

**Additional External Agency Feedback: November 7, 2023**

<b>CVRD File No.:</b>	RZ21A02 Holker Place
<b>Application Type:</b>	Rezoning & Official Community Plan Amendment
<b>Subject Property:</b>	PID: 002-062-364
<b>Proposal:</b>	<ul style="list-style-type: none"> <li>To amend the land use designation of the Official Community Plan (OCP) for the subject property from Rural Residential (RR) to Light Industrial; and</li> <li>To rezone the subject property from Rural Residential 2 (RR-2) to a new Light Industrial zoning designation.</li> </ul>
<b>Ministry of Water, Land &amp; Resource Stewardship</b> Ariana McKay, MSc, RPBio  Riparian Management Coordinator & Supervisor Aquatic Ecosystems Branch	<p>Thank you for reaching out to the Riparian Areas team for review of your OCP zoning amendment.</p> <p>It is noted that this site is within your Riparian Areas DPA, please be sure that the Riparian Areas Protection Regulation (RAPR) process is followed for any development within the Riparian Assessment Area as defined in the RAPR (<a href="https://www.canlii.org/en/bc/laws/regu/bc-reg-178-2019/latest/bc-reg-178-2019.html">https://www.canlii.org/en/bc/laws/regu/bc-reg-178-2019/latest/bc-reg-178-2019.html</a>).</p> <p>Please note that the infilling of the watercourse noted [in the CVRD Environmental Services Division's feedback] (<i>excerpt below</i>), may be in contravention of the Water Sustainability Act (WSA), Federal Fisheries Act (FFA), Land Act, as well as the RAPR, if proper permitting and approvals were not in place when this occurred.</p> <p>This development/infilling may need to be remediated through the proper channels under the appropriate legislation, and the RAPR's Condition and Impact Assessment (CIA) Process may apply for any development above the stream boundary within the Riparian Assessment Area that occurred prior to a RAPR assessment being completed and submitted to the Province for review and approval.</p> <p>Contraventions to legislation follow the property, not the individual, so the new owners would be held accountable. Please contact the RAPR team for more information if this is the case.</p> <p>Please feel free to reach out for any further questions or clarification that you may need regarding the RAPR or CIA process.</p> <p><u>Excerpt:</u>  <i>"There was a watercourse on the site that has been filled –The bay below is a highly sensitive receiving environment:</i> <ul style="list-style-type: none"> <li><i>A drainage master plan needs to be prepared for the site with a pre-development assessment (pre-fill of historic watercourses) and post development analysis to ensure</i> <ul style="list-style-type: none"> <li><i>Natural drainage targets are identified</i></li> <li><i>Water quality are maintained.</i></li> <li><i>These targets should inform the future development of the site.</i></li> </ul> </li> <li><i>Given the sensitivity of the receiving environment the zoning should limit the activities and storage of deleterious substances and ensure that operations with potential discharges are limited."</i></li> </ul> </p>

<p><b>BC Hydro</b>  <i>Monique Mak,</i>  <i>Property Coordinator,</i>  <i>Property Rights</i>  <i>Services</i></p>	<p>Thank you for your email. BC Hydro has no objection <u>in principle</u> to Application No. RZ21A02, as BC Hydro's rights do not appear to be affected.</p> <p>The following comments are for the property owner's information:</p> <ol style="list-style-type: none"> <li>1. As you know, BC Hydro has a registered right of way on the property. Please be guided by the terms of the right of way agreement.</li> <li>2. If the final version of this plan includes a road dedication, please submit a copy to our office. BC Hydro will reserve comments following a further review of the final subdivision plan when submitted. BC Hydro's signature is required before the plan can be registered. Please be advised that there is a \$315.00 fee (\$300+tax) for signing Applications to Deposits.</li> <li>3. The owners must complete a <a href="#">BC 1 Call</a> before any digging or excavation takes place on the property.</li> <li>4. Obtain separate written approval from this office for any intended use or development on the right of way before construction takes place. Submit applications to this office.</li> <li>5. No building encroachment is permitted within the right of way.</li> <li>6. Open space/parks must be assigned a lot number so that Hydro's rights are retained.</li> <li>7. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.</li> <li>8. 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 WorkSafeBC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).</li> </ol> <p>Let me know if you have any questions or concerns. Thank you.</p>
<p><b>Ministry of Environment and Climate Change Strategy</b>  <i>Jesse Francisco,</i>  <i>Environmental Protection Officer – Communities, IPM &amp; AgriFood</i></p>	<p>Thank you for your email about amending the OCP and rezoning the subject property at 850 Holker Place (PID: 002-062-364).</p> <p>Please be advised that Regional Operations Branch staff do not provide specific comments on referrals. General comments are provided below.</p> <p>Projects or activities which involve generation, handling or management of a waste must be in compliance with the Environmental Management Act, and all supporting applicable regulations. The Act and regulations may be found at the following government website:  <a href="https://www.bclaws.gov.bc.ca/civix/content/complete/statreg/414786120/03053/766933851/?xsl=/templates/browse.xsl">https://www.bclaws.gov.bc.ca/civix/content/complete/statreg/414786120/03053/766933851/?xsl=/templates/browse.xsl</a>. In particular, please note that Section 6(4) of the Act states that “a person must not introduce waste into the environment in such a manner or quantity as to cause pollution.” Pollution is defined in the Act as “the presence in the environment of substances or contaminants that substantially alter or impair the usefulness of the environment.” Ministry</p>

