



**REVIEW OF DEVELOPMENT PROPOSAL IN TERMS OF THE
RIPARIAN AREAS PROTECTION REGULATION**

2109 Sarita Road, Shawnigan Lake, BC

**Attn: Sam Hofer
2109 Sarita Road, Shawnigan Lake, BC
V0R 2W3**

PREPARED BY:

**Harry Williams, MSc, RPBio, PAg, QEP
Madrone Environmental Services Ltd**

Date: October 13, 2021

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DOSSIER: 21.0276-001



Dear Mr. Hofer:

Re: Non-Applicability of Riparian Areas Protection Regulation (RAPR) to a Proposed House Renovation

Objectives

The objectives of this review are:

- Review sections of the South Cowichan Official Community Plan (CVRD Bylaw 3501) that discuss Development Permit Area 3 and watercourse protection.
- Assess applicability of the provincial RAPR process to a proposed renovation on a house located at 2109 Sarita Road, Shawnigan Lake.

Property Details

Property owner:	Sam Hofer (the Client)
Subject property:	Shawnigan Lake area
Current zoning:	A2 – Rural zone
Street address:	2109 Sarita Road
Local Government:	Cowichan Valley Regional District (CVRD)
Official Comm. Plan:	CVRD Bylaw 3501: South Cowichan OCP
Legal address	Lot 7, Plan 1587, Block 1, Malahat District
PID:	007-181-493
Development Permit Area	3

Discussion

The development in question is a house renovation that proposes to add a covered sun-room onto an existing second-floor outdoor deck. The sun-room will have no impact on the house footprint and will not extend any further out than the existing deck.

In this case the Riparian Area Protection Regulation (RAPR) does not apply to the proposed renovation as per (Section 3 (3): <https://www.canlii.org/en/bc/laws/regu/bc-reg-178-2019/latest/bc-reg-178-2019.html>)

(3) This regulation does not apply in relation to a development that consists only of

(a) repairs or other non-structural alterations or additions to a building or other structure, if the structure

(i) will remain on its existing foundation and within its existing footprint, and

(ii) is not damaged or destroyed to the extent described in section 532 (1) [repair or reconstruction if damage or destruction \geq 75% of value above foundation] of the Local Government Act, or

(b) the maintenance of an area of human disturbance, other than a building or other structure, if the area is not extended and the type of disturbance is not changed.

Summary

- An assessment under the Riparian Areas Protection Regulation (RAPR) is not required based on the information presented above – the renovation will not expand upon the existing house footprint and does not exceed 75% of the house value.
- The principal objective of the Riparian Areas Protection Regulation is protection of riparian areas adjacent to waterways – including lakes, rivers, and wetlands. It is for this reason that the Regulation does not (generally) allow for extension of a disturbance footprint into a riparian area. However, in this situation there will be no expansion of the footprint.
- The proposed renovation may increase the net volume of the subject house; however, from a RAPR perspective, the key issue is whether the construction increases the footprint of the house. As noted, in this case there will be no increase in house footprint.
- The building contractor will nevertheless have to take precautions to avoid inadvertent impacts to undisturbed areas adjacent the house – such as storing building materials. This can be achieved by ensuring that all building-related materials are stored on land that has already been subject to disturbance (e.g., driveway/parking areas etc.).

If you have any questions or comments regarding this report, please do not hesitate to contact us.

**This is a digitally signed duplicate of the official manually signed and sealed document.*



Harry Williams MSc, RPBio, PAg, QEP (Qual. Env. Prof.)
Certified Arborist

B.C. Land Surveyor's Site Plan of
Lot 7 & Lot 8, Block 1,
Shawnigan Lake Suburban Lots,
Malahat District, Plan 1587.



