

Appendix F: Referral Comments



PO Box 307, Sooke B.C., V9Z 1G1  
Ph.: 250 642-3957 Fax: 250 642-7808

1 December 2025

**RE: Zoning Amendment Application RZ000291 - CRD Referral (Shirley)**

File: RZ000291

Dear Iain Lawrence,

Thank you for providing the opportunity to review the application. T'Sou-ke Nation has the below comments which need to be addressed to ensure consultation is meaningful.

- Will there be a different referral just for the development permit sent to T'Sou-ke Nation?
- T'Sou-ke Nation will need to be apprised of any archaeological finds when construction starts on this property.
- There should also be opportunity for the guardians to be onsite when excavation is undertaken. Please notify T'Sou-ke Nation when construction begins.
- There is a possibility that undetermined archaeological resources may be uncovered.
- The lot needs some kind of archaeological survey completed if below ground excavation is being contemplated or trees are felled. Chance find procedures are not good enough.
- T'Sou-ke Nation recommends that the Capital Regional District start requiring archaeology assessments the same that they require geotechnical assessments.
- During construction, there needs to be sediment and erosion controls in place to prevent sediment reaching water courses on the property.
- All contractor vehicles should be clean before arriving on site to prevent the spread of invasive plants.
- Any spill reports or environmental incident reports should be provided to T'Sou-ke Nation within 10 days of occurrence.
- Standards and guidelines for handling concrete need to be employed on site.

Should you have any comments or questions following this review please correspond with the Lands Governance Director at [landsmanager@tsoukenation.com](mailto:landsmanager@tsoukenation.com) or at 250-642-3957 ext. 227.

Sincerely,

*Bonnie Hill*

Bonnie Hill  
Lands Governance Director, T'Sou-ke First Nation  
250-642-3957; [landsmanager@tsoukenation.com](mailto:landsmanager@tsoukenation.com)

Cc:

Michelle Thut, Administrator, T'Sou-ke First Nation

**From:** [Philip Williams](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Mark Groulx](#); [Shayne Gorman](#)  
**Subject:** Fw: Zoning Amendment Application RZ000291 - LUC Referral (Shirley)  
**Date:** Thursday, November 20, 2025 3:02:26 PM  
**Attachments:** [STAFFRPT-LUC-REFERRAL-RZ000291.pdf](#)  
[Outlook-50clidba.png](#)

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Good Afternoon

We have reviewed Zoning Amendment Application RZ000291 for 9260 Invermuir Rd in Shirley, BC.

It is acknowledged that the easement registered on title of the property allows Timberwest Forest Ltd. (Mosaic Forest Management) to continue to conduct various forestry related uses on the property; however, since the property will no longer be classified as Managed Forest under the Private Managed Forest Land Act (PMFL), the forestry activities will now be subject to the guidelines set out in *Noise Suppression Bylaw (Juan de Fuca) No. 1, 2007*.

That being said, because of the isolated location of the lot and minimal proposed increase in allowable density, Bylaw Enforcement does not anticipate any concerns with the re-zoning application at this time.

Regards,

**Phil Williams**

Senior Bylaw Officer (Western Division) | Bylaw and Animal Care Services  
212-2780 Veterans Memorial Parkway, Victoria, B.C. V9B 3S6  
T: 250.478.0624 | F: 250.391.9727 | E: [pwilliams@crd.bc.ca](mailto:pwilliams@crd.bc.ca)



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**From:** [Shauna Huculak](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Sandra Allen](#); [Caitlyn Vernon](#); [Pamela Nall](#)  
**Subject:** Re: Zoning Amendment Application RZ000291 - LUC Referral (Shirley)  
**Date:** Monday, December 08, 2025 1:16:24 PM

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Hi Wendy, pls see below Re: Archaeology:

A search of the *Remote Access to Archaeological Data* (RAAD) manage by the BC Archaeology Branch (Ministry of Forests) was conducted on 08-12-2025. The search indicates that the property is not located within or immediately adjacent to a registered *Heritage Conservation Act* (HCA) protected archaeological site. However there is no record of an archaeological assessment having occurred on the property. In terms of modelled archaeological potential, the provincial archaeological overview assessment model is not available for the property - the model coverage does not include the Shirley area.

