

## Development Permit – DPA 1

### Riparian Protection Assessment Portion of Remainder of Block 176, Zone I-1D; 1755 Mill Bay Rd., Mill Bay, BC

**Prepared by:**

QEP Environmental

**Prepared for:**

Northpark Properties LLP; and

Pacifica 8 Systems Inc

**Date:** 2024-05-06

Contents

1 Introduction 1

1.1. Scope of Services .....1

1.2. Site Location .....1

2 Methodology.....3

2.1. Field Methodology .....4

2.2. Literature Review .....4

3 Site Description .....4

3.1. Biophysical Characteristics .....4

3.2. Drainage and Watercourses .....4

3.2.1. Creeks.....4

6 Recommendations .....8

Closure .....

APPENDIX 1: Site Photographs

.....

# 1 Introduction

QEP Environmental Ltd. (QEP Environmental) was retained by NorthPark Properties LLP (the “**Owner**”) and Pacifica 8 Systems Inc. (the “**Tenant**”) to prepare a Riparian Areas assessment (RAR) for the Development Permit Area (DPA) 1: Riparian Protection Assessment, for the lands zoned I-1D with an address of 1755 Mill Bay Road Mill Bay, BC V0R 2P4 consisting of approximately 50 acres (the “**Site**”) which is part of PID: 000-446-670 the remainder of Block 176, (the “**Property**”). This RAR has been prepared for the Site in accordance with professional guidelines, best management practices (BMPs) and industry best-practices, as well as supplementary information provided by the Owner. The author of this report is a registered and Qualified Environmental Professional (“**QEP**”) and has the expertise and experience to provide this RAR and Streamside Protection and Enhancement Areas (SPEAs) assessment to meet the DPA-1 requirement.

