Development Permit Area

In the Medical Marihuana Production Facilities DPA, no development permit will be required for:

- A. *Subdivision.*
- B. Removal of hazardous trees.
- C. Alteration of the land for agricultural purposes.

575 Guidelines for the Medical Marihuana Production Facilities Development Permit Area

Development permits for development in the Medical Marihuana Production Facilities DPA will be considered in accordance with the following guidelines:

- A. Building sidewalls will be designed to be attractive and interesting when viewed from adjacent properties and roads through the use of colour and texture, for example, paint, murals, patterned brickwork, or variations in concrete texture.
- B. Detailing, fenestration and items of visual interest will be added to the exterior of the building in ways such as contrasting trim, covered doorways, false window openings, or shutters.
- C. Where possible, natural materials including heavy timber, exposed wood and stone will be incorporated into the exterior design of buildings.
- D. Colour-coated fencing and posts are preferred over galvanized materials.
- E. Buildings, parking and associated structures will be clustered on the site to leave as much space as possible for landscaping, retention of existing vegetation and open natural space.



PART SIX – Development Approval Information Area

610 Development Approval Information Area

In order to assess the impact of a particular development proposal, more detailed information and studies may be necessary. Provincial legislation requires local government to specify the certain areas or special conditions when detailed information and studies may be requested, and by bylaw, describe the procedures for providing the information and the scope of information that can be requested.

611 Designation

That part of the East Sooke Plan area indicated as a Development Approval Information Area (DAIA) on Schedule H is designated as a development approval information area pursuant to Section 485(1) of the *Local Government Act (LGA)*. The DAIA shown on Schedule H includes all *parcels* of land. In addition to the *parcels* designated on Schedule H, the following areas are also designated as a development approval information area pursuant to Section 485(1) of the *LGA*:

- A. All lands designated as being in the Shoreline Protection DPA on Schedule D;
- B. All lands designated as being in the Riparian DPA on Schedule D;
- C. All land designated as being in the Sensitive Ecosystem DPA on Schedule E;
- D. All lands defined by the *Riparian Areas Regulation (RAR)* as a Riparian Assessment Area, which includes (a) for a *stream*, the 30 metre strip on both sides of the *stream*, measured from the high water mark, (b) for a ravine less than 60 metres wide, a strip on both sides of the *stream* measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank, and (c) for a ravine 60 metres wide or greater, a strip on both sides of the *stream* measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;
- E. All lands designated as being in the Farmland Protection DPA on Schedule G; and
- F. All lands designated as being in the Medical Marihuana Production Facilities DPA on Schedule G.

612 Purpose

The purpose of this designation is to enable the CRD to obtain information in connection with an application for an amendment to a zoning bylaw, a development permit or a temporary use permit that could affect one or more of the following:

- A. The natural environment of the area affected;
- B. Traffic patterns and flows, in the case of a zoning amendment or a development permit that may create 20 or more *parcels*;
- C. The provision of community services, including but not limited to schools, parks, fire protection, policing and similar services; and
- D. Local infrastructure, including but not limited to water service, sewage treatment and disposal, and other services and utilities.

The CRD has, by separate bylaw, established the procedures and policies on the process for requiring development approval information and the substance of the information that may be required.

613 Special Conditions and Objectives

Section 485(1) of the *LGA* authorizes local government to: (a) specify circumstances in which development approval information may be required; (b) designate areas for which development approval information may be required; and (c) designate areas for which, in specified circumstances, development approval may be required provided that the special conditions or objectives that justify the designation are described.

The natural environment of the East Sooke area supports an ecosystem of great diversity, including rare species of flora and fauna, and human habitation. 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.

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 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.

There are only two roads into East Sooke: East Sooke Road and Gillespie Road. A large-scale development could generate sufficient traffic to exceed the carrying capacity of these roads and compromise the safety of drivers, pedestrians and cyclists using these roads. Information is required to assess the potential impact that increased traffic flow from new development may have upon these key access routes.

New development may affect the provision of fire and police protection in East Sooke. The ability of CRD Integrated Water Services to provide adequate levels of servicing can be affected by increased population in those areas of East Sooke within the CRD Water Supply Local Service Area. School District #62 Sooke may have concerns regarding the impact that additional students might have on the capacity of school facilities and bussing services. For these reasons, information is required on the possible impact that development may have upon the provision of fire and police protection, CRD water service and the services provided by School District #62 Sooke. Community services can also be affected by increased population.

There may be some unmapped *streams* or *watercourses* in the Plan area. Regardless of whether a *stream* or *watercourse* has been mapped, the adjacent riparian areas are still subject to the *RAR* if the *stream* contains fish habitat. Provincial legislation requires that a *QEP* submit a report on how development might affect the natural environment within the riparian assessment area. Riparian development permits may be approved subject to the conditions outlined by a *QEP* in a report submitted to the provincial government in accordance with the *RAR*. For these reasons, riparian assessment areas are designated as part of the development approval information area.

PART SEVEN – Temporary Use Permits

710 Temporary Use Permits

Section 493 of the *Local Government Act (LGA)* enables local government to issue temporary use permits (TUPs) to allow specific land uses to occur for a short period of time. The permit can allow uses not permitted by a zoning bylaw, specify conditions under which the temporary use may be carried on and allow and regulate the construction of buildings or structures where this temporary use will occur.

711 Designation of Temporary Use Permit Areas

Land within all of the Land Use Designations in this Plan is designated under Section 492 of the *LGA* as an area in which TUPs may be issued.

712 General Conditions

- A. TUPs may be issued by the CRD throughout the East Sooke Plan area subject to the policies of this Plan.
- B. No public health, public safety or negative environmental impacts will result from the proposed activity.
- C. In evaluating a TUP application, the CRD will consider the following:
 - i. Whether the use is clearly temporary or seasonal in nature;
 - ii. Whether the use is compatible with adjacent uses;
 - iii. The impact of the proposed use on the natural environment;
 - iv. The intensity of the proposed use; and
 - v. The opportunity to conduct the proposed use on other land in the Plan area.
- D. In issuing a TUP, the CRD may specify conditions including, but not limited to:
 - i. The buildings to be used;
 - ii. Siting;
 - iii. Environmental protection, remediation and mitigation measures to address any impact to the natural environment;

- iv. Hours of operation;
 - v. Parking and traffic management;
 - vi. On-site storage, buffers and screening;
 - vii. External lighting;
 - viii. Nuisance, dust and noise abatement;
 - ix. Waste management; and
 - x. A post-use site restoration plan and implementation strategy.
- E. An applicant may be required to indemnify the CRD and post security to ensure compliance with the conditions of a permit.

713 Expiry of a Temporary Use Permit

Despite an expiry date specified in a TUP, a TUP may/will expire if the CRD determines that the person to whom the permit was issued has breached a condition specified in the TUP.

APPENDIX A – DEFINITIONS

In this bylaw, the following definitions apply:

PARCEL means any lot, block, parcel or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the *Bare Land Strata Regulations* pursuant to the *Strata Property Act*, but specifically excludes a building strata created pursuant to Section 241 of the *Strata Property Act*;

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

QUALIFIED PROFESSIONAL (QP) means:

- (a) A professional engineer,
- (b) A professional geoscientist with experience or training in geotechnical study and geohazard assessments,
- (c) A registered professional biologist, or
- (d) A professional agrologist

acting alone or together with another Qualified Professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,

- (b) the individual's area of expertise in the assessment methods is recognized by the CRD as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

RURAL A ZONE means the Rural A zone as established by Bylaw No. 2040, Juan de Fuca, Land Use Bylaw, 1992;

STREAM includes any of the following that provides fish habitat:

- (a) a *watercourse*, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b);

SUBDIVISION means the division of land into two or more *parcels*, whether by plan, descriptive words, or otherwise, and includes a plan consolidating two or more *parcels* into the same or a lesser number of *parcels*, but excludes a building strata;

WATERCOURSE means a permanent or non-permanent (containing water at least six months of the year) source of water supply that is natural or man-made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a *stream*, with well-defined banks and a bed of 0.6 m or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man-made pond that does not connect to a *stream*.

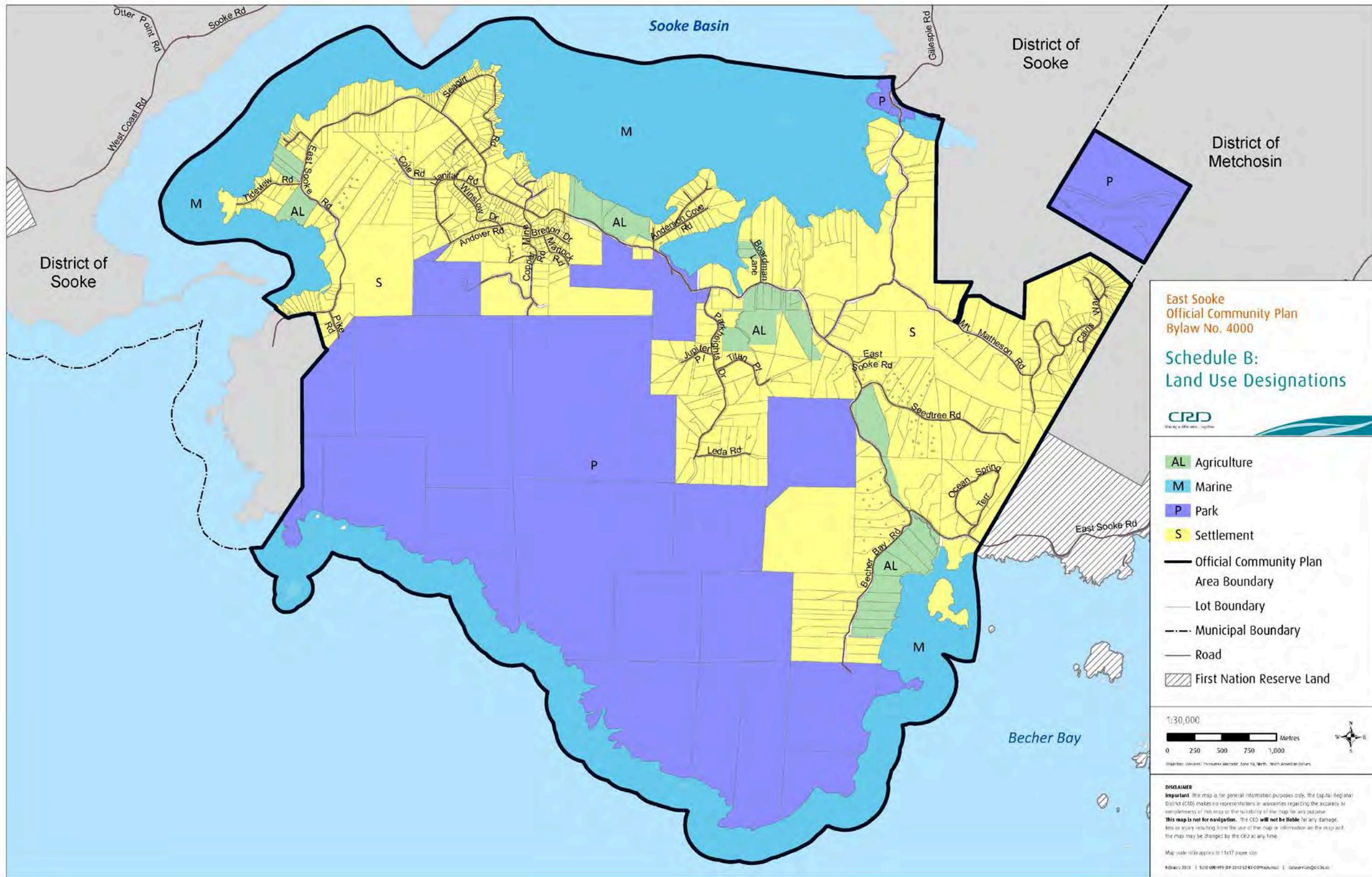
APPENDIX B – 2011 POPULATION DATA FOR EAST SOOKE

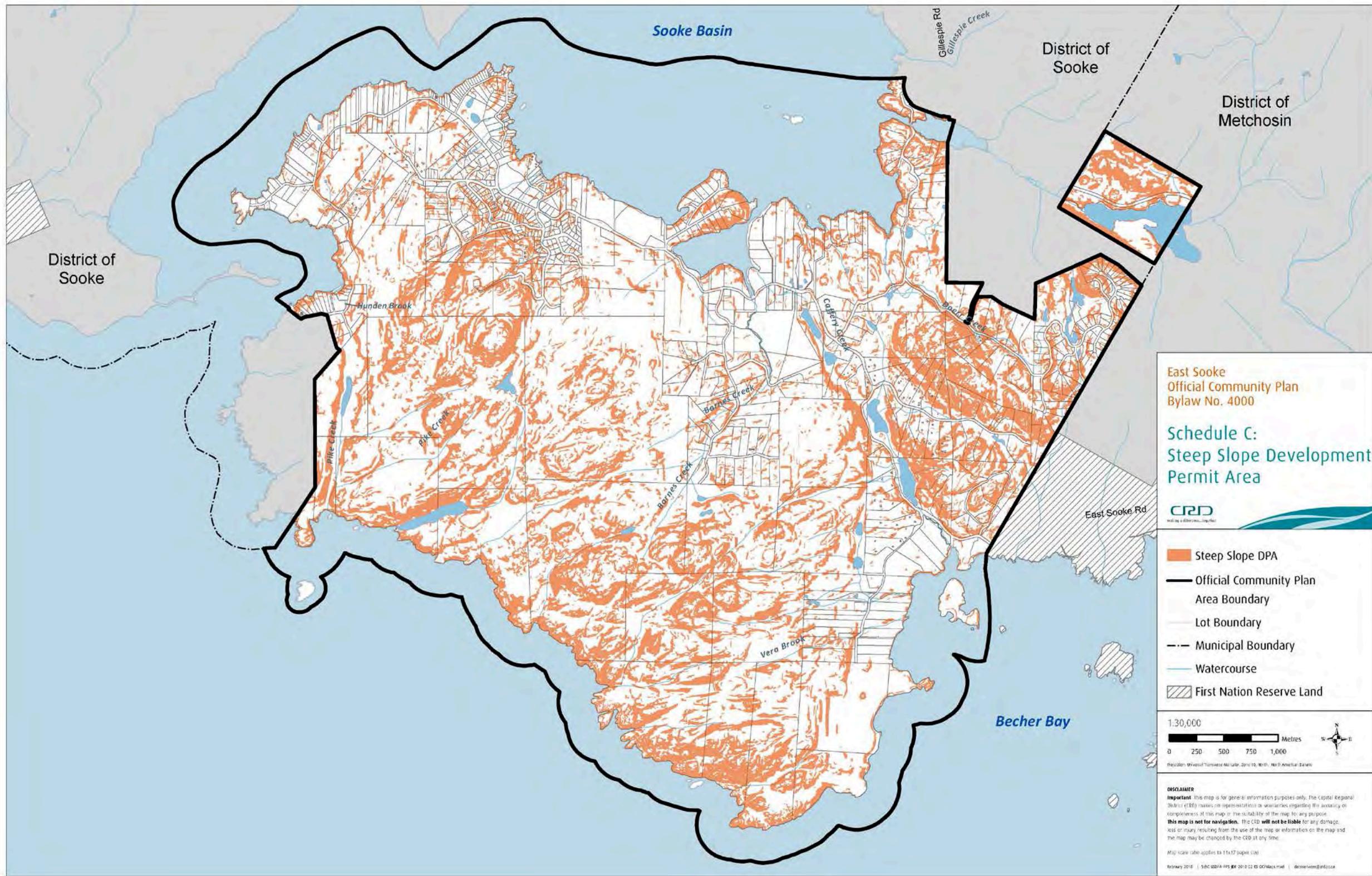
AGE	EAST SOOKE PLAN AREA			JUAN de FUCA ELECTORAL AREA			CAPITAL REGIONAL DISTRICT		
COHORT	FEMALE	MALE	TOTAL	FEMALE	MALE	TOTAL	FEMALE	MALE	TOTAL
0-4	30	25	50	95	95	190	7537	8002	15,300
5-9	40	35	70	110	105	210	7455	7826	15,170
10-14	30	50	75	90	125	215	8105	8391	16,405
15-19	35	50	85	105	130	230	9697	10590	19,765
20-24	30	35	65	75	90	170	13272	12628	23,930
25-29	20	25	45	70	75	145	13234	13244	24,080
30-34	35	15	50	120	90	215	11717	12292	22,115
35-39	40	45	85	135	155	295	11021	11170	21,135
40-44	55	55	110	135	165	300	11858	12002	23,190
45-49	75	65	140	200	175	375	13666	13164	26,725
50-54	80	75	155	230	215	440	14873	13578	28,630
55-59	85	80	160	255	240	490	14605	13503	28,595
60-64	55	75	135	185	225	405	13767	13048	27,275
65-69	35	45	80	115	155	270	10092	9547	19,535
70-74	30	40	70	90	100	185	7323	6636	13,930
75-79	10	20	30	40	60	105	6351	5385	11,840
80+	15	15	25	50	55	110	13808	8245	22,360
TOTAL	695	740	1435	2100	2255	4350	188380	179251	359,990
MEDIAN	47.6	48.4	48	47.8	48	47.9			44.8

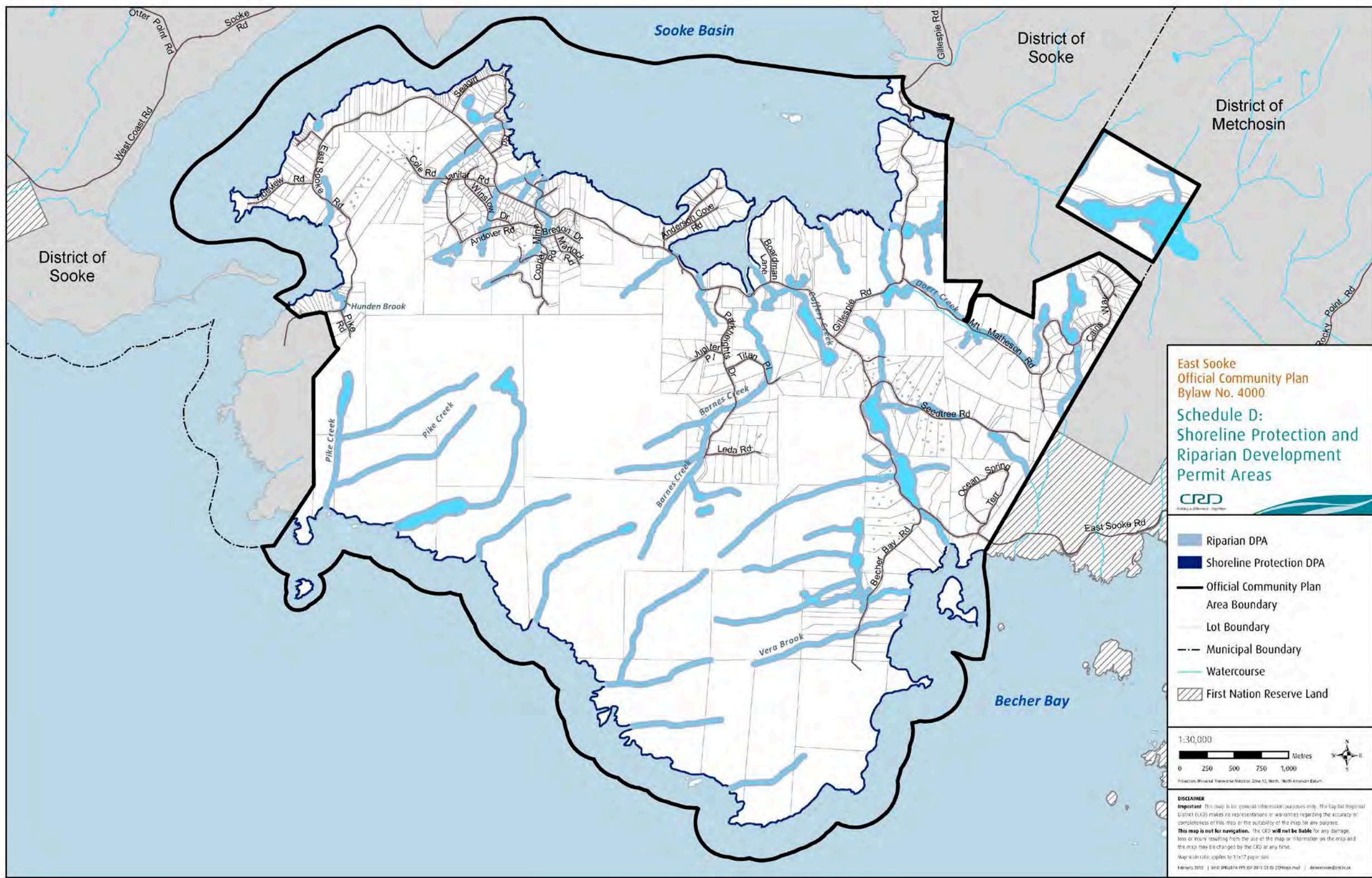
Source: CRD Regional Planning; BC Stats, 2011

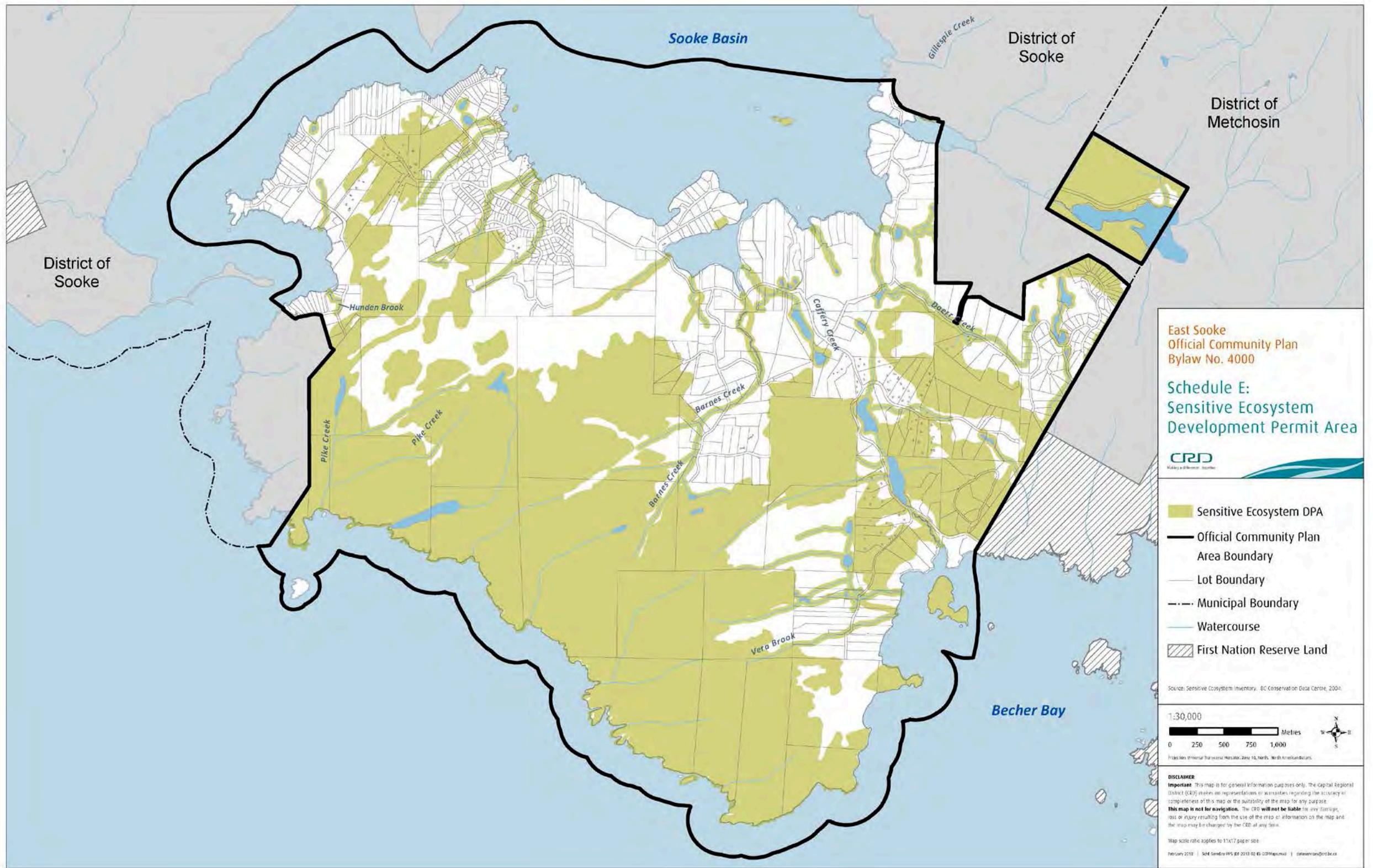
APPENDIX C – LIST OF SOURCES

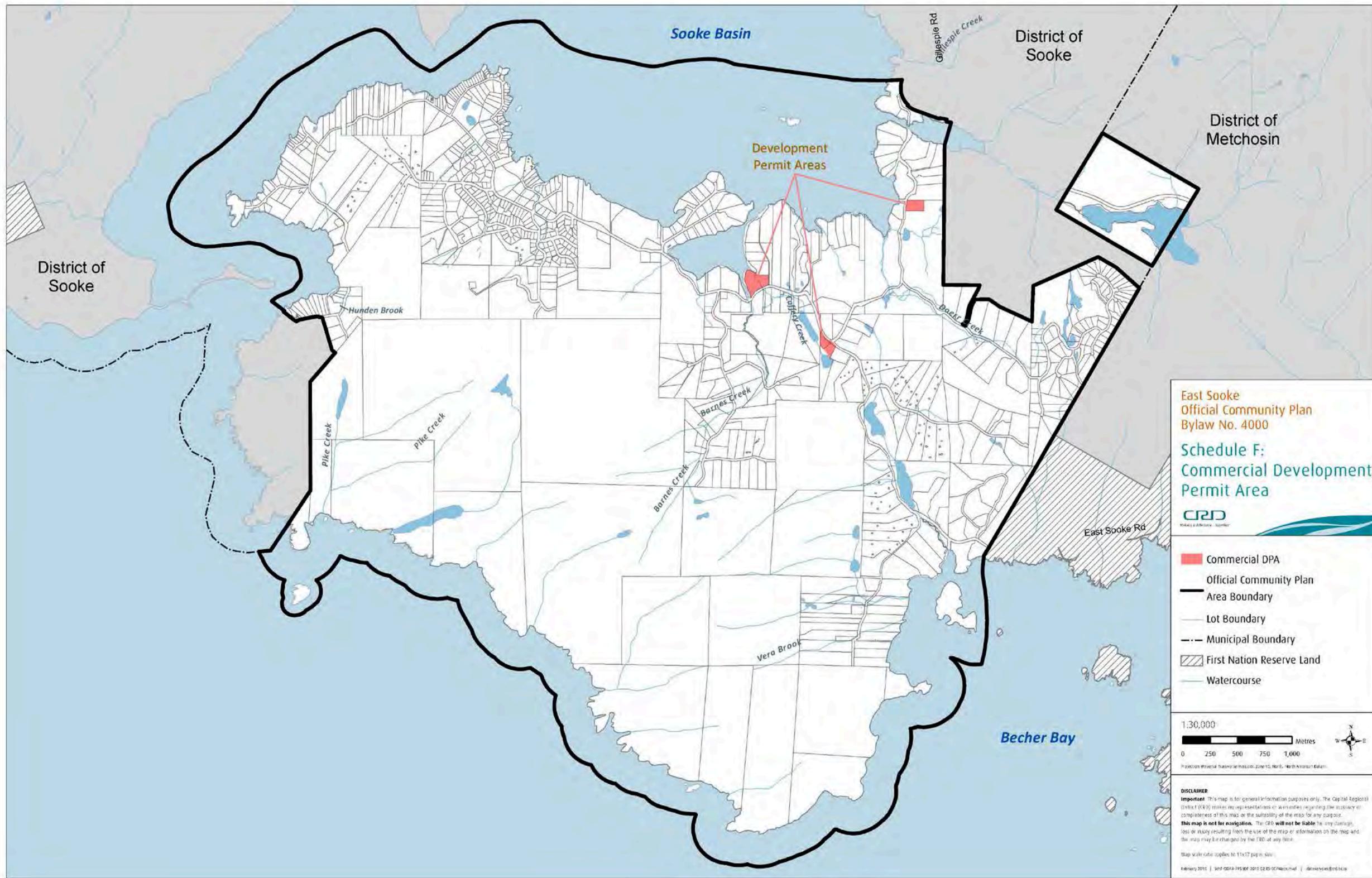
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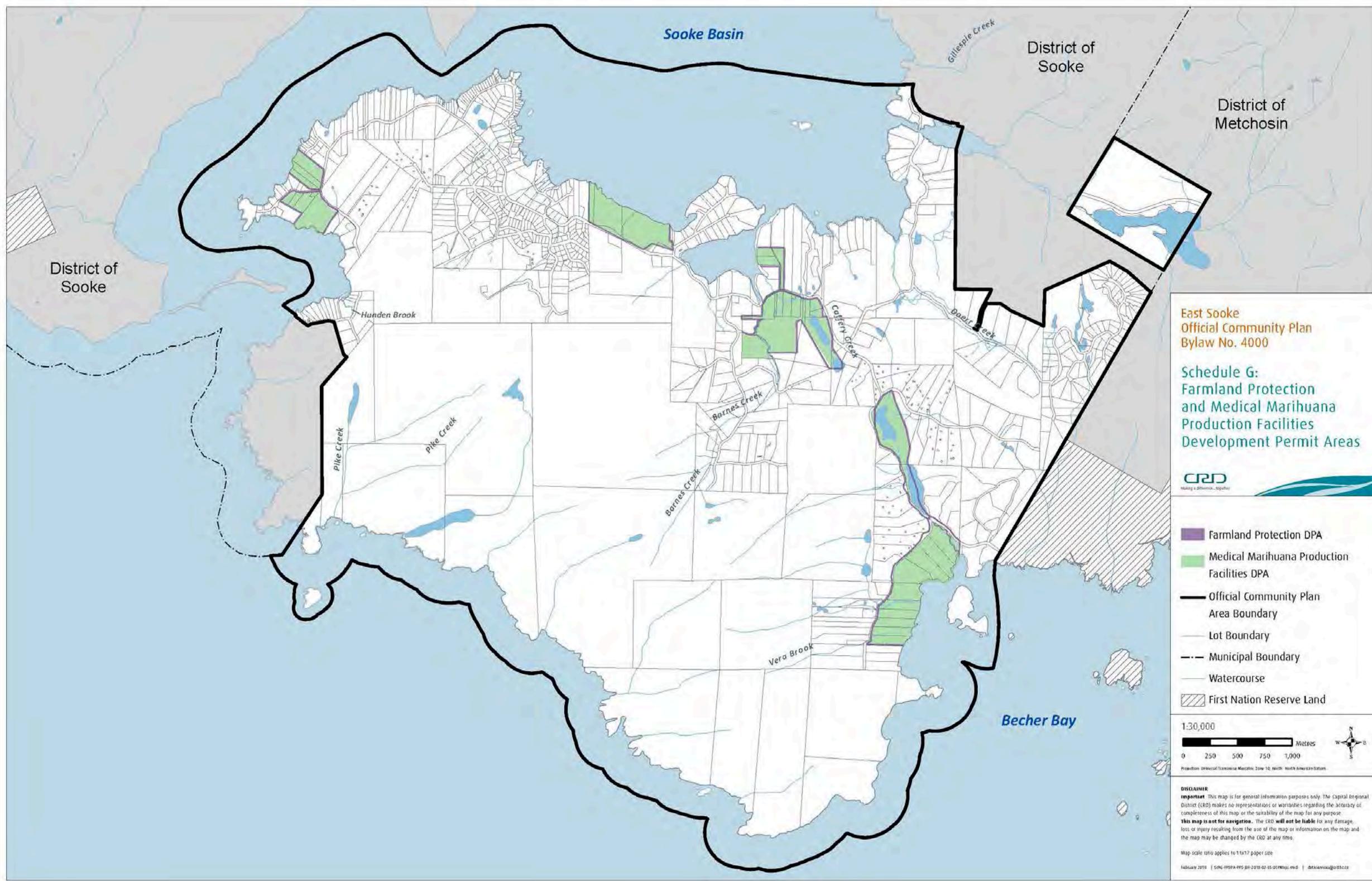


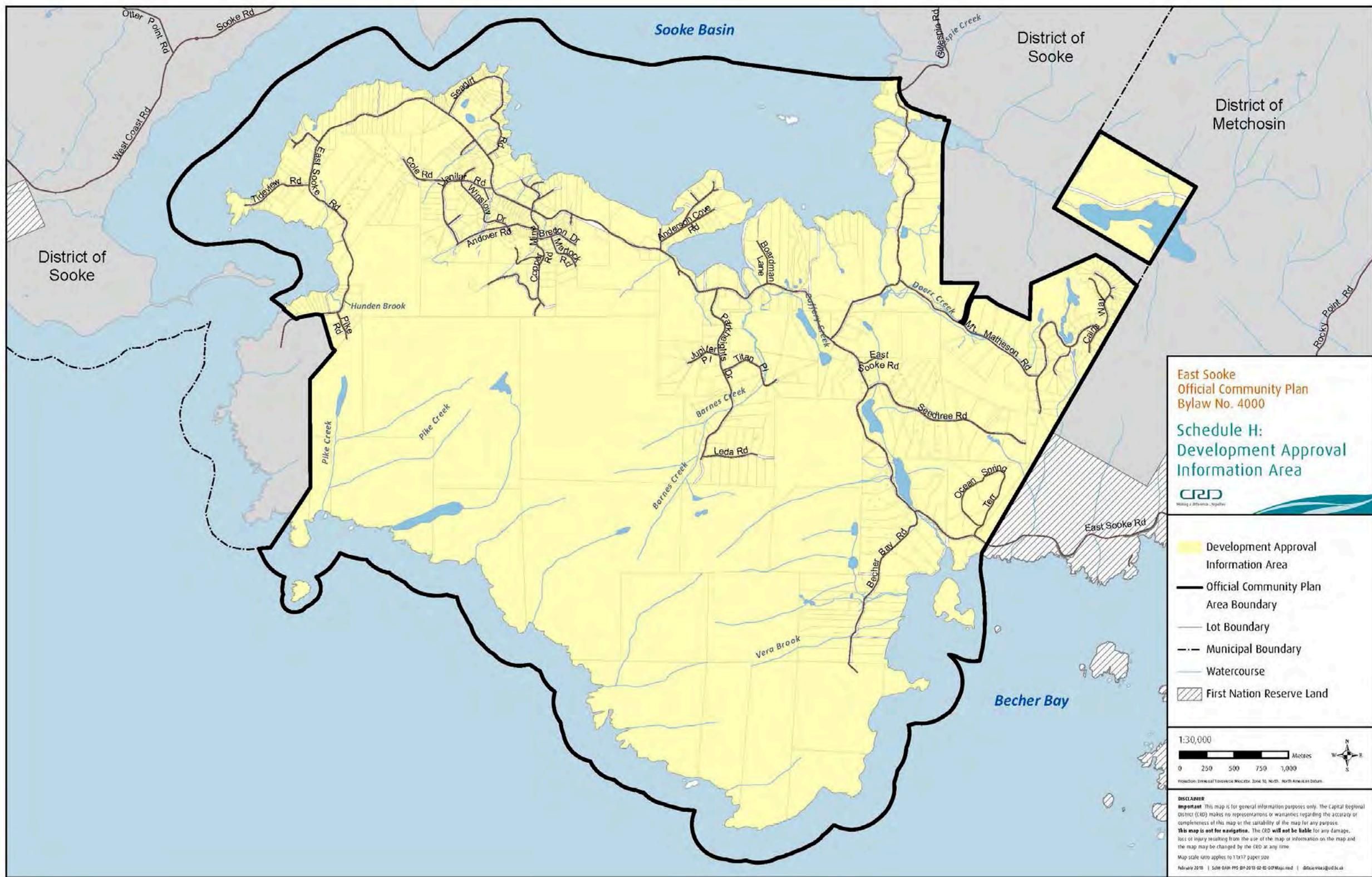












**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, APRIL 17, 2018****SUBJECT Shirley – Jordan River Official Community Plan Update****ISSUE**

To consider Bylaw No. 4001, Shirley – Jordan River Official Community Plan (OCP), which would repeal and replace the existing Shirley/Jordan River OCP, Bylaw No. 3717.

BACKGROUND

The communities of Shirley and Jordan River are located within the Juan de Fuca Electoral Area (JdFEA) of the Capital Regional District (CRD) and are bounded to the east by Muir Creek and the Otter Point area, to the north by the Rural Resource Lands, to the west by Juan de Fuca Provincial Park, and to the south by the Strait of Juan de Fuca (Appendix A).

Staff and consultants have been working with the communities of Shirley and Jordan River, and a 10 member Citizens' Committee, since November 2013 to review and update the existing OCP, Bylaw No. 3717, to complete a sensitive ecosystem inventory, and to prepare policy amendments and new mapping. The overall goal of the OCP update was to provide an opportunity for the communities to review the existing OCP and to identify policies they wanted to add, retain, or amend. The proposed OCP, Bylaw No. 4001, contains a set of goals, objectives and policies for future land use in Shirley and Jordan River that follow provincial legislation and relevant best practices, and that promote the aspirations and interests of the communities (Appendix B).

The LUC directed referral of proposed Bylaw No. 4001 to 35 agencies and appropriate CRD departments for comment in April, 2016. Comments have been received from 14 agencies including CRD departments, the Juan de Fuca Agricultural Advisory Planning Commission (AAPC), the JdFEA Parks and Recreation Advisory Commission, and the Shirley/Jordan River Advisory Planning Commission (APC) (Appendix C).

A change to the OCP area boundary was considered by the Citizens' Committee during the preparation of the OCP. To accommodate the proposed boundary realignment, staff prepared amendments Bylaw No. 4079 (Rural Resource Lands OCP), Bylaw No. 4070 (Land Use Bylaw for Rural Resource Lands) and Bylaw No. 4071 (Juan de Fuca Land Use Bylaw). These bylaws were also referred to agencies for comment (Appendix D). Since there was lack of support for the proposed boundary re-alignment from the Shirley/Jordan River APC, the Bylaws are not included in the recommendation for first reading.

The LUC also recommended referral of Bylaw No. 4001 to the CRD Board for a determination of consistency with the Regional Growth Strategy (RGS). The Board will review the most recently revised version of the Plan prior to consideration of first and second readings.

ALTERNATIVES

That the Land Use Committee recommends to the CRD Board:

1. a) That the referral of proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 5, 2018", directed by the Juan de Fuca (JdF) Land Use Committee to the Agricultural Land Commission, BC Hydro, Cowichan Tribes, Cowichan Valley Regional District, District of Metchosin, District of Sooke, Esquimalt Nation, Halalt First Nation, Hul'qumi'num Treaty Group, Island Health, JdF Agricultural Advisory Planning Commission, JdF Electoral Area Parks and Recreation Advisory Commission, Lyackson First Nation, Malahat First Nation, Managed Forest Council, Ministry of Agriculture, Ministry of Environment, Ministry of Forests, Lands, Natural Resource Operations (MFLNRO) – Arch Branch, MFLNRO – Crown Lands/Foreshore, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, Pauquachin First Nation, Penelakut Tribe, Scia'new First Nation, School District #62, Sheringham Waterworks, Shirley/Jordan River Advisory Planning Commission, Shirley Fire Department, Stz'uminus First Nation, Te'Mexw Treaty Association, Tsartlip Indian Band, Tsawout First Nation, Tseycum Indian Band, T'Sou-ke First Nation, and appropriate CRD departments, be approved and the comments received;
- b) That proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 5, 2018", be considered by the CRD Board for consistency with the Regional Growth Strategy;

- c) That proposed Bylaw No. 4079, Bylaw No. 4070 and Bylaw No. 4071 not proceed;
 - d) That proposed Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 5, 2018”, be introduced and read a first and a second time; and
 - e) That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4001.
2. That the CRD Board not proceed with proposed Bylaw No. 4001.
3. That the bylaw be referred back to staff for more information.

FINANCIAL IMPLICATIONS

The Shirley – Jordan River OCP was a major project undertaken by a consultant and Local Area Planning staff through the fall of 2013 to the spring 2015. The Federal Gas Tax Community Works Fund was accessed in the amount of \$150,000 for the OCP reviews for both Shirley/Jordan River and East Sooke under the Integrated Community Sustainability Planning program. Funds were allocated for professional planning expertise, consultation materials and services in support of the OCP, such as the ecological studies. The JdFEA Planning budget provided for costs associated with staff time and legal advice.

INTER-DEPARTMENTAL IMPLICATIONS

Due to possible impacts on programs, other CRD divisions have been involved in the review of the bylaw, including Building Inspection, Environmental Services, Integrated Water Services, Protective Services, Regional Parks, Regional and Strategic Planning and JdFEA Parks and Recreation.

LEGISLATIVE IMPLICATIONS

Pursuant to Section 475 of the *Local Government Act (LGA)*, an OCP requires that local government provide one or more opportunities for consultation with persons, organizations and authorities that may be affected by the adoption, repeal or amendment of an OCP. Specific consideration must be given to referring the proposed bylaw to the adjacent regional districts or municipalities and First Nations. Consideration should also be given to referring the proposed bylaw to improvement districts and to applicable provincial and federal agencies.

Pursuant to Sections 476 and 477(3)(b) of the *LGA*, an OCP must also be referred to the School District and to the Agricultural Land Commission (ALC). The proposed bylaw also must be referred to the Ministry of Transportation & Infrastructure (MoTI), since it applies to land within 800 m of a controlled access highway and MoTI owns and operates the roads in Shirley and Jordan River.

Consultation under the above noted sections of the *LGA* must occur prior to the requirement under Section 477(3)(c) to hold a public hearing as part of the adoption process. In this case, the LUC recommends that the referral of proposed Bylaw No. 4001 be approved prior to proceeding to first reading of the bylaw.

The Juan de Fuca Development Procedures Bylaw, Bylaw No. 3110, established a process that requires that the proposed OCP be referred to the CRD Board for a determination of consistency with the RGS.

Should the Regional Board grant first and second readings, a public hearing pursuant to Section 465 of the *LGA* will be required prior to the bylaw passing third reading.

PUBLIC CONSULTATION IMPLICATIONS

Prior to beginning the OCP review process, a consultation plan was prepared in order to outline how the community, government agencies, First Nations and interest groups would participate in the OCP review. The consultation plan called for the establishment of a Citizens’ Committee, and a series of Citizens’ Committee meetings and community events were held to work through key issues and policies, and to review several drafts of the OCP. A total of 15 Citizens’ Committee meetings and four community events were held. Comments and concerns raised at these meetings and events were considered by staff in preparing the OCP.

The APCs were established to make recommendations to the Land Use Committee on land use planning matters referred to them relating to Part 14 of the *LGA*; therefore, Bylaw No. 4001 was referred to the Shirley/Jordan River APC. As the proposed OCP addresses agricultural land policies and includes policies

related to park land acquisition and trail development, the bylaw was also referred to the Juan de Fuca AAPC and to the JdFEA Parks and Recreation Advisory Commission.

