

**SHIRLEY-JORDAN RIVER ADVISORY PLANNING COMMISSION**

Notice of Meeting on Tuesday, **April 23, 2024, at 7 pm**

Shirley Community Hall, 2795 Sheringham Point Road, Shirley, BC

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**AGENDA**

1. Elections
2. Approval of Agenda
3. Adoption of Minutes of February 7, 2023
4. Planner's Report
5. Zoning and Official Community Plan Amendment Application
  - a) RZ000284 - Section 4, Renfrew District, Except Those Parts in Plans 427R, 23879, VIP68644, VIP79213, VIP80549, VIP82411, EPP69011 and EPP117093 (12036 West Coast Road)
6. Adjournment



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

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

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

Iain Lawrence provided a Territorial Acknowledgement.

**1. Elections**

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

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

**2. Approval of the Agenda**

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

**3. Approval of the Supplementary Agenda**

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

**4. Adoption of the Minutes of November 15, 2022**

**MOVED** by Melody Kimmel, **SECONDED** by Vivi Curutchet that the minutes of November 15, 2022, be adopted. **CARRIED**

**5. Planner's Report**

No report.

**6. Zoning Amendment Application**

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

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

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

Staff confirmed that the applicant was present.

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

Jen Ferris, Shirley

- questioned the long-term vision for the property

Iain Lawrence stated that:

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

Claire Denesovych, Shirley

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

James Powell, Shirley

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

Malcolm Taylor, Shirley

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

Jeff Head, Shirley

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

Trevor Churcher, Shirley

- questioned if the proposal will impact beach accesses

Dale Williams, Shirley

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

John Russell, Shirley

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

Member of the public, Jordan River

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

Brent Cann, Shirley

- questioned what makes the development an eco-resort

Member of the public

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

Jay Evans, Shirley

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

Member of the public, Shirley

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

Member of the public, Shirley

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

Jill Foweraker, Shirley

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

Matt Fox, Shirley

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

Robert Gardener, Shirley

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

Member of the public, Shirley

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

Adam Pratt, Jordan River

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

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

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

Eric Albert, Shirley

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

Patrick Saul, Shirley

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

Member of the public

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

Don Landberg, Shirley

- stated support for subsequent meetings being held in the community

Member of the public

- commented that China Beach campground is being expanded

Member of the public

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

The applicant stated that:

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

Staff responded to questions from the public advising that:

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

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

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

**CARRIED**

## **7. Adjournment**

The meeting adjourned at 9:33 pm.

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Chair



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**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE  
MEETING OF TUESDAY, MARCH 19, 2024**

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**SUBJECT**      **Zoning Bylaw & Official Community Plan Amendment Application for Section 4, Renfrew District, Except Those Parts in Plans 427R, 23879, VIP68644, VIP79213, VIP80549, VIP82411, EPP69011 and EPP117093; PID: 009-573-356**

**ISSUE SUMMARY**

The landowner has made an application to redesignate a 3.3 ha portion of the subject property from the Pacific Acreage (PA) to the Commercial (CO) land use designation and amend the Commercial designation policies, and to amend the Wildwood Terrace Neighbourhood Commercial (C-1A) zone to permit additional commercial uses and facilitate subdivision.

**BACKGROUND**

The 130 ha subject property (the "Land") is located in the community of Jordan River on the northern side of West Coast Road. The Land is split-zoned Wildwood Terrace 4 (WT-4) and Wildwood Terrace Neighbourhood Commercial (C-1A) in the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 (the "LUB") (Appendix A). The Land is designated Pacific Acreage in the Shirley-Jordan River Official Community Plan, Bylaw No. 4001 (the "OCP"), and is subject to the Commercial and Industrial development permit (DP) area. The Land is not located within community water, sewer or fire protection local service areas. Covenant CA5916759 is registered on the title of the property and requires that all buildings and structures require an automatic sprinkler system that fully meets the requirements of the National Fire Protection Association.

The Land is the subject of a 2-lot subdivision application (SU000749) to provide a separate title to the 3.3 ha C-1A portion from the 126.9 ha WT-4 remainder. The subdivision has received sign-off from the CRD and is in the final stages of approval with the Provincial Approving Officer. Although the OCP designates the northwestern portion of the Land as a Riparian DP area, a Qualified Environmental Professional has certified that the future commercial parcel is outside the Riparian Assessment Area. The Land was the subject of a zoning bylaw amendment in 2021 to adjust the WT-4/C-1A zone boundary and to permit a country market and micro-brewery with ancillary onsite store, picnic area, lounge and special event area. Development permit DP000378 was approved in October 2022 to address the form and character and landscaping of a proposed microbrewery.

The landowner has submitted an application to amend the C-1A zone for the purpose of permitting subdivision to create a commercial bare land strata and to include additional neighbourhood commercial uses with changes to the siting and development requirements. The proposal envisions a village gathering place that serves the community, supports local tourism, provides opportunities for local ownership of commercial lands (Appendix B). The application is supplemented by a comprehensive land use analysis (Appendix C), an environmental assessment (Appendix D), and a groundwater report (Appendix E). The application includes an OCP amendment to remove the 3.3 ha lands from the PA designation, which primarily supports rural residential, agricultural and small-scale neighbourhood commercial uses and add it to the CO designation with an amendment to support the smaller proposed lot size. Staff have prepared Bylaw No. 4598 to outline proposed amendments to the OCP (Appendix F) and Bylaw No. 4599 to outline proposed amendments to the Wildwood Terrace Neighbourhood Commercial zone (Appendix G) for consideration through the referral process.

## **ALTERNATIVES**

### *Alternative 1*

That staff be directed to refer proposed Bylaw No. 4598, “Shirley - Jordan River Official Community Plan Bylaw No. 5, 2018, Amendment Bylaw No. 2, 2024”; and proposed Bylaw No. 4599, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 162, 2024”; to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, First Nations and the following external agencies for comment:

Pacheedaht First Nation

T’Sou-ke First Nation

BC Hydro

BC Parks

District of Sooke

Island Health

Ministry of Forests - Archaeology Branch

Ministry of Forests - Water Protection Section

Ministry of Land, Water and Resource Stewardship

Ministry of Transportation & Infrastructure

RCMP

Sooke School District #62

### *Alternative 2*

That proposed Bylaw Nos. 4598 and 4599 not proceed.

## **IMPLICATIONS**

### *Legislative Implications*

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them related to Part 14 of the *Local Government Act* (LGA). Staff recommend referring proposed Bylaw Nos. 4598 and 4599 to the Shirley-Jordan River APC.

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

### *Regional Growth Strategy Implications*

The RGS designates the subject property as Rural / Rural Residential, which includes lands used for rural and rural residential purpose. While not intended to become future urban areas requiring extensive services, commercial uses serving the local community by providing employment opportunities in a rural context can be supported if impacts to the local community and environment are minimal.

Section 445 of the LGA requires that all bylaws adopted by a regional district board after the board has adopted a regional growth strategy (RGS) be consistent with the RGS. Since the proposal includes an amendment to the OCP, the bylaw will be considered by the Planning and Protective Services Committee and the CRD Board for determination of consistency with the RGS prior to first reading.

### *First Nations Implications*

First Nations communities continue to live in lands that encompass the subject property for more than 10,000 years prior to contact with European nations. The CRD pursues enhancement of reciprocal engagement and procedures with First Nation communities towards advancing reconciliation, including but not limited, to the application referral process. The subject property is located within the traditional territory of the Pacheedaht and T’Sou-ke First Nations and each nation will be invited to participate in the land use review process to better inform consideration of the proposal.

### *Context and Policy Development Implications*

The OCP provides a broader context of Jordan River community to inform policy development, such as community health with historical information. For example, Section 372, explains that Jordan River in the early 1900’s used to be a larger community with a robust local economy structured primarily by mining, fishing, and logging industries. Subsequently, the population steadily declined following the gradual



departure of its industries, including the closure of the mine. Comparatively, the OCP policies account for current land use patterns and a smaller population. In particular, the current Pacific Acreage (PA) land use designation, which supports 2.0 ha residential parcels, agriculture uses, and small-scale neighborhood commercial activities. The proponent's land use analysis suggests that the proposed C-1A zone amendments are better suited to Commercial designation, which supports small-scale commercial; civic, institutional, tourism, recreation, silviculture; community parks; and light industrial uses. However, the Commercial designation currently applies only to lands in an extreme flood inundation area posing an inherent risk to human life and property; designated as Restricted Development. Together, these designations stipulate a minimum lot size of 120 ha, preventing subdivision and limiting the availability of land for commercial development in Jordan River. This proposal includes a text amendment to policy 484 N. of the OCP; to reduce the minimum parcel size from 120 ha to allow for an average parcel size of 0.4 ha and a minimum of 0.2 ha. Additional OCP amendments (Appendix F) are required in conjunction with the proposed change to the minimum lot size for the Commercial designation.

#### *Land Use Implications*

The applicant's primary objective for this application is to improve the viability and access to rural commercial land within Jordan River. In order to support the change to an average lot size of 0.4 ha and a minimum of 0.2 ha, this application proposes an OCP amendment to redesignate the Land from Pacific Acreage to Commercial, and to update the corresponding policies. The community values expressed by the OCP identify goals and objectives for servicing rural areas and promote opportunities for pedestrian connectivity to reduce motor vehicle trips to address potential impacts to the environmental and enhance local character.

#### *Section 208 – Regional Growth Strategy*

In keeping with the RGS, OCP policies support compact rural settlements that are not intended to become future urban areas requiring extensive servicing. The application proposes onsite well and septic systems, which support a rural scale of development rather than an urban scale seen in neighbouring incorporated communities where community level services are available. The proposed rural servicing will be referred to Provincial agencies as permitting and licensing will be required at the time of development.

#### *Section 310 of the OCP - Water*

The proposed amendments are aligned with the existing permitted commercial uses. Activities associated with potential hazardous spills and contamination, such as a gas stations and bulk fuel sales, are not included in the proposal. The Groundwater Report commented that potential contamination of the aquifer is not anticipated and recommended regular monitoring following construction of the wells, which would occur under Provincial jurisdiction.

