



Making a difference...together

JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **January 15, 2013 at 7:00 p.m.**

Juan de Fuca Electoral Area Office, #2 – 6868 West Coast Road, Sooke, BC

SUPPLEMENTARY AGENDA

1. Receipt of Draft Minutes from the January 7, 2013 Otter Point Advisory Planning Commission Meeting
2. Rezoning Application
 - a) Z-05-12 - Strata Lots 1, 2 and 3, Section 16, Otter District, Plan VIS7096 (Amending Bylaw No. 3780) (CRD – 7450 Butler Road/Sooke Business Park)
3. Correspondence received to be dealt with under the following agenda items:
 - a) Agenda Item 7 a) DP-10-12 with Variance – That Part of Section 86, Sooke District, Lying to the North of Plan 623-R, Except Parcel 'A' (DD 80053-I) (Larkin - 314 Becher Bay Road)
 - CRD Regional Parks
 - b) Agenda Item 8 a) VAR-07-12 – Lot 55, Section 2, Renfrew District, Plan VIP83894 (Nicholson – 3632 Petrel Drive)
 - Joen and Maureen Nelson, Jordan River
 - c) Agenda Item 9 a) Z-04-12 – Lot 1, Section 31, Otter District, Plan 25582 Except Part in Plan VIP63956 (Young – 2276 Kemp Lake Road)
 - Dave McConnell, Otter Point
 - d) Agenda Item 9 b) Z-06-12 – Lot 28, Section 15, Otter District, Plan VIP87643 (Orza/Read – 3312 Otter Point Road)
 - Arnie Campbell, Otter Point
 - e) Agenda Item 9 c) Z-05-12 - Strata Lots 1, 2 and 3, Section 16, Otter District, Plan VIS7096 (Amending Bylaw No. 3780) (CRD – 7450 Butler Road/Sooke Business Park)
 - Heather Phillips, Otter Point



Making a difference...together

Minutes of a Meeting of the Otter Point Advisory Planning Commission
Held January 7, 2013 at Otter Point Fire Hall, 3727 Otter Point Road, Otter Point, BC

PRESENT: Sandy Sinclair (Vice Chair), Anne Miller, Al Wickheim
Staff: June Klassen, Local Area Planning Manager; Wendy Miller, Recording Secretary
ABSENT: Sid Jorna (Chair), Bud Gibbons
PUBLIC: 11

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

1. Elections

June Klassen called for nominations for the position of Chair and Sid Jorna's name was put forward. June Klassen advised that Sid Jorna relayed that he would stand for the position. June Klassen called for nominations a second and third time and hearing none Sid Jorna was declared Chair.

June Klassen called for nominations for the position of Vice Chair and Sandy Sinclair's name was put forward. June Klassen called for nominations a second and third time and hearing none Sandy Sinclair was declared Vice Chair.

2. Approval of the Agenda

MOVED by Al Wickheim, **SECONDED** by Anne Miller that the agenda be approved.

CARRIED

3. Approval of the Supplementary Agenda

MOVED by Anne Miller, **SECONDED** by Al Wickheim that the supplementary agenda be approved.

CARRIED

4. Adoption of the Minutes of June 20, 2012

MOVED by Anne Miller, **SECONDED** by Al Wickheim that adoption of the minutes of the meeting of June 20, 2012 be tabled to the next meeting.

CARRIED

5. Planner's Report

June Klassen advised that a report outlining a series of OCP principles pertaining to settlement and extension of water has been awaiting consideration by the Board since August. It is anticipated that this report will be considered by the Planning, Transportation and Protective Services Committee or the CRD Committee of the Whole in January. Should the report not be considered this month, the second draft of the OCP reflecting community input to date will be referred for further comment.

June Klassen responded to questions from the APC and the public confirming that the referral process has been revised. Rezoning applications in the Rural Resource Lands and OCP amendments will be referred to the CRD Board for a determination of consistency with the Regional Growth Strategy at the start of the application/amendment process. June Klassen further advised that options regarding the buffer associated with the Protection of

Farming Development Permit Area will be presented when review of the second draft of the OCP proceeds.