REFERRAL COMMENTS

Referral responses for the proposed OCP Bylaw were received from 14 agencies, including CRD departments, the Shirley/Jordan River APC, the AAPC, and the JdFEA Parks and Recreation Advisory Commission. The comments are summarized below and are provided in their original form in Appendix C.

Cowichan Tribes, Cowichan Valley Regional District, Esquimalt Nation, District of Metchosin, Ministry of Agriculture and School District #62 indicated that their interests are unaffected by the proposed OCP.

Island Health – Outlined evidence-based information related to community health for the Sooke region. Island Health requires construction and operating permits where water supplies provide water to more than one single-family residence. Island Health also discourages rainwater capture systems as potable water supplies for subdivision. Support was given for road safety improvements, food security and provision of affordable and rental housing options.

MOTI – The Ministry had no objections to the proposed OCP, but requested a re-referral if substantive changes are made.

CRD Environmental Services – The CRD Climate Action Program recognized that while rural communities of Shirley and Jordan River face certain challenges in reducing Greenhouse Gas (GHG) emissions generated by transportation and buildings, they encourage a higher reduction target than 3%. Suggestions included support for installing electric vehicle infrastructure and upgrading wood stoves to low-emission appliances.

CRD Regional & Strategic Planning – At the time of comments were received, the RGS review was still underway. Staff commented that any potential need for an RGS amendment would be identified through the Board's evaluation.

AAPC – The Commission acknowledged that the potential for agricultural opportunities may increase with climate change. Support for the proposed OCP was stated.

JdFEA Parks and Recreation Advisory Commission – The Commission provided edits to Section 330 Parks and Trails. Support for the proposed OCP was stated.

Shirley/Jordan River APC – The Commission provided edits to Sections 310 and 410 Water, Sections 330 and 430 Parks and Trails, and to Section 380 Development and Local Economy. Suggestions were made to not identify the location of eagle's nests on the maps. Additions to Section 450 Transportation for traffic improvements, and to Section 460 Services and Emergency Planning were also outlined. Support was indicated for re-designating smaller parcels from Coastal Upland to Pacific Acreage on Schedule B and in Section 480 Development and Local Economy. Discussion on development permit areas (DPAs) related to enforcement issues and improving the design guidelines in Section 550 Commercial and Industrial DPA. The proposed boundary amendment to include a parcel from the Rural Resource Lands OCP area was not supported.

Since there was lack of support for the proposed boundary re-alignment from the Shirley/Jordan River APC, the Bylaws are not included in the recommendation for first reading. All other comments received have been incorporated into the plan presented for first reading. Staff recommend that the Board approve the referral of Bylaw No. 4001 and accept comments received.

RGS IMPLICATIONS

Section 445 of the *LGA* requires that all bylaws adopted by a regional district board after the board has adopted an RGS, be consistent with the RGS. The Shirley/Jordan River Official Community Plan, Bylaw No. 4001, will be considered by the CRD Planning and Protective Services Committee on April 25, 2018. The Committee's recommendation regarding consistency will be forwarded to the CRD Board to make a final determination of consistency prior to consideration of first reading on May 9, 2018.

PLANNING ANALYSIS

The primary goal of this OCP update was to review the objectives and policies that guide decisions on planning and land use management in Shirley and Jordan River. The OCP aims to protect the rural character and natural environment of the community, while accommodating rural residential, resource, and

limited commercial uses in appropriate locations. The Plan has been restructured around themes identified by the community and includes a focus on protecting water quantity and quality. New policy areas include community services, resources, emergency planning, community health, and a provision for temporary use permits. A sensitive ecosystem inventory was prepared by Madrone Environmental Services Ltd. in 2014. This inventory was used to determine the extent of the Sensitive Ecosystem Development Permit Area and to establish development permit guidelines.

The Plan accommodates limited growth in Shirley and Jordan River. New land use designations (LUDs) are established that more accurately represent the range of current uses and the desired development potential. The establishment of the new Settlement, Pacific Acreage, Commercial, Coastal Upland, and Renewable Resource LUDs results in a decrease in the development potential of 856 lots when compared with the land use designations in the current OCP. The development potential is outlined in Section 386 and changes are summarized below:

Bylaw No.	Land Use Designation	Development Potential
3717 (Existing OCP)	Settlement Containment (1 ha) Settlement Area (2 ha) TOTAL	1 1,438 1,439
4001 (Proposed OCP)	Settlement (1 ha) Pacific Acreage (2 ha) Commercial (120 ha) Coastal Upland (4ha) Renewable Resource (120 ha) TOTAL	3 163 0 416 1 583
Reduction in Development Potential		856

The Coastal Upland LUD is applied to privately owned lands in the Private Managed Forest Land program. This LUD supports the continued use of parcels for forestry, residential, and limited low-impact tourism uses. The Coastal Upland designation supports a density that reflects the minimum lot size established by the Forestry zone in the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, which is 4 ha with one dwelling per parcel.

The Renewable Resource LUD is applied to Crown Land in Tree Farm License #61, the existing industrial forestry log sort parcel, and land owned by BC Hydro being used for power generation. This designation supports resource uses and a density of one parcel per 120 ha.

The Commercial LUD is applied to lands in Jordan River. This designation restricts residential and tourist accommodation uses while supporting commercial, institutional and light industrial uses with a density of one parcel per 120 ha.

Proposed Bylaw No. 4001 retains the Settlement Containment Area LUD from the 2007 OCP for parcels in the 1 ha range, but renames it as Settlement. The designation includes parcels within the Sheringham Water Works service area and incorporates a small community park owned by the CRD.

The Pacific Acreage LUD is applied to parcels in the 2 ha range that were designated as Settlement Area in Bylaw No. 3717. Only those lands already zoned for rural residential or commercial uses outside the Settlement LUD are included in Pacific Acreage.

Policies that support rezoning of lands zoned Rural A, which permits multiple dwelling units on a single parcel, are included in Section 484 of Bylaw No. 4001. The intent of these policies is to provide property owners an alternative to building strata development under provisions of the *Strata Property Act*, and to provide the community an opportunity to obtain park dedication.

A Restricted Development LUD is applied to lands within the flood inundation zone identified by BC Hydro. Overnight accommodation uses are not permitted in this designation.

The OCP update process involved extensive public consultation and review, and edits to the document have been made to incorporate referral comments received. Should the Board determine that the Plan is consistent with the RGS, staff recommend giving first and second reading to Bylaw No. 4001 and proceeding to public hearing.

CONCLUSION

The Shirley – Jordan River OCP has undergone extensive community consultation and proposed Bylaw No. 4001 addresses the comments and vision of the community based upon the referral and review process. Staff recommend that the referral of the proposed bylaws to agencies, CRD departments, First Nations and the Shirley/Jordan River APC be approved, that the CRD Board consider the proposed OCP Bylaw for a determination of consistency with the RGS, that the Bylaw be granted first and second readings, and that a public hearing be held.

RECOMMENDATIONS

That the Land Use Committee recommends to the CRD Board:

1. a) That the referral of proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 5, 2018", directed by the Juan de Fuca (JdF) Land Use Committee to the Agricultural Land Commission, BC Hydro, Cowichan Tribes, Cowichan Valley Regional District, District of Metchosin, District of Sooke, Esquimalt Nation, Halalt First Nation, Hul'qumi'num Treaty Group, Island Health, JdF Agricultural Advisory Planning Commission, JdF Electoral Area Parks and Recreation Advisory Commission, Lyackson First Nation, Malahat First Nation, Managed Forest Council, Ministry of Agriculture, Ministry of Environment, Ministry of Forests, Lands, Natural Resource Operations (MFLNRO) – Arch Branch, MFLNRO – Crown Lands/Foreshore, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, Pauquachin First Nation, Penelakut Tribe, Scia'new First Nation, School District #62, Sheringham Waterworks, Shirley/Jordan River Advisory Planning Commission, Shirley Fire Department, Stz'uminus First Nation, Te'Mexw Treaty Association, Tsartlip Indian Band, Tsawout First Nation, Tseycum Indian Band, T'Sou-ke First Nation, and appropriate CRD departments, be approved and the comments received;
- b) That proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 5, 2018", be considered by the CRD Board for consistency with the Regional Growth Strategy;
- c) That proposed Bylaw No. 4079, Bylaw No. 4070 and Bylaw No. 4071 not proceed;
- d) That proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 5, 2018", be introduced and read a first and a second time; and
- e) That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4001.

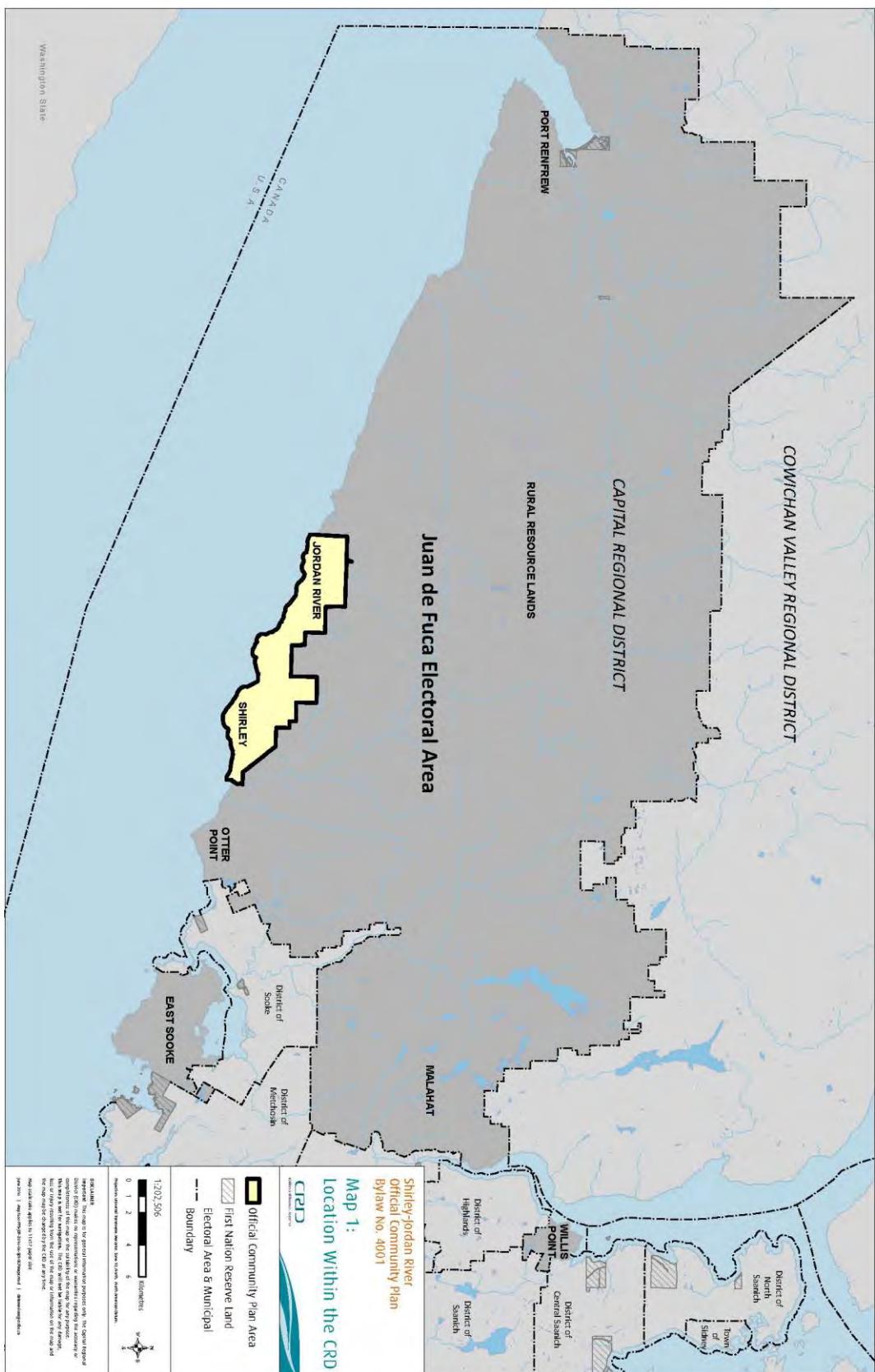
Submitted by:	Emma Taylor, MCIP, RPP, Planner, Juan de Fuca Local Area Planning
Concurrence:	Iain Lawrence, Manager, Juan de Fuca Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ET:wm

Appendices:

- A. Shirley/Jordan River Area
- B. Proposed Bylaw No. 4001
- C. Referral Comments
- D. Bylaw No. 4079, Bylaw No. 4070 and Bylaw No. 4071

Appendix A – Shirley/Jordan River Area



Appendix B – Proposed Bylaw No. 4001
Separate Attachment

Cowichan Tribes

Appendix C – Referral Comments

Wendy Miller

From: Tracy Fleming <Tracy.Fleming@cowichantribes.com>
Sent: Friday, April 29, 2016 1:59 PM
To: Wendy Miller
Cc: Candace Charlie
Subject: Re: Shirley - Jordan River Official Community Plan - CRD Referral

Hello Wendy,

We will not be responding to his referral. We defer to the first nations in whose core area this is located.

Tracy Fleming, M.Sc., R.P.Bio.
Referral Coordinator
Cowichan Tribes
5760 Allenby Road
Duncan, BC V9L SJ1

250-748-3196 (ext 358)

Please consider the environment before printing this message..

PRIVILEGE & CONFIDENTIALITY NOTICE: The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient, it may be unlawful for you to read, copy, disclose or otherwise use the information on this communication. If you received this transmittal in error, please contact the sender and delete the material immediately.

>>> Wendy Miller <wmiller@crd.bc.ca> 4/20/2016 10:18 AM >>>
Good Morning,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016" (Appendix B), which would repeal and replace the existing Shirley/Jordan River OCP, Bylaw No. 3717.

Appendix B:

<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/juandefucalandusecommittee/20160419/pps-jdf-2016-04-19-bl4001-trackedchangesaccepted-referral.pdf?sfvrsn=4>

Comment is requested by May 18, 2016.

Thank you,

Wendy Miller

Administrative Clerk | JDF Electoral Area Planning | 250.642.8100
JDF Local Area Services Building | Capital Regional District

Cowichan Valley Regional District

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4001

- Interest Affected by Proposal for Reasons Outlined Below

Interest Unaffected by Proposal

Comments:

E M Rose
Signed

MANAGER COMM/REG PLANNING

2016/05/09

CVRD
Agency

District of Metchosin

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4001

Interest Affected by Proposal for Reasons Outlined Below

Interest Unaffected by Proposal

Comments:

Signed

Title

PLANNER

1

10

Date

MAY 17, 2016

DISTRICT OF METTLACH
Agency

Esquimalt Nation

Wendy Miller

From: Janice Rose <Janice@esquimaltnation.ca>
Sent: Tuesday, May 10, 2016 5:32 PM
To: Wendy Miller
Subject: RE: Shirley - Jordan River Official Community Plan - CRD Referral

Hi Wendy,

Esquimalt Nation council has no comments at this time.

Thank you.

Janice

From: Wendy Miller [wmiller@crd.bc.ca]
Sent: May 10, 2016 12:56 PM
To: Georgia Dixon
Subject: RE: Shirley - Jordan River Official Community Plan - CRD Referral

Good Afternoon,

I follow up to the below email.

Should you wish to make comment, submissions are requested by May 18, 2016.

Thank you,

Wendy Miller
Administrative Clerk | JDF Electoral Area Planning | 250.642.8100
JDF Local Area Services Building | Capital Regional District
3 – 7450 Butler Road, Sooke, BC V9Z 1N1

From: Wendy Miller
Sent: Wednesday, April 20, 2016 10:26 AM
To: 'georgia@esquimaltnation.ca' <georgia@esquimaltnation.ca>
Subject: Shirley - Jordan River Official Community Plan - CRD Referral

Good Morning,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016" (Appendix B), which would repeal and replace the existing Shirley/Jordan River OCP, Bylaw No. 3717.

Appendix B:

<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeddocuments/juandefucalandusecommittee/20160419/pps-jdf-2016-04-19-bl4001-trackedchangesaccepted-referral.pdf?sfvrsn=4>

Comment is requested by May 18, 2016.

Thank you,

Island Health



Excellent health and care, for everyone,
everywhere, every time.

May 26, 2016

June Klassen
Manager, Local Area Planning
Juan de Fuca Electoral Area Planning
Capital Regional District
3 – 7450 Butler Road
Sooke, BC V9Z 1N1

Dear Ms. Klassen:

Re: Proposed Bylaw No. 4001, Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016

Thank you for the opportunity to provide comment on the Shirley – Jordan River Official Community Plan update. How communities are planned and built, and the services and resources provided within them, directly impacts people's physical, mental, and social health. These impacts are reflected in levels of social cohesion, mental and physical fitness, chronic disease, obesity, and injury¹. By 2035, Sooke's population aged 45-74 is expected to increase by 53%, while the population aged 75+ is expected to grow by 194%². As the population ages, the prevalence rates of chronic conditions such as cardiovascular diseases, type II diabetes, and obesity will also increase³.

All of these health effects arise in part from our interaction with the built environment, e.g. the buildings, parks, schools, road systems and other infrastructure that we encounter in our daily lives. Research indicates that we can improve health and reduce illness through different approaches to planning our communities. According to the World Health Organization, 80% of some chronic diseases can be prevented through moderate exercise and improved nutrition; as well as having well designed homes, sidewalks and transportation systems to help promote activity for all ages³.

Island Health (VIHA) appreciates the opportunity to provide evidence-based recommendations and comments for this Official Community Plan review. Regulatory requirements, as well as Healthy Built Environment based highlights are itemized below.

Regulatory Considerations

Drinking Water

361 – On page 56 where reference is made to water licenses being required by the province, it could be further added that water supplies providing water to more than one single family residence or commercial operation (with public access) require construction and operating permits from Island Health's – Health Protection and Environmental Services department, for more details on this please refer to the *Drinking Water Protection Act and Regulation* and/or <http://www.viha.ca/mho/water/>. This comment is also applicable to section **383**.

Health Protection and Environmental Services

Located at: 201-771 Vernon Avenue | Victoria, BC V8X 5A7 Canada

Mailing address: 201-771 Vernon Avenue | Victoria, BC V8X 5A7 Canada

Tel: 250-519-3401 | Fax: 250-519-3402

viha.ca

Review – Shirley/Jordan River OCP Update
May 26, 2016

Page 2 of 4

414 – On page 87 it mentions that “on-site collection of rainwater is supported.” Rainwater capture can be utilized to provide domestic potable water to existing individual single-family residences, however Island Health (as referenced on page 57) greatly discourages its use as a potable water supply for the purposes of subdivision, as it is an unreliable (for quality and quantity) source of water for domestic purposes.

Subdivision and Sewage

484 – Page 106 under point B there is reference to no new parcels being created with an area of less than 0.5 acre. We would like to bring to your attention that under our *Subdivision Standards* this would be contingent on connection to a community water supply system. If there is only a single connection to a drinking water source, then the minimum lot size recommended is 1 Ha.

Select highlights under Island Health’s Healthy Built Environment (HBE) Initiative:

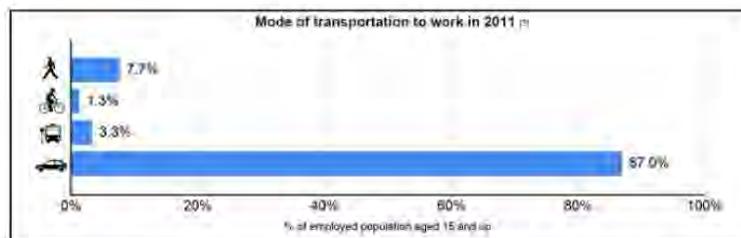
Traffic and Trails

Road Safety and Active Transportation: Broad objectives in these sections recognize the need for more trails throughout the community to increase connectivity, reduce reliance on cars, support a healthy lifestyle and offer a safe route for pedestrians and cyclists. Additionally, directed to the Ministry of Transportation & Infrastructure (MoTI) have been added to the OCP, calling for safety improvements to Highway #14.

Island Health would like to echo this sentiment and strongly encourage the Ministry of Transportation to improve road safety including the flashing light where fire trucks enter the highway in Shirley and a pedestrian crosswalk in Jordan River. Street safety improvements such as traffic calming and separated bicycle routes have been shown to greatly decrease the occurrence of traffic collisions and injuries among all road users. Evidence also illustrates that “safety concerns keep 1 in 5 Canadians from walking or bicycling.” 82% of Canadians are willing to walk more if there is better infrastructure⁴.

Active transportation that is convenient and safe can also increase transit use as well as walkability, and physical activity, while too improving mental health and social connectivity. Active transportation is one of the most cost-effective ways for an individual to become more physically active and remain healthy in the long-term. If all Canadians engaged in 60 minutes of physical activity per day, 33% of all deaths related to coronary heart disease, 25% of deaths related to stroke, 20% of deaths related to Type 2 diabetes, and 20% of deaths related to hypertension could be avoided⁴.

With the above HBE linkages in mind Island Health would like to highlight the illustration below. As seen in the graphic below a population of 13.7% (in Sooke) rely on alternative modes of transport to get to work. In the OCP, on page 73, it states that “mode of transportation for commuters is single-occupancy vehicles (93%) in the locality. To facilitate this population and possibly foster others to commute by modes besides automobiles, making active transportation convenient and safe is an integral component.



Reference: <http://www.phsa.ca/Documents/Community-Health-Profile/Sooke.pdf>

Food Security

In this update the increasing importance of local food security is recognized and policies supportive of local agriculture, farmers markets and farm gate sales have been added to the updated OCP. Community and home gardens are supported in all land use designations.

Research suggests that community gardens have the potential to build community and influence food knowledge and preferences, in addition to contributing to the local food supply. Farmers markets also encourage local food security and healthier food choices within the community however to keep food safety principles paramount they should be adhering to the provincial *Guidelines for the Sale of Foods at Temporary Food Markets*.

Overall, research suggests that support for local food production may increase the availability of healthy and fresh food, including fruits and vegetables, in communities while supporting local economies. We know that eating enough servings of vegetables and fruit is critical to good health; however, only 41% of British Columbians eat at least five servings of fruits and vegetables per day. There is evidence to show that even a one-serving-per-day increase is linked to a 20% reduction in chronic disease related mortality³. Therefore, these food security measures have the potential to contribute to improvements in the overall health of individuals, families, and the communities of Shirley and Jordan River.

Development and Local Economy

Affordable and rental housing options are recognized and supported through suites and home based business. Secondary dwellings provides the community with increased affordable housing options which may have a multitude of increased health benefits, e.g. allow people greater disposable income to buy necessities such as healthy food or medications. In addition, permitting secondary dwellings can assist families with facilitating "aging in place" such that either aging family members may be able to reside with their family, or conversely allowing seniors to bring in a tenant to offset costs or even a live in home care provider. Another benefit of this allowance will ensure suites are built to Building Code requirements rather than the installation of illegal substandard housing.

With the above in mind, the following two conditions are required to ensure a safe and healthy environment for secondary dwellings:

- a) As per section 7 of the *Health Hazard Regulation* it is the duty of a landlord to provide potable water to his/her tenant for domestic purposes.
- b) Increases to living space may impact properties serviced by septic systems, therefore sewerage systems must be adequately sized and designed and may require an assessment or upgrading by an Authorized Person as per the *Sewerage System Regulation*.

Review – Shirley/Jordan River OCP Update
May 26, 2016

Page 4 of 4

Thank you for the opportunity to review the Shirley/Jordan River Official Community Plan update. If you have any questions please do not hesitate to contact Rory Beise, your district Environmental Health Officer for regulatory considerations at 250-519-3401, or the undersigned at 250-519-3654 regarding Island Health's *Healthy Built Environment* Initiative.

Sincerely,



Jade Yehia, CPHI(C)
Regional Built Environment Consultant

c.c.: Rory Beise, Environmental Health Officer, Victoria
 Joanne Lum, Senior Environmental Health Officer, Victoria

¹Provincial Health Services Authority (PHSA). (2015). Retrieved from: <http://www.phsa.ca/our-services/programs-services/population-public-health/healthy-built-environment>

²Island Health. (2013). *Local Health Area Profile*. Retrieved from http://www.viha.ca/rho/stats/lha_profiles.htm

³PlanH. (2014) Retrieved from planh.ca/sites/default/files/planh_local_government_guide-web_0.pdf and ⁴<http://planh.ca/take-action/healthy-environments/page/healthy-built-environment>

Ministry of Agriculture

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4001

Interest Affected by Proposal for Reasons Outlined Below

Interest Unaffected by Proposal

Comments:

Staff appreciate the opportunity to review proposed Bylaw No. 4001 and have no concerns with the Bylaw as presented.

Sam

Signed

Land Use Planner

Title

May 11, 2016

Date

Ministry of Agriculture
Agency

Agency

Ministry of Forests, Lands and Natural Resource Operations

RESPONSE SUMMARY – PROPOSED BYLAW NO. 4001

- Interest Affected by Proposal for Reasons Outlined Below

Comments:

Signed Dr. Grant Bracher
D.P. GRANT BRACHER

Ecosystem Biology

Title

APRIL 21, 2016

Date _____

ENVIRONMENTAL STEWARDSHIP

Agency - min. of forests, lands
and natural resource
operators

Ministry of Transportation & Infrastructure

Wendy Miller

From: Sherratt, Grace TRAN:EX <Grace.Sherratt@gov.bc.ca>
Sent: Tuesday, May 17, 2016 3:05 PM
To: Wendy Miller
Subject: RE: Shirley - Jordan River Official Community Plan - CRD Referral

Hello Wendy,

Please accept this email as an official Ministry response to your referral of proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. a, 2016", **Ministry file 2016-02450**.

The Ministry has no objections to the proposed Bylaw, however we do request input be obtained from the Ministry with regards to the proposed 'Broad Objectives for Traffic' and required permits be obtained. Also, if significant revisions/changes are made, please re-refer the document for Ministry review.

If you require any additional information please feel free to contact myself directly.

Kind Regards,
GRACE SHERRATT | DISTRICT DEVELOPMENT TECHNICIAN
BC MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE | VANCOUVER ISLAND DISTRICT
240 - 4460 CHATTERTON WAY
VICTORIA BC V8X 5J2
T: 250.952.4511 | F: 250.952.4508

WEBSITE FOR DEVELOPMENT APPROVALS:
www.th.gov.bc.ca/Development_Approvals/home.htm | MINISTRY WEBSITE: <http://tranbc.ca/>

From: Wendy Miller [mailto:wmliller@crd.bc.ca]
Sent: Wednesday, April 20, 2016 9:41 AM
To: Sherratt, Grace TRAN:EX
Subject: Shirley - Jordan River Official Community Plan - CRD Referral

Good Morning,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016" (Appendix B), which would repeal and replace the existing Shirley/Jordan River OCP, Bylaw No. 3717.

Appendix B:
<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/juandefucalandusecommittee/20160419/pps-jdf-2016-04-19-bl4001-trackedchangesaccepted-referral.pdf?sfvrsn=4>

Comment is requested by May 18, 2016.

Thank you,

Wendy Miller
Administrative Clerk | JDF Electoral Area Planning | 250.642.8100

School District #62

Wendy Miller

From: Pete Godau <pgodau@sd62.bc.ca>
Sent: Tuesday, May 10, 2016 12:31 PM
To: Wendy Miller
Subject: RE: Shirley - Jordan River Official Community Plan - CRD Referral

Wendy,

No concerns from the school district.

Thanks,

Pete

From: Wendy Miller [mailto:wmiller@crd.bc.ca]
Sent: Tuesday, May 10, 2016 12:13 PM
To: Pete Godau <pgodau@sd62.bc.ca>
Subject: RE: Shirley - Jordan River Official Community Plan - CRD Referral

Good Afternoon,

I follow up to the below email.

Should you wish to make comment, submissions are requested by May 18, 2016.

Thank you,

Wendy Miller

Administrative Clerk | JDF Electoral Area Planning | **250.642.8100**
JDF Local Area Services Building | Capital Regional District
3 – 7450 Butler Road, Sooke, BC V9Z 1N1

From: Wendy Miller
Sent: Wednesday, April 20, 2016 9:43 AM
To: 'Pete Godau' <pgodau@sd62.bc.ca>
Subject: Shirley - Jordan River Official Community Plan - CRD Referral

Good Morning,

Please find attached a referral letter and staff report and link to proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016" (Appendix B), which would repeal and replace the existing Shirley/Jordan River OCP, Bylaw No. 3717.

Appendix B:

<https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/juandefucalandusecommittee/20160419/pps-jdf-2016-04-19-bl4001-trackedchangesaccepted-referral.pdf?sfvrsn=4>

Comment is requested by May 18, 2016.

JdF Agricultural Advisory Planning Commission

Juan de Fuca Agricultural Advisory Planning Commission Meeting Minutes
May 9, 2016

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Subsection 392 Reducing the Number of Vehicle Trips

Recognizes that farm gate sales can reduce the amount of travel necessary to purchase food and other goods.

Part 4 – Goals, Policies and Objectives

Subsection 403 Agriculture Land Use Designations

Designates all lands in the ALR as Agriculture. Permits lands outside of the ALR that are being farmed to be designated Agriculture.

Subsection 414 Policies for Ecological Health

The AAPC stated support for expanding the policy related to limiting the introduction of invasive species to include invasive animals. Addling geese eggs was forwarded as an example to limit an invasive animal and the addling method was supported as a best-practice opposed to hunting.

Subsection 464 Policies for Food Security

Emma Taylor outlined the policies. It advised that policy statement G would support regulations in the Land Use Bylaw to support siting of buildings to maximize the area available for agriculture. It was further advised that policy statement H would support the concept of a cooperative or group farm if a proposal for rezoning was submitted.

Part 5 - Development Permit Areas

Subsection 503 General exemption from a Development Permit

Statement J exempts normal farm practices as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Section 540 Sensitive Ecosystem Development Permit Area

The Sensitive Ecosystem Development Permit Area (DPA) includes seasonally flooded fields.

Section 560 Farmland Protection Development Permit Area

DPA has been retained in proposed Bylaw No. 4000. Emma Taylor advised that the Farmland Protection DPA buffer is on the adjacent land and not on land within the ALR. A DP would be required at the time of rezoning/subdivision.

Section 570 Medical Marijuana Production Facilities Development Permit Area

The DPA includes all land in the ALR and guides the form and character of medical marijuana production facilities.

b) Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016”

Emma Taylor directed attention to the table provided comparing the agricultural policy changes between existing Bylaw No. 3717 and proposed Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016”. It was advised that Bylaw No. 4000 and Bylaw No. 4001 are structured in the same way, sharing similar policy statements. It was further advised that water was the top priority communicated by the community and that the OCP includes information from the Sensitive Ecosystem Inventory commissioned in 2014.

Juan de Fuca Agricultural Advisory Planning Commission Meeting Minutes
May 9, 2016

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Emma Taylor spoke to proposed Bylaw No. 4001, highlighting changes reflected in the comparison table.

Subsection 344 Agriculture

Agriculture has been included under the Resource section of the OCP.

An APC member indicated there may have been historical oil and gas drilling in the area, and indicated concern that this type of resource extraction could affect water supply. Emma Taylor reported that this comment was also made and recorded at the May 4, 2016 meeting of the Shirley – Jordan River Advisory Planning Commission meeting.

The AAPC stated support for acknowledging that there is potential for agricultural opportunities to increase with climate change.

Emma Taylor responded to questions from the AAPC advising that:

- air photos were used to select the lands included in the ALR
- that there has been an increase in enquiries regarding opportunities to farm in the Plan area
- there has been change at the provincial level to support farm tourism and alcohol production on ALR lands

Subsection 385 New Land Use Designations

Table 8 reflects that 77 ha are designated Agriculture in the Plan area.

Subsection 443 Objectives for Resources

Objective B supports and encourages food production, processing and storage.

Subsection 444 Policies for Resources

Includes sixteen policy statements supporting agriculture.

Part 5 – Development Permit Areas

Section 560 Farmland Protection Development Permit Area

DPA has been retained in proposed Bylaw No. 4001 and includes improved mapping (Schedule G).

The AAPC stated overall positive comment regarding proposed Bylaw No. 4000 and Bylaw No. 4001, noting that the bylaws reflect increased community support for and awareness of agriculture.

MOVED by Dominique Bernardet, **SECONDED** by Teresa Willman that the AAPC reports that it has reviewed the agricultural aspects in Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" and in Bylaw No. 4001, "Official Community Plan for Shirley - Jordan River, Bylaw No. 1, 2016" and that it supports the bylaws with the comments requested by the AAPC. **CARRIED**

7. Adjournment

The meeting adjourned at 7:12 p.m.

Chair

PPSS-35010459-968

JdFEA Parks and Recreation Advisory Commission

**Juan de Fuca Electoral Area Parks and Recreation
Advisory Commission Meeting Minutes**
April 26, 2016

4

Section 460 Food Security

Aylard Farm to be used for park, but remains in the Agricultural Land Reserve

Section 480 Settlement

Policy statements allow for fee simple or bareland strata subdivision of Rural A parcels, allowing potential park dedication opportunities.

Section 610 Development Approval Information Area

Policy statements allows for information to be obtained in connection with rezoning regarding provision of community services, including parks.

Proposed Bylaw No. 4001

E. Taylor directed attention to the table provided comparing the park and recreation policy changes between existing Bylaw No. 3717 and proposed Bylaw No. 4001, "Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016", as referred by the Land Use Committee on February 16, 2016.

It was advised that proposed Bylaw No. 4001 includes information from the SEI commissioned in 2014.

Part 1 – Guiding Principles

Reviewed without comment from the Commission.

Part 2 – Administrative Structure

Section 208 Regional Growth Strategy Consistency

Proposed Bylaw No. 4001 specifically address the RGS with respect to park objectives and protecting regional green/blue spaces.

Section 210 Greenhouse Gas Reduction

Supports alternative transportation and protection of ecosystems through conservation and enhancement of forested areas.

Part 3 – Context

Section 320 Environment

Information has been updated to reflect the new SEI. New information includes updated creek mapping.

The Manager advised that Regional Parks wishes to proceed with a mapping exercise for the Rural Resource Lands (RRL). A meeting with the Commission is anticipated with direct follow up with some Commissioners regarding submission of ground-truth data.

E. Taylor confirmed that the SEI for Shirley – Jordan River included a degree of field verification but that further site specific opportunity is provided at the time that a parcel is considered for development.

Section 330 Parks and Trails

The Manager requested that "picnic area" for Sheringham Point be struck from Table 2.

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The Commission stated support for adding access from the Plan area to the RRL to provide opportunity to permit access to the Leech Watershed under subsection 333. It was noted that, considering the private land holdings in Shirley – Jordan River, extension of the Galloping Goose may only be viable through an extension through the RRL. The Commission further stated that BC Hydro lands at Jordan River and BC Hydro easements over private land may provide park and connectivity opportunities.

E. Taylor reported that subsection 335 supports legal access to Priest Cabin Park and securing access to the Matterhorn Trail from Tieulie Place as priorities for the community. Links between neighbourhoods is also supported by the community.

Section 360 Services and Emergency Planning

E. Taylor reported that subsection 366 reflects community support for limiting the connection between Sheringham Point Road and Seaside Road for emergency purposes only and not for public use.

Section 380 Settlement and Economy

Updated information includes a subsection on Muir Creek to support acquisition of a parkland amenity.

Part Four – Goals, Policies and Objectives

Subsection 404 to be updated to reflect additional lands held by BC Hydro in Jordan River.

Section 430 Parks and Trails

Lands designated as Park are CRD Regional Park lands; CRD Community Parks are not designated as Park. Community Parks are acquired through subdivision of lands designated Settlement. Community Parks remain designated as Settlement, eliminating the need for an OCP amendment.

Subsection 433 identifies the acquisition of parkland in accordance with the goals and objectives of the both the Regional Parks Strategic Plan and the Juan de Fuca Community Parks Strategic Plan.

The Manager noted that subsection 434, policy statement B will be updated to match the revised policy statement in the East Sooke OCP to focus on stewardship opportunities. E. Taylor noted that policy statement M reaffirms support for acquiring lands adjacent to Muir Creek.

Section 470 Community Health

Subsection 474 supports local delivery of programs including recreational opportunities and fitness programs in the community.

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Section 480 Development and Local Economy

Policy statements allow for fee-simple or bareland strata subdivision of Rural A parcels, allowing potential park dedication opportunities.

Subsection 484 recognizes use of Camp Jubilee as an outdoor recreational facility for organized camping, potentially supporting creation of the new zone for the Girl Guide camp.

The Commission stated support for a site visit to Camp Jubilee.

MOVED by Commissioner Jorna, **SECONDED** by Commissioner Kimmel that the Commission reports to the Land Use Committee that it has reviewed the parks and recreation aspects in Bylaw No. 4000, "Official Community Plan for East Sooke, Bylaw No. 1, 2016" and in Bylaw No. 4001, "Official Community Plan for Shirley - Jordan River Bylaw No. 1, 2016" and that it supports adoption of the bylaws with the minor revisions requested by the Commission. **CARRIED**

6. Staff Reports
a) Staff News

Sheringham Point Community Park and Operating Agreement

Further to the Alternate Director's report, the Manager confirmed that the SPLPS has signed the Operating Agreement and that the Operating Agreement is in the process of receiving final CRD approval. It was further confirmed that the contractor has completed the new parking area and trail head at Sheringham Point Park and that new signs and information kiosk will be installed in May. It is understood that Electoral Area Services Committee (EASC) will be supporting a request from the SPLPS for Gas Tax funding to support improvements to the statutory rights-of-way at Sheringham Point.

New Bylaw – “A Bylaw to Establish A Land Acquisition Fund for Juan de Fuca Electoral Area Community Parks

A new bylaw, Bylaw No. 4101, to replace the former Sooke Electoral Area Bylaw No. 1133 Land Acquisition Reserve Fund (1983), has been prepared, along with an accompanying staff report. Proposed Bylaw No. 4101 will permit use of the land acquisition reserve fund for purposes of acquiring other lands for dedication as park. The term "acquiring" in the bylaw includes "any interest in land, including any right, title or estate in it of any tenure, with all building and houses". This will include the ability to purchase statutory rights-of-way.

Pending Commission support, it is anticipated that proposed Bylaw No. 4101 will be considered by the EASC at its June meeting.

MOVED by Commissioner Douch, **SECONDED** by Commissioner Jorna that the Commission report that it has reviewed proposed Bylaw No. 4101, "Juan de Fuca Electoral Area Community Parks Reserve Fund Bylaw No. 1, 2016", and supports adoption of the bylaw. **CARRIED**

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

6. Proposed Bylaws

- a) **Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016”**

Part One – Guiding Principles

Public comment included:

- support for stronger regulations for the Strait of Juan de Fuca related to Liquefied Natural Gas transport
- support for stronger forestry regulations
- natural resource transport and wildfires have an impact on local first responders

The Chair advised that the OCP can only address issues within the Plan area and issues under the authority of the CRD.

Part Two – Administrative Structure

Emma Taylor spoke to the following:

203 Plan Area

Describes the Plan area and proposed boundary adjustment.

208 Regional Growth Strategy Consistency

Outlines how the OCP relates to RGS strategic initiatives.

209 Minimum Parcel Size

Outlines that it is recognized that there are existing lots which have been created by subdivision within the Plan area that do not meet the general minimum lot size policies expressed in this Plan but that it is intended that any further amendments to the zoning bylaw applicable within the Plan area will be consistent with the minimum lot sizes as specified in this Plan to reflect the vision for the community.

211 Sand and Gravel

In accordance with the *Local Government Act*, OCPs must include statements and map designations respecting the approximate location and area of sand and gravel deposits. There are four known sand and gravel sites in the Plan area.

The Chair noted that Part Two was well debated by the Citizens' Committee.

Further to comment made by the public stating that the RGS remains under review, the APC stated support for striking, “A review of the RGS of the CRD is currently underway. The process has been carefully monitored to ensure consistency of this Plan with the updated RGS.” in subsection 208.

Part Three – Content

310 Water

Water was the top priority communicated by the community. Emma Taylor directed attention to new information reflected on Map 3: Water Resources. It was advised that Points of Diversion are water licenses.

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In response to comment received from the APC and previous comment made by the Citizens' Committee, Emma Taylor advised that the OCP supports consideration of a Development Permit Area (DPA) for protection of key watersheds but that more watershed information is needed to implement a DPA. It was advised that protection can be enhanced through subdivision regulations and through existing DPAs. It was advised that subsection 414 supports establishment for water conservation and testing of future wells in times of seasonal dryness.

311 Hydrology

The APC stated support for revising the desired DPA for water conservation to specify conservation and protection.

313 Water Sustainability

It was advised that the new *Water Sustainability Act (WSA)* is now in force. The WSA supports the establishment of water advisory boards. Emma Taylor advised that there may be opportunity for the CRD to consider the concept of a water advisory board.

320 Environment

Public comment stated support for the OCP acknowledging known bald eagle nests but not supporting identifying nest location on Map 4 and Schedule E.

330 Parks and Trails

Emma Taylor advised that proposed Bylaw No. 4001 has also been referred to the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission. It was further advised that the section reflects lands acquired in 2010 by Regional Parks in the Jordan River area. It was confirmed that the park at Sheringham Point (Table 2) is a CRD Community Park.

APC comments included:

- support for identifying the Sheringham Point Lighthouse site acquired by the Sheringham Point Lighthouse Preservation Society as a national heritage site in Table 2
- support for identifying the lands recently purchased by BC Hydro under subsection 335 Parkland Acquisition and subsection 372 Heritage
- updating Section 330 to reflect that the out-buildings in Jordan River desired for a meeting place are slated for demolition
- support for changing the title of subsection 334 from "Access to Water" to "Access to Waterfront" to clarify that the subsection does not address drinking water

In response to comment from the public regarding health of the trees and stability of the shoreline at Jordan River, Emma Taylor advised that Section 520 Shoreline Protection Development Permit Area supports shore protection works.

Public comment included:

- support for protection measures for the shores of Jordan River (fresh water)
- support for identification of historic sites in addition to historic buildings in subsection 372
- support for wording to clarify that Streamside Protection and Enhancement Areas (SPEAs) must be protected from industrial, commercial and residential development in subsection 336

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340 Resources

The APC stated support for road improvements to support wide roads and road shoulders to support paths for bikes and pedestrians as opposed to road improvements to support logging traffic.

The APC noted that the agricultural potential of Shirley and Jordan River outlined in subsection 344 may increase due to climate change.

An APC member indicated there may have been historical oil and gas drilling in the area, and indicated concern that this type of resource extraction could affect water supply.

360 Services and Emergency Planning

No comments were forthcoming/APC supported.

370 Community Health

No comments were forthcoming/APC supported.

380 Settlement and Economy

Emma Taylor advised that subsection 383 supports an alternative to permit rezoning and subdivision of Rural A parcels to fee simple lots. It was further advised that subsection 386 states that Muir Creek is administrative boundary between the community of Shirley – Jordan River and Otter Point.