#### *Section 333 – Connectivity and Section 335 – Park Land Acquisition of the OCP*

The OCP states that residents have expressed interest in a network of local trails developed in both the communities of Shirley and Jordan River. This network should connect residential areas with commercial nodes, local and regional parks and trails, and other community-based amenities. There is also a community concern for providing safe routes for school-aged children when travelling independently in their community and to the school bus stops. The application proposes to establish a rural commercial node in Jordan River to service the local community. It is the opinion of staff that the application may present opportunities for connectivity in relation to adjacent residential areas.

#### *Section 392 of the OCP – Reducing the Number of Vehicle Trips*

One of the key ways the residents of Shirley and Jordan River can contribute to reducing greenhouse gas emissions is through reducing the number of vehicle trips. Delivery of medical and community outreach programs at a venue in Shirley or Jordan River could see the service providers making one or two round trips within the Plan area instead of multiple trips outside the community by residents travelling elsewhere to access 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 also reduce the travel necessary to purchase food and other goods. Installation of Electric Vehicle infrastructure is also supported.

### *Planning Analysis*

The Shirley-Jordan River OCP, Bylaw No. 4001, designates the subject property as Pacific Acreage. The intent of the Pacific Acreage designation is to support rural residential uses; suites; duplexes; agriculture; home based businesses; as well as small-scale commercial and tourism activities. Supported parcel sizes are generally in the 2 ha range, which is larger than the proposed minimum parcel size. The OCP identifies a Riparian development permit area on the northwestern corner of the subject property; however, the qualified environmental professional has provided an environmental assessment certifying that the subject area is located outside any riparian assessment areas.

The land is zoned C-1A by the Juan de Fuca Land Use Bylaw, which permits principal uses such as convenience stores; civic uses; food and beverage processing; country market; and retail stores. The zone specifically excludes gas bars, gas stations, bulk fuel sales, auto repair, carwashes, or any use for which a permit is required under the *Environmental Management Act* or *Regulation*. Accessory uses include residential; screened outdoor storage; onsite store; picnic area; lounge; special event area in conjunction with *Liquor Control and Licensing Act*; as well as buildings or structures that support a permitted principal use. The C-1A zone stipulates a maximum height of 9 m; a parcel coverage of 25%; a maximum floor area of 2,000 m<sup>2</sup>; and a minimum parcel size of 3.3 ha with setbacks of 7.5 m (front); 6.0 m (side); and 10.0 m (rear). The C-1A zone, has only been implemented on the subject property and was initially established through the adoption of Bylaw No. 3759 on October 9, 2013, and later amended through Bylaw No. 4381 on December 8, 2021, to permit food and beverage processing, a country market, and accessory uses related to a manufacturer liquor license.

The C-1A zone amendments (Appendix G) introduced by the application propose reducing the minimum parcel size from 3.3 ha to an average parcel size of 0.4 ha and a minimum of 0.2 ha to accommodate a commercial bare land strata; replace the maximum total floor area specification of 2,000 m<sup>2</sup> with a floor space ratio (FSR) of 0.4; permit restaurant, personal service, office, and health services uses; reduce the parking space setback in the front yard from 7.5 m to 3.0 m; and reduce the side yard setback from 6.0 m to 3.0 m and the rear yard setback from 10.0 m to 5.0 m. The amendment also proposes to increase to maximum height of buildings and structures from 9 m to 12 m.

As noted, in order to support the change to the minimum lot size, this application proposes to remove the C-1A zoned portion of the Land from the Pacific Acreage designation and add it to an amended Commercial designation. The Pacific Acreage designation is supportive of rural residential uses with an average parcel size of 2 ha. The Commercial designation is supportive of the proposed amendments to the permitted uses in the C-1A zone, and intends to allow small scale commercial and light industrial uses within the Jordan River area. However, during development of the OCP, all lands currently designated as Commercial were located within the flood inundation area identified by BC Hydro. In order to prevent further subdivision of land within the inundation area, and at the request of BC Hydro, the OCP established a minimum parcel size of 120 ha for all lands with the Commercial designation. These areas were also designated as Restricted Development areas. Staff are of the opinion that adding the 120 ha restriction to the Restricted Development designation would more appropriately address the inundation concerns and make the Commercial designation available for its intended purposes of providing policy guidance for rural commercial uses outside the inundation area. The subject property is outside the inundation area.

The proposed commercial bare land strata arrangement with smaller lots is intended to allow for financing and development at an individual business level, as well as to promote an opportunity for clustering and building character diversity, rather than the single-owner model with larger, more uniform building design and leased commercial spaces.

In addition to the environmental assessment, the proposal is supported by a groundwater report, prepared by a professional hydrogeological engineer, that assessed the feasibility of implementing ten individual wells to provide future commercial development with potable water. The report found that based on the potential scale of the rural commercial development, the comparatively low water quantity demand can be readily obtained from the aquifer. Furthermore, potential impacts to neighbouring wells and surface water sources were investigated, identifying that in addition to the low demand, water licenses, issued by the Province, would be required.

Staff recommend that the application be referred for community and agency comment and input.

**CONCLUSION**

The purpose of Bylaw No. 4598 and 4599 is to amend the Shirley-Jordan River Official Community Plan, Bylaw No. 4001, by redesignating a 3.3 ha portion of the subject property from Pacific Acreage (PA) to Commercial (CO) with amendments, and amend the Wildwood Terrace Neighbourhood Commercial (C-1A) zone of the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, by permitting additional commercial uses and a smaller average and minimum parcel size to facilitate subdivision. Staff have prepared the proposed Bylaws and recommend referral to the Shirley-Jordan River Advisory Planning Commission, First Nations, CRD departments, and external agencies for comment and expression of community interests. All comments received will be brought back to the Land Use Committee. At that time, the Committee may consider a recommendation for first and second reading.

**RECOMMENDATION**

That staff be directed to refer proposed Bylaw No. 4598, "Shirley-Jordan River Official Community Plan Bylaw No. 5, 2018, Amendment Bylaw No. 2, 2024", and Bylaw No. 4599, "Juan de Fuca Land Use Bylaw, 1992, Amendment No. 162, 2024" to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, First Nations and the following external agencies and for comment:

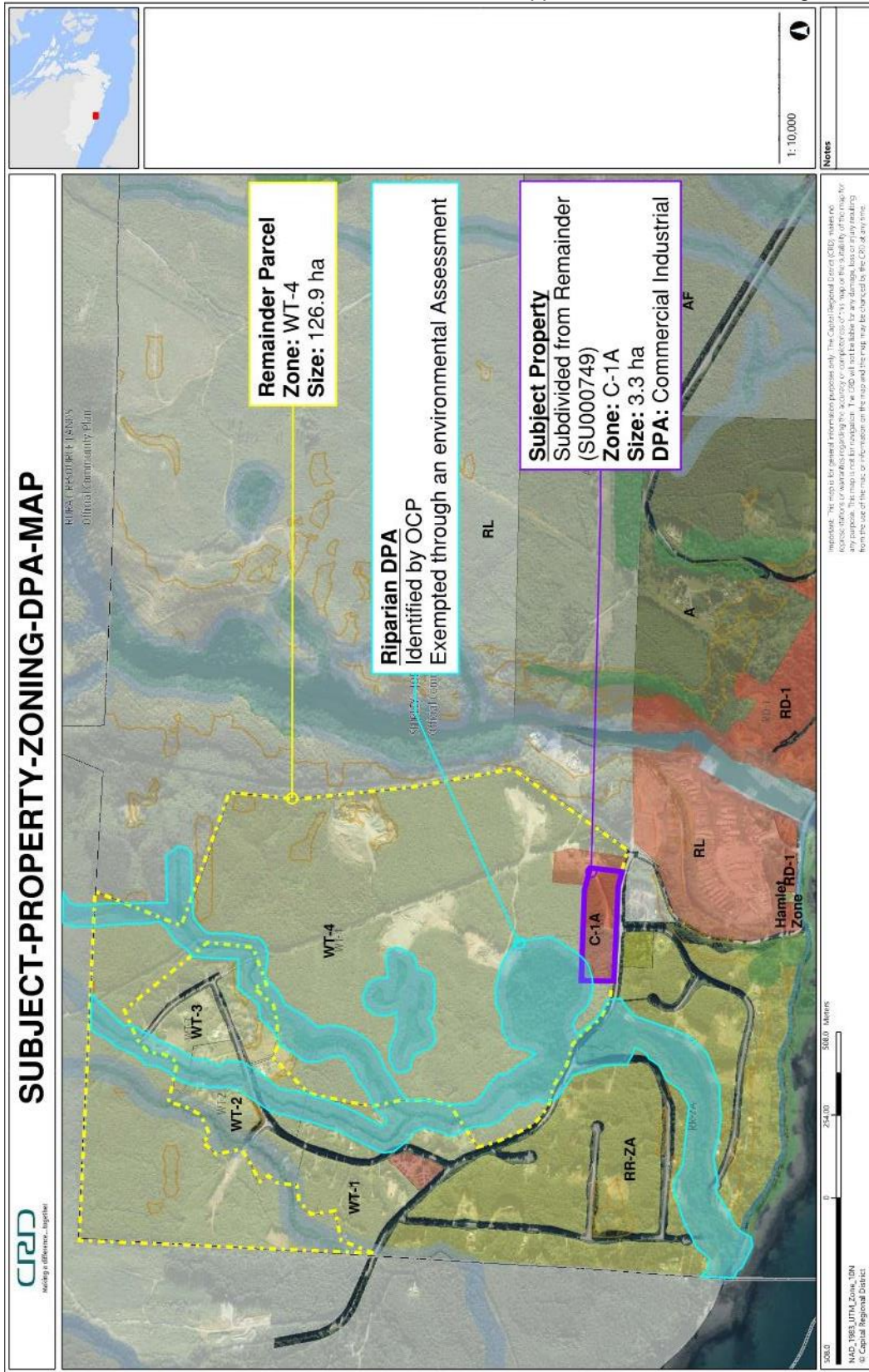
- Pacheedaht First Nation
- T'Sou-ke First Nation
- BC Hydro
- BC Parks
- District of Sooke
- Island Health
- Ministry of Forests - Archaeology Branch
- Ministry of Forests - Water Protection Section
- Ministry of Land, Water and Resource Stewardship
- Ministry of Transportation & Infrastructure
- RCMP
- Sooke School District #62

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Administration
Concurrence:	Kevin Lorette, P.Eng, MBA, General Manager, Planning & Protective Services

**ATTACHMENTS**

- Appendix A: Location, Zoning, and DPA Map
- Appendix B: Concept Plan
- Appendix C: Project Details
- Appendix D: Environmental Assessment
- Appendix E: Preliminary Groundwater Assessment, March 15, 2023, prepared by Alan P. Kohut P. Eng
- Appendix F: Bylaw No. 4598 – Outlining Proposed Amendments to the OCP
- Appendix G: Bylaw No. 4599 – Outlining Proposed Amendments to the Wildwood Terrace Neighbourhood Commercial Zone

Appendix A: Location, Zoning, and DPA Map



Appendix B: Concept Plan





A portion of  
**12036 West Coast Road**  
REZONING AND OCP AMENDMENT  
APPLICATION

December 2023

### PROJECT SUMMARY

This is a comprehensive application package for a Rezoning and Official Community Plan Amendment for a portion of 12036 West Coast Road. This portion of the property consists of approximately 8.15-acres or 3.3ha. The intention is to create smaller parcel sizes via a commercial bareland strata, add some additional neighbourhood commercial land uses, and incorporate some additional planning tools to enable appropriately scaled development within each new parcel. The proposed change in parcel size will necessitate an amendment to the OCP.