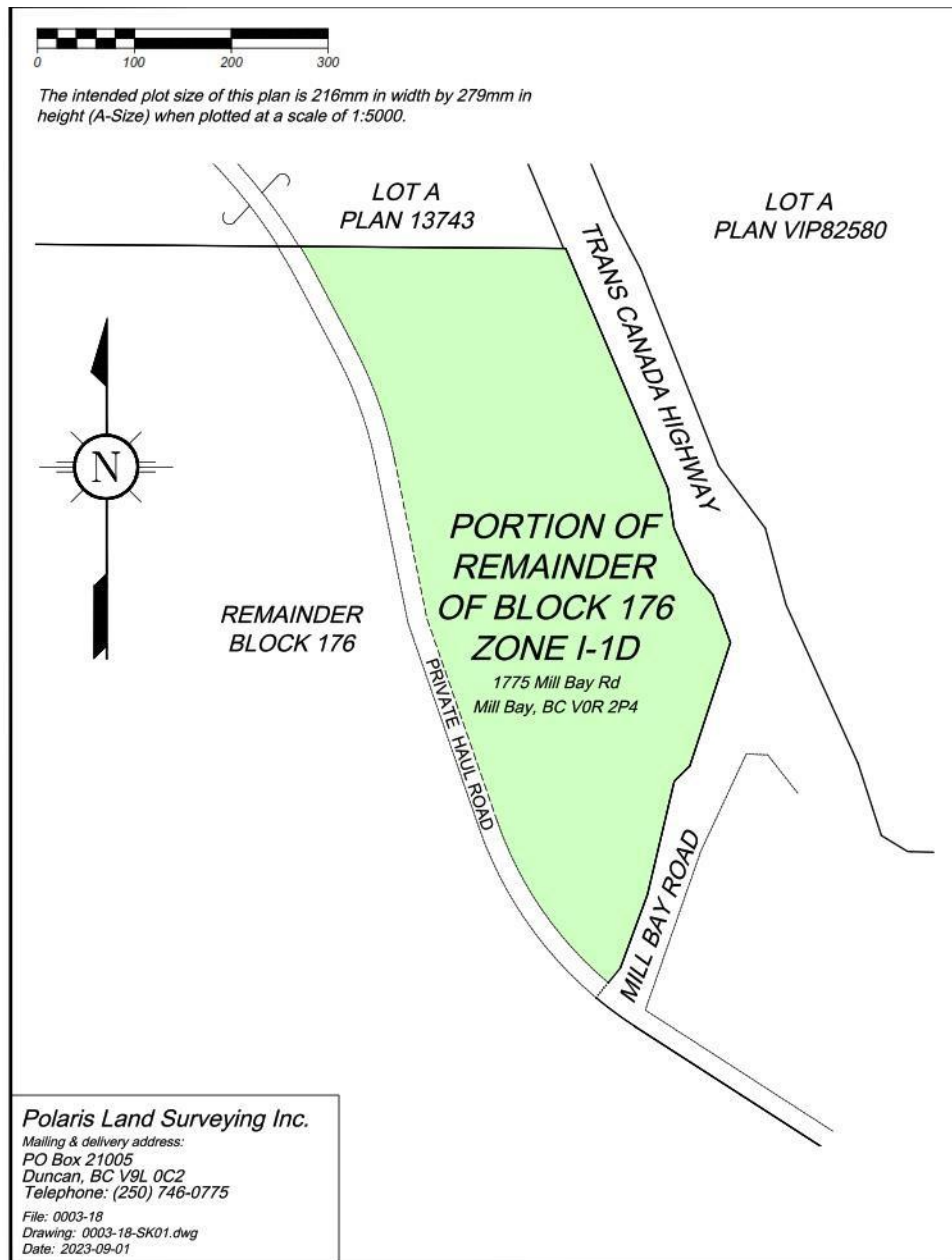
## 1.1 Scope of Services

QEP Environmental completed this report based on the following scope of work:

- A field visit and assessment of the existing habitat, biophysical conditions, riparian issues, and species occurrence at the Site undertaken on August 14, 2023.
- A desktop literature review of publicly accessible databases and other resources containing background information and potential species occurrence on the Site.
- Provision of high-level, general mitigation measures to be undertaken during future construction activities.

## 1.2 Site Location

The Site is located within the Cowichan Valley Regional District (“**CVRD**”), within Electoral Area A, approximately 5 km south of the center of the community of Mill Bay, and is bounded by the Trans-Canada Highway to the east, Easement Plan 40471 also referred to as the Private Haul/Truck Road to the West, Mill Bay Rd to the South, and Lot A Plan 137 to the north. See Figure 1 for details regarding the site location.



**Figure 1:** The Site is within the Green Polygon.

## 2 Methodology

### 2.1 Site Use and Zoning

The use of the Property is governed by CVRD's *Official Community Plan for Electoral Areas Bylaw No. 4270* (the "**OCP**"), under Electoral Area A – Mill Bay/Malahat Local Area Plan (the "**LAP**") and has the following land use designations under the OCP: The Site is zoned I-1D Business Park Industrial - Commercial under the *South Cowichan Zoning Bylaw No. 3520* (the "**Zoning Bylaw**").

### 2.2 Field Methodology

QEP Environmental conducted a field visit to the Site on August 14th, 2023. The weather on the day of the assessment was sunny and calm with an ambient air temperature of approximately 28°C. The entirety of the Site was walked and assessed. The field assessment included visual observation for on-site conditions, including vegetation, surface water features, drainage features, and habitat conditions.

### 2.3 Literature Review

A search of publicly available scientific and governmental databases was conducted relating to lands within 2 km of the Property. The following information sources were used to determine and/or infer baseline conditions, biophysical information and potential species at risk occurrence on the Site:

- CVRD Webmap
- CVRD *Official Community Plan for Electoral Areas Bylaw No. 4270*
- BC Invasive Alien Plant Program (IAPP)
- BC Conservation Data Centre (CDC) Species and Ecosystems Explorer
- BC CDC iMap
- iMap BC & various provincial layers
- Wildlife Tree Stewardship Atlas (WiTS)
- BC Breeding Bird Atlas
- Fish Inventory Data Queries (FIDQ)

### 3 Site Description

The Site consists of graded gravel lots on the West side fronting along the Private Haul Road, cleared land, and a ribbon of trees at the East of the Site along the Trans-Canada Highway. The Site has an approximate grade of 2% sloping West to East from a high point at the Private Haul Road towards the Trans-Canada Highway (“**Downslope**”).

#### 3.1 Biophysical Characteristics

The Property is located within the Spectacle Creek watershed, approximately 5 km east of Shawnigan Lake and 2 km west of Saanich Inlet.

#### 3.2 Drainage, Watercourse, and Riparian

Both a literature and physical review of the Site found no streams as defined by the RAR and the consistency and permeability of the surface materials would result in minimal surface runoff. No evidence of a stream was observed at the Site, nor was there any evidence of any stream visually identified when looking in the Downslope direction from the Site.

### 4 Recommendations

#### 4.1 Best Management Practices (BMPs)

The following BMPs are applicable to potential future construction activities at the Site:

- Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia (FLRNO, 2014)

#### 4.2 General Recommendations

QEP Environmental proposes the following general recommendations:

- Do not disturb the Site beyond that which is required for development.
- Machinery used during construction activities should be inspected prior to mobilization and be clean of soil and plant fragments. Clean vehicles of plant fragments before leaving the Site.
- Staging equipment must be operated in a manner to minimize site disturbance. Whenever

possible, avoid tight turns and number of trips to staging location.