APC comments included:

- support for changing the title of Table 5 to clarifying that the table reflects the number of house permits issued in a year and not the age of the house
- support for amending the sentence on p. 75 to read that PID: 029-235-952 is designated Coastal Upland

Emma Taylor responded to questions from the APC confirming that total potential parcels proposed by Bylaw No. 4001 has dropped from 1,891 to 1,047 and that Table 8 does not reflect community parks.

390 Climate Change

No comments were forthcoming/APC supported.

The Chair called for a five minute break, resuming review at Part 4.

Part Four – Goals, Policies and Objectives

401 Introduction and Land Use Designations

Emma Taylor responded to the question from the APC confirming that the Restricted Development Land Use Designation is not broken out in Table 9 as the designation overlays other Land Use Designations.

410 Water

Emma Taylor directed attention to policy statement I supporting testing of future wells in times of seasonal dryness. It was advised that the policy statement will be considered when the Land Use Bylaw, Bylaw No. 2040, is reviewed.

The APC stated support for revising policy statement I by changing the word "considered" to "applied".

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Staff advised that that language of policy statement M and N supports extension of water services at such time that the RGS is amended. Cost of service expansion would be borne by the user. As supported by the LUC, a new policy statement will be added to support extension of private systems.

420 Environment

Emma Taylor advised that language has been updated to use the word "shoreline" as opposed for "foreshore".

Public comment stated support for including language for protection of wildlife habitat, wildlife species and wildlife nesting/breeding areas.

430 Parks and Trails

Emma Taylor reported that objective J is new in subsection 433.

Public comment stated support for including use of SPEAS in policy statement I in subsection 434.

The APC stated support for adding the Jordan River Hamlet lands in policy statement N in subsection 434.

440 Resources

Public comment stated that the 15 m buffer between land in the Agricultural Land Reserve (ALR) and adjacent land is not sufficient.

Staff confirmed that the Farmland Protection DPA buffer is on the adjacent land and not on land within the ALR.

APC stated that the footer for Schedules B – I is incorrect.

Emma Taylor spoke to subsection 444, directing attention to the Land Use Designations on Schedule B. It was advised that there may be opportunity to re-designate smaller parcels from Coastal Upland to Pacific Acreage. It was further advised that the Coastal Upland parcel located across from Waters Edge Drive on West Coast Road is Private Managed Forest Land and cannot be designated Pacific Acreage.

450 Traffic

Public comment stated support for:

- flashing lights at subdivision access points
- posting of speed limit signs at the hamlet and Jordan River Regional Park
- changing the section title to "Transportation"
- support for movement triggered speed limit signs, similar to the sign at Loss Creek, at Kirby Creek, Muir Creek and Jordan River

460 Services and Emergency Planning

Public comment stated support for adding the following in subsection 464:

- improved cell phone coverage
- including a siren in policy statement G
- a new fire hall in Shirley is unlikely since an addition was recently completed, but future improvements may be required
- a new policy statement N supporting establishment of a fire protection service area/fire protection plan for Jordan River

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470 Community Health

Emma Taylor advised that the section is a new theme incorporated into Bylaw No. 4001.

7. Next Meeting

The APC noted that the Chair and Vice Chair will not be able to attend the scheduled continued meeting on May 25.

The Chair closed the meeting, advising that review of Bylaw No. 4001 will continue on May 25 unless otherwise posted. Should the meeting date change, notice of a new meeting date will be advertised.

The meeting closed at 9:43 p.m.

Chair

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Iain Lawrence responded to questions from the APC stating that:

- the proposed zone permits assembly uses
- assembly use permits the gathering of people on the property and could include use of the property for weddings
- the proposed zone also permits retail sales accessory to a heritage lighthouse facility
- access to the property is via a CRD statutory right-of-way, under the terms of an operating agreement with the applicant
- there is a lower parking lot, leading to a trail to the lighthouse site

The applicant stated that it is anticipated that visitors to the lighthouse will support local restaurants and that gift shop sales would be limited to such food items as ice cream or premade sandwiches. It was further stated that the trail permits wheelchair access to the lighthouse site but, at present, the lighthouse structure is not wheelchair accessible. Overall accessibility to the site and structure are still under review.

The APC stated that the rezoning application is supported by the Sheringham Point Lighthouse Preservation Society.

MOVED by Fiona McDanold, **SECONDED** by Dominique Bernardet that the APC state support for rezoning application RZ000243 to rezone the property from Rural Residential 2 (RR-2) to Community Facility – Heritage Lighthouse (P-2L) in order to recognize the use as a heritage lighthouse. **CARRIED**

6. Proposed Bylaws (Review resumed from the meeting of May 4, 2016)

- a) Bylaw No. 4001, “Official Community Plan for Shirley – Jordan River, Bylaw No. 1, 2016”

The Chair resumed review of Bylaw No. 4001 at Section 480.

Part Four – Goals, Policies and Objectives

480 Development and Local Economy

Emma Taylor advised that:

- as there is a Settlement land use designation (LUD) in Bylaw No. 4001, the section title has been changed from Settlement and Local Economy to Development and Local Economy
- policy statement B refers to Schedule B
- lands designated Settlement in Bylaw No. 4001 are lands designated Settlement Containment Area in the current Official Community Plan (OCP)
- policy statement C allows parcel averaging, similar to the Settlement LUD in the current OCP
- there has been previous consideration to re-designating some smaller Coastal Upland parcels along West Coast Road
- the parcels under consideration were created by parcel averaging

Emma Taylor opened discussion to consider re-designating the smaller parcels along West Coast Road as Settlement. The Settlement LUD permits an average density of one parcel per 1 ha with no new parcel being less than 0.5 ha. Staff noted that The Shores subdivision could also be re-designated as Settlement to reflect existing lot sizes.

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APC comment included:

- concern for re-designating the parcels under consideration as Settlement as the Settlement designation supports a minimum parcel size of 0.5 ha
- support for designating parcels according to existing parcel size
- support for creating a new LUD for the parcels under consideration

Staff advised that the APC's concern could be addressed by revisiting the wording for policy statement B. It was suggested that parcel use should be examined to determine if a new designation is warranted.

Public comment included:

- policy statement B supports a minimum parcel size of 0.5 ha if no new parcels are created
- as the parcels under consideration already exist, re-designation would not result in creating legal non-conforming parcels
- current land use should determine parcel LUD
- support for creating a new LUD for the parcels under consideration
- support for breaking Section 480 out by LUD and listing applicable policies under each LUD

Emma Taylor advised that:

- lands designated Park are CRD Regional Park lands and provincial park lands
- CRD Community Parks are not designated Park
- mapping to be updated to reflect purchase of Regional Park lands by BC Hydro

APC comment included:

- policy statement G, supporting bed and breakfasts, eco-tourism, and low-impact adventure tourism, would be restricted by covenants on the title of some parcels
- covenants can include building schemes
- covenants can also limit parcel use
- OCP cannot address all covenants

Emma Taylor responded to questions from the APC and the public advising that:

- policy statements would apply to properties, but it is acknowledged that parcels may have specific constraints to development and may be bound by restrictive covenants
- policy statements guide future development
- some parcels in the Pacific Acreage LUD are already zoned for small-scale tourism development (policy statement G) or a small destination resort (policy statement K)
- parcels not currently zoned for tourism/resort use would have to rezone
- community support for such proposals would be determined through the rezoning process

Emma Taylor directed attention to policy statement V and the supplementary submission received from Debbie Read, Jordan River, requesting more language to regulate home base businesses. It was advised that the Land Use Bylaw, Bylaw No. 2040, regulates home based businesses, addressing such issues as noise, odour and parking. It was advised that the regulations for home based business can be considered when Bylaw No. 2040 proceeds to review.

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Public comment stated support for revising policy statement V to incorporate concern for water and the environment.

The APC completed review of Section 480, requesting that the smaller Coastal Upland parcels along West Coast Road being considered for re-designation be designated Pacific Acreage. It was further requested that policy statement V be revised to incorporate comment received in the supplementary submission.

490 Climate Change Adaptation and Greenhouse Gas Reduction

Emma Taylor responded to questions from the public confirming that the language for high wind is new. It was advised that:

- there is no schedule for Section 490
- flooding and erosion (subsection 493) is addressed by the Steep Slope Development Permit Area (DPA) and the Shoreline Protection DPA
- Floodplain regulations are included in Bylaw No. 2040

The Chair called for a five minute break, resuming review at Part 5.

Part 5 – Development Permit Areas

Emma Taylor advised that the section has been slightly reorganized since last presented to the Citizens' Committee to align with other OCPs and to support more user friendly handouts.

510 Steep Slope Development Permit Area

Bylaw No. 4001 includes improved mapping (Schedule C) for the DPA.

Subsection 514(c) is new, exempting a development permit for a building constructed under a valid building permit in the Steep Slope DPA provided that no other part of the land in the Steep Slope DPA will be altered for other purposes.

520 Shoreline Protection Development Permit Area

DPA has been renamed from Foreshore to Shoreline as the DPA includes all land lying 15 m upland of the natural boundary of the ocean. DPA does not extend out into the ocean. Lands included in the DPA are shown on Schedule D.

Public comment included:

- the Rural Resource Lands OCP (Coastal Habitat and Hazard Protection DPA) recommends a vertical elevation level setback based on height
- it is understood that the Sooke OCP also recommends a vertical elevation level setback
- considering low bank areas in the Plan area, it was suggested that a height setback be included in Shoreline Protection DPA
- there appears to be more tsunami awareness in communities

Emma Taylor stated that:

- there is not sufficient mapping information available at this time to implement a DPA for lands that are subject to flooding
- the Province is also updating its floodplain methodology
- floodplain regulations will be considered when Bylaw No. 2040 is reviewed

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APC comment included:

- concern for tree cutting on rocky shores to support ocean views
- support for educating property owners and tree companies regarding DPA regulations
- property owners are responsible for understanding regulations
- a company's due diligence should include understanding regulations

Staff stated that:

- there is opportunity for the CRD to support public awareness through Qualified Professionals (QPs) and CRD Bylaw Enforcement
- the CRD's ticketing bylaw (Bylaw No. 1857) provides opportunity for enforcement

Public comment stated support for expanding policy statement G to clarify that approval from the Department of Fisheries and Oceans and/or Environment Canada may be required for shoreline protection works.

530 Riparian Development Permit Area

Emma Taylor advised that, in consultation with the Province, Schedule D and Schedule E include lands defined as riparian assessment area and land 30 m from the natural boundary on either side of all watercourses. Bylaw No. 4001 includes improved mapping for Schedule D and Schedule E, increasing awareness of the DPA.

APC comment included:

- concern for when a watercourse abuts directly between the Shirley – Jordan River Plan area and the Rural Resource Lands Plan area and the different protection regulations in the Plan areas
- it appears that property owners within the Shirley – Jordan River Plan area are more heavily regulated
- resource development is regulated by the Province
- there is opportunity to report concerns related to resource extraction in the Rural Resource Lands Plan area to the Province

Staff stated that the:

- OCP's broad objectives (subsection 442) support greater dialogue between resource extraction proponents and local residents
- Riparian DPA is required by the Province, providing some flexibility based on parcel attributes

Public comment included:

- noting the amount of provincial land in the CRD, there may be opportunity to incorporate language regarding resource development into the Regional Growth Strategy (RGS)
- noting recent case law, it is unclear if exemption for subdivisions noted under subsection 534 is current

540 Sensitive Ecosystem Development Permit Area

Known eagle nest to be removed from Schedule E.

Staff advised that statement F is new, exempting the requirement for a development permit when the sensitive ecosystem has been identified by a QP and is protected by a

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registered restrictive covenant that includes a reference plan showing the location of the sensitive ecosystem on that parcel.

Emma Taylor directed attention to the supplementary submission, advising that the DPA supports specification of a buffer zone as recommended by a QP. The DPA includes ten classes of sensitive ecosystems and identifies mature forests as important ecosystems.

Public comment included:

- 100 m buffer around eagle nests supported by the DPA is not sufficient
- support for designating the entire Plan area as an eagle nest tree DPA
- it is understood that the Campbell River Bald Eagle Nest Tree DPA does not support any development within 60 m of a nest tree
- disturbance to a nest disrupts further nesting
- look to other local governments to determine how raptor nesting sites are protected

550 Commercial and Industrial Development Permit Area

Commercial DPA includes all land zoned commercial or tourist-commercial. Industrial DPA includes lands where industrial forestry uses have historically occurred. Bylaw No. 4001 expands the DPA language, providing guidance on form and character and water/energy conservation.

Public comment included support for subsection 554 having a separate guideline addressing Greenhouse Gas.

APC comment included:

- section language appears outdated and requires review to reflect alternative energy options
- support for revising guideline L to read "Where possible, use building products and design that demonstrate green technology in keeping with current LEED guidelines."

Pascal Knoqlinger excused herself from the meeting at 9:35 p.m.

The Vice Chair resumed review of Bylaw No. 4001 at Part Six.

Part Six – Development Approval Information Area

Emma Taylor spoke to the areas designated development approval information area (DAIA). It was advised that the DAIA includes parcels that are 2 ha or larger as shown on Schedule H. The DAIA permits the ability to request submission of professional reports. Development approval information requirements and procedures are established by CRD Bylaw (Bylaw No. 2975).

Part 7 – Temporary Use Permits

Enables local government to issue temporary use permits (TUPs) to allow specific land uses to occur for a short period of time. A TUP can be issued for a maximum total of six years (three years plus three year renewal). A covenant can be required to ensure buildings associated with the TUP are removed upon permit expiration.

Appendix A – Definitions

Definition for Qualified Environmental Professional (QEP) is from the *Riparian Areas Regulation*.

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List of Schedules

Emma Taylor responded to a question from the public confirming that Schedule 1 Restricted Development Land Use Designation is referenced under subsection 409 Restricted Development Land Use Designation and under subsection 464 Policies for Services and Emergency Planning, policy statement G.

- b) **Bylaw No. 4070, “Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment No. 7, 2016”**
- c) **Bylaw No. 4071, “Juan de Fuca Land Use Bylaw, Bylaw No. 1, 1992, Amendment No. 128, 2016”**
- d) **Bylaw No. 4079, “Official Community Plan for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 1, 2016”**

Emma Taylor advised that Bylaw Nos. 4070, 4071 and 4079 relate to the proposal considered by the Citizens' Committee to amend the Shirley – Jordan River OCP boundary by taking in a parcel (Lot 1, Block 70, Malahat District, Plan EPP33632) to provide a distinguishable boundary between the Shirley - Jordan River OCP area and the Rural Resource Lands OCP area.

Staff confirmed that Bylaw No. 4079 includes a housekeeping amendment to correct wording for Section 3.2.

Emma Taylor responded to questions from the APC and the public confirming that:

- zoning for the subject parcel will remain Resource Land should the parcel be included in the Shirley – Jordan River Plan area
- the minimum parcel size for subdivision for the subject parcel is 120 ha
- the subject parcel would be designated Coastal Upland under Bylaw No. 4001
- Bylaw No. 4001 permits a density of one parcel for 4 ha for lands designated Coastal Upland

APC comment included:

- the boundary amendment was considered by the Citizens' Committee to support potential park land dedication in the Muir Creek area
- rezoning of the subject parcel could potentially reduce gravel truck travel
- rezoning of the subject parcel to residential use could provide more opportunity for stewardship or park land dedication
- the proposed boundary amendment provides no clear benefit at this time

Public comment included:

- subject to rezoning, the subject parcel would have greater subdivision potential should it be taken into the Shirley – Jordan River Plan area
- it is understood that there is First Nation interest in Muir Creek
- formal park dedication would not been triggered should the subject parcel be subdivided into lots larger than 2 ha
- rezoning of the subject parcel to residential use could provide some improvement to Highway 14

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Staff advised that:

- subsection 484 supports density bonusing should community amenities or park land in the Muir Creek area are provided
- the Shirley/Jordan River APC would consider any proposal to rezone the subject parcel, should the parcel be taken into the Shirley – Jordan River Plan area
- applications to rezone a parcel in the Rural Resource Lands Plan area would be considered at a public information meeting
- applications for rezoning in the Rural Resource Lands Plan area require full CRD Board approval

MOVED by Brenda Mark, **SECONDED** by Dominique Bernardet that the APC state support for Bylaw No. 4001, "Official Community Plan for Shirley - Jordan River, Bylaw No. 1, 2016" with the revisions requested by the APC and without the proposed amendment to the Plan area boundary.

CARRIED

Emma Taylor advised that the proposed bylaw with referral comments, including the comments received this evening, will be considered by staff and the LUC. The bylaw will also be considered by the Planning, Transportation and Protective Services Committee and the CRD Board for a determination of consistency with the RGS. The bylaw would then proceed to first and second reading and to a public hearing followed by third reading and then adoption.

7. Adjournment

The meeting closed at 10:15 p.m.

Chair

Appendix D – Bylaw No. 4079, Bylaw No. 4070, Bylaw No. 4071

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4079**

**A BYLAW TO AMEND
BYLAW NO. 3591, "OFFICIAL COMMUNITY PLAN FOR THE RURAL RESOURCE LANDS, BYLAW
NO. 1, 2009"**

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

1. Bylaw No. 3591 being the "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009" is hereby amended:

A. SCHEDULE A, Part 3 Land Use Designations

- (i) By amending Section 3.2 Rural Resource Lands Designation, subsection 3.2.1 Rural Resource Lands Policies, item 3) by adding the word "Rural" before the word "Resource" and by deleting the word "120 ha" and replacing with the word "4 ha".

B. MAPS

- (i) By excluding Lot 1, Block 70, Malahat District, Plan EPP 33632 which lies south and west of West Coast Road from the Rural Resource plan area, as shown on Plan No. 1 attached to and forming part of this bylaw.
- (ii) By deleting "Map 1: Location" and replacing with a new "Map 1: Location", as shown attached to and forming part of this bylaw.
- (iii) By deleting "Map 2: Land Use Designations" and replacing with a new "Map 2: Land Use Designations" as shown attached to and forming part of this bylaw.
- (iv) By deleting "Map 3: Development Approval Information Area" and replacing with a new "Map 3: Development Approval Information Area" as shown attached to and forming part of this bylaw.
- (v) By deleting "Map 4: Development Permit Areas" and replacing with a new "Map 4: Development Permit Areas" as shown attached to and forming part of this bylaw

2. This bylaw may be cited as Bylaw No. 4079, "Official Community Plan for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 1, 2016".

READ A FIRST TIME THIS DAY OF 2016

READ A SECOND TIME THIS DAY OF 2016

READ A THIRD TIME THIS DAY OF 2016

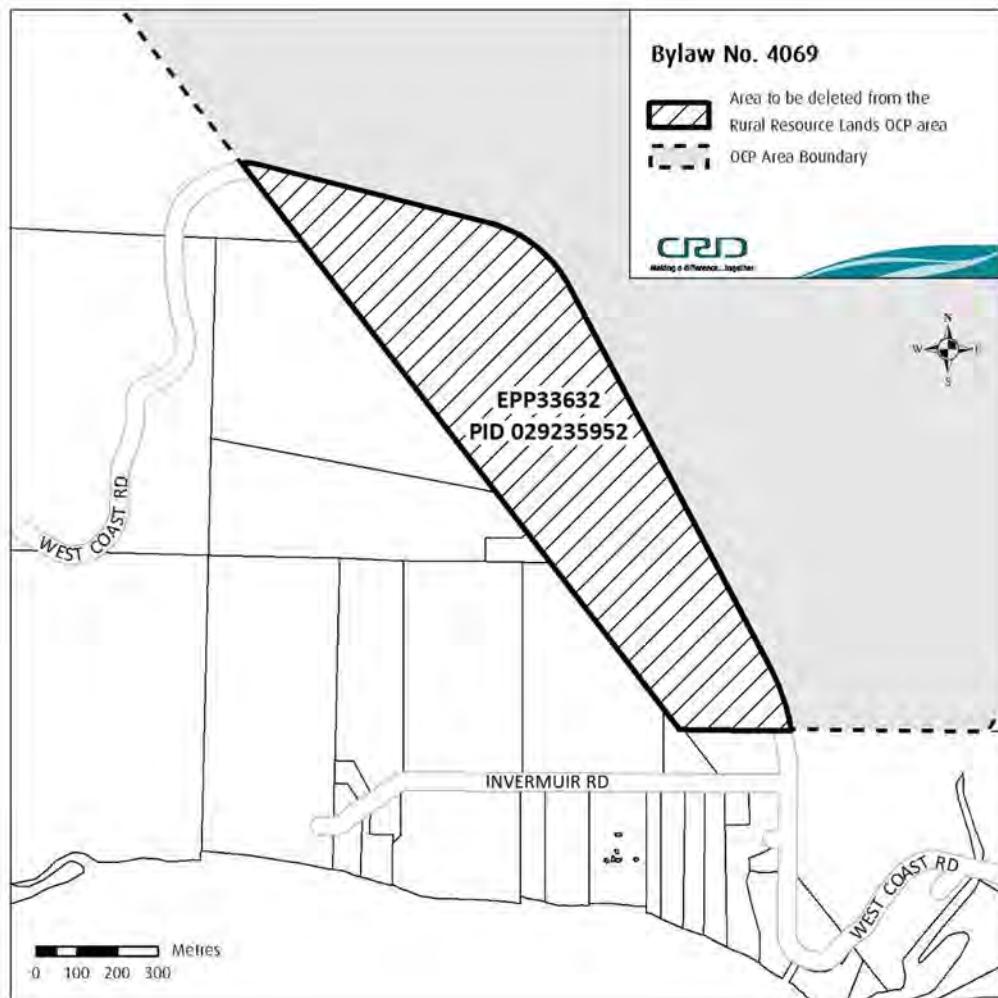
APPROVED by the Minister of Transportation and Infrastructure
THIS DAY OF 2016

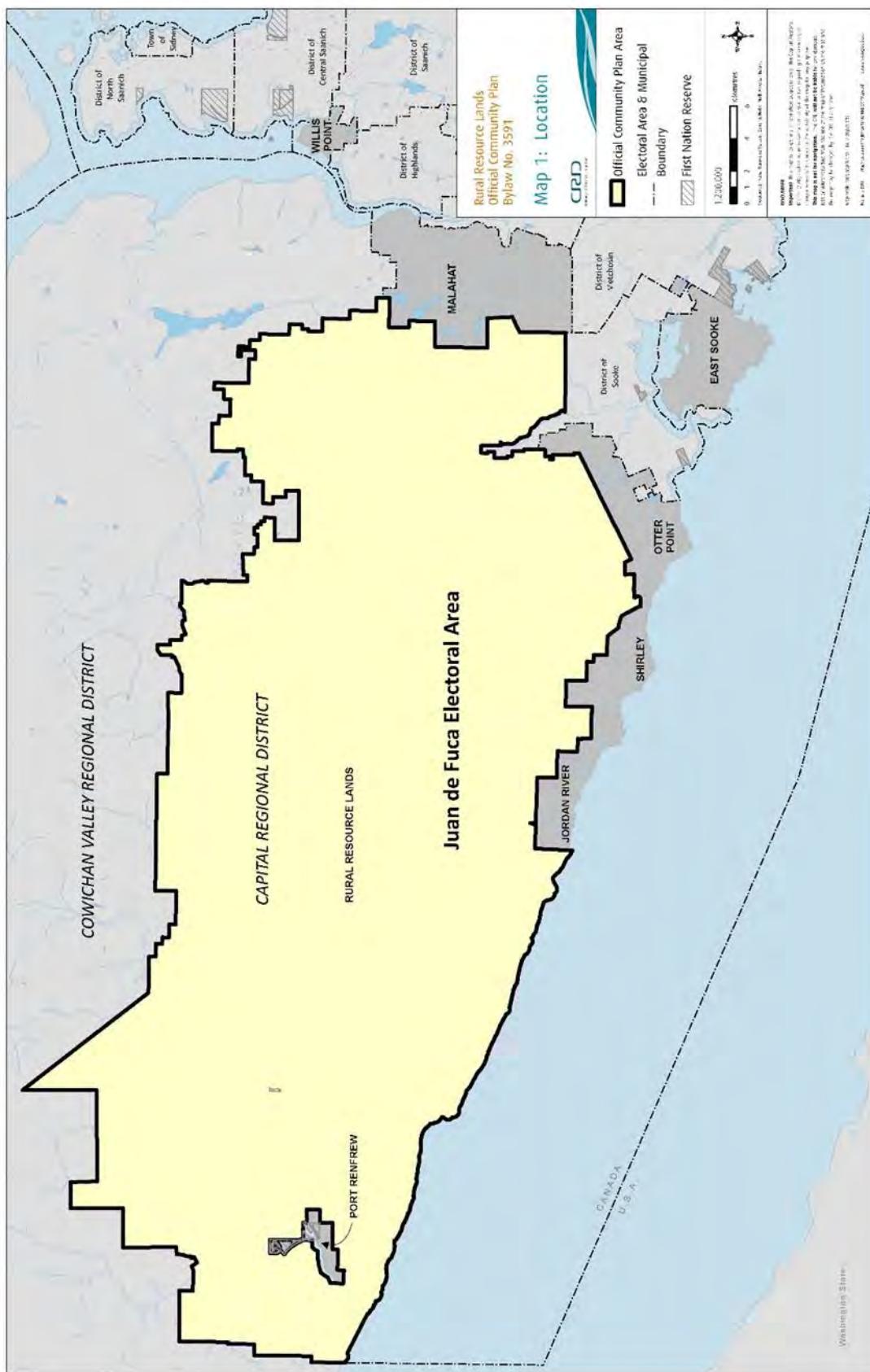
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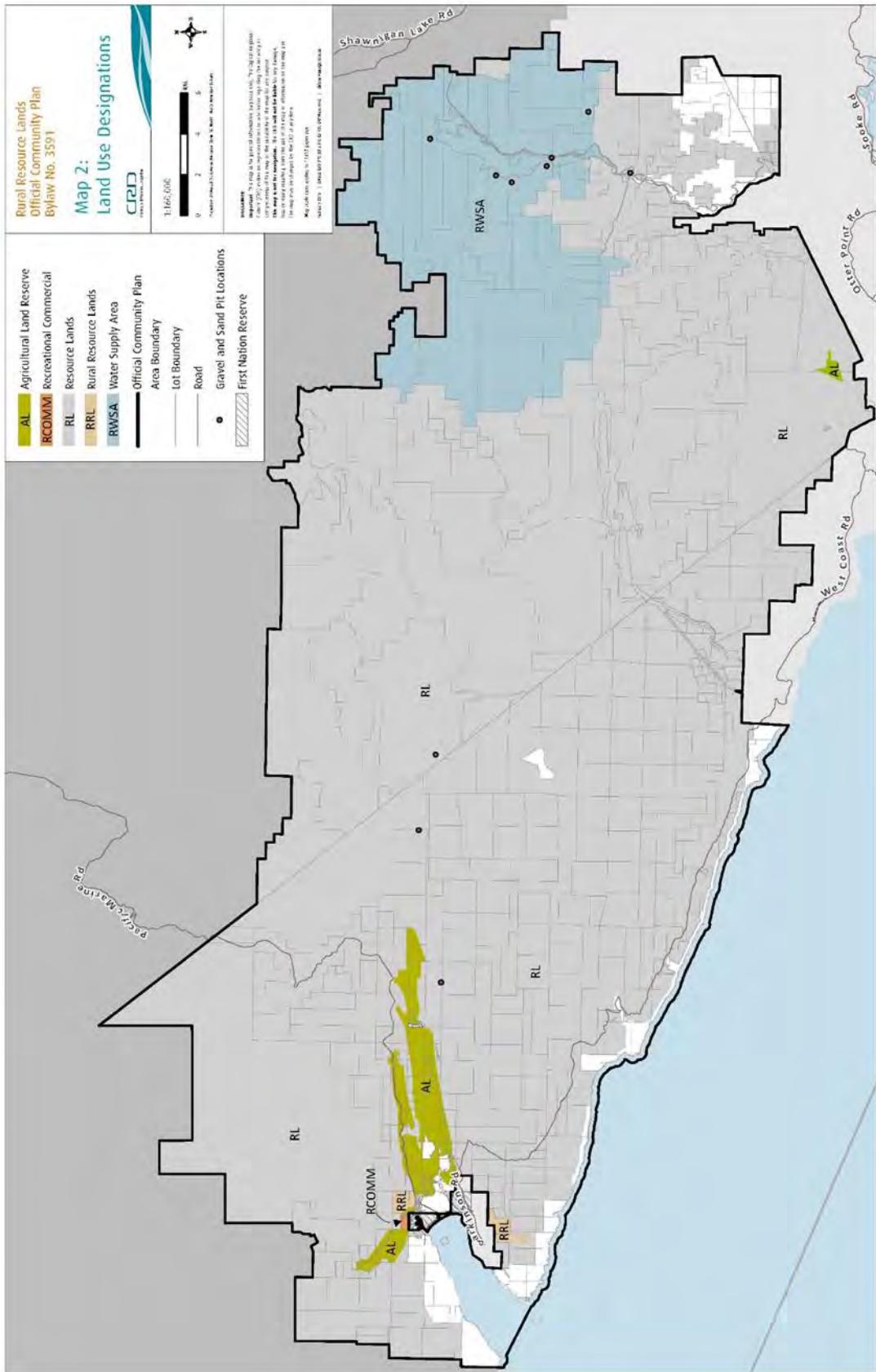
CHAIR

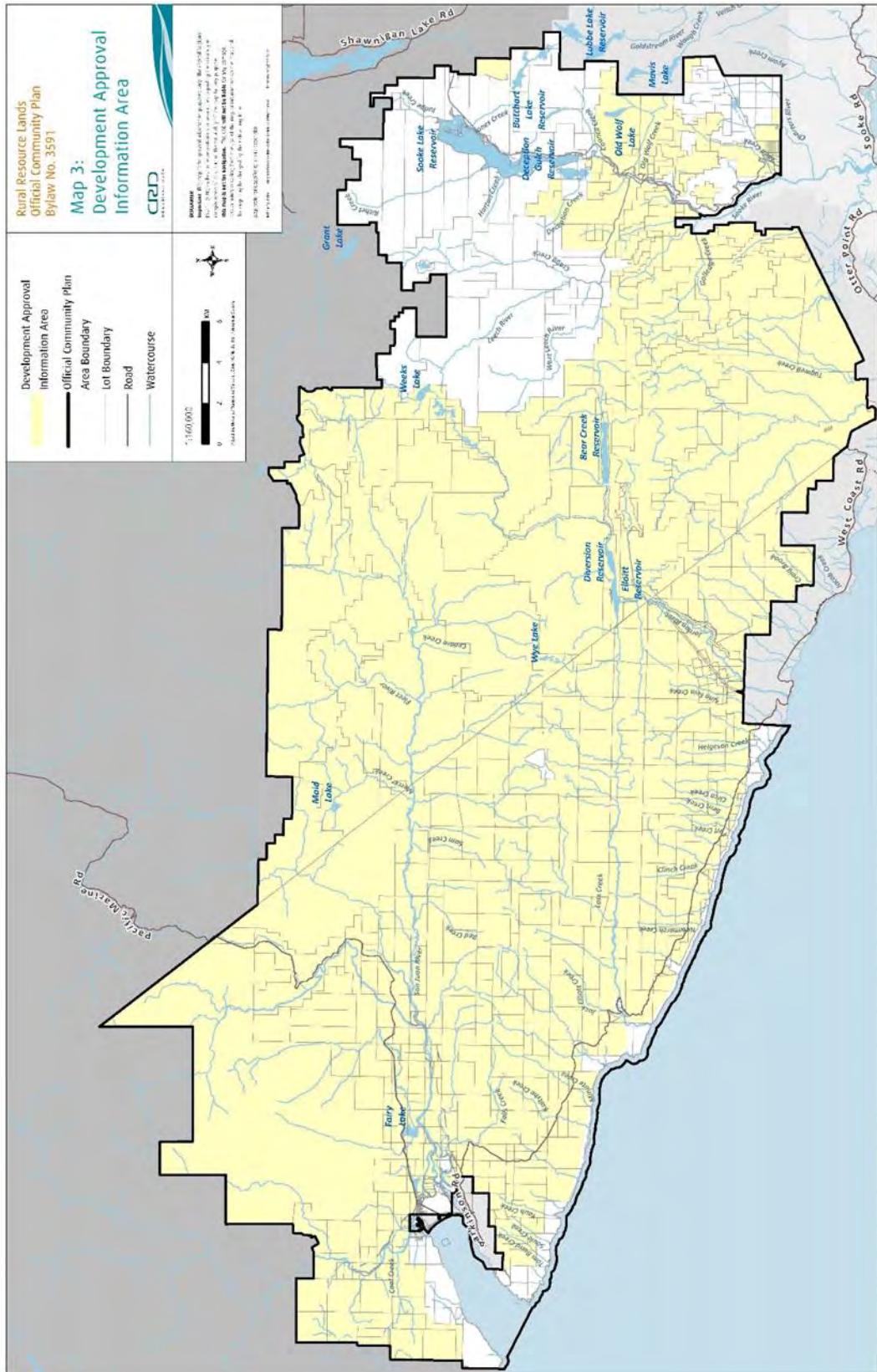
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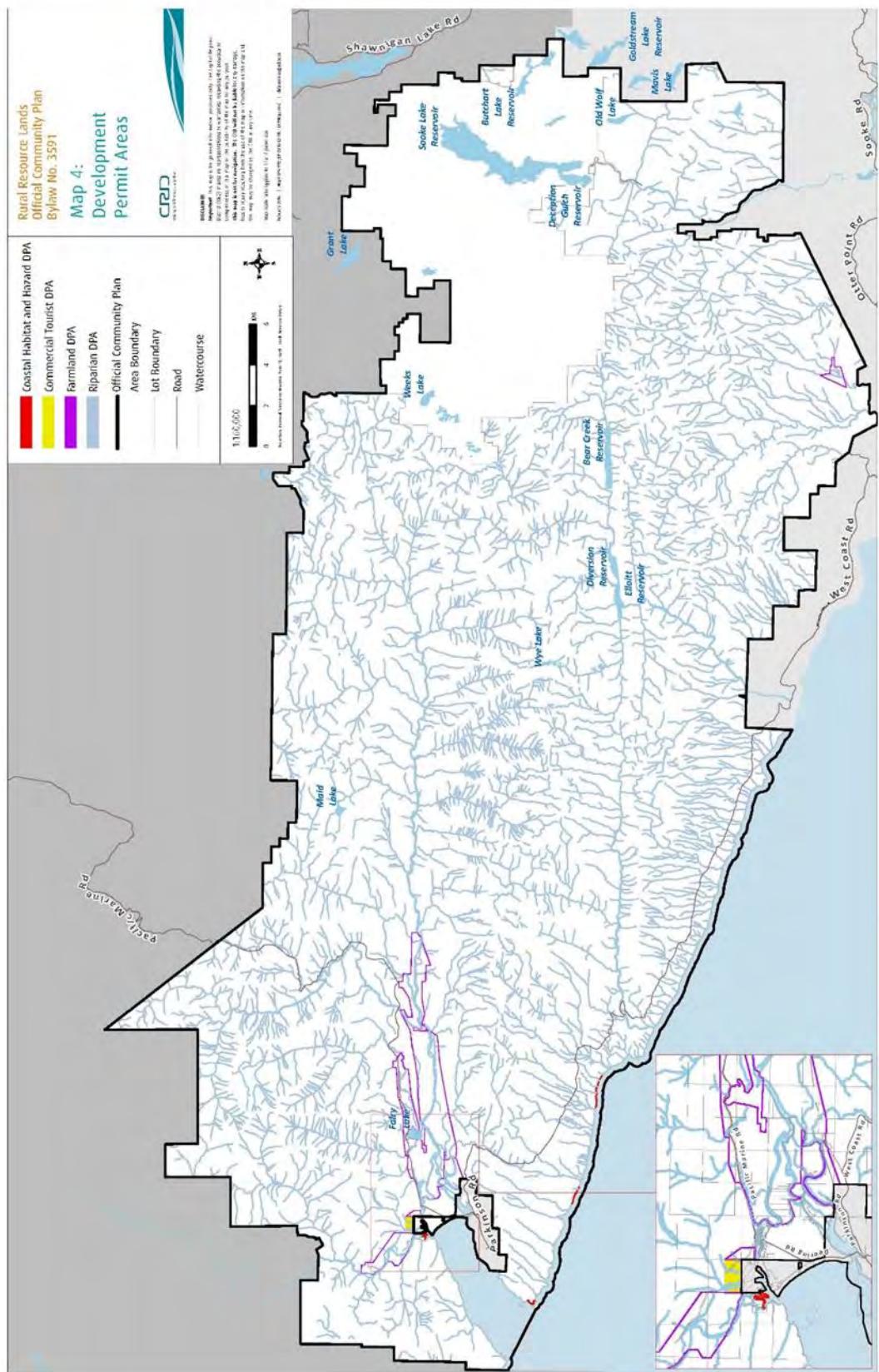
Plan No.1











**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4070**

**A BYLAW TO AMEND
BYLAW NO. 3602, "LAND USE BYLAW FOR THE RURAL RESOURCE LANDS,
BYLAW NO. 1, 2009"**

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

1. Bylaw No. 3602 being the "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009" is hereby amended:

A. SCHEDULE A, MAPS

- a) By excluding Lot 1, Block 70, Malahat District, Plan EPP 33632 which lies south and west of West Coast Road from the Rural Resource plan area, as shown on Plan No. 1 attached to and forming part of this bylaw.
 - b) By deleting "Map 1: Location" and replacing with a new "Map 1: Location" as shown attached to and forming part of this bylaw.
 - c) By deleting "Map 2: Official Land Use Zoning" and replacing with a new "Map 2: Official Land Use Zoning" as shown attached to and forming part of this bylaw.
2. This bylaw may be cited as Bylaw No. 4070, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 7, 2016".