### SITE SUMMARY

The portion of property at 12036 West Coast Road under application is approximately 8.15acres (3.3ha) in size. The subject property is designated 'Pacific Acreage' in the Shirley-Jordan River Official Community Plan (OCP), and is zoned Wildwood Terrace Neighbourhood Commercial (C1-A) under the Juan de Fuca Land Use Bylaw No. 2040. This property has been zoned for neighbourhood-scale commercial purposes for some time, with the landowner preparing to create some additional commercial activity on the property.

Recently, the owner amended the zoning on the property to add Country Market and Food and Beverage Processing to support the microbrewery use at the commercial site (Bylaw 4381), received a development permit to construct the new brewery, and the commercial area is actively being subdivided from the main parcel.

### PROPOSAL

The vision for this site is to create a village gathering place for the rural community of Jordan River that will serve locals and support tourism in the region. The position of this property provides an opportunity to build a community gathering place in a location with greater resilience to several known hazards in the area. The intention is to create a number of commercial bareland strata parcels that would enable more diverse ownership and investment of a relatively large commercial site.

The application is to amend the Wildwood Terrace Neighbourhood Commercial Zone (C1-A) to permit additional land uses, reduce the minimum parcel size, introduce the concept of Floor Space Ratio, to consider a reduction to the setback for parking areas, consider reduced setbacks, and increase in building height to support architectural options by way of a site-specific zoning amendment.

The reduced parcel size will necessitate an amendment to the Shirley-Jordan River OCP. Due to the proximity of the Wildwood Neighbourhood commercial area to the Jordan River Village, it is suggested that the property be redesignated 'Commercial' in the OCP. Some

adjustment to policies related to the Commercial designation may need to be contemplated as part of this consideration.

A conceptual subdivision layout and site plan has been attached to this report as a representation of how the site could be developed (Attachment 1). This is not a large departure from what can currently be built, but it does allow much more flexibility surrounding ownership and opportunity.

## REZONING RATIONALE

### Proposed Zoning Amendments

To help achieve the vision, the following modifications are requested to the C1-A Zone by way of this application.

**a. Minimum parcel size**; the current zone permits a minimum parcel size of 3.3ha making the parcel un-subdividable. This proposal includes incorporating a minimum parcel size of 0.2ha (2000m<sup>2</sup>) within the site to accommodate a commercial bareland strata.

**Rationale:** Commercial properties have unique financing and often need more flexibility to realize the potential of the property. Creating the ability for a property owner to divide the site into individual units provides more certainty for lenders and reduces risk for future commercial owners/operators. From a practical point of view, an 8.15 acre (3.3ha) parcel is a large land area and this amendment would enable potential for new business opportunities for the community.

In addition, other existing commercial properties within the plan area have a minimum parcel size of 900m<sup>2</sup> and have a zoning of Village Commercial Zone (C-2). In this context, a 2000m<sup>2</sup> minimum parcel size can be viewed as reasonable and less intensive than other existing commercial areas.

**b. Incorporate FSR**; In order to better scale commercial buildings, its proposed that the maximum size of principal building area be replaced with the use of a Floor Space Ratio (FSR) of 0.4.

**Rationale:** Introducing FSR to the land use bylaw, used in combination with setbacks, height and lot coverage, ensures buildings are proportionate to the size of each parcel. FSR also encourages more open space on a development site, allowing the owner an opportunity to incorporate more landscaping and natural drainage solutions.

Currently, a total floor area of 2000m<sup>2</sup> is permitted for the entire parcel. Floor space ratio is proposed as a solution/tool for total floor area cap, so that future buildings would be constructed in relation to the size of the parcel created.



c. Add new permitted uses; including restaurant, personal services, offices, and health services.

**Rationale:** The proposed new uses are complimentary and in alignment with typical neighbourhood commercial activities. The proposed land uses continue to exclude automobile oriented uses such as gas station, bulk fuel sales, auto repair and carwash.

The proposed uses give those living in the area an opportunity to access some services to meet their daily needs, and include some tourist serving uses. This is in alignment with aspirations of the Shirley-Jordan River Official Community Plan, and is in alignment with uses in the Commercial designation within the Jordan River Village area.

d. Setback exemption for parking stalls; currently a 7.5m setback is required for parking stalls from the road, and a 3m setback is proposed.

**Rationale:** A 3m setback for proposed parking spaces continues to support a landscaped buffer between the road right of way and the commercial site but is a more typical setback for parking areas. This request is site-specific for this property but could be applied more generally if desired.

e. Building Setbacks; 7.5m front, 3m side yard setback, 5m rear yard setback

**Rationale:** The setbacks proposed are reasonable for the overall concept and allow for a minimum of 6m building separation within the site. These setbacks are similar to setbacks identified in other commercial zones within the plan area.

f. Building Height increase of 3 metres; currently building is limited to 9 meters. An increase of 3 meters to 12 metres is proposed.

**Rationale:** A increase in building height to 12 metres will allow for greater architectural flexibility for roof lines and is consistent with other maximum heights for commercial zoning in the plan area such as C-2 Village Commercial.

## OCP AMENDMENT RATIONALE

### Proposed OCP Amendment

The current land use designation on the property is 'Pacific Acreage'. This land use designation supports primarily rural residential uses, and enables small scale neighbourhood commercial, commercial tourism, parks and civic land uses. The proposal

does not entirely fit within the Pacific Acreage designation due to the residential nature of the designation and the typical residential lot size that is supported.

It is proposed that this property be redesignated 'Commercial' due to its proximity to Jordan River as it will help to achieve the overall OCP vision for the community. However, potential amendments to the Commercial designation may need to be considered, particularly as it relates to lot size.

The applicable OCP policies include:

*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.*

**Analysis:** The proposed land use designation of Commercial is appropriate for the land uses proposed. A further text amendment to the policies of the OCP needs consideration regarding the prescribed minimum lot size of 120 ha, which prevents further subdivision of these lands, even for economic development purposes.

*483 Objectives for Development and Local Economy*

*B. Support a range of economic activities at a scale appropriate to the size of the community and its rural nature.*

*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*

*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.*

**Analysis:** An amendment to the above-noted parcel size will be required to the 'Commercial' designation in order to establish a smaller and more appropriate parcel size for this property. Smaller commercial property sizes could be beneficial more broadly to other commercially designated properties and could help to develop a local-serving and tourist-based economy as envisioned in the OCP.

There are several local-serving commercial sites within the JdF Planning Area that have set precedent for the reduced parcel sizes for commercial sites. Many of these neighbourhood

commercial properties serve as a hub for community and serve both local and tourist needs within the area. Existing neighbourhood commercial zones have minimum lot size of 900m<sup>2</sup> (0.09ha) within the C-2 Zone of the JdF Land Use bylaw. Further emphasizing that smaller parcel sizes are appropriate in commercial sites elsewhere in the JdF Planning area and its reasonable to be considered in the 'Commercial' designation as well.

It seems that the identified hazard lands in the OCP may be impacting the potential for creating some smaller commercial parcels. In this instance, the commercial designation would apply to a parcel with no identified hazard and located outside of the Restricted Development Land Use area.

### **Other Relevant OCP Policies**

#### **Climate Change Adaptation and GHG reduction**

##### *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.*

**Analysis:** provision of some businesses and services in keeping with rural character and scale can lead to reduction in the number of vehicle trips of residents. Enabling some economic development will help support goals related to creating complete communities.

#### **REGIONAL GROWTH STRATEGY AND THE RCS**

##### **Consistency with the Regional Context Statement**

There are several applicable policies that identify consistency between this proposal and the Regional Context Statement. The following applicable policies have been identified and consistency with the RCS has been outlined.

##### **208 Regional Growth Strategy Consistency (pg. 21-23 of the OCP)**

*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.*

**Analysis:** Services to the property will be rural. Water will be provided with wells and there is no need for extending services to the area in order to facilitate the proposal. Sewer will be managed using septic systems. All health approvals will be obtained through the appropriate application processes.

*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.*

**Analysis:** This property is located outside of the identified hazard area, and will contribute to making Jordan River a more complete community. This property has the potential to provide a location for residents to gather and/or access services or programs. Amending the designation of this property to Commercial will enable this property, and more broadly other properties, to create a community meeting place/hub within the Village.

*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.*

**Analysis:** The additional uses proposed, including an appropriate lot size for commercial purposes will strengthen the regional and local economy by complementing resource-based activities with low-impact tourism uses, and the opportunity to provide local services and programs to meet the needs of residents.

#### **Consistency with the Regional Growth Strategy**

Outside Urban Containment Policy (pg 13)

Rural/Rural Residential Policy Area – this application supports and is in alignment with the Regional Growth Strategy. The area is rural, with rural servicing requirements. The commercial uses proposed are local serving that complement the rural character, including office, health services, personal services and restaurants in addition to those that are already permitted. These are typical ‘neighbourhood commercial’ uses. Any building proposal on this parcel will require the rigor of a development permit evaluation for Commercial

development. The proposed parcel size is larger than other commercial zones within the Plan Area, typically zoned C-2, which permits more intensive commercial uses than those being requested.

