



CAPITAL REGIONAL DISTRICT

DEVELOPMENT PERMIT WITH FRONTAGE EXEMPTION NO. DV000075

1. This Development Permit with Frontage Exemption is issued under the authority of Sections 490 and 512 of the *Local Government Act* and subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit with Frontage Exemption applies to and only to those lands within the Regional District described below (legal description), and any and all buildings, structures, and other development thereon:

PID: 018-467-822;
Legal Description: Lot 1, District Lot 17, Renfrew District, Plan VIP57304 (the "Land")
3. This development permit with frontage exemption to reduce the statutory frontage requirement for proposed Lot 3 from 59.97 m (10% of the lot perimeter) to 16.3 m (2.7% of the lot perimeter), authorizes a three-lot subdivision (the "development") on the Land, located within the development permit areas established under the Comprehensive Community Plan for Port Renfrew, Bylaw No. 3109, Section 6.5 (Riparian), and 6.6 (Sensitive Ecosystems), in accordance with the plans submitted to the CRD and subject to the conditions set out in this Permit.
4. The conditions under which the development referred to in section 3 may be carried out are as follows:
 - a) That the components of the development occur as identified on the Subdivision Plan, prepared by Summit Land Surveying, dated December 3, 2020; and
 - b) That the development comply with the report prepared by Jessica Harvey, R.P.Bio., and Julie Budgen R.P.Bio, of Corvidae Environmental Consulting, dated December 8, 2020 (the "Riparian Assessment Report").
5. Notice of this Permit shall be filed in the Land Title Office at Victoria as required by Section 503 of the *Local Government Act*, and the terms of this Permit (DV000075) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
6. If the holder of a permit does not substantially start any construction permitted by this Permit within 2 years of the date it is issued, the permit lapses.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit which shall form a part hereof.
8. The following plans and specifications are attached to and form part of this Permit:

Appendix 1: Subdivision Plan
Appendix 2: Riparian Assessment Report
9. This Permit is NOT a Building Permit.

RESOLUTION PASSED BY THE BOARD, THE _____ day of _____, 2024.

ISSUED this _____ day of _____, 2024

Corporate Officer
Kristen Morley



DV000075

Appendix 1: Subdivision Plan





DV000075

Appendix 2: Riparian Assessment Report



RIPARIAN AREAS PROTECTION REGULATION: ASSESSMENT REPORT

Date: December 8, 2020

I. Primary QEP Information

First Name:	Jessica	Address:	6526 Water Street
Last Name:	Harvey	City:	Sooke
Designation:	R.P. Biol.	Postal/Zip:	V9Z 0X1
Company:	Corvidae Environmental Consulting	Phone #:	(403) 200-8238
Registration:	#2556	Prov/state:	BC
Email:	jessicah@corvid.pro	Country:	Canada

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name:	Julia	Address:	6526 Water Street
Last Name:	Budgen	City:	Sooke
Designation:	R.P. Biol.	Postal/Zip:	V9Z 0X1
Company:	Corvidae Environmental Consulting	Phone #:	(250) 415-8553
Registration:	#2277	Prov/state:	BC
Email:	julieb@corvid.pro	Country:	Canada

III. Developer Information

First Name:	[REDACTED]	Address:	17176 Osprey Place
Last Name:	[REDACTED]	City:	Port Renfrew
Company:	[REDACTED]	Postal/Zip:	V0S 1K0
Email:	[REDACTED]	Phone #:	[REDACTED]
		Prov/state:	BC
		Country:	Canada

IV. Development Information

Development Type:	Subdivision: <6 single family residential
Area of Development (ha):	2.49 ha
Riparian Length (m):	350 m
Lot Area (ha):	2.49 ha
Nature of Development:	Redevelopment
Proposed Start Date:	January 1, 2021
Proposed End Date:	December 31, 2021

V. Location of Proposed Development

Street Address :	17176 Osprey Pl	Stream Name:	unnamed streams
Local Government:	CRD	Stream/River Type:	stream
City:	Port Renfrew	DFO Area:	29
Legal Description (PID):	018-487-822	Watershed Code:	930-054875
Region:	1-Vancouver Island	Latitude:	48-33-7.3
		Longitude:	124-24-59.0



DV000075



RIPARIAN AREAS PROTECTION REGULATION: ASSESSMENT REPORT

Date: December 8, 2020

I. Primary QEP Information

First Name:	Jessica	Address:	6526 Water Street
Last Name:	Harvey	City:	Sooke
Designation:	R.P. Biol.	Postal/Zip:	V9Z 0X1
Company:	Corvidae Environmental Consulting	Phone #:	(403) 200-8236
Registration:	#2556	Prov/state:	BC
Email:	jessicah@corvid.pro	Country:	Canada