READ A FIRST TIME THIS DAY OF 2016

READ A SECOND TIME THIS DAY OF 2016

READ A THIRD TIME THIS DAY OF 2016

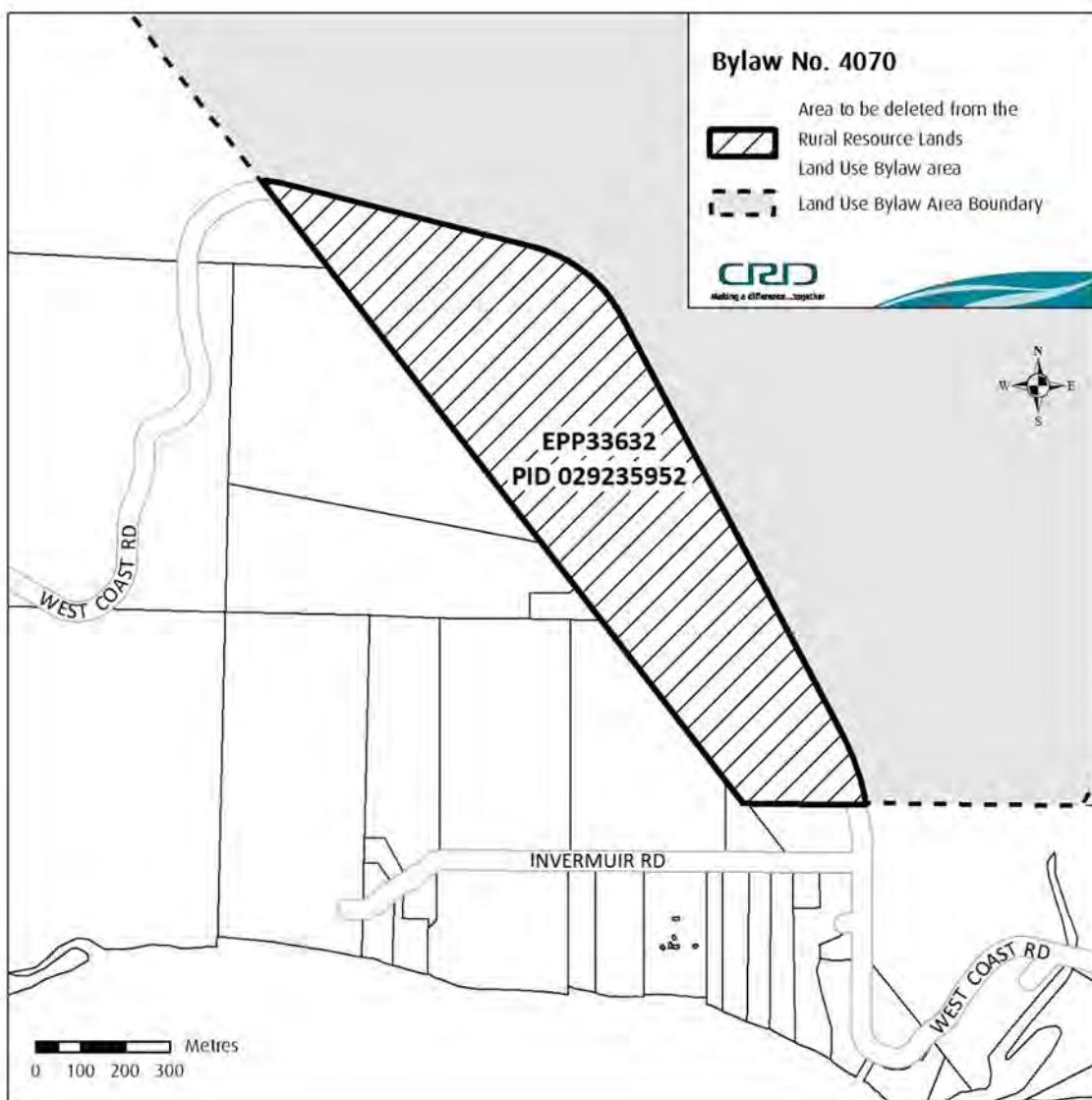
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THIS DAY OF 2016

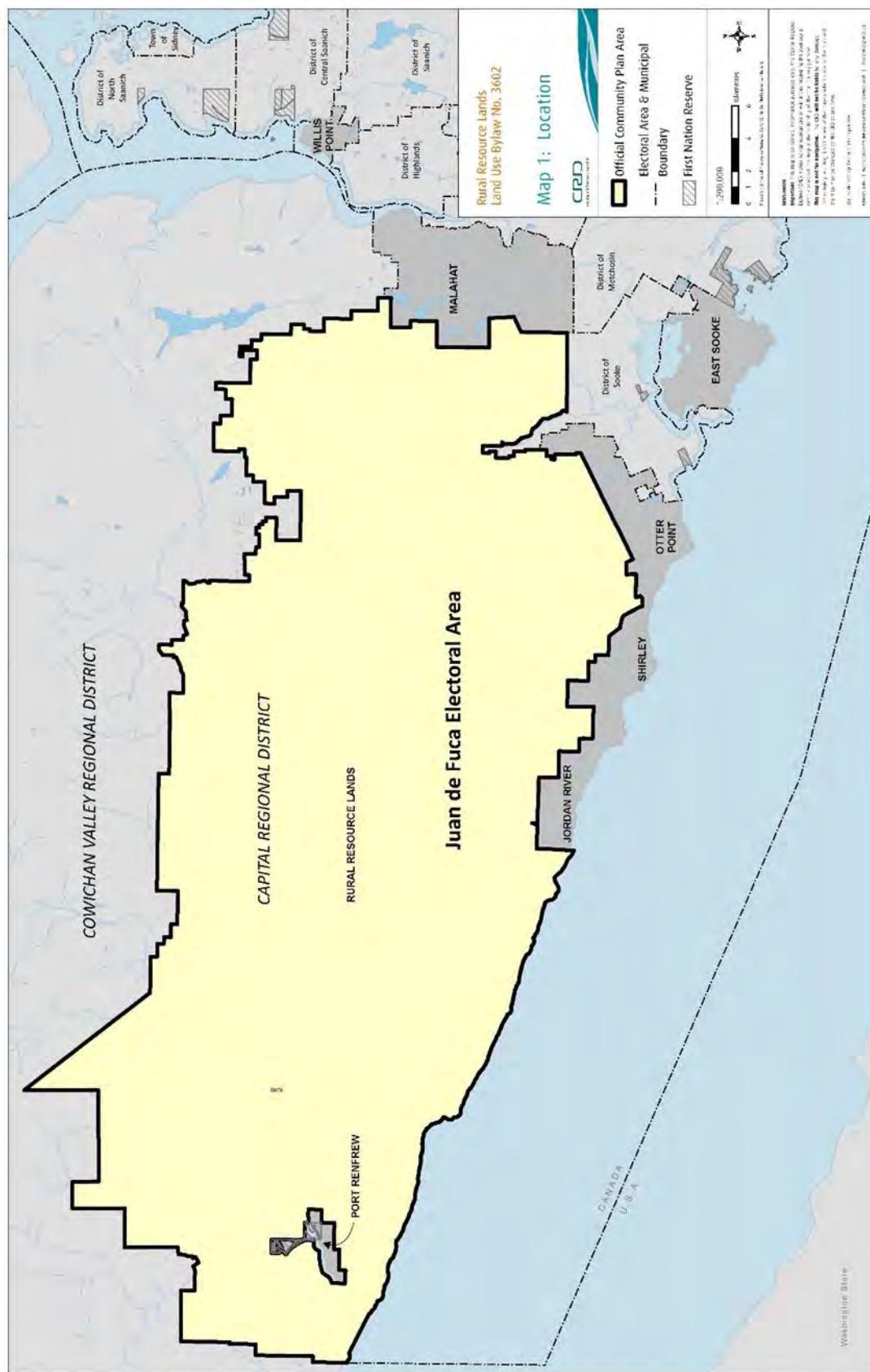
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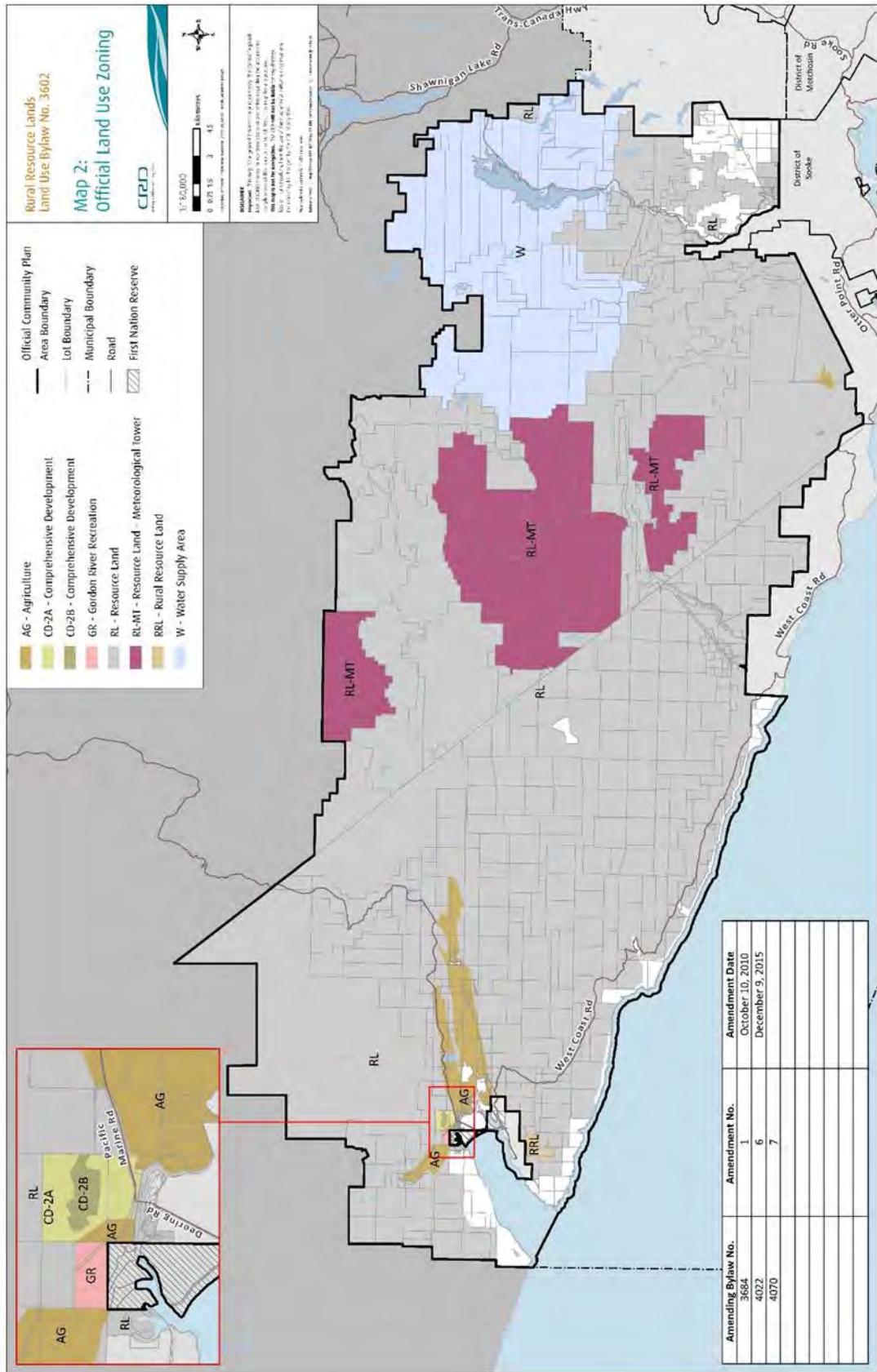
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CORPORATE OFFICER

Plan No. 1







**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4071**

**A BYLAW TO AMEND BYLAW NO. 2040,
“JUAN DE FUCA LAND USE BYLAW, BYLAW NO. 1, 1992”**

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

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

A. SCHEDULE B, ZONING MAPS

- a) By including Lot 1, Block 70, Malahat District, Plan EPP 33632 within the Resource Lands (RL) zone as shown on Plan No. 1 attached to and forming part of this bylaw.
- b) By deleting “Map 3: Shirley Jordan River Zoning” and replacing with a new “Map 3: Shirley Jordan River Zoning” as shown attached to and forming part of this bylaw.

2. This bylaw may be cited as Bylaw No. 4071, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 128, 2016”.

READ A FIRST TIME THIS DAY OF 2016

READ A SECOND TIME THIS DAY OF 2016

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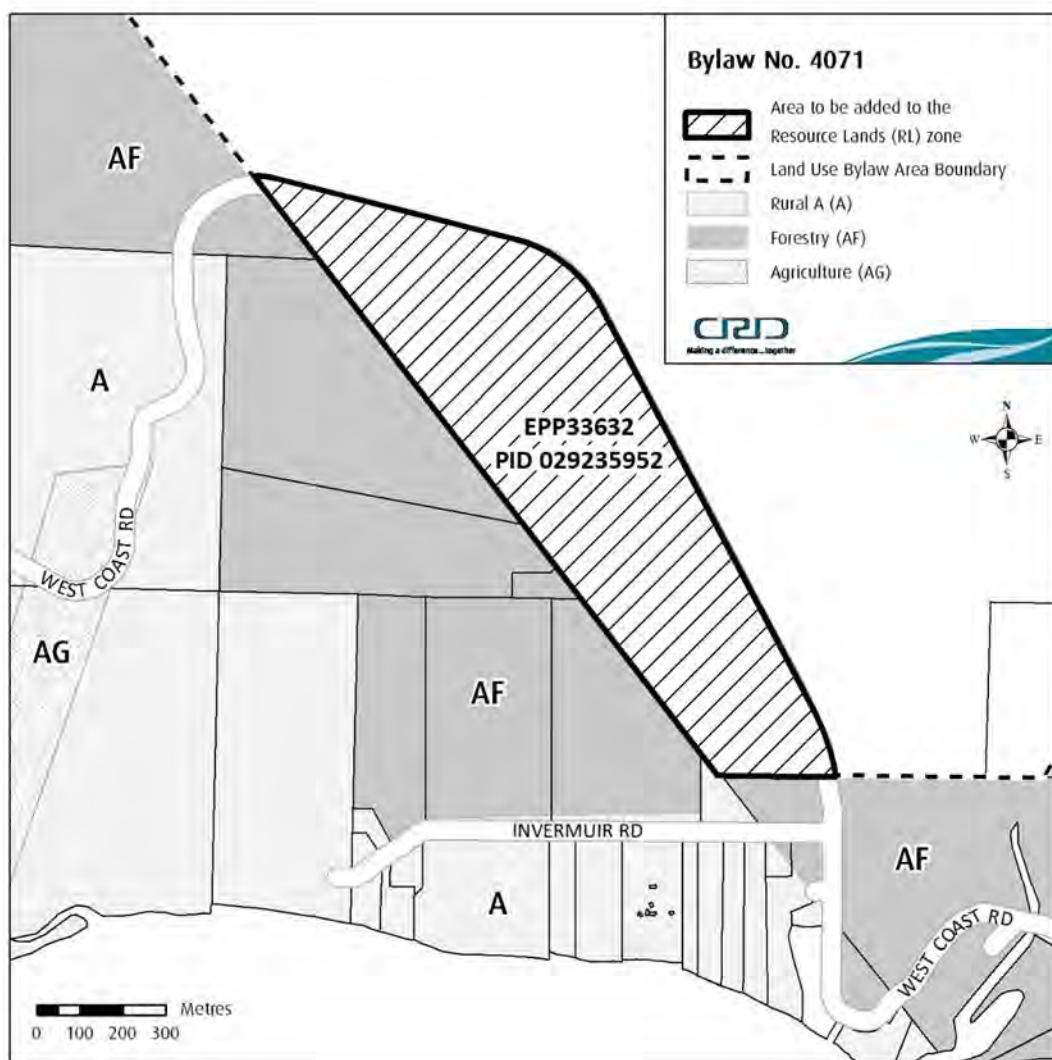
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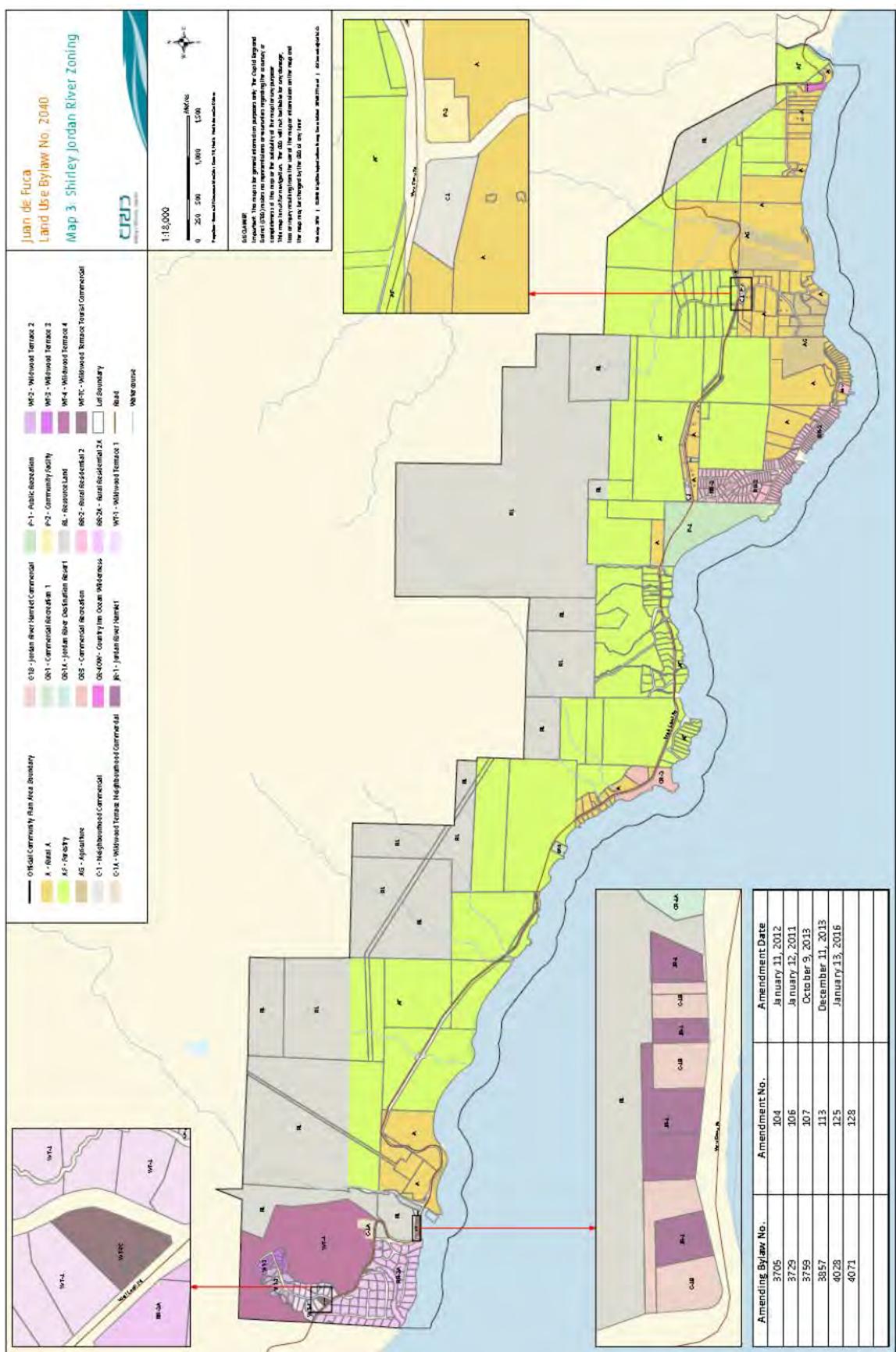
ADOPTED THIS DAY OF 2016

CHAIR

CORPORATE OFFICER

Plan No. 1





**SHIRLEY – JORDAN RIVER
OFFICIAL COMMUNITY PLAN**

Bylaw No. 4001

2018

Acknowledgements

This Official Community Plan (OCP) was developed through a collaborative effort which involved a broad cross-section of Shirley and Jordan River residents and stakeholders. This OCP would not have been possible without the hard work and dedication of those involved. The CRD would like to acknowledge and thank all those who participated in the OCP review. Special thanks go out to the Shirley – Jordan River OCP Review Citizens' Committee and to the Shirley/Jordan River Advisory Planning Commission who all devoted a significant amount of time and energy to produce this document.

Shirley – Jordan River OCP Review Citizens' Committee:

Dom Bernardet

Claire Denesovych

Sonja de Wit

Wayne Jackaman

Margaret Johnson

Pascale Knoglinger

Frank Limshue

Brenda Mark

Fiona McDannold

Ron Ramsay

Shirley/Jordan River Advisory Planning Commission:

Dom Bernardet

Sonja de Wit

Pascale Knoglinger

Brenda Mark

Fiona McDannold

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The preparation of this sustainable Community Plan was carried out with assistance from the Green Municipal Fund, a Fund financed by the Government of Canada and administered by the Federation of Canadian Municipalities. Notwithstanding this support, the views expressed are those of the Capital Regional District. The Federation of Canadian Municipalities and the Government of Canada accept no responsibility for them.

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4001

A BYLAW TO ESTABLISH AN OFFICIAL COMMUNITY PLAN FOR SHIRLEY AND JORDAN RIVER

A WHEREAS the Capital Regional Board wishes to update the Community Plan for the Shirley and Jordan River area of the Regional District;

B AND WHEREAS the residents of Shirley and Jordan River, the adjacent municipality 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 Division 4 (Sections 472-478), Division 6 (Sections 484-487), Division 7 (Sections 488-491), and Division 8 (Sections 492-497) of the *Local Government Act* authorize 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
- The designation of Development Permit Areas
- The designation of Development Approval Information Areas
- The designation of Temporary Use Permit 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 Shirley and Jordan River, which is a part of the Juan de Fuca Electoral Area within the Capital Regional District, as outlined on Map 1: Location Within the CRD, 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 SCHEDULES AND MAPS

Schedules "A" to "I" attached hereto are hereby made a part of this bylaw.

SECTION 4 REPEAL OF BYLAWS

The following bylaw is hereby repealed:

The Capital Regional District Bylaw No. 3717, cited as the "Official Community Plan for Shirley/Jordan River Bylaw No. 1, 2010".

SECTION 5 TITLE

This bylaw may be cited for all purposes as the "Shirley – Jordan River Official Community Plan Bylaw No. 5, 2018".

SECTION 6 IMPLEMENTATION

READ A FIRST TIME THIS DAY OF 2018

READ A SECOND TIME THIS DAY OF 2018

READ A THIRD TIME THIS DAY OF 2018

Approved by the

Minister of Transportation and Infrastructure

 THIS DAY OF 2018

ADOPTED THIS DAY OF 2018

CHAIR

CORPORATE OFFICER

SHIRLEY - JORDAN RIVER OFFICIAL COMMUNITY PLAN



SHIRLEY – JORDAN RIVER OFFICIAL COMMUNITY PLAN BYLAW No. 4001

SCHEDULE A

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LIST OF ABBREVIATIONS

ALC	Agricultural Land Commission	PID	Property Identifier
ALR	Agricultural Land Reserve	PMFL	Private Managed Forest Lands
CRD	Capital Regional District	QEP	Qualified Environmental Professional
CHI	Community Health Initiative	QP	Qualified Professional
CPSP	Community Parks Strategic Plan	RGS	Regional Growth Strategy
DCCs	Development Cost Charges	RAR	<i>Riparian Areas Regulation</i>
DPA	Development Permit Area	SAR	Search and Rescue
EBMP	Ecological Based Management Plan	SA	Settlement Area
GHG	Greenhouse Gas	SCA	Settlement Containment Area
JdF	Juan de Fuca	SEI	Sensitive Ecosystem Inventory
JdFEA	Juan de Fuca Electoral Area	SEAPARC	Sooke & Electoral Area Parks and Recreation Commission
LGA	<i>Local Government Act</i>	SRCHN	Sooke Region Communities Health Network
OCP	Official Community Plan	SPEA	Streamside Protection and Enhancement Area
OIE	Other Important Ecosystem	TFL	Tree Farm Licence
PCMP	Pedestrian and Cycling Master Plan	TUP	Temporary Use Permit
PATH	Pacheedaht Andersen Timber Holdings Ltd. Partnership	WSA	<i>Water Sustainability Act</i>
		WUP	Water Use Plan

PART ONE – GUIDING PRINCIPLES

"We never know the worth of water till the well is dry." ~Thomas Fuller, *Gnomologia*, 1732

Maintaining the Rural Character

Shirley and Jordan River are two small communities nestled along the southwest coast of Vancouver Island (see Map 1). With amazing vistas and easy access to nature and the ocean, the residents treasure the peaceful ambience of this special area. Limited commercial development, large lot sizes and a slow rate of change are seen as ways to maintain the area's rural character.

Protecting Water Quality and Quantity

Over the years, the quality and quantity of water in local creeks and aquifers have been affected by timber harvesting, hydro-electric generation, mining, and the siltation caused by increased runoff, road construction and *stream* crossings at higher elevations. Fish habitat in Jordan River and Muir Creek has been degraded by these types of activities. Individual wells and surface water provide much of the potable water supply and Goudie Creek is the domestic water source for a large *subdivision*. Residents are very concerned about the impact that future resource activities and development might have on existing domestic water supplies. They wish to see more



controls in place for residential development and to have a voice in the decisions made by senior government regarding resource use and its impacts.

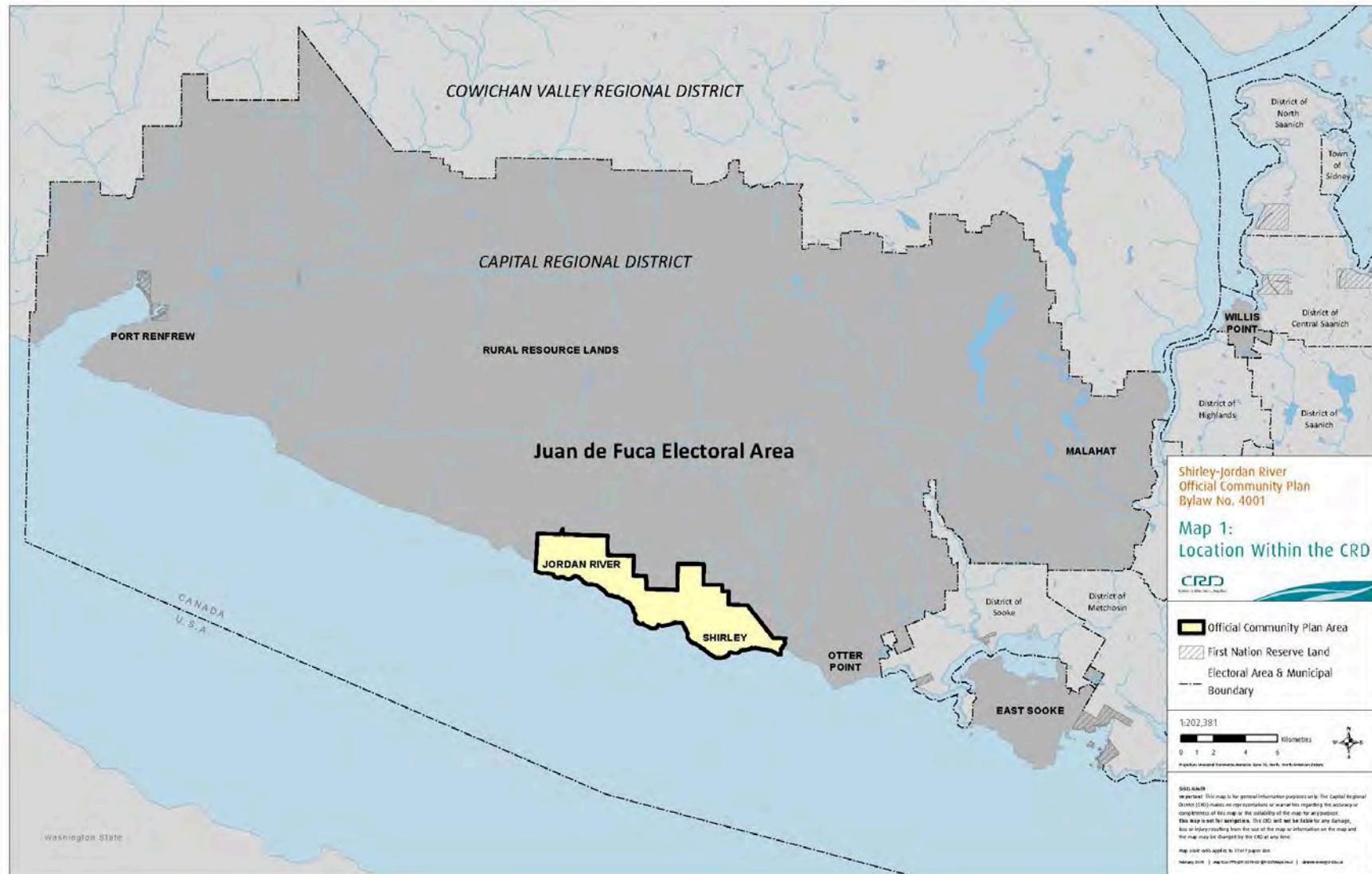


Protecting Biodiversity

Based on a 2014 Sensitive Ecosystem Inventory (SEI) commissioned by the Capital Regional District (CRD), rare and unique flora and fauna have been identified. There is strong support for policies and regulations to protect the biodiversity of the Shirley – Jordan River Plan area. Residents also wish to influence provincial standards regarding forestry practices and protection of the environment.

Safety and Connectivity

The safety of pedestrians, cyclists and vehicles using Highway #14 is of great concern to local residents. It is recognized that infrastructure upgrades will be needed to improve safety and this will take planning, time and money. Connecting these neighbourhoods with regional trails and other focal points will enhance safety and decrease reliance on car travel. To start this process, a plan for trails, as well as specific improvements to Highway #14, is described in this Plan.



PART TWO – ADMINISTRATIVE STRUCTURE

201 Purpose of the Official Community Plan

The Official Community Plan (the Plan) will guide and direct decision making on all aspects of land use and development for the communities of Shirley and Jordan River within the JdFEA. The Plan is an important statement of community values and goals, and must be used to assess any applications for rezoning or *subdivision*. The Plan takes a long-range view of land use, and forms the basis for regulatory bylaws. As the population changes and development occurs in the area, the Plan should be used to assist the CRD Board with its decision-making process.

The policies in the Plan provide for an orderly and attractive pattern of land use that respects the physical and rural characteristics of the land. In addition, the Plan provides for parks, open spaces and the preservation of valuable natural features. The Plan also gives residents some certainty as to what future developments may be permitted in the community and it guides prospective development toward appropriate locations.

The Plan is reviewed on a regular basis to keep pace with changing attitudes, lifestyles and economic factors that might affect some aspects of the Plan. It is also recognized that the Plan may require amendments in response to future changes in legislation, changing community values and the Regional Growth Strategy (RGS).

Housing needs and anticipated development for a period of 5 to 10 years are addressed in the Plan. Population projections and estimates of housing demands to the year 2024 can be found in Part Three of the Plan. The projections and policies in this Plan should be reviewed at five-year intervals to ensure that they reflect current conditions and needs.

202 Legislative Authority

Authority for the Board of a Regional District to prepare or revise an Official Community Plan is set out in Section 472 of the *Local Government Act (LGA)*. An Official Community Plan does not commit the Board or any other administrative body to undertake any of the projects suggested or outlined in the Plan, but once the Plan is adopted, further bylaws adopted by the CRD Board or works of the CRD must be consistent with the Plan.

Under the terms of Section 471 of the *LGA*, an Official Community Plan is: "... a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government." The required and optional content of an Official Community Plan is described in Sections 473 and 474 of the *LGA*. The objectives and policies for the Plan area are contained in Part Four of this Plan.

This Plan is the result of a community-driven exercise reflecting the community's values with respect to growth and development. It is not the intention of the CRD in adopting this Plan to create a conflict with provincial or federal enactments. As provided for in Section 474 (2) of the *LGA*, only broad objectives have been stated in regard to the regulation of matters that are not within the jurisdiction of the CRD.

203 Plan Area

This is the fifth Official Community Plan bylaw for the Shirley and Jordan River area. Previous bylaws include:

Bylaw No. 226, Official Community Plan (Sooke) By-law, 1975;

Bylaw No. 1645, Sooke Official Community Plan By-law, 1988;

Bylaw No. 3352, Official Community Plan for Shirley/Jordan River Bylaw No. 1, 2006;

Bylaw No. 3717, Official Community Plan for Shirley/Jordan River Bylaw No. 1, 2010.

The Plan area encompasses all land within the boundaries as outlined on Schedule B. The Plan area includes all areas below the shoreline extending 300 metres waterside of the natural boundary of the sea including the surface of the water except where the foreshore boundaries are shared with the Otter Point OCP Area as shown on Schedule B.

The Shirley – Jordan River Citizens’ Committee and the Otter Point OCP Citizens’ Committee agree that the Muir Creek boundary is considered to be a working boundary for the purposes of the OCPs. However, the administrative boundaries used for planning purposes are not necessarily the same boundaries used for other purposes. Many residents of the Plan area consider the sign welcoming the public to Shirley to be the eastern boundary of Shirley. This sign is sited at the top of a hill on the east side of Muir Creek outside of the Plan area.

204 Organization and Format

This Plan is organized into seven parts. Part One introduces the guiding principles of the Plan. Part Two outlines how the OCP conforms to provincial legislation and recounts the consultation process. Part Three is organized by key themes and provides the context for the Plan including the physical setting, projected population, servicing levels and a description of existing land uses within the community. Part Four establishes the land use designations and policies. Part Five designates and creates six development permit areas (DPAs) with corresponding guidelines. Parts Six and Seven fulfill the statutory requirements for development approval information areas and temporary use permits. Appendix A includes relevant definitions of terms used in the document. These terms are italicized and hyperlinked throughout the document. Appendix B is a list of sources used in developing the Plan. Schedules B through I also form part of the Plan.

Although the legal name for the community is “River Jordan”, most people refer to the community as “Jordan River”. For this reason, the Plan also refers to this community as “Jordan River”.

To accommodate future changes to the OCP that might be required by provincial legislation or the RGS, there are deliberate gaps in the numbering of sections. The pagination of Parts Four and Five is specifically intended to allow for more efficient printing and reproduction of key pages. Landscape orientation was used to facilitate easier reading of this document on electronic devices.

205 Public Consultation

A key feature of the preparation of this Plan is that it has been community-driven. Since the OCP review process began in 2013, community members have been involved and have taken advantage of the opportunities for public input. The CRD website has been used throughout the process to inform the community about opportunities to participate in the planning process, as well as providing project-specific information including the open house displays, meeting notes, drafts of the OCP and the final documents. Additionally, newspaper advertisements and mail-outs were used to notify the public of meetings and events. At their request, interested parties were added to an e-mail list to receive notification of upcoming events and information on the project.



Shirley – Jordan River Citizens' Committee

Ten individuals who lived or owned property in Shirley and Jordan River who expressed their interest in participating were appointed by the Juan de Fuca Electoral Area Director to sit on the Shirley – Jordan River Citizens' Committee. Over the course of fifteen meetings, the 2007 OCP was reviewed in its entirety by the Committee. Important and emergent issues facing Shirley and Jordan River were identified and discussed. Reports on the results of the open houses were prepared for the Committee's consideration. Three rough drafts of this OCP were distributed to the Citizens' Committee for its review prior to preparation of a final draft.

Public Events

Four open houses were held during the preparation of this Plan. They were timed to launch the project, share initial background information and identify key issues, and then share information and receive feedback on drafts of the OCP. One of the sessions was held specifically for the residents of Jordan River. All of the Citizens' Committee meetings were open to the public and opportunities were provided for the public to speak at these meetings. Feedback from the public was gathered at the open houses by way of questionnaires, comment sheets, facilitated sessions and face to face conversations with Committee members as well as staff.

Consultation with other Committees and Groups

As required by Section 476 of the *LGA*, School District #62 Sooke has been consulted with and asked for input on its actual and anticipated needs for school facilities within the Plan area. A presentation regarding the OCP was made to the JdFEA Parks and Recreation Advisory Commission on June 24, 2014.

Referral Process

The draft Plan was referred to federal, provincial and regional agencies, and First Nations with an interest in the area, as well as numerous stakeholder groups. Referral comments were considered and many were incorporated into the final Plan.

206 First Nations

The Shirley and Jordan River areas have been used by the First Nations for settlement, hunting, fishing, foraging and cultural activities. Shirley and Jordan River both lie within the traditional territory of the T'Sou-ke First Nation and Pacheedaht First Nation. Other First Nation and Treaty groups have identified an interest in the Shirley – Jordan River Plan area including the Cowichan Tribes, Halalt First Nation, Hul'qumi'num Treaty Group, Te'Mexw Treaty Association, Lake Cowichan First Nation, Lyackson First Nation, the Penelakut Tribe, and the Stz'uminus First Nation. There may be interest by some of these groups in land owned by the Crown within the Plan area.

Due to the long term use of the area by First Nations, significant archaeological resources exist in the area. The OCP supports the identification and preservation of these resources and addresses the matter in Part Four.

207 Collaboration with Other Agencies and Authorities

The CRD will strive to work in collaboration and partnership with First Nations, the Agricultural Land Commission (ALC), provincial ministries, federal departments, Island Health, School District #62, and all other necessary agencies and groups to address infrastructure, services, transportation, energy and emissions management, and environmental concerns.

208 Regional Growth Strategy Consistency

The RGS adopted by the Capital Regional District Board in March 2018 establishes several goals for the region and outlines the desired pattern of growth for the CRD. The Shirley – Jordan River Plan area lies within the JdFEA of the CRD (see Map 1). The goals, objectives and policies of this Plan work towards the seven strategic objectives, the four land use policy designations, and the Growth Management Concept Plan in the RGS, in the following ways:

- A. To keep settlement compact, lands within the Plan area intended for settlement have been designated as Settlement and Pacific Acreage. These areas are coincident with the Rural/Rural Residential Policy Area in the RGS. All other lands in the Plan area have been designated for commercial, rural, resource, agricultural or park uses. These areas align with the Capital Green Lands and the Renewable Resource Lands policy designations in the RGS.
- B. To protect the integrity of the rural communities in the Plan area, only certain land uses and densities are supported. In the Settlement and Pacific Acreage Land Use Designations, low-density residential and community uses are supported. Home based businesses and small-scale commercial uses that service local needs are supported, as well as certain types of tourism activities, provided that these uses are of a scale and size appropriate for a rural community. Other types of commercial uses and industrial uses are not supported in these two designations.

The Settlement Containment Area designation from the 2007 OCP has been replaced with Settlement and retains a density of one *parcel*/per hectare for the residential areas in Shirley. The Pacific Acreage Land Use Designation includes all lands outside of the new Settlement Land Use Designation that are generally zoned for or developed at a density of one *parcel*/per two hectares, or in the range of four dwelling units per four hectares, as well as existing tourism commercial operations with the appropriate zoning. The overall development potential of the Plan area has been significantly reduced from what was possible in the 2007 OCP through the application of these two new land use designations.

A Commercial Land Use Designation has been applied to lands in Jordan River that are deemed not safe for residential habitation. While the 2007 OCP designated a small Settlement Containment Area (SCA), much of the remaining Plan area was designated as Settlement Area with a density greater than 2 hectares per *parcel*. Significant areas of land being used for resource-based purposes

were included in the Settlement Area of the 2007 OCP. To improve the relationship between the land use designations in the OCP and existing land uses, large tracts of land designated as Settlement Area in the 2007 OCP are designated as Coastal Upland and Renewable Resource in this OCP, with policies favouring natural resource uses and densities of 4 hectares and 120 hectares per *parcel* respectively. Lands designated as Coastal Upland are primarily enrolled in the PMFL program with policy statements that support the use of these lands for forestry. If the lands are removed from the PMFL program, their use for low-impact tourism development is supported. All lands in Provincial Crown Forest have been designated as Renewable Resource. Policy statements support the continued use of these lands for forestry. Land owned by BC Hydro used for power generation has been designated as Renewable Resource. A parcel used for a log sorting station adjacent to Jordan River is also designated as Renewable Resource.

- C. To protect, conserve and manage ecosystem health, areas in the Capital Green Lands Policy Area within the Plan area are designated as Park. Riparian areas, sensitive ecosystems, marine uplands and shoreline areas have been designated as a DPA for environmental sensitivities. All of the marine waters in the Plan area have been designated as Marine.
- D. To manage regional infrastructure services sustainably, the community water servicing policy provisions for Shirley – Jordan River are not to exceed the existing 126 parcels within the Sheringham Water District. No CRD water systems are proposed in the Plan area. No community sewer systems are proposed in the Plan area and the CRD supports the Ministry of Environment and Island Health in their regulation of sewage.
- E. To build Shirley and Jordan River as complete communities, a number of policies in this OCP support community safety, such as the Restricted Development Land Use Designation on lands within the flood inundation zone identified by BC Hydro and the designation of DPAs for hazardous conditions. Ways to build a healthy community include community volunteerism and local delivery of health care services, social programs and recreational programs. There is a desire for a community meeting place in Jordan River and improvements to the Shirley Community Hall.
- F. To improve the affordability of housing, suites and home based businesses are supported by this Plan. Alternative forms of housing such as manufactured and modular homes are also supported, as are alternative sources of energy for homes such as geoexchange.
- G. To increase transportation choices, this OCP strongly encourages senior government to improve the safety of Highway #14 (West Coast Road) so that it can be used for alternative transportation choices. The creation of an off-street trail network to link neighbourhoods,

- community focal points and parks is supported. Carpooling, ride-sharing and approaching School District #62 Sooke to see if an agreement to allow community members to ride on school buses are presented as ways to increase transportation choices.
- H. To strengthen the regional economy, the reliance on other regional centres is recognized in this Plan. Agriculture, home based businesses, renewable resource activities and low-impact tourism uses are viewed as Shirley – Jordan River's contribution to the regional economy.
 - I. To foster a resilient food and agriculture system, all land in the ALR within the Plan area and the Renewable Resource Lands Policy Area has been designated as Agriculture. Policy statements in this OCP support the use of lands designated Agriculture for farming and, to reduce land use conflicts, a DPA establishes a buffer strip between lands in the Agricultural Land Reserve (ALR) and adjacent properties.
 - J. This OCP also discusses the impact of climate change on the Plan area and suggests ways to ameliorate potential impacts including protection of ecosystems, consideration of energy efficient building standards, development of alternative transportation infrastructure, addressing seal level rise and through education and outreach initiatives.

209 Minimum Parcel Size

Minimum *parcel*/sizes are expressed in this bylaw as policies to guide current and future planning. However, it is recognized that there are existing *parcels* which have been created by *subdivision* within the Plan area that do not meet the general minimum *parcel*/size policies expressed in this Plan. Nothing in this Plan is intended to make *parcels* that do not meet the minimum *parcel*/sizes set out in this Plan, but that conform to current zoning regulations under Bylaw No. 2040 inconsistent with the Plan. However, it is intended that any further amendments to the zoning bylaw applicable within the Plan area will be consistent with the minimum *parcel*/sizes as specified in this Plan to reflect the vision for the community.

210 Greenhouse Gas Reduction

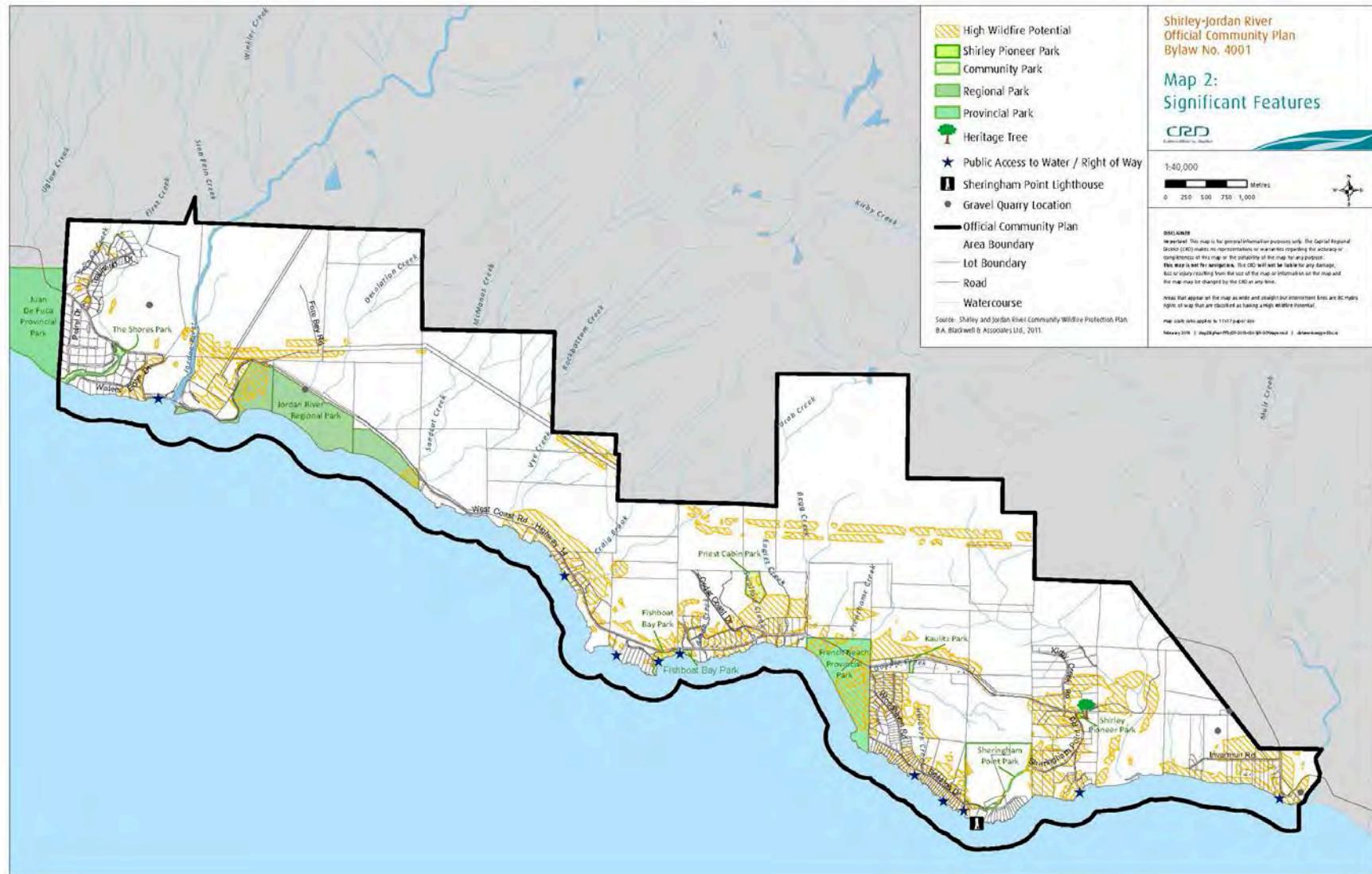
For the purpose of Section 473 of the *LGA*, the target for the reduction of Greenhouse Gas (GHG) emissions in the CRD is 33% below 2007 levels by 2020. This figure is consistent with the provincial target. The CRD has established a Climate Action Program to act as a regional hub and facilitator on climate change issues and collaborate with other entities on ways to reduce emissions and plan for future climate change.

As its contribution to the CRD target, the communities of Shirley and Jordan River will work to reduce GHG emissions in the Plan area by 3% below 2007 levels by 2020. The CRD will meet the targets by developing a carbon reduction plan for CRD operations including operations in the Shirley – Jordan River Plan area and by undertaking the following:

- A. Educating residents, businesses and tourists about climate change as it relates to community priorities;
- B. Establishing new policies and objectives in Part Four of this OCP with the intent of reducing energy use and protecting valuable carbon sinks; and
- C. Collaborating with other governments in examining and exploring GHG reduction strategies on a regional basis through one or more of the following:
 - development of GHG reduction standards for buildings by addressing issues 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; and
 - development of programs and policies that increase local food security and local food supply options.