Given that there is no registered archaeological site on the property, a Provincial *Heritage Conservation Act* permit is not required to undertake ground altering work. However, a Provincial *Heritage Conservation Act* permit will be required if archaeological deposits, features or materials are exposed and/or encountered during land-altering activities that includes tree felling. 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 and potential costs.

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) this includes culturally modified trees. Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The *Heritage Conservation Act* 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).

shauna

[shauna huculak, M.A., RPCA](#) (they/them)

Manager, Archaeology

Capital Regional District

T: 250.360.3622 | 236.638.1453

**From:** [Mann, Elaine](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Design, NVI](#)  
**Subject:** 9260 Invermuir Rd, Shirley - Subdivision-Zoning Amendment Application RZ000291 - CRD Referral (Shirley)  
**Date:** Thursday, November 20, 2025 2:28:44 PM  
**Attachments:** [STAFFRPT-LUC-REFERRAL-RZ000291.pdf](#)

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

Hi Wendy

Thank you for your email. BC Hydro Property Rights Services Department has no objection to the proposed subdivision, as there is no road dedication involved.

In the event that the BC Hydro, North Vancouver Island, Distribution Design Department wishes to comment, their response will be provided to you under separate cover.

The following comments are for the property owner's information:

1. As you know, BC Hydro holds a right of way registered against title to the Property. Please be guided by the terms of such right of way agreement #CA8586959.
2. If the final version of the subdivision plan includes a road or park dedication, please submit a copy of such subdivision plan to our office. BC Hydro may have additional comments following a further review of the final subdivision plan when submitted. In such case, BC Hydro's signature is required before the subdivision plan can be registered.
3. The property owner will require separate written approval from this office for any intended use or development within the area of BC Hydro's right of way before construction takes place. Please submit any such applications to this office.
4. No building encroachment is permitted within BC Hydro's right of way.
5. BC Hydro requires that any open spaces or parks be assigned a lot number so that Hydro's registered rights are retained for such areas.

It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafe BC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working

clearances (Limits of Approach).

6. For a new electrical service connection, please contact 1-877-520-1355 or complete an online application form available at: <http://www.bchydro.com/youraccount>.

Regards,

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**Elaine Mann** (She/Her) | Property Coordinator,  
Property Rights Services  
**BC Hydro**  
Nanaimo, 2<sup>nd</sup> Floor  
T 250-755-7169  
E [elaine.mann@bchydro.com](mailto:elaine.mann@bchydro.com)

**From:** [Kyle McStravick](#)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Zoning Amendment Application R.Z000291 - CRD Referral (Shirley)  
**Date:** Tuesday, January 13, 2026 9:55:37 AM

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

Hi again Wendy,

After reviewing the referral package, I can confirm that the District of Sooke has no comment on the proposed rezoning.

Thanks so much.

**Kyle McStravick, M.C.P.**  
Senior Planner  
telephone: 250-642-1634 Ext. 627  
email: [KMcStravick@sooke.ca](mailto:KMcStravick@sooke.ca)



December 3, 2025

Iain Lawrence  
Senior Manager  
Capital Regional District - Juan de Fuca Administration

**Sent by email**

Dear Iain:

**Re: File RZ000291 – Rezoning Application at 9260 Invermuir Road (PID: 009-592-148) – The Subject Property**

Thank you for providing the opportunity for Ministry of Agriculture and Food (Ministry) staff to comment on File RZ000291 that proposes to rezone the 13.7 ha Subject Property for the purpose of facilitating a two-lot subdivision and permitting agriculture and farm buildings. From an agricultural perspective, Ministry staff offer the following comments:

- The Subject Property is not located within the Agricultural Land Reserve (ALR) nor does it border land in the ALR.
- The Subject Property is currently zoned Forestry (AF) and Rural (A) in the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. The AF zone does not allow agriculture or farm buildings as a permitted use while the A zone does not allow farm buildings. The applicant proposes to rezone the Subject Property to Rural 2 (RU2) which allows both agriculture and farm buildings as permitted uses.
- Ministry staff support the rezoning application given that, if approved, agriculture and associated farm buildings will be permitted on the Subject Property.

