

Appendix F: Referral Comments

From: [Design, SVI](#)
To: [Wendy Miller](#)
Subject: FW: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)
Date: Tuesday, February 14, 2023 1:53:02 PM
Attachments: [image001.png](#)

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello Wendy,

I can see no issues with this referral.
A SRW will be required for servicing the site.

Thanks.

Mike Hoekstra
Design Technician Work Leader
BC Hydro
4400 West Saanich Rd
Victoria, BC V8Z 3E9

T 250.727.5172
M 250.888.8486
E michael.hoekstra@bchydro.com
E design.svi@bchydro.com

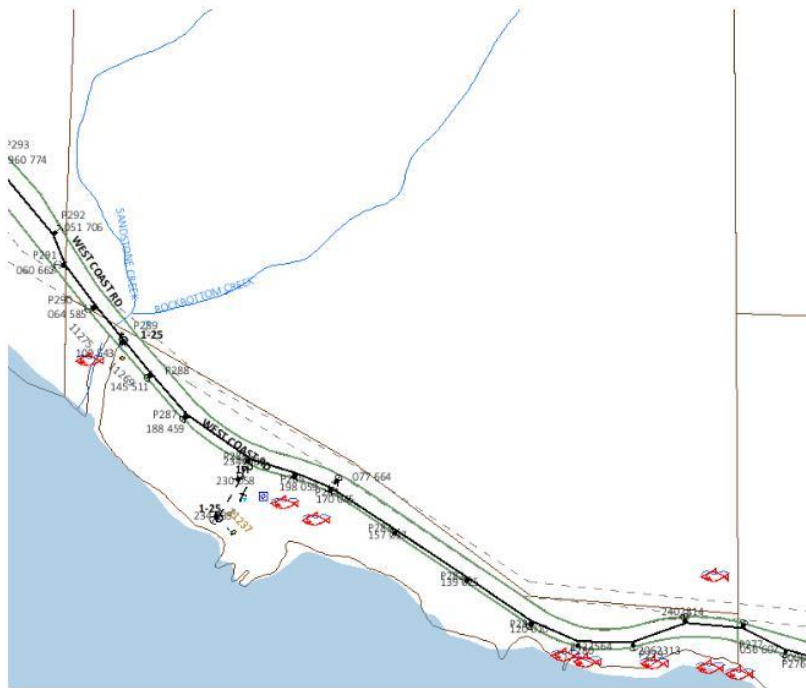
-
[Initiate & Manage Connection Requests Online with MyHydro](#)

From: Mann, Elaine <Elaine.Mann@bchydro.com>
Sent: 2023, January 20 3:27 PM
To: Design, SVI <design.svi@bchydro.com>
Cc: Reidy, Drew <Drew.Reidy@bchydro.com>
Subject: FW: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)

Hello

Please see attach referral for rezoning of 2 properties located at 11237 West Coast Road from Forestry to Rural Commercial Recreation (Campground). The landowner proposes to develop 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.

Please contact Wendy Miller, wmiller@crd.bc.ca if you have any concerns.



From: Wendy Miller <[wmiller@crd.bc.ca](mailto:wmill@crd.bc.ca)>
Sent: 2023, January 20 11:35 AM
To: Mann, Elaine <Elaine.Mann@bchydro.com>
Subject: [External] Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)

DO NOT click on links or open attachments unless you trust the sender and are expecting the link or attachment.

From: [Lauren Mattiussi](#)
To: [Wendy Miller](#)
Cc: [Planning](#); [Matthew Pawlow](#)
Subject: RE: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)
Date: Friday, January 20, 2023 2:20:39 PM

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good Afternoon Wendy,

District of Sooke has no concerns with this zoning amendment.

Best,
Lauren

From: [Partridge, Erin FOR:EX](#)
To: [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000280 - CRD Referral (Campground - 11237 West Coast Road/Shirley)
Date: Tuesday, March 21, 2023 10:10:18 AM
Attachments: [image001.png](#)

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good morning Wendy,

Thank you for your archaeological information request regarding 11237 West Coast Road, Shirley BC, PID 024937207, LOT A SECTION 74 RENFREW DISTRICT PLAN VIP71883. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your information request.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, given the property's waterfront location, there is high potential for previously unidentified archaeological sites to exist on the property.

