

Information Book for LOT 1 TELEGRAPH ROAD EMAIL PACKAGE

Please review the Table of Contents and ensure that all documents noted have been received.



Elizabeth Bibergen

Personal Real Estate Corporation
Associate Broker

Elizabeth

**BIBERGER
& ASSOCIATES**

Royal LePage Duncan – Realty

Direct Line: 250-746-3077

Office: 250-746-6621

Email: mail@teambiberger.com

371 Festubert Street, Duncan, BC V9L 3T1



Michelle Nelford

Sales Associate

Table of Contents for Lot 1 Telegraph Road

1. MLS Listing Sheet
2. Survey
3. Well Log
4. Property Disclosure Statement
5. BC Assessment
6. Zoning Details
7. Zoning Map
8. School Information
9. Aquaparian Environmental Consulting –
Environmental Overview – August 18, 2023

It is the responsibility of anyone receiving this package to check they have received all documents noted above. If you believe there is something missing, please notify us by email immediately identifying what needs to be provided or corrected.

Further, while every effort is made to ensure this information package is accurate, it is ultimately the buyer's responsibility to check all information if it is fundamental to their decision in submitting an offer on this property.

*We are providing title documents we believe are relevant. If you are writing an offer you will receive an actual copy of the title search. Please double check that you have received all the charges important to you as we may not be including charges that we do not deem important.



Elizabeth C. Biberger
A Reputation Built on Trust and Results!
mail@teambiberger.com



 <div>Lot 1 Telegraph Rd ML Cobble Hill ~ V0R 1L4</div>	Rooms						Listing Summary		
	RoomType	Level		Dim/Pcs			MLS@: 956650	List Price: \$749,900	
							Status: Active	Orig Price: \$749,900	
							Sub Type: Land	Sold Price:	
							DOM: 1	Pend Date:	
							Taxes: \$1,867	Strata Fee:	
							2024 Asmt: \$808,000	Title: Freehold	
	Remarks								
	Magical 4.84 acre parcel in the heart of Cobble Hill offers mature trees, ferns, Oregon grape, salal, a seasonal creek & excellent privacy for your dream home. There is a drilled well which is 109 feet deep & 15 gallons per minute located in the northeast corner of the property. Other than one small clearing the lot has been left natural providing a blank canvass for the buyer. A seasonal water course makes its way through the property & the Riparian assessment has been done & is available for review. Recent surveying has been completed with all 4 corner posts flagged. The seller has created a walking path through a portion of the property (north side) to make viewing easier. This beautiful acreage is located close to the ocean, short drive to the amenities of Mill Bay & near Cherry Point & Enrico Vineyards. A1 zoning. Confirmed appointments required prior to walking the property. Do not open the gate.								

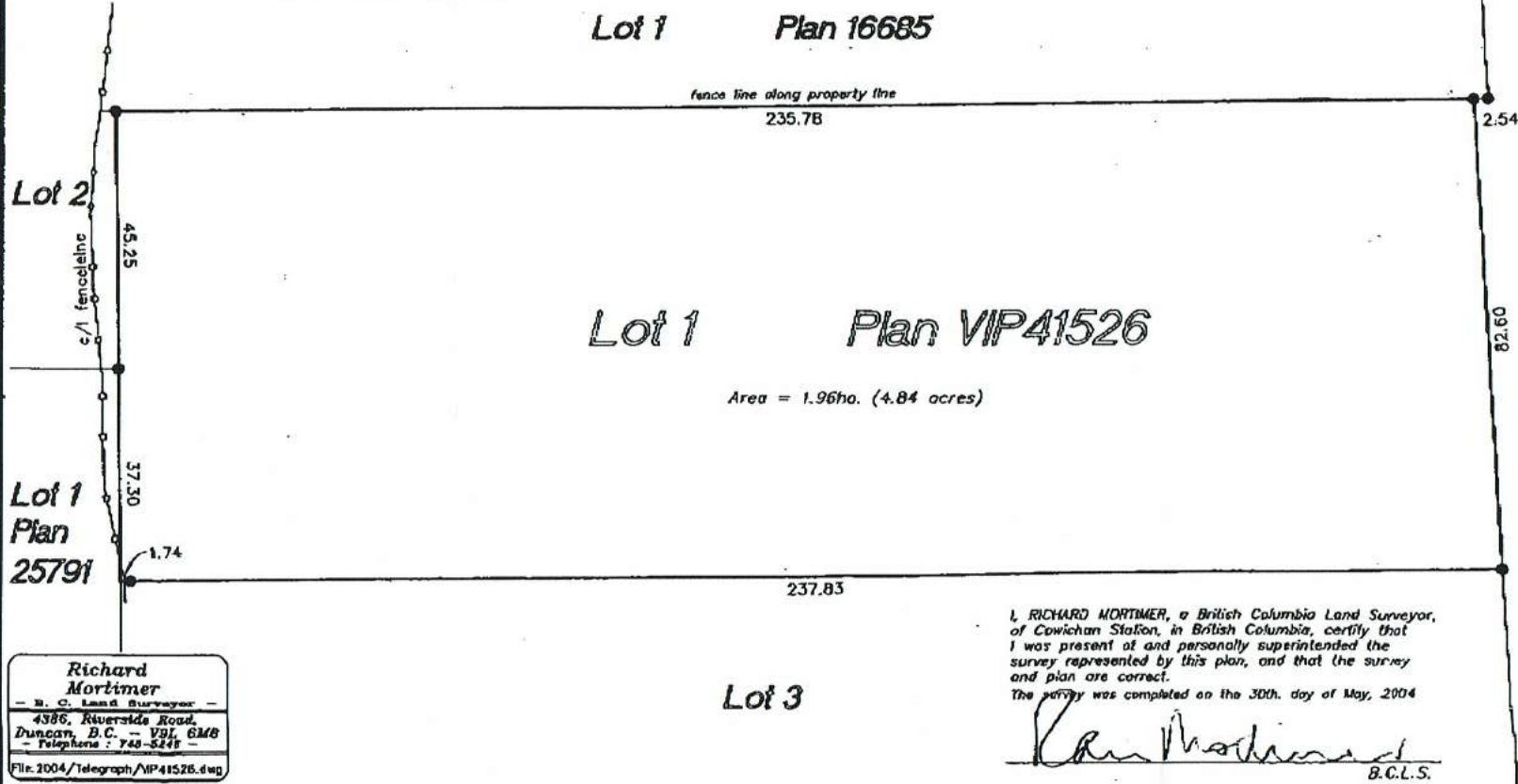


Sketch Plan of Survey of Lot 1, Section 10, Range 9, Shawnigan District, Plan 41526.

Scale ~ 1 : 750 - distances are in metres



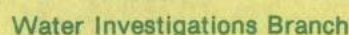
● - denotes standard iron post found



Richard
Mortimer
- B. C. Land Surveyor -
4386, Riverside Road,
Duncan, B.C. - V9L 6M8
- Telephone : 748-5245 -
File: 2004/Telegraph/VIP41526.dwg

I, RICHARD MORTIMER, a British Columbia Land Surveyor,
of Cowichan Station, in British Columbia, certify that
I was present at and personally superintended the
survey represented by this plan, and that the survey
and plan are correct.
The survey was completed on the 30th. day of May, 2004

Richard Mortimer
B.C.L.S.