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name:	Julie	Address:	6526 Water Street
Last Name:	Budgen	City:	Sooke
Designation:	R.P. Biol.	Postal/Zip:	V9Z 0X1
Company:	Corvidae Environmental Consulting	Phone #:	(250) 415-8553
Registration:	#2277	Prov/state:	BC
Email:	julieb@corvid.pro	Country:	Canada

III. Developer Information

First Name:	[REDACTED]	Address:	17176 Osprey Place
Last Name:	[REDACTED]	City:	Port Renfrew
Company:	[REDACTED]	Postal/Zip:	V0S 1K0
Email:	[REDACTED]	Phone #:	[REDACTED]
		Prov/state:	BC
		Country:	Canada

IV. Development Information

Development Type:	Subdivision: <6 single family residential
Area of Development (ha):	2.49 ha
Riparian Length (m):	350 m
Lot Area (ha):	2.49 ha
Nature of Development:	Redevelopment
Proposed Start Date:	January 1, 2021
Proposed End Date:	December 31, 2021

V. Location of Proposed Development

Street Address :	17176 Osprey Pl	Stream Name:	unnamed streams
Local Government:	CRD	Stream/River Type:	stream
City:	Port Renfrew	DFO Area:	29
Legal Description (PID):	018-467-822	Watershed Code:	930-054875
Region:	1-Vancouver Island	Latitude:	48-33-7.3
		Longitude:	124-24-59.0



DV000075



TABLE OF CONTENTS FOR ASSESSMENT REPORT

1.	Description of Fisheries Resources Values	3
2.	Results of Riparian Assessment (SPEA width)	7
3.	Site Plan	11
4.	Measures to Protect and Maintain the SPEA (detailed methodology only).	
	1. Danger Trees	14
	2. Windthrow	14
	3. Slope Stability	14
	4. Protection of Trees	14
	5. Encroachment	15
	6. Sediment and Erosion Control	15
	7. Floodplain	15
	8. Stormwater Management	15
5.	Environmental Monitoring	16
6.	Photos	17
7.	Assessment Report Professional Opinion	21



DV000075



SECTION 1. DESCRIPTION OF FISHERIES RESOURCES VALUES AND A DESCRIPTION OF THE DEVELOPMENT PROPOSAL

Description of Fisheries Resources Values

There are 3 watercourses on or directly adjacent to the property that are eligible for the RAPR: 1) a Roadside ditch on Powder Main Rd, 2) an unnamed stream on the neighbour's property to the north, and 3) An unnamed stream that crosses 17176 Osprey Place. The property is generally very wet due to overland drainage. In several locations, overland drainage concentrates into other small channels or ponds, but these are not connected to fish habitat by surface flow (as per the RAPR), and therefore, are not included in the RAPR assessment. The watercourses on the property are show in Figure 1.

The property generally slopes from south to north, resulting in intermittent overland drainage to the north. Stream #3 (unnamed stream on the property) has formed along an old road bed – the stream channel and structure have established over a number of years to mimic natural conditions. The trees on the old roadbed appear to be approximately 20-30 years old. This stream begins on the north side of the driveway and flows north across the property and into the stream on the neighbour's property. The flow then joins the roadside ditch (a stream under the RAPR) and the combined flow enters a culvert and flows west under the road.

A search of the BC HabitatWizard database (Province of BC 2020) revealed occurrence records of cutthroat trout in nearby streams and tributaries (Figure 2). No barriers to fish passage are present on the property or where the streams flow under the road.

Description of Riparian Habitat

The entire property is mature, second growth forest. There are several veteran snags that the owners have kept. The topography has been altered significantly by previous land use and roadbuilding. There is abundant coarse woody debris. There is a single driveway that crosses the property and loops back to Osprey Place road.

The riparian habitat on the property is forest, dominated by species and species. The understory consists of sword fern, species and species. The property provides habitat for wildlife, including nesting habitat for birds, roosting habitat in cedar snags, and cover for small mammals, amphibians and reptiles in the coarse woody debris.

Description of Development Proposal

The owner of the property is proposing to subdivide the property into three lots (Figure 3). The first (westernmost lot) is intended to be sold for single-family residential construction. The current use of the second and third lots is expected to remain the same. Future developments on any lots may be subject to the RAPR if they are planned within 30m of any watercourse.