6. Rezoning Application

a) **Z-05-12 – Strata Lots 1, 2 and 3, Section 16, Otter District, Plan VIS7096 (CRD – 7450 Butler Road/Sooke Business Park)**

June Klassen spoke to the staff report outlining the CRD proposal to locate and build a new multi-purpose administrative office within the Juan de Fuca Electoral Area. It is proposed that a new office building to house Juan de Fuca services be located at 7450 Butler Road within the Sooke Business Park. The building would have offices, meeting space, storage facilities, parking and accessory uses. The permitted uses reflect a range of potential community uses that might be accommodated on the site.

At its meeting of December 12, 2012, the CRD Board supported the Land Use Committee recommendation to proceed with referral of proposed Bylaw No. 3870 to rezone three parcels from General Industrial M-2 to a new Public Institutional P-4 zone. It was advised that there is an option to purchase the three parcels pending rezoning.

Director Hicks presented a virtual tour of the proposed building. It was advised that the current building lease expires December 31, 2013. Annual rent is approximately \$117,000; utilities are approximately \$17,000. It was advised that the three lots cost \$400,000 and that the building is anticipated to cost \$900,000. The building would encompass two lots, housing Juan de Fuca Planning, Building Inspection, Parks, Emergency, and Search and Rescue. The CRD Board has authorized the borrowing of up to 1.5 million (Office Facilities Capital Reserve Fund). There will be no increase to property tax as annual building costs will equal the costs associated with rental of the current building. The building is expected to be paid off in fifteen years with construction starting in June 2013.

Director Hicks responded to questions advising that:

- a second storey was not considered due to cost/space needs
- shower facilities are not included in the proposed building
- it is hoped that a stand-alone facility for Search and Rescue with shower facilities can be considered in the future on the third lot
- building will be serviced by an engineered water system
- a second storey can be considered above the office space
- there may be opportunity to utilize gas tax money for the heating and water systems, reducing utility costs further

Lynne Wormald, Otter Point, forwarded support for the size of the building noting that the building is not too small.

June Klassen outlined the proposed Public Institutional P-4 zone and spoke to proposed permitted uses. It was advised assembly uses would allow for community events. Commercial uses would allow for retail sales associated with such community events as a craft sale, art sale or country market. Restaurant use would allow a private coffee service kiosk should such a service be considered to offset building costs. Recreation would include such activities as community yoga, fitness, Karate or quilting classes. Vehicle parking would accommodate parking requirements for community events. It was noted that current definition of country

market is restrictive, specifying the day and time for market events. Amendment of the definition would require amendment to every parcel that has country market as a permitted use. June Klassen responded to APC members confirming that the proposed zone is specific to the three parcels and that the CRD will be the primary user of the meeting space but that the space could be made available to the community.

Arnie Campbell, Otter Point, spoke to his written submission noting that the Otter Point & Shirley Residents and Ratepayers Association supports the proposal and rezoning. All questions included in the written submission have been answered at tonight's meeting.

Heather Phillips, Otter Point, stated support for deleting commercial uses and restaurant uses from the proposed zone as a means of being fair to existing commercial retailers and restaurateurs. To support community use at the building and at the site, it was asked that country market be considered as a permitted use and that country market be amended to better reflect a broader definition. It was stated that the proposed building's primary use will be an administration building and, although community access may be supported, the building does not replace the need for a community hall in Otter Point. It was stated that the current definitions of commercial and restaurant use are too broad and that sale of the property in future would allow for establishment of a full restaurant.

June Klassen responded to APC members advising that there is a process for addressing assets held by the CRD should there be a change in governance. In response to comments received regarding change in ownership, June Klassen suggested changing the zone from Public Institutional P-4 to Juan de Fuca Public Service Building P-4. June Klassen confirmed that the kitchen will be limited to office/meeting use. June Klassen stated support for maintaining commercial use to accommodate all community events and stated no objection to removing restaurant use if supported.

John Brohman, Otter Point, stated concern with building cost, land cost and the potential that the project could go over budget. John Brohman commented on economic trends, noting that building numbers are down and that staffing needs may be impacted. John Brohman stated no support for the current rent charge. It was noted that there are other CRD holdings in Jordan River and Langford and that there are other rental buildings in Sooke.

Director Hicks advised that there is potential to divide the building should rental revenue be required.

June Klassen responded to Diana and Don Hunt, adjacent property owners, confirming that, should the property be sold, the new owners would have to rezone the property. Diana Hunt stated support for the proposal noting that concerns regarding a second storey, restaurant, building size and rear setback have been addressed.