Date 84 1 9
YR MO DY

LiD. 53 - Shaw. Kent. 1/2 Sect 10 - R 9 - Recount 1000 10 + E

Owners Name & Address

ELEV

WELL No.

z		
---	--	--

2 ☐ Reconditioned
4 ☐ Abandoned

1 ☐ Cable tool 2 ☐ Bored 3 ☐ Jetted
4 ☒ Rotary a ☐ mud b ☒ air c ☐ reverse
5 ☐ Other

1 ☒ Domestic 2 ☐ Municipal 3 ☐ Irrigation
4 ☐ Commercial & Industrial
5 ☐ Other

5. MEASUREMENTS from 1 ☒ ground level 2 ☐ top of casing

9. CASING: 1 ☒ Steel 2 ☐ Galvanized 3 ☐ Wood
Materials 4 ☐ Plastic 5 ☐ Concrete
6 ☐ Other

Hole Diameter						units
Diameter	6"					ins
from	0'					ins
to	110'					ft
Thickness	250					ft
Weight						ins
						lb/ft

Pitless unit _____ ft 1 ☐ above 2 ☐ below ground level

1 ☐ Welded 2 ☐ Cemented 3 ☐ Threaded 4 ☐ New 5 ☐ Used

Perforations:

Shoe (s): 1 - 6"

Open hole, from _____ to _____ ft Diameter _____ ins

Grout :

10. SCREEN: 1 ☒ Nominal 2 ☐ Pipe Size

Type 1 ☒ Continuous Slot 2 ☐ Perforated 3 ☐ Louvre
4 ☐ Other _____

Material 1 ☒ Stainless Steel 2 ☐ Plastic 3 ☐ Other
Set from 109 to 104 ft below ground level

SCREEN & BLANKS						units
Length	4'10"					ft
Diam. I D	5 1/2"					ins
Slot Size	18					ins
from	109'					ft
to	104'					ft

Fittings, top LEAD bottom FLAT
Gravel Pack

II. DEVELOPED BY: 1 ☐ Surging 2 ☐ Jetting 3 ☐ Air
4 ☐ Bailing 5 ☐ Pumping 6 ☐ Other _____

12. TEST 1 ☐ Pump 2 ☐ Bail Date YR MO DY
Rate USgpm Temp °C SWL before test ft
 ft after test of hrs mins

[illegible]

13.	RECOMMENDED PUMP TYPE	RECOMMENDED PUMP SETTING	RECOMMENDED PUMPING RATE
		ft	USgpm

14. WATER TYPE: 1 ☒ fresh 2 ☐ salty 3 ☒ clear 4 ☐ cloudy
colour _____ smell _____; gas 1 ☐ yes 2 ☐ no

15. WATER ANALYSIS: 1 ☐ Hardness _____ mg/l
2 ☐ Iron _____ mg/l 3 ☐ Chloride _____ mg/l
4 ☐ pH | | | | Field Date | | | |

SITE I D No

Lab Date | | | |

16. FINAL WELL COMPLETION DATA

Well Depth 109 ft Water Flowing 15 US gpm
Static Water Level 95 ft Pressure Head _____ ft
Back filled _____
Well Head Completion WELDED LID

17. DRILLER
PLEASE PRINT

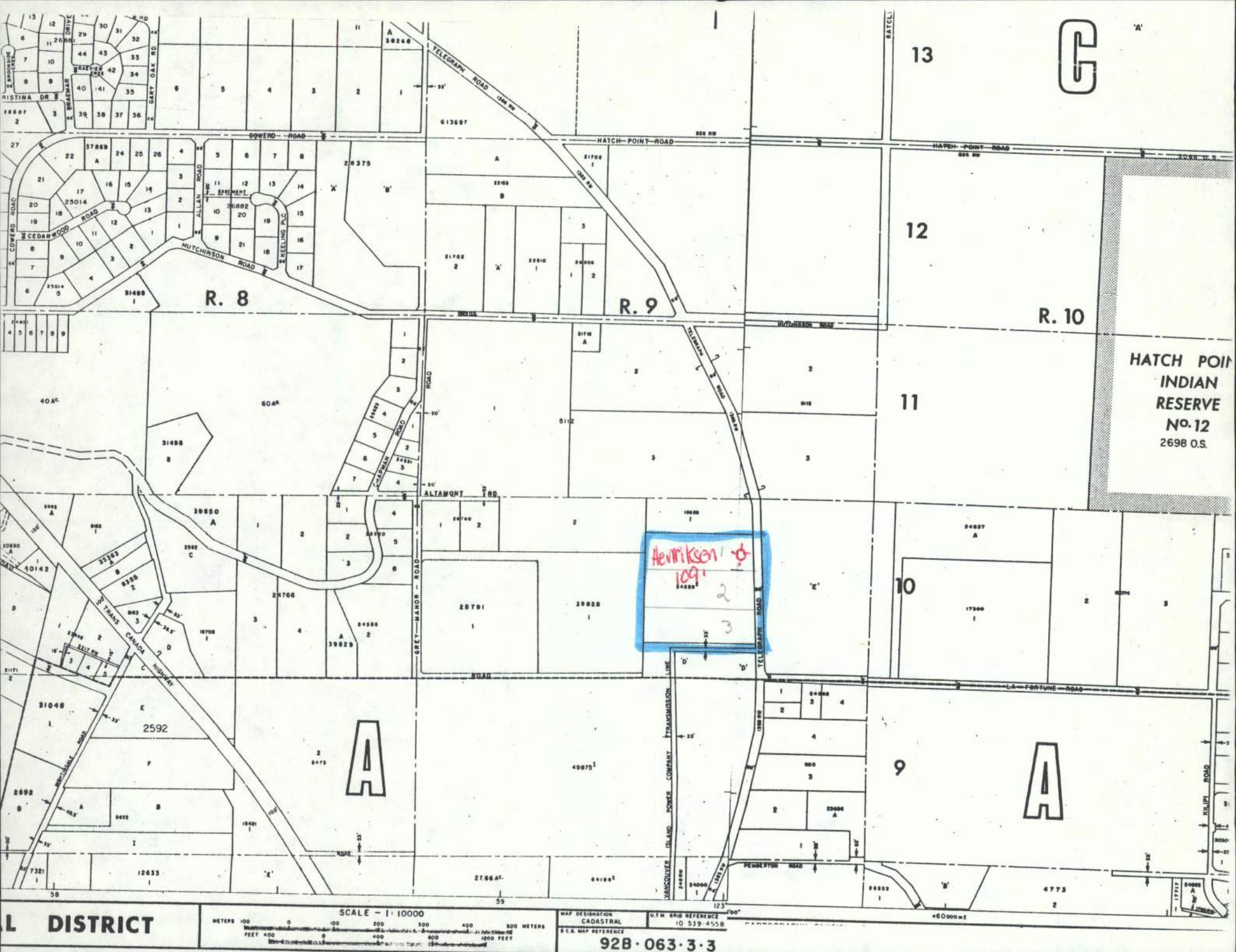
SURNAME										FIRST NAME									
W	A	T	T							D	O	U	G						

Signature *Dana L. Beth*

18. CONTRACTOR, Address

DRILLWELL ENTERPRISES LTD.
KEN SLADE
R.R. 1, COWICHAN BAY, B.C.
VOR 1N0

Member, BCWWDA ☒ yes ☐ no :



NORTH

WEST

SEE INSIDE

EAST

SOUTH

6-1-6
CARD BY J. Ganz DATE Sept 84
ADDITIONAL DATA ADDED BY _____

REMARKS

INFORMATION ABOUT THE PROPERTY DISCLOSURE STATEMENT **LAND ONLY**

THIS INFORMATION IS INCLUDED FOR THE ASSISTANCE OF THE PARTIES ONLY. IT DOES NOT FORM PART OF THE PROPERTY DISCLOSURE STATEMENT.