Protect the Integrity of Rural Communities (Pg 22-24)

Rural and rural-residential communities offer a choice of rural lifestyles and outdoor recreation opportunities that complement the surrounding working landscapes and preserve ecological diversity. This proposal does not include further residential expansion but strengthens the rural qualities of the community by creating an opportunity for a neighbourhood commercial/gathering place for the residents of Jordan River.

The character of this property will reflect the local outdoor enthusiast and the current and historical resource-based economy of the region. A hydrogeologist report has determined that there is adequate well water available to service the site and overall site drainage will enhance natural systems as the site is developed. Detailed rainwater management will be submitted as part of any future subdivision/building application.

5.1 Realize the Region's Economic Potential

*Finding ways to expand and diversify the economy of formerly resource-dependent communities in Sooke and the Juan de Fuca Electoral Area, such as through low impact recreation and tourism.*

**Analysis:** The proposed amendment is relatively minor as commercial activities are already permitted on the parcel. What this amendment does is more appropriately designates the property as 'commercial' and enables more flexibility in commercial lot size. It gives the opportunity for diversity in ownership of a large commercial site, adding resiliency for business owners while also increasing the potential of realizing commercial services in the area.

NATURAL ENVIRONMENT

The site has been evaluated by a Qualified Environmental Professional (Attachment 2). No wetlands or watercourses are located on or within 50m of its boundaries.

INFRASTRUCTURE

It is proposed that septic will accommodate any future development. The details of this will be considered as part of the bareland strata subdivision application.

Water will be provided with onsite wells. There are no anticipated concerns with provision of water as part of this proposal. The hydrogeologist report ascertains that, based on the well records situated closest to the subject property, the conditions appear very favourable for constructing relatively shallow wells within the aquifer with individual wells potentially yielding 5 to 10 USgpm (18.93 to 37.85 L/min) each (Attachment 3).

#### FIRE AND EMERGENCY SERVICING

No impact on fire and emergency servicing is anticipated as a result of the proposed amendments. Commercial activities are already permitted on the property, with the commercial site resulting in additional owners. The property permits civic use and could be used by the community, if so desired, to meet community or emergency planning requirements.

#### TRAFFIC IMPACTS

No impact is anticipated as a result of the proposed amendments. Commercial activities are already permitted on the property, and access to the site is being sorted out through the subdivision of the land. All Ministry of Transportation and Infrastructure requirements will be addressed through future strata subdivision.

#### PARKLAND DEDICATION

The applicant has already completed parkland dedication as part of a previous subdivision approval process.

#### ATTACHMENTS:

1. Conceptual Site Plan/Vision
2. Environmental Assessment letter – Corvidae Environmental Consulting
3. Hydrogeologist Report
4. Current Certificate of Title

Appendix D: Environmental Assessment



March 17, 2023

**To:** Darren Lucas  
Capital Regional District  
625 Fisgard Street  
Victoria, BC V8W 1R7

**From:** Julie Budgen, R.P.Bio.  
Corvidae Environmental Consulting Inc.  
6526 Water Street  
Sooke, BC V9Z 0X1

**12036 West Coast Road Assessment Letter for Lot Subdivision (CRD file number SU000749)**

To Darren Lucas,

On February 8<sup>th</sup>, a Qualified Environmental Professional (QEP) with Corvidae performed a site visit at 12036 West Coast Road (PID 009-573-356), to determine if the proposed 2-lot subdivision (CRD file number SU000749) at this location occurs within a Riparian Assessment Area (RAA) or within a Riparian Development Permit Area (DPA) as shown in Schedule D of the Shirley – Jordan River Official Community Plan (OCP)<sup>1</sup>.

The QEP confirmed during the assessment there are no wetlands or watercourses on the proposed lot subdivision or within 50 m of the its boundaries (Figure 1). The area mapped on Schedule D of the OCP that appears in the shape of a wetland was observed in the field to be comprised of a predominantly western redcedar (*Thuja plicata*) canopy and a salal (*Gaultheria shallon*) understory. Soils in this area possess a high clay content and thus have limited drainage capacity, however, no surface water or hydrophytic, wetland-associated vegetation was detected during the site assessment.

Given that the proposed subdivision does not occur within or in proximity to a RAA or Riparian DPA, the proposed development is exempt from requiring a development permit as per Section 534 A of the Shirley – Jordan River OCP. Photos of the property and adjacent forested habitat (including mapped DPAs) have been included in Appendix A.

If you have any questions or concerns, please contact me for further details.

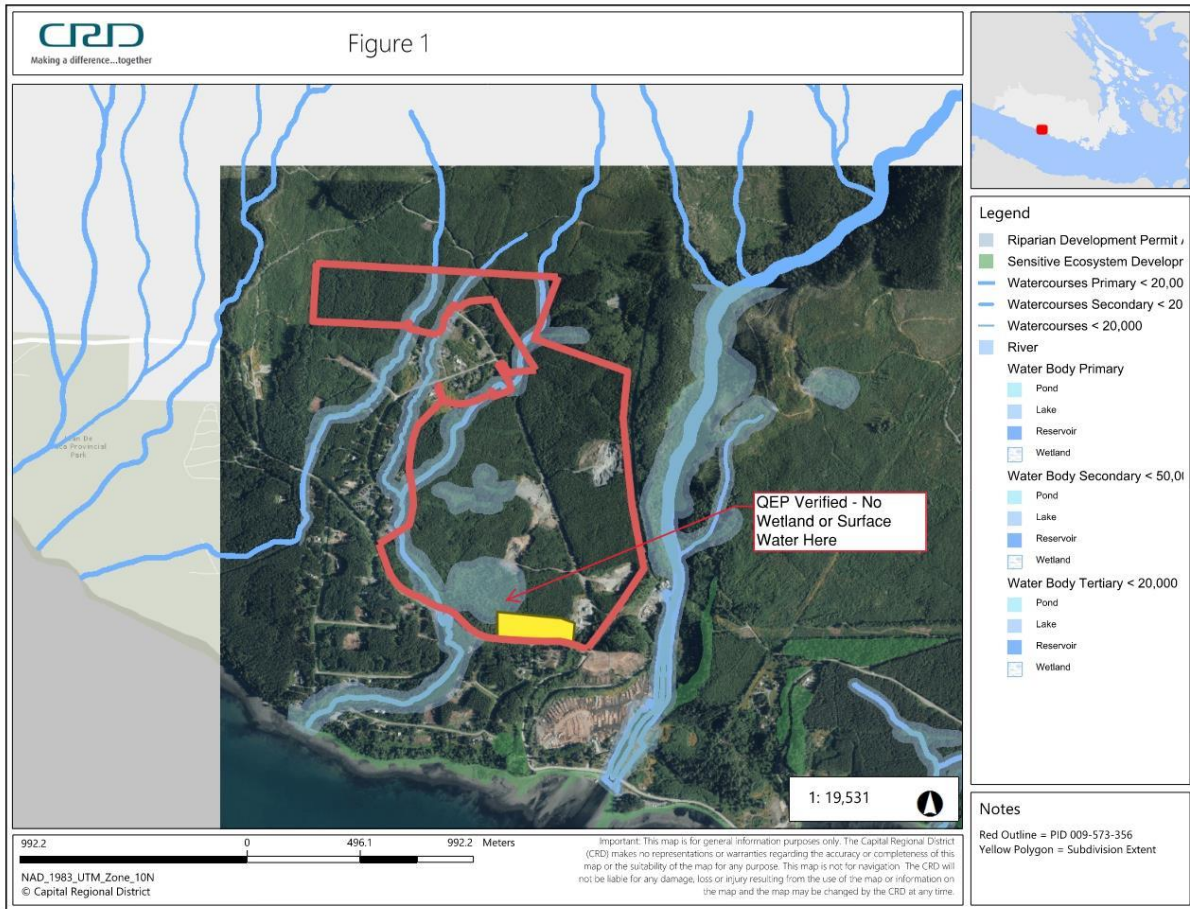
Prepared by,



Julie Budgen, R.P.Biol., B.Sc.,  
Senior Environmental Planner  
250-415-8553

<sup>1</sup> Shirley -Jordan River OCP. 2018 [https://www.crd.bc.ca/docs/default-source/crd-document-library/bylaws/juandefucaelectoralea/3717---official-community-plan-for-shirley-jordan-river-bylaw-no-1-2010b.pdf?sfvrsn=573a9ac\\_6](https://www.crd.bc.ca/docs/default-source/crd-document-library/bylaws/juandefucaelectoralea/3717---official-community-plan-for-shirley-jordan-river-bylaw-no-1-2010b.pdf?sfvrsn=573a9ac_6)









## APPENDIX A – SITE PHOTOS

Photo 1. Northwest view of mapped Riparian DPA. February 8, 2023.



Photo 2. Typical view of forested habitat on the property in the west extent. February 8, 2022.



Appendix E: Preliminary Groundwater Assessment, March 15, 2023, prepared by Alan P. Kohut P. Eng



File: 2205191

March 15, 2023

Totangi Properties Ltd  
Jordan River BC

Attention: [REDACTED]

**Re: Preliminary Groundwater Assessment for Wildwood Terrace Neighbourhood Commercial Zone, C-1A at Jordan River**

As requested, Hy-Geo Consulting has completed a desktop assessment of the feasibility of obtaining a sufficient supply of potable groundwater involving up to 10 individual water supply wells for the proposed subject property development at Jordan River (Figure 1). Potential impacts of the proposed groundwater use on neighbouring properties and existing water sources including wells and nearby streams has also been assessed. My understanding is that drilling and testing of an initial production well for a proposed brewery on one of the proposed parcels is currently being planned.

**Site Location**

The subject property is situated along the north side of the West Coast Road at Jordan River (Figure 1) and currently zoned as Wildwood Terrace Neighbourhood Commercial Zone, C-1A under Bylaw No. 2040, "Juan de Fuca Land Use Bylaw, 1992" (CRD, 2023a). In 2021 an amendment to Bylaw No. 2040 under Bylaw No. 4381 included added potential water uses for food and beverage processing and country market (CRD, 2021). The current proposal for the property includes 10 commercial use parcels ranging in size from 0.20 to 0.46 hectares in size (Figure 2). There are numerous existing wells in the general region directly south and west of the property (Figure 3). First Creek lies approximately 175 m (574 feet) west of the western boundary of the property. The site is situated at an elevation of about 55 m (180.4 feet) on a glacial-fluvial terrace that slopes gently southwesterly towards the ocean. Towards the southeast, elevations drop abruptly from the site towards the mouth of the Jordan River.