- Spoil and waste materials should be stored 30 m from any watercourses or drainage features.
- Stop work immediately and readjust ESC measures if runoff from the construction is observed flowing off-site.
- Fuel storage should be reviewed with the contractor before any works commence to ensure it is 30 m away from any watercourses or drainage features.
- No concrete work should be done during rainy days.
- No concrete mixing should occur within 30 m of any watercourses or drainage features.
- Re-seed any areas of disturbed and exposed soil after construction completion.
- All soils are required to be handled and transported as per the *Contaminated Sites Regulation* of the *BC Environmental Management Act*.
- No contaminated, suspect-contaminated or undetermined-contaminated soil should be transported off-site without all legislated and guideline documentation.
- All contaminated and suspect-contaminated soils are required to be transported only to designated facilities licensed to receive contaminated soil.
- All contaminated and suspect-contaminated soils should be segregated from other stockpiles, placed atop impermeable liner and covered with impermeable liner when not in use.
- If groundwater is encountered during site surface work and excavations and requires dewatering, adhere to and secure necessary approvals under the *BC Water Sustainability Act*.
- All contaminated or suspect-contaminated water should be segregated and sent off-site for treatment at a designated facility.

## 5 Assessment and Conclusion:

The Assessment determined that there were no watercourses within the Site that would be considered a *stream* as defined by the RAR. The Assessment also determined that an RAR applicable stream is located in the vicinity of the Site; however the stream is separated from the Site by an asphalt road which is the highpoint of the Site, and the SPEA of this stream, in accordance with Section 3 of the Schedule to the RAR, is not within the Site. Therefore, there is no SPEA and there are no RAR implications associated with future development of the Site. So in conclusion, based on the assessment I conducted, I have concluded that there is no SPEA within the Site to protect (DPA-1 Riparian Protection), however observing the recommendations in this report for future development are recommended.

### **Closure**

This report is based on observations made during a site visit, published information available at the time of the assessment, and information from government sources. Should additional information become available, these findings may be revised accordingly.

This report has been prepared exclusively for the client and any of its authorized clients or agents, which includes distribution as required for the purposes for which this assessment was commissioned. This study has been carried out in accordance with Biological practices in BC. No other warranty is made, either expressed or implied. Professional judgment has been applied in developing the recommendations in this report. We trust that this report includes the required information at this time.

QEP Environmental retains the right to withdraw this report and its contents at any time. If you have further questions or comments, please contact the undersigned.



Sincerely,

Vitaly Ostroumov, Ph.D, RPBio  
QEP Environmental Ltd.  
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## References

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Photo 1. The project site.



Photo 2. The gravel road along west border of the site.

September 28, 2012

EDI Job Number: 12-N-0084

Bamberton Properties LLP  
1451 Trowsse Rd.  
Mill Bay, BC V0R 2P4

**Re: Opinion letter regarding Covenant CA2470946 (the “Covenant”) registered against District Lot 176, Malahat District.**

EDI Environmental Dynamics Inc. (EDI) was retained by Bamberton Properties LLP to conduct a Riparian Areas Regulation (RAR) assessment (the “Assessment”) related to the Covenant.

The Covenant is registered against a portion of District Lot 176 (see attached map, the “Lands”) requiring the Assessment prior to use, development or subdivision of the Lands. The Covenant requires a Qualified Environmental Professional (“QEP”) to conduct the Assessment following the Covenant’s requirements to verify the presence or absence of Streamside Protection and Enhancement Areas (SPEAs) within the Lands, in accordance with Sections 2 and 3 of the Schedule to the RAR.

Where a SPEA is present on the Lands the Assessment is to determine the location and width in order to protect the SPEA as provided for in the Covenant. Where a SPEA is not present the Covenant provides for the release of the Covenant from the Lands.

## Assessment

The writer is a QEP for purposes of the RAR and is experienced with RAR assessments. The Assessment of the Lands was conducted in accordance with Sections 2 and 3 of the Schedule to the RAR. The Assessment determined that there were no watercourses within the Lands that would be considered a *stream* as defined by the RAR. The Assessment also determined that an RAR applicable stream is adjacent to the southwest corner of the Lands; however, the SPEA of this stream, in accordance with Section 3 of the Schedule to the RAR, is not within the Lands. Therefore, there is no SPEA and there are no RAR implications associated with future development of the Lands.



## Conclusion

Based on the Assessment conducted following the Covenant's requirements, I have concluded that there is no SPEA within the Lands to protect.

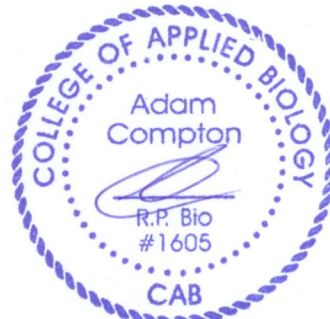
Yours truly,

EDI ENVIRONMENTAL DYNAMICS INC.

