

Appendix F: Referral Comments

**From:** [Design, SVI](#)  
**To:** [Wendy Miller](#)  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Monday, November 21, 2022 11:13:02 AM  
**Attachments:** [REFERRAL-FORM-AGENCIES-RZ000281.pdf](#)  
[PPS-JDF-2022-10-18-RZ000281-Referral-LUC-Report.pdf](#)  
[COMMON\\_PROPERTY-VIS6939.pdf](#)  
[TITLE-BB1539689-PID-028-191-889.pdf](#)  
[TITLE-CA6942163-PID-028-191-897.pdf](#)

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

Hello Wendy,

BC Hydro has no issues or concerns with the zoning amendment.

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](mailto:michael.hoekstra@bchydro.com)  
**E** [design.svi@bchydro.com](mailto:design.svi@bchydro.com)

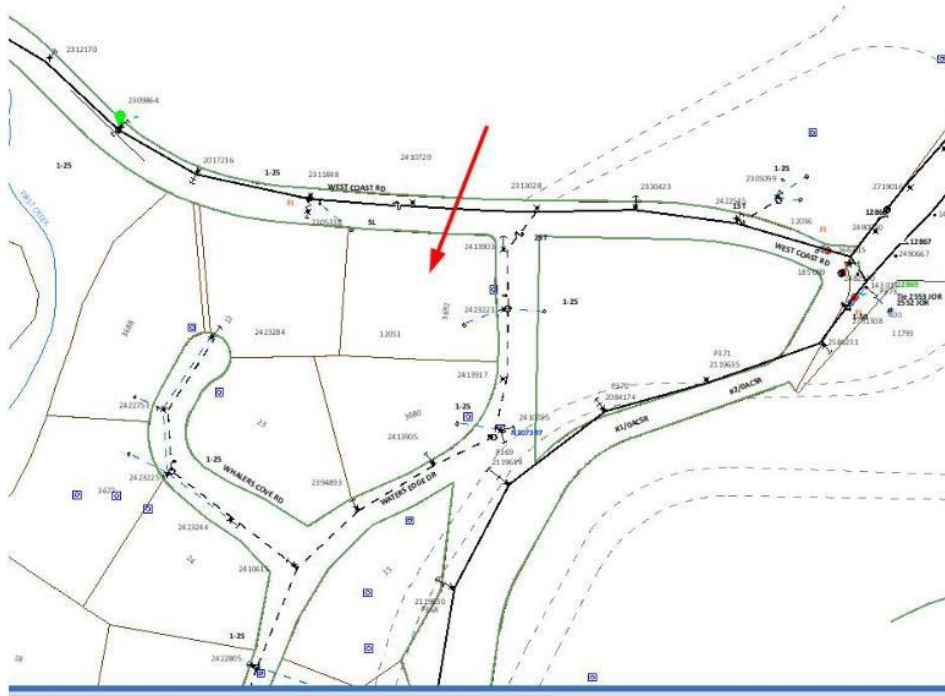
[Initiate & Manage Connection Requests Online with MyHydro](#)

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**From:** Mann, Elaine <Elaine.Mann@bchydro.com>  
**Sent:** 2022, November 21 8:38 AM  
**To:** Design, SVI <design.svi@bchydro.com>  
**Cc:** Reidy, Drew <Drew.Reidy@bchydro.com>  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

Zoning bylaw change and conversion of strata lots to 2 separate residential lots. See pages 4 and 7 in their report for the location and the proposed subdivision. Please provide your comments back to CRD.

Thank you.



Elaine Mann | Property Coordinator, Property Rights Services

BC Hydro  
Vancouver Island  
400 Madsen Road | Nanaimo, BC V9R 5M3

P 250-755-7169  
E [elaine.mann@bchydro.com](mailto:elaine.mann@bchydro.com)

[bchydro.com](http://bchydro.com)

**Smart about power in all we do.**

**From:** [Lauren Mattiussi](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Planning](#)  
**Subject:** RE: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Thursday, November 10, 2022 2:44:10 PM

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Good Afternoon Wendy,

District of Sooke has no concerns with this proposal.