Please contact Ministry staff if you have any questions regarding the above comments.

Thank you for the opportunity to provide comments from an agricultural perspective with respect to this file.

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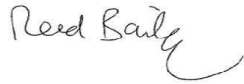
Ministry of Agriculture  
and Food

Corporate Policy and  
Priorities Branch

Mailing Address:  
PO Box 9120, Stn Prov Gov  
Victoria, BC V8W 9B4

-2-

Sincerely,

A handwritten signature in cursive script that reads "Reed Bailey".

Reed Bailey  
Land Use Planner  
BC Ministry of Agriculture and Food  
778-698-3455  
[Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca)

Cc: Agricultural Land Commission - [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)



**From:** [Cooper, Diana FOR:EX](#)  
**To:** [Wendy Miller](#)  
**Subject:** RE: Zoning Amendment Application RZ000291 - CRD Referral (Shirley)  
**Date:** Wednesday, December 10, 2025 3:17:07 PM  
**Attachments:** [image003.png](#)  
[image005.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,

Thank you for your referral regarding 9260 Invermuir Road, Shirley, PID 009592148, THAT PART OF SECTION 90, RENFREW DISTRICT, SHOWN OUTLINED IN RED ON PLAN 913R LYING TO THE NORTH OF THE SOUTHERLY BOUNDARY OF PLAN 503RW. 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 referral.

#### Results of Provincial Archaeological Inventory Search

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

Archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property.

#### Archaeology Branch Advice

The Archaeology Branch does not identify a need for archaeological study or Provincial heritage permit(s) at the time of this referral response.

Please notify all individuals (e.g., owners, developers, equipment operators) involved in land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) 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.

#### Rationale and Supplemental Information

- Archaeological study and Provincial heritage permit(s) are not required in the absence of an archaeological site.
- There is always a possibility for previously unidentified archaeological sites 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.

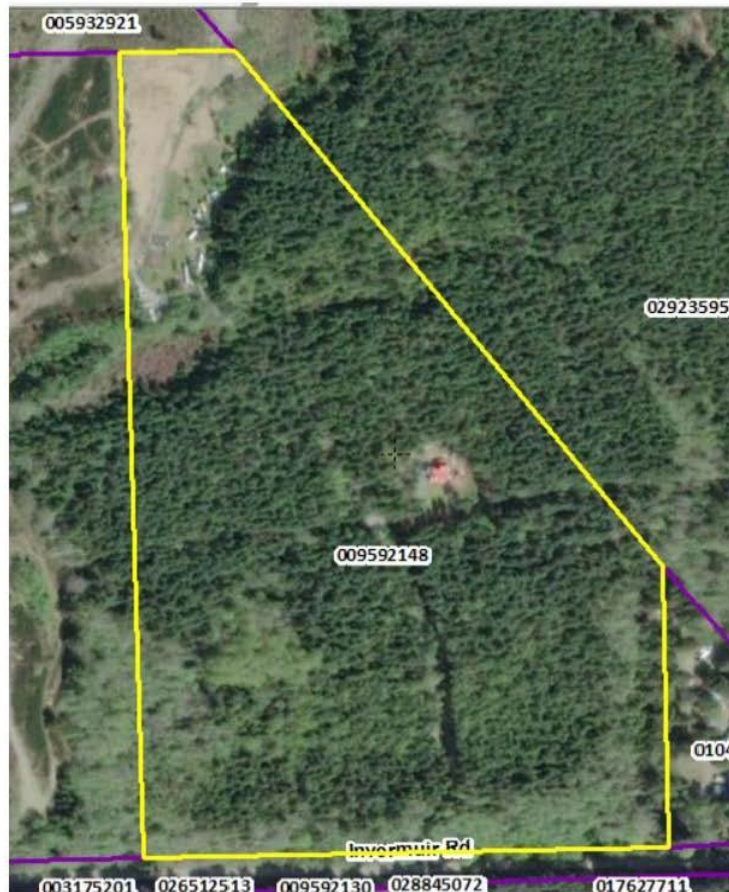
**Questions?**

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

For more general information, visit the Archaeology Branch website at [www.gov.bc.ca/archaeology](http://www.gov.bc.ca/archaeology).