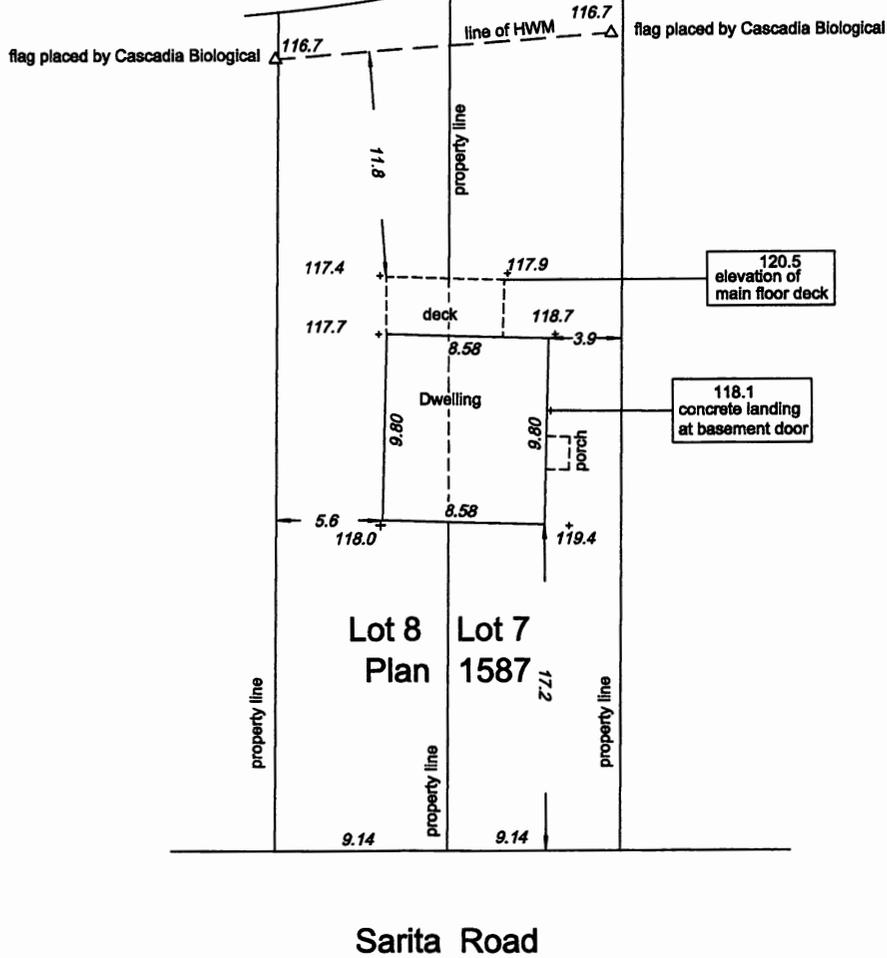
All distances are in metres.
 Lot dimensions derived from registered plans.

Elevations are Geodetic.

CIVIC ADDRESS: 2109 Sarita Road, Shawnigan Lake B.C.

P.I.D. 007-181-493 Lot 7
 007-181-523 Lot 8

Shawnigan Lake



This document is for approval/discussion purposes only and not to be used for the reestablishment of property boundaries.

This plan was prepared for discussion purposes and is for the exclusive use of our client.

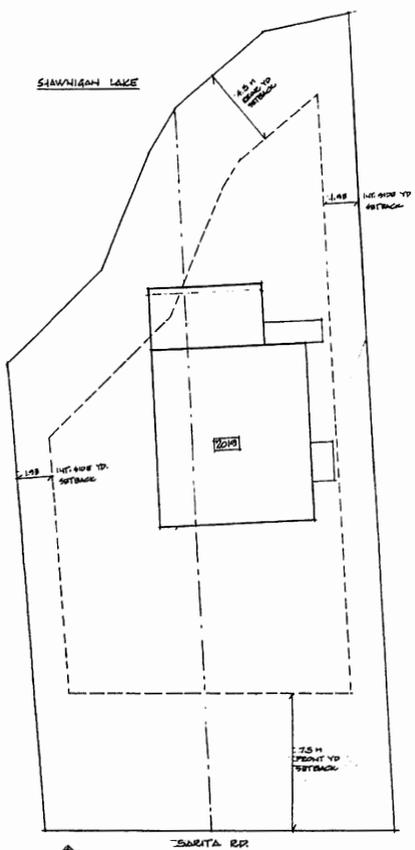
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Field Survey: May 2, 2021

MICHAEL CLAXTON
 LAND SURVEYING INC.
 B.C. & Canada Lands Surveyor
 Unit 80A 4223 Commerce Circle
 Victoria, B.C. V8Z-6N6
 Phone: 250-479-2258 Fax: 250-479-3831
 Email: surveys@hilbrc.ca
 File: 19571(site) May 5, 2021

This plan is prepared from unchecked field data.
 Check measurements prior to construction.

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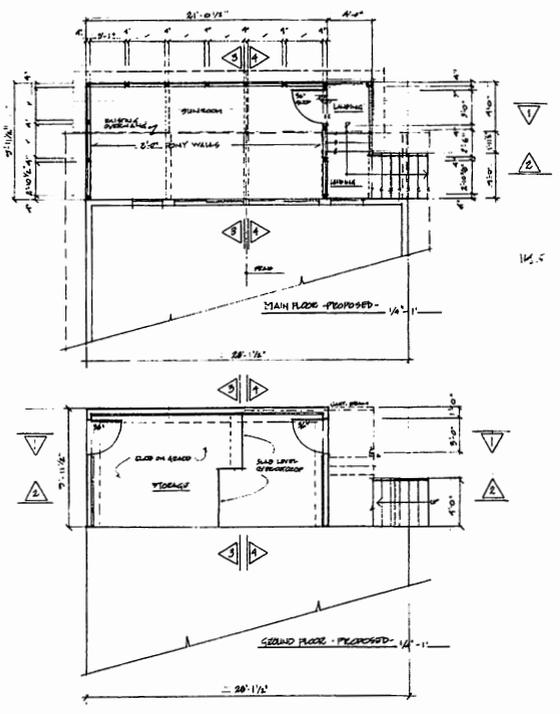
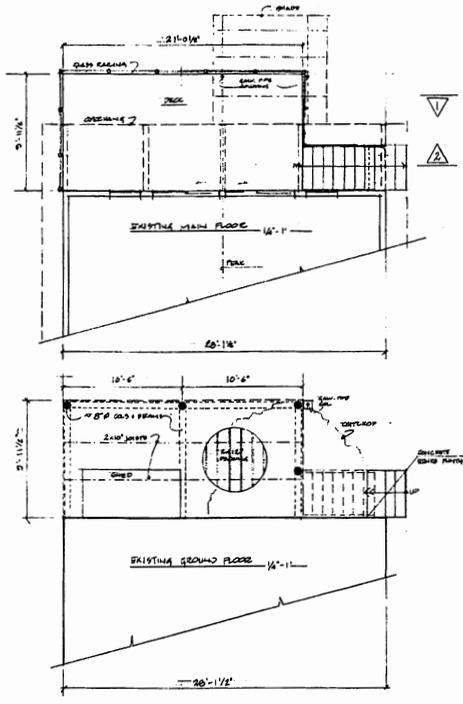