**Climate**

The region is situated in the *Coastal Western Hemlock Biogeoclimatic Zone* with long, mild, and wet winters, and relatively sunny and dry summers. While a long-term climate station for Jordan River is not available, monthly normal precipitation for the Sooke Lake North climate weather station for the 1981-2010 period has been reported by the Government of Canada (2023) for climate station 1017563 as shown in Figure 4. The region receives about 1497 mm of precipitation on an annual basis (Government of Canada, 2023). Precipitation normally follows a seasonal cycle, with highest rainfall during the fall, winter and early spring months while the summer months are subject to drought conditions.



Figure 1. Location of subject property at Jordan River. Basemap from Province of British Columbia (2022a).

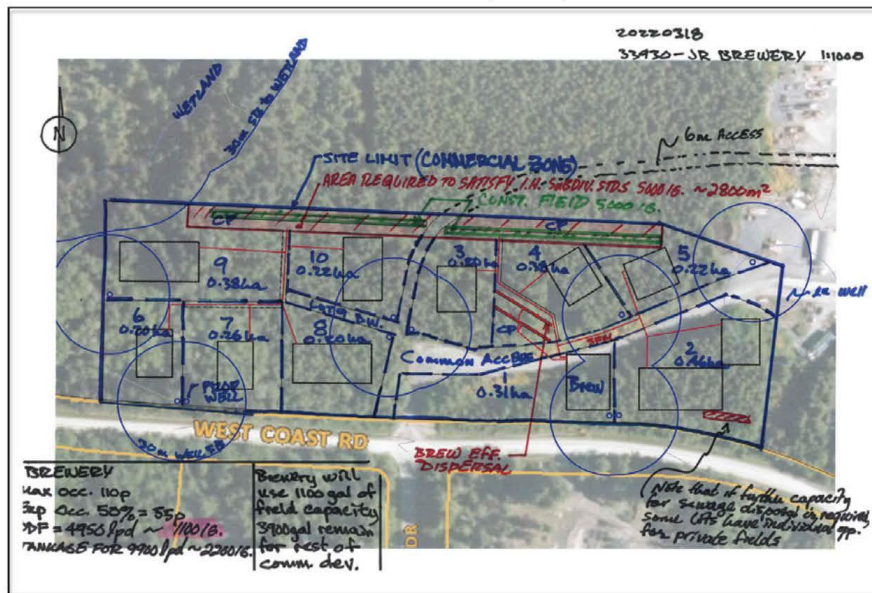


Figure 2. Draft proposed parcel plan for property. Figure from Totangi Properties Ltd., July 14, 2022.

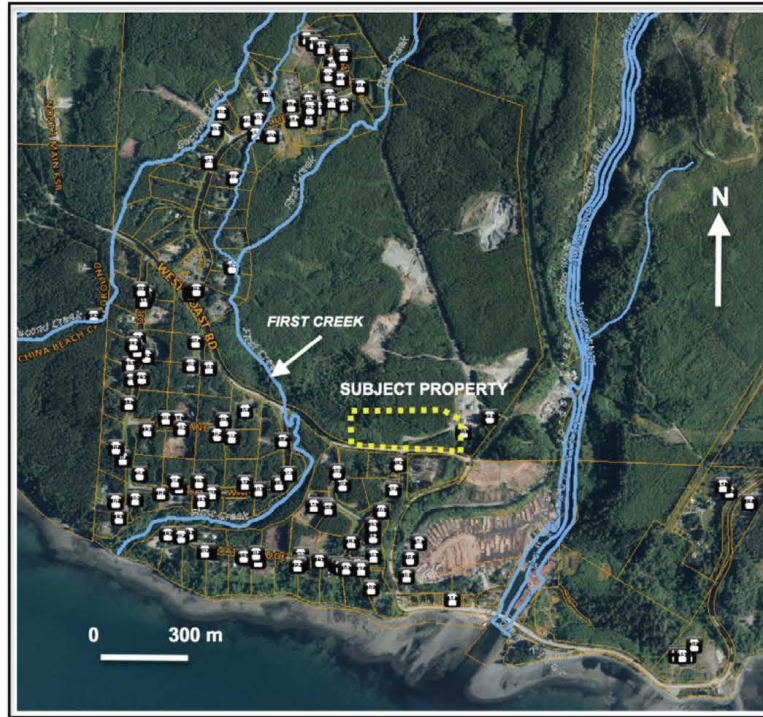


Figure 3. Location of neighbouring water wells and streams. Basemap from CRD (2022b).

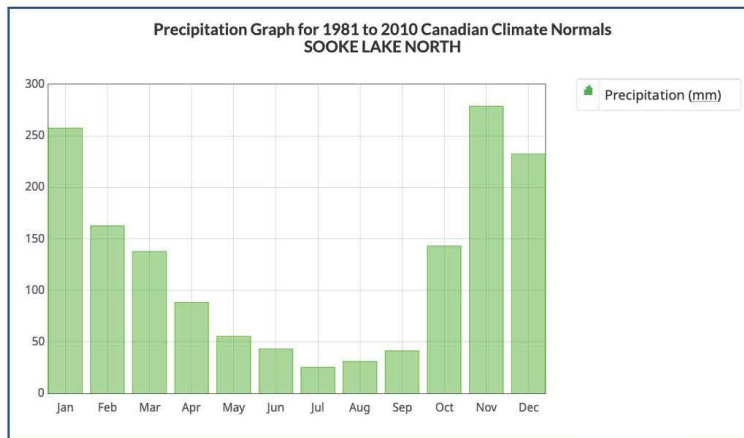


Figure 4. Graph of monthly normal precipitation for Sooke Lake North station (Climate ID. 1017563). Graph from Government of Canada (2023).

### Geology and Hydrogeological Setting

The subject property is underlain by a confined glacio-fluvial sand and gravel aquifer system, designated Aquifer 944 under the *BC Aquifer Classification System* (Bernardinucci and Ronneseth, 2002). The aquifer is also classified as a moderately productive and moderately vulnerable IIB aquifer. More detailed descriptions of the aquifer can be found at the *British Columbia Water Resources Atlas* (Province of British Columbia, 2022a).

The *British Columbia Water Resources Atlas* also shows a fractured crystalline aquifer, (Aquifer 943) comprised of igneous intrusive or metamorphic, meta-sedimentary, and meta-volcanic rocks underlying the unconsolidated deposits of Aquifer 944.

Examination of drilling records in the region carried out under this assessment also indicated descriptions of sedimentary sandstone, conglomerate and siltstone underlying the unconsolidated deposits locally. These latter bedrock units may belong to the Sooke Formation that has been reported to be comprised of cross-bedded sandstone, interbedded with lesser amounts of siltstone, and conglomerate containing cemented pebble to boulder sized clasts (Massey, 1994; Yorath and Nasmith, 1995).

Groundwater occurs within the pore spaces of the unconsolidated deposits and in open fractures in the underlying bedrock as they are encountered during drilling of water wells. Groundwater is likely recharged by infiltration of precipitation and runoff from the upland area north of the aquifer with groundwater moving southerly towards lower elevations and ultimately discharging to the ocean.

### Reported Wells

Figure 5 shows the location of reported wells in the vicinity of the subject property. The majority of these are situated south and west of the property. A summary of the wells shown in Figure 5 is provided in Table 1. Wells are identified with a unique, computer generated WTN (well tag number) in the provincial WELLS database (Province of British Columbia, 2022a and 2022b). The wells shown do not necessarily comprise all existing wells in the area and all well locations have not been necessarily verified in the field.

Well records for the region shown in Figure 5 indicate that the unconsolidated deposits comprise a heterogeneous array of materials ranging from glacial till, cobbles and boulders, fine sand and silt to coarse-grained gravels. The unconsolidated deposits range from 33 to 418 feet (10.06 to 127.41 m) in thickness. Most wells are completed in sand and gravel units with or without well screens. Reported well yields range from 2 to 80 USgpm (7.57 to 302.83 L/min) with a median of 10 USgpm (37.85 L/min). About 20 percent of the wells shown in Figure 5 are completed in bedrock at depths ranging from 280 to 598 feet (85.34 to 182.27 m) with well yields in the range 1 to 7 USgpm (3.78 to 26.50 l/min) with a median of 5 USgpm (18.93 L/min).

### **Groundwater Prospects on the Subject Property**

Based on the records of wells situated closest to the subject property (Figure 6), the geologic conditions appear very favourable for constructing relatively shallow wells within the unconsolidated aquifer unit. Figure 7 shows that there may be up to 10 m (32.81 feet) of saturated sand and gravel underlying the site with individual wells potentially yielding 5 to 10 USgpm (18.93 to 37.85 L/min) each.

### **Potential Water Demands for Future Commercial Uses**

CRD Bylaws No. 2040 and Bylaw No. 4381 permit the following principle land uses in the commercial zoned property namely:

- (a) Convenience Store;
- (b) Retail Store, excluding gas bars, gas stations or bulk fuel sales, auto repair or car wash, or any use for which a permit is required under the *Environmental Management Act or Regulation*;
- (c) Civic Uses;
- (d) Food and beverage processing;
- (e) Country Market.

It is estimated that the proposed brewery for the subject property would initially need 350,000 L/year (959 L/day) of potable water potentially growing to 2,000,00 L/year (5480 L/day) after 5 years (Totangi Properties, 2023). This would be equivalent to an initial well production rate of 0.18 USgpm growing to 1.01 USgpm, from a well on the property. Other parcels at the site would unlikely require as much water for their needs compared to the brewery requirements. While the specific individual business water needs are not currently known, the maximum total potential water use from 10 wells on the site would not likely be more than 3 to 5 USgpm (11.36 to 18.93 L/min). Geological and groundwater conditions based on neighbouring wells indicates this quantity of water could be readily obtained from properly designed and constructed wells on the subject property.

### **Potential Impacts on Neighbouring Wells and Surface Water Sources**

Based on a relatively low, continuous water demand of 3 to 5 USgpm (11.36 to 18.93 L/min) from the commercial site, it is unlikely that groundwater use at this rate would have any significant effect on neighbouring wells or the flows of First Creek. Potential wells used for commercial purposes would also need to be adequately tested to support an application for a water licence under the *Water Sustainability Act* and meet provincial guidelines for testing and monitoring (Todd *et al.*, 2016 and 2020) to assess any potential impacts on neighbouring wells or nearby surface water sources.