Kind regards,

*Diana*



*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*

**Diana Cooper**  
**Archaeologist/Archaeological Information Specialist**  
Archaeology Branch | Ministry of Forests  
Phone: (250) 953-3343 | Email: [diana.cooper@gov.bc.ca](mailto:diana.cooper@gov.bc.ca) | Website: [www.gov.bc.ca/archaeology](http://www.gov.bc.ca/archaeology)

**From:** [Upham-Mills, Emily WLRS:EX](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Toews, Mary WLRS:EX](#)  
**Subject:** RE: RD03 RZ000291 9260 Referral Request - BL 4716 Zoning Amdmt Appl  
**Date:** Thursday, December 18, 2025 8:59:10 AM  
**Attachments:** [image002.png](#)

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

Hi Wendy,

My colleague Mary conducted a review of this referral on behalf of the WLRS Ecosystems team and the following is a summary of her findings and recommendations:

As per your response summary form, we select “**Interest Affected by Proposal for Reasons Outlined Below**”.

**Comments:**

From our desktop analysis, we can see that the forest impacted by the rezoning request for the 13.7 ha property located at 9260 Invermuir Road in Shirley is comprised of a ~50-year old stand. The rezoning will transition the land designation from forestry/rural to agricultural/more rural, which would represent a permanent ecosystem change. However, the associated development would not cover a large footprint, and there is an agreement with Mosaic to continue to conduct some forestry on the parcel. Overall, we consider this a **low-risk** rezoning and recommend the following considerations for any activities/developments following rezoning:

- Based on our desktop assessment, critical habitat for both Northern Myotis and Little Brown Myotis (**species at risk bats**) overlaps with the parcel boundary, so please be aware of important bat habitat (i.e., roost sites in buildings, tree cavities/bark) on the property when planning forestry or development activities. Bat Best Management Practices can be found here: <https://a100.gov.bc.ca/pub/eirs/viewDocumentDetail.do?fromStatic=true&repository=BDP&documentId=12460>
- Be aware of the **nesting bird** windows when planning any vegetation removal or activities with prolonged or loud noise to avoid contravening the provincial *Wildlife Act* or the federal *Migratory Bird Convention Act*. The ECCC nesting window for most migratory birds on Vancouver Island is late March until mid-August and the window for earlier nesters (i.e., owls and eagles) is mid-January to mid-August.
- Have a Qualified Environmental Professional involved if any **wetlands or streams** are encountered on the property and be aware that minimum setbacks from riparian areas for agricultural activities would be 15 m. Wetland and stream protection is triggered under the *Riparian Area Protection Regulation* and the *Water Sustainability Act*.

Cheers,



**Emily Upham-Mills, M.Sc., R.P.Bio. (she/her)**

**Senior Ecosystems Biologist**

West Coast Region

Ministry of Water, Land and Resource Stewardship

2080 Labieux Road, Nanaimo BC V9T 6J9

Phone: 250-736-6974

Email: [Emily.Upham-Mills@gov.bc.ca](mailto:Emily.Upham-Mills@gov.bc.ca)

*I acknowledge with gratitude that I live, work, and play within the territory of the Snuneymuxw First Nations.*

**From:** [Mikes, Anya TT:EX](#)  
**To:** [Wendy Miller](#)  
**Subject:** eDAS #2025-05589 - General Referral - MOTT Comments  
**Date:** Wednesday, February 04, 2026 10:54:30 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,

The Ministry of Transportation and Transit has reviewed your referral dated December 12, 2025, regarding the proposed rezoning of 9260 Invermuir Road from the Rural (A) and Forestry (AF) zones to the Rural 2 (RU2) zone to facilitate a two-lot subdivision.

The property does not fall within Section 52 of the Transportation Act and will not require Ministry of Transportation and Transit formal approval.