THIS FORM IS INTENDED TO BE USED FOR VACANT LAND.

EFFECT OF THE PROPERTY DISCLOSURE STATEMENT

The Property Disclosure Statement will not form part of the Contract of Purchase and Sale unless so agreed by the buyer and the seller. This can be accomplished by inserting the following wording in the Contract of Purchase and Sale:

“The attached Property Disclosure Statement dated (date)
is incorporated into and forms part of this contract.”

ANSWERS MUST BE COMPLETE AND ACCURATE

The Property Disclosure Statement is designed, in part, to protect the seller by establishing that all relevant information concerning the land has been provided to the buyer. It is important that the seller not answer “do not know” or “does not apply” if, in fact, the seller knows the answer. An answer must provide all relevant information known to the seller. In deciding what requires disclosure, the seller should consider whether the seller would want the information if the seller was a potential buyer of the land.

BUYER MUST STILL MAKE THE BUYER'S OWN INQUIRIES

The buyer must still make the buyer's own inquiries after receiving the Property Disclosure Statement. Each question and answer must be considered, keeping in mind that the seller's knowledge of the Land may be incomplete. Additional information can be requested from the seller or from an independent source such as the Municipality or Regional District. The buyer can hire an independent, licensed inspector or other professional to examine the land and/or improvements to determine whether defects exist and to provide an estimate of the cost of repairing problems that have been identified on the Property Disclosure Statement or on an inspection report.

FOUR IMPORTANT CONSIDERATIONS

1. The seller is legally responsible for the accuracy of the information which appears on the Property Disclosure Statement. Not only must the answers be correct, but they must be complete. The buyer will rely on this information when the buyer contracts to purchase the land. Even if the Property Disclosure Statement is not incorporated into the Contract of Purchase and Sale, the seller will still be responsible for the accuracy of the information on the Property Disclosure Statement if it caused the buyer to agree to buy the property.
2. The buyer must still make the buyer's own inquiries concerning the Land in addition to reviewing a Property Disclosure Statement, recognizing that, in some cases, it may not be possible to claim against the seller, if the seller cannot be found or is insolvent.
3. Anyone who is assisting the seller to complete a Property Disclosure Statement should take care to see that the seller understands each question and that the seller's answer is complete. It is recommended that the seller complete the Property Disclosure Statement in the seller's own writing to avoid any misunderstanding.
4. If any party to the transaction does not understand the English language, consider obtaining competent translation assistance to avoid any misunderstanding.

PROPERTY DISCLOSURE STATEMENT

LAND ONLY


Date of disclosure: March 19 2024

The following is a statement made by the Seller concerning the Land located at:

ADDRESS: Lot 1 Telegraph Road Cobble Hill BC V0R 1L4 (the "Land")

THE SELLER IS RESPONSIBLE for the accuracy of the answers on this Property Disclosure Statement and where uncertain should reply "Do Not Know." This Property Disclosure Statement constitutes a representation under any Contract of Purchase and Sale if so agreed, in writing, by the Seller and the Buyer.	THE SELLER SHOULD INITIAL THE APPROPRIATE REPLIES.			
	YES	NO	DO NOT KNOW	DOES NOT APPLY

1. LAND

A. Are you aware of any encroachments, unregistered easements or unregistered rights-of-way?		<div>Authentisign</div> <div>KJ</div>		
B. Are you aware of any existing tenancies, written or oral?		<div>Authentisign</div> <div>KJ</div>		
C. Are you aware of any past or present underground oil storage tank(s) on the Land?		<div>Authentisign</div> <div>KJ</div>		
D. Is there a survey certificate available?	<div>Authentisign</div> <div>KJ</div>			
E. Are you aware of any current or pending local improvement levies/charges?		<div>Authentisign</div> <div>KJ</div>		
F. Have you received any other notice or claim affecting the Land from any person or public body?		<div>Authentisign</div> <div>KJ</div>		
G. Is the Land managed forest lands?		<div>Authentisign</div> <div>KJ</div>		
H. Is the Land in the Agricultural Land Reserve?	<div>Authentisign</div> <div>KJ</div>			
I. Are you aware of any past or present fuel or chemical storage anywhere on the Land?		<div>Authentisign</div> <div>KJ</div>		
J. Are you aware of any fill materials anywhere on the Land?	<div>Authentisign</div> <div>KJ</div>			
K. Are you aware of any waste sites, past or present, excluding manure storage anywhere on the Land?		<div>Authentisign</div> <div>KJ</div>		
L. Are you aware of any uncapped or unclosed water wells on the Land?		<div>Authentisign</div> <div>KJ</div>		
M. Are you aware of any water licences affecting the Land?		<div>Authentisign</div> <div>KJ</div>		
N. Has the Land been logged in the last five years?		<div>Authentisign</div> <div>KJ</div>		
(i) If yes, was a timber mark/licence in place?				<div>Authentisign</div> <div>KJ</div>
(ii) If yes, were taxes or fees paid?				<div>Authentisign</div> <div>KJ</div>
O. Is there a plot plan available showing the location of wells, septic systems, crops etc.?		<div>Authentisign</div> <div>KJ</div>		

BUYER'S INITIALS

Authentisign

KJ

SELLER'S INITIALS

March 19 2024

PAGE 2 of 3 PAGES

DATE OF DISCLOSURE

ADDRESS: Lot 1 Telegraph Road Cobble Hill BC V0R 1L4

2. SERVICES	YES	NO	DO NOT KNOW	DOES NOT APPLY
A. Please indicate the water system(s) the Land uses: <input type="checkbox"/> A water provider supplies my water (e.g., local government, private utility) <input checked="" type="checkbox"/> I have a private groundwater system (e.g., well) <input type="checkbox"/> Water is diverted from a surface water source (e.g., creek or lake) <input type="checkbox"/> Not connected Other _____	KJ			
B. If you indicated in 2.A. that the Land has a private groundwater or private surface water system, you may require a water licence issued by the provincial government.				
(i) Do you have a water licence for the Land already?		KJ		
(ii) Have you applied for a water licence and are awaiting response?		KJ		
C. Are you aware of any problems with the water system?		KJ		
D. Are records available regarding the quality of the water available (such as pumping tests, flow tests, geochemistry and bacteriological quality, water treatment installation/maintenance records)?		KJ		
E. Are records available regarding the quantity of the water available (such as pumping test or flow tests)?	KJ			
F. Indicate the sanitary sewer system the Land is connected to: <input type="checkbox"/> Municipal <input type="checkbox"/> Community <input type="checkbox"/> Septic <input type="checkbox"/> Lagoon <input type="checkbox"/> Not Connected Other <u>Buyer to instll septic</u>				
G. Are you aware of any problems with the sanitary sewer system?				KJ
H. Are there any current service contracts; (i.e., septic removal or maintenance)?				KJ
I. If the system is septic or lagoon and installed after May 31, 2005, are maintenance records available?				KJ