Best,  
Lauren

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**From:** Planning <[planning@sooke.ca](mailto:planning@sooke.ca)>  
**Sent:** October 31, 2022 8:04 AM  
**To:** Lauren Mattiussi <[LMattiussi@sooke.ca](mailto:LMattiussi@sooke.ca)>  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

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**From:** Wendy Miller <[wmiller@crd.bc.ca](mailto:wmiller@crd.bc.ca)>  
**Sent:** Friday, October 28, 2022 12:02 PM  
**To:** Planning <[planning@sooke.ca](mailto:planning@sooke.ca)>  
**Subject:** Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

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Good Afternoon,

Please find attached a referral form and staff report with proposed Bylaw No. 4519 for zoning amendment application RZ000281.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

Comment is requested by November 28, 2022.

Comments received are distributed as part of the public record.

RESPONSE SUMMARY – REZONING APPLICATION RZ000281

X Interest Affected by Proposal for Reasons Outlined Below

     Interest Unaffected by Proposal

Comments:

The Ministry of Forests, Water Protection, has received a referral with respect to proposed land-use change of the subject area (Strata Lot A (3692 Waters Edge Drive) & Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939).

The Groundwater Wells database (GWELLS) shows one well record on the east side of the subject area lot, WTN90561, in the unconsolidated sand and gravel Aquifer 944 (AQ 944) to a depth of 21.6 m with a potential yield of 20 US gallons per minute (US GPM). AQ 944 (Fact Sheet: <https://apps.nrs.gov.bc.ca/gwells/aquifers/944>) consists of confined sand and gravel, known to have a moderate productivity. The median finished depth of 71 unconsolidated wells registered in the Groundwater Wells database (GWELLS <https://apps.nrs.gov.bc.ca/gwells>) within 1 km of this site is 36 m, ranging from 13 m to 130 m. AQ 944 is underlain by fractured crystalline bedrock aquifer AQ 943. The median finished depth of 12 bedrock wells within 1 km is 85 m, ranging from 36 to 182 m.

According to the Report to the Juan de Fuca Land Use Committee (Appendix D, October 18, 2022) an additional well exists on the west side of the subject area. This well is not registered. It may be in the interests of the well owner to register this well. If it is used for non-domestic use, then the well must be licenced.

As this area does not have a local water service provider, the applicants should be advised that a water licence for surface water or for non-domestic groundwater use is required under the *Water Sustainability Act* (<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14015>). Information about water application requirements and process can be found here: <https://portal.nrs.gov.bc.ca/web/client/-/water-licence-application>.

The nearest water body, Jordan River, lies approximately 500 m to the east of the property. For information on water licensing and rights refer to: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights>. A groundwater license for domestic use on a single lot is not required for domestic parcels serviced by individual wells.

Aquifer 944 is classified as having an overall moderate vulnerability to contaminants introduced at the land surface. Intrinsic vulnerability mapping (<https://catalogue.data.gov.bc.ca/dataset/drastring-aquifer-intrinsic-vulnerability>) indicates that aquifer vulnerability to contamination in the area of the subject parcel may be high. Animal grazing areas, paddocks and locations of manure storage can be a source of nutrient and bacterial contamination of surface and groundwater sources, therefore adequate (minimum 30 m) setbacks of these contaminant source from wells and surface water sources is required (in accordance with *Public Health Act*, Health Hazard Regulation [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/216\\_2011](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/216_2011)), and agricultural best practices (Code of Practice for Agricultural Environmental Management [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/8\\_2019](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/8_2019)) to reduce runoff of contaminants are recommended to be employed.

No additional concerns are noted with respect to the proposed bylaw.

**RESPONSE SUMMARY – REZONING APPLICATION RZ000281**

☐ Interest Affected by Proposal for Reasons Outlined Below

☒ Interest Unaffected by Proposal

Comments:

The property does not fall within Section 52 of the Transportation Act and will not require Ministry formal approval. The Ministry has no objections to the rezoning, however, a subdivision application to the Ministry will be required once the strata has been dissolved.