The Ministry has no objection in principle to Bylaw No. 4716; however, we offer the following comments:

- The Ministry will not accept any collection or discharge of drainage water into our road drainage infrastructure.
- The applicant and the CRD should note that, under Section 505 of the *Local Government Act*, any future land use permit applications for this parcel proposing commercial or industrial buildings with a gross floor area exceeding 4,500 m<sup>2</sup> will require Ministry approval.

Thank you for the opportunity to comment.

Please let me know if you have any questions or comments.

**Anya Mikes**  
Development Services Officer  
Highways & Regional Services Division  
Ministry of Transportation & Transit  
Saanich Area Office  
Suite 240- 4460 Chatterton Way  
Victoria, BC V8X 5J2  
(236)-478-0833



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Making a difference...together

**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission  
Held January 13, 2026, at the Shirley Community Hall, 2795 Sheringham Point Road,  
Shirley, BC**

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**PRESENT:** Vivi Curutchet (Chair), Emily Anderson, Melody Kimmel, Fiona McDannold  
**Staff:** Iain Lawrence, Senior Manager, Juan de Fuca Administration;  
Wendy Miller, Recorder

**PUBLIC:** 2

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

A Territorial Acknowledgement was provided in the preceding meeting.

**1. Elections**

Iain Lawrence called for nominations for the position of Chair of the Shirley-Jordan River Advisory Planning Commission (APC) for 2026 and Vivi Curutchet's name was put forward. Iain Lawrence called two further times for nominations and, as there were none, Vivi Curutchet was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the Shirley-Jordan River APC for 2026 and Emily Anderson's name was put forward. The Chair called two additional times for further nominations and, as there were none, Emily Anderson was acclaimed Vice Chair.

**2. Approval of the Agenda**

**MOVED** by Fiona McDannold, **SECONDED** by Emily Anderson that the agenda be approved.  
**CARRIED**

**3. Adoption of the Minutes of December 2, 2025**

**MOVED** by Melody Kimmel, **SECONDED** by Fiona McDannold that the minutes from the meeting of December 2, 2025, be adopted.  
**CARRIED**

**4. Planner's Report**

It was reported that the consultant for the Juan de Fuca Electoral Area Official Community Plan (OCP) Consolidation and Willis Point OCP/Local Area Plan (LAP) Update project is Stantec Consulting Ltd.

**5. Zoning Amendment Application**

a) **RZ000291 - That Part of Section 90, Renfrew District, Shown Outlined in Red on Plan 913R Lying to the North of the Southerly Boundary of Plan 503RW (9260 Invermuir Road)**

The APC considered the proposal to amend the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, to rezone the subject property from the Rural (A) and Forestry (AF) zones to the Rural 2 (RU2) zone to facilitate a two-lot subdivision.

APC discussion ensued regarding the application information provided at the preceding public information meeting. It was noted that there appears to be increased interest in

PPSS-35010459-3643

Shirley-Jordan River Advisory Planning Commission Meeting Minutes  
January 13, 2026

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rezoning AF zoned parcels and that the parcels proposed by the two-lot subdivision plan are large.

Iain Lawrence stated that:

- the minimum parcel size of both the AF and A zones is 4 ha
- the 4 ha parcel size would remain unchanged, if the subject property is rezoned to RU2
- smaller AF zoned parcels along West Coast Road have been subdivided for the purpose of residential subdivision
- there has been increased interest in rezoning smaller AF zoned properties to support agricultural uses
- Crown land parcels and larger AF parcels designated Private Managed Forest Land continue to support forestry uses

**MOVED** by Fiona McDannold, **SECONDED** by Melody Kimmel that having considered the proposed bylaw, the Shirley-Jordan River Advisory Planning Commission supports Zoning Amendment Application RZ000291 for That Part of Section 90, Renfrew District, Shown Outlined in Red on Plan 913R Lying to the North of the Southerly Boundary of Plan 503RW, as presented.

**CARRIED**

**6. Adjournment**

The meeting adjourned at 7:16 pm.

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Chair