211 Sand and Gravel

No new sand or gravel deposits suitable for future sand and gravel extraction were identified during the preparation of this Plan. There are several known gravel pits in the Plan area which are shown on Map 2 as well as a number of known sand and gravel reserves.



PART THREE - CONTEXT

301 Introduction

Water has been the central focus for the community during the preparation of this Plan. Reflecting the importance of this topic, separate sections dealing exclusively with water have been written. Other important issues identified during the preparation of the Plan are protection of the natural environment, traffic safety and maintaining the rural nature of the Plan area. Although there is support for resource-based industries occurring in the Plan area, residents are increasingly concerned about the impacts that resource-based activities have on the communities of Shirley and Jordan River. They wish to see more controls in place to protect the environment and remediate areas affected by past activity. Appreciating that much of the responsibility for these types of activities is within the purview of senior government, local area residents expressed interest in finding ways to engage in a dialogue with government agencies and companies involved in resource management activities.

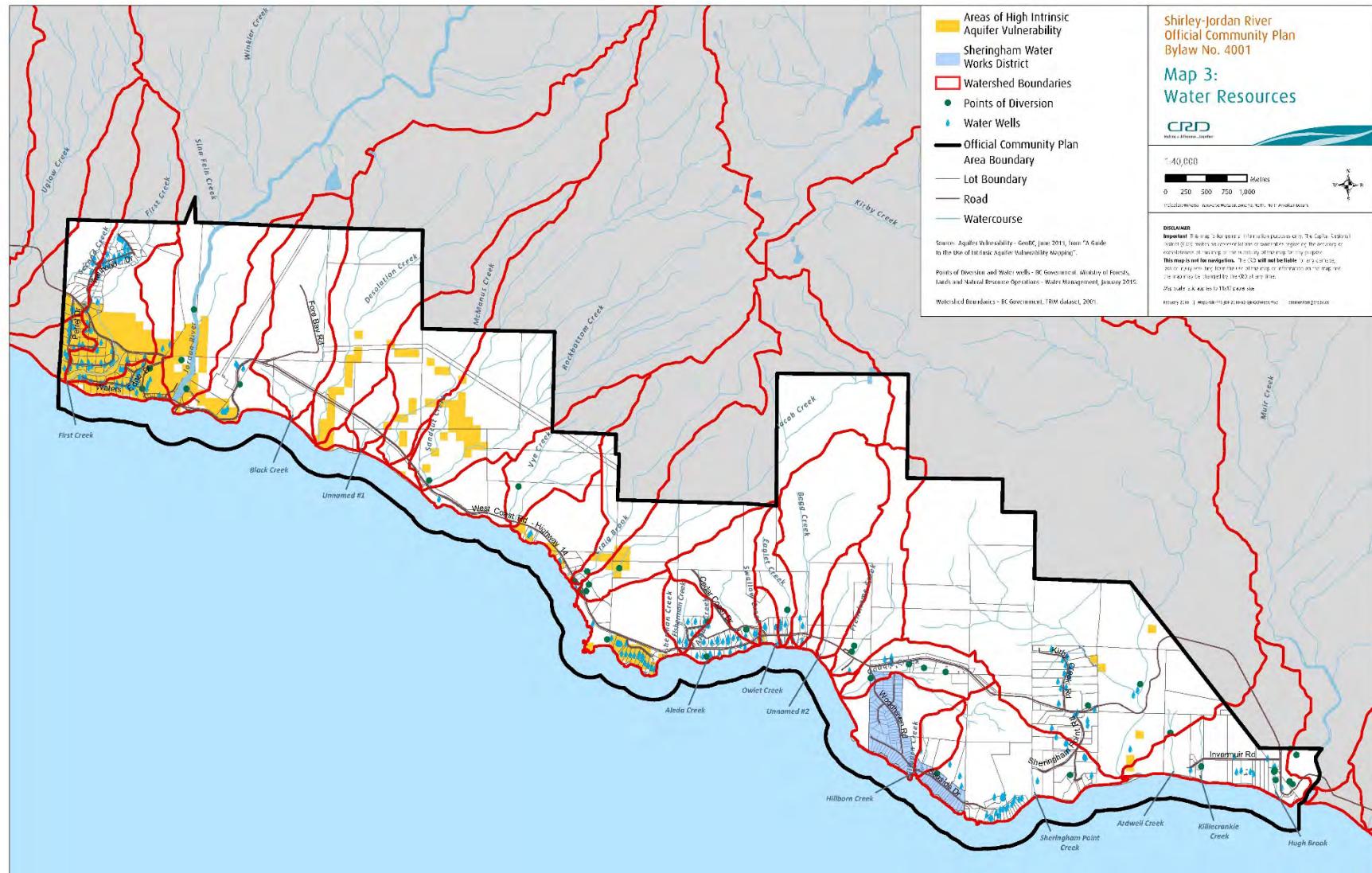
310 Water

Water is a main element shaping the land. Rivers, creeks and wetlands flow from higher elevations into the ocean, with snowmelt contributing to these flows in the spring season. All water sources are inherently connected and land use activities are dependent on water.

In the Plan area, there are approximately 38 major watersheds (see Map 3). Many of the watersheds encompass the adjacent planning areas of Otter Point and Rural Resource Lands and originate in areas utilized by resource industries for forestry whose activities can have downstream effects on the natural features, functions and conditions of wetlands and *watercourses*. In the Plan area, rainfall totals approximately 1,150 mm annually, which is slightly higher than Victoria where the yearly rainfall is 926 mm.

Jordan River is the largest *watercourse* in the Plan area and the only river. Creeks in the Plan area from east to west include Muir, Killiecrankie, Ardwell, Kirby, Sheringham Point, Hillborn, Goudie, Frenchome, Begg, Eaglet, Swallow, Aleda, Fisherman, Jacob, Vye, Sandcut, McManus, Desolation, Black, Sinn Fein, First and Second as well as Grace and Craig Brooks (see Map 3). The provincial base mapping of the Plan area does not include all of the *watercourses* or accurately show the current location of some *watercourses*. This shortcoming has the potential to compromise biophysical studies unless field work is done to confirm the location of *watercourses*. The mapping of *watercourses* conducted during the 2014 SEI was relied upon to establish a DPA for riparian areas.





The Province, in partnership with the Vancouver Island Water Resources Vulnerability Mapping Project and other groups, mapped the intrinsic aquifer vulnerability in the region to describe the relative degree of natural protection of the groundwater from contamination due to the physical characteristics of the land and subsurface. Coastal areas around Point No Point, Sandcut Creek and Jordan River were identified in the mapping project as having highly vulnerable, unconfined aquifers due to the high water table and permeable sand and gravel soils.



Industrial or commercial uses which have the potential for spills, leaching or produce pollutants should not be sited in these areas (see Map 3).

Future climate change may result in a net increase in rainfall, with more severe heavy rain events leading to potential flooding and landslides. Increased drought in summer could see slower groundwater recharge resulting in insufficient *in-stream* flow to support fish habitat and domestic water supply.

311 Hydrology

Monitoring of river flows and flood events can assist with land use planning to avoid hazard areas, as well as to understand the water flow required to sustain ecosystems.

The Province prepared a Water Allocation Plan for the San Juan River in 1996. Although the San Juan is outside the Plan area, the report does include Muir, Kirby and Jacob Creeks. The report examines climatic and hydrological data to determine *in-stream* flow requirements for these creeks to aid in water allocation decisions.

Although there are no freshwater lakes within the Plan area, the Elliott, Diversion and Bear Creek Reservoirs to the north of the Plan area are part of the Jordan River watershed and hydro-electric system. In 2002, the Provincial Comptroller of Water Rights accepted BC Hydro's Jordan River Water Use Plan (WUP), which defines how the Jordan River hydro-electric system will be operated. In its implementation of the WUP, BC Hydro has prepared annual reports since 2006 that monitor compliance with the WUP and are available to the public. As part of the WUP, BC Hydro conducts monitoring and research on water use, flows, ecosystem health and restoration in order to maintain a proper functioning condition.

In 2010, the Sheringham Water Works Ltd. conducted a professional hydrological assessment of development impacts on the Goudie Creek watershed. The final report recommended developing a drinking water protection plan for the Goudie Creek watershed, as well as regular monitoring of creek flows and water quality.

To protect the environment and their potable water supply, residents would like to see a watershed management approach to development implemented and the designation of a DPA for water



conservation and protection. The collection and mapping of data for ground and surface sources of potable drinking water in the Plan is integral to implementing this type of approach.

312 Drinking Water

According to provincial records, there are over 250 individual domestic wells within the Plan area. The Province regulates the construction of wells greater than 15 metres deep. Island Health requires that wells be separated from septic systems by at least 30 metres. Well capture zones or recharge areas may extend beyond *parcels*/boundaries and be vulnerable to contamination. Reliance on groundwater supply can be uncertain due to limited data available on the aquifer itself, seasonal fluctuations in aquifer recharge, the overall volume of extraction from various users, and potential sources of contamination.

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development regulates water diversion through licensing. In 2014, there were 37 licensed points of diversion in the Plan area. The majority of licenses are for domestic purposes; however, there is a waterworks local authority license on Goudie Creek; enterprise licenses on Jacob Creek, Rudd Spring and Bliss Spring; a public facility license on Rudd Spring; irrigation licenses on Goudie Creek and Hillborn Creek; a storage license on Craig Brook; a residential lawn/garden license on Hugh Brook; a storage-power license on Bear Creek; and a general power license on Jordan River.

As a condition of *subdivision*, all *parcels* are required to have proof of potable water. Where a *parcel* is not served by a community water system, each lot is required to have a proven source of potable water. CRD building regulations permit engineered, on-site rainwater collection systems as residential potable water supplies. These systems are becoming more common with advancements in technology and a general increased awareness of water conservation measures. Rainwater can also be collected for non-potable uses and for garden irrigation.

313 Water Sustainability

The Ministry of Environment's Water Stewardship Division regulates freshwater resources in British Columbia, including drinking water supplies, groundwater, dams and dikes, flooding, river forecasting and ecosystem health. The Ministry also regulates development in and around *watercourses*. Proponents retain a *Qualified Professional (QP)* to oversee the development, including installation of bridges and culverts. Such work requires notification to the Province and may also require notification to any water license holders.

The *Water Sustainability Act (WSA)* received Royal Assent in 2014 and replaces the *Water Act*. Key changes in the *WSA* include the designation of areas for developing water sustainability plans, the establishment of water advisory boards, changes to water pricing and license terms, and increased consideration of environmental flow needs and beneficial use of water. As provided for in the *WSA*, residents of Shirley and Jordan River have a keen interest in establishing either a water advisory board or some other type of stakeholder group, which would facilitate consultation with the Province and other stakeholders on matters related to water.



320 Environment

A SEI of the Shirley – Jordan River Plan area was commissioned by the CRD in 2014. The inventory, conducted by Madrone Environmental Services Ltd., has provided much of the information for this section. Relying on aerial imagery, existing biophysical reports and field verification, 413 polygons were mapped using the provincial standards for SEI classification. Of these, 261 represented pure polygons of a single type of sensitive ecosystem or other important ecosystem (OIE). Only 23 polygons were mapped with a component of non SEI or OIE such as road or rural development. Standardized terrestrial ecosystem mapping labels were applied to each polygon. Species and ecosystems at risk were identified by using the Conservation Data Centre database.

321 Sensitive Ecosystem Inventory

The Plan area falls into two subzones of the Coastal Western Hemlock biogeoclimatic zone: the Western Very Dry Maritime subzone “CWHxm2” and the Submontane Very Wet Maritime subzone “CWHvm1”.

The CWHxm2 zone is characterized by warm, dry summers and moist, mild winters with little snowfall. There is a long growing season and some sites experience water deficits. Zonal forests are dominated by Douglas-fir, and accompanied by Western hemlock and minor amounts of Western red cedar. On drier sites, Douglas-fir dominates with minor components of lodgepole pine and arbutus. Moist sites feature Western red cedar and Sitka spruce with red alder, black cottonwood and willow in flooded areas.

The CWHvm1 zone is characterized by a wet, humid climate with cool summers and mild winters with relatively little snow. Forests in this zone are dominated by Western hemlock and Amabilis fir. Drier sites are dominated by Western red cedar, lodgepole pine and Western hemlock. Floodplain sites feature Sitka spruce on high bench areas and red alder and black cottonwood on the middle and lower benches. Provincial mapping indicates that the CWHvm1 zone can be found west of Jordan River at elevations between sea-level and 400 metres. Ground observations indicate that the CWHvm1 zone may actually occur to the west of the Plan area, but as refinements to the biogeoclimatic base mapping were beyond the scope of the SEI, the provincial delineation was relied upon.

Ten sensitive ecosystems and one OIE were identified within the Plan area (see Table 1 and Map 4). There is documented evidence of four species at risk within the Plan area: the Northern Red-legged frog (*Rana aurora*) within the Desolation Creek watershed near Fore Bay Road; the Warty Jumping slug (*Hemphillia glandulosa*) near the mouth of Muir Creek; seaside bone fungus (*Hypogymnia heterophylla*) observed near Sheringham Point; and, nodding semaphoregrass (*Pleuropogon refractus*), a plant identified in French Beach Provincial Park. In addition to the reported occurrences of rare species, the SEI identified and mapped thirteen ecosystems with the potential to be ecological communities at risk or of special concern (i.e. either red- or blue-listed).

There are several known bald eagle nests within the Plan area near Muir Creek, Jordan River and Point No Point Resort. The field survey for the 2014 SEI confirmed the location of eagle nests near the Sheringham Point Lighthouse and Waters Edge Drive.

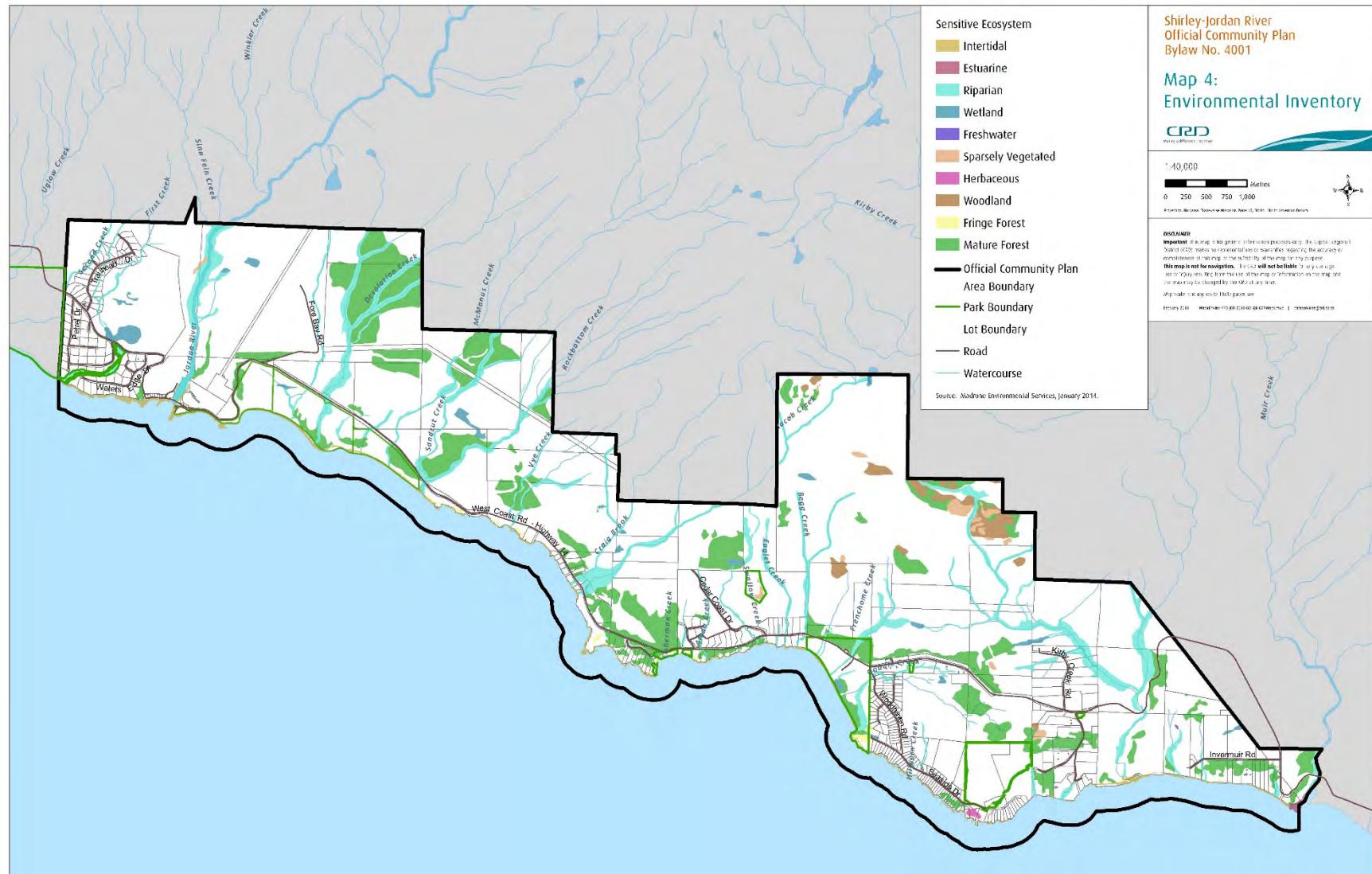
Riparian ecosystems occur next to water bodies, support a disproportionately high number of species for the area they occupy and are distributed throughout the Plan area. They have a greater diversity of plant composition and structure than uplands ecosystems and a unique micro-climate due to increased humidity, a higher rate of transpiration and greater air movement.

Wetlands are amongst the most threatened habitats in the world and are vulnerable to small changes in hydrology. Even limited changes to the nutrient levels of wetlands can affect the parameters that specific wetland communities require to survive. Wetlands support a high number of habitat niches, which provide critical habitats for numerous mammal, bird, reptile, amphibian, fish and vertebrate species. There are a number of small wetlands in the Plan area and a larger one near Cormorant Way.

A number of wildlife species are completely dependent upon freshwater ecosystems for their entire life cycle, while others such as amphibians utilize these habitats during critical life stages. Only two polygons of freshwater ecosystems, totalling 0.2 hectares, were mapped. Due to their small size, they have been classified as ponds and are considered noteworthy because of their scarcity.

Table 1: Sensitive and Other Important Ecosystems

ECOSYSTEM TYPES	AREA (HA.)	NOTEWORTHY SITES
SENSITIVE ECOSYSTEMS		
RIPARIAN (RI)	283	Muir Creek (large mature trees, known eagle nests); Kirby Creek (diverse hydrology, large floodplain); Jacob Creek (steep-sided gully); Craig Brook (variety of <i>in-stream</i> characteristics).
WETLAND (WD)	28.6	Large wetland located north of West Coast Road near Cormorant Way.
FRESHWATER (FW)	0.2	The pond south of Sheringham Point Road and the pond at the top of Ardwell Creek.
INTERTIDAL (IT)	35.8	The largest and longest expanses of beach are at French Beach and Jordan River.
ESTUARINE (ES)	1.9	Only one site at the mouth of Muir Creek.
OLDER FOREST (OF)	1.2	An area adjacent to Muir Creek and another area off Fishboat Bay Road.
FRINGE FOREST (FF)	10.5	Sites in French Beach Provincial Park and Fishboat Bay Community Park.
WOODLAND (WD)	27.4	Woodland mixed with sparsely vegetated rock outcrops and cliffs at top end of Kirby Creek.
HERBACEOUS (HB)	1.5	Site west of the trail leading to Sheringham Point Lighthouse.
SPARSELY VEGETATED (SV)	28	Priest Cabin Community Park.
OTHER IMPORTANT ECOSYSTEMS		
MATURE FOREST	378	Along Invermuir Road, Fishboat Bay Road and adjacent to the Muir Creek riparian zone.
TOTAL AREA	796.1	Approximately 21% of the land base in the Plan area.



Estuarine habitats are among the most productive on the planet. Their sheltered waters support unique communities of plants and animals especially adapted to this type of ecosystem. In the Plan area, the only area of estuarine tidal flat is at the mouth of Muir Creek.

There are 35.8 hectares of intertidal ecosystems with much of the shoreline varying between rocky headland and gravel/sand beach, and only 1.12 hectares of mud flat. A range of species live within the intertidal zone, and vary based on the amount of exposure.

Older forests are biologically rich and distinct from younger, second-growth forests. They support a rich community of wildlife, plant and invertebrate species with many species dependent upon specific habitat features only found in older forests. Fungi, lichens and the red-listed warty jumping slug are examples of species dependent upon old growth forest features. There are no pure stands of old growth forest in the Plan area, only older individual trees interspersed in mature stands near Muir Creek and Fishboat Bay Road.

Fringe forest is a new SEI classification created specifically for this project due to the presence of Sitka spruce within 200 metres of the coastline. This ecosystem is common in the CWHvh1 biogeoclimatic zone but does not typically occur east of Port Renfrew. All of the shoreline units in this biogeoclimatic zone are blue-listed when mature. Most of the fringe forest mapped was between Jordan River to just east of French Beach Provincial Park.

Woodland ecosystems, distinct in ecology and biological diversity, are one of the most threatened ecosystems on Vancouver Island. Many species of plants, animals, reptiles and birds are attracted to this ecosystem. Because of the ecosystem's small size, neighbouring ecosystems strongly influence the wildlife living there.

Herbaceous ecosystems are natural grasslands and moss-dominated ecosystems that may take more than 100 years to reach their current state and composition. The thin soils and herbaceous plants can easily be disturbed. Sparsely vegetated ecosystems can be highly unstable, evolving and eventually stabilizing over thousands of years. Since they rarely have an organic layer to protect the surface from erosion and disturbance, the plant root systems can be easily disturbed or destroyed. Some plant species, including several rare species are only known to occur in these ecosystems. Bats use crevices in rocks for roosting and hunt over these open sites. The area of both these ecosystems is limited within the Plan area.

OIEs are mapped to identify important elements of biodiversity or recruitment sites for ecosystems at risk or important wildlife habitat requiring recovery or restoration. Mature Forest older than 80 years but less than 250 years are classed as OIEs. The majority of the Mature Forest OIE was located adjacent to West Coast Road within residentially developed areas.

Designation of a DPA to protect sensitive ecosystems was a key recommendation of the SEI. Another recommendation was a 100 metre buffer around active wildlife trees increasing to 200 metres for development occurring during breeding season.

Bears, cougars, deer, elk, beaver and otters are some of the mammals common to the Plan area. Protection of habitat, connectivity between habitats and minimizing the interaction between wildlife and residential uses are important considerations in land use planning.

Because of Jordan River's hydro-electric facilities, there have been several biophysical studies of this *watercourse*. Provincial records indicate that Chum and Coho salmon spawn in the Jordan River from September to November. Recent fish index studies document the presence of sculpin, rainbow trout and Coho salmon. Falls and the dams upstream on the Jordan River are significant obstacles for fish. High levels of copper from an abandoned mine inhibit fish during low flows.

Chum and Coho salmon spawn from September to early December in Muir and Kirby Creeks. There are falls on both creeks which block upstream movement by fish. Chinook salmon and steelhead have also been observed in Muir Creek, but quick runoff and silting from past forest activities affect its fish habitat. Cutthroat trout have been observed in Goudie Creek. Sculpin, cutthroat trout, rainbow trout and steelhead have been recorded in Desolation Creek. There is little data on the other creeks in the Plan area and no other recorded sightings of fish. Because of steep terrain, many of the creeks in the Plan area have obstacles for anadromous fish.

322 Riparian Areas Regulation

Under the *Riparian Areas Protection Act* and the *Riparian Areas Regulation (RAR)*, the Ministry of Environment protects fish habitat including the riparian areas adjacent to *streams*. By 2006, local governments that did not already have appropriate bylaws in place were required by the Province to formally integrate the *RAR* into existing official community plans or zoning bylaws. In the Plan area, a DPA for riparian areas

has been designated and includes all mapped *streams*, as well as the adjacent riparian areas. Also included into this DPA are any riparian areas subject to the *RAR*.

An assessment by a *Qualified Environmental Professional (QEP)* pursuant to the *RAR* will be required if development is proposed near a *stream* that is determined to be fish-bearing. All or part of the riparian assessment area may be classed by the *QEP* as a Streamside Protection and Enhancement Area (SPEA). No or very little development will be permitted in the SPEA. Restrictions and conditions may be placed on development outside the SPEA but still within the riparian assessment area.

323 Invasive Species Management

After habitat loss, invasive species are recognized as the second greatest threat to native species and the loss of biodiversity. Their effects on biodiversity can be significant and often irreversible. In the Plan area, land tenure can affect the way in which invasive species are managed.

Considerable areas of the Plan area are in Tree Farm Licence (TFL) #61 or held as PMFL. In areas where timber has been recently harvested, there are requirements for seedlings to be replanted within a specified period of time. The regrowth of these seedlings is then monitored to ensure the forest will regenerate. There is strong incentive for the forest companies to remove invasive plant species like broom and blackberries after the seedlings are planted to ensure the long-term survival of the new trees.

The management of invasive species in regional and community parks is done in accordance with applicable plans and practices. While an Invasive Species Strategy for BC was prepared in 2012, there is no province-wide protocol for reporting or controlling invasive species infestations on Crown land; however, invasive species found within public road rights-of-way and on Crown lands can be reported to the Province.

Invasive plant species can also be found on private lands. The *LGA* gives local governments the option to be involved in the management of invasive plant species and, in 2017, the CRD assumed responsibility for this function. The CRD will take on a regional coordination role for invasive species management with a focus on early detection and rapid response for priority species as well as conduct education and outreach

programs. The Capital Region Invasive Species Partnership (CRISP) maintains a regional status/priority list of invasive plant species. The Province has an online program for the sighting and removal of invasive species through its Report-a-Weed program.

324 Ecological Restoration

Through its Education and Outreach function, the CRD Community Clean-up program supports groups making visible environmental improvements to their community through organized clean-ups. It provides financial support for projects that achieve visible environmental benefits and encourage people to take environmentally responsible behaviour. The projects must be conducted within the Capital Region and include the clean-up, rehabilitation or enhancement of the natural environment of public lands/waterways such as natural areas, recreational parks and playgrounds, ditches or roadsides (excludes highways), marine shorelines and harbours; lakes, ponds, rivers, creeks, *streams* and other natural waterways.

To monitor the effectiveness of environmental management programs and stewardship initiatives, it is important to collect and maintain data in the Plan area and then, over time, determine what changes are occurring. The 2014 SEI provides baseline information essential to the monitoring process.

330 Parks and Trails

The Shirley – Jordan River Plan area is serviced by a wide range of park land and trails (see Map 2 and Table 2). French Beach Provincial Park has parking, camping, picnicking, an adventure playground and well-developed access to a cobble beach. This park was created in 1974 from land once owned by James French who pre-empted much of the land west of Sooke in 1885.

There are five community parks whose day to day management is overseen by the Juan de Fuca (JdF) Community Parks and Recreation program. Above French Beach, spectacular views of the Juan de Fuca Strait can be seen from the viewpoint in Priest Cabin Park. Fishboat Bay Park, hugging the west side of its namesake, has parking with a short trail to a beach. Sheringham Point Park is a linear greenbelt that is partly within the Agricultural Land Reserve. Kaulitz Park is an undeveloped nature park created in 1991. The Shores is another undeveloped nature park containing the lower reaches of First Creek.

CRD Regional Parks purchased land in the Jordan River area from Western Forest Products with the help of The Land Conservancy of BC in 2010. These lands are now known as Jordan River Regional Park, and include Sandcut Beach, a cobble beach beside the Jordan River estuary,



a commercial campground, and several out-buildings rented to Queesto Forestry. The CRD Board has determined that lands north of Highway #14 are surplus to regional park needs. The community has expressed interest in use of the out-buildings and in acquiring access to lands in the Jordan River inundation zone, that are now owned by BC Hydro, for recreational purposes.

Pioneer Park is a neighbourhood park, owned and operated by the Shirley Community Association. It is the site for local events and a Country Market in the summer. Although not a park, Camp Jubilee which is owned by the Girl Guides of Canada, is a 64.7 hectare *parcel*/centred on Kirby Creek with outdoor camping facilities for up to 100 people. The Sheringham Point Lighthouse was designated a National Heritage Lighthouse in 2015 and is operated by the Sheringham Point Lighthouse Preservation Society.

Table 2: Parks and Protected Sites the Shirley – Jordan River Plan Area

NAME	AREA (HA.)	FEATURES
PROVINCIAL PARK		
FRENCH BEACH	59	69 campsites, picnic area, playground, trails
REGIONAL PARK		
JORDAN RIVER	187	22 campsites, Sandcut Beach trail, surfing
COMMUNITY PARK		
FISHBOAT BAY	3.13	Undeveloped nature park, trail, beach access
KAULITZ	0.68	Undeveloped nature park
PRIEST CABIN	6.88	Undeveloped nature park, viewpoint, bench
SHERINGHAM POINT	0.50	Nature park, trails, sensitive ecosystem
THE SHORES	5.81	Nature park, closed trail
NEIGHBOURHOOD PARK		
SHIRLEY PIONEER PARK	0.45	Passive park, Shirley Community Hall
HERITAGE SITE		
SHERINGHAM POINT LIGHTHOUSE		Heritage Lighthouse
TOTAL AREA:	263	

*NB. Juan de Fuca Provincial Park and the start of the Juan de Fuca Marine Trail are just outside the Plan area.

331 Recreation

The Strait of Juan de Fuca spans the length of the Plan area and is a significant geographical feature offering recreational opportunities such as offshore fishing, beachcombing and viewing. Along the rugged shoreline, there are several beaches and pocket coves. Strong offshore currents in the Strait of Juan de Fuca limit the opportunities for ocean kayaking and canoeing. Despite the strong currents, there is both windsurfing and surfing at Jordan River. The Shirley Community Hall is a venue for indoor recreational activities such as quilting, yoga, musical performances and community events.

332 Trails

A key goal of the CRD Regional Parks Strategic Plan 2012-2021 is to develop an arterial trails system connecting all of the municipalities and electoral areas in the region. One of the key linkages in this regional trail system is a connection between the Juan de Fuca Marine Trail and the Galloping Goose Trail. The Juan de Fuca Marine Trail is 47 kilometres long and its eastern trail head is just outside the Plan area inside Juan de Fuca Provincial Park. The Galloping Goose Trail, administered by CRD Regional Parks, is a 55-kilometre long, multi-use trail starting in Victoria and ending in Leechtown, an abandoned gold mine town north of Sooke. The CRD Regional Parks Strategic Plan 2012-2021 contemplates future connections between these two major trail systems through the Plan area. The proposed Regional Trail System will support the development of eco-based tourism industry and the associated commercial ventures such as accommodations and dining for tourists. It will also provide a significant connection between the Plan area and the rest of the CRD.

Also shown on Map 4 of the Regional Parks Strategic Plan are two north-south connections with the Plan area from several conceptual east-west trail alignments outside of the Plan area. One possible future north-south connection is with the Jordan River Regional Park and the other connection is with Highway #14 in the vicinity of Muir Creek.

The Kludahk Trail is approximately 50 kilometres long and runs along the San Juan Ridge, north of and parallel to the Plan area. It is managed by the Kludahk Outdoor Club through Recreation Sites and Trails BC and in cooperation with the forest industry. The Kludahk Trail runs through an environmentally sensitive area and may not be able to sustain an increase in pedestrian traffic. Jordan Ridge also runs parallel to the Plan area at a lower elevation and is also identified in the Strategic Plan.

The recommendations of the CRD Pedestrian and Cycling Master Plan (PCMP), released in 2012, are complementary to the goals and objectives of CRD Regional Parks. The PCMP identifies Highway #14 west of Sooke as a part of the Primary Inter-Connected Network and recommends upgrading the road to have separated on-street bikeways. No funding has been identified for these upgrades but some of the projects identified in the PCMP for elsewhere in the region are being implemented with assistance from Federal Gas Tax revenues for infrastructure improvements.

333 Connectivity

Connectivity and pedestrian safety are important issues to the residents of the Plan area. Trails and improvements to Highway #14 are seen by the residents of Shirley – Jordan River as a solution to both these issues. Improvements to Highway #14, including bikeways as described in the PCMP, will enhance the safety for the non-motorized users of the highway and hopefully, lessen the reliance on vehicles by residents as they could walk and bike safely between their neighbourhoods. Over time, residents would like a network of local trails developed in both the communities of Shirley and Jordan River that would connect residential areas with commercial nodes, local and regional parks and trails, and other community-based amenities. Of particular concern is the need to address a safe route for school-aged children to use when travelling independently in their community and to the school bus stops.

334 Public Access to the Water Front

While all land below the high water mark of the ocean is public, access to beaches can be hampered by the lack of publicly owned access and geographical constraints (see Map 2). Parks like French Beach Provincial Park, Jordan River Regional Park and Fishboat Bay Community Park provide access for the general public.

Access to the water front can also be gained via public road rights-of-way that are acquired at the time of *subdivision*. When water front properties are subdivided, provincial land title legislation requires the dedication of a 20-metre wide strip as highway at specified intervals to facilitate future *subdivision* and provide access to water. This requirement can be waived by the Province if there are compelling reasons. A Public Access to Water Memorandum of Agreement (MoA) between CRD and MOTI was signed in 2006 that establishes a referral process

for applications involving provision or development of access to water to the local community parks and recreation commission. Often when a high bank is involved, the right-of-way is not suitable as road and remains undeveloped. Within the Plan area, this type of right-of-way is owned and administered by the Province. The Province is not obligated to develop the rights-of-way as road or to maintain them. When properties adjacent to the rights-of-way are subdivided, a developer can be required to construct a public road. Organizations and individuals can also request permission from the Province to develop these rights-of-way.

A 2003 study of all the rights-of-way in the JdFEA identified 12 rights-of-way in the Plan area (see Table 3). Fishboat Bay Road and Flea Beach were considered to have excellent potential for development while other rights-of-way had less potential with some deemed unsafe, subject to erosion or having ecological concerns. Since the 2003 study, the Fishboat Bay and Marion Road rights-of-way have been developed into a community park.

Table 3: Status of Water Front Accesses in Shirley – Jordan River

ROAD RIGHTS-OF-WAY		OTHER PUBLIC ACCESSES
DEVELOPED	UNDEVELOPED	
Fishboat Bay Road	Salmon Road	French Beach
Marion Road	Pork Chop Hill	
Flea Beach	Seaside Drive #1	Sandcut Beach
	Seaside Drive #2	
	Poseidon Place	
	Packham Road	
	River Jordan Townsite	
3	7	2

Sources: CRD Juan de Fuca Electoral Area Foreshore Access Report, Prepared by I. Bourhill, Capital Regional District, 2003 and Juan de Fuca Community Parks Strategic Plan

The 2003 study noted the likelihood for landowners adjacent to rights-of-way to have concerns regarding loss of privacy and potential trespass if rights-of-way are developed. Resistance from adjacent landowners can also be encountered when they themselves have encroached on poorly marked rights-of-way.

Road rights-of-way are also discussed in the 2010 JdFEA Community Parks Strategic Plan (CPSP). The JdFEA Parks and Recreation Advisory Commission is willing to evaluate which rights-of-way are of high priority for improvements, where future accesses could be acquired, and to enter into agreements with the Province for licences to develop and manage these locations as community trails, with the caveat that it is not necessary or feasible to seek management of all accesses. Management of a public access will only be considered by the Advisory Commission when the values of an access complement the park and recreation objectives of the Community Parks Strategic Plan.

It should be noted that in addition to the rights-of-way described above, park land provides access to the water front. French Beach Provincial Park has a well-developed access and parking. The recently created Jordan River Regional Park will provide public access to Jordan Beach, and the trail to Sandcut Beach has already been reconstructed.

335 Park Land Acquisition

The CRD Board makes all park land acquisition decisions and holds title to all lands acquired. CRD Regional Parks is responsible for making recommendations to the Board on the acquisition of regional park land. For community park land and trails, the JdFEA Parks and Recreation Advisory Commission has the responsibility for identifying and



recommending acquisitions to the Regional Board through the Land Use Committee. Rezoning and *subdivision* applications involving lands in Shirley and Jordan River are referred to the Advisory Commission which represents the community's interests in its review of these development proposals. In accordance with Section 510 of the *LGA*, the location and type of park land of interest for potential acquisition through *subdivision* and rezoning are described in this section and in Section 430 Parks and Trails.

For future regional park land acquisitions, Regional Parks has an interest in acquiring land west of Sooke River and has noted that old growth forest on land in the Coastal Western Hemlock biogeoclimatic zone is considered a priority.

In the 2010 JdFEA CPSP, the priorities for park land acquisition are identified as Special Preservation Areas consisting of environmentally sensitive areas and ecosystems, and those lands necessary for the protection of historic and archaeological sites. Additionally, it recognizes that all neighbourhoods should be serviced by appropriate public park land. The CPSP says that the JdFEA Parks and Recreation Advisory Commission will consider the donation of lands for park as well as any Crown land that becomes available. In collaboration with Local Area Planning and the Provincial Approving Officer, the JdFEA Parks and Recreation Advisory Commission makes recommendations on the most beneficial location of any public accesses to water required by Section 75 of the *Land Titles Act* in a *subdivision* proposal.

Adjacent to Muir Creek, there are a number of sensitive ecosystems and rare species. Presently, the lower reaches and confluence of Muir Creek can only be accessed by trespassing over private land. Near the access point to the water, there are fossil beds and a cobble beach. For these reasons, Muir Creek has long been identified by local residents as a top priority for park land acquisition, but the areas of interest are far in excess of what the developer might be required to dedicate at the time of *subdivision*. Policies indicating a willingness to consider increased densities in exchange for additional park land dedication will make current and future owners of the *parcel*/aware of local interests.

Legal access to Priest Cabin Park and securing access to the Matterhorn Trail from Tieulie Place are other priorities for the community, along with the acquisition of park land for non-motorized, multi-use trail development. Shirley residents are interested in developing a link between the neighbourhoods on either side of Kirby Creek as well as gaining access to the beach at the mouth of Kirby Creek. Many of the legal rights-of-way and park land have already been acquired for a trail between the hamlet of Jordan River and Juan de Fuca Provincial Park. Construction

of a trail at the southern end of Petrel Drive to the shoreline and a connection over steep terrain between Highway #14 and Waters Edge Drive are required to physically complete the connection.

Within existing park land or other public lands, trail construction in DPAs for hazardous conditions or environmental sensitivities will only be considered subject to the recommendations of a *QP* or *QEP*.

336 Streamside Enhancement and Protection Areas

Provincial legislation requires that there be an environmental assessment of any residential, commercial or industrial development proposal within a prescribed distance of a riparian area. Within this riparian assessment area, a *QEP* determines what habitat is critical for the ecological health of fish and then classes this area as a SPEA, which must be protected from development.

Some development proposals have identified SPEAs as park land not only to fulfill the need to protect the environmentally sensitive area, but also to fulfill any statutory requirements for park land dedication at the time of *subdivision*. Because of the environmentally sensitive nature of SPEAs, their use for parks and trail accesses is not recommended. For this reason, the CPSP clearly states that SPEAs that are the subject of development proposals should be protected by methods other than dedication as park land.

340 Resources

Resource extraction continues to play a significant role in the development of the Plan area with forestry and hydro-electric generation being the two most prominent activities. Most of the land use and management decisions regarding resource development, including forestry, mining, renewable energy production and agriculture, are made by the Province with limited opportunity for the involvement of local government or Plan area residents.

341 Forestry

Significant portions of the Shirley – Jordan River Plan area are affected by commercial timber harvesting. There are large tracts of forested land as well as a number of previously logged areas in various stages of regeneration. There are no timber processing operations in the area other than a log sorting operation at Jordan River.

Other commercial activities in the forest include firewood cutting and timber salvage, mushroom picking, wild-crafting and salal harvesting.

There is one Tree Farm Licence (TFL) on provincial Crown land within the Plan area. TFL #61 is held by Pacheedaht Andersen Timber Holdings Limited Partnership with the daily operations managed from a base camp in Jordan River by Queesto Community Forest Ltd./Canadian Overseas Log and Lumber Ltd. TFL #61 is the only major tenure in the Plan area and covers 20,213 hectares of Crown land with an allowable annual cut of 108,500 cubic metres. An approved Forest Stewardship Plan has been prepared



for the TFL that allows harvesting to take place anywhere within the TFL except for areas with identified constraints such as sensitive ecosystems and view corridors. Local government bylaws are not applicable on the lands in the TFL used for forestry.

Forty-one properties with an area of 1,991 hectares are designated as PMFL in the Shirley – Jordan River Plan area. Provincial legislation specifically prohibits local governments from adopting bylaws or issuing permits that directly or indirectly restrict forest management activity on PMFL. The management regime for PMFL must respect five objectives clearly stated in provincial legislation regarding water quality, fish habitat, critical wildlife habitat, soil conservation and reforestation. When owners exit the program, the lands become subject to all local government bylaws.

Owners of private property not enrolled in the PMFL program can harvest wood for commercial sale provided that they have obtained a timber mark and a transportation permit from the Province. In addition to provincial government legislation, forestry activity on these properties is subject to local government bylaws. Due to the impact that forestry can have on the environment, potable water sources and transportation corridors, residents of the Plan area are interested in establishing a consultative process with the forestry companies and finding a forum to engage in a dialogue with the Province regarding how resources are managed and local concerns are addressed.

342 Mining and Aggregate Extraction

The soils and geology of the Shirley – Jordan River Plan area have good potential for gravel extraction. At present, there are five gravel pit operations in the Plan area according to Provincial data. Provincial legislation exempts gravel extraction and mining from local government bylaws.

There has been placer mining throughout the Plan area since the time of a minor gold rush at Leechtown between 1864 and 1865. The abandoned Sunro Gold and Copper Mine upstream from Jordan River has been the only sub-surface mining operation. Copper was first extracted from this mine by Cominco from 1919 to 1920. There was very little activity at the mine until 1961 when Cowichan Copper took over operations. The mine was then active until 1977 when the access tunnel caved in. Seepage from abandoned mine shafts and tailings continue to affect water quality in the lower reaches of the Jordan River making it unsuitable for fish habitat.

343 Renewable Energy

Constructed from 1909 to 1911, the Jordan River hydro-electric project was for a time the main hydro-electric source for Vancouver Island. The original powerhouse, which still remains above the community of Jordan River, operated until 1972. It was replaced by a 170 megawatt powerhouse that can contribute up to 35% of Vancouver Island's hydro-electric generation. Three dams and two reservoirs, which are part of the system, are outside the Shirley – Jordan River Plan area. The Bear Creek and Diversion Dams impound the Bear Creek Headpond and Diversion Headpond, which serve as the primary storage for the system. Elliot Reservoir, blocked by Elliot Dam, is the storage for the powerhouse. A 5.3 kilometres underground tunnel and a 1.6 kilometres surface penstock funnel water from the Elliot Headpond to the Jordan River powerhouse.

Areas of Vancouver Island are recognized as being well-suited to wind farming. Proximity to available electrical transmission lines and expected power demand are an important consideration in siting wind farms; so, while there is a higher capacity for wind farms on the north end of the island, the connection costs are lower on the southern end. Height of land is also preferred for on-shore locations. A 2008 call from BC Hydro has sparked interest from Independent Power Producers. In the Plan area, the feasibility of wind farms is actively being investigated.