Sawmill Lake

SWARTA RD

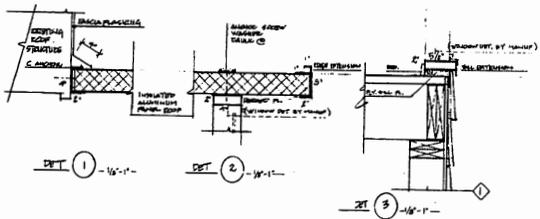
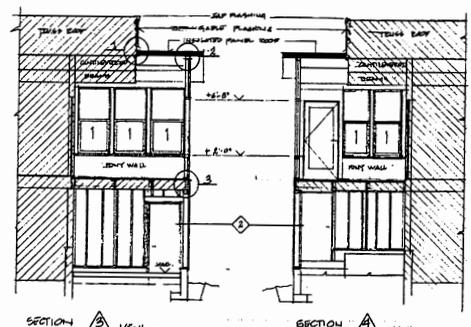
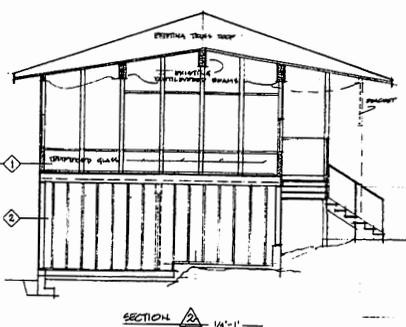
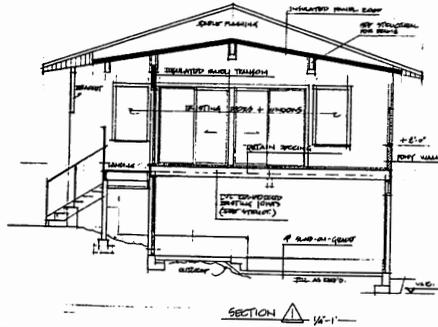
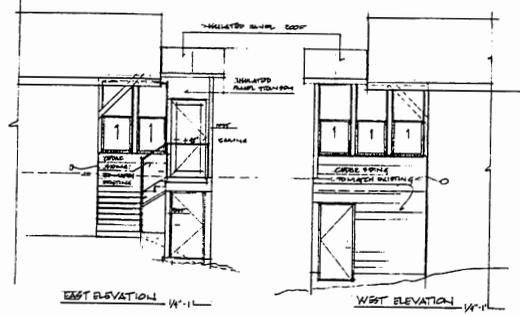
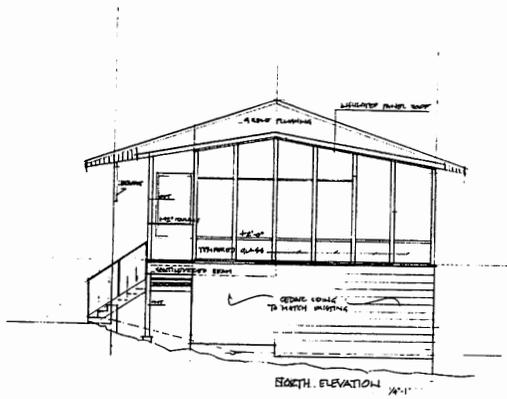


SITE PLAN 1102 Lot Size 0.154069 / 43344 sq. ft.
 LEGAL: PD NUMBER 007-181-525 AND 007-181-523
 LOT 7, BLOCK 1, PLAN V171507, LAND DISTRICT 20...



1102 SWARTA RD
 BUILDING PERMITS
 TOTTEN SPONSOR

2020-05-11
 P1014
 1



- ① SOFT WALL
 2x4 @ 16" O.C. COMMON PERM.
 1/2" EX. SHEATHING
 APPROVED WRAP DET.
 CEILING FINISH TO MATCH BRISTING
- ② EXT. WALL
 2x6 @ 16" O.C. COMMON PERM.
 1/2" PLY (EXT. SIDE)
 APPROVED WRAP DET.
 CEILING FINISH TO MATCH BRISTING