



Making a difference...together

**Minutes of a Meeting of the East Sooke Advisory Planning Commission  
Held Tuesday, April 10, 2012, at East Sooke Fire Hall, 1397 Coppermine Road, Sooke, BC**

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**PRESENT:** Linda Nehra, Chair, Lindsay Trowell, Vice Chair, Rhonda Underwood, Nita West, Brian White  
**Staff:** June Klassen, Local Area Planning Manager  
**Also present:** Director Mike Hicks

**PUBLIC:** Approximately 40

The meeting was called to order at 7:00 p.m.

June Klassen introduced Director Hicks and the East Sooke Advisory Planning Commission members.

**1. Elections**

June Klassen called for nominations for the position of Chair and Linda Nehra and Rhonda Underwood's names were put forward. June Klassen called for nominations a second and third time and hearing none nominations were declared closed.

Ballots were distributed, collected and counted. Following the counting of ballots, June Klassen declared Linda Nehra Chair.

June Klassen called for nominations for the position of Vice Chair and Lindsay Trowell and Rhonda Underwood's names were put forward. June Klassen called for nominations a second and third time and hearing none nominations were declared closed.

Ballots were distributed, collected and counted. Following the counting of ballots, June Klassen declared Lindsay Trowell Vice Chair.

**2. Approval of the Agenda**

**MOVED** by Brian White, **SECONDED** by Lindsay Trowell that the agenda be approved.

**CARRIED**

**3. Approval of the Supplementary Agenda**

June Klassen directed attention to a petition signed by seven residents and six additional submissions received at the start of the meeting.

**MOVED** by Rhonda Underwood, **SECONDED** by Lindsay Trowell that the supplementary agenda be approved with the addition of the petition and additional submissions. **CARRIED**

**4. Adoption of Minutes from Meeting of August 10, 2011**

**MOVED** by Rhonda Underwood, **SECONDED** by Brian White that the minutes of August 10, 2011 be adopted. **CARRIED**

**5. Proposed Amendments to the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040**  
**a) Increasing the Height and Total Floor Area of Accessory Buildings**

June Klassen drew attention to the June 7, 2010 and December 13, 2010 APC minutes. It was advised that numerous amendments to Bylaw No. 2040 were initially proposed by Bylaw No. 3705. When the amendments were presented to the previous APC, there was support for referring the proposed amendments to the East Sooke OCP Review Committee. Through further public consultation with the communities of Otter Point and Shirley/Jordan River, proposed amendments considered by Bylaw No. 3705 were significantly reduced and primarily focused on the height of accessory buildings and the total accessory floor area. At present, Bylaw No. 2040 has been amended to increase the permitted height of accessory buildings from 4 m to 6 m in Otter Point and Shirley and to increase the permitted accessory floor area for lots greater than 2,000 m<sup>2</sup> up to 2 ha. The permitted height of accessory buildings in East Sooke is 4 m. No amendment has been made to the permitted accessory floor area for buildings and structures in East Sooke.

June Klassen advised that regular comments are submitted by East Sooke residents regarding regulation differences between the communities. Further comments have been received advising that residents were not aware of the proposed amendments and not provided opportunity to make comment.

Director Hicks supported revisiting the proposed amendments at this meeting as major review and amendment of the OCP will take over a year.

The Chair opened the floor to comment.

Zac Doeding, East Sooke

- Should the APC not support the amendments to height and total floor area of accessory buildings, East Sooke residents can apply for variances at an application cost of \$550 for consideration by the Land Use Committee (LUC)
- Variances are generally approved because of the fact that Bylaw No. 2040 has already been amended in Otter Point and Shirley
- Supports regulation consistency between the communities
- Supports the proposed amendments

Dale Read, East Sooke

- Takes issue with accessory building height and measure and impact on properties

A commission member noted that the current height of 4 m can be an issue when storing rural vehicles and equipment.

Gord Holliston, East Sooke

- To avoid delay associated with variance approval, revised his building plans
- Plan revised to attach accessory structure to the house resulting in an increased building cost but allowed building to proceed without delay
- Premade plans generally exceed 4 m allowing for adequate storage
- Concern with variance permit cost and approval process delay

Neil Smith, East Sooke

- Went through the variance process for an accessory structure
- Noted cost of application
- Application cost unnecessary cost for rural property owners
- Supports amendments

Lawrence Moran, East Sooke

- Questioned history of 4 m regulation

June Klassen advised that the regulation was implemented in 1992.

Roger Beck, East Sooke Fire Chief

- From a firefighting perspective noted that higher, open accessory structures are safer to enter in firefighting situations than smaller, cluttered accessory structures

Lloyd Boehmer, East Sooke

- Noted proposed changes supported by Otter Point and Shirley/Jordan River
- Supports common building standards between the communities
- Increase in height and coverage should not necessarily be considered bad
- Less restrictions can allow for greater creativity

June Klassen explained maximum combined total floor area and spoke to the changes supported by Otter Point and Shirley/Jordan River. From a planning perspective and in consideration of the large lot sizes in East Sooke, the proposed increase in permitted accessory floor area can be considered modest. Should an increase in maximum combined total floor area not be supported, variance applications can be considered by the LUC.