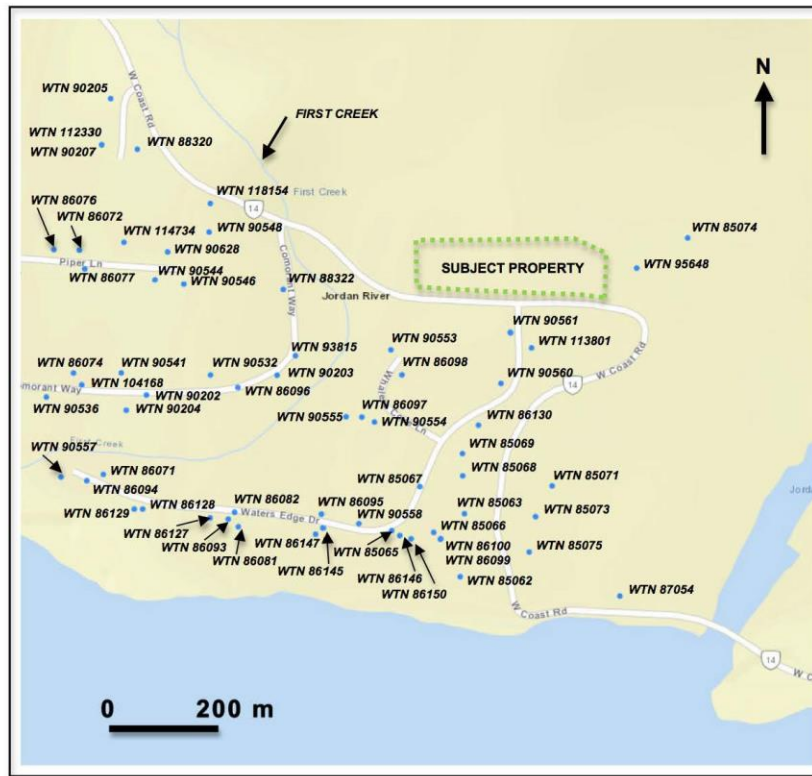


Figure 5. Reported wells in the vicinity of the subject property. Well locations and basemap from Province of British Columbia (2022a).

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Table 1. Summary of water wells at and in vicinity of subject property.

Well No. (WTN)	Well Identification Plate No. (WIC)	Depth Drilled or Dig (feet)	Depth Well Drilled (m)	Diameter (inches)	Diameter (cm)	Driller's Estimated Yield (gpm)	Water Depth (feet)	Water Depth (m)	Depth to Bedrock (feet)	Depth to Bedrock (m)	Construction Completion Date	General Remarks	Legal District Lot	Legal Plan	Lot No.	Section	Owner When Constructed	Well Purpose
85062		39	11.89	6	15.24	3	14	4.27	39	11.89	03/29/2005	5.5 inch screen set 34.3 to 39 ft, 18 slot, sand and gravel			1	4		Private Domestic
85063		280	85.34	6	15.24	5	165	50.29	40	12.19	04/13/2005	sandstone 40-70 ft, conglomerate 70 to 280 ft, 1 gpm at 240, 3 gpm at 260 and 5 gpm at 280 ft			2			Private Domestic
85065		280	85.34	6	15.24	6	174	53.04	40	12.19	04/04/2005	sandstone 40-73 ft, conglomerate 73 to 280 ft, 0.5 gpm at 220, 2 gpm at 240 and 4 gpm at 280 ft, 6 gpm at 280 ft			3	4		Private Domestic
85066		50.5	15.39	6	15.24	5	28	8.53			04/01/2005	5.5 inch screen set 43 1/2" to 50.5 ft, 10 slot, sand and gravel			4	4		Private Domestic
85067		280	85.34	6	15.24	5	150	45.72	35	10.67	03/30/2005	sandstone 35-45 ft, conglomerate 65 to 280 ft, 0.5 gpm at 220, 2 gpm at 240 and 4 gpm at 280 ft, 5 gpm at 280 ft			5			Private Domestic
85068		280	85.34	6	15.24	5	187	57.00	33	10.06	04/12/2005	sandstone 33-45 ft, conglomerate 65 to 280 ft, 0.5 gpm at 220, 2 gpm at 240 and 4 gpm at 280 ft, 5 gpm at 280 ft			1	4		Private Domestic
85069		285	86.87	6	15.24	3	213	64.92	54	16.46	04/08/2005	sandstone 54-72 ft, conglomerate 72 to 285 ft			7	4		Private Domestic
85071		280	85.34	6	15.24	7	200	60.96	42	12.80	04/07/2005	sandstone 54-75 ft, conglomerate 75 to 280 ft, 0.5 gpm at 240, 3 gpm at 260 and 7 gpm at 280 ft			9	4		Private Domestic
85073		300	91.44	6	15.24	6	160	48.77	33	10.06	03/23/2005	sandstone 33-70 ft, shale 70-96, mudstone? 96-130, conglomerate 130 to 240 ft, sandstone 240-275, conglomerate 275-300, 1.5 gpm at 240, 2 gpm at 290, 5 at 280, and 6 at 300 feet			11	4		Private Domestic
85074		280	85.34	6	15.24	6	150	45.72	34	10.36	03/28/2005	sandstone 34-60 ft, conglomerate 60 to 90 ft, sandstone 95-120, conglomerate 120-280, 1.5 gpm at 240, 4 gpm at 280, 6 at 280			12	4		Private Domestic
85075		44	13.41	6	15.24	10	19	5.79			03/22/2005	drilled to 52 feet, sand and gravel with boulders, open bottom			14	4		Private Domestic
86071	18003	130	39.62	6	15.24	2	70	21.34			10/17/2006	drilled to 137 ft, sand with little gravel, screen set 123.5 to 130 ft, 16 slot	68644		21	4		Private Domestic
86072	18064	120	36.58	6	15.24	15	88	26.82			12/07/2006	1 gravel and sand, screen set 113.5 to 120 ft, 25 slot	68644		45	4		Private Domestic
86074	18069	120	36.58	6	15.24	10	88	26.82			12/20/2006	gravel with boulders, open hole	68644		36	4		Unknown Well Use
86076	18161	100	30.48	6	15.24	10	69	21.03			12/11/2006	gravel with boulders, open hole	68644		46	4		Private Domestic
86077	18070	134.5	41.00	6	15.24	15	91	27.74			12/06/2006	gravel and sand, screen set 128 to 134.5 ft, 10 slot	68644		41	4		Unknown Well Use
86081	18002	154.9	47.21	6	15.24	3	125	38.10			10/21/2006	sand and gravel, screen set 149 to 154.9 ft, 25 slot	68644		62	4		Private Domestic
86082	18007	151	46.02	6	15.24	2	115	35.05			10/19/2006	sand and gravel, screen set 144.25 to 151, 15 slot	68644		20	4		Private Domestic
86093	18157	518	157.89	6	15.24	2			418	127.41	08/23/2006	completed in sandstone, overlain by silty sand, fill and clay	68644		6	4		Private Domestic
86094	18006	132	40.23	6	15.24	5	70	21.34			10/11/2006	gravel with sand, screen set 125.25 to 13 ft, 12 slot	68644		10	4		Private Domestic
86095	18196	153	46.63	6	15.24	2	134	40.84			10/24/2006	sand with gravel, open hole	68644		18	4		Private Domestic
86096	18067	129	39.32	6	15.24	10	77	23.47			11/16/2006	sand with gravel, open hole	68644		33	4		Private Domestic
86097	18158	147	44.81	6	15.24	2	108	32.92			11/09/2006	gravel with sand, screen set 140.3 to 147 ft, 12 slot	68644		26	4		Private Domestic
86098	18160	149	45.42	6	15.24	7	108	32.92			11/14/2006	gravel with sand, open hole	68644		23	4		Private Domestic
86099	18159	298.5	90.98	6	15.24	2.5	160	48.77	314	95.71	11/07/2006	sand, screen set 291 to 298.5 ft, 16 slot	68644		16	4		Private Domestic