Archaeology Branch Advice

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned on the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

If there are no plans for land-altering activities on the property, no action needs to be taken at this time.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist on the property.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.

- If a permit is required, be advised that the permit application and issuance process takes approximately 15 to 35 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.
- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories. Please note, the Archaeology Branch cannot provide specific recommendations for consultants or cost estimates for archaeological assessments. Please contact an eligible consulting archaeologist to obtain a quote.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Best wishes,
Erin



Please note that subject lot boundaries (yellow) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change. Archaeological site boundaries may not be identical to actual site extent.

Erin Partridge (They/Them/She/Her)
Archaeological Information Administrator
Archaeology Branch | Ministry of Forests
Email: Erin.Partridge@gov.bc.ca
441 Columbia Street, Kamloops BC, V2C 6K4

RESPONSE SUMMARY – REZONING APPLICATION RZ000280

☒ Interest Affected by Proposal for Reasons Outlined Below

☐ Interest Unaffected by Proposal

Comments:

Proposed stream crossings in this plan will require application(s) to be submitted through
Front Counter BC for Water Sustainability Act Section 11 "changes in and about a stream"
For review and conditional authorization, if granted, by a South Island Natural Resource
District water officer.

Signed	Resource Manager
	Title
Date	Ministry of Forests, South Island District
	Agency

Response from the Ministry of Water, Land and Resource Stewardship, Land Use Policy, Planning and Ecosystem Division, West Coast Region – February 17, 2023

Thank you for the opportunity to comment on this referral for rezoning application RZ000280 encompassing:

- Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road; PID: 024-937-207; and
- That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW; PID: 009-590-412

The following legislation, policy and guidance documents were considered in this review:

- BC Riparian Areas Protection Regulation (RAPR) and the associated [Technical Assessment Manual](#)
- BC *Water Sustainability Act* and associated [User Guide for Changes In and About a Stream](#)
- BC *Wildlife Act*
- [Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia](#)
- [Guidelines for Amphibian and Reptile Conservation during Urban and Rural Land Development in British Columbia \(2014\)](#)
- Canada's *Species at Risk Act*
- Canada's *Migratory Bird Convention Act*
- Canada's *Fisheries Act*
- [Guidelines to avoid harm to migratory birds - Canada.ca](#)

A RAPR assessment report for the project was submitted to the provincial Riparian Areas Regulation Notification System dated May 20, 2022 and is currently in que for review by the Provincial RAPR team. The information provided in this referral document does not constitute a review of the RAPR assessment. Instead, a notification is sent to the local government when the RAPR assessment has been reviewed. As per RAPR, local governments cannot issue a development permit until notification has been received that the assessment was approved.

We recommend adhering to the environmental protection measures described in the environmental assessment as well as any additional measures from the approved RAPR assessment. An Environmental Monitor should be retained for construction and should be a Registered Professional Biologist (RPBio) in good standing with the College of Applied Biology. The environmental monitor can advise implementation of the environmental protection measures to prevent contravening applicable legislation and policy described above.

To mitigate the loss of wildlife habitat associated with construction of the project we recommend creating habitats for wildlife by replanting native shrubs and trees as soon as possible following construction and installing nest boxes for birds and bats in appropriate locations as advised by the environmental monitor.

To mitigate potential human-wildlife conflict during operation of the project we recommend employing best practices to avoid habituating wildlife. Under the BC *Wildlife Act* it is an offence to improperly manage attractants, such as garbage, leaving them accessible to dangerous wildlife (coyotes, wolves,

cougars, and bears). Further information on how to avoid human-wildlife conflicts can be found here:
<https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-3.pdf>

If you require further information, please do not hesitate to contact us.

RESPONSE SUMMARY – REZONING APPLICATION RZ000280

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

Comments:

Thank you for reaching out for comment.

Any construction of a sewage system must be done in accordance with the BC Sewerage System Regulation. This includes submitting filings to Island Health by an Authorized Person.

If the property is not supplied by a municipal water source then any connections, other than to a single family dwelling, is considered to be a drinking water system. Before any construction can be done on a drinking water system, a construction permit or construction permit waiver is required. Also, a permit from Island Health is required to operate a drinking water system.