3

6



DV000075



5

7



DV000075





DV000075



SECTION 2. RESULTS OF RIPARIAN ASSESSMENT (SPEA WIDTH)

Form 4 Equivalent: Detailed Assessment

RESULTS OF DETAILED RIPARIAN ASSESSMENT

Detailed assessment calculations were completed on three streams:
 1. Roadside ditch on Powder Mill Rd
 2. Unnamed stream on the neighbour's property
 3. Unnamed stream on 17176 Osprey Place

Description of Water bodies involved (number, type):

- Stream 1 – Roadside ditch
 Wetland Ditch
 Lake Number of reaches: 1
 Reach #: 1

Channel width and slope and Channel Type

Measurement #	Channel width (m)	Gradient (%)
(upstream) 1	0.8	
2	0.9	
3	1.0	2
4	1.25	
5	1.2	
(starting point) 6	0.7	
7	0.4	
8	0.5	
9	0.4	
10	0.5	3
(downstream) 11	0.4	
Total minor highflow	6.68	
Mean	0.78	2.5

Channel Type Riffle/Pool Cascade/Pool Step/Pool

Site Potential Vegetation Type (SPVT)

Polygons? Yes No

I, Jessica Harvey, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer: [REDACTED]
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

SPVT Type LC SH TR

Zone of Sensitivity (ZOS) and resultant SPEA

LWD, Bank and Channel Stability ZOS (m) $3 \times 0.78\text{m} = 2.34\text{m} \rightarrow 10\text{m minimum}$
 Litter fall and insect drop ZOS (m) $3 \times 0.78\text{m} = 2.34\text{m} \rightarrow 10\text{m minimum}$
 Shade ZOS (m) max $3 \times 0.78\text{m} = 2.34\text{m}$ South bank Yes No

SPEA: 10 m (based on largest ZOS above)

I, Jessica Harvey, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer: [REDACTED]
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.



DV000075



Description of Water bodies involved (number, type): 1 – Stream #2 (on neighbouring property)
 Stream Ditch
 Wetland Number of reaches: 1
 Lake Reach # 1

Channel width and slope and Channel Type

Measurement #	Channel width (m)	Gradient (%)
(upstream) 1	1.2	
2	1.0	
3	0.1	4.5
4	0.6	
5	0.5	
(starting point) 6	1.0	
7	0.2	
8	2.0	
9	1.6	
10	0.5	1.5
(downstream) 11	1.4	
Total minus highest	10.7	-
Mean	1.2	3

Channel Type Riffle/Pool Cascade/Pool Step/Pool

Site Potential Vegetation Type (SPVT)

Polygons? Yes No

I, Jessica Harvey, hereby certify that:

- e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- f) I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

SPVT Type LC SH TR

→ Rationale: While there are low cover and shrubby areas, there is no indication that given limited future disturbance, trees wouldn't establish along the entire shoreline length.

Zone of Sensitivity (ZOS) and resultant SPEA

LWD, Bank and Channel Stability ZOS (m) 3x 1.2m = 3.6m → 10m minimum
 Litter fall and insect drop ZOS (m) 3x 1.2m = 3.6m → 10m minimum
 Shade ZOS (m) max 3x 1.2m = 3.6m South bank Yes No

SPEA: 10 m (based on largest ZOS above)

I, Jessica Harvey, hereby certify that:

- e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- f) I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.



DV000075



Description of Water bodies involved (number, type): 1 – Stream #3
 Stream Ditch
 Wetland Number of reaches: 1
 Lake Reach # 1

Channel width and slope and Channel Type

Measurement #	Channel width (m)	Gradient (%)
(upstream) 1	0.5	
2	0.4	
3	2.0	3
4	0.8	
5	0.9	
(starting point) 6	1.3	
7	1.0	
8	0.6	
9	0.8	1.5
10	0.5	
(downstream) 11	1.0	
Total minus highest	9	
Mean	1.0	2.2

Channel Type Riffle/Pool Cascade/Pool Step/Pool

Site Potential Vegetation Type (SPVT)

Polygons? Yes No

I, Jessica Harvey, hereby certify that:

- i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- ii) I am qualified to carry out this part of the assessment of the development proposal made by the developer: [REDACTED]
- iii) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- iv) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

SPVT Type LC SH TR

→ Rationale: While there are low cover and shrubby areas, there is no indication that given limited future disturbance, trees wouldn't establish along the entire shoreline length.

Zone of Sensitivity (ZOS) and resultant SPEA

LWD, Bank and Channel Stability ZOS (m) 3x 1.0m = 3m → 10m minimum
 Litter fall and insect drop ZOS (m) 3x 1.0m = 3m → 10m minimum
 Shade ZOS (m) max 3x 1.0m = 3m South bank Yes No

SPEA: 10 m (based on largest ZOS above)

I, Jessica Harvey, hereby certify that:

- i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- ii) I am qualified to carry out this part of the assessment of the development proposal made by the developer: [REDACTED]
- iii) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- iv) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.