Heather Phillips reiterated support for reflecting country market as a permitted use, noting that review of the definition is timely as it is understood that amendments to Bylaw No. 2040 are being considered. Heather Phillips stated more support for

commercial use and restaurant use as it is understood that the property would have to be rezoned should the CRD not own the property.

June Klassen and Director Hicks responded to funding questions advising that

- the CRD Board has already authorized borrowing for the land and building
- no referendum is required
- the proposal will not impact taxes
- electoral area residents will continue to contribute **proportionally** for services including the building

MOVED by Anne Miller, **SECONDED** by Al Wickheim that the **APC support the Juan de Fuca Public Service Building P-4 zone as outlined.** **CARRIED**

An APC member stated support for the **proposed water system** and support for greater food preparation capacity in the event of an emergency.

Director Hicks confirmed that the cell phone tower is located at the rear of Sooke Business Park.

7. Adjournment

MOVED by Anne Miller, **SECONDED** by Al Wickheim that the meeting adjourn. **CARRIED**

The meeting adjourned at 8:15 p.m.

Chair



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, JANUARY 15, 2013**

SUBJECT **ZONING AMENDMENT APPLICATION FOR LOTS 1, 2 & 3, SECTION 16,
OTTER DISTRICT, PLAN VIS7096 (AMENDING BYLAW NO. 3870) – 7450
BUTLER ROAD**

ISSUE

The Capital Regional District (CRD) is proposing to locate and build a new multi-purpose administrative office within the Juan de Fuca Electoral Area.

BACKGROUND

The CRD is pursuing the development of a new office building to house Juan de Fuca services at 7450 Butler Road within the Sooke Business Park (Appendix 1). The building would have offices, meeting space, storage facilities, parking and accessory uses (Appendix 2). Bylaw No. 3870 amends the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 and establishes a site specific zone to permit the proposed administrative use and building on the parcels (Appendix 3).

At the December 12, 2012 meeting the CRD Board accepted the recommendation from the Juan de Fuca Land Use Committee (LUC) and directed staff to refer the proposed bylaw to the following agencies:

BC Hydro
District of Sooke
Ministry of Transportation and Infrastructure
Otter Point Advisory Planning Commission
Otter Point Fire Department

RCMP
Sooke School District #62
T'Sou-ke First Nation
Vancouver Island Health Authority

REFERRAL COMMENTS

Comments were received from BC Hydro, District of Sooke, Otter Point Fire Department, Ministry of Transportation and Infrastructure, Sooke School District #62 and the Vancouver Island Health Authority. Comments were to be submitted by January 14, 2013 and any outstanding comments received from RCMP or the T'Sou-ke First Nation will be presented at the LUC meeting.

No objections to the proposed bylaw were raised by were BC Hydro, District of Sooke, Otter Point Fire Department, Ministry of Transportation and Infrastructure, and the Sooke School District #62 (Appendix 4). Vancouver Island Health Authority outlined its standard requirements for the drinking water system permit and sewerage system filing and certification.

The Otter Point Advisory Planning Commission (APC) considered the proposed bylaw at its meeting on January 7, 2013 (Appendix 5). The APC passed a motion to support the proposed zone with the amendment of the title from Public Institutional (P-4) to Juan de Fuca Public Service Building (P-4). This change was proposed to reflect that this zone is for this use only and, should the property be sold in the future, a new zone would need to be created at that time.

ALTERNATIVES

1. Approve proposed Bylaw 3870, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2013” and proceed to the CRD Board for first and second readings and onto a public hearing.
2. Not approve proposed Bylaw 3870, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2013” and recommend the CRD Board deny the application.
3. Refer the application back to staff for more information.

LEGISLATIVE IMPLICATIONS

Pursuant to Section 879 of the *Local Government Act (LGA)*, an amendment to a zoning bylaw requires that the local government provide one or more opportunities for consultation it considers appropriate to the persons, organizations and authorities the local government considers may be affected by the adoption, repeal or amendment of a zoning bylaw.

Pursuant to Section 881 of the *LGA*, a proposed amendment to a zoning bylaw must be referred to the school district. Where an amendment or new land use and subdivision bylaw will apply to land within 800 m of a controlled access highway, the bylaw must be referred to the Ministry of Transportation and Infrastructure.