If there is any food production or food sales taking place then approval and/or a permit will be required from Island Health. This is governed under the Food Premises Regulation.

Signed	Environmental Health Officer
February 17, 2023	Island Health
Date	Agency

RESPONSE SUMMARY – REZONING APPLICATION RZ000280

☐ Interest Affected by Proposal for Reasons Outlined Below

☒ Interest Unaffected by Proposal

Comments:

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral to rezone the subject properties from the Forestry (AF) zone to the Rural Commercial Recreation (Campground) (CR-2) zone. The proposal does not fall within Section 52 of the Transportation Act and will not require formal Ministry approval and signature. The Ministry has no objections to the proposed rezoning, however the applicant will be required to apply for commercial access to West Coast Road. Applications can be submitted online here: <https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/permits>



Senior Development Officer

Signed

Title

February 2, 2023

Ministry of Transportation and Infrastructure

Date

Agency



From: Kristine Pearson <referrals@pacheedaht.ca>
Sent: Tuesday, March 28, 2023 8:54 PM
To: Darren Lucas <DLucas@crd.bc.ca>; Iain Lawrence <ilawrence@crd.bc.ca>
Subject: PFN Response on RZ000280

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hello Darren and Iain,

PFN for taking the time to meet on this referral and to set up the meeting with the applicant. We would like to offer the following considerations moving forward:

- Pacheedaht holds exclusive rights and title in this area, and it would be critical to be fully engaged in this type of land use being proposed.
- The applicant has included the commercial aspect of assembly, and given our experience in Port Renfrew, this has been problematic. There is indication that the applicant would be working with Pacheedaht, but assembly as a use would need to be better understood.
- The demand for camping opportunities in Jordan River area is significant and fully recognized by PFN. The Nation is currently seeking to advance these opportunities, and play a significant role in ecotourism and commercial development in the area.
- There is also a critical need for long term residences as preferred options to build the community in Jordan River and build the base population to allocate the services that have been lost due to the BC Hydro buy out. This application does not contemplate supporting this need.
- The water course that runs through the property was utilized and managed by PFN through out time, and was relied on for several species of fish. Therefore there are concerns about impacts to the creek, and also concerns about fire safety with limited resources.
- It is important to understand the vision as related to the CRD park lands located in proximity and how this influx of visitation would be managed.

Again, thank you for your patience and happy to work through any of these points as the application moves forward.

Kristine

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2154 Lazzar Road, Sooke B.C., V9Z 1G1
Ph.: 250-642-3957 Fax: 250-642-7808

8 May 2023

Re: 11237 West Coast Road Zoning Amendment Application

File: RZ000280

Attention: Darren Lucas

Dear: Darren

Thank you for submitting information about the zoning amendment application to T'Sou-ke Nation. We have completed a desktop review of the materials provided and conducted two field visits, the first between forestry and environment, lands, and guardian staff and CRD, and a second field visit with T'Sou-ke Nation leadership, lands, and the property owner. The letter provides information from each stage of our review with several conclusions.

T'Sou-ke Nation does not have confidence in this proposal. There are several requirements the owner should be required to undertake.

Desktop Review

T'Sou-ke Nation is also concerned about garbage accumulations and how garbage will be minimized and controlled at the campsite and beach. Further information is required to determine how garbage will be controlled.

The streams are not fish-bearing according to Habitat Wizard. However, this does mean they do not contain fish. Streams should be assessed, stream slopes, the presence/absence of barriers to fish recorded, and then mitigations applied if streams are determined to be fish bearing. The RAPR report was not available during the review; riparian areas should be preserved in accordance with the *Riparian Areas Regulation* and the Sensitive Ecosystem DPA.

Whether or not streams contain fish, they lead to the ocean or to fish-bearing creeks. Therefore, stream crossings should be built to provincial standards to mitigate the transportation of sediment into the streams within the campsite. There is little evidence about during peak flows with high water volumes and how impacts will be mitigated. The owner needs to consult a forest hydrologist to determine how their plans may impact streams and the organisms within them.