3. BUILDING (not applicable)

4. GENERAL

A. Are you aware if the Land has been used to grow cannabis (other than as permitted by law) or to manufacture illegal substances?		KJ		
B. Are you aware of any latent defect in respect of the Land? <i>For the purposes of this question, "latent defect" means a defect that cannot be discerned through a reasonable inspection of the Land that renders the Land: (a) dangerous or potentially dangerous to occupants; or (b) unfit for habitation.</i>		KJ		

--	--	--

BUYER'S INITIALS

KJ		
----	--	--



SELLER'S INITIALS

March 19 2024

PAGE 3 of 3 PAGES

DATE OF DISCLOSURE

ADDRESS: Lot 1 Telegraph Road Cobble Hill BC V0R 1L4

4. GENERAL (continued)	YES	NO	DO NOT KNOW	DOES NOT APPLY
C. Are you aware of any existing or proposed heritage restrictions affecting the Land (including the Land being designated as a "heritage site" or as having "heritage value" under the <i>Heritage Conservation Act</i> or municipal legislation)?				
D. Are you aware of any existing or proposed archaeological restrictions affecting the Land (including the Land being designated as an archaeological site or as having archaeological value under applicable law)?				

5. ADDITIONAL COMMENTS AND/OR EXPLANATIONS (Use additional pages if necessary)

1. J - There was clean fill brought into the property in 2008 from a road excavation on Kilipi Road. The fill was placed on the left side of the clearing at the end of the driveway in order to level the area.



The Seller states that the information provided is true, based on the Seller's current actual knowledge as of the date on page 1. Any important changes to this information made known to the Seller will be disclosed by the Seller to the Buyer prior to closing. The Seller acknowledges and agrees that a copy of this Property Disclosure Statement may be

----- Signed copy available thru L.A. if writing offer -----

The Buyer acknowledges that the Buyer has received, read and understood a signed copy of this Property Disclosure Statement from the Seller or the Seller's brokerage on the _____ day of _____ yr. _____.

The prudent Buyer will use this Property Disclosure Statement as the starting point for the Buyer's own inquiries. **The Buyer is urged to carefully inspect the Land and, if desired, to have the Land inspected by a licensed inspection service of the Buyer's choice.**

BUYER(S)

BUYER(S)

BUYER(S)

The Seller and the Buyer understand that neither the Listing nor Selling Brokerages or their Managing Brokers, Associate Brokers or Representatives warrant or guarantee the information provided about the Land.

*PREC represents Personal Real Estate Corporation

Trademarks are owned or controlled by The Canadian Real Estate Association (CREA) and identify real estate professionals who are members of CREA (REALTOR®) and/or the quality of services they provide (MLS®).

BC1008 REV. NOV 2023

COPYRIGHT BC REAL ESTATE ASSOCIATION

© 2023, British Columbia Real Estate Association ("BCREA"). All rights reserved. This form was developed by BCREA for the use and reproduction by BC REALTORS® and other parties authorized in writing by BCREA. Any other use or reproduction is prohibited except with prior written consent of BCREA. This form is not to be altered when printing or reproducing the standard pre-set portion. BCREA bears no liability for your use of this form.

TELEGRAPH RD COBBLE HILL VOR 1L4

Area-Jurisdiction-Roll: 04-765-04274.001



Total value **\$808,000**

2024 assessment as of July 1, 2023

Land \$808,000

Buildings \$0

Previous year value \$832,000

Land \$832,000

Buildings \$0

Property information

Year built

Description 2 Acres Or More (Vacant)

Bedrooms

Baths

Carports

Garages

Land size 4.843 Acres

First floor area

Second floor area

Basement finish area

Strata area

Building storeys

Gross leasable area

Net leasable area

No.of apartment units

Legal description and parcel ID

LOT 1, PLAN VIP41526, SECTION 10, RANGE 9, SHAWNIGAN LAND DISTRICT

PID: 000-826-278

Sales history (last 3 full calendar years)

No sales history for the last 3 full calendar years

Manufactured home

Width

Length

Total area

Register with BC Assessment



Search properties on a map



Compare property information and assessment values



Store and access favourite properties across devices



View recently viewed properties

9.1 A-1 AGRICULTURAL RESOURCE 1 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-1 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the A-1 Zone:

- a. Agriculture, horticulture, silviculture, turf farm, fish farm;
- b. Kennel;
- c. Single family dwelling;
- d. Farm uses as designated by Statute or Regulation under the *Provincial Agricultural Land Commission Act*;

The following accessory uses are permitted in the A-1 zone:

- e. Bed and breakfast accommodation;
- f. Farm gate sales;
- g. Home-based business;
- h. Secondary suite;
- i. Unlicensed daycare and group daycare;
- j. Secondary dwelling units in areas upon land which a secondary dwelling unit was legally authorized at the date of December 11, 2013.

2. Minimum Parcel Size

The minimum parcel area in the A-1 Zone is 30 hectares.

3. Number of Dwellings

One dwelling is permitted per parcel in the A-1 Zone.

4. Setbacks

The following minimum setbacks for buildings and structures apply in the A-1 Zone:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Kennel Use
Front parcel line	15 metres	7.5 metres	45 m
Interior side parcel line	15 metres	3 metres	45 m
Exterior side parcel line	15 metres	4.5 metres	45 m
Rear parcel line	15 metres	7.5 metres	45 m

5. Height

In the A-1 Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres.

6. Parcel Coverage

The parcel coverage in the A-1 Zone shall not exceed:

- a. 20 percent for all buildings and structures;
- b. Notwithstanding Section 9.1.6.a, the parcel coverage may be increased by an additional 30% of the parcel area for the purpose of accommodating greenhouses.

7. Kennel Regulation

No outdoor runs, outdoor pens or part thereof shall be located within 50 metres of any parcel boundary.

8. Poultry processing

Poultry processing is permitted as a principal use, and portable containers are permitted as accessory agricultural structures, on the property LOT A, SECTION 9, RANGE 8, SHAWNIGAN DISTRICT, PLAN 43278 (PID: 003-027-147). Buildings and structures for the use of poultry processing must comply with the setbacks for Agricultural and Accessory Uses.

9.2 **A-2 VILLAGE AGRICULTURAL 2 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-2 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the A-2 Zone:

- a. Agriculture, horticulture, silviculture, turf farm, fish farm, equestrian arena, boarding stable;
- b. Single family dwelling;

The following accessory uses are permitted in the A-2 Zone:

- c. Secondary suite or accessory dwelling unit;
- d. Bed and breakfast accommodation;
- e. Agri-tourism;
- f. Farm gate sales;
- g. Home-based business;
- h. Unlicensed daycare and group daycare.

2. Minimum Parcel Size

The minimum parcel area in the A-2 Zone is 2 hectares.

3. Number of Dwellings

One dwelling is permitted per parcel in the A-2 Zone.

4. Setbacks

The following minimum setbacks for buildings and structures apply in the A-2 Zone:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses
Front parcel line	15 metres	7.5 metres
Interior side parcel line	15 metres	3 metres
Exterior side parcel line	15 metres	4.5 metres
Rear parcel line	15 metres	7.5 metres



Choose School

School(s) that serve 3371 - 3499 TELEGRAPH RD, COBBLE HILL [New Search](#)

Click on a school below to display that school's information on the right.