PUBLIC CONSULTATION IMPLICATIONS

Should the proposal proceed, a public hearing pursuant to Section 890 of the *LGA* will be required subsequent to the amendment passing second reading by the CRD Board. Property owners within 500 m of the subject property will be sent a notice of the proposed bylaw amendment and it will be advertised in the local paper and on the website.

PLANNING ANALYSIS

The CRD is pursuing the development of a new office building to house Juan de Fuca services at 7450 Butler Road within the Sooke Business Park. The building would have offices, meeting space, storage facilities, parking and accessory uses. The properties are zoned M-2 in the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 and are vacant. The existing M-2 zone does not permit the full range of uses that might be accommodated in the building; therefore a new zone was proposed.

The zone has been renamed to clearly denote that this is a specific zone to permit the construction of a building for the operation of Juan de Fuca Electoral Area services. The zone permits commercial uses to allow for a broad range of future community activities such as farmers markets, craft sales, and related food kiosks.

As no objections were received from referral agencies and the Otter Point APC supports the proposal, staff recommends that the proposed bylaw proceed for approval.

CONCLUSION

The CRD is pursuing the development of a new office building to house Juan de Fuca services at 7450 Butler Road within the Sooke Business Park. As no objections were received from referral agencies and the Otter Point APC supports the proposal, staff recommends that the proposed bylaw proceed for approval.

RECOMMENDATIONS

That the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

1. That proposed Bylaw 3870, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2013" be introduced and read a first time, read a second time; and
2. That in accordance with the provisions of Section 890 and 891 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to proposed Bylaw 3870, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2013".