The campground and other areas should be monitored for species at risk and wildlife. In particular bat boxes could be located throughout the campground to provide additional roosting spots. Also, if bear dens are found on site they should be protected.

The maps provided look like the owners intend to apply for or already have a water use permit in place. This needs to be acquired prior to drawing water from the streams in the property.

Field Visit #1:

During the field visit we were told that the owner will preserve as much of the forest as possible and will space out the trees rather than remove all the trees. T'Sou-ke Nation is not in favour of land area clearing as it will likely have an impact on overland waterflow and would transport sediment into streams. It would also leave the ground open to encroachment of invasive plants.

T'Sou-ke Nation is concerned about access to a portion of the beach that may contain shell midden. These areas should be fenced or otherwise protected to prevent impacts to the midden occurring from residents of the campsite.

If not already done, a preliminary field reconnaissance for archaeology should be completed. Not all archaeological resources have been determined nor recorded in provincial datasets. The preliminary field reconnaissance can be done to determine the presence/absence of archaeological values on site.

Field Visit #2

Our biggest concern is the overall strategy – T'Sou-ke Nation needs to see long term plans. The owner should have a management plan for the site and a business plan to forecast the number of required users.

T'Sou-ke Nation representatives questioned whether the owners would consider installing pit toilets; the owner had stated he wants to have steel drums inserted into the ground for the facilities and black water management. The owner said people can urinate on rocks on the ground. These proposed effluent management measures are illegal. The owner should be required to construct facilities in accordance with the provincial *Environmental Management Act*. Furthermore, the facilities are required to be designed and installed by a Registered Onsite Wastewater Practitioner.

T'Sou-ke Nation identified further environmental concerns during the field visit. The trees need more spacing, there are known elk herds near the property.

Conclusion

T'Sou-ke Nation remains concerned about this application and does not approve the transfer of the land from the forestry zone to rural commercial recreation. There remain too many issues:

- Garbage control: a plan needs to be written to demonstrate how garbage will be controlled.
- The owner needs to provide proof of water permit to extract water from the streams. T'Sou-ke Nation needs separate consultation on water withdrawals

- A preliminary field reconnaissance needs to be conducted to determine the presence of unrecorded archaeological values on the site:
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/assessments-studies/preliminary-reconnaissance>
- If the preliminary field reconnaissance recommends an archaeological impact assessment, this must be undertaken. T'Sou-ke Nation can recommend archaeologists if needed.
- Fisheries and water management: a hydrologist needs to be consulted on the plan.
- Professionally designed toilet facilities need to be installed and the consequences of not doing so made clear to the owner.
- The trees need to be thinned to allow elk to use the site, and a plan created to mitigate impacts from human-wildlife interactions.
- A long-term plan for the site is required. T'Sou-ke Nation needs to know future plans for expansion, how the site will be managed, and the number of people expected (in terms of severity of impacts).

Please contact our office if you have any questions or concerns:
landsmanager@tsoukenation.com or 250-634-4050.

Thank you.

Sincerely,



Sam Coggins
A/Lands Manager, T'Sou-ke Nation

Cc:

Michelle Thut; Administrator, T'Sou-ke Nation
Larry Underwood, Forestry and Environment, T'Sou-ke Nation

From: [Mike Taylor](#)
To: [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)
Date: Wednesday, February 22, 2023 9:01:27 PM

Hello, Wendy. I am sorry this is late. I spoke with Iain today and he advised that a response could still be provided. Comments on behalf of the Building Inspection Dept. are as follows.

-Building Permits will be required for each of the proposed buildings, demonstrating complete compliance with the BC Building Code.

-Building Permit information must include a complete review of spatial separation to demonstrate that each building is placed, as required by the Code, to prevent fire spread from one building to the next.

Please contact me if additional information is required.