Applications can be submitted online:

<https://www2.gov.bc.ca/gov/content?id=98219C50C0A74658AB8CC813D5A92558>



Senior Development Services Officer

Signed

Title

November 2, 2022

Ministry of Transportation and Infrastructure

Date

Agency



**From:** [Pete Godau](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Scott Stinson](#); [Harold Cull](#); [Windy Beadall](#); [Kristina Ross](#)  
**Subject:** FW: Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Monday, November 14, 2022 1:08:14 PM  
**Attachments:** [REFERRAL-FORM-AGENCIES-RZ000281.pdf](#)  
[PPS-JDF-2022-10-18-RZ000281-Referral-LUC-Report.pdf](#)

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Afternoon Wendy,

At this time the school district does not have any concerns with this referral.

Thanks,

Pete

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**From:** Wendy Miller <[wmiller@crd.bc.ca](mailto:wmiller@crd.bc.ca)>  
**Sent:** Friday, October 28, 2022 12:04 PM  
**To:** Pete Godau <[pgodau@sd62.bc.ca](mailto:pgodau@sd62.bc.ca)>  
**Subject:** Zoning Amendment Application RZ000281 - CRD Referral (Strata Dissolution/Subdivision - Jordan River)

CAUTION - EXTERNAL SENDER: This email originated from outside of School District 62. Do not click links or open attachments unless you have verified the sender and know the content is safe.

Good Afternoon,

Please find attached a referral form and staff report with proposed Bylaw No. 4519 for zoning amendment application RZ000281.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

Comment is requested by November 28, 2022.

Comments received are distributed as part of the public record.

Please advise if you have any questions about our referral process.

Thank you,

Wendy Miller



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

20 October 2022

Re: Zoning Amendment Application RZ000279

File: RZ000279

Attention: Wendy Miller

Dear Wendy:

T'Sou-ke Nation has no comment at this time. If you have any questions or follow up, please do not hesitate to contact our office.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Coggins".

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

Cc:  
Michelle Thut; T'Sou-ke Nation Administration

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**From:** [Shauna Huculak](#)  
**To:** [Wendy Miller](#); [Caitlyn Vernon](#)  
**Cc:** [Sandra Allen](#)  
**Subject:** RE: Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Monday, October 31, 2022 10:20:36 AM

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No comments from archaeology at this time Wendy.

Caitlyn is away, so I ran a consultative areas database search and the nations you indicated below are the ones with an expressed interest in the area.

Thanks,  
shauna

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**From:** Wendy Miller  
**Sent:** Friday, October 28, 2022 4:11 PM  
**To:** Caitlyn Vernon <CVernon@crd.bc.ca>  
**Cc:** Shauna Huculak <SHuculak@crd.bc.ca>; Sandra Allen <SAllen@crd.bc.ca>  
**Subject:** Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)

Good Afternoon,

At its meeting of October 18, 2022, the Juan de Fuca Land Use Committee (LUC) directed referral of proposed Bylaw No. 4519.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

I attach the staff report considered by the LUC at its October meeting.

The LUC supported referral of the proposal to Pacheedhat First Nation and T'Sou-ke First Nation.

As per our normal practice, I confirm that this office has referred the proposal to our contacts at the above Nations.

This office has also referred the proposal directly to the provincial Arch Branch.

Referral comments are summarized in the staff report to the LUC; the actual comments received are inserted verbatim into the staff report as an appendix.

Should First Nations Relations have comment, comment is requested by November 28, 2022.