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Well Tag No. (WTN)	Well Identification Plate No. (WID)	Depth Drilled or Dug (feet)	Depth Well (m)	Diameter (inches)	Diameter (cm)	Driller's Estimated Yield (Usqam)	Water Depth (m)	Water Depth (feet)	Depth to Bedrock (m)	Depth to Bedrock (feet)	Construction Completion Date	General Remarks	Legal District Lot	Legal Plan	Lot No.	Section	Owner When Constructed	Well Purpose
86100	18001	305	92.96	6	15.24	6	160	48.77			11/01/2006	sand, screen set 298.5 to 305 ft, 18 slot	68644		1	4		Private Domestic
86127	18162	149	45.42	6	15.24	8	111	33.83			10/06/2006	sand and gravel, screen set 142.25 to 149 ft, 20 slot	68644		7	4		Private Domestic
86128	18199	598	182.27	6	15.24	1	150	45.72	406	124.36	10/04/2006	handstone bedrock, 0.75 gpm at 520 ft, 1 gpm at 598 ft	68644		8	4		Private Domestic
86129	18198	427	130.15	6	15.24	10	150	45.72			09/27/2006	sand and gravel, open hole	68644		9	4		Private Domestic
86130	18004	219	66.75	6	15.24	20	154	46.94			09/04/2006	gravel and sand, open hole	68644		15	4		Private Domestic
86145	18195	150	45.72	6	15.24	10	121	36.88			09/14/2006	gravel, open hole	68644		4	4		Private Domestic
86146	18109	157	47.55	6	15.24	8	100	30.48			09/12/2006	gravel and sand, sally, screen set 150.3 to 157 ft, 25 slot	68644		3	4		Private Domestic
86147	18197	167	57.00	6	15.24	10	144	43.89			09/19/2006	sandy gravel, open hole	68644		5	4		Private Domestic
86150	18200	310	94.49	6	15.24	25-	150	45.72			09/11/2006	sand and gravel, screen set 303.3 to 310 ft, 20 slot	68644		2	4		Private Domestic
87054		60	18.29	6	15.24	80 to 100					02/09/2005	sand with gravel, screen set 60 to 80 ft, 12 slot	4194		6	2		Unknown Well Use
88330	18055	96	29.27	6	15.24	10	20	6.10			01/16/2003	boulders and gravel, open hole	68644		47	4		Private Domestic
88332	18049	121	36.88	6	15.24	12	55	16.76			01/05/2000	gravel and sand, open hole	68644		38	4		Private Domestic
90202	18081	96	29.26	6	15.24	10	45	13.72			01/03/2007	sand and gravel, open hole	68644		29	4		Unknown Well Use
90203	18082	127	38.71	6	15.24	10	68	20.73			01/04/2007	gravel, open hole	68644		28	4		Unknown Well Use
90204	18084	119	35.97	6	15.24	8	77	23.47			01/11/2007	sand, little gravel, screen set 111.5 to 119, 12 slot	68644		30	4		Unknown Well Use
90205	18086	59	17.98	6	15.24	10	16	4.88			01/15/2007	gravel, open hole	68644		50	4		Unknown Well Use
90207	18087	59	17.98	6	15.24	10	18	5.49			01/16/2007	coarse gravel, open hole	68644		49	4		Unknown Well Use
90532	18572	138	42.06	6.625	16.83	12					12/21/2006	coarse gravel, open hole	VID83339		34	2		Private Domestic
90536	18570	110	33.53	6.625	16.83	12	55	16.76			12/20/2006	coarse gravel, open hole	VID83339		32	2		Private Domestic
90541	18592	238	72.54	6.625	16.83	30	35	10.67			12/16/2006	gravel, open hole	VID83339		35	2		Private Domestic
90544	18561	146	44.50	6.625	16.83	6	112	34.14			12/09/2006	gravel and sand, open hole	VID83339		40	2		Private Domestic
90546	18580	155	47.24	6.625	16.83	20	110	33.53			12/09/2006	coarse gravel, open hole	VID83339		39	2		Private Domestic
90548	18562	154	46.94	6.625	16.83	19	109	33.22			12/09/2006	gravel and sand, open hole	VID83339		43	2		Private Domestic
90553	18581	150	45.72	6.625	16.83	6	87	26.52			11/14/2006	coarse sand and gravel, screen set 148 to 150, 10 slot	VID83339		22	2		Private Domestic
90554	18598	149	45.42	6.625	16.83	18	78	23.77			11/10/2006	coarse sand and gravel, open hole	VID83339		24	2		Private Domestic
90555	18598	134	40.84	6.625	16.83	8	86	26.21			11/09/2006	coarse sand and gravel, open hole	VID83339		25	2		Private Domestic
90557	18597	142	43.28	6.625	16.83	18	87	26.52			11/02/2006	gravel, coarse sand, open hole	VID83339		11	2		Private Domestic
90558	18596	157	47.85	6.625	16.83	6	117	35.66			10/31/2006	gravel and sand, open hole	VID83339		17	2		Private Domestic
90560	18599	119	36.27	6.625	16.83	4	92	28.04			10/26/2006	gravel and sand, screen set 115 to 119, 20 slot	VID83339		14	2		Private Domestic
90561	18580	70	21.34	6.625	16.83	20					10/25/2006	gravel and sand, screen set 66 to 70, 18 slot	VID83339		13	2		Private Domestic
90628	18579	154	46.94	6.625	16.83	5	112	34.14			12/09/2006	gravel and sand, open hole	VID83339		44	2		Private Domestic
93815	18595	113	34.44	6.625	16.83	6					11/15/2006	gravel and sand	VID83339		27	2		Private Domestic
95648	18153	114	34.75	6	15.24	10	71	21.64			07/19/2006	gravel, open hole	427R, 23875		7	4		Private Domestic
104168	19618	120	36.58	6.125	15.56	15	98	29.87			04/16/2010	gravel and sand, open hole			36			Private Domestic
112330	34474	300	91.44	6.125	15.56	3			170	51.82	10/29/2014	silstone, open hole 178.5 to 300 ft	VIP68644		48			Private Domestic
113801	52111	96	29.26	6	15.24	4	77	23.47			10/20/2017	coarse sand with boulders, water-bearing 78 to 88 feet	427 R				Private Domestic	
114734	52189	280	85.34	4	10.16	2.5	166	50.60	35	10.67	03/01/2018	gray rock, fracture at 262 feet, perforated liner from 180 to 280 feet	VIP79213		7	4		Private Domestic
118154	53598	114	34.75	6	15.24	10	85	25.91			08/22/2019	gravel, screen set 108 to 114 ft, 40 slot	VIP83894		43	4		Private Domestic

8

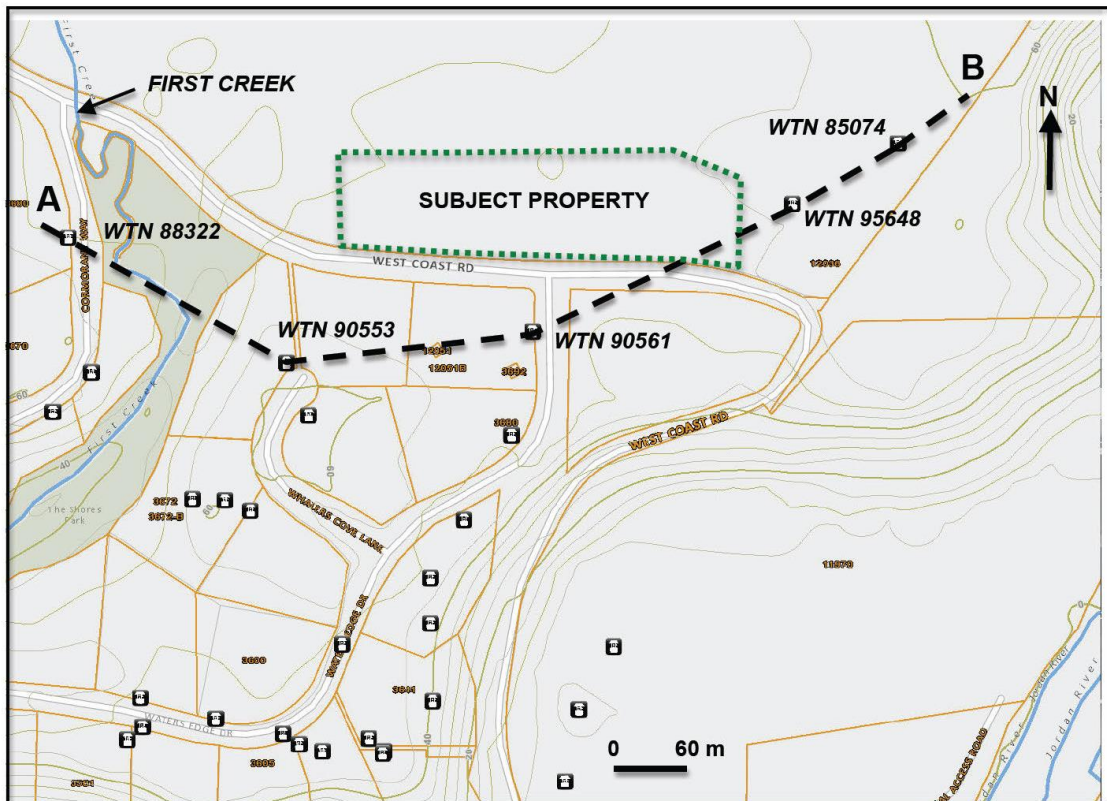


Figure 6. Location of geologic cross section A-B in relation to subject property. Basemap from CRD, 2022a.

9



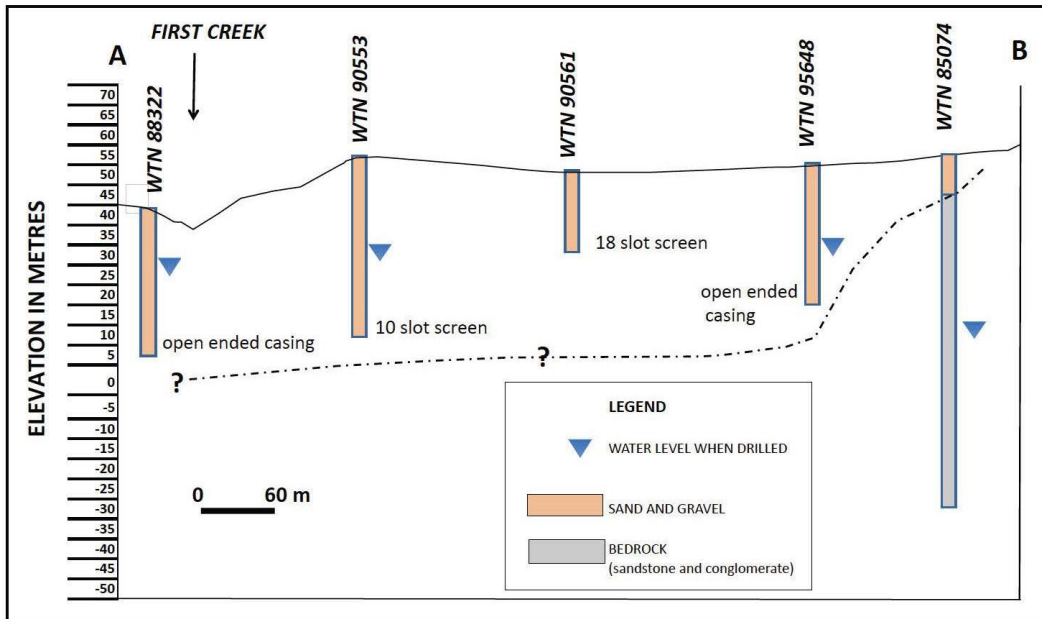


Figure 7. Geologic cross section A-B looking northerly towards subject property.

On-site waste water disposal may pose some minor risk to the aquifer and would require properly designed and constructed waste water treatment systems to minimize any potential impacts on the groundwater resource and neighbouring wells. Wells would need to be constructed in compliance with the *Groundwater Protection Regulation* under the *Water Sustainability Act*. The presence of glacial till near the surface in some wells and relatively deep water levels ranging from 55 to 87 feet (16.76 to 26.52 m) as shown in Figure 7 would minimize any potential risks of aquifer contamination.

### Conclusions

Based on examination of available geological and groundwater information in the vicinity of the Wildwood Terrace Neighbourhood Commercial Zone, the prospects for constructing individual wells on each of the ten proposed land parcels are very encouraging. There may be up to 10 m (32.81 feet) of saturated sand and gravel underlying the site with individual wells potentially yielding 5 to 10 USgpm (18.93 to 37.85 L/min) each.