Mike

Michael Taylor

Manager and Chief Building Inspector
Capital Regional District T: 250.360.3291
Email: mtaylor@crd.bc.ca

From: [Mark Groulx](#)
To: [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)
Date: Tuesday, February 14, 2023 1:30:57 PM

Hi Wendy,

Negative, I did some checking on GIS, no comments.

thanx

Mark Groulx | Chief Bylaw Officer
Bylaw and Animal Care Services | Capital Regional District
212-2780 Veterans Memorial Parkway, Victoria BC V9B 3S6
T: 250.474.3351 | F : 250.391.9727
mgroulx@crd.bc.ca

From: [Wendy Miller](#)
To: [Wendy Miller](#)
Subject: FW: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)
Date: Thursday, February 16, 2023 2:19:23 PM

From: Shauna Huculak <SHuculak@crd.bc.ca>
Sent: Thursday, February 16, 2023 8:48 AM
To: Wendy Miller <wmiller@crd.bc.ca>
Cc: Sandra Allen <SAllen@crd.bc.ca>; Caitlyn Vernon <CVernon@crd.bc.ca>
Subject: RE: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)

Hi Wendy,

A review of the Provincial Heritage Register (16-Feb-2023) indicates that there are no registered Heritage Conservation Act (HCA) protected archaeological site within the Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley) footprint, the application area is characterized by numerous hydrological and topographic features commonly associated with archaeological sites in the general area (e.g., locations near streams, shorelines). It is recommended that an archaeological assessment be undertaken to address potential impacts to as yet identified archaeological sites that may be present in the development area prior to ground disturbance. The applicant is reminded that that all archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the HCA (S.13). Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. The HCA does not distinguish between those archaeological sites which are "intact," (i.e., those sites which are in a pristine, or undisturbed state) and those which are "disturbed" (i.e., those sites which have been subject to alteration, permitted or otherwise). All archaeological sites, regardless of condition, are protected by the HCA, as described above. HCA-protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests).

If you have any questions pls let me know.

shauna



TO: Darren Lucas, Planner, Juan de Fuca Local Area Services

FROM: Jonathan Reimer, Manager, Electoral Area Fire and Emergency Programs

DATE: February 10, 2023

SUBJECT: Zoning Amendment Application RZ000280 - Referral (Campground - 11237 West Coast Road/Shirley)

Thank you for your referral requesting Protective Services' comment on hazards information for the above proposal. Recommendations were drafted in collaboration with the Juan de Fuca Emergency Program and Shirley Volunteer Fire Department. These are intended to assist the Land Use Planning Committee while considering the rezoning proposal.

- **Is this property within a Fire Protection Area?**

Yes, this property is located within the Shirley Fire Protection Area. Note that the property is 9kms from the Fire Hall, which is considered 'unprotected' by Fire Underwriters Survey standards and may impact the developer's ability to procure fire insurance.

- **Are structural fire protection safety measures recommended?**

Yes, protective measures should be addressed during the development or building permit process. CRD Protective Services recommends that the applicant, when applying for a development or building permit, be required to provide a report by a Qualified Professional that confirms that any proposed development provides (1) satisfactory access to emergency vehicles, and (2) meets National Fire Protections Association Standards 1142: Water Supplies for Suburban and Rural Fire Fighting, or an equivalent protection level.

- **What is the wildfire hazard?**

The proponent has proactively provided a professional assessment listing wildfire hazard as **High**.

- **Are wildfire safety measures recommended?**

Yes. Development applications should include a report from a registered professional addressing the management of ignition sources, the storage of flammables and combustibles, road access, on-site wildfire mitigation capabilities (equipment and trained staff) intended to provide early intervention for accidental fires, including but not limited to, runaway campfires.

- **What is the tsunami hazard?**

Some lower elevation areas of the property **are within** the Tsunami Hazard zone. The tsunami risk is from local source tsunamis, which will be preceded by strong shaking. There is little to no risk from distant tsunamis. A map of the tsunami hazard zone can be found at <http://maps.prepareyourself.ca>

PS Development Hazard Memo

- **Are tsunami safety measures recommended?**

Yes, this development should follow best practices on tsunami safety, including distributing information on tsunami risk and identifying safe assembly areas outside of the hazard zone.

The Land Use Planning committee may consider restricting the types of improvements that can be built within the tsunami hazard zone. In considering development approvals in areas subject to tsunamis, the Province of BC recommends: "building conditions should protect improvements from damage from a tsunami of [...] a possible Cascadia Subduction Zone earthquake" (Flood Hazard Area Land Use Management Guidelines 3.5.6)

- **What other hazards should be considered?**

Local hazards identified by the Juan de Fuca Emergency Program include severe wind and rainstorms, earthquakes and liquefaction, flooding, extreme heat, and land subsidence.