Original Signed

June Klassen, MCIP, RPP
Manager, Local Area Planning Services

Original Signed

Robert Lapham, MCIP, RPP
General Manager, Planning and Protective
Services

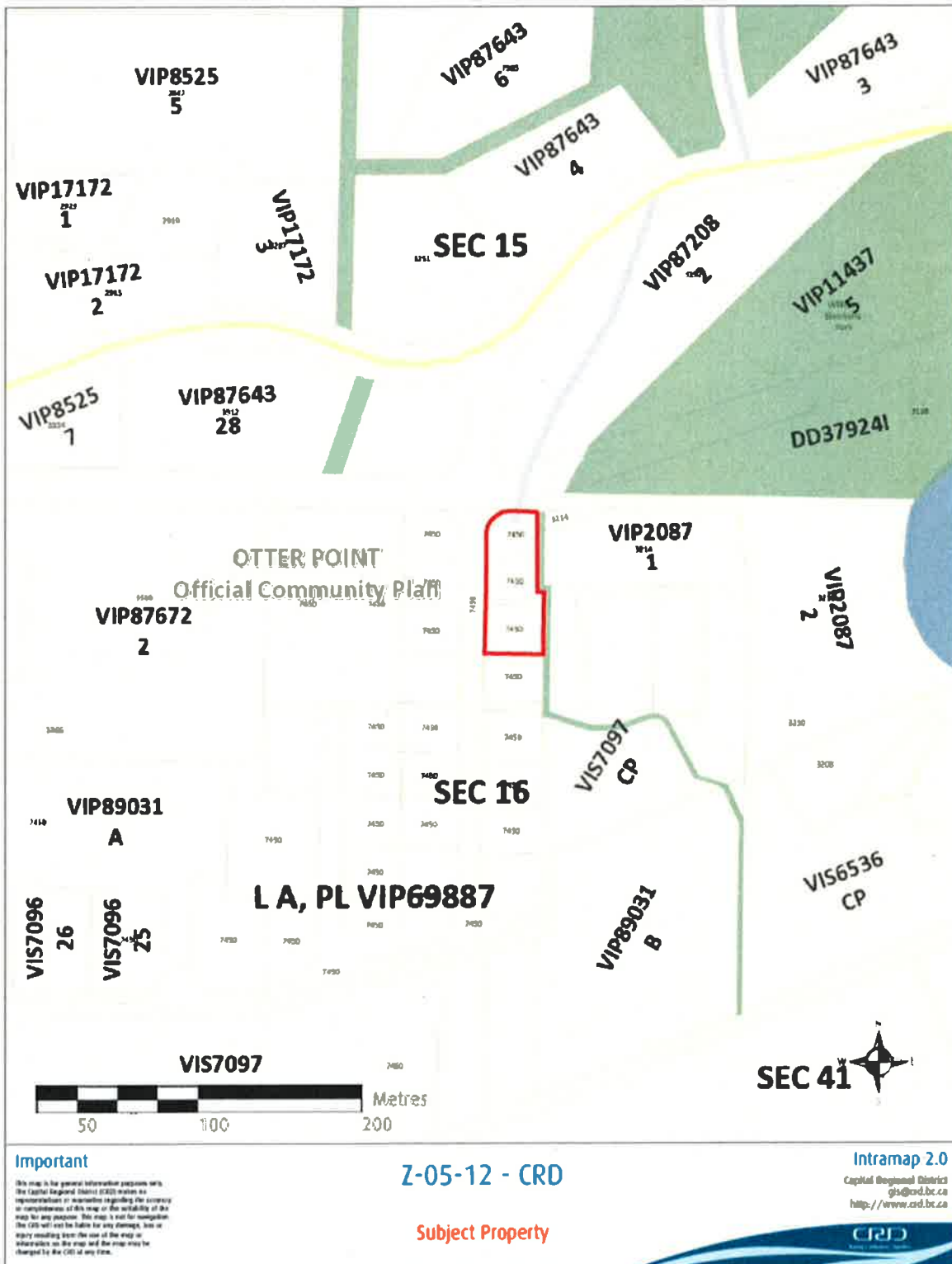
Original Signed

Kelly Daniels
Chief Administrative Officer
Concurrence

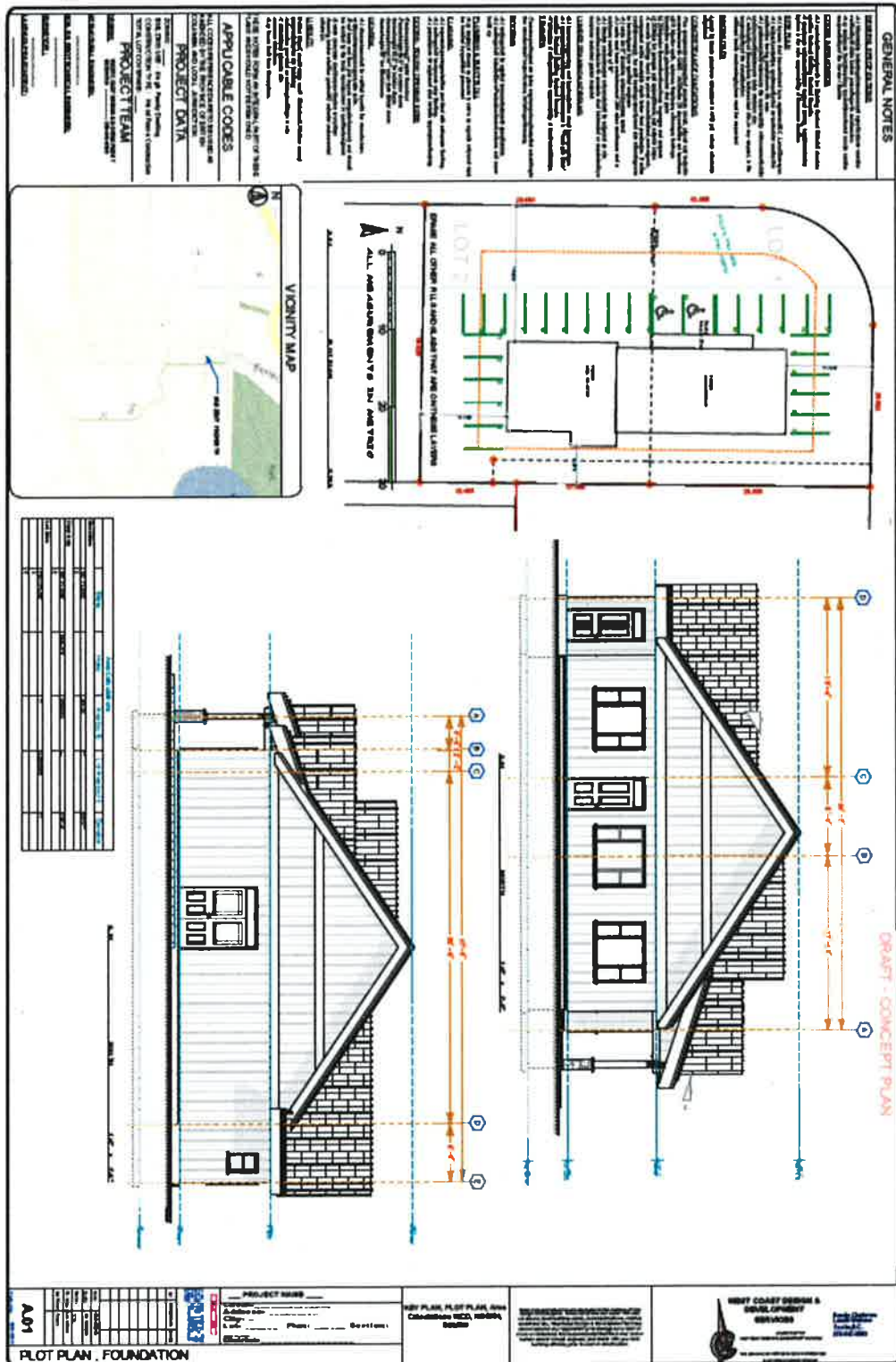
Appendices:

1. Location
2. Site and Building Plan
3. Proposed Bylaw No. 3870
4. Referral Comments
5. Otter Point APC Minutes January 7, 2013

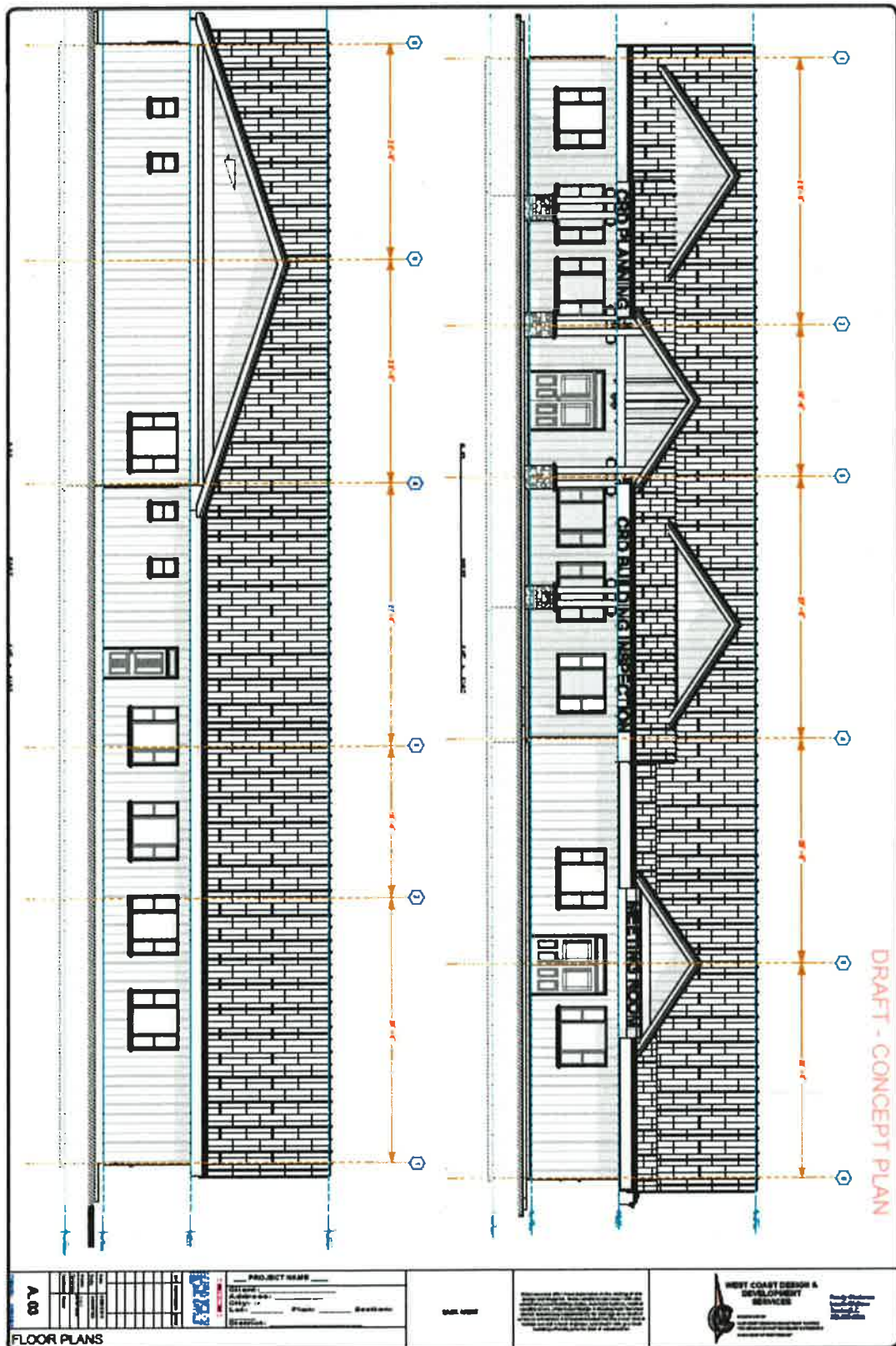
Appendix 1: Location



Appendix 2: Site and Building Plan







**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3870**

A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended:
 - (a) Part 1, TABLE OF CONTENTS, PART 2 – ZONING DISTRICTS
 - i. By adding "P-4 Juan de Fuca Public Service Building" after "P-3 Public Utility".
 - (b) Part 1, 3.0 ADMINISTRATION AND ENFORCEMENT, Section 3.07 ZONES
 - i. By adding "32A.0 Juan de Fuca Public Service Building – P-4" to the list of zones after "P-3 Public Utility".
 - (c) Part 2 – ZONING DISTRICTS
 - i. By creating a new zone, Juan de Fuca Public Service Building Zone – P-4, to be inserted after Section 32.0, and to read as follows:

32A.0 JUAN DE FUCA PUBLIC SERVICE BUILDING P4

32A.01 Permitted Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others are permitted in the Juan de Fuca Public Service Building P-4 Zone:

- (a) Business Office and support services;
- (b) Assembly uses;
- (c) Civic uses;
- (d) Commercial uses including retail sales and restaurant uses;
- (e) Enclosed and unenclosed storage;
- (f) Recreation; and
- (g) Vehicle parking

32A.02 Minimum Lot Size for Subdivision Purposes

Minimum lot size is 900 m².

32A.03 Lot Coverage

Lot coverage shall not exceed 50 percent

32A.04 Height

Maximum height shall be 12 m.

32A.05 Yard Requirements

- (a) Front yards shall be a minimum of 3 m
- (b) Side yards shall be 0 m;
- (c) Flanking yards shall be a minimum of 3 m CTS
- (d) Rear yards shall be a minimum of 3 m

- (d) Part 4 – SIGNS
 - i. By amending Section 1.12 SIGN AREAS subsection (c) by adding “Juan de Fuca Public Service Building”.
 - (e) Schedule B ZONING MAPS
 - i. By amending Map 2: Otter Point Zoning to incorporate the amendment as shown on Map 1 attached to and forming part of this bylaw.
 - (f) By deleting from the General Industrial (M-2) zone, and adding to the Juan de Fuca Public Service Building (P-4) zone, for the purpose of permitting CRD administration building and ancillary uses on Lots 1, 2, and 3, Section 16, Otter District, Plan VIS7096, as shown on Plan No. 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as Bylaw 3870, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2013".

