



ALR BUFFER REPORT

East Sooke Road
PID: 024-994-944



Report Date:
September 26, 2024

Client Name:
[REDACTED]

Disclaimer

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

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

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Introduction

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

The scope of work includes:

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

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

Background Review

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

Site Context

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

Agricultural Land Reserve

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

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

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

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

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

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

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

Watershed

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

Soils¹²

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

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

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

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

Characteristics of the 'Ragbark' soil type:

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

Dominant Soil Limitations:

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

Agricultural Capability

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

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

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

Site Layout and Intended Development

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

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

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

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

Field Observations

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

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

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

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

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

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

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

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

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

Analysis

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Recommendations

Development Permit Guidelines

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

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

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

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

Summary

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

Prepared by:

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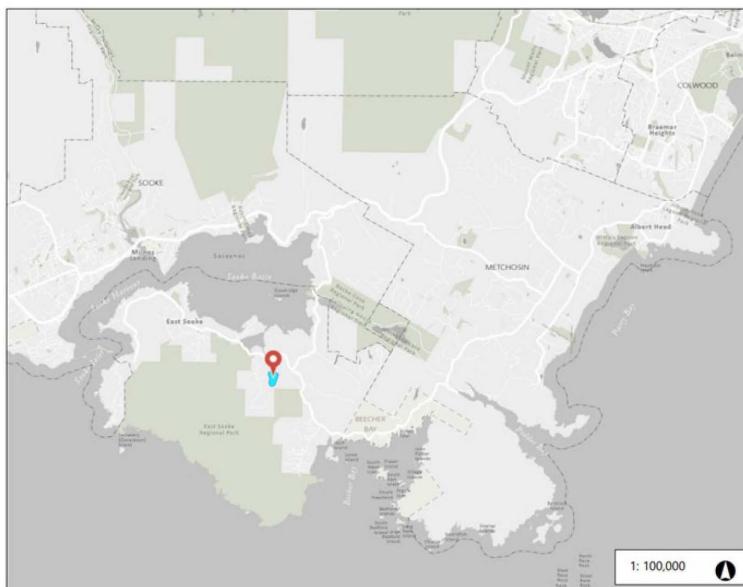


Figure 1. Regional context of PID 024-994-944, East Sooke, BC. Image courtesy of the Capital Regional District.

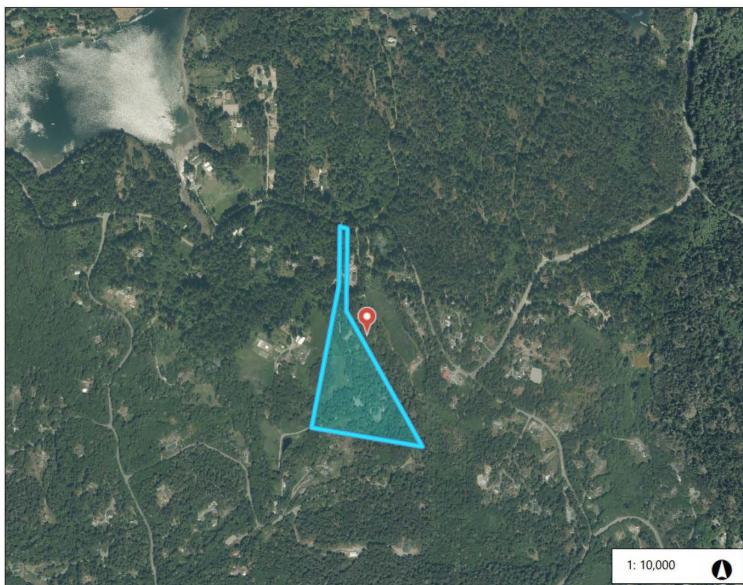


Figure 2. Location of PID 024-994-944, East Sooke, BC. Image courtesy of the Capital Regional District.

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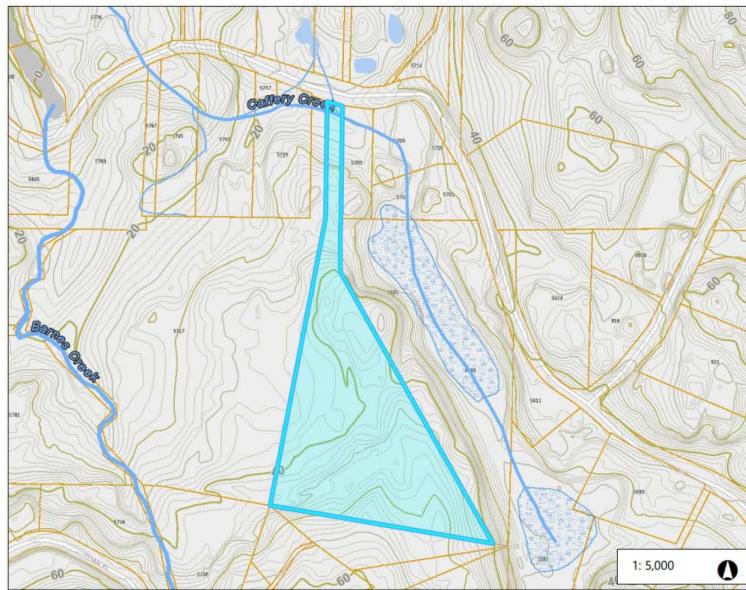


Figure 3. Location of PID 024-994-944 within the Caffrey Creek watershed with 1 m contours. Image courtesy of the Capital Regional District.