- **What other hazard mitigation measures are recommended?**

The Emergency Program recommends that the developer prepare an emergency plan appropriate to the hazard exposure and land use and make that plan available for review upon request.

Respectfully,

Jonathan Reimer
Manager, Electoral Area Emergency Programs
Protective Services
Capital Regional District

CRD Regional Parks – Referral Response

Started March 3, 2023/Finalized May 10, 2023

SUBJECT: Zoning Bylaw Amendment Application for Two Properties Located at 11237 West Coast Road – described as:

- **Lot A Section 74 Renfrew District Plan VIP71883 – 11237 West Coast Road; PID: 024-937-207; and**
- **That Part of Section 74, Renfrew District Lying to the North of the Northerly Boundary of Plan 109RW; PID: 009-590-412**

ISSUE SUMMARY

The landowner has applied to rezone the subject properties from the Forestry (AF) zone to the Rural Commercial Recreation (Campground) (CR-2) zone with amendments.

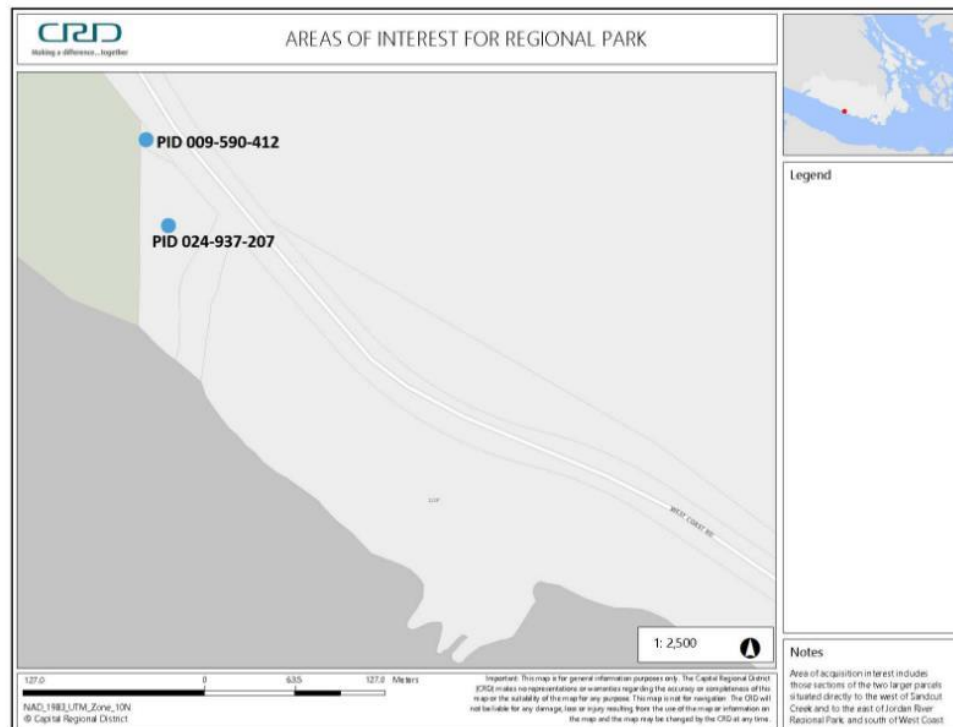
Comments:

