

Appendix D: Referral Comments

Wendy Miller

From: Towstego, Lucas FLNR:EX <Lucas.Towstego@gov.bc.ca>
Sent: Wednesday, October 13, 2021 1:11 PM
To: Wendy Miller; Roden, Jacqueline FLNR:EX; South Island District Office, Forests FLNR:EX; Doyle, Jessica FLNR:EX; Bracher, Grant FLNR:EX
Subject: RE: Zoning Amendment Application RZ000274 - CRD Referral

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

Dear Wendy,

Thank you for your archaeological information request regarding 3312 Otter Point Road (PID 028147057 Legal: L 28 SEC 15 OTTER DISTRICT PL VIP87643). 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, an archaeological site is recorded within 60 m of the subject property, and there is high potential for unrecorded portions of the archaeological site to extend onto the subject 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.

Rationale and Supplemental Information

- A protected archaeological site is located within 60 m the subject property, and there is high potential for previously unidentified portions of the site to extend to other parts of 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 8-12 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.

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.



Please note that subject lot boundaries (yellow), archaeological site boundaries (red), and areas of archaeological potential 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.

Wendy Miller

From: Mann, Elaine <Elaine.Mann@bchydro.com>
Sent: Tuesday, October 12, 2021 2:54 PM
To: Wendy Miller
Subject: RE: [External] Zoning Amendment Application RZ000274 - CRD Referral

Hi Wendy,

BC Hydro, Property Rights have no objection as our interests are unaffected by this proposal.

Regards,

Elaine Mann | Property Coordinator, Property Rights Services

BC Hydro
Vancouver Island

P 250-755-7169
E elaine.mann@bchydro.com

bchydro.com

Smart about power in all we do.



2205 Otter Point Road, Sooke, British Columbia, Canada V9Z 1J2
Phone: 250-642-1634 Fax: 250-642-0541 Email: info@sooke.ca Website: www.sooke.ca

CRD Rezoning Application Referral to District of Sooke Planning Department

Friday, October 8, 2021

DOS File No.: CRD Referral

Juan de Fuca Community Planning
3-7450 Butler Road
Sooke, BC V9Z 1V1

Via Email: wmiller@crd.bc.ca

Dear Iain Lawrence, RPP, MCIP, Manager, Juan de Fuca Community Planning

Re: Referral Comments on rezoning application to amend Bylaw No. 2040 to amend the Rural Residential A Kennel (RR-AK) zone to permit an existing accessory athletic facility.

Upon review of the proposed bylaw amendment to Bylaw No. 2040, Planning staff have determined that the District of Sooke's interest are unaffected by the proposed bylaw amendment RZ000274.

Thank you for providing the opportunity to comment on the proposed rezoning application.

If you have any further questions, please do not hesitate to contact me at the email provided below.

Yours Truly,

Kasha Janota-Bzowska, Planner I
Planning and Development Department
2205 Otter Point Road
Sooke, BC, V9Z 1J2

Email: kjanotabzowska@sooke.ca
Web: www.sooke.ca

CC: Matthew Pawlow, RPP, MCIP, Director of Planning and Development Services

Wendy Miller

From: Page, Owen TRAN:EX <Owen.Page@gov.bc.ca>
Sent: Thursday, October 07, 2021 11:27 AM
To: Wendy Miller
Subject: RE: Zoning Amendment Application RZ000274 - CRD Referral

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

Good Morning Wendy,

Please consider this the official response from the Ministry of Transportation and Infrastructure regarding the proposed rezoning of 3312 Otter Point Road to permit an accessory athletic facility.

The Ministry has no objections to the rezoning as proposed.

Thank you for the opportunity to comment. Should you wish to discuss further, please feel free to contact me.

Regards,

Owen Page
Development Officer
Ministry of Transportation and Infrastructure
Vancouver Island District
Ph: 236-478-1552



Ministry of
Transportation
and Infrastructure

WEBSITE FOR DEVELOPMENT APPROVALS:

www.th.gov.bc.ca/Development_Approvals/home.htm | MINISTRY WEBSITE: <http://tranbc.ca/>

Wendy Miller

From: John McCrea <jmccrea@otterpointfire.bc.ca>
Sent: Friday, September 24, 2021 1:25 PM
To: Wendy Miller
Cc: Jonathan Reimer; chief@otterpointfire.bc.ca
Subject: Re: Zoning Amendment Application RZ000274 - CRD Referral

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Good Morning Wendy

Thank you for the opportunity to comment on this rezoning application.