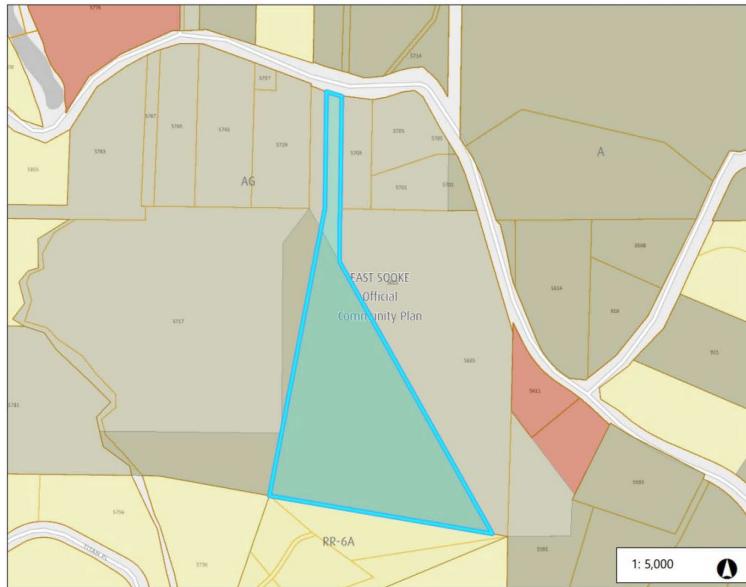


Figure 4. Official Community Plan land use designation Of PID 024-994-944 in relation to surrounding properties.
Image courtesy of the Capital Regional District.

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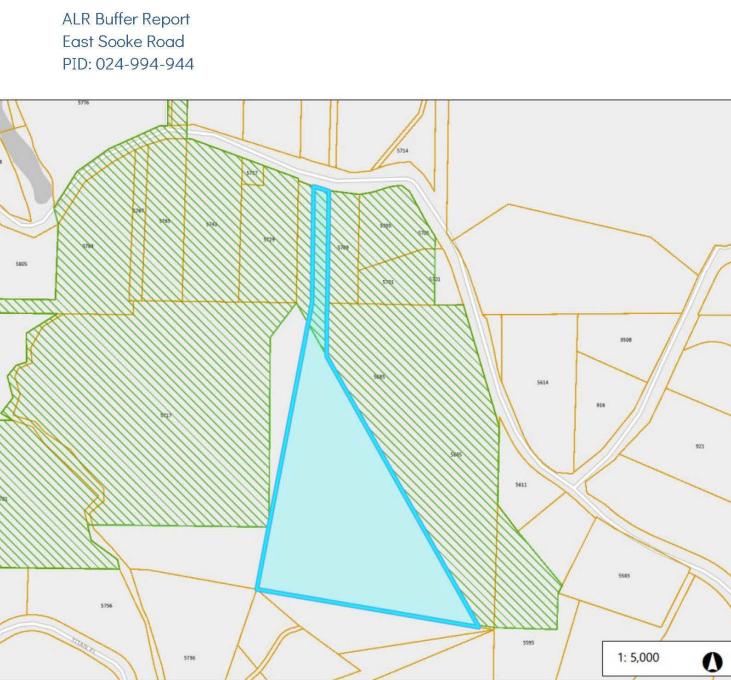


Figure 5. Location of PID 024-994-944 within the Agricultural Land Reserve in relation to neighbouring properties.
Image courtesy of the Capital Regional District.

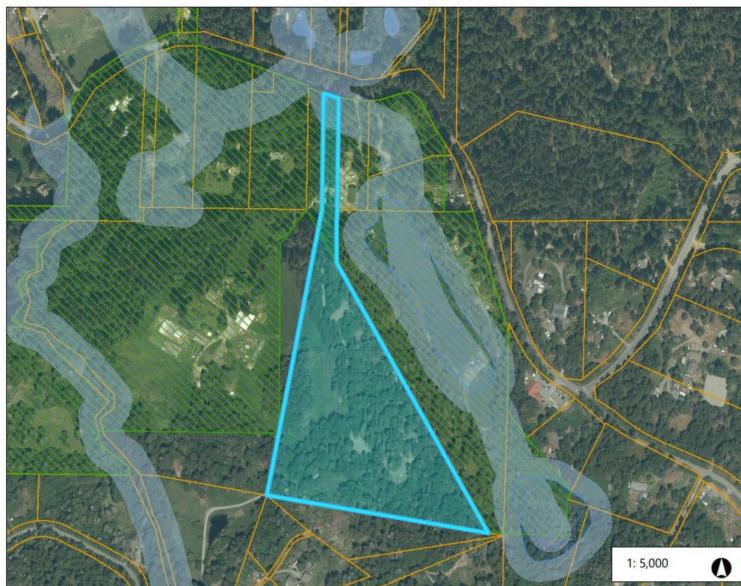


Figure 6. Riparian Assessment Areas on Subject Property in relation to Agricultural Land Reserve. Image courtesy of the Capital Regional District.