Elementary

K - 7 George Bonner Elementary

Secondary

8 - 12 Frances Kelsey Secondary

School Information

George Bonner Elementary



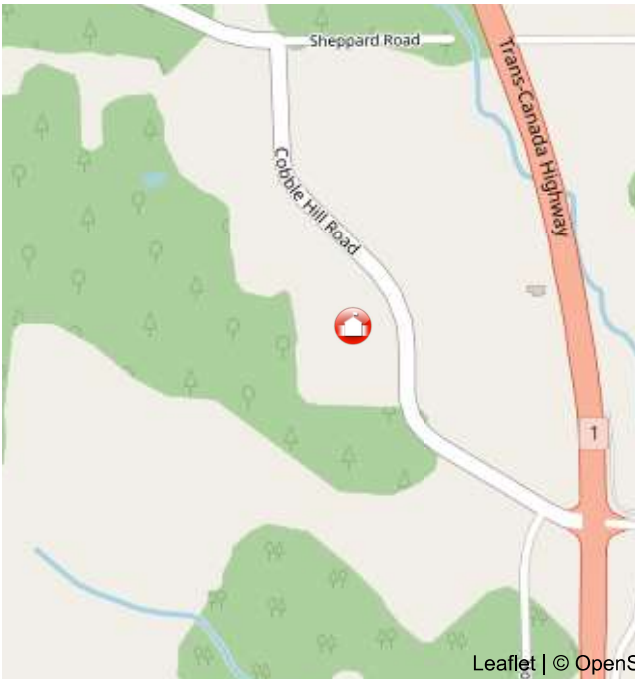
Name George Bonner Elementary
Address 3060 Cobble Hill Road Mill Bay, BC, VOR 2P3
Principal Updesh Cheema
Vice Principal Delyth Morgan
Phone (250) 743-5571
Capacity 700
Start time 08:30 AM
Closing time 02:18 PM
Wheelchair Yes

LEGEND

George Bonner Elementary

[Get Walking Directions](#)

<https://maps.google.com/maps?saaddr=3371+TELEGRAPH+RD,+COBBLE+HILL,BC&daddr=3499>
[Get Driving Directions](#)



Choose School

School(s) that serve 3371 - 3499 TELEGRAPH RD, COBBLE HILL [New Search](#)

Click on a school below to display that school's information on the right.

Elementary

K - 7 George Bonner Elementary

Secondary

8 - 12 Frances Kelsey Secondary

School Information

Frances Kelsey Secondary



Name Frances Kelsey Secondary

Address 953 Shawnigan Lake-Mill Bay Rd, Mill Bay, BC V0R 2P0

Principal Nicole Boucher

Vice Principal Camila Bhandari-Arscott/Tim Ylagan

Phone (250) 743-6916

Fax (250) 743-6915

Web page [Frances Kelsey Secondary](#)

Capacity 1000

Enrolment 0

Start time 09:00 AM

Closing time 03:15 PM

Portables 4

Wheelchair Yes

LEGEND

Frances Kelsey Secondary



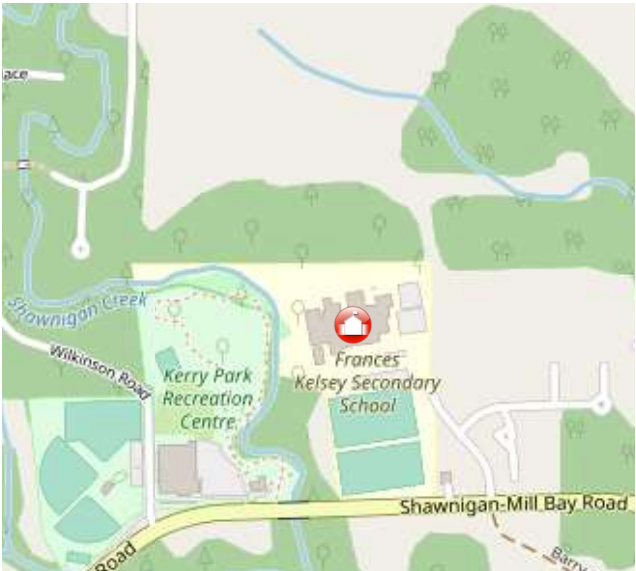
[Get Walking Directions](#)



[://maps.google.com/maps?](#)

[Get Driving Directions](#)

[saddr=3371+TELEGRAPH+RD,+COBBLE+HILL,BC&daddr=349](#)





August 16, 2023

Kate Switnicki
3379 Telegraph Rd Lot 2
Cobble Hill BC

**RE: ENVIRONMENTAL OVERVIEW ASSESSMENT LETTER REPORT
3799 TELEGRAPH ROAD (LOT 1), COBBLE HILL BC**

1.0 INTRODUCTION & BACKGROUND

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained to complete an Environmental Overview Assessment for 3379 Telegraph Road Lot 1 located in Cobble Hill, BC. As understood, the property owner plans to sell the undeveloped parcel. The intent of this report is to identify if there are any sensitive environmental features that might pose a constraint to future development of the parcel. The subject parcel is within Electoral Area C - Cobble Hill Local Area Plan of the Cowichan Valley Regional District (CVRD) and is legally described as follows:

- LOT 1, SECTION 10, RANGE 9, SHAWNIGAN DISTRICT, PLAN 41526 (PID: 000-826-278).

A review of the CVRD online mapping identifies that the property is zoned A-1 Agricultural Resources, within the Agricultural Land Reserve (ALR), and subject to the following Development Permit Areas (DPAs):

- DPA1 - Riparian Protection,
- DPA 2 - Sensitive Ecosystem Protection (Mature Forest), and
- DPA 4 - Aquifer Protection.

A review of the provincial Habitat Wizard database and the CVRD map identify a watercourse that enters the parcel on the west boundary and flows southeast through the centre of the parcel. The headwater is formed from wetlands or ponds within adjacent agricultural fields west of the parcel. The watercourse drains into the Saanich Inlet 1.5km southeast of the property near the end of Goulet Road. The Riparian Protection DPA 1 applies to streams subject to the provincial Riparian Areas Protection Regulation (RAPR) that protects streams that support fish

or are connected directly to other freshwater fish habitat. The RAPR identifies a Riparian Assessment Area (RAA) that extends 30m from the Stream Boundary when not confined in a ravine; 30m beyond the top of ravine bank for ravines less than 60m wide; and 10m beyond the ravine bank for ravines greater than 60m wide. The RAA defines the Development Permit Area.

The CVRD online map identifies that there is an Environmentally Sensitive Area (ESA) polygon mapped over the entire parcel which has been classified as 'Mature Forest'. The CVRD's ESA mapping was based on the following report: *Environmentally Sensitive Areas (ESAs) Mapping in the Cowichan Region - Phase II (December 2018)* prepared by Madrone Environmental Services Ltd. (Madrone). The CVRD online mapping legend includes an 'NS' (Non-Sensitive) designation for the subject parcel. A review of Madrone's 2018 report explains that NS indicates that the sensitive ecosystem designation has been changed where the forest structural stage classified through the original mapping was found to be incorrect.

The intent of this assessment is to document the existing environmental characteristics within the parcel and to identify if there are any sensitive ecological features within or nearby the subject parcel that may pose a constraint to future development.