Adam Compton, R.P. Bio.  
Project Manager/Senior Biologist

Attachments:

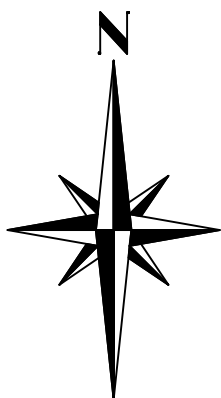
Study Area Map of DL 176



*Original signed &  
sealed Nov. 27/12*

# PLAN EPP18896

PURSUANT TO SECTION 99 (1) (e), LAND TITLE ACT



BCGS 92B.063



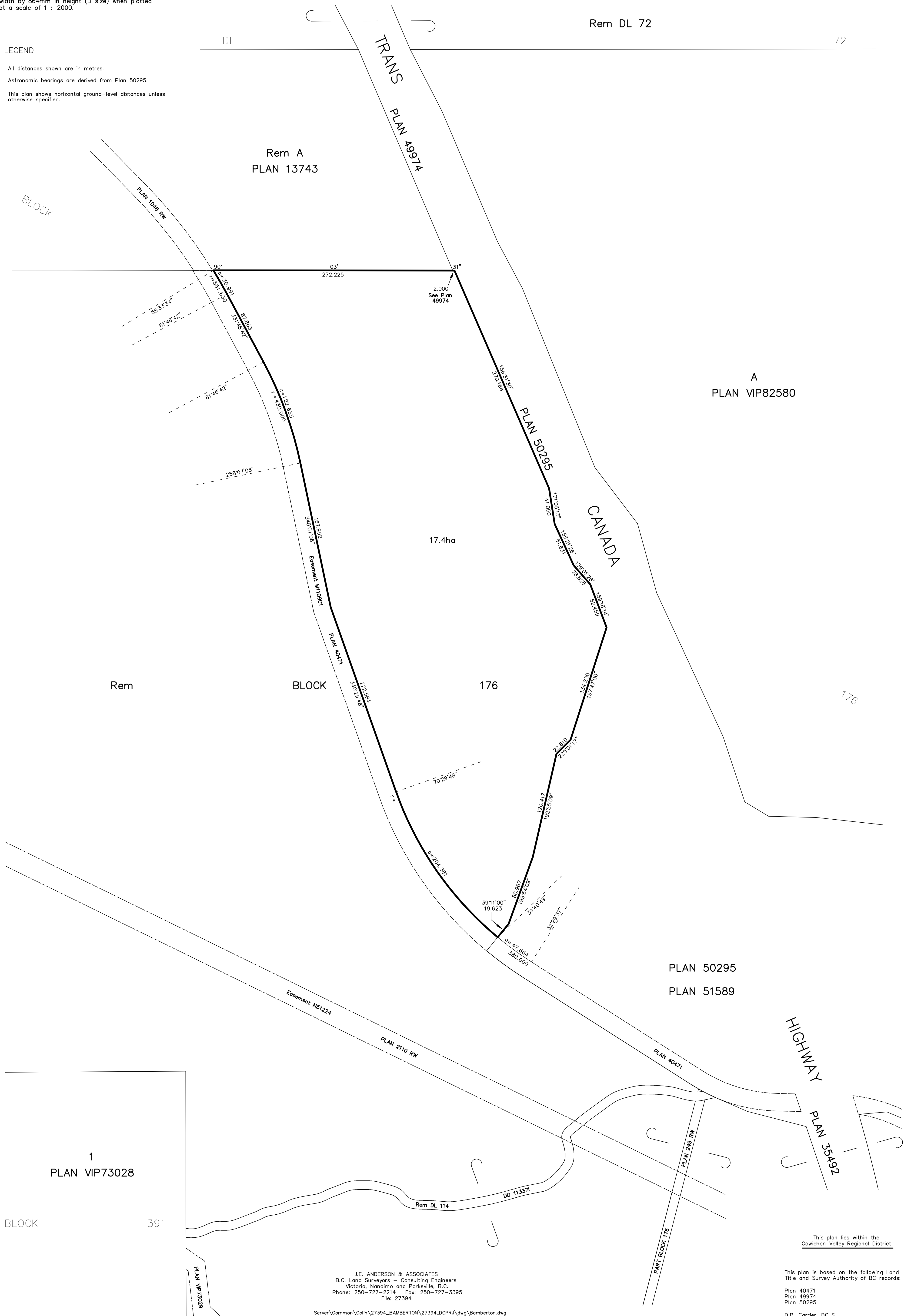
The intended plot size of this plan is 559mm in width by 864mm in height (D size) when plotted at a scale of 1 : 2000.

LEGEND

All distances shown are in metres.

Astronomic bearings are derived from Plan 50295.

This plan shows horizontal ground-level distances unless otherwise specified.



This plan lies within the  
Cowichan Valley Regional District.

This plan is based on the following Land  
Title and Survey Authority of BC records:

Plan 40471  
Plan 49974  
Plan 50295

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