DV000075



Comments

The SPEAs on the watercourses assessed will all be 10m either side of the watercourse, measured from the stream boundary (1.5 year high water mark). The stream boundaries vary from stream width to 10m wide, resulting in an on-the-ground SPEA as wide as 13m from the watercourse channel. The SPEAs have been marked in the field by the QEP for planning purposes. Where there was existing disturbance at the head of each stream (existing/current driveway) the flags were placed along the edge of the vegetation as flag could not be placed on the driveway which is used daily.

The RAA, ZOS and SPLA are shown in Figure 4, 5 and 6, respectively, in Section 3.



DV000075



13

13



DV000075



SECTION 4. MEASURES TO PROTECT AND MAINTAIN THE SPEA

1. Danger Trees

There were no danger trees identified on site at the time of the assessment, however, the site is densely forested and the QCP is not an arbourist or forester. If there are any trees of concern in the SPEA in the future, a certified arbourist or professional forester needs to be obtained to confirm the tree(s) as a danger prior to any removal by a certified arborist.

I, Jessica Harvey, hereby certify that:

- a) *I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;*
- b) *I am qualified to carry out this part of the assessment of the development proposal made by the developer; [REDACTED]*
- c) *I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.*

2. Windthrow

3. The property is currently primarily second growth forest. Where forest edges exist (e.g., in the southern part of the property where the existing lawn and residence occur, the trees are likely windfirm due to ongoing exposure. The proposed subdivision does not include removal of trees.

I, Jessica Harvey, hereby certify that:

- a) *I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;*
- b) *I am qualified to carry out this part of the assessment of the development proposal made by the developer; [REDACTED]*
- c) *I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.*

4. Slope Stability

There are no steep slopes on the property. Rather, the property slopes gently to the north. Some banks have been created by the existing developments. Exposed soils should be stabilized by the planting of native vegetation species – particularly shrubs and ferns. No disturbance is planned as the current plans include only subdivision of the property.

I, Jessica Harvey, hereby certify that:

- a) *I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;*
- b) *I am qualified to carry out this part of the assessment of the development proposal made by the developer; [REDACTED]*
- c) *I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.*

5. Protection of Trees

No disturbance is planned as part of the subdivision of the property, therefore, no tree protection measures are required at this time.

I, Jessica Harvey, hereby certify that:

- a) *I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;*
- b) *I am qualified to carry out this part of the assessment of the development proposal made by the developer; [REDACTED]*



DV000075



- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

6. Encroachment

No disturbance is planned as part of the subdivision of the property, therefore, no fencing or marking required at this time.

i. Jessica Harvey, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

7. Sediment and Erosion Control

No disturbance is planned as part of the subdivision of the property, therefore, no sediment or erosion control measures are required at this time.

i. Jessica Harvey, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

8. Stormwater Management

As no disturbance will occur during the subdivision of the property, there will be no changes to the stormwater management on the property at this time.

i. Jessica Harvey, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

9. Floodplain Concerns (highly mobile channel)

Due to the general slope of the property to the north, and the confinement of stream 3 to the old roadbed, it is unlikely that there will be channel migration outside of the existing stream boundaries and SPLA.

i. Jessica Harvey, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer [REDACTED];
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.



DV000075



SECTION 5. ENVIRONMENTAL MONITORING

The developer has been informed of their obligation to protect the streamside protection and enhancement area (SPEA) and has agreed to implement the protection measures detailed above. The proposed subdivision does not include any disturbance within the RAA, and therefore, SPEA fencing is unnecessary as it would cause unnecessary disturbance to install. The approximate edge of the SPEA has been marked in the field by the QEP for planning purposes).



DV000075



SECTION 6. PHOTOS

Form to Equivalent

Photo 1. Ditch (considered a stream under the RAPR) along Powder Main Rd, adjacent to property boundary. October 11, 2020.



Photo 2. Ditch along Powder Main Rd, adjacent to property boundary. October 11, 2020.





DV000075



Photo 3. Culvert under Powder Main Rd where ditch and neighbour's stream join and flow west. October 2020.



Photo 4. Stream on neighbour's property. October 2020.





DV000075



Photo 5. Stream on neighbour's property where it is joined by stream flowing north from 17176 Osprey Place. October 2020.



Photo 6. Stream on neighbour's property. October 2020





DV000075



Photo 7. Stream on 17176 Osprey Place that follows old road. October 2020.



Photo 8. Stream on 17176 Osprey Place that follows old road. October 2020.





DV000075



SECTION 7. PROFESSIONAL OPINION

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date: December 8, 2020

1. I/We, Jessica Harvey, hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer, [REDACTED] which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) the site of the proposed development is subject to undue hardship, (if applicable, indicate N/A otherwise) and
- b) the proposed development will meet the riparian protection standard if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.]