- The CRD Regional Parks and Trails Strategic Plan 2022-2032 supports the provision of outdoor recreation opportunities that *connects us to each other and immerses us in nature*, as well leadership in conservation and stewardship that *restore[s] and enhance[s] the region's cultural heritage, biodiversity, and rare and unique ecosystems*.
- The proposed development is adjacent to Sandcut Beach, which is at the southeast end of Jordan River Regional Park and a popular destination within the area (avg. 33,400 visitors over the past five years).
- No management plan has been prepared for Jordan River Regional Park as it is a relatively new park (acquired in 2010), subsequently, existing site conditions and future management direction has yet to be fully understood/established.
- Sandcut Creek is outside of the Regional Park and within the proposed development lands, but the creek forms a waterfall which cascades over eroded sandstone cliffs and onto Sandcut Beach, which is a main attraction for visitors to the park.
- Regional Parks is interested in maintaining an adequate buffer between Jordan River Regional Park and the proposed development to ensure park values are preserved.
- The development of multiple cabins above a portion of Sandcut Creek and Sandcut Beach that are visible from the Sandcut Beach may negatively impact the experience of visitors to the park by degrading the natural esthetic value of the area. We are interested in knowing more about the site layout and how the developer intends to mitigate any visual impacts from the cabins on the experience of viewing the waterfall at Sandcut Beach.
- No information has been provided on proposed tree retention/removal adjacent to the park. We would like to see an expanded 50-meter vegetated buffer along the applicant's property and CRD lands north and south of West Coast Road.
- We recommend ensuring there are adequate setbacks from the proposed development, and that natural trees and vegetation are preserved around the park boundary, Sandcut Creek, and Sandcut Beach to preserve the natural character of the area.
- Regional Parks supports the implementation of the Recommended Environmental Protection Measures within the Environmental Assessment report prepared by Corvidae consulting, dated May 2022.

CRD Regional Parks – Referral Response

Started March 3, 2023/Finalized May 10, 2023

- Regional Parks is interested in pursuing a coordinated approach to managing any emerging traffic, parking, cultural, environmental and/or visitor use impacts that could result from this development. However, in principle, Regional Parks supports the zoning amendment application for its economic benefit to tourism and recreation in the Shirley-Jordan River area.
- In principle, Regional Parks supports the development of pedestrian and bike friendly trails to improve connectivity between Jordan River Regional Park and lands beyond the park boundary. Such trails should support the Regional Park's strategic priorities around active transportation, accessibility and climate change. Regional Parks would primarily seek to coordinate trail connectivity projects with the JdFEA, and through a park management planning process.
- Regional Parks is interested in a possible acquisition of the small sections of PID 009-590-412 and PID 024-937-207 that are situated west of Sandcut Creek, east of Jordan River Regional Park, and south of West Coast Road, to add to Jordan River Regional Park (see map below), should such a possibility arise during or after the rezoning process.



15 February 2023

Re: ZONING AMENDMENT APPLICATION RZ000280 – 11237 WEST COAST ROAD

Page 1

Memorandum



TO: Darren Lucas, Planner, Juan de Fuca Local Area Services

FROM: Emily Sinclair, Senior Manager, Regional and Strategic Planning

DATE: February 15, 2023

SUBJECT: ZONING AMENDMENT APPLICATION RZ000280 – 11237 WEST COAST ROAD

Thank you for the opportunity to respond with respect to Bylaw No. 4518, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 158, 2022".

Per the Juan de Fuca Development Application Consistency Policy, the Capital Region District (CRD) Board reviews Official Community Plan (OCP) amendments for Regional Growth Strategy (RGS) consistency. As this is an amendment of the zoning bylaw, a consistency review by the full CRD Board is not required at this time.

Upon staff-level review of the proposed zoning amendment and the supporting documentation, Regional and Strategic Planning (RSP) staff of the CRD finds that:

- The parcel is within the Renewable Resource Lands Policy Area (RRLPA) of the RGS.
- Both the Coastal Uplands zone and the Rural Commercial Recreation (Campground) Zone (CR-2 zone) in the Shirley-Jordan River zoning bylaw are aligned with the RGS designation of RRLPA.
- Policy 5.4 of the RGS provides for low-impact tourism and recreation land uses within parts of the RRLPA that are Private Managed Forests, Crown lands, and other forest lands.
- Communities have the ability to define low-impact uses through tools such as OCPs and zoning bylaws.

RSP staff concur with the findings of the staff report to the Juan de Fuca Land Use Committee (January 17, 2023), that the proposed zoning bylaw amendment is consistent with the Shirley-Jordan River OCP. As noted above, this application does not require RGS consistency review by the CRD Board.

Respectfully,

A handwritten signature in black ink, appearing to read 'Emily Sinclair', is placed above the printed name of the signatory.