Aquaparian completed a site assessment of the subject property on June 27, 2023. A site location map is included within this document as Figure 1. A selection of site photographs taken during the assessment have been included as Appendix A.

2.0 RESULTS

The subject parcel is rectangular in shape and is approximately 5 acres (2 ha) in size. It is bound by Telegraph Road to the east and agricultural A-1 zoned parcels to the north, south and west. Overall, the parcel is relatively flat with a gentle slope east towards the road. The parcel is undeveloped with a dirt access road extending from Telegraph Road partially into the parcel. An ephemeral stream originates from an open agricultural wetland in the adjacent parcel to the southwest and meanders eastward through the subject parcel (Creek 1). Creek 1 is shallow (~0.5m deep), varies in width from 1.0-2.5 m wide, and was dry at the time of the survey. Water is also directed from a shallow drainage (Tributary 1) within a miniature horse farm to the north of the parcel and flows south through a small log culvert into Creek 1. Another tributary (Tributary 2) approximately 1-2 m wide is located near the east side of the property and flows south into the subject parcel, crosses under the dirt road through a culvert and converges with Creek 1. A shallow, grass-lined roadside ditch less than 1.0 m wide originates from the northeast corner of the parcel and flows south along the road, then down a steep (70%) vegetated embankment into the stream near the inlet of the stream culvert underneath Telegraph Road. Aquaparian verified that the stream supports fish near its outlet into the ocean. Riffle-pool habitat at the lower reach increases in slope to step pool habitat upstream

near the end of Goulet Road, then there is a steep bedrock slope (23% gradient) with no pools that poses a barrier to fish passage. A fish was observed in a downstream pool and no permanent barriers to fish passage into the stream from the ocean were observed.

The riparian canopy within the subject parcel is comprised of red alder (*Alnus rubra*), bigleaf maple (*Acer macrophyllum*) and Pacific crab apple (*Malus fusca*) with an understory of willow (*Salix* spp.), Himalayan blackberry (*Rubus armeniacus*), salmonberry (*Rubus spectabilis*), thimbleberry (*Rubus parviflorus*), cutleaf blackberry (*Rubus laciniatus*), bracken fern (*Pteridium aquilinum*), stinging nettle (*Urtica dioica*), creeping buttercup (*Ranunculus repens*), sword fern (*Polystichum munitum*), cleavers (*Galium aparine*), wall lettuce (*Mycelis muralis*), water parsley (*Oenanthe sarmentosa*), cow parsnip (*Heracleum maximum*), alpine enchanter's nightshade (*Circaea alpina*), reed canary grass (*Phalaris arundinacea*), and herb-Robert (*Geranium robertianum*).

There is a small, open clearing approximately 0.2 ha in area at the end of the dirt access road in the northeast portion of the parcel. It is dominated by tall grasses with common rush (*Juncus effusus*), Canada thistle (*Cirsium arvense*), oxeye daisy (*Leucanthemum vulgare*), sheep sorrel (*Rumex acetosella*), dandelion (*Taraxacum officinale*), cutleaf blackberry, burdock (*Arctium* sp.), foxglove (*Digitalis purpurea*), Scotch broom (*Cytisus scoparius*), common snowberry (*Symphoricarpos albus*), oceanspray (*Holodiscus discolor*), and patches of Himalayan blackberry. Drier forest is located in the western half of the parcel and includes stands of second growth Douglas-fir (*Pseudotsuga menziesii*) and western redcedar (*Thuja plicata*) with minor amounts of alder and maple. Approximately 50% of the trees were observed to be between 20 and 30 cm diameter at breast height (DBH), while 30% were estimated to be 30-40 cm DBH, and 20% measured less than 20cm DBH. Understory includes sword fern, dull Oregon-grape (*Mahonia nervosa*), trailing blackberry (*Rubus ursinus*), and moss. Several small snags are situated along the central north side of the parcel. It does not appear that there is a Mature Forest ESA within the subject parcel as mapped. Madrone's 2018 report defines a Mature Forest as >80 years to <250 years old / since disturbance. Trees within the site appear to be in a Young Forest (40-80 Years) structural stage. Only two large, old trees were identified within the parcel boundaries and were located within the riparian area: bigleaf maples measuring 78 cm DBH and 90 cm DBH. The rest of the canopy appears to be characteristic of regenerated forest.

A review of the provincial databases Wildlife Tree Stewardship and Great Blue Herons Atlas did not identify any mapped bald eagle, osprey or heron nests within or in proximity to the subject parcel, nor did site reconnaissance identify any large stick nests.

3.0 REGULATORY FRAMEWORK

The following is a review of federal provincial and municipal regulations that *may* apply to future development of the subject parcel:

Federal Fisheries Act Section 35: On August 28, 2019, fish and fish habitat protection provisions under the new *Fisheries Act*, as well as some of the regulations that support these provisions, officially came into force. The new prohibitions include the following:

- No person shall carry on any work, undertaking or activity, other than fishing, that result in the death of fish; and,
- No person shall carry on any work, undertaking or activity that results in the harmful alteration, disruption or destruction of fish habitat. The definition of harmful alteration, disruption or destruction of fish habitat is any temporary or permanent change to fish habitat that directly or indirectly impairs the habitat's capacity to support one or more life processes of fish.

Federal Fisheries Act Section 36: Environment and Climate Change Canada administers Section 36 of the Fisheries Act, the key pollution prevention provision, prohibiting the deposit of deleterious substances into waters frequented by fish, unless authorized by regulations under the Fisheries Act or other federal legislation. A deleterious substance can be any substance that, if added to any water, would degrade or alter its quality such that it could be harmful to fish, fish habitat or the use of fish by people.

Federal Migratory Birds Convention Act, 1994. Most species of birds in Canada are protected under this act. "Migratory birds" are defined by Article I of the Convention which names the families and sub-families of birds protected, and provides some clarification of the species included. In general, birds not falling under federal jurisdiction within Canada include grouse, quail, pheasants, ptarmigan, hawks, owls, eagles, falcons, cormorants, pelicans, crows, jays, kingfishers, and some species of blackbirds. Timing for vegetation clearing will need to be planned to avoid impacts to migratory birds.

Provincial Water Sustainability Act. Works in and about a stream under Section 11 of the Water Sustainability Act requires that a person may only make "changes in and about a stream" under a "Change Approval" or "Notice of Authorized Change". "Changes in and about a stream" means: any modification to the nature of the stream including the land, vegetation, natural environment, or flow of water within the stream, or any activity or construction within the stream channel that has or may have an impact on a stream."

A Change Approval is written authorization to make complex changes in and about a stream. A Notice of Authorized Change is used for specified low risk changes in and about a stream that have minimal impact on the environment or third parties.

Riparian Areas Protection Regulation (RAPR). Subdivision or development of parcels within 30m of watercourses as defined by the RAPR are subject to a RAPR assessment to be reviewed and approved by the Province. The RAPR assessment is triggered by the Municipality's DPA requirements and is intended to determine a Streamside Protection and Enhancement Area (SPEA) setback that protects the watercourse and its riparian area. At the subdivision stage, the assessment is required to ensure future lots meet the Riparian Areas Protection Standard and that new lots are not created that would meet the definition of 'undue hardship'. At the development stage, a new RAPR assessment must be completed based on the detailed design of the proposed development to identify specific measures required to protect the SPEA from construction activities.