The maximum total water demand for ten parcels is estimated to not likely exceed 3 to 5 USgpm (11.36 to 18.94 L/min) on a continuous basis. The proposed brewery on the property would likely be the largest user of water initially at 350,000 L/year (959 L/day) increasing to 2,000,00 L/year (5480 L/day) after 5 years. It is unlikely that groundwater use at a continuous rate up to 3 to 5 USgpm (11.36 to 18.94 L/min) would have any significant effect on neighbouring wells or the flows of First Creek.

On-site waste water disposal may pose some minor risk to the aquifer and would require properly designed and constructed waste water treatment systems to minimize any potential impacts on the groundwater resource and neighbouring wells. The presence of glacial till near the surface and relatively deep water levels ranging from 55 to 87 feet (16.76 to 26.52 m) would also minimize potential risks of aquifer contamination.

### Recommendations

The following recommendations are provided for consideration:

1. Proceed with the design and construction of a water supply well for the proposed brewery and pump test the well to evaluate the aquifer parameters and to support a water licence application.
2. Monitor water levels in a neighbouring well during the pump testing of the proposed brewery well and sample the brewery well for laboratory water quality analysis.
3. Develop a *Well Protection Plan* for the brewery well to minimize any potential risks to water quantity depletion or water quality degradation.

### Closure

This report was prepared in accordance with generally accepted engineering, hydrogeological and consulting practices. It is intended for the prime use by Totangi Properties in connection with its purpose as outlined under the scope of work for this project. This report is based on data and information available to the author from various sources at the time of its preparation and the findings of this report may therefore be subject to revision. Data and information supplied by others has not been independently confirmed or verified to be correct or accurate in all cases. The author retains full copyright of the material contained in this report. The author and Hy-Geo Consulting accepts no responsibility for damages suffered by any third party as a result of any unauthorized use of this report. Any errors, omissions or issues requiring clarification should be brought to the attention of the author.

Respectfully submitted,

  
A.P. Kohut  
March 19, 2024

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Principal and Senior Hydrogeologist

HY-GEO CONSULTING  
Permit to Practice Number: 1001034

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Appendix F: Bylaw No. 4598 – Outlining Proposed Amendments to the OCP

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4598**

\*\*\*\*\*  
**A BYLAW TO AMEND BYLAW NO. 4001, THE “SHIRLEY-JORDAN RIVER OFFICIAL COMMUNITY  
PLAN, BYLAW NO. 5, 2018”**  
\*\*\*\*\*

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

1. Bylaw No. 4598 being the "Shirley- Jordan River Official Community Plan, Bylaw No. 5, 2018" is hereby amended:

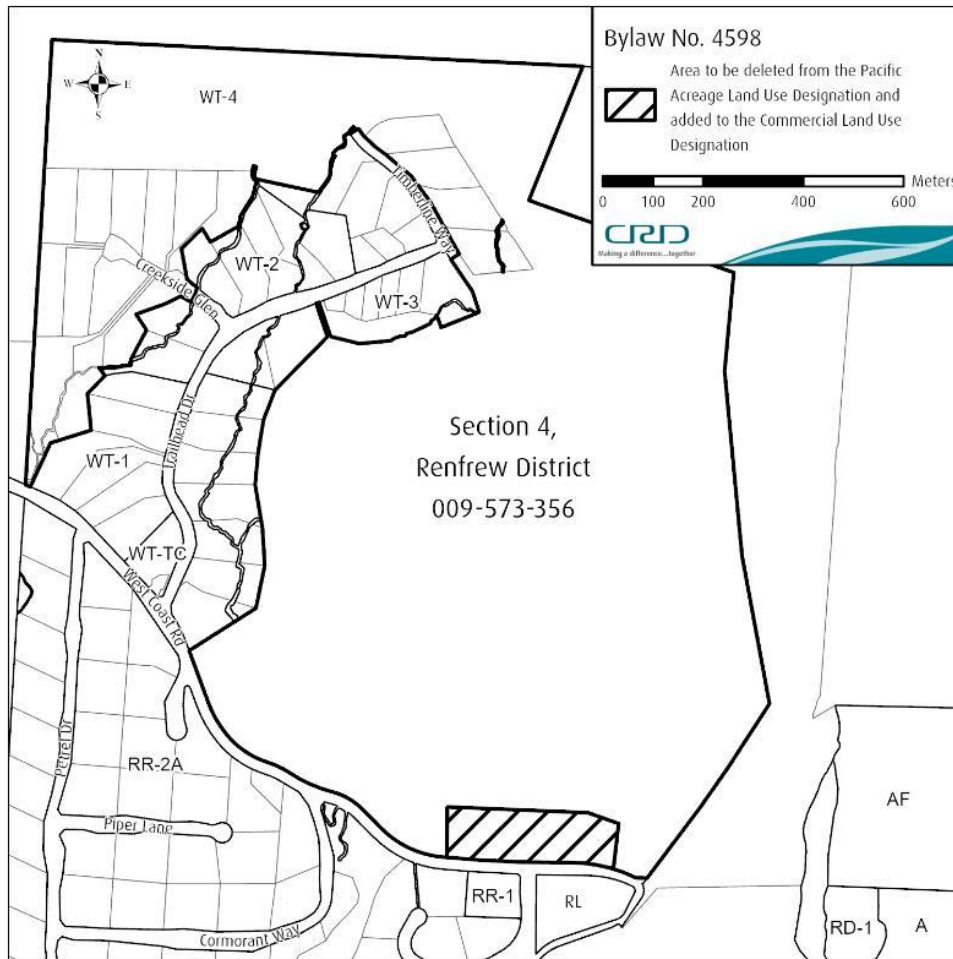
**A. SCHEDULE A – SECTION 208 REGIONAL GROWTH STRATEGY CONSISTENCY**

- (a) By deleting the text of the following paragraph in Schedule A Section 208 B on page 21:  
“A Commercial Land Use Designation has been applied to lands in Jordan River that are deemed not safe for residential habitation.”
- (b) By deleting the text of the following paragraph in Schedule A Section 385 on page 74:  
“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.”
- (c) By replacing the text of the 5<sup>th</sup> paragraph in Schedule A Section 386 on page 76 as follows:  
“The Commercial Land Use Designation applies to lands in Jordan River that provide a potential for local services towards development in the local economy; where some of those lands restrict/prohibit residential and overnight habitation uses due to the risk of flooding. An average density of one parcel per 0.4 ha within a plan of subdivision is supported. ~~The prescribed minimum lot size (120 ha) would prevent further subdivision of these lands.~~”
- (d) By replacing the text of Schedule A Section 404 as follows:  
“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
- (e) By replacing the text of Schedule A Section 484 N as follows:  
“For lands designated as Commercial on Schedule B, an average density of one parcel per ~~120~~ 0.4 hectares ~~and no~~ with one caretaker dwelling is supported”
- (f) By replacing the text of Schedule A Section 484 R as follows:  
“For lands designated Renewable Resource ~~and Restricted Development~~ on Schedule B, a density of one parcel per 120 hectares is supported. ~~and e~~One dwelling per parcel is supported for those lands designated Renewable Resource.

**B. SCHEDULE B – LAND USE DESIGNATIONS**

- (a) By deleting that part of Section 4, Renfrew District Except Those Parts In Plans 427R, 23879, VIP68644, VIP79213, VIP80549, VIP82411 And EPP69011, from the Pacific Acreage Land Use Designation, as shown on Plan No. 1;
- (b) By adding that part of Section 4, Renfrew District Except Those Parts In Plans 427R, 23879, VIP68644, VIP79213, VIP80549, VIP82411 And EPP69011, to the Commercial Land Use Designation, as shown on Plan No. 1.

**Plan No. 1 of Bylaw 4406, an amendment to Bylaw No. 4001**



2. This bylaw may be cited as "Shirley – Jordan River Official Community Plan, Bylaw No. 5 2018, Amendment Bylaw No. 2, 2024".

READ A FIRST TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.

READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

Appendix G: Bylaw No. 4599 – Outlining Proposed Amendments to the Wildwood Terrace Neighbourhood Commercial Zone

CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4599

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

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

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

**A. SCHEDULE A, PART 2 - ZONING DISTRICTS**

- (a) By deleting section 6G.0 Wildwood Terrace Neighbourhood Commercial Zone – C-1A and replacing it with the amended 6G.0 Wildwood Terrace Neighbourhood Commercial Zone – C-1A as follows:

**6G.0 WILDWOOD TERRACE NEIGHBOURHOOD COMMERCIAL ZONE - C-1A**

*Bylaw 3759*

**6G.01 Permitted Uses**

In addition to the uses permitted in Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted in the Wildwood Terrace Neighbourhood Commercial C-1A Zone:

Principal Uses:

- (a) Convenience Store;
- (b) Retail Store, excluding gas bars, gas stations or bulk fuel sales, auto repair or car wash, or any use for which a permit is required under the *Environmental Management Act or Regulation*;
- (c) Civic Uses;
- (d) Food and Beverage Processing; *Bylaw 4381*
- (e) Country Market; *Bylaw 4381*
- (f) Restaurant; *Bylaw 4599*
- (g) Personal Services; *Bylaw 4599*
- (h) Offices; *Bylaw 4599*
- (i) Health Services; *Bylaw 4599*

Accessory Uses:

- (j) Residential;
- (k) Screened storage yard;
- (l) Buildings or structures accessory to the above uses pursuant to Part 1, Subsection 4.01.
- (m) Onsite store, picnic area, lounge and special event area accessory to a manufacturer liquor licence subject to the *Liquor Control and Licensing Act*. *Bylaw 4381*

**6G.02 Minimum Parcel Size for Subdivision Purposes**

- (a) The minimum parcel size for subdivision purposes is 0.4 ha;
- (b) Notwithstanding Section 6G.02(a) of Part 2 of this Bylaw, lot averaging is permitted with an average lot size of 0.4 ha and a minimum lot size of 0.2 ha.

~~For Section 4, Renfrew District, except those parts in Plans 427R, 23870, VIP68644, VIP70213 and VIP82411, as shown on Map Nos. 1 and 2, one 3.3 ha parcel is permitted.~~

**6G.03 Density Provisions**

One dwelling unit in conjunction with a principal use.

**6G.04 Height**

No building or structure, shall exceed ~~9 m~~ 12.0 m in height;