344 Agriculture

Within the Shirley – Jordan River Plan area, there are 83 hectares of land in the ALR. According to the 2009 Agricultural Inventory of the Plan area, some of this ALR land is not available for agricultural use, including six hectares which have been built upon. Of the estimated 61 hectares remaining for agricultural use, only 9 hectares have been cultivated and 9.5 hectares are covered by grass forage and pasture. Of the 24 *parcels* in or partially in the ALR, two are used for commercial agriculture with one *parcel*/used for keeping livestock and the other as pasture. There is one small commercial cattle operation in Shirley completely outside the ALR. There are currently no commercial agricultural operations in Jordan River.

Other small-scale agricultural activities include: harvesting mushrooms, berry picking, keeping of chickens, residential gardens, and harvesting of seaweed. During the summer, a country market is held weekly at Shirley Pioneer Park. There is interest in seeing this market expand and having a similar type event in Jordan River.

The CRD Regional Food & Agriculture Strategy, completed in 2016, identifies the CRD's role in food and agriculture along with recommendations, actions and resourcing requirements. The Regional Food and Agriculture Task Force was appointed by the CRD Board in 2016 to examine options for assisting agriculture in the region. Development of a land banking solution was identified as a 2015-2018 CRD Board Priority and, in 2018, a Regional Food Land Access Feasibility Study and Business Case will be conducted.

The JdF Agricultural Advisory Planning Commission makes recommendations on land use planning matters and agricultural issues referred to it.



350 Transportation

The Ministry of Transportation and Infrastructure (MoTI) is responsible for the operation and maintenance of roads within the Plan area. Highway #14, also known as West Coast Road, is part of the Circle Route and is the main transportation corridor through Shirley and Jordan River (see Map 2). No new major roads are planned for the Shirley – Jordan River area at the time of preparation of this Plan. Highway maintenance and repairs are provided by Main Road South Island, a private company contracted by the MoTI.

351 Safety and Maintenance Concerns

Heavy industrial vehicles use Highway #14 to carry lumber and aggregate into Victoria and to bring heavy equipment and materials to the west. Highway #14 crosses a number of creeks in the Plan area. The highway curves and twists down the steep ravine banks. Linear cracks along parts of Highway #14, especially in the ravines of Muir Creek and Kirby Creek, suggest there are areas of slope instability. There is a significant increase in traffic along the highway during the summer months as tourists visit the region. In 2018, the Province announced construction of a new pull-out for vehicles in the Muir Creek area. In the spring, heavy undergrowth can spread onto the road right-of-way obscuring sight lines and reducing the area of road shoulder available for walking and cycling. Residential driveways with direct access to Highway #14 can pose a traffic hazard. In Shirley, residents living north of Highway #14 must cross the highway to reach the community hall and restaurant. In Jordan River, residents in the hamlet must cross the highway to reach the water front and the new Regional Park. During the public consultation process, a number of suggestions were made for safety improvements to Highway #14, which have been identified as broad objectives for Traffic.

352 Transit

The nearest public bus stop is outside the Plan area at the intersection of Kemp Lake Road and Highway #14. The nearest park and ride is in the District of Sooke where commuters can board Route #61 Sooke/Downtown. This route is well-serviced and provides good connections to other routes in the Greater Victoria area. Accessible transit is not available in the Plan area. Given the population of the Plan area, it is unlikely that BC Transit would extend its bus service to Shirley and Jordan River.

Throughout the school year, School District #62 Sooke provides daily bus service to students in the Plan area. The residents of Shirley and Jordan River would like some form of community bus, and there is interest in exploring opportunities with the School District for members of the public to also use the school bus system.

353 Alternative Transportation Options

Alternative options for transportation might address some of the transportation issues facing this rural area. Cycling is an effective form of transportation for shorter journeys although there are safety concerns about cycling along Highway #14. A common option for reducing the number of cars on the road is a formal carpool arrangement between friends and co-workers.

"Car Stops" are a series of clearly identifiable spots at strategic locations beside a road where vehicles can safely pull over to pick up individuals waiting for rides. Drivers usually carry some visible form of identification on their car while riders hold out distinctive coloured cards indicating where they would like to travel to. Residents can also set up internet sites or use social media to arrange a ride. Bowen Island LIFT is an example of a car stop program in a rural community.

Any efforts to develop an organized approach to carpooling and car-sharing will likely need to be community driven. Local volunteers could solicit public opinion on what options might work best in Shirley and Jordan River and then establish a website or media page to promote and host the program.

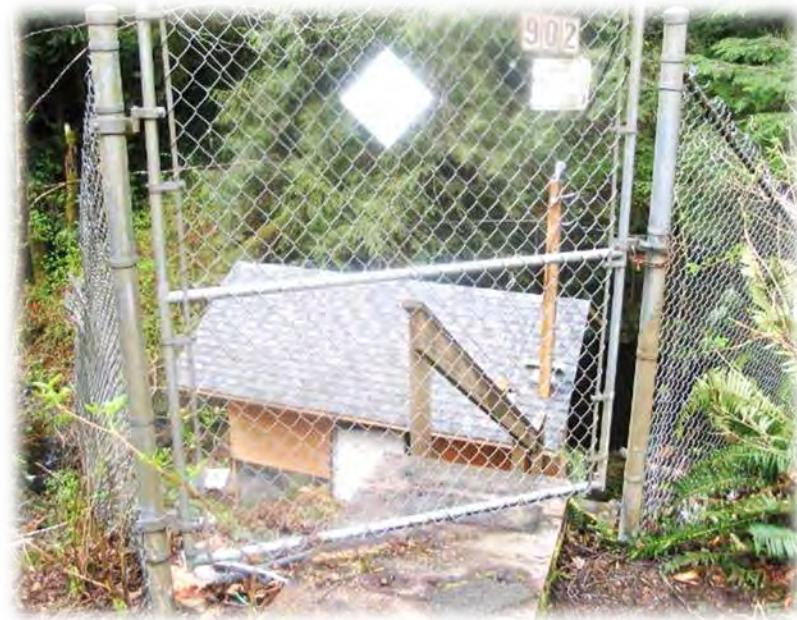
360 Services and Emergency Planning

This section addresses domestic water supply, sewage treatment, telecommunications and electricity and emergency services in the Plan area. Hazardous conditions and emergency preparedness are also discussed.

361 Domestic Water Supply

Most of the residents in the Plan area obtain their potable water supply from wells or creeks. A water licence from the Province is required for points of diversion and property owners must maintain their own systems. Some of the wells and surface water sources suffer from seasonal dryness and potable water must be hauled in to fill cisterns and wells. The importance of protecting the quality and quantity of domestic water sources is recognized by the local residents. The importance of water in the Plan area is discussed in greater detail in Section 310.

Potable water is supplied by the Sheringham Water Works Ltd., a locally owned utility service in operation since the 1970s, to service the 126-lot *subdivision* known as Sheringham Estates. Water is drawn from the Goudie Creek watershed at a pump house at the top of Woodhaven Road. Water conservation measures are encouraged and restrictions are placed on lawn watering during the summer. Boil water advisories have been issued on occasion to users of this water system. The advisories are primarily due to decaying leaves in the creek. No new CRD managed and operated water systems are planned or requested for Shirley or Jordan River.



Interest is growing in using rainwater capture to supply domestic water. At the present time, CRD and Island Health discourage rainwater capture systems as a potable water supply for the purposes of *subdivision*, although it can be used for gray water. However, in the case of new home construction, CRD Building Inspection accepts a rainwater capture system to provide potable water.

362 Sewage Treatment

In Shirley and Jordan River, sewage is treated by on-site systems. Individual homeowners are completely responsible for the operation and maintenance of their on-site wastewater treatment system. If an on-site system is poorly maintained, untreated effluent can flow into *watercourses*, aquifers or into domestic water supplies. Island Health is responsible in situations where there is a suspected failure of a septic treatment system. There are no plans for CRD sewer systems in either Shirley or Jordan River.

363 Telecommunications

Land-based telephone service is available throughout the Plan area, although cell coverage is limited and largely dependent on cell towers located across the Strait of Juan de Fuca in Washington State. Cell phone coverage issues and poor internet access in many parts of the Plan area give rise to safety concerns. For example, outdoor recreationists are increasingly relying on cell phones for safety. There is a need for broader cellular coverage throughout the Plan area that can serve as an affordable but dependable communication system during an emergency.

High-speed internet is available in Shirley, but not in the remainder of the Plan area until the existing telecommunications infrastructure is upgraded. Satellite internet service is available, but is expensive and can be affected by weather conditions. It is difficult for many residents and businesses in the Plan area to receive or transmit large files. The lack of good quality internet also poses problems for students doing online courses or educational research.

The federal government requires telecommunications carriers to conduct public consultation when locating any permanent antenna systems greater than fifteen metres in height. If the community does not have a specific policy in place, then the consultation process outlined by

Industry Canada must be followed. At this point in time, the CRD does not have a consultation policy for antenna systems. Even if the public objects to a proposed location, the federal government can still give its approval and local zoning bylaws cannot override this approval.

364 Police, Ambulance and Fire Services

Policing services for Shirley and Jordan River are provided by the Sooke Detachment of the RCMP. Its 15 member detachment responded to 113 calls for service in Shirley and 77 calls for service in Jordan River in 2013. There is an ambulance station in Sooke which serves the communities of Shirley and Jordan River. Victoria General Hospital is approximately 50 kilometres away in the Town of View Royal.

The Shirley Volunteer Fire Department was created as a service by the CRD in 1991 and is funded by property taxes. The Electoral Area Services Committee oversees and makes recommendations to the CRD Board regarding fire protection in the Electoral Areas. The Shirley Fire Protection and Emergency Response Service Commission is the advisory commission involved in the daily administration of this service. The fire chief reports directly to a CRD staff person. With approximately 14 volunteers, the Fire Department responded to 41 calls for service in 2013, of which 4 were fires.

The fire hall, immediately adjacent to the Shirley Community Hall, was built in 1989 and houses three vehicles. An addition to the fire hall, including a drive-through vehicle bay, was completed in 2016, but the Fire Department is interested in developing a long term plan to replace the existing fire hall. It is possible for the CRD to start a reserve fund and enact a bylaw to collect Development Cost Charges (DCCs) towards the anticipated cost of replacing the existing fire hall. DCCs are paid when a new lot is created or when a building permit is issued depending on the type of development.

Jordan River is not in a fire protection service area. If there is a wildfire in the Plan area or a structural fire is threatening to spread to Crown lands, then the BC Forest Service and the Provincial Emergency Program may become involved.



365 Search and Rescue

The JdF Search and Rescue Association was founded in 1983 and has over 30 members. The Association works with the RCMP and the Fire Departments in missing persons' cases and rescue missions. The Sooke station of the Royal Canadian Marine Search and Rescue has a roster of approximately 30 volunteers and covers the area from Race Rocks to Nitnat Lake, the largest search and rescue area on the west coast. It handles approximately 30 calls a year providing assistance to mariners and injured hikers on popular coastal trails.

366 Use of Sheringham Point Road for Emergency Access

When the Sheringham Point Lighthouse was built in 1912, a dirt road was constructed to it. Over time, Sheringham Point Road was developed and paved but it was not a through road. In 2003, an application was made for an 18-lot bareland strata *subdivision* immediately adjacent to the lighthouse. Residents living on Sheringham Point Road and Seaside Road are concerned about an increase in traffic if the proposed strata road creates a physical connection between Sheringham Point and Seaside Roads.

From the perspective of emergency access, there was strong interest in connecting Sheringham Point and Seaside Roads. There is only one access point from Highway #14 to Sheringham Estates off Seaside Road. If this access point is blocked, then emergency vehicles cannot reach the *subdivision*, nor can its residents leave by car. This same safety concern also applies to the residences along Sheringham Point Road, which also only has one access point.

Because of these safety concerns, a physical connection between Seaside and Sheringham Point Roads was built as part of the *subdivision*. Easements were registered to allow emergency access over the strata road and to the lighthouse. Gates installed at the western and eastern ends of the strata *subdivision* were intended to limit access and are controlled by the strata corporation. Keeping the gates closed to prevent the use of the strata road connection by the general public has been an ongoing issue. Residents of the Plan area support use of this connection for emergency purposes only and not for public use.

367 Natural Hazards

There are several natural hazards in the Shirley – Jordan River Plan area which should be considered in the context of emergency planning. The west coast of BC and Vancouver Island are in an active earthquake zone. Tsunami modelling indicates that there could be up to three metre waves for the lands facing the Strait of Juan de Fuca. Along the coastline and in ravines and mountainous areas, there are steep slopes that could be subject to erosion and landslip. Flooding in low-lying coastal and riparian areas also pose hazards in the Plan area. With high tides and storm surges, Highway #14 and buildings in the Jordan River town site may be flooded or debris may be washed up onto the road. BC Hydro has indicated concern regarding the integrity of the Diversion Dam in the event of a major earthquake and the potential for downstream flooding (see Section 408). With large tracts of forested lands, interspersed with residential development, the potential for wildland-rural intermix fires is also of concern.

In the Plan area, there are designated DPAs for steep slopes and shoreline areas to alert property owners and purchasers of potential risks to development. To safely carry out a development in these areas, the services and advice of a *QP* will typically be required in order to determine the extent of the hazard and how development could proceed. *Subdivision* proposals are routinely screened for potential hazards and may be refused unless the hazard can be mitigated.

368 Emergency Preparedness

The CRD has developed a Corporate Emergency Plan for Regional District emergency preparedness. An Emergency Coordinating Committee and Emergency Management Committee help to support the CRD Emergency Operation Centres and programs in the electoral areas. The JdF Emergency Program provides comprehensive support, planning and management of emergency response for Shirley and Jordan River. This program provides assistance to residents who are evacuated during an emergency. In cases where residents are left without power, water or access to amenities during storms, natural disasters or other incidents, provisions will be provided for food, shelter and clothing needs. The program implements a public alert notification system and, in 2017, tsunami warning sirens were installed at Jordan River.

Shirley and Jordan River are served by the Shirley Unit of the JdF Emergency Response Team. In case of emergency, the Shirley Fire Hall and Community Hall can be used as a reception centre, but the facility is too small for use as an emergency shelter, meaning that residents in the

Plan area should be prepared to shelter in place. If residents need to be evacuated, they can be sent to emergency reception centres via Highway #14 to either Port Renfrew, Otter Point or Sooke, provided that the bridges are still useable. Certain types of emergencies could compromise one or more of the bridges along Highway #14, isolating pockets of the Plan area from vehicle access. Relocation of bridges to higher ground or structural upgrades to older bridges might be the only way to ensure continued use of Highway #14 in case of flooding or earthquakes.

369 Other Services

CRD Bylaw Enforcement staff enforces the unsightly premises, animal and noise suppression bylaws for Shirley and Jordan River. The RCMP responds to noise complaints after office hours. To ensure that new construction meets the minimum standards for health and safety established by the BC Building Code, CRD Building Inspection for Shirley and Jordan River operates out of the JdF Local Area Services building in Otter Point. Planning for Shirley – Jordan River is also administered by Local Area Planning from the same office. The Juan de Fuca Community Recreation Program sponsors recreation programs at the Shirley Community Hall including dance, yoga and karate. Sooke & Electoral Area Parks and Recreation Commission (SEAPARC) provides recreational opportunities for the public through the planning, development and operation of recreation facilities and programs for the JdFEA. However, residents are also interested in increasing the range of offerings available in Shirley to avoid the need to travel outside of the community by car for these types of programs.

370 Community Health

Community health has a much broader context than just primary health care services. Ongoing care programs that prevent and treat disease and mental illness are part of the broader picture when talking about community health, particularly when volunteer resources, counselling services and public health responsibilities are considered. Activities that engage residents, respect community heritage, and character are examples of elements that can influence the health of local citizenry, but are often forgotten about when discussing community wellness. Trails, bikeways, parks, community facilities and other gathering places are examples of the connection between the built environment and the physical and mental well-being of community members.

371 Community Health Services

Sooke Region Communities Health Network (SRCHN) is a partnership of community members, health and social service providers working towards, advocating for, and supporting healthy communities from Becher Bay to Port Renfrew including Shirley and Jordan River. SRCHN is housed along with many other health and social service providers in the Sooke Child, Youth & Family Centre in Sooke.

The Sooke Region Resource Inventory is an online resource for finding services, programs and events that was launched in 2010. It is operated by SRCHN in partnership with and funded by the District of Sooke and Island Health.

There are many services hosted in the town centre of Sooke that can be accessed by the residents of Shirley and Jordan River. There is a Meals on Wheels program and seniors' lunches are offered two days a week. The Community Food Bank is open once a week, three times a month, and there are community meals offered at the Baptist Church. The Good Food Box program provides seasonal food.

Health care programs in Sooke include a pre-natal program, urgent health care clinics, health care for youth aged 13 to 25 and a young parents group. Medical equipment can be rented for a small fee and volunteers will provide transportation to medical appointments. Counselling services are available for alcoholism and narcotic addiction.

Sooke Hospice Society offers care to clients in their homes. The Sooke Transition House Society provides emergency shelter for women and their children seeking relief from family violence. M'akola Group of Societies in partnership with the Society of St. Vincent de Paul's, the CRD

and the District of Sooke recently opened the Hope Centre which provides 25 units of affordable housing for aboriginal and non-aboriginal singles without homes, and in particular, youth with few local resources or supports. Ayre Manor in the Sooke town centre provides a continuum of services for seniors. The facility is supported by Island Health, BC Housing, and the District of Sooke in partnership with Sooke Elderly Citizens' Housing Society.

Residents of the Plan area would like to see some community health and social programs delivered locally through outreach programs and mobile clinics. A suitable location might be the Shirley Community Hall, but if at some point in the future a new fire hall is built, there is interest in converting the existing fire hall into a facility that can host these types of programs.

372 Heritage

First Nations once were the only inhabitants of the area around Shirley and Jordan River. There are four known archaeological sites in the Plan area. Whether recorded or not, the *Heritage Conservation Act* protects archaeological resources on both private and Crown land. A permit is required from the Province before a heritage site can be altered.

There are likely to be unidentified heritage sites within the Plan area that may be encountered during development. It is recommended that before development occurs, the developer engage a Professional Archaeologist to determine if archaeological studies of the proposed development site are required. The Province can provide further information concerning archaeological information for the area.

Originally called Rio Jordan by the early Spanish explorers, the name was later anglicized to Jordan River. Logging in the Jordan River watershed has occurred since the 1800s. Railway tracks were extended to Jordan River in 1906 for the purposes of transporting the harvested timber. The first Jordan River Powerhouse was built in 1911 and was replaced by the current Powerhouse in 1971. There is interest in the community in preserving the original powerhouse as a historical site.

Otter Point Road reached Jordan River in 1912 creating an overland connection with the rest of Vancouver Island. At that time, the population of Jordan River was larger than that of Sooke. A rich copper mine adjacent to the Jordan River was active from 1910 to 1920 and then again in the 1960s and 1970s.

During World War II, Jordan River was the site of a large military camp and an early warning radar system in case of a Japanese invasion. Highway #14 was gazetted in 1953. With the closure of the mine, decrease in fisheries, and logging operations moving closer to Port Renfrew, the population has decreased significantly over time.

Shirley was named in 1894 after a town near Southampton, England. Forestry was, and continues to be, the dominant industry in the area. Milligan's Logging Company logged and had camps in the Shirley area from 1918 to 1936. Fishing traps were installed along the coast as far west as Kirby Creek in the early 1900s.

The Sheringham Point Lighthouse was built in 1912 by the federal government. A lighthouse keeper's residence was also constructed at that time, but has since been removed. The lighthouse was designated as a heritage lighthouse under the *Heritage Lighthouse Protection Act* in 2015. The land and lighthouse were transferred to the Sheringham Point Lighthouse Preservation Society in that same year and is being developed to accommodate access by the public.

The Shirley Community Hall was built in 1937. In the same year, the Shirley Women's Institute obtained an oak seedling from England, which was one of many distributed to commemorate the coronation of King George VI. These seedlings were grown from acorns taken from Great Windsor Park in London. This coronation oak is still growing at the entrance to the Community Hall (see Map 2).

The Sooke Region Museum is an important source of local history. It has also been active in posting informational signage to commemorate sites of historic interest and heritage buildings. See Table 4 for a listing of historical buildings in the Plan area.

Table 4: Historic Buildings in Shirley and Jordan River

LOCATION	BACKGROUND
KIRBY ROAD, JORDAN RIVER	<i>The Austin Kirby House</i> - Built in 1908, it is believed to be the oldest house in Jordan River. The first office of the Michigan Pacific Lumber Company, was later (1909) bought by the Vancouver Island Power Company. Austin Kirby, a driver for Sunlock Mines, bought it in 1918. Although renovated, the house still retains features of the original home.
JORDAN RIVER	<i>Jordan River Powerhouse</i> - For nearly half a century, this plant was the main hydro-electric operation for Victoria and the lower Island area. Construction by Vancouver Island Power Company, a subsidiary of BC Electric, began in 1909 with power first reaching Victoria in 1911. Diversion Dam, located about seven miles upstream from the river mouth, is one of the largest dams in the Province and was heralded as a major engineering achievement when built in 1912. In 1962, the BC Hydro and Power Authority took over the Jordan River hydro-electric system and a new powerhouse and other infrastructure were built (Sooke Region Museum 1985).
KIRBY ROAD, JORDAN RIVER	<i>V.I Power Co. Guest house</i> - Built around 1912, this house is situated on the hill above the old power station and housed visitors to the plant's operations.
KIRBY ROAD	<i>1st Jordan River School</i> - Built in 1912 by the Vancouver Island Power Company, this building sits on the hill above the power plant. It was used as a school until 1918, and afterwards used as a residence.
JORDAN RIVER	<i>2nd Jordan River School</i> - Before classes were moved to this site in 1918, the building was used as a hospital for both copper miners and loggers. In 1948, the school was transferred nearby and this building was moved east as the home of the school bus driver, later serving as a teacherage.
JORDAN RIVER	<i>Superintendent's house</i> - Built in 1914 by the Michigan Pacific Lumber Company, this house has been the property of a variety of forestry companies since. In 1971, a mudslide hit the back porch and the building was later moved fifty feet from its original wood post foundation to a concrete one in addition to other renovations.
SUNNY BRAE ROAD	<i>Cross Point Farm</i> – Built in 1903, the house has undergone some renovations and remains the property of Cross family descendants.
SHERINGHAM POINT ROAD, SHIRLEY	<i>Sheringham Point Lighthouse</i> - Installed in 1912, this lighthouse was the scene of an accident soon after it was installed. "The master of an inbound ship, being unfamiliar with this new light, mistook it for the light at Race Rocks, and, believing he was approaching Esquimalt Harbour, turned his ship to port, and sailed the <i>Country Linlithgow</i> right onto Gordons Beach" (Sooke Region Museum 1985).
WEST COAST ROAD	<i>Mountainview</i> - In 1912, work began on this house with much of the lumber purchased from the Malahat Farm. Completed in 1914, the exterior has retained many of the original features; however, the interior has been significantly altered.
SHIRLEY COMMUNITY HALL	The site hosting the Shirley Community Association's Pioneer Park was donated in 1915 by Hugh Campbell and was the site of the Shirley schoolhouse from 1915-1946. The Shirley Community Hall was built in 1937 and provides a venue for community events. All additions to the hall, including the fire hall were carefully planned to complement the existing hall and maintain its historic appearance.

373 Arts and Culture

Arts and culture are part of the social infrastructure in any community and the residents of Shirley and Jordan River participate in events held around the region. In particular, several artists and craftspeople participate in the weekly Shirley community market held at the Shirley Community Hall throughout the summer season. Also, the Shirley Quilters and Crafters meet weekly at the Shirley Community Hall. The Shirley Community Hall, with a stage, kitchen facilities and a capacity of up to 70 people, offers a venue for local musical events and weddings. The Shirley Community Association, a non-profit society, owns and maintains the Pioneer Park and the Shirley Community Hall.

The Sooke Community Arts Council encourages participation and excellence in all of the arts. The Council supports the development of opportunities for the performance and exhibition of arts, acts as a clearing house for information and brings the artistic needs of the community to the attention of government. It sponsors a number of annual events including the Family Arts Fair, Beach Art, Art in the Park and showings of members' works.

The Edward Milne Community School Society, a founding member of the Sooke Community Arts Council, is responsible for the Sooke Community Theatre, a venue for local performing artists. Key community presenters at this theatre are Sooke Harbour Players and the Sooke Community Choir.

Sooke Harbour Players was formed in 1982 as an amateur theatre company and produces an average of two plays a year including drama, humour and musical theatre. Formed in 1989, the Sooke Community Choir is made up of 40 members and performs a variety of music. The Sooke Philharmonic Orchestra, with more than 80 members, was founded in 1997. It now includes the Chamber Players and the Sooke Philharmonic Chorus, and features workshops, eight concerts a year plus an open air pops concert in the summer.



374 Amenities and Funding Opportunities

At the time of a rezoning, there is provision in the *LGA* for local government to receive amenities as a condition of approval. Community expectations about the types of amenities that are of interest should be stated as clearly as possible in the OCP. In the case of Shirley and Jordan River, many of the desired amenities take the form of park land dedication including the dedication of land for trails, and are discussed in an earlier section of this Plan. A meeting place in Jordan River is also a desired amenity, as is a building which can be used to deliver medical and social programs targeting youth and seniors on an outreach basis.

The cost of implementing community projects poses challenges for all communities, but especially for smaller communities with limited tax bases. To secure funding for a project, an organization often needs to be the responsible entity as most funding agencies will not provide monies to individuals.

Government-sponsored programs are the most popular source of funding for projects. Increasingly, government funding is contingent upon matching funding from the community. Oftentimes, the matching funds can take the form of volunteer labour and donated goods and services. Other funding sources include corporations, foundations, private donations and community fundraising efforts. The availability of other community resources to invest in a project, such as public lands already identified or strong support from elected officials, are factors that can increase the chances of a funding request being approved. In Shirley, government subsidies support the local delivery of recreation and fitness programs which would not otherwise be possible.

380 Development and Local Economy

Jordan River's origins are rooted in mining, forestry and power production. The community has historically been impacted by dramatic fluctuations in population, typically seen with the boom-bust cycle of resource-based economies. Physical evidence of the original settlement can be found throughout the hamlet in the form of abandoned forestry cabins, the old powerhouse and the small commercial buildings intermixed with houses, although BC Hydro has recently demolished many of the older structures. To the west of the original town site, which is often referred to as the hamlet, there are two newer *subdivisions* finalized in 2007: the 32-lot Wildwood Terrace *subdivision* and the 63-lot Shores development now called Strait View.

Shirley has also had a close association with resource extraction, but has grown more gradually than Jordan River until recently. Over time, the community has developed around the Shirley Community Hall along Sheringham Point and Invermuir Roads. Sheringham Estates, a 126-lot *subdivision*, was constructed in the early 1970s. The 38-lot *subdivision* at Cedar Coast Drive was created in 1994 and, in 1999, thirteen bareland strata lots at Fishboat Bay Road were subdivided. Lighthouse Point, an 18-lot bareland strata *subdivision* immediately adjacent to Sheringham Estates, was developed in 2006. Table 5 shows the age of housing stock in the Plan area.

Table 5: Approximate Age of Housing Stock

TIME FRAME	PRE-1960	1961 – 1980	1981 – 1990	1991 - 2000	2001 - 2010	2011-2017
NUMBER OF NEW HOUSES	15	55	15	50	66	51

Source: National Housing Survey, 2011 and CRD Building Permits

*Number of new houses does not include secondary suites or detached accessory suites.

381 Population

According to the 2011 census, the population of the Plan area was 415, a decrease of 14% from 2006 (see Table 6). Over this same time period, there was 3% decrease in the population of the JdFEA. BC Statistics has estimated that the population of the CRD will increase 0.8% annually from 2012 to 2016 and then by 0.7% from 2017 until 2020. The CRD rates of change were used to project population growth for Shirley – Jordan River as there is a lack of historical data specific to the Plan area.

The median age of Shirley and Jordan River residents is 46.4 years compared to 44.8 for the CRD and 41.1 for BC, indicating a slightly older than average population. The average family size in the Plan area is 1.7 persons which is much smaller than both that of the CRD (2.7 people) and the provincial average of 2.8.

Table 6: Population Projections

YEAR	POPULATION	RATE OF CHANGE (%) ¹
2001	490	See notes
2006	475	- 3.1%
2011	415	- 12.6%
2014 ESTIMATED	425	+ 2.4%
2019 ESTIMATED	441	+ 3.9%
2024 ESTIMATED	457	+ 3.5%

¹ Simple percentage change although the population change was calculated exponentially based at a rate of +0.8% from 2012 to 2016 and then +0.7% from 2017 to 2024.

382 Housing Supply and Future Demand

Based on the average family size of 1.7 persons, there is a need for approximately 10 new housing units to meet the five year demand for housing until 2019 and a total of approximately 19 units to meet the ten year demand until 2024 (see Table 7). While both the five and ten year demands for new housing can be met through the current rate of construction and inventory of *parcels*, all of the new *parcels* will be created outside of the Settlement Land Use Designation Area in the previous OCP unless the boundaries are revised.

Table 7: Number of Dwelling Units Constructed, Moved or Demolished, 2005 to 2017

YEAR	NEW SINGLE- FAMILY DWELLING	NEW DUPLEX	MOVED IN SINGLE- FAMILY	MANUFACTURED HOME MOVED IN	DEMO, REMOVAL & CONVERSION TO ACCESSORY	DETACHED ACCESSORY SUITE	SECONDARY SUITE	ADDITIONAL HOUSING UNITS*	ESTIMATED TOTAL NUMBER OF UNITS
2005	8	2	-	3	-			13	203
2006	8	-	-	-	-1			7	210
2007	8	-	1	1	-1			9	219
2008	19	-	1	-	-1			19	238
2009	3	-	-	-	-			3	241
2010	6	-	-	-	-1			5	246
2011	3	-	-	-	-			3	249
2012	2	-	-	-	-			2	251
2013	6	-	-	-	-			6	257
2014	1							1	258
2015	15				-1	2		14	272
2016	11		2	3				16	288
2017	12		3	1	-7	1		9	297

*Number of new units less the number of demolitions. **A duplex counts as two dwelling units.

***Detached accessory suites and secondary suites are not included in the calculation of housing units by year or the cumulative total # of dwelling units

383 Affordable Housing

The predominant type of housing in the Plan area is single-family dwelling units. As of May 2011, there were 249 houses in Shirley and Jordan River. Suites are permitted in most rural residential and rural zones. Suites and mobile homes are the basis of affordable housing in the Plan area and will likely continue to be so. Certain zones that permit multiple dwelling units on a single lot also offer slightly more affordable housing.

The provincial ***Community Care and Assisted Living Act*** supersedes local zoning bylaws by allowing small daycares and group homes in any residential zone. Group homes offer special needs housing for a range of clients. No large-scale special needs housing developments are anticipated within the Plan area as this type of housing is centrally located in the District of Sooke.

384 Multiple Dwelling Unit Zoning

In the Plan area, lands zoned *Rural A* are a significant source of development potential. For the purposes of *subdivision*, the minimum lot size for the *Rural A zone* is four hectares. However, the *Rural A zone* allows for four single-family dwelling units plus one detached suite on a four hectare *parcel*. Map 5 identifies *parcels* zoned *Rural A* at the time of adoption of this OCP.

On properties zoned *Rural A*, multiple dwelling units can be built on one lot. When *Rural A zoned* properties are developed, the houses are often strata-titled in a form of tenure commonly called a “building strata”. Neither the CRD, nor the Provincial *subdivision* Approving Officer, are involved in registering a building strata and Section 510 (park dedication) of the *LGA* does not apply. This type of tenure has benefits, but can also create problems. Unlike a fee-simple *subdivision* or a bare land strata *subdivision*, where the property owner(s) own an individual lot, in building a building strata, only the house itself up to the centre of the walls is privately owned. The remainder of the *parcel*/is “common property” and its ownership is shared amongst the members for the strata. Common property may be designated as “limited common property”, but there can also be exclusive use of common property that is not designated as limited common property. Shared ownership of the common property and services sited on those lands can lead to conflict amongst the owners and a desire to dissolve the strata.

Despite the potential for disagreement arising from shared ownership, there is a desire to retain the *Rural A zone* as it addresses circumstances where multiple dwelling units on one lot are desired such as an extended family wanting to live on the same property. There is, however, strong interest in having policies supportive of rezoning these *Rural A zoned* properties, both developed and undeveloped, to another zone that would permit only one dwelling unit per lot and eliminate building strata ownership. A fee-simple or bare land strata *subdivision* would also be necessary and could include park or road dedication.

To facilitate rezoning applications for the purpose of providing an alternative to building stratas, a policy supporting a minimum lot size based on a ratio of one *parcel*/in the proposed plan of *subdivision* per each one hectare of land in the parent *parcel*/prior to the subtraction of any area for road and park dedication is necessary. Since the *Rural A zone* allows four houses on a four hectare lot, land dedication for park and road may be required. For this reason, the average lot size may be less than one hectare.

For developed properties where owners are interested in dissolving the strata in favour of a conventional *subdivision*, policies should anticipate unique situations where unusual lot sizes and shapes may be required, but be contingent upon no increase in overall dwelling unit density.

385 Local Economy

Logging and silviculture are important economic activities in Shirley and Jordan River. Harvested trees are de-limbed and cut on-site then taken to a log sort on the west side of the Jordan River for scaling and sorting. Logging trucks transport the raw timber for sale on the open market or to a speciality sawmill in Maple Ridge. While the long term presence of industrial-based activities in Jordan River is acknowledged, there is interest in restoring the current log sort site back to a salt marsh if the industrial use is discontinued.

Shirley Community Hall, Fire Hall, Pioneer Park and a nearby restaurant are the commercial and civic nucleus of this community. Residents are interested in the expansion of the weekly country market held at Pioneer Park as it offers a venue for local residents to sell their produce, home-cooking and crafts. Establishment of small businesses in the existing commercial area of Shirley is supported, provided that they serve local needs and do not jeopardize the viability of existing businesses. There is strong opposition to the introduction of commercial activities such as motels, gas stations, drive-through restaurants and strip malls, especially as they might jeopardize the rural character of the Plan area or have a negative impact on the environment.

The hamlet of Jordan River currently has one small restaurant business serving local and tourist needs. The Commercial Land Use Designation applies to lands adjacent to the Jordan River

Tourism-related attractions and activities can be found throughout the Plan area. Small-scale resorts, restaurants and bed and breakfasts catering to tourists provide employment opportunities for local residents. Jordan River is the closest community to the eastern end of the Juan de Fuca Marine Trail and the China Beach Campground in Juan de Fuca Provincial Park. Surfing and windsurfing are popular sports off Jordan Beach.

Plan area residents are interested in seeing further development of opportunities related to outdoor recreation and tourism that are respectful of the environment and have a small physical imprint. Dispersal of recreational businesses throughout the community, rather than being concentrated in one area, is the preferred pattern for this type of land use. Large-scale tourism uses like recreational vehicle parks and destination resorts are not supported.

Approximately 19% of the labour force is self-employed as artisans, home based business owners and in other cottage industries. Home based businesses are an important contributor to the local economy and are supported throughout the Plan area, provided that they respect the rural residential character of the communities. In addition to home based businesses, examples of preferred commercial uses in the Plan area are small retail stores, eco-tourism, recreational equipment rentals and artist studios.



Some residents commute daily to work in Sooke or elsewhere in the region. Some work globally for extended periods of time. The primary mode of transportation for commuters is single-occupancy vehicles (93%).

According to the 2011 census, the top employment generator in the Plan area is the accommodation and food service industry (21%), followed by the construction (19%) and health service (17%) industries. There is little unemployment in the Plan area, with a 96% of the labour force working at some point in 2010, although some workers may only have seasonal employment or be under-employed. Over 70% of the local population over the age of 15 has a post-secondary education, indicative of a well-educated workforce.

386 New Land Use Designations

This OCP establishes new land use designations within the Plan area, as shown on Schedule B, that more accurately represent the range of current uses and the desired development potential. The previous OCP had two land use designations for settlement: Settlement Containment Area (SCA), which supported *parcels* in the one hectare range, and Settlement Area (SA), which supported *parcels* greater than two hectares. None of the lots in the SCA were large enough to be subdivided under the existing zoning and only one additional *parcel*/was possible through rezoning in accordance with the OCP policies. Significant portions of the Plan area were designated as SA in the previous OCP and up to 392 new lots could have been created under the existing zoning. If rezoned to a lot size in the range of greater than two hectares, up to 1,438 new lots could have been created in the SA. Table 8 outlines the new estimated development potential based on the policies and land use designations in this Plan.

The Settlement Containment Area designation in the previous OCP has been replaced in this OCP by Settlement. The boundaries are identical between this OCP and the former OCP except for the addition to the Settlement land use designation of a small community park owned by the CRD. The Settlement designation remains an average density of one *parcel*/per one hectare.

The Settlement Area designation in the previous OCP has been replaced in this OCP by Pacific Acreage, Commercial, Coastal Upland and Renewable Resource designations.

Those lands already zoned rural residential or commercial, or that have an existing *parcel*/size in the 2 hectare range, outside the Settlement designation are included in the Pacific Acreage designation. The Pacific Acreage designation supports an average density of one *parcel*/per two hectares within a plan of *subdivision*. Policies in this designation would support the creation of 163 additional *parcels*.

The Commercial Land Use Designation applies to lands in Jordan River where residential and overnight habitation uses are not permitted due to the risk of flooding. The prescribed minimum lot size (120 ha) would prevent further subdivision of these lands.

This OCP supports the continued use of land in the PMFL for forest management purposes. Such properties are now designated as Coastal Upland with a density of one *parcel*/per 4 hectares. By designating lands enrolled in the PMFL program as Coastal Upland, their development potential has been reduced from 1,007 additional lots that could have been possible under the previous OCP policies to 416 additional *parcels* in this Plan.

Policies in this OCP strongly support continued use of Crown lands in TFL #61 for forestry. To reinforce use of these lands for forestry, avoid rural sprawl and mitigate potential impacts on the potable water supply, these *parcels* are designated as Renewable Resource with a density of one *parcel*/per 120 hectares. The Renewable Resource designation reduces the number of additional *parcels* from 268 in the former OCP to 1 additional *parcel*/in this Plan.

A considerable amount of the development potential in the former OCP would have occurred on lands at elevations higher than existing residential neighbourhoods, with potential impacts on water quantity and quality. These lands are primarily used for forestry by virtue of being either Crown land in TFL #61 or privately owned lands in the PMFL program. Large tracts of these lands are zoned in the Juan de Fuca Land Use Bylaw as Resource Land with a minimum lot size of 120 hectares or as Forestry with a minimum lot size of 4 hectares.

The previous OCP did not offer any guidance for PMFL *parcels* other than encouraging their continued use for forestry. By default, *subdivision* under the existing zoning may have appeared as the only other type of development preferred by the community. To avoid the appearance of only supporting large-lot residential *subdivisions* on PMFL if the *parcels* exit the program, there are policies in this OCP supporting low-impact tourism activities such as guiding lodges and wilderness camps on lands designated Coastal Upland.

The land use designations in this OCP reduce the overall development potential from 1,439 additional *parcels* to 583 additional *parcels*.

Table 8: Estimated Development Potential Under Policies in Part Four

LAND USE DESIGNATIONS (LUD)	NUMBER OF PARCELS*	AREA (HA)	TOTAL POTENTIAL PARCELS CURRENT ZONING	ADDITIONAL PARCELS	TOTAL POTENTIAL PARCELS PREVIOUS LUD	ADDITIONAL PARCELS	TOTAL POTENTIAL PARCELS LUD	ADDITIONAL PARCELS
AGRICULTURE	6	77	6	0	6	0	6	0
COASTAL UPLAND	49	2,133	306	257	1,095	1,002	465	414
COMMERCIAL	12	17	12	0	17	5	12	0
PARK	9	174	n/a	n/a	n/a	n/a	n/a	n/a
PACIFIC ACREAGE	237	648	359	122	357	163	400	163
RENEWABLE RESOURCE	11	567	26	15	279	268	12	1
SETTLEMENT	136	66	136	0	137	1	139	3
TOTAL	461	3,698	844	392	1,891	1,439	1,034	583

* 18 split designated *parcels* are accounted for in the land use designation calculations.

387 Muir Creek

Muir Creek, the administrative boundary for community planning purposes, is of special interest to both the Shirley – Jordan River and Otter Point communities. Both communities value the long term protection of the sensitive ecosystems adjacent to Muir Creek and would like to obtain public access to the confluence of Muir Creek and Orveas Bay. One 46 hectare *parcel* (District Lot 23, Malahat Land District) straddles Muir Creek. The approximately 21 hectares of District Lot 23 (DL 23) on the west side of Muir Creek are in the Shirley – Jordan River Plan area, while the remaining 25 hectares to the east of Muir Creek are in the Otter Point Plan area. For the eastern portion of DL 23, the Otter Point OCP has policies that allow an increase the density of development on upland areas in exchange for a park land amenity along the creek. In order to acquire as much of the western portion of DL 23 for park land as possible, it is important to include an incentive policy similar to the one in the Otter Point OCP that allows an increase in density subject to the contribution of a park land amenity. Because the current owner of DL 23 has other holdings in the Plan area, it is also possible to include a policy that supports the transfer of density to another *parcel* provided that all of the western portion of DL 23 is dedicated as park land.

390 Climate Change Adaptation and Greenhouse Gas Reduction

GHG emissions are generated within a community by transportation, energy use, and the quantity and composition of waste and disposal methods. The provincial government has prepared a Community Energy and Emissions Inventory that provides baseline community-wide energy and emissions information. This information is available for the JdFEA as a whole, but not for individual communities. In 2010, on-road transportation was the largest contributor to GHG emissions at 48% in the JdFEA, and residential heating was the second largest contributor at 37%. The remaining 15% is attributable to solid waste. It is reasonable to extrapolate from these statistics that on-road transportation and residential heating are the largest two contributors of GHGs in the Plan area.

391 Role as a Carbon Sink

With its extensive forest cover, park land, agricultural areas and large treed residential lots, Shirley and Jordan River play an important role in carbon sequestration for the CRD. This regional role will be continued with OCP policies supportive of parks, maintenance of agricultural and forest lands, and the conservation and enhancement of sensitive ecosystems. Residents of the Plan area recognize that trees and natural vegetation contribute to the community's rural nature and are supportive of their retention on private and public lands. Although parts of the Plan area are actively logged, younger and faster growing forests still contribute to annual sequestration rates.