Thank you,



**From:** [Mark Groulx](#)  
**To:** [Wendy Miller](#)  
**Cc:** [Shayne Gorman](#); [Coral L. Henderson](#)  
**Subject:** Re: Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)  
**Date:** Sunday, October 30, 2022 9:54:41 AM

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Good day Wendy,

No issues from Bylaw regarding this proposed change.

regards

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**From:** Wendy Miller  
**Sent:** Friday, October 28, 2022 4:11 PM  
**To:** Mark Groulx  
**Cc:** Shayne Gorman; Coral L. Henderson  
**Subject:** Zoning Amendment Application RZ000281 - Referral (Strata Dissolution/Subdivision - Jordan River)

Good Afternoon,

At its meeting of October 18, 2022, the Juan de Fuca Land Use Committee (LUC) directed referral of proposed Bylaw No. 4519.

Proposed Bylaw No. 4519 would amend Bylaw No. 2040 to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

I attach the staff report considered by the LUC at its October meeting.

Referral comments are summarized in the staff report to the LUC; the actual comments received are inserted verbatim into the staff report as an appendix.

Comment is requested by November 28, 2022.

Thank you,

**Wendy Miller**

Administrative Clerk | JdF Local Area Services | 250.642.8100  
JdF Local Area Services Building | Capital Regional District  
3 – 7450 Butler Road, Sooke, BC V9Z 1N1



Making a difference...together

**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission  
Held November 15, 2022, at the Shirley Community Hall, 2795 Sheringham Point Road,  
Shirley, BC**

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**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

**ABSENT:** Wayne Jackaman

**PUBLIC:** 4

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

**1. Approval of the Agenda**

**MOVED** by Melody Kimmel, **SECONDED** by Vivi Curutchet that the agenda be approved. **CARRIED**

**2. Approval of the Supplementary Agenda**

No supplementary items.

**3. Adoption of the Minutes of August 9, 2022**

**MOVED** by Melody Kimmel, **SECONDED** by Emily Anderson that the minutes of August, 9, 2022, be adopted. **CARRIED**

**4. Planner's Report**

Iain Lawrence extended a thank you to the APC for its work over the last four years, noting that the term of the current APC concludes December 31, 2022. Certificates of appreciation as issued by the CRD Board Chair were presented to the APC.

It was advised that residents interested in becoming a member of the APC need to submit interest by November 18, 2022.

**5. Zoning Amendment Application**

**a) RZ000281 – Strata Lot A (3692 Waters Edge Drive) and Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939**

Darren Lucas spoke to the staff report for a joint application to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

The Chair confirmed that the applicants were present.

An applicant stated that, should the property be permitted to subdivide, the land will essentially remain status quo as the dwelling units are serviced by separate well and septic systems.

**Shirley-Jordan River Advisory Planning Commission Meeting Minutes  
November 15, 2022**

**2**

APC comments included:

- no other properties are zoned RR-1
- the RR-1 zone permits a minimum lot size of 0.4 ha which is significantly smaller than the minimum lot size permitted by the RR-2A zone, which may be precedent setting
- dissolution of the strata would grant more control to the property owners while not increasing the number of dwelling units permitted on each lot
- the RR-1 zone does not permit use of a trailer for temporary accommodation of guests unlike the RR-2A zone

Staff responded to questions for the APC advising that:

- the property is considered a non-conforming two-lot building strata as the dwellings were constructed prior to adoption of the bylaw that zoned the land RR-2A
- the Shirley-Jordan River OCP allows for consideration of rezoning applications of building strata properties for subdivision to create lots smaller than the lot size otherwise supported by the OCP, provided that the subject strata was registered prior to the adoption of the OCP
- the subject building strata was established prior to the adoption of the current OCP
- the number of building strata developments registered prior to the adoption of the current Shirley-Jordan River OCP is generally limited to a few Rural A zoned properties.
- should rezoning and subdivision of the subject property proceed, each lot would be permitted either one second suite or one detached accessory suite

**MOVED** by Fiona McDannold, **SECONDED** by Vivi Curutchet that the Shirley-Jordan River Advisory Planning Commission recommends to the Juan de Fuca Land Use Committee support for zoning amendment application RZ000281.

**CARRIED**

**6. Adjournment**

The meeting adjourned at 7:12 pm.

\_\_\_\_\_  
Chair