Dale Read, East Sooke

- Staff comments are leading, moving beyond explanation

Andrew Twamley, East Sooke

- Questioned ability of breezeways to free up available accessory floor area

June Klassen advised that, in addition to providing regulations for accessory buildings and structures, individual zones outlined in Bylaw No. 2040 provide regulations for lot coverage and maximum size of dwellings.

Neil Smith, East Sooke

- Proposed change to accessory area is still too small for large rural properties

Stan Jenson, East Sooke

- Supports consistency between the communities

Kara Middleton

- Jump in increase in accessory floor area for lots greater than 2,000 m<sup>2</sup> is too large
- Look at compromise

Zac Doeding, East Sooke

- Considers increase modest

**MOVED** by Rhonda Underwood, **SECONDED** by Lindsay Trowell that the East Sooke Advisory Planning Commission recommend to the Land Use Committee that they support the increase to the permitted height of accessory buildings from 4 m to 6 m and the increase to the permitted accessory floor area as proposed.

A commission member noted some concern regarding the increase to permitted accessory floor area for smaller lots but acknowledged public support for an increase for larger properties.

**CARRIED**

**6. Proposed Amendments to the East Sooke Official Community Plan, Bylaw No. 3353**  
**a) Increasing the Definition of Steep Slope from 20% to 30%**

June Klassen directed attention to the proposed changes reflected in the tracked changes version of the OCP. It was advised that CRD mapping identifies slope and that slope is reviewed as part of the building permit process and driveway construction. If mapping does not identify a steep slope development permit area on a property, the building inspector can still request submission of a geotechnical report to determine safety of the building/driveway site. June Klassen advised that the majority of other local rural municipalities support 30%.

A commission member questioned the past APC's response to the increase in definition of steep slope.

Director Hicks advised that the change in definition was considered and supported by the LUC. The change in definition will be reflected in the Official Community Plans for Malahat, Otter Point and Shirley/Jordan River.

June Klassen advised that the previous APC supported continued identification of steep slope development permit areas.

In response to a commission member, June Klassen advised that current mapping allows for slope to be identified. Discrepancies in mapping are identified through the building permit process including any concerns regarding slope and drainage.

A commission member noted that there is opportunity through the development permit process and building permit process to address concerns with slope.

At the request of the Chair, Roger Beck, East Sooke Fire Chief, advised that from a fire protection perspective the change in slope will have virtually no impact on the fire department.

Zac Doeding, East Sooke

- Understands that 20% was supported by the community of Willis Point and was then used for the definition of steep slope in the other community OCPs
- 20% does not provide greater safety
- Change in definition from 20% to 30% eliminates development permit cost and delay and eliminates cost of geotechnical report

At the request of the Chair, June Klassen advised that she was not present when the 20% figure was determined. Issues with development and slope tend to be very site specific. Site issues are identified through the building permit process.

A committee member spoke to the community's complex geology and extreme forest fire areas. It was stated that building within steep slope areas can require extensive blasting.

June Klassen spoke to mapping reflecting the current definition of 20% and the proposed definition of 30%. It was advised that the area of greatest impact is East Sooke Park.

Roger Beck, East Sooke Fire Chief

- Change in slope definition will not result in stricter or more relaxed regulation
- Each development site is assessed by the building inspector
- Change in definition does not impact ability to build
- No hard information on rainfall impact on erosion

Dale Read, East Sooke

- Spoke to angle of repose, earthquakes and impact of water on slope
- Geotechnical professionals are regularly sued
- Questioned downloading responsibility of making geotechnical comment to the building inspector

Lloyd Boehmer, East Sooke

- Questioned ability to get more accurate mapping
- As a builder, seeks regular comment from professional engineers
- Building inspector has authority to request comment from the geotechnical professional

Neil Smith, East Sooke

- Spoke to the difference between percentage and degrees, noting that the addition of 10% slope represents an increase of 10% to the total slope allowable
- The total slope allowable consists of 45% of a 100% incline
- Supports proposed change in definition

Zac Doeding, East Sooke

- Noted the number of submissions in support of the change

A commission member noted previous comment from the community at large not supporting the elimination of the steep slope development permit area and commented on the continued impact of development on community's quality of landscape.

In response to the member, Director Hicks replied that, outside of this meeting's considerations, no further amendment to the OCP is anticipated until after the East Sooke OCP review is complete. Review of the East Sooke OCP is anticipated to begin this fall.

Another commission member noted that there is opportunity through the development permit process and building permit process to address any safety concerns. It was noted that the CRD can only implement regulations that support the safety of residents.