Section 34 of the Provincial *Wildlife Act*, states that a person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys:

- (a) a bird or its egg,
- (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or
- (c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg.

Timing for clearing of vegetation must be planned to avoid impacts to birds.

Heritage Conservation Act. All archaeological sites, recorded or not, are protected under the Heritage Conservation Act and must not be altered or damaged without a site alteration permit from the Archaeology Branch. If you encounter a 'Chance Find' during excavation works stop work immediately and contact the Archaeology Branch.

CVRD Development Permit Areas. The CVRD maps identify the parcel to be subject to DPA 1, DPA 2 and DPA 4. Development within a DPA will require that a Development Permit is obtained from the CVRD.

Aquaparian has determined that CVRD's DPA 2 is not expected to apply to the parcel because forest habitat observed during the site visit is not characteristic of a Mature Forest ESA. DPA 1 – Riparian Protection applies to the parcel because there is a watercourse meandering lengthwise through the centre of it. Creek 1 was confirmed to support fish habitat downstream so it is subject to the RAPR and would receive a 30m Riparian Assessment Area (RAA) as measured perpendicular from the High Water Mark (HWM) of the stream and tributaries. Development within the 30m will require a Development Permit through the CVRD and a submission of a RAPR assessment to the province for review. The resulting Streamside Protection and Enhancement Area (SPEA) for this watercourse based on its width would be 10m on either side of the creek and tributaries and 2m on the west side of the roadside ditch. The SPEA is considered a No-Go zone for clearing, soil disturbance or development. A site plan showing the subject parcel has been prepared by Turner & Associates Land Surveying and

is included as Figure 2 which identifies the watercourse, the 30m DPA/RAA, and 10m SPEA. Cross hatching on Figure 2 identifies the Developable Area of the parcel, which is that area outside of all legal (i.e. back, front and side yard) and environmental (i.e. SPEA) setbacks. In order to meet the Riparian Standard, at least 30% (the “allowable footprint”) of an undeveloped lot must be developable to avoid a situation classified as “undue hardship.” With approximately 58% of the parcel outside of the setbacks, the parcel meets the Riparian Standard.

It is expected that culvert installation in one or more locations along the watercourse will be required to create access to the parcel. Currently the dirt driveway has a small culvert but it is expected that a larger culvert would be needed at the development stage. Culvert installations or replacements require a “Notice of Authorized Change” under the WSA and potentially a RAPR assessment for driveway crossing works.

4.0 CONCLUSION

Aquaparian was retained to complete an Environmental Overview Assessment of 3379 Telegraph Road in preparation for the sale of the subject property. The intention was to identify any constraints for future development of the parcel. Aquaparian determined that a watercourse flowing through the parcel has fish habitat in the lower reach and is therefore subject to the CVRD DPA 1. Any future development within 30m of the stream would require a Development Permit which would first need a RAPR assessment to be completed and approved by the province. A 10m SPEA would be applied to the stream and tributaries as a No-Go zone to protect the watercourse and downstream fish habitat, while a 2m SPEA would be applied to the roadside ditch. The parcel is not subject to the DPA2 because it does not appear to have a Mature Forest ESA. Development will require a WSA Notice of Authorized change in order for driveway access to be constructed, or any other stream crossings.


5.0 CLOSURE

This report has been based on a site assessment, past project experience and in accordance with generally accepted biological practices. No other warranty is made, either expressed or implied. Aquaparian trusts that the information provided in this report meets your requirements. Any questions regarding information provided in this document, please contact the undersigned at (250) 591-2258.

Regards,

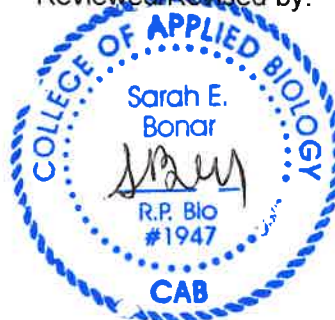
AQUAPARIAN ENVIRONMENTAL CONSULTING LTD

Prepared by:



Jeni Rowell, B.Sc.
Biologist-in-Training

Reviewed/Revised by:



Sarah Bonar, B.Sc., R.P.Bio
Principal / Senior Biologist

[HTTPS://NETORG5387218.SHAREPOINT.COM/SITES/SHARED/SHARED DOCUMENTS/DOCUMENTS/PROJECTS/PROJECTS/N1077 3379 TELEGRAPH RD EA/3379 TELEGRAPH RD ENV OVERVIEW.DOCX](https://netorg5387218.sharepoint.com/sites/Shared/Shared%20Documents/Documents/Projects/Projects/N1077%203379%20Telegraph%20RD%20EA/3379%20Telegraph%20RD%20Env%20Overview.docx)