The Otter Point Fire Department has no concerns with the rezoning application for 3312 Otter Point Road.

Regards

John

John McCrea; Fire Chief
Otter Point Fire Department and Training Centre
3727 Otter Point Road
Sooke, BC. V9Z 0K1
P: 250 642-6211
C: 250 213-7745

RESPONSE SUMMARY – REZONING APPLICATION RZ000274

☐ Interest Affected by Proposal for Reasons Outlined Below

☒ Interest Unaffected by Proposal

Our interests are unaffected as this pertains solely to rezoning and no new construction is planned.

Dr. Grant Bracher P.Ag., R.P.Bio.



Ecosystem Biologist

Signed

Title

September 24, 2021

Ecosystems, FLNRORD

Date

Agency

Wendy Miller

From: Sinden, Brett <brett.sinden@rcmp-grc.gc.ca>
Sent: Wednesday, September 22, 2021 11:59 AM
To: Wendy Miller
Subject: RE: Zoning Amendment Application RZ000274 - CRD Referral

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

No concerns.

S/Sgt Brett SINDEN
Detachment Commander
Sooke RCMP
250-642-5241 extension 2227

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Minutes of a Meeting of the Otter Point Advisory Planning Commission
Held Tuesday, November 2, 2021, at Juan de Fuca Local Area Services Building,
3-7450 Butler Road, Otter Point, BC

PRESENT: Sid Jorna (Vice Chair), Bud Gibbons, Stephen Smith (EP), Al Wickheim
Staff: Iain Lawrence, Manager, Juan de Fuca Community Planning (EP);
Wendy Miller, Recorder (EP)
ABSENT: Anne Miller (Chair)
PUBLIC: 1 (EP)

EP – Electronic Participation

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

1. Approval of the Agenda

MOVED by Bud Gibbons, **SECONDED** by Al Wickheim that the agenda be approved.

CARRIED

2. Approval of the Supplementary Agenda

MOVED by Bud Gibbons, **SECONDED** by Stephen Smith that the supplementary agenda be approved.

CARRIED

3. Adoption of the Minutes of August 11, 2021

MOVED by Stephen Smith, **SECONDED** by Bud Gibbons that the minutes of the meeting of August 11, 2021, be adopted.

CARRIED

4. Planner's Report

No report.

5. Zoning Amendment Application

a) RZ000274 – Lot 28, Section 15, Otter District, Plan VIP87643 (3312 Otter Point Road)
Iain Lawrence spoke to the staff report for the application to amend the Rural Residential A Kennel (RR-AK) zone to permit an existing accessory athletic facility.

Iain Lawrence highlighted the subject property map and advised that:

- the building permit for the accessory building used for the athletic facility has lapsed and the use to which the uncompleted building permit is being put does not comply with the RR-AK zone
- the zoning amendment would legalize the athletic facility and allow the building permit to be completed
- the athletic facility is serviced by an onsite well and septic
- eleven letters of support submitted at application intake are included in the staff report considered by the Juan de Fuca Land Use Committee
- there have been no bylaw enforcement complaints regarding the athletic facility

**Otter Point Advisory Planning Commission Meeting Minutes
November 2, 2021**

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Iain Lawrence directed attention to the supplementary agenda which includes a further submission of support, as well as one submission regarding a water licence for use of groundwater for non-domestic purposes.

Iain Lawrence confirmed that the applicant was present.

The applicant responded to questions from the APC stating that:

- the athletic facility has one washroom with a toilet and a sink
- there have been no issues with the well, even during the last drought
- trucked water has not been required
- one septic field services the single family dwelling
- the secondary suite and athletic facility are serviced by a separate septic field
- increased sewerage is not anticipated
- the Province has been contacted regarding the well licence

MOVED by Sid Jorna, **SECONDED** by Bud Gibbons that the Otter Point Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee (LUC) that the zoning amendment proceed and that the well be registered.

CARRIED

6. Adjournment

The meeting adjourned at 7:12 pm.

Chair