June Klassen noted that the *Community Charter* outlines that the building inspector cannot issue a permit if a site is considered unsafe. It was further noted that many safety issues are reviewed as part of the development/building process and that there is standing criteria and guidelines for geotechnical reports. Geotechnical recommendations are incorporated into the development or building permit and are registered on title.

**MOVED** by Lindsay Trowell, **SECONDED** by Rhonda Underwood that the East Sooke Advisory Planning Commission recommend to the Land Use Committee that they support increasing the definition of steep slope from 20% to 30% in the East Sooke OCP.

The question was called and it was 4 in favour, Brian White opposed.

**CARRIED**

#### **b) Additional Development Permit Exemptions**

June Klassen advised that through discussions with the other communities the exemptions were reduced from approximately six exemptions to two exemptions. June Klassen explained the two proposed exemptions.

Suzanne Schmitt, East Sooke

- Questioned impact of the exemption relative to seasonal creeks.

June Klassen stated that the definition of watercourse addresses ephemeral creeks.

Zac Doeding, East Sooke

- Supports reduction down to two exemption statements addressing both single property situations and subdivision situations

June Klassen advised that funds are not available to produce 100% accurate mapping. The trim data used is not accurate. To determine if trim data is accurate, a survey meeting provincial standards is required. Rather than obtaining information by way of community wide survey, site specific information can be flagged and maintained as part of a development application.

A committee member stated support for implementing a better standard for mapping, agreeing that trim data is not accurate.

Director Hicks advised that gas tax funds were utilized to update East Sooke orthophotos in 2011. June Klassen advised that the public can view orthophotos, zoning and development permit mapping on the CRD Regional Community Atlas.

**MOVED** by Brian White, **SECONDED** by Rhonda Underwood that, given the current standard for mapping, the East Sooke Advisory Planning Commission recommend to the Land Use Committee that they support additional development permit exemptions in the East Sooke OCP.

**CARRIED**

#### **c) Establishing a 3% Greenhouse Gas Reduction Target**

June Klassen advised that Bill 27 requires local governments to include greenhouse gas emission reduction targets, policies and action in OCPs. The previous APC supported

inclusion of a greenhouse gas reduction statement in the OCP. However, legal counsel advised that a specific target was required. Staff is proposing amending the statement to include a 3% reduction target. This is the target in the Malahat, Otter Point and Shirley/Jordan River OCPs. The target is considered modest and can be reviewed as part of the OCP review process.

Neil Smith, East Sooke

- Questioned how the target will be quantified.

June Klassen stated that the Province requires that the target be measured. Measure will be determined by the CRD's Climate Action Program. It is suspected that simple changes such as window upgrades will enable the target to be met by 2020.

Bruce Tate, East Sooke

- 3% reduction by 2020 is a small target
- In consideration of everyone's grandchildren, would like greater dialogue with the community to revisit the target

June Klassen stated that she would like to have representatives from the Climate Action Program address the community as part of the OCP review.

Roger Beck, East Sooke Fire Chief

- Any decrease in greenhouse gas is a significant improvement
- Questioned who is tracking traffic

June Klassen advised that a degree of information can be obtained from the Ministry of Transportation and Infrastructure. It is recognised that many residents have to leave the community to commute to work.

Committee members questioned whether there are guidelines or plans in place for carbon reduction.

June Klassen advised that review of the Regional Growth Strategy will focus on greenhouse gas and climate change.

Roger Beck, East Sooke Fire Chief

- Questioned available financial incentives

June Klassen advised that there are smaller programs in place. Current and new programs are promoted on the CRD website.

**MOVED** by Linda Nehra, **SECONDED** by Brian White that the East Sooke Advisory Planning Commission recommend to the Land Use Committee that they support a minimum of a 3% Greenhouse Gas Reduction Target for 2020 in the East Sooke OCP until reconsidered in the OCP review process. **CARRIED**

**d) Reflect Adoption of the Parks Plan**

June Klassen advised that the amendment reflects the establishment of the Juan de Fuca Electoral Area Community Parks Strategic Plan. The plan references community parks, trails and beach access and provides statements for the acquisition, maintenance and development of community parkland.

**MOVED** by Lindsay Trowell, **SECONDED** by Linda Nehra that the East Sooke Advisory Planning Commission recommend to the Land Use Committee that they support reflecting the adoption of the Juan de Fuca Electoral Area Community Parks Strategic Plan in the East Sooke OCP. **CARRIED**

**e) Incorporate Revised Mapping**

June Klassen advised that the CRD has adopted new mapping standards since the last OCP update.

**MOVED** by Rhonda Underwood, **SECONDED** by Lindsay Trowell that the East Sooke Advisory Planning Commission recommend to the Land Use Committee that they support incorporating revised mapping into the East Sooke OCP. **CARRIED**

**7. Adjournment**

The meeting adjourned at 8:20 p.m.

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Linda Nehra, Chair

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June Klassen, Recording Secretary