FIGURE 1
SITE LOCATION MAP

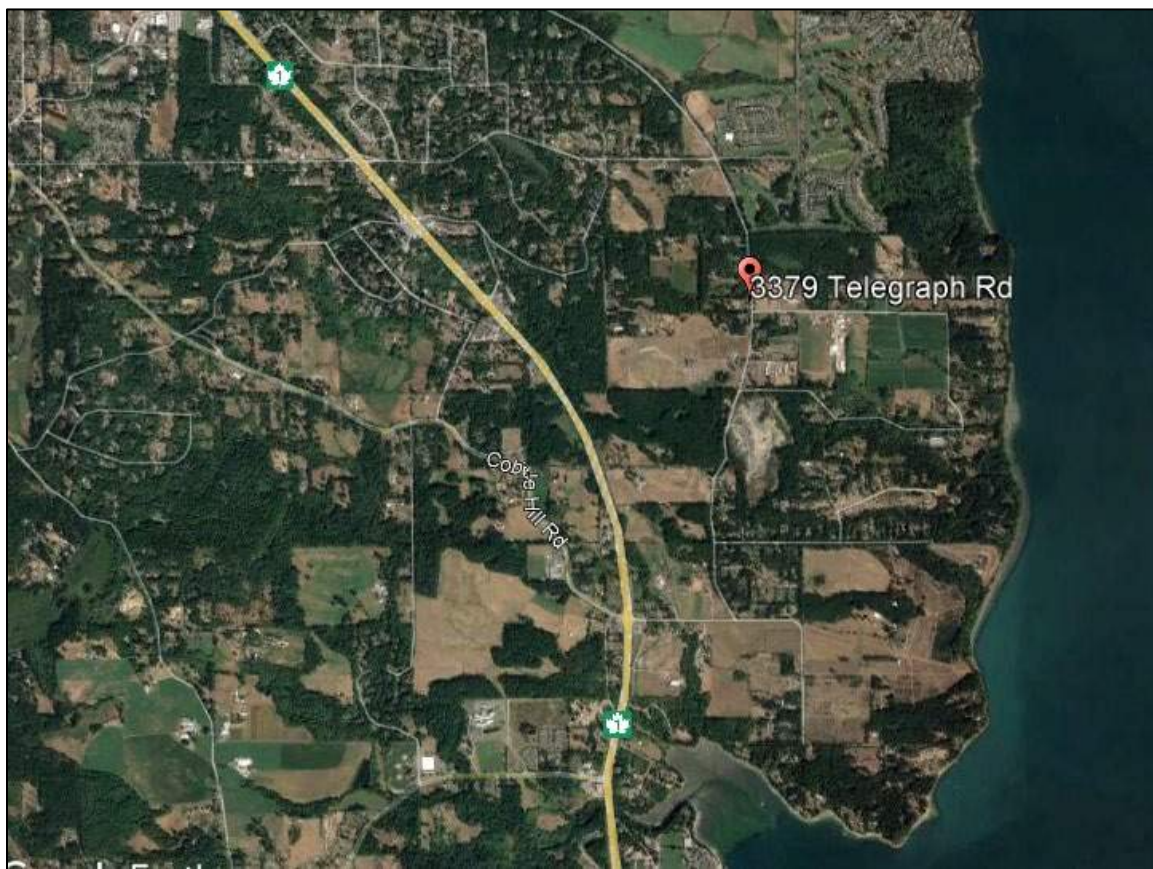
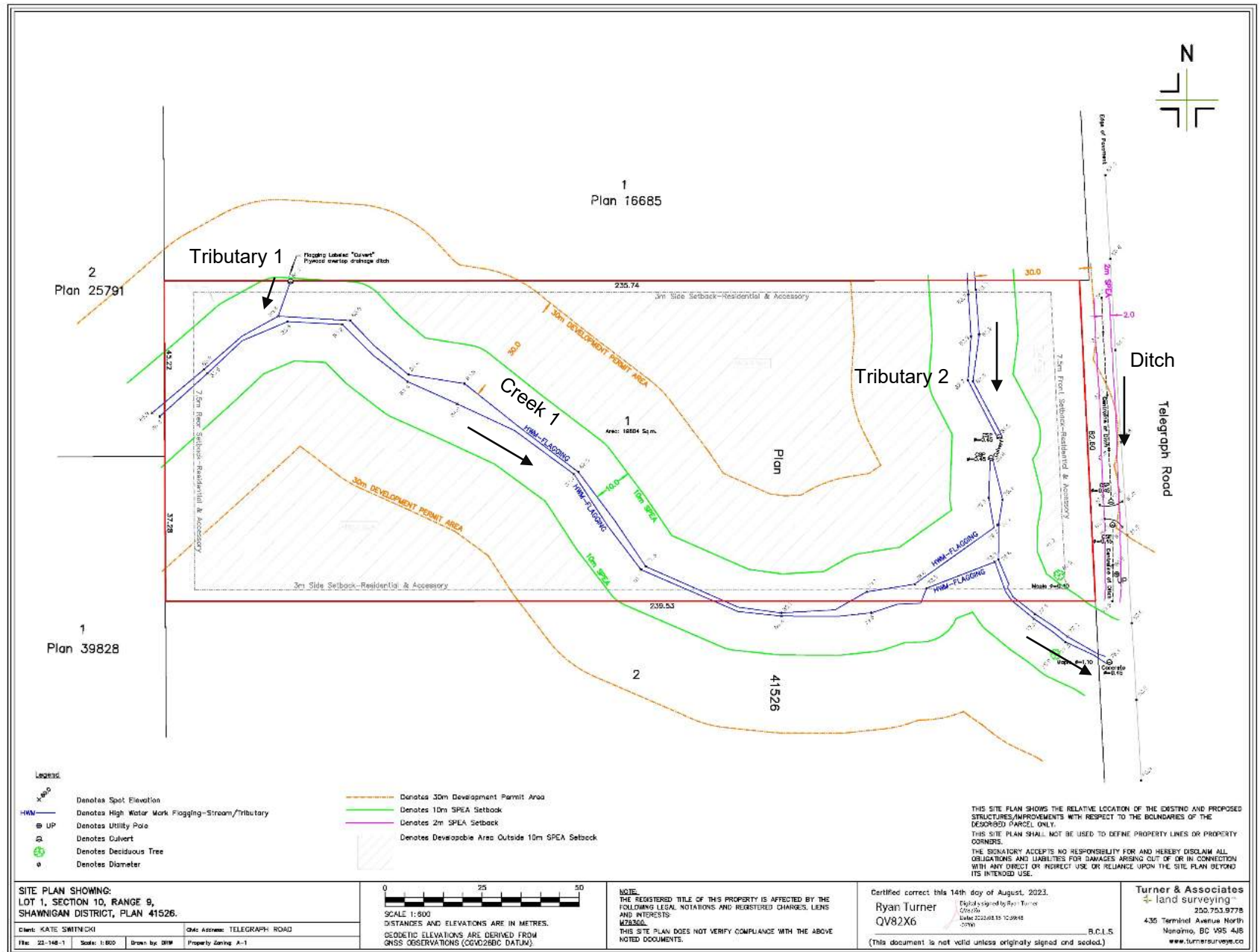


FIGURE 1A & 1B – SITE LOCATION MAPS



FIGURE 2
SITE PLAN
TURNER & ASSOCIATES LAND SURVEYING LTD.

FIGURE 2 – SITE PLAN



APPENDIX A
SITE PHOTOGRAPHS

APPENDIX A – SITE PHOTOGRAPHS



Photo 1: Looking north up Telegraph Rd. showing existing dirt access road into parcel.



Photo 2: Looking north up shallow roadside ditch.



Photo 3 & 4: Looking upstream along Creek 1.



Photo 5: One of two large old maple trees within the riparian area of Creek 1.

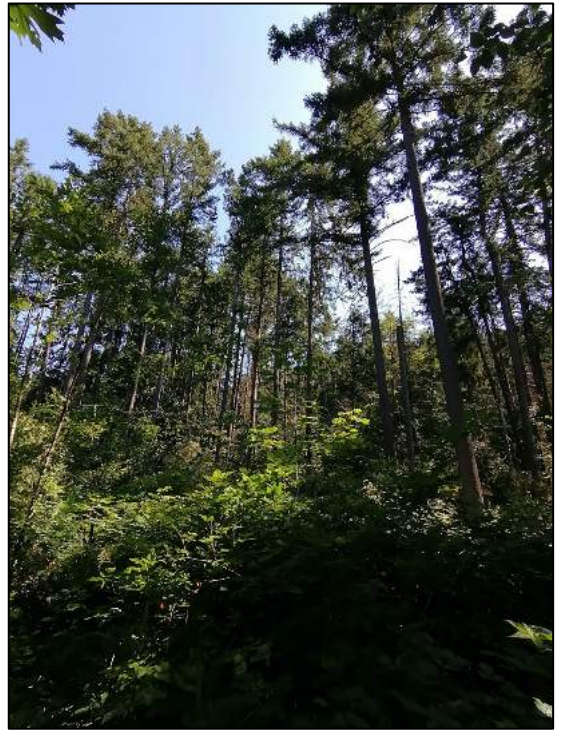


Photo 6: Showing example of typical forest stand within parcel. More accurately represented by Young Forest than Mature Forest.



Photo 7: Showing Tributary 2 coming from neighbouring parcel to the north (miniature horse farm).



Photo 8: Showing where Tributary 2 enters subject parcel through a small log culvert.



Photo 9: Showing Tributary 2 flowing into Creek 1.



Photo 10: Small clearing within east side of parcel at end of access road.



Photo 11: Creek 1 enters subject parcel from agricultural pond or wetland to the west.



Photo 12: Creek 1 where it enters subject parcel.

Photo 13: Showing fish habitat in lower reach of Creek 1 near ocean.