Emily Sinclair, MCIP, RPP

Senior Manager, Regional and Strategic Planning
Capital Region District

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- mountain biking continues to grow in popularity with people travelling to Malahat, Duncan, North Cowichan, Nanaimo and Cumberland to enjoy trail riding, bringing revenue into the communities
- SIMBS is working with Sooke Bike Club to advocate for more trail riding in the Juan de Fuca
- CRD Regional Parks' acquisition focus is conservation
- the Juan de Fuca has opportunity to support greater trail riding
- SIMBS has the expertise to assist with trail building/design
- SIMBS wishes to see mountain bike trail targets and related resources incorporated into the Juan de Fuca Community Parks and Recreation Strategic Plan

b) Sooke Bike Club

Ethan Wigley, President, stated:

- Sooke Bike Club (SBC) maintains trails at Harbour View, Sea to Sea Regional Park, through an agreement with the CRD
- SBC has returned two trails to working condition at Harbour View
- SBC wishes to add its voice to the efforts to increase mountain biking opportunities in the Juan de Fuca

c) Sooke to Port Renfrew Tourism Association

Daniel Baker, Incoming President, stated:

- wishes to build relationships to support tourism
- mountain bike tourism continues to grow
- there is opportunity to invest in and develop mountain biking tourism

d) Juan de Fuca Community Planning - Zoning Amendment Application 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 memo to the Commission regarding the application to rezone the subject properties from the Forestry (AF) zone to an amended Rural Commercial Recreation (Campground) (CR-2) zone. It was advised that the provision of park land or payment for parks purposes is not a requirement for bylaw amendment (rezoning) applications; however, consistency with a community's Official Community Plan (OCP) is required in the evaluation of these applications.

Darren Lucas directed attention to the location and context map and policy statements for parks and trails as provided by the Shirley-Jordan River OCP, Bylaw No. 4001.

Commission comments included:

- subject properties are adjacent to Sandcut Beach, Jordan River Regional Park
- Sandcut Beach is a high usage park
- the parking lot at Sandcut Beach is regularly at capacity resulting in visitors parking on the road right-of-way
- parking lot and road right-of-way is an area of traffic congestion which is a safety concern
- community is in need of tourist facilities
- rezoning proposal would provide tourist facilities while supporting opportunity for onsite trails, expanding opportunity for trail connectivity along West Coast Road and or into adjacent properties including the Sandcut Beach trail network
- other communities have provided safe walking routes by providing trails adjacent to major roads that demonstrates options for further consideration

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- properties were the subject of a previous subdivision (S-01-11), which was subsequently cancelled
- at the time that the previous subdivision was under review, a water access at the boundary Jordan River Park and Sandcut Creek was considered

MOVED by Commissioner McKay, **SECONDED** by Commissioner Sloan that the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommends to the Juan de Fuca Land Use Committee:

1. That the Commission supports zoning amendment application RZ000280 as the proposal would provide economic benefit to tourism and recreation in the Shirley – Jordan River area;
2. That the Commission recognizes that additional visitors require additional trails and accesses by residents and visitors alike;
3. That, with this application, the Commission recommends expansion of the trail network to existing trails and future trails for connectivity; and
4. That the Commission supports the expansion of Jordan River Park to its natural boundary on the south-east boundary of Sandcut Creek.

CARRIED

7. Commissioner Reports

East Sooke – Seagirt Ponds

A Commissioner reported that the Seagirt Ponds Preservation Society held its annual general meeting on December 2 and that the Society is endeavouring to resurrect its regular guest speaker program.

Don Closson requested that the Society limit its holly management to pruning.

Willis Point/Malahat

The Chair received comment regarding the quarry project in Bamberton and requested that comments be directed to Director Wickheim.

8. Staff Reports

a) Staff News

Don Closson provided an overview of the report. Discussion ensued regarding the following items:

Priest Cabin Access

- invitation to submit a quote for mini-excavator services for trail construction has been issued
- reports of downed trees on the cabin have been received
- the cabin was not overly damaged by the downed trees

Kemp Lake Fishing Dock – Chubb Road Location

- approval has been granted to proceed with direct award of the contract for the dock purchase and install
- the Ministry of Transportation and Infrastructure (MoTI) has approved the parking plan



**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**

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, 2023, 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

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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

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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

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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

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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.

Chair