392 Reducing the Number of Vehicle Trips

One of the key ways the residents of Shirley and Jordan River can contribute towards reducing GHGs is through reducing the number of vehicle trips. Home based businesses reduce the need to commute. The use of transit, carpooling and alternative means of transportation, such as cycling and walking, all reduce dependency on cars. Delivery of medical and community outreach programs at a venue in Shirley or Jordan River would see the service providers making one or two round trips to the Plan area instead of multiple trips outside the community by residents travelling elsewhere to access the services. Increased recreational and social opportunities for youth within the Plan area would reduce the need for parents to take their children to and from activities in Sooke. Support for neighbourhood commercial uses and farm gate sales can reduce the amount of travel necessary to purchase food and other goods. Installation of Electric Vehicle infrastructure is supported.

393 Energy Efficiency in Buildings

At the present time, the fire hall and several old forestry buildings in the Jordan River Regional Park are the only buildings owned by the CRD. The Shirley Community Hall is operated by the Shirley Community Association which has been taking energy saving measures such as new lighting fixtures in the building.

New development in the Plan area will primarily be single-family residential. Siting and designing homes to be more energy efficient can help reduce the community's carbon footprint. It is estimated that a new home built to EnerGuide 80 standards will consume approximately 30% less energy than a house built to minimum building standards. Older, inefficient homes can become more energy efficient with simple retrofits for which government and private funding is available. Homeowners can be encouraged to purchase low-energy appliances and light bulbs. Renewable energy such as geoexchange and solar are feasible on the larger lots found throughout this community and can be used to reduce GHGs produced by other types of home heating such as wood stoves. Upgrading of older wood stoves to low-emission appliances including CSA or EPA-certified clean-burning wood stoves is encouraged.

394 Waste Reduction

The CRD provides a recycling pick-up program in Shirley and Jordan River. At the regional level, there are a number of programs and initiatives to reduce the amount of waste through enhanced waste diversion of recyclable and compostable materials. Composting in the Plan area can be problematic as it can attract bears and other wildlife.

Solid waste is either picked up by private contractors or taken by residents to waste transfer stations. Personal initiatives can be taken to reduce the amount of solid waste by selective shopping, increased recycling and reusing materials.

395 Climate Change Adaptation

The most likely impacts of climate change on Shirley and Jordan River will be coastal flooding and erosion from sea level rise, and wind damage from increased storm activity. There are some lower lying areas more likely to be impacted by sea level rise and increased storm activity in particular, the estuaries of Jordan River, Kirby Creek and Muir Creek.

Local governments are responsible for making land use decisions so that developments are built in a manner that limits flood damage and ensures public safety. The Province recommends that local governments discourage residential, commercial and industrial development in areas at high risk of flooding, storm activity and sea level rise.

With drier summers anticipated in the future, there will be an increased risk of wildfire. While it is appreciated that land clearing can reduce the fuel load for wildfires, the environmental and aesthetic importance of trees and vegetation must also be recognized. It is largely left to the discretion of the individual property owner to determine if they wish to implement recommendations found in provincial publications such as "Fire Smart".



PART FOUR – GOALS, POLICIES AND OBJECTIVES

401 Introduction and Land Use Designations

- ◆ **Goals** represent the long term vision for the Shirley – Jordan River Plan area and are a general statement of what each section seeks to achieve. Goals are based on community values and shape the objectives and policies for each section.
- ◆ **Broad Objectives** are suggestions and recommendations for the senior level of government having jurisdiction over matters outside the scope of the CRD.
- ◆ **Objectives** are measurable and tangible expressions of the Plan’s goals and serve as the mechanism to translate goals into policies.
- ◆ **Policies** provide guidance for subsequent decisions by the CRD Board in order to accomplish the goals and objectives of the Plan.

In addition to the objectives and policies which apply to all areas of the Shirley – Jordan River Plan area, the following land use designations have been established with the intent of guiding future development in specific areas of the Shirley – Jordan River Plan area (see Table 9). The specific areas to which these designations apply are shown on Schedule B.

401.1 Restricted Development Land Use Designation

The intent of the Restricted Development Land Use Designation shown on Schedule I is to highlight the concerns raised by the 2014 Probabilistic Seismic Hazard Analysis prepared for BC Hydro regarding the potential risk to human life and property damage from rapid or catastrophic flooding arising from dam failure stemming from an extreme seismic event.

Additional habitation uses and tourist accommodation uses within in this area are not supported, and, except for the campground, the CRD does not encourage continuing uses of lands in this area that involve habitation or other sleeping accommodations. Provided that there are no additional habitation uses, residential uses, tourism accommodation uses or other sleeping accommodations, other uses in accordance with the land use designations applicable to these lands as shown on Schedule B may be supported provided that it is possible to configure structures and buildings to consider the risk and provided that there are no habitation or sleeping accommodations associated with the use.

Development and building permits for additional construction may require certification from an engineer that the land is safe for the intended use.

Table 9: Land Use Designations

LAND USE DESIGNATION	NUMBER OF PARCELS	APPROXIMATE LAND AREA	
		HECTARES	% OF LAND BASE
AGRICULTURE	6	77	2%
COASTAL UPLAND	50	2,149	58%
COMMERCIAL	12	17	0.5%
PACIFIC ACREAGE	237	648	17.5%
PARK	9	174	5%
RENEWABLE RESOURCE	11	567	15%
SETTLEMENT	136	66	2%
SPLIT DESIGNATION	18		0%
SUB-TOTAL FOR LAND AREA	461	3,698	100%
MARINE	Lease only	583	
TOTAL FOR PLAN AREA	461	4,281	

402 Agriculture Land Use Designation

The intent of the Agriculture land use designation is to protect farming from other types of development. All lands in the ALR are designated Agriculture in this Plan. Lands outside the ALR that are being farmed can also be designated as Agriculture.

403 Coastal Upland Land Use Designation

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

404 Commercial Land Use Designation

The intent of the Commercial Land Use Designation is to support small-scale neighbourhood commercial and light industrial uses in the Jordan River inundation area. Civic, institutional, tourism, recreation, silviculture and community park uses are also supported.

405 Pacific Acreage Land Use Designation

The intent of the Pacific Acreage land use designation is to support rural residential uses. Suites and duplexes are acceptable forms of development to increase the affordability of housing and offer rental accommodation. Agriculture, home based businesses, small-scale neighbourhood commercial activities, small-scale tourism activities, community parks and civic buildings are also supported. Tourism commercial uses such as small destination resorts are supported in this designation. Lands in this designation generally consist of *parcels* zoned *Rural A* in the Juan de Fuca Land Use Bylaw not included in the Settlement land use designation and rural residential land on the west side of Jordan River. Disperse *parcels* zoned for tourism commercial uses are also included in this land use designation.

406 Park Land Use Designation

The intent of the Park land use designation is to support only that type of development which is required for the operation and maintenance of a public park. All CRD Regional Parks and provincial park land is in this designation.

407 Marine Land Use Designation

The intent of the Marine land use designation is to support development which is compatible with the upland uses and sensitive ecology of coastal areas. Although the Province owns the shoreline and seabed adjacent to the Shirley – Jordan River Plan area, the CRD has the ability to regulate the use of land, including the shoreline area and the surface of water. Any type of boathouse, wharf, pier, float or any other man-made structure located on Crown land including the surface of the water will require approval from the Province.

408 Renewable Resource Land Use Designation

The intent of the Renewable Resource land use designation is to support forestry and resource use on large *parcels* of land. All lands in TFL #61 and owned by the Province are in this designation, as well as a *parcel*/historically used as an industrial log sort. Land owned by BC Hydro used for the generation of hydro-electric power is also in this designation. Community parks, single-family residential, and agriculture are supported in this designation.

409 Settlement Land Use Designation

The intent of the Settlement land use designation is to support rural residential uses. Suites and duplexes are acceptable forms of development to increase the affordability of housing and offer rental accommodation. Agriculture, home based businesses, small-scale neighbourhood commercial activities and small-scale tourism activities; civic and institutional uses; and community parks are also supported. Lands in this designation generally consist of single-family residential *subdivisions* in the Shirley area.

410 Water

411 Goals for Water

- A. A stewardship approach to water management that supports watershed-based planning including groundwater aquifers and results in the preparation of a formal plan.
- B. Local input into decision-making regarding resource-based activities that may affect *watercourses* and groundwater in the Plan area.
- C. A sustainable and safe potable water supply.

412 Broad Objectives for Water

Support and work with the Province to:

- A. Protect surface and groundwater resources in the Plan area from contaminants and over-consumption through monitoring and enforcement.
- B. Monitor groundwater and surface water quantity and quality to support both drinking water supplies and ecosystem health.
- C. Conduct water budget data for *stream* flow and proper functioning condition.
- D. Update the San Juan River Allocation Plan and expand the study to the entire Plan area.
- E. Accurately map *watercourses*, watersheds, aquifers and well capture zones to improve water stewardship and aid in water stewardship initiatives.
- F. Require *watercourses* to be re-routed through their original channels, if any temporary *watercourse* alteration or diversion takes place.
- G. Avoid the unnecessary removal of gravel and soil from *watercourse* beds and ensure that there is no modification of *watercourse* channels and banks without careful consideration of potential adverse environmental effects.
- H. Not support the application of synthetic pesticides and fertilizers in the Plan area.
- I. Require remediation of contaminated areas to a level that minimizes risk to humans and wildlife.

- J. Establish a local advisory board on water issues as provided for in the *Water Sustainability Act* or create a stakeholder group for consultation purposes.

413 Objectives for Water

- A. Ensure an adequate long term supply of potable water.
- B. Manage water flows in order to optimize groundwater recharge and seasonal flows.
- C. Minimize flood damage while maintaining the natural integrity of *watercourses*.
- D. Protect watersheds, groundwater and water features from contamination and depletion.
- E. Promote water conservation and stewardship measures.
- F. Consider water in all development and land use decisions.
- G. Support the provision of a safe and reliable water supply.

414 Policies for Water

- A. Land uses or activities that could negatively impact water quality and quantity are not supported.
- B. In consideration of a development proposal, the protection of aquifers and water resources from contamination and depletion will be ensured.
- C. A watershed management plan should be prepared and implemented as the collection and mapping of data on *watercourses*, watersheds, aquifers and well capture zones is assembled.
- D. If, as the result of data collection and improved mapping, an area subject to groundwater shortages is identified, a DPA for water conservation will be established for that area.
- E. Any development will be designed to protect waterbodies, *watercourses* and their tributaries by not allowing sediments or other effluents into the water system and the Juan de Fuca Strait.
- F. The impact of development on the absorption of water into soil will be minimized by retaining vegetation, planting new vegetation and incorporating permeable surfaces wherever possible.

- G. To mitigate peak storm flows, reduce erosion and maximize groundwater recharge, techniques such as drainage retention basins and reduced impervious surfaces should be incorporated into new development.
- H. Industrial or commercial uses proposed for areas with aquifers at high risk of contamination will provide a hydrological assessment.
- I. Standards requiring the testing of future wells over a longer time period and in times of seasonal dryness should be applied.
- J. Development will be designed to minimize the number of *watercourse* crossings.
- K. On-site collection of rainwater is supported, with the exception of providing a domestic potable water supply for the purpose of *subdivision*.
- L. All new buildings and renovations are encouraged to use water efficient fixtures.
- M. Recognize and support the provision of water service to 126 *parcels* within the existing Sheringham Water Works Ltd. service area.
- N. Support improvements to ensure adequate water capacity to handle fire-fighting efforts and still maintain adequate volume for domestic purposes.
- O. Support the acquisition of non-potable water sources for fire-fighting purposes.

420 Environment

421 Goals for Environment

- A. Protect the natural flora, fauna and landscape of Shirley – Jordan River through appropriate regulations and guidelines.
- B. Maintain and enhance ecological integrity through well-planned development, conservation efforts and public support.

422 Broad Objectives for Environment

- A. The Province is encouraged to collect and assemble data for the purposes of environmental monitoring.
- B. Support initiatives for the protection of rare and endangered species and habitat, such as those identified under the *Wildlife Act* and *Species at Risk Act*.

423 Objectives for Environment

- A. Encourage and support the protection and enhancement of sensitive terrestrial, marine and aquatic ecosystems for the benefit of present and future generations.
- B. Buffer and protect environmentally sensitive areas from new development and surrounding land uses.
- C. Encourage and support the restoration of environmentally sensitive sites disturbed by new development and, when appropriate, the enhancement of degraded sites.

424 Policies for Environment

(Also see policies in Section 410 Water and Section 490 Climate Change Adaptation and Greenhouse Gas Reduction.)

GENERAL

- A. Development will be planned and implemented in a manner that will not adversely affect or disturb environmentally sensitive areas.
- B. Protection of sensitive ecosystems may take the form of regulation, buffering, park acquisition or conservation covenant.

- C. Opportunities for the restoration and enhancement of sensitive ecosystems will be supported.
- D. Stewardship of ecologically significant areas on private lands is encouraged through support for conservation covenants.
- E. Existing mapping of sensitive ecosystems will be updated with more detailed and current mapping as it becomes available.
- F. The storage of contaminants (pesticides, fertilizers, fuel, paint, solvents, etc.), the disposal and incineration of waste, uncontained storage of manure and compost, and uses such as gas stations, auto salvage and repair are not supported in the Plan area.

TERRESTRIAL AND HABITAT

- G. Important terrestrial habitats and corridors for habitat connectivity will be protected through the application of a DPA.
- H. The retention of the natural topography and existing vegetation and trees may be required.
- I. The enhancement and restoration of degraded or disturbed sites of ecological significance using native plant species may be required.
- J. The planting of native species over non-native species is encouraged.
- K. The introduction of invasive species is to be avoided and initiatives for the removal of invasive species are supported.

MARINE AND FORESHORE

- L. Within the Marine land use designation, public recreational use should be consistent with the suitability of the shore type for the proposed use.
- M. Within the Marine land use designation, land uses that disturb or pollute the marine and related terrestrial habitats are not supported.
- N. Ecologically sensitive shoreline and upland areas will be protected through the application of a DPA over the shoreline and immediately adjacent upland areas within the Plan area.
- O. Armouring or hardening of the shoreline by retaining walls, cement blocks or other permanent structures is discouraged.
- P. Interruptions across the foreshore (groynes, breakwaters) that disrupt long-shore sediment transport are discouraged.
- Q. Natural features in the foreshore will be preserved and protected from development.
- R. The sale or rental of any docking space, related commercial facilities and services for boats or float planes in conjunction with upland residential properties is not supported.
- S. Log booming grounds are not supported except at Jordan River.

T. Commercial marinas are not supported except at Jordan River.

RIPARIAN AND WETLANDS

- U. Fish and aquatic habitat will be protected through the application of a DPA over riparian areas within the Plan area and implementation of the *Riparian Areas Regulation*.
- V. Disturbances to riparian areas and wetlands will be avoided except for habitat restoration projects with the necessary approvals.
- W. Disturbances in SPEAs are not supported except in accordance with the *Riparian Areas Regulation, Water Sustainability Act* and with an approved development permit.

430 Parks and Trails

431 Goals for Parks and Trails

- A. Build a healthy park system that offers broad educational and recreational opportunities and that protects sensitive ecosystems, wildlife habitat and natural features.
- B. Provide a safe and well-used network of trails connecting parks, neighbourhoods and services.
- C. Provide safe access to the water front for the general public to enjoy low-impact recreational activities such as beach combing.
- D. Retain undeveloped water front accesses on public roads as undeveloped green space.

432 Broad Objectives for Parks and Trails

- A. Support government programs and funding that allow the CRD and community organizations to develop and improve parks and trails in Shirley and Jordan River.
- B. Collaborate with community organizations and other levels of government, where possible, in the development of parks and trails in the Plan area.
- C. Encourage consultation by the MoTI with JdFEA Parks and Recreation Advisory Commission and CRD Planning staff in the administration of Section 75 of the *Land Titles Act* through implementation of the 2006 Public Accesses to Water Memorandum of Agreement between MoTI and CRD.

433 Objectives for Parks and Trails

- A. Support initiatives in parks for public awareness and education.
- B. Encourage the participation by residents, interested organizations and societies in the restoration and enhancement of habitat in parks and the development of trails.
- C. Carefully consider trail development in environmentally sensitive and hazardous areas, and to minimize wildlife encounters.

- D. Plan for the connectivity of parks, open space and trails to enhance biodiversity.
- E. Develop a trail system that encourages the use of alternative transportation and promotes community health and well-being.
- F. Develop linkages between Shirley and Jordan River and the regional trail network.
- G. Recognize the primary purpose of a SPEA is to support the ecological function of fish habitat.
- H. Accept cash-in-lieu at the time of *subdivision* instead of park land dedication only when dedication would result in the acquisition of inappropriately small parks or lands not suitable for park.
- I. Support the acquisition of park land in accordance with the goals and objectives of both the Regional Parks Strategic Plan and the Juan de Fuca CPSP.
- J. Collaborate with adjacent jurisdictions and appropriate authorities on matters related to parks and trails.
- K. Provide a number of access points to the water front to allow low impact recreational activities and access to beaches.
- L. Retain all existing water accesses.

434 Policies for Parks and Trails

GENERAL

- A. Interpretive and educational programs and activities for the public in the parks are supported.
- B. Habitat restoration of community parks is supported through short-term projects or stewardship agreements.
- C. Partnerships to construct trails that include local volunteers are supported.

LOCATION AND TYPE OF FUTURE PARKS INCLUDING TRAILS

- D. SPEAs that are part of a development proposal will be protected by methods other than park dedication.
- E. The provision of trails accesses in SPEAs as a condition of development is not supported.
- F. While trails in a SPEA are not supported, public trail accesses may be sited in a DPA designated for environmental sensitivities or hazardous conditions subject to a determination by a *QEP* that the trail will not have a detrimental impact on an environmentally sensitive area and a report by a *QP* regarding the nature and risk of the hazard.

- G. The preferred methods for acquiring park land and trails are: as a condition of a rezoning, as an amenity contribution, as dedication at time of *subdivision*, as a bequest or donation, or the purchase of land.
- H. Environmentally sensitive areas and sensitive habitats, as part of the broader ecosystem, may be acquired as natural park land.
- I. Acquisition of park land to protect or create wildlife corridors is supported.
- J. Acquisition of park land to buffer and provide continuity to environmentally sensitive ecosystems and areas will be considered.
- K. Wherever possible, acquisition of park land will take into consideration opportunities to protect historical features, archaeological features as Special Preservation Areas.
- L. Other than park land for Special Preservation Areas, emphasis will be given to acquiring lands that can afford a range of appropriate and unstructured physical activities and recreational experiences, in particular, activities for youth such as biking and outdoor sports.
- M. Acquire lands adjacent to Muir Creek to protect its sensitive ecosystems, fossil beds and gain public access to the water front.
- N. Expand the trail network throughout the Shirley – Jordan River Plan area for non-motorized use and improve connections between regional parks and trails with the emphasis on securing:
 - i. Legal access to Priest Cabin Park;
 - ii. A connection between Tieulie Place and the Matterhorn Trail;
 - iii. Trails with a focus on allowing youth to walk or cycle to school bus stops;
 - iv. A connection between the Invermuir neighbourhood to the Shirley Community Hall with access to the beach at the mouth of Kirby Creek;
 - v. A connection between the eastern terminus of the Juan de Fuca Marine Trail, the Jordan River hamlet and Sandcut Creek;
 - vi. A connection between the Galloping Goose and the Juan de Fuca Marine Trail; and
 - vii. Connections with any new east-west corridors along the San Juan Ridge to the communities of Jordan River and Shirley.
 - viii. A connection through the land owned by BC Hydro in Jordan River.
- O. In addition to using the road right-of-way for the development of multi-use trails, the acquisition of new park land for this purpose is supported when there are constraints such as steep terrain within the road right-of-way.

WATER FRONT ACCESS

- P. All existing water front accesses will be retained regardless of whether or not they are developed or will not be developed.
- Q. Only appropriately selected accesses will be considered for development for public use.
- R. Respect the privacy of adjacent land owners and potential parking issues for the neighbourhood when considering the development of water front accesses.



440 Resources

441 Goals for Resources

- A. Increased use of land capable of agriculture for agricultural purposes.
- B. Farmers have easy access to markets and local residents have easy access to locally produced food.
- C. Environmentally sound and economically viable farming is carried out in the community.
- D. Interface land conflicts are kept to a minimum through public support and policy.
- E. Responsible stewardship and sustainable management of forest lands.
- F. Protection of the water supply for human consumption and environmental protection.
- G. Improved mapping of *watercourses* to facilitate good stewardship and protection of the environment.
- H. The use of Crown forest lands by the public for recreational enjoyment, education and wild-crafting.
- I. All resource extraction operations adhere to recognized resource management best management practices in order to facilitate the rehabilitation and reclamation of the land after the resources are extracted.

442 Broad Objectives for Resources

- A. All lands in the ALR in the Plan area have been designated by this Plan as Agriculture to protect those lands for current and future agricultural activities.
- B. For land located within the ALR, this bylaw is binding only insofar as it is not contrary to the *ALC Act* and the regulations and orders of the ALC.
- C. Forestry management activity related to the production and harvesting of timber on provincial Crown land under the *Forest Act* is not restricted by the provisions of this Plan provided that the land continues to be used for that purpose.

- D. Owners and operators of forested lands are encouraged to manage the forest under the principles of an Ecosystem-Based Management Plan (EBMP) and any outdoor recreation, education, or wild-crafting potential that exists within the designated areas should be included in the applicable EBMP.
- E. To minimize the impact of resource extraction operations and activities on neighbouring land uses and drinking water sources.
- F. To support site rehabilitation and reclamation of mined landscapes for environmental and aesthetic reasons.
- G. To support the identification and mitigation of environmental impacts from former, existing and proposed resource extraction activities.
- H. To request that landowners within the Shirley – Jordan River Plan area are notified of resource extraction projects and to facilitate dialogue between resource extraction proponents and local residents when projects involving resource extraction are proposed in the vicinity of residential development or drinking water sources.
- I. To participate in any referrals or review processes for resource extraction activities.
- J. To encourage the screening of gravel operations from roads, settlement or recreation areas preferably through the retention of existing vegetation or existing physical buffers.

443 Objectives for Resources

- A. Protect the capability and long term potential of lands designated Agriculture for agricultural use.
- B. Support and encourage food production, processing and storage at both the commercial and individual level.
- C. Improve market accessibility for local food producers and provide opportunities for residents to purchase locally grown food.
- D. Encourage sustainable and environmentally sound farming practices, which protect the quality of surface water, groundwater and soil.
- E. Support diversification of the local agricultural base and efforts to increase local food production.
- F. Minimize conflicts between farm and non-farm uses.
- G. Participate in the Province's Community Action on Energy and Emissions Program.

444 Policies for Resources

AGRICULTURE

- A. All lands in the ALR have been designated on Schedule B of this Plan as Agriculture to protect these lands for current and future agricultural activities.
- B. Lands outside the ALR suitable for agricultural use and zoned for agricultural use may also be designated on Schedule B as Agriculture.
- C. *Subdivision* of any lands designated Agriculture will only be supported in accordance with the **ALC Act**.
- D. *Subdivision* for a relative, as provided for in the **LGA**, of any lands designated Agriculture is not supported.
- E. The **ALC Act** and its regulations will be taken into account in the review of any land use or building application on lands in the ALR.
- F. On lands designated Agriculture, the siting of buildings on less productive lands and the clustering of buildings is recommended to maximize the area available for agriculture.
- G. To make farming more affordable, site specific zoning to allow multiple residences on a *parcel* designated Agriculture will be considered subject to appropriate controls being in place to ensure long-term farm use and approval of the ALC, if the land is in the ALR.
- H. Potential conflicts between farm use on ALR lands and nearby non-farm uses will be lessened through the application of a DPA on those lands adjoining or reasonably adjacent to lands in the ALR.
- I. Development of lands adjacent to land designated Agriculture may be supported provided the development will have minimal impact on the agricultural capability and activities on those lands designated Agriculture.
- J. Reduce conflicts between wildlife and agriculture through a comprehensive consideration of wildlife issues, raising public awareness of the "Wild Safe BC" and "Bear Smart" programs and supporting animal proof waste management.
- K. Normal farm practices as defined by the **Farm Practices Protection (Right to Farm) Act** are recognized and supported.
- L. Participation in the BC Environmental Farm Plan Program is encouraged for agricultural and farming practices.
- M. Community and home gardens are supported in all land use designations.
- N. Water conservation in agriculture is encouraged.

- O. The on-site sale of farm products produced on the same *parcel*/is supported by allowing small produce stands near the lot line and road subject to road safety and parking.
- P. To protect and enhance soil, careful consideration will be given to how soil removal or fill placement may affect agricultural capability.

FORESTRY AND MINING

- Q. The continued use of lands in Tree Farm Licence #61 and *parcels*/enrolled in the PMFL program for forestry is supported.
- R. Rezoning applications for resource processing and related processing facilities related to forestry and mining will take into consideration the potential impacts on neighbouring properties and have adequate setbacks and screening requirements.
- S. Portable sawmills are supported on a part-time or temporary basis provided that there are no nuisance issues.

RENEWABLE ENERGY

- T. For new and existing residential development, the use of renewable energy supply sources, such as geo-exchange, photovoltaic, solar hot water, bio-fuel, and heat pumps, is supported.
- U. Encourage energy efficiency in buildings through support for the installation of thermal windows, insulation with high R values, mechanical equipment, energy efficient appliances and building design.
- V. Encourage low-cost, energy-saving upgrades to the Shirley Community Hall through public and private initiatives while respecting the building's heritage values.
- W. Research for the development of alternative energy sources, such as meteorological testing for wind power, is supported in the Renewable Resource and Coastal Upland designations.

450 Transportation

451 Goals for Transportation

- A. Improved safety along Highway #14.
- B. Reduce the number of car trips to and from the Plan area.

452 Broad Objectives for Transportation

Encourage the MOTI to:

- A. Make improvements to the efficiency and safety of Highway #14.
- B. Make improvements and upgrades to bridge crossings and areas of steep slopes in particular, the Muir and Kirby Creek ravines.
- C. Install a flashing light at the access point used by the Shirley Fire Department.
- D. Install street lights at intersections.
- E. Consider a lower speed limit through Jordan River.
- F. Implement traffic calming measures in the vicinity of Shirley Community Hall and Jordan River Regional Park.
- G. Provide opportunities for bicycle and pedestrian routes on Highway #14 and in particular, between French Beach Provincial Park and Camp Jubilee, between Jordan River hamlet and the newly created Jordan River Regional Park, and to become part of the future multi-use regional trail network.
- H. Install movement-triggered lit-up signs similar to those installed at Loss Creek on Muir Creek and Kirby Creek hills.
- I. Consider the development of pull-outs along Highway #14.
- J. Consult with School District #62 Sooke on the provision of pull-off areas and turn-around points to meet future school transportation needs.
- K. Carefully consider sight lines when issuing residential driveway permits.
- L. Remove roadside vegetation in the spring.

453 Objectives for Transportation

- A. Develop a network of off-street trails to provide safer passage for pedestrians and cyclists than what is currently afforded by Highway #14.
- B. Reduce dependency on motor vehicles through support for public transit, alternative transportation methods and carpooling.

454 Policies for Transportation

- A. As part of a rezoning proposal, the routes and facilities for alternative transit options such as walking and cycling will be taken into consideration.
- B. As part of rezoning and *subdivision* applications, consider increased connectivity between neighbourhoods for walking and cycling.
- C. Support the development, implementation and promotion of carpooling and ride share programs.
- D. Support partnerships with BC Transit and School District #62 Sooke for shared transportation options.



460 Services and Emergency Planning

461 Goals for Services and Emergency Planning

- A. In case of an emergency or natural disaster, the residents of Shirley – Jordan River are well-prepared and able to recover, the necessary resources are available and the emergency responders well-trained.
- B. Community health is improved through increased social and recreational opportunities for families and youth, volunteer programs to assist seniors and the local delivery of medical and community outreach programs.
- C. A community meeting place in Jordan River is identified and developed.
- D. Development of a long-term plan for a new fire hall in Shirley and conversion of the existing fire hall for other community uses.

462 Broad Objectives for Services and Emergency Planning

- A. Collaboration among the Province, the CRD and the Juan de Fuca Emergency programs for joint response to emergencies and disasters.
- B. Seek provincial and federal assistance for emergency planning and equipment.
- C. The Province is encouraged to consider upgrades to Highway #14 to ensure its continued use in the event of emergencies.
- D. Improvement of cell coverage is supported.
- E. Support the implementation of an alarm system for Diversion Dam.

463 Objectives for Services and Emergency Planning

- A. Work towards protecting area residents from loss of property and personal injury.
- B. Inform community members about known hazardous conditions within the Plan area and to provide information to enable the community to obtain advice regarding the appropriate risk reduction measures that community members can take.
- C. Work toward preparing the community to respond to and recover from a major disaster or emergency.
- D. Support improvements to police, fire, ambulance and emergency services to meet community needs.

- E. Foster community health and well-being through the identification and development of a meeting place in Jordan River.
- F. Support the delivery of community health services targeting youth, young parents and other groups through mobile outreach programs.
- G. Initiate a program to provide volunteer assistance for seniors living in Shirley – Jordan River.

464 Policies for Services and Emergency Planning

- A. Protect against the loss of life and minimize property damage associated with flood events and sea level rise by establishing a horizontal and a vertical setback from the sea and *watercourses* as identified in the Provincial Flood Hazard Area Land Use Management Guidelines.
- B. The risk to people and property from hazardous conditions will be reduced through the application of a DPA over steep slope areas and over areas subject to coastal flooding.
- C. Additional habitation uses, residential uses, tourism accommodation uses or other sleeping accommodations are not supported in the Restricted Development Land Use Designation as shown on Schedule I.
- D. Encourage public preparedness for possible disasters such as wildfires and earthquakes through education.
- E. Encourage residents to be personally prepared in the event of a disaster as they may need to shelter in place.
- F. Develop a strategy for the evacuation of the residents during a serious emergency in case roads are impassable.
- G. Support ham radio operators and recognize the important role they can play in an emergency.
- H. Require a public consultation process for the siting of any permanent antenna system with towers 15 metres or greater in height or regardless of height, proposed by telecommunications carriers, broadcasting undertaking or third party tower owners.
- I. Encourage a secure garbage collection system to minimize wildlife conflicts.
- J. Commercial composting is not supported in any land use designation except as provided for in the *ALC Regulations* or to dispose of waste generated within the Plan area.
- K. Identify a building or site in Jordan River that can be used for local meetings and activities and then develop a strategy on how to make it useable and sustainable for this purpose.
- L. Investigate the establishment of a local service area for fire protection in the Jordan River area.

M. Develop a long term plan for upgrading the Shirley fire hall.

470 Community Health

471 Goals for Community Health

- A. Preservation of the community's heritage, historic buildings and sites, and cultural landscape.
- B. Active participation by community members in a wide range of local arts and culture opportunities.

472 Broad Objectives for Community Health

- A. There are four recorded archaeological sites in the Plan area. Archaeological resources, regardless of whether they are recorded or not, are protected under the *Heritage Conservation Act*, and must not be altered or damaged without a permit from the Province.
- B. Prior to the submission of a development application, including building permits, it is the responsibility of the proponent to contact the Archaeological Branch for information regarding archaeological sites within the proposed development area.
- C. It is the responsibility of the proponent to have any studies or permits required by the Province in place prior to development.

473 Objectives for Community Health

- A. Protect, maintain and increase the awareness and appreciation of Shirley – Jordan River's heritage and historical features.
- B. Support and encourage the growth and appreciation of arts and culture and increase local opportunities for participation.
- C. Support local delivery of community health programs.

474 Policies for Community Health

- A. Encourage initiatives by private owners and government to preserve and enhance the heritage characteristics of their buildings and sites.
- B. Support local efforts to preserve and promote historically significant sites and the heritage of Shirley and Jordan River.

- C. Support community initiatives to provide and improve local arts and cultural opportunities in Shirley and Jordan River and encourage community events.
- D. Support the local delivery of community health programs including medical services, social programs, recreational opportunities and fitness programs.
- E. Work with Sooke Region Volunteer Centre, SEAPARC, JdF Parks and Recreation, and other appropriate agencies to work towards the delivery of recreational and social activities for residents in Shirley and Jordan River.
- F. Improve home care services and initiate a volunteer program focused on seniors living independently on rural properties.

480 Development and Local Economy

481 Goals for Development and Local Economy

- A. Shirley and Jordan River are rural communities comprised primarily of single-family residential development on larger-sized *parcels*, home based businesses, agriculture and limited neighbourhood commercial activities.
- B. Affordable housing and rental accommodation options are available.
- C. Policies supportive of the rezoning of properties from multiple-dwelling zoning to single-family residential.

482 Broad Objectives for Development and Local Economy

- A. The community supports small daycares and small group homes licensed under the *Community Care and Facilities Act*.
- B. The community recognizes and supports large daycares and assisted living facilities being sited in Sooke and other centres.

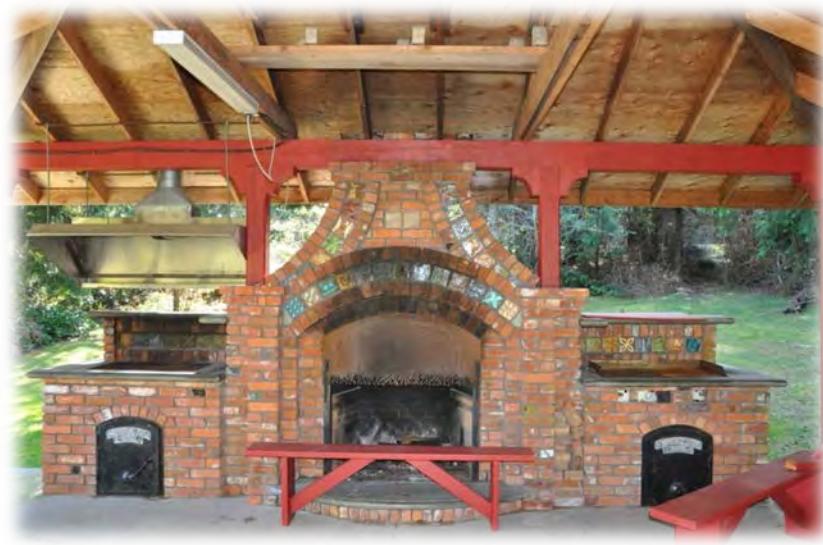
483 Objectives for Development and Local Economy

- A. Maintain the rural nature of Shirley and Jordan River through low density development occurring at a gradual pace.
- B. Support a range of economic activities at a scale appropriate to the size of the community and its rural nature.
- C. Provide affordable housing and rental accommodation options appropriate for a rural community.
- D. Support the economic health of the Region recognizing the role of the District of Sooke as the regional centre for commercial, educational and business activities.
- E. Recognize that Shirley and Jordan River are predominantly rural areas where resource-based activities such as forest management and timber harvesting occur.

484 Policies for Development and Local Economy

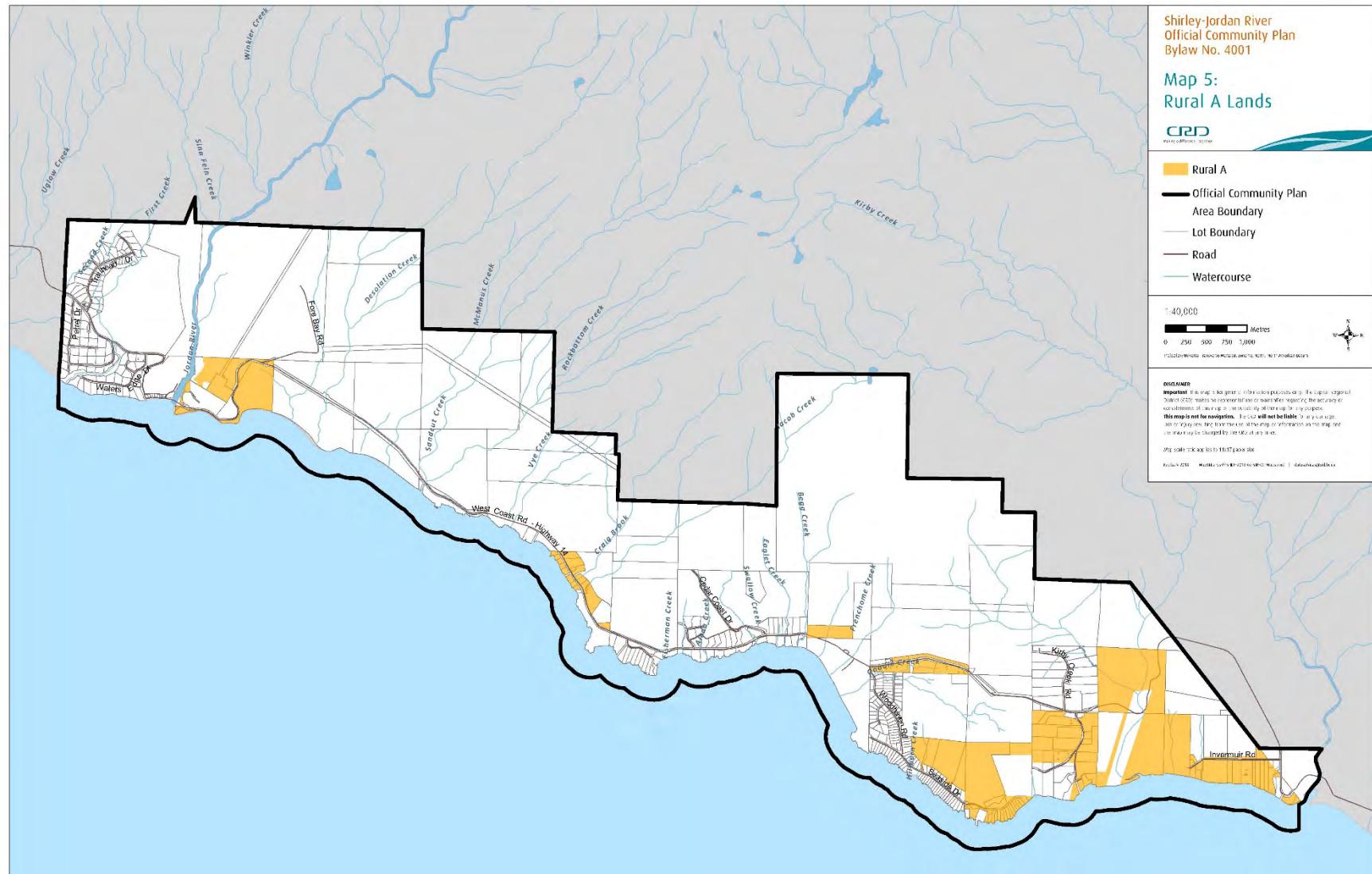
- A. Growth will be gradual and of a low density to maintain the rural character of the Plan area.

- B. Suites are supported.
- C. Two-family dwelling units are supported.
- D. Mobile homes and modular housing units are supported as principal dwelling units.
- E. Mobile home parks and recreational vehicle parks are not supported in the Plan area.
- F. Home based businesses are supported provided the type and scale of the business complements the rural residential character of the community and has no appreciable negative impact on adjacent properties, water supply and the natural environment.
- G. Except as noted below, on lands designated Settlement on Schedule B, an average density of one *parcel*/per one hectare within a plan of *subdivision*, with one single-family dwelling or one-two-unit dwelling per *parcel*, is supported provided that no new *parcels* are created with an area of less than 0.5 hectares.
- H. Except as noted below, on lands designated Pacific Acreage on Schedule B, an average density of one *parcel*/per two hectares within a plan of *subdivision*, with one single-family dwelling or one-two-unit dwelling per *parcel*, is supported provided that no new *parcels* are created with an area of less than one hectare.
- I. Small-scale tourism developments such as bed and breakfasts, eco-tourism, low-impact adventure tourism, are supported on lands designated Settlement and Pacific Acreage provided that they are scattered throughout the community.
- J. For lands designated Settlement and Pacific Acreage, rezoning applications for co-housing developments will be supported subject to neighbourhood support, low-density and minor traffic impact.
- K. For lands designated Settlement and Pacific Acreage, there is support for small-scale commercial uses serving local needs but highway-commercial uses such as gas stations, drive-through restaurants, motels and strip malls are not supported.
- L. Industrial uses are not supported on lands designated Settlement or Pacific Acreage.



- M. On lands designated Pacific Acreage, tourism-commercial uses such as small destination resorts are supported.
- N. For lands designated as Commercial on Schedule B, a density of one *parcel*/per 120 hectares and no dwelling units is supported.
- O. On lands designated as Commercial on Schedule B, commercial, retail, restaurant, civic and light industrial and silviculture uses are supported.
- P. For lands designated as Coastal Upland on Schedule B, a density of one *parcel*/per 4 hectares and one dwelling per *parcel*/is supported.
- Q. On lands designated Coastal Upland, low impact tourism uses such as wilderness lodges and guiding camps are supported on lands removed from the PMFL program.
- R. For lands designated Renewable Resource on Schedule B, a density of one *parcel*/per 120 hectares and one dwelling per *parcel*/is supported.
- S. On lands designated Coastal Upland or Renewable Resource, only those industrial uses associated with forestry and mining are acceptable.
- T. Rezoning of land to the *Rural A zone* is not supported, but those lands zoned *Rural A* as of the date of adoption of this Plan, which are shown on Map 5, may continue to be zoned *Rural A* if a new zoning bylaw is adopted.
- U. Notwithstanding other policies in this Plan concerning density and as an alternative to building strata development on *Rural A zoned* lands, there is support for rezoning applications to permit *subdivision* of *parcels* zoned *Rural A* as of the date of adoption of this Plan that are outside of the Restricted Development Land Use Designation, based on a ratio of one *parcel*/in the proposed plan of *subdivision* per each one hectare of land in the parent *parcel*/prior to the subtraction of any area for road and park dedication.
- V. Notwithstanding other policies in this Plan concerning density, *parcels* with multiple dwelling units constructed or building stratas registered prior to adoption of this Plan may be considered for rezoning to permit *subdivision* to create the equivalent number of *parcels* which may not meet the average *parcel*/size; however, park and road dedication may be required.
- W. Use of Camp Jubilee (Section 88, Renfrew Land District PID: 009-592-113) as an outdoor recreational facility for organized camping is supported, subject to necessary approvals from the Agricultural Land Commission.

- X. Density bonusing or density transfer to lands within the Plan area may be considered if community amenities, such as the conservation of natural features, the provision of trails or funding dedicated towards a new fire hall or towards a building for the delivery of social and medical outreach services, are provided.
- Y. Density bonusing or density transfer to lands within the Plan area may be considered if a proposal provides dedication of portions of District Lot 23, Malahat Land District as park land.
- Z. Where a proposal dedicates all or significant portions of District Lot 23, Malahat District as park land, a density bonus will be considered as will the transfer of that density bonus and the existing density of District Lot 23 to another *parc*/in the Plan area.



490 Climate Change Adaptation and Greenhouse Gas Reduction

491 Goals for Climate Change Adaptation and Greenhouse Gas Reduction

- A. Adaptive measures are in place that address climate change and ameliorate the potential damaging impacts of sea level rise and increased storm activity.
- B. GHG emissions in the Plan area are reduced through a decrease in the number of car trips, improved energy efficiency through site and building design, and increased use of alternative energy sources.

492 Broad Objectives for Climate Change Adaptation and Greenhouse Gas Reduction

- A. To encourage senior government to establish programs, identify funding, and develop incentives to address climate change and reduce GHG emissions specific to rural areas.