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

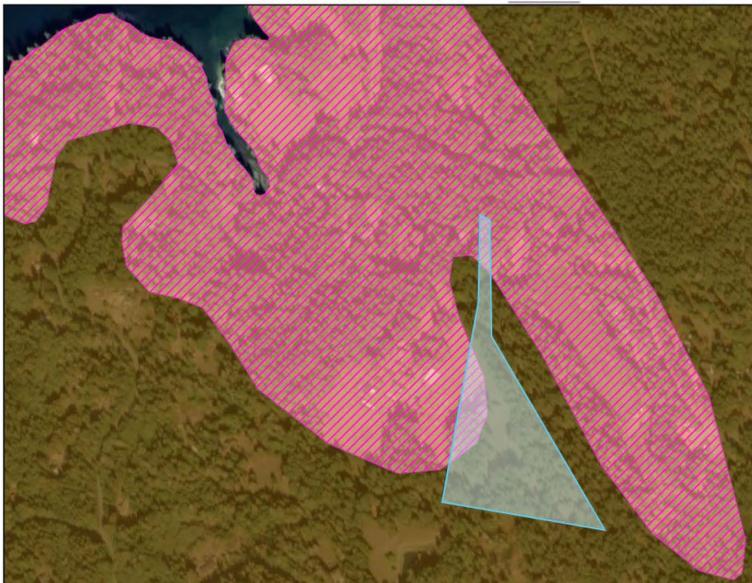


Figure 8. Agricultural capability of the Subject Property and the surrounding agricultural land to the east and west.

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Image courtesy of iMapBC.

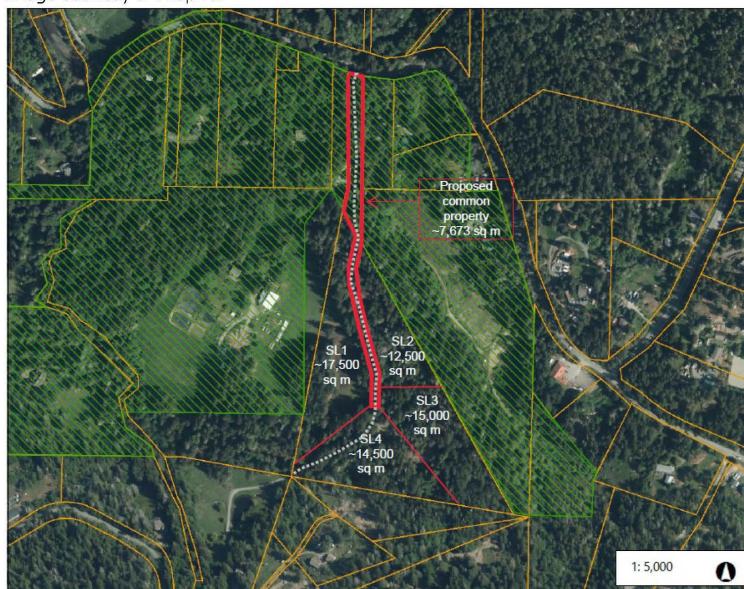


Figure 9. Proposed four-lot subdivision at PID 024-994-944.



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

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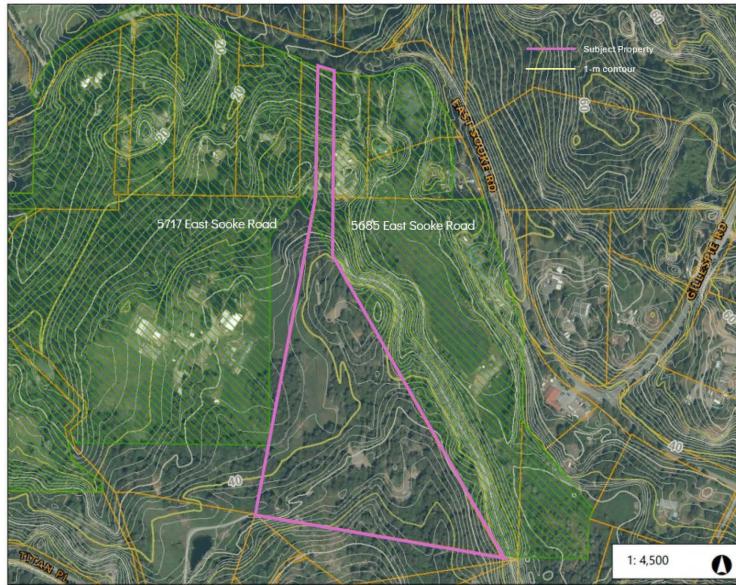


Figure 11. One-meter contours in relation to the Subject Property and the Agricultural Land Reserve.



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

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



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

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



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

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



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

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



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

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



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

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