	<p>compliance and enforcement staff may verify compliance through planned activities or in response to complaints.</p> <p>For strategic level planning processes or a site-specific land development proposals, please refer to the <i>Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia</i> found at <a href="https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices/develop-with-care">https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices/develop-with-care</a>.</p> <p>If an activity or project requires a waste discharge authorization or registration, please consult the Ministry of Environment authorizations website at <a href="http://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization">http://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization</a>.</p>
<p><b>Vancouver Island Health Authority</b>  <i>Alison Gardner,</i>  <i>Environmental Health officer</i></p>	<p>Thank you for the opportunity to comment on the Cowichan Valley Regional District OCP/Zoning Amendment for 850 Holker Place. The past few years have seen significant advances in linking urban planning with a variety of health outcomes. These include outcomes such as: the encouragement of physical activity, healthier eating, greater safety, cleaner air and healthier living environments, access to health services, food security, age friendly communities, and improved social interaction amongst other potential health criteria.</p> <p>Island Health appreciates the opportunity to provide evidence based recommendations and comments from the healthy built environment perspective for this referral as itemized below:</p> <p><b><u>Highlight:</u></b></p> <ul style="list-style-type: none"> <li>• The proposed amendment from residential to industrial zoning will expand the industrial land capacity to provide light industrial operations in the area for enhanced economic benefits. Access to steady income and revenue streams for local residents reduces the financial stressors which reduce risks of depression and anxiety for better mental health outcomes.</li> <li>• The applicant proposes to preserve a common property greenspace to allow a buffer to residential properties. The preservation of this greenspace will reduce impacts of noise and exhaust pollution from vehicular traffic that could result in light industrial activities.</li> </ul> <p><b><u>Regulatory Considerations:</u></b></p> <p><b>Drinking Water:</b>  Under the Drinking Water Protection Act and Regulation, any construction, installation, alteration, or extension of (a) a water supply system, or (b) works, facilities, or equipment that are intended to be a water supply system or part of a water supply system, must be issued a construction permit from our Public Health Engineer.</p> <p>Consultation with our Drinking Water Officer will also be needed (for more information: <a href="https://www.islandhealth.ca/learn-about-health/drinking-water/drinking-water-legislation-approval">https://www.islandhealth.ca/learn-about-health/drinking-water/drinking-water-legislation-approval</a>).</p>

	<p><b>Sewerage Disposal:</b> Sewage disposal for the proposed development must be in compliance with the Sewerage System Regulation. Registered onsite sewage system filings are a requirement for future sewerage disposal systems or connection of new building to existing disposal systems.</p> <p><b><u>Recommendations under Island Health's Healthy Build Environment Initiative:</u></b></p> <ol style="list-style-type: none"> <li>1. Retain as much of the existing natural environment (i.e. mature trees) as possible. Tree/shrubbery screening also provides a barrier to noise, helps improve air pollution, and lessens the impacts of extreme weather events, including providing shade and cooling during heat waves, and providing stability during heavy rain events to lessen flooding.</li> <li>2. Consider the adoption of additional measures that will improve resiliency against extreme weather events such as: on-site water conservation measures such as low flow devices to lessen drought impacts, energy reduction measures as part of the building construction, and the installation of light coloured roofs and permeable or reflective paving material that provide cooling effects in summer months.</li> <li>3. An aquifer protection plan should include appropriate storage and containment of potential contaminants generated onsite.</li> <li>4. The adoption of idle-free policies can lessen air quality impacts of a denser development. A decrease in vehicle emissions will decrease exposure to air pollutants and reduce the risk of respiratory and cardiovascular disease.</li> </ol>
<p><b>Ministry of Transportation and Infrastructure</b> <i>Tara Breysen</i> <i>Development Officer</i></p>	<p>The Ministry does not object to the amendment of the OCP Bylaw 4270 to re-designate the subject property from Rural Residential to Industrial.</p> <p>Direct access off of the TCH will not be considered as the current right in-right out access is adequate for the intended use.</p> <p>Further requirements will be identified at time of subdivision.</p>
<p><b>CVRD Emergency Management</b> <i>Robb Schoular, Fire Rescue Services Coordinator</i></p>	<p>Emergency Management has reviewed the file and has determined that its interests are sufficiently addressed in the Building Inspections Referral Response:</p> <p>“It is recommended that the CVRD consider requiring that a covenant be placed on the title in advance of subdivision that requires compliance with NFPA 1142 “<i>Standard on Water Supplies for Suburban and Rural Firefighting</i>” in an effort to ensure that adequate firefighting protection be secured should the applicant elect to construct Part 9 structures, otherwise stand-alone or by utilizing the allowances prescribed in the Building Code for providing <i>Firewalls</i>.”</p>