493 Objectives for Climate Change Adaptation and Greenhouse Gas Reduction

- A. Discourage residential and commercial uses from locating in areas at high risk of flooding, erosion and exposure to high winds.
- B. Preserve and enhance Shirley and Jordan River's significant environmental resources including trees and other plants that shield the community from storms, store carbon and reduce GHGs.
- C. Maintain forest and agricultural lands.
- D. Encourage innovative and site-sensitive housing and *subdivision* designs that conserve water, reduce runoff, minimize the removal of vegetation and demonstrate a sensitive response to the site and its context.
- E. Encourage development and retrofits that use energy-efficient design and incorporate alternative forms of energy including geoexchange and solar thermal energy sources.
- F. Reduce the number of car trips to and from the Plan area by:
 - i. supporting for carpooling and ride-sharing;

- ii. creating a network of pedestrian and cycling trails to encourage alternative modes of transportation;
- iii. allowing home based businesses;
- iv. creating recreational and social opportunities in Shirley and Jordan River for families and youth; and
- v. supporting neighbourhood commercial uses and farm gate sales.

494 Policies for Climate Change Adaption and Greenhouse Gas Reduction

Policies that support the goals and objectives for climate change adaptation and GHG reduction can be found throughout Part Four of this Plan. Additionally, the zoning and building bylaws should be reviewed to ensure these bylaws do not contain barriers which prevent the implementation of green building design.



PART FIVE – DEVELOPMENT PERMIT AREAS

501 Development Permits

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 CRD Board or its delegates and may require some sort of security to ensure that the conditions in the permit have been achieved. A development permit cannot vary use, density or flood plain specifications.

The guiding principle for the use of development permits is found within Section 488 of the *Local Government Act (LGA)*. 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;
- ◆ Establishment of objectives to promote energy conservation;
- ◆ Establishment of objectives to promote water conservation; and
- ◆ Establishment of objectives to promote the reduction of GHG emissions.

With respect to areas designated as DPAs, the OCP 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.

502 General Policies for Development Permit Areas and Development Permits

Without limiting the authority of the CRD under the *LGA* or this OCP, the following principles apply to development permits:

- A. In accordance with the *LGA*, 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 area.
- B. A development permit is not required where it can be demonstrated that the proposed development is located on that part of a *parcel* outside the designated DPA. This determination is based a report or other certification acceptable to the CRD by a *QEP*, a *QP* or other appropriately registered professional that the proposed development is not within the designated DPA.
- C. Any development, construction or alteration of land within an area designated as a DPA is subject to the requirements of the relevant development permit guidelines and policies contained in this Plan.
- D. Where land lies within more than one DPA, only a single development permit is required; however, the application is subject to the requirements of all applicable DPAs.
- E. Development permits may specify areas of land that may be subject to natural hazards as areas that will remain free of development except in accordance with any conditions contained in the permit.
- F. Development permits designated for the protection of development from hazardous conditions may prohibit the installation of septic tanks, drainage and deposit fields and irrigation and water systems in areas that contain unstable soil or water that is subject to degradation.
- G. If the nature of the proposed project in a DPA changes after a report by a *QEP* or a *QP* has been prepared, the CRD may require the applicant to have the *QEP* or *QP* update the assessment at the applicant's expense and the development permit conditions may be revised.
- H. Any information requested by the CRD will be provided at the applicant's expense.
- I. Security in a form acceptable to the CRD may be required as the condition of issuance of a development permit.

503 General Exemptions from a Development Permit

No development permit will be required in any DPA for the following:

- A. Internal alterations to a building.
- B. Structures not greater in area than 10 m² (107 ft²) and are accessory to an existing residence, provided that no part of the structure is to be within a Riparian DPA. This may include, but is not limited to gazebos, garden sheds; tool sheds; and decks.
- C. Trails, ramps, stairways, and at-grade patios not greater in area than 80 m² (861 ft²), providing they are not located in a Riparian DPA.
- D. Placement of impermanent items such as tables, benches and garden ornaments, provided there is no site clearing.
- E. Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property from forest fire, flood, erosion or other natural or human caused disaster.
- F. Emergency works to repair or replace public utilities or infrastructure.
- G. Clearing of an obstruction from a bridge, culvert or *watercourse*.
- H. *In-stream* habitat development or restoration that complies with provincial and federal legislation and requirements.
- I. Boundary adjustments when no new *parcels* are created, each *parcel* has a building envelope outside the DPA and the adjusted boundary is not located in a Riparian DPA.
- J. Normal farm practices as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.
- K. Forest management activities as defined in the *PMFL Regulation* on land classified as managed forest land under the *PMFL Act*.
- L. Public works, services and maintenance activities carried out by, or on behalf of, the CRD, generally in accordance with the development permit guidelines. This exemption does not apply to public trails to be developed within a Riparian DPA.

510 Steep Slope Development Permit Area

511 Designation of the Steep Slope Development Permit Area

That part of the Shirley – Jordan River Plan area indicated as Steep Slope DPA on Schedule C is designated as a development permit area pursuant to Section 488(1)(b) of the *Local Government Act (LGA)*. The Steep Slope DPA includes all those areas having slopes exceeding 30% or 16.7 degrees over a minimum 10 metre run.

512 Justification for the Steep Slope Development Permit Area

Section 488(1)(b) of the *LGA* authorizes local government to designate development permit areas where the protection of development from hazardous conditions is desired and can be justified.

The topography of steep slopes, as well as the slope gradient and thin soil cover, renders the area highly susceptible to erosion, high wind throw hazard and slope failure. Land clearing, removal of vegetation, road construction, changes to slope geometry, construction of buildings or roads, placement of fill or other site disturbance in steep slope areas could lead to erosion and slope destabilization. Changes in the hydrology of a steep slope area can lead to erosion and subsequent slope failure. Vegetation on steep slopes can prevent or reduce slope failure. Root networks bind soil particles together increasing soil sheer strength and cohesion. Tree roots anchor soil strata and buttress slopes. The foliage on trees and plans intercept rainfall through absorptive and evaporative processes that reduce surface water runoff and erosion. Soil saturation is reduced through the extraction of moisture by evapotranspiration. Fractured slopes and rockfall can be caused by natural processes but also by development. Careful control of development or other alteration of these slopes is needed to reduce the risk to life and property and potential risks to down-slope properties.

513 Objectives for the Steep Slope Development Permit Area

To regulate development on steep slopes in a manner that:

- i. Protects the integrity of the slopes; and

- ii. Reduces the risk of injury to persons or damage to property.

514 Specific Exemptions for the Steep Slope Development Permit Area

In the Steep Slope DPA, no development permit will be required for the following:

- A. External alterations, including adding a second storey, that are entirely within the building footprint.
- B. The proposed development is located outside the Steep Slope DPA, as verified by a *QP* report or other certification demonstrating to the CRD that the proposed development is not located on land with slopes exceeding 30% or having a slope greater than 16.7 degrees over a minimum 10 metre run.
- C. Recognizing that the Building Inspector has the necessary authority to require a geotechnical report to ensure land is safe for the intended use, a development permit is not required for a building constructed under a valid building permit in the Steep Slope DPA provided that no other part of the land in the Steep Slope DPA will be altered for other purposes, such as the construction of driveways or septic systems.
- D. Pruning of trees that does not adversely affect the health of the tree.
- E. Removal of hazardous trees that threaten the immediate safety of life and buildings.
- F. Removal of trees by hand-held tools providing the tree root ball remains intact and in situ with no soil disturbance.

515 Guidelines for the Steep Slope Development Permit Area

Development permits for development in the Steep Slope DPA will be considered in accordance with the following guidelines:

- A. Development and alteration of land will be planned to avoid intrusion into and minimize the impact on the Steep Slope DPA.
- B. The removal of vegetation and impact to tree root zones will be minimized.
- C. The placement of fill, disturbance to the soil, undercutting and blasting will be minimized.
- D. Development should minimize alterations to steep slopes and the development should be designed to reflect the site rather than altering the site to reflect the development.
- E. Changes in hydrology will be minimized.
- F. Runoff from the development will not destabilize or cause damage to the subject *parcel*/or neighbouring *parcels*.
- G. Development will be designed to avoid erosion and sedimentation.
- H. Erosion control measures and temporary fencing may be required during and after construction.
- I. The planting of native vegetation in both disturbed and undisturbed areas may be required to reduce the risk of erosion and improve slope stability.
- J. Heavy machinery cannot be used in circumstances where or when it might cause erosion or destabilize the slope.
- K. The clustering of buildings and structures on less steep areas is encouraged and setbacks may be varied to accommodate this.
- L. Variances to allow the siting of buildings and structures outside the Steep Slope DPA will be considered.
- M. Over-steep driveways and sharp switchbacks are discouraged and will be minimized.
- N. Shared driveways may be required where they will minimize the disturbance to steep slopes.
- O. Large, single-plane retaining walls are discouraged and landscaping should follow the natural contours of the land.
- P. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QP* will be considered by the CRD and may be included in development permit.

520 Shoreline Protection Development Permit Area

521 Designation of the Shoreline Protection Development Permit Area

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

522 Justification for the Shoreline Protection Development Permit Area

Section 488(1)(a) of the *LGA* authorizes local government to designate DPAs where the protection of the natural environment, its ecosystems and biological diversity is desired and can be justified. Section 488(1)(b) authorizes local government to designate DPAs where the protection of development from hazardous conditions is desired and can be justified.

The marine shoreline and adjacent uplands are ecologically fragile areas and subject to the complex biophysical forces shaping coastlines. Activities on the uplands such as land clearing and adding impermeable surfaces can have harmful impacts on site drainage, bank stability, bird nesting and roosting habitat, shading of intertidal areas and reduction of important organic inputs to foreshore areas. Hard-surfaced retaining walls along the shoreline can result in loss of habitat and upland connectivity and may increase wave action and erosion on adjacent properties. An uninterrupted shoreline allows for the natural transport of sand and cobble materials along beaches.

Anticipated sea level rise and more frequent severe storm events could increase coastal flooding and erosion. Keeping permanent structures out of high-risk areas for coastal flooding and erosion is a cost-effective and practical approach to reducing this potential threat to life and property. Innovative shore protection measures can maintain and restore habitat values while protecting upland property from wave action and erosion. Development in the Shoreline Protection DPA will be carefully designed and executed to reduce the risk to property and life and maintain the integrity of the ecology unique to coastal areas.

523 Objectives for the Shoreline Protection Development Permit Area

To regulate development in a manner that:

- i. Protects coastal properties from damage and hazardous conditions that can arise from erosion and flooding;
- ii. Protects and enhances the ecological health of marine waters, the shoreline and adjacent uplands; and
- iii. Preserves the integrity and connectivity of coastal processes.

524 Specific Exemptions for the Shoreline Protection DPA

In the Shoreline Protection DPA, no development permit will be required for the following:

- A. External alterations, including adding an additional storey, that are entirely within the building footprint.
- B. Tree pruning that does not adversely affect the health of the tree.
- C. Gardening and yard maintenance activities within an existing landscaped area such as lawn mowing, weeding and minor soil disturbances that do not alter the general contours of the land.
- D. Removal of non-native, invasive species provided that the area is not also in the Steep Slope DPA, in which case the specific exemptions for the Steep Slope DPA take precedence over this exemption.
- E. Removal of hazardous trees that threaten the immediate safety of life and buildings.

525 Guidelines for the Shoreline Protection Development Permit Area

Development permits for development in the Shoreline Protection DPA will be considered in accordance with the following guidelines:

- A. Development or alteration of land will be planned to avoid intrusion into and minimize the impact on the Shoreline Protection DPA.
- B. Alteration of natural shorelines will be avoided.
- C. Erosion and sedimentation will be avoided.
- D. The removal of vegetation and impact to tree root zones will be minimized.
- E. Changes in natural shoreline processes will be minimized.
- F. The use of fill, disturbance to the soil and blasting will be minimized.
- G. Non-structural and soft armouring are the preferred type of works for shore protection and where this approach is not possible, riprap and stone revetment is preferred over single-plane seawalls, subject to approval from federal and provincial agencies.
- H. A *QP* must design any shore protection devices or works.
- I. Proposed development that may have the potential to adversely affect fish habitat will require the review and approval by appropriate federal and provincial agencies prior to the issuance of a development permit.
- J. Setbacks for buildings and structures will consider the current risk from storms and flooding as well as minimum elevation guidelines established by the CRD or other public authority with respect to the potential risk from erosion and coastal flooding associated with climate change and sea level rise.
- K. Variances to allow the siting of buildings and structures outside the Shoreline Protection DPA will be considered.
- L. Compliance with the conditions or recommendations in a report by a *QP* will be considered by the CRD and may be included in a development permit.
- M. The planting of native vegetation may be required to reduce the risk of erosion, restore the natural ecology, revegetate disturbed areas, improve water quality and ensure the stability of slopes and banks.
- N. Erosion control measures and fencing may be required during and after construction.
- O. Machinery working in this environmentally sensitive area may be required to use biofuels instead of fossil fuels.

- P. To avoid disturbance of the upland and foreshore areas for a purpose referred to in Section 491(1)(e) of the *LGA*, heavy machinery may need to be barged to the site.
- Q. Construction may be restricted to certain times of the year to avoid stormy seasons, unusually high or low tides and sensitive life-cycle times for wildlife such as nesting or migrating.
- R. Where possible, vegetation and natural resources such as anchored logs and riparian plantings on protected shorelines, will be incorporated into shore protection works.

530 Riparian Development Permit Area

531 Designation of the Riparian Development Permit Area

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

532 Justification for the Riparian Development Permit Area

Section 488(1)(a) of the ***LGA*** authorizes local government to designate DPAs where the protection of the natural environment, its ecosystems and biological diversity is desired and can be justified. Section 488(1)(i) of the ***LGA*** authorizes local government to designate DPAs where the promotion of water conservation is desired and can be justified.

The Province of BC has enacted the ***RAR***, under the ***Riparian Areas Protection Act***, which applies to the exercise of local government powers by the CRD under Part 14 of the ***LGA***. The ***RAR*** is intended to protect the features, functions and conditions that support fish life processes. With respect to development proposals related wholly or partially to riparian assessment areas within the Plan area, the CRD must not approve or allow development to proceed in those riparian assessment areas unless it receives notification that the Province has received a copy of an assessment report, prepared in accordance with the ***RAR*** by a ***Qualified Environmental Professional (QEP)***. In addition, when exercising its powers with respect to development, the CRD must protect its riparian areas in accordance with the ***RAR***.

Wells are relied upon in parts of Shirley and Jordan River for potable water. It is important to maintain the quality and quantity of surface water and aquifers, both below ground and in surface recharge areas. Through the protection of riparian ecosystems, the Riparian DPA is also intended to address maintenance of the natural hydraulic regime for environmental and water conservation purposes.

533 Objectives for the Riparian Development Permit Area

To plan and regulate development in a manner that:

- i. Preserves and protects fish habitat and riparian areas;
- ii. Protects, restores and enhances fish habitat and riparian areas in a relatively natural state while supporting adjacent land uses;
- iii. Meets the requirements of the *RAR*; and
- iv. Protects water quality and quantity.

534 Specific Exemptions for the Riparian Development Permit Area

In the Riparian DPA, no development permit will be required for the following:

- A. Development where a *QEP* submits a report or provides certification acceptable to the CRD that the proposed development is located outside a riparian assessment area and the Riparian DPA. In the case of a *subdivision*, the entire plan of *subdivision* must be outside a riparian assessment area and the Riparian DPA.
- B. External alterations, including adding an additional storey, that are entirely within the existing building footprint, provided that established driveways are used and there is no clearing of land.
- C. Gardening and yard maintenance activities, such as lawn mowing, pruning and minor soil disturbances that do not alter the general contours of the land, within an existing landscaped area.
- D. Removal of trees that threaten the immediate safety of life and buildings, provided that such trees are deemed hazardous by a *QEP*.
- E. Removal of non-native, invasive species subject to the prior provision and acceptance by the CRD of report by a *QEP*.
- F. *Watercourses* that have been determined to be non-fish bearing by a *QEP*.

- G. Public trails may be developed in the Riparian DPA, but not within a SPEA.
- H. Public trails may only be developed in the Riparian DPA if a *QEP* has determined that the trail will not have a detrimental impact on the riparian assessment area, including the SPEA.



535 Guidelines for the Riparian Development Permit Area

Development permits for development in the Riparian DPA will be considered in accordance with the following guidelines:

- A. Development or alteration of land will be planned to avoid intrusion into and minimize the impact on the Riparian DPA.
- B. Modification of channels, banks or shores must not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes within the Riparian DPA.
- C. The removal of gravel and soil from streambeds is prohibited unless approved by the provincial or federal government.
- D. Proposed plans of *subdivision* will avoid *stream* crossings where possible and demonstrate the presence of building areas outside of the SPEA.
- E. *Stream* crossings will be avoided, but where this is not possible, bridges are preferred rather than culverts, and any works will be sited to minimize disturbance to banks, channels, shores and vegetative cover, and must be approved by the provincial government.
- F. Culverts may be designed to encourage in-*stream* storage of water to allow the unrestricted movement of fish in both directions.
- G. Construction at a certain time of year and using methods that minimize the impacts on rare and sensitive species may be required.
- H. To minimize encroachments into the Riparian DPA, variances for the height and location of buildings and structures may be considered.
- I. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QEP*, prepared in accordance with the *RAR*, will be considered by the CRD and may be included in a development permit.
- J. Development permits may include requirements for environmental monitoring and when required, these monitoring reports must be prepared by a *QEP*.
- K. All of the measures specified by a *QEP* necessary to maintain the integrity of a SPEA will be considered by the CRD for inclusion as a condition in a development permit.
- L. Development permits will not be issued until the CRD has been notified by the Riparian Areas Regulation Notification System (RARNS) that the Province has received a riparian areas assessment report.
- M. Where a *QEP* has required the planting of native vegetation to reduce the risk of erosion, restore the natural state of the site, improve water quality, or stabilize slopes and banks, a landscaping plan of the re-vegetation may be required.

- N. In situations where a SPEA would reduce the density of development permitted by the zoning bylaw, a *QEP* is required to provide recommendations on how the permitted density of development could be accommodated with the least possible impact on fish habitat.
- O. An applicant may be required to provide an explanatory plan of a SPEA.
- P. For all or part of land within a SPEA that has been identified by a *QEP*, property owners may wish to consider dedicating the land back to the Crown, gifting the land to a nature conservation organization or registering a conservation covenant.
- Q. All new developments or modifications to existing developments including site works, gardening, landscaping and other related residential activities should be designed and implemented to maintain the quantity and quality of water and to avoid the entry of pollutants or nutrient rich water flowing into *streams* and wetlands.
- R. Development will be designed to avoid any increase in the volume and peak flow of runoff and a drainage plan may be required in support of this guideline.
- S. Plantings of native vegetation may be required to reduce the risk of erosion, restore the natural state of the site, improve water quality, or stabilize slopes and banks.
- T. Where necessary or desirable, a buffer zone to remain free of development may be specified and protection measures for retention and management of vegetation in these areas may be established.
- U. To avoid encroachment, fencing may be required prior to, during or after construction.

540 Sensitive Ecosystem Development Permit Area

541 Designation of the Sensitive Ecosystem Development Permit Area

That part of the Shirley – Jordan River area indicated as Sensitive Ecosystem DPA on Schedule E is designated as a development permit area pursuant to Sections 488(1)(a) and 488(1)(i) of the *Local Government Act (LGA)*. The Sensitive Ecosystem DPA established under this section includes those sensitive ecosystems and other important ecosystems identified as Intertidal, Estuarine, Freshwater, Older Forest, Mature Forest, Fringe Forest, Woodland, Herbaceous, Sparsely Vegetated, Wetlands, and Riparian in the Sensitive Ecosystem Inventory (SEI) prepared by Madrone Environmental in 2014. The Sensitive Ecosystem DPA includes the strip of land 30 metres from the natural boundary on either side of all *watercourses*. This DPA also includes a 100 metre buffer around an eagle's nest, as recommended in the Sensitive Ecosystem Inventory.

542 Justification for the Sensitive Ecosystem Development Permit Area

Section 488(1)(a) of the *LGA* authorizes local government to designate DPAs where the protection of the natural environment, its ecosystems and biological diversity is desired and can be justified. Section 488(1)(i) of the *LGA* authorizes local government to designate DPAs where the promotion of water conservation is desired and can be justified.

The ten sensitive ecosystems identified in the 2014 Sensitive Ecosystem Inventory (SEI) for the Shirley/Jordan River area, prepared by Madrone Environmental Services Ltd., are home to a variety of rare and endangered plants, animals and plant communities. In addition to their value to the environment, there is growing understanding that these areas are an important part of a healthy economy and add to the social well-being of a community. Because of the sensitivity of these ecosystems and their gradual erosion by human activities, it is important to protect them from clearing, tree-cutting, fragmentation, the construction of buildings or roads, or other site disturbances having the potential to degrade their ecological value.

Riparian ecosystems support a disproportionately high number of species for the area they occupy and are very diverse in terms of plant composition and structure. They support a high number of habitat niches, which provide critical habitats for numerous mammal, bird, reptile,

amphibian, fish and vertebrate species. A number of wildlife species are dependent upon freshwater ecosystems for all of their life cycle, while others utilize this type of habitat at critical life stages. Wetlands result from the close proximity of water and soil. Along with supporting animal and plant species, wetlands also function as drainage, storage and recharge areas for down-slope groundwater regions important to the community's water supply. They serve as temporary storm water retention and transmission areas and are crucial to the natural environment. Estuarine habitats, such as the one at the mouth of Muir Creek, support unique communities of plants and animals. A range of species live within the intertidal zone.

Older forests are biologically rich and support a rich community of wildlife, plant and invertebrate species with many species dependent upon specific habitat features only found in older forests. Fungi, lichens and the red-listed warty jumping slug are examples of species dependent upon old growth forest features. Fringe forest is a new SEI classification created specifically for this project due to the presence of Sitka spruce within 200 metres of the coastline. All of the shoreline units in this biogeoclimatic zone are blue-listed when mature. Woodland ecosystems, distinct in ecology and biological diversity, are one of the most threatened ecosystems on Vancouver Island. Herbaceous ecosystems are easily disturbed as are sparsely vegetated ecosystems. Some plant species, including several rare species are only known to occur in these two ecosystems. Mature forests were mapped in the SEI to identify important elements of biodiversity or recruitment sites for ecosystems at risk or important wildlife habitat requiring recovery or restoration and have been included in the Sensitive Ecosystem DPA.

Wildlife trees play an important role in forest ecosystems by contributing and maintaining habitat and biological diversity. A number of trees containing an eagle's nest were identified and mapped by the SEI. Although wildlife trees are protected under the *Wildlife Act*, their buffers are not. As recommended both in the SEI and the 2014 Develop with Care manual by the Ministry of Environment, a buffer of 100 metres has been included around one verified eagle's nest as part of the Sensitive Ecosystem DPA.

Wells are relied upon in parts of Shirley and Jordan River for potable water. It is important to maintain the quality and quantity of surface water and aquifers, both below ground and in surface recharge areas. Through the protection of riparian ecosystems, the Sensitive Ecosystem DPA is also intended to address maintenance of the natural hydraulic regime for environmental and water conservation purposes.

543 Objectives for the Sensitive Ecosystem Development Permit Area

To regulate development in a manner that:

- i. Protects, enhances and restores the biodiversity and ecological values and functions of environmentally sensitive areas;
- ii. Fosters compatibility between development, existing land uses and environmentally sensitive areas;
- iii. Maintains connectivity between sensitive ecosystems; and
- iv. Protects water quality and quantity.

544 Specific Exemptions for the Sensitive Ecosystem Development Permit Area

In the Sensitive Ecosystem DPA, no development permit will be required for the following:

- A. Gardening and yard maintenance activities, such as lawn mowing, pruning and minor soil disturbances that do not alter the general contours of the land, within an existing landscaped area.
- B. Removal of hazardous trees that threaten the immediate safety of life and buildings.
- C. Removal of non-native, invasive species.
- D. External alterations that are entirely within the existing building footprint including adding an additional storey, provided that established driveways are used and there is no clearing of land.
- E. Development where a *QP* submits a report or provides certification acceptable to the CRD that the proposed development is located outside of any sensitive ecosystem.
- F. Where the sensitive ecosystem has been identified by a *QP* and is protected by a registered restrictive covenant that includes a reference plan showing the location of the sensitive ecosystem on that *parcel*.
- G. Development in a riparian assessment area that is subject to the *RAR* and the Riparian DPA.

545 Guidelines for the Sensitive Ecosystem Development Permit Area

Development permits for development in the Sensitive Ecosystem DPA will be considered in accordance with the following guidelines:

- A. Development or alteration of land will be planned to avoid intrusion into and minimize the impact on the Sensitive Ecosystem DPA.
- B. The removal of gravel and soil from *watercourses* is prohibited unless otherwise approved by the provincial or federal government.
- C. Proposed plans of *subdivision* will avoid *watercourse* crossings where possible.
- D. *Watercourse* crossings will be avoided, but where this is not possible, bridges are preferred rather than culverts, and any works will be sited to minimize disturbance to banks, channels, shores and vegetative cover, and must be approved by the provincial government.
- E. 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 understorey, will be minimized.
- F. Disturbance to existing vegetation not directly affected by the footprint of buildings, ancillary uses and driveways will be minimized.
- G. Planting of non-native vegetation or invasive species in designated sensitive ecosystem development permit areas is not supported.
- H. The CRD may consider variances to siting or size regulations where the variance could result in the enhanced protection of an environmentally sensitive area.
- I. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QP* will be considered by the CRD and may be included in the development permit.
- J. Those areas where existing vegetation is disturbed will be rehabilitated with appropriate landscaping and habitat compensation measures in a manner recommended in a report by a *QP*.
- K. Development and associated 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.
- L. Culverts may be designed to encourage storage of water within the *watercourse*.
- M. Where necessary, provision will be made and works undertaken to maintain the quality of water reaching the sensitive ecosystem.

- N. All new developments or modifications to existing developments including site works, gardening, landscaping and other related residential activities should be designed and implemented to maintain the quantity and quality of water and to avoid the entry of pollutants or nutrient rich water flowing into *watercourses*, lakes, ponds and wetlands.
- O. Development will be designed to avoid any increase in the volume and peak flow of runoff and a drainage plan may be required in support of this guideline.
- P. Plantings of native vegetation may be required to reduce the risk of erosion, restore the natural state of the site, improve water quality, or stabilize slopes and banks.
- Q. The planting of non-native vegetation or alien invasive species, as defined in the provincial *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation 144/2004*, is not supported.
- R. Construction at a certain time of year and using methods that minimize the impacts on rare and sensitive species may be required.
- S. Where possible, large tracts of wildlife habitat or continuous habitat corridors will be preserved, in order to facilitate movement of wildlife.
- T. A buffer zone may be specified where land alteration or structures will be limited to those compatible with the characteristics of the sensitive ecosystem or those that can be mitigated in a manner recommended by a *QP*.
- U. In order to ensure unnecessary encroachment does not occur into the sensitive ecosystem at the time of construction, permanent or temporary fencing measures may be required.
- V. Development may be restricted during sensitive life-cycle times.

550 Commercial and Industrial Development Permit Area

551 Designation of the Commercial and Industrial Development Permit Area

That part of the Shirley – Jordan River Plan area indicated as Commercial and Industrial DPA on Schedule F is designated as a development permit area pursuant to Sections 488(1)(f), 488(1)(h), 488(1)(i) and 488(1)(j) of the *Local Government Act (LGA)*. The Commercial and Industrial DPA established under this section includes all land zoned commercial or tourist-commercial and land where industrial forestry uses have historically occurred.

552 Justification for the Commercial and Industrial Development Permit Area

Section 488(1)(f) of the *LGA* authorizes local government to designate DPAs to develop objectives for the form and character of commercial, industrial or multi-family residential development. Section 488(1)(h) of the *LGA* authorizes local government to designate DPAs for the promotion of energy conservation. Section 488(1)(i) of the *LGA* authorizes local government to designate DPAs for the promotion of water conservation. Section 488(1)(j) of the *LGA* authorizes local government to designate DPAs for the promotion of GHG emission reduction.

The residents of Shirley and Jordan River value the rural ambience of their community and feel that it is characterized, in part, by the disperse nature of commercial development, the integration of commercial development with the natural surroundings, unique elements such as signage or building forms not typically seen in urban settings, dark skies at night, and building forms that blend well with the immediate topography. Commercial areas in Shirley and Jordan River merit designation as DPAs for the form and character due to the rural nature of the community.

Industrial uses, especially those associated with forestry and mining, have occurred for many years in the Plan area. It is important that this type of use blends well with neighbouring rural residential uses by retaining the existing topography and natural vegetation around the site's perimeter to act as landscaping. Locating industrial uses on the site so they are not visible and set well back from rural residential development greatly assists in protecting the rural character. Bright lighting is incongruent with the rural character of the Plan area and will be shielded from the night sky and directed away from surrounding properties.

Parts of Shirley and Jordan River are reliant on well water as their potable water supply. It is important that rainfall is protected from contamination, water is conserved and development does not interfere with the natural processes of surface water runoff and groundwater recharge.

All communities in BC must contribute to the reduction of GHG emissions and Shirley and Jordan River are interested in implementing measures appropriate for small, rural communities. Energy conservation and the use of alternative energy sources can contribute indirectly to the reduction of GHG emissions by decreasing the reliance on hydro-electricity.

553 Objectives for the Commercial and Industrial Development Permit Area

To regulate development in a manner that:

- i. Encourages building designs, themes and forms that are complementary to and respectful of the natural setting and the rural character of the area;
- ii. Protects and maintains the quality and quantity of water; and
- iii. Conserves energy and contributes to the reduction of GHG emissions at the community level.

554 Specific Exemptions for the Commercial and Industrial Development Permit Area

In the Commercial and Industrial DPA, no development permit will be required for the following:

- A. Changes that do not affect the form and character of the development, such as the replacement of existing awnings and features.

555 Guidelines for the Commercial and Industrial Development Permit Area

Development permits for development in the Commercial and Industrial DPA will be considered in accordance with the following guidelines:

SITE DESIGN

- A. Buildings, parking and associated structures will be situated so as to leave as much space as possible for landscaping, retention of existing vegetation and open natural space on the site.
- B. Orient buildings to maximize opportunities for passive solar heating and cooling, natural lighting and minimizing wind exposure.
- C. Provide natural filtration of rainwater into the site through techniques such as rain gardens, rainwater collection systems, bio-swales or rock pits and permeable paving for hard surfaces such as driveways.
- D. Where applicable, site accessory buildings, parking and storage away from the shoreline to reduce the visual impact of the development from the water.

BUILDING DESIGN

- E. Design buildings in a form that follows the natural topography of the site.
- F. Incorporate natural materials, such as heavy timbers, exposed wood and stone, into the exterior design of buildings.
- G. Balconies, walkways, corridors and exterior doors should be protected from the weather.
- H. Colours should be earth-toned to blend with the natural surroundings or reflective of the unique nature of rural communities.
- I. Roof-top equipment should be kept to a minimum and integrated into the overall building design, but when this is not possible, the equipment will be screened.
- J. Building design should incorporate alternative energy sources and energy conservation measures such as natural ventilation and cooling systems.
- K. Consider the use of green roof systems to reduce stormwater runoff, reduce energy costs and improve visual appearance.
- L. Where possible, use building products and design that demonstrate green technology in keeping with current LEED guidelines.

LIGHTING

- M. Outdoor lighting should be of a low intensity, pedestrian oriented and directed down and away from surrounding residential areas.
- N. Illumination levels should be appropriate for the function while avoiding light pollution. Examples of preferred lighting types include downcast gooseneck lights, pot lights and LED lights.
- O. Outdoor lighting should be shielded from the night sky and directed away from neighbouring properties not zoned for industrial or resource use.

STORAGE, PARKING AND SCREENING

- P. Outdoor storage will be minimized, enclosed in an accessory building or fenced compound or sited at the rear of buildings.
- Q. Outdoor storage and loading/unloading facilities will be screened from neighbouring properties through the retention of existing vegetation and the planting of vegetation.
- R. Parking areas will be screened to the greatest extent possible with existing and new landscaping.
- S. Large parking areas will be interspersed with landscaped areas, natural areas and trees.

LANDSCAPING

- T. The natural vegetation should be retained as landscaping in areas where there are no buildings, structures, parking areas or other constructed features or integrated into parking areas.
- U. For new landscaping, native trees and plants suited to the climate and soil are preferred.
- V. Limit the use of potable water for landscape irrigation through measures such as using captured water and drip irrigation.
- W. Natural vegetation and existing topography around the perimeter of the site will be retained where possible.

SIGNAGE

- X. Low profile, small signs that are non-illuminating, and complement the character of the development are preferred.



560 Farmland Protection Development Permit Area

561 Designation of the Farmland Protection Development Permit Area

That part of the Shirley – Jordan River Plan area indicated as Farmland Protection DPA on Schedule G is designated as a development permit area pursuant to Section 488(1)(c) of the *Local Government Act (LGA)*. The Farmland Protection DPA established under this section includes all land within 15 metres of land in the ALR as shown on Schedule G.

562 Justification for the Farmland Protection Development Permit Area

Section 488(1)(c) of the *LGA* authorizes local government to designate DPAs for the protection of farming.

Farming provides food security and is part of the local economy. The *Farm Practices Protection (Right to Farm) Act* gives farmers the right to farm provided that they employ normal farm practices. Normal farm practices can produce odour, light and noise which neighbours may not appreciate. To avoid interface conflicts along the ALR boundary, a buffer strip can be used to create a physical separation between the agricultural and adjoining neighbourhoods. The buffer is an area where fencing and other barriers such as vegetation can be used to separate land uses. The Farmland Protection DPA is intended to act as a buffer strip to mitigate conflicts between uses and protect the use of farmland. It is also important that roads do not end at the edge of the ALR boundary in order to avoid pressure to extend the road into the ALR for future development.

563 Objectives for the Farmland Protection Development Permit Area DPA

To regulate development in a manner that:

- i. Reduces conflicts between farm and non-farm uses through physical separation and the installation of barriers;
- ii. Minimizes the impact on nearby and adjacent farm uses; and
- iii. Avoids road endings adjacent to the ALR.

564 Specific Exemptions for the Farmland Protection DPA

- A. In the Farmland Protection DPA, a development permit is only required for a *subdivision*.
- B. In the Farmland Protection DPA, no development permit is not required for a *subdivision* for agricultural purposes.

565 Guidelines for the Farmland Protection Development Permit Area

Development permits for development in the Farmland Protection DPA will be considered in accordance with the following guidelines:

- A. A buffer zone consisting of setbacks, vegetative screening, fencing or berms between lands in the ALR and non-farm uses may be required.
- B. Drainage will be designed and constructed so that there is no increase or decrease in the amount of surface water or groundwater available to the agricultural lands.
- C. *Subdivision* design will minimize potential conflicts between farm and non-farm uses.
- D. *Subdivision* design should avoid road endings or road frontage adjacent to land in the ALR unless required for farm vehicle access.
- E. As a condition of the issuance of a development permit, compliance with any or all conditions recommended in a report by a *QP* will be considered by the CRD and may be included in the development permit.

PART SIX – DEVELOPMENT APPROVAL INFORMATION AREA

610 Development Approval Information Area

In order to assess the impact of a particular development proposal, more detailed information and studies may be necessary. Provincial legislation requires local government to specify the certain areas or special conditions when detailed information and studies may be requested and, by bylaw, describe the procedures for providing the information and the scope of information that can be requested.

611 Designation

That part of the Shirley – Jordan River Plan area indicated as a Development Approval Information Area (DAIA) on Schedule H is designated as a development approval information area pursuant to Section 485(1) of the *Local Government Act (LGA)*. The DAIA shown on Schedule H includes all *parcels* of land. In addition to the *parcels* designated on Schedule H, the following areas are also designated as a development approval information area pursuant to Section 485(1) of the *LGA*:

- A. All lands designated as being in the Shoreline Protection DPA on Schedule D;
- B. All lands designated as being in the Riparian DPA on Schedule D;
- C. All land designated as being in the Sensitive Ecosystem DPA on Schedule E;
- D. All lands defined by the *RAR* as a Riparian Assessment Area which includes (a) for a *stream*, the 30 metre strip on both sides of the *stream*, measured from the high water mark, (b) for a ravine less than 60 metres wide, a strip on both sides of the *stream* measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank, and (c) for a ravine 60 metres wide or greater, a strip on both sides of the *stream* measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank; and
- E. All lands designated as being in the Farmland Protection DPA on Schedule G.

612 Purpose

The purpose of this designation is to enable the CRD to obtain information in connection with an application for an amendment to a zoning bylaw, a development permit or a temporary use permit that could affect one or more of the following:

- A. The natural environment of the area affected;
- B. Traffic patterns and flows, in the case of a zoning amendment or a development permit that may create 10 or more *parcels*;
- C. The provision of community services, including but not limited to schools, fire protection, policing and similar services; and
- D. Local infrastructure, including water service, sewage treatment and disposal, and other services and utilities.

The CRD has, by separate bylaw, established the procedures and policies on the process for requiring development approval information and the substance of the information that may be required.

613 Special Conditions and Objectives

Section 485(1) of the *LGA* authorizes local government to: (a) specify circumstances in which development approval information may be required; (b) designate areas for which development approval information may be required; and (c) designate areas for which, in specified circumstances, development approval may be required provided that the special conditions or objectives that justify the designation are described.

The natural environment of the Shirley – Jordan River area supports an ecosystem of great diversity, including rare species of flora and fauna, and human habitation. Given the topography and the rich biodiversity of Shirley – Jordan River, 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.

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 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. The ability

of local aquifers and *watercourses* to provide potable water may be affected by new development in the Plan area. There is the need for more complete information on how development might affect the local hydrology and impact the potable water supply of other properties.

Highway #14 is the only major road in the Plan area. A large-scale development could generate sufficient traffic to exceed the carrying capacity of these roads and compromise the safety of drivers, pedestrians and cyclists using these roads. Information is required to assess the potential impact that increased traffic flow from new development may have upon these key access routes.

New development may affect the provision of police protection in Shirley and Jordan River. It may also affect the ability to provide fire-fighting service in Shirley and may instigate the need for fire-fighting capabilities in Jordan River. School District #62 Sooke may have concerns regarding the impact that additional students might have on the capacity of school facilities and bussing services. For these reasons,

information is required on the possible impact that development may have upon the provision of fire and police protection, potable water sources and the services provided by School District #62 Sooke. Community services can also be affected by increased population.



There may be some unmapped *streams* or *watercourses* in the Plan area. Regardless of whether a *stream* or *watercourse* has been mapped, the adjacent riparian areas are still subject to the *RAR* if the *stream* contains fish habitat. Provincial legislation requires that a *QEP* submit a report on how development might affect the natural environment within the riparian assessment area. Riparian development permits may be approved subject to the conditions outlined by a *QEP* in a report submitted to the provincial government in accordance with the *RAR*. For these reasons, riparian assessment areas are designated as part of the development approval information area.

PART SEVEN – TEMPORARY USE PERMITS

710 Temporary Use Permits

Section 493 of the *Local Government Act (LGA)* enables local government to issue temporary use permits (TUPs) to allow specific land uses to occur for a short period of time. The permit can allow uses not permitted by a zoning bylaw, specify conditions under which the temporary use may be carried on and allow and regulate the construction of buildings or structures where this temporary use will occur.

711 Designation of Temporary Use Permit Areas

Land within all of the Land Use Designations in this Plan is designated under Section 492 of the *LGA* as an area in which TUPs may be issued.

712 General Conditions

- A. TUPs may be issued by the CRD throughout the Shirley – Jordan River Plan area subject to the policies of this Plan.
- B. No public health, public safety or negative environmental impacts can result from the proposed activity.
- C. In evaluating a TUP application, the CRD will consider the following:
 - i. Whether the use is clearly temporary or seasonal in nature;
 - ii. Whether the use is compatible with adjacent uses;
 - iii. The impact of the proposed use on the natural environment;
 - iv. The intensity of the proposed use; and
 - v. The opportunity to conduct the proposed use on other land in the Plan area.
- D. In issuing a TUP, the CRD may specify conditions including, but not limited to:
 - i. The buildings to be used;
 - ii. Siting;
 - iii. Environmental protection, remediation and mitigation measures to address any impact to the natural environment;
 - iv. Hours of operation;

- v. Parking and traffic management;
 - vi. On-site storage, buffers and screening;
 - vii. External lighting;
 - viii. Nuisance, dust and noise abatement;
 - ix. Waste management; and
 - x. A post-use site restoration plan and implementation strategy.
- E. An applicant may be required to indemnify the CRD and post security to ensure compliance with the conditions of a permit.

713 Expiry of a Temporary Use Permit

Despite an expiry date specified in a TUP, a TUP may/will expire if the CRD determines that the person to whom the permit was issued has breached a condition specified in the TUP.

APPENDIX A – DEFINITIONS

In this bylaw, the following definitions apply:

PARCEL means any lot, block, parcel or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the *Bare Land Strata Regulations* pursuant to the *Strata Property Act*, but specifically excludes a building strata created pursuant to Section 241 of the *Strata Property Act*;

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association, and
- (b) the individual's area of expertise in the assessment methods is recognized by the CRD as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise;

QUALIFIED PROFESSIONAL (QP) means:

- (a) A professional engineer,
- (b) A professional geoscientist with experience or training in geotechnical study and geohazard assessments,
- (c) A registered professional biologist, or
- (d) A professional agrologist

acting alone or together with another Qualified Professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise in the assessment methods is recognized by the CRD as expertise that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and

(c) the individual is acting within that individual's area of expertise;

RURAL A ZONE means the Rural A zone as established by *Bylaw No. 2040, Juan de Fuca, Land Use Bylaw, 1992*;

STREAM includes any of the following that provides fish habitat:

- (a) a *watercourse*, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b);

SUBDIVISION means the division of land into two or more *parcels*, whether by plan, descriptive words, or otherwise, and includes a plan consolidating two or more *parcels* into the same or a lesser number of *parcels* but excludes a building strata;

WATERCOURSE means a permanent or non-permanent (containing water at least six months of the year) source of water supply that is natural or man-made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a *stream*, with well-defined banks and a bed of 0.6 m or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man-made pond that does not connect to a *stream*.

APPENDIX B – LIST OF SOURCES

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- Prepared for the CRD by Alta Planning + Design. CRD Regional Pedestrian and Cycling Master Plan. Victoria: CRD. March 2011.
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- Sooke Region Museum

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Shirley-Jordan River
Official Community Plan
Bylaw No. 4001

**Schedule B:
Land Use Designations**



Making a difference... together

- [AL] Agricultural
 - [CU] Coastal Upland
 - [CO] Commercial
 - [M] Marine
 - [P] Park
 - [PA] Pacific Acreage
 - [RE] Renewable Resource
 - [S] Settlement
- Official Community Plan
Area Boundary
- Lot Boundary
- Road

1:40,000

Metres
0 250 500 750 1,000



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