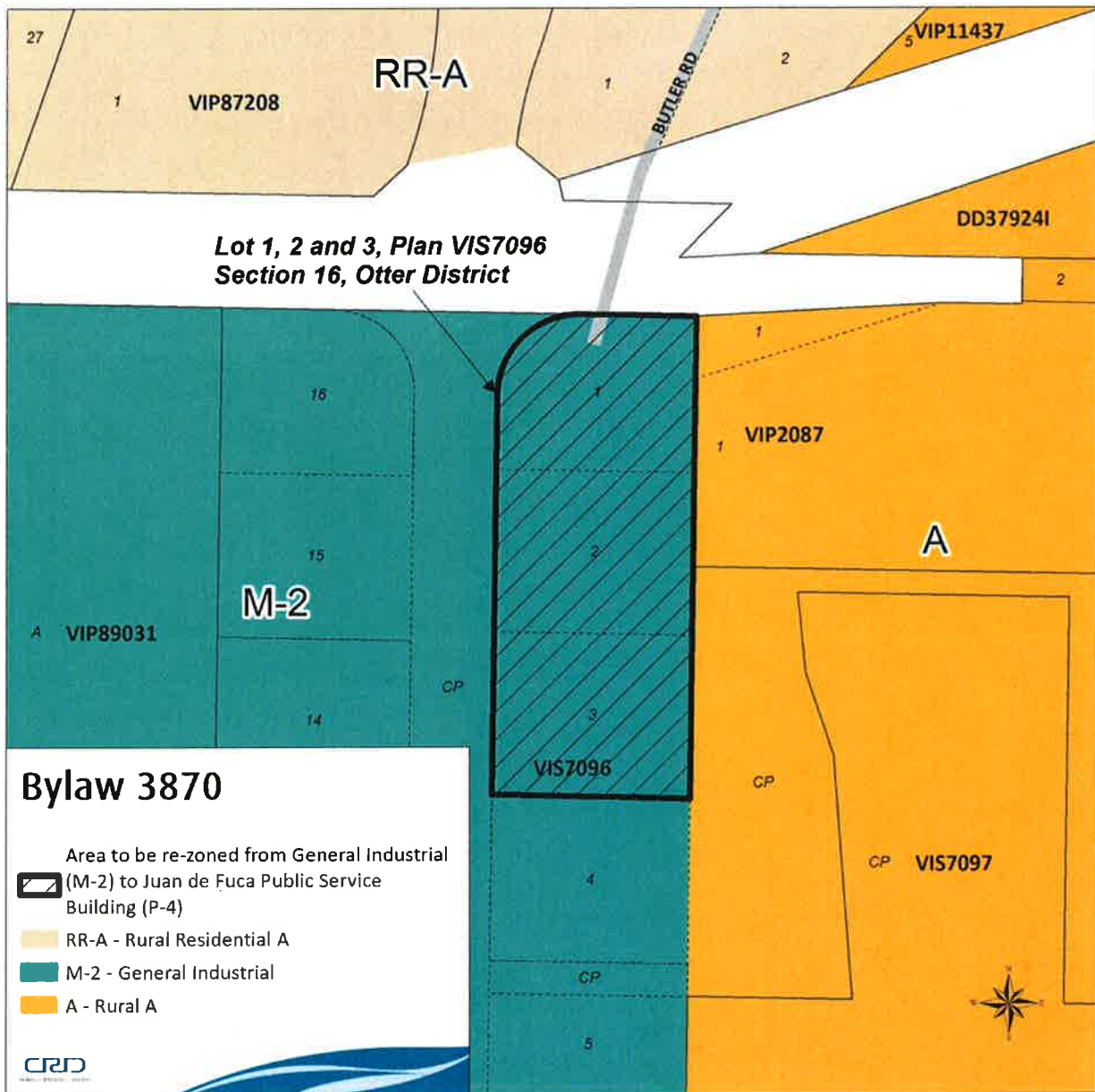
READ A FIRST TIME THIS	day of	, 2013.
READ A SECOND TIME THIS	day of	, 2013.
READ A THIRD TIME THIS	day of	, 2013.
APPROVED by the Minister of Transportation		
and Infrastructure THIS	day of	, 2013.
ADOPTED THIS	day of	, 2013.

CHAIR

CORPORATE OFFICER

Plan No. 1 of Bylaw 3870

Lots 1, 2, and 3, Section 16, Otter District, Plan VIS7096 shown on this plan attached to and forming part of this bylaw.



Appendix 4: Referral Comments

RESPONSE SUMMARY – Z-05-12

☐ Interest Affected by Proposal for Reasons Outlined Below

☒ Interest Unaffected by Proposal

Comments:

Although BC Hydro has two Statutory Rights of Way registered over Lots 1, 2 and 3 of Plan VIS7096, these rights are unaffected by this proposed Bylaw No. 3870 to rezone the three parcels from General Industrial (M-2) to a new Public Institutional (P-4) zone.


Signed Rita Brom

Property Coordinator

Title

January 8, 2013

Date

BC Hydro - Property Rights Services
Agency

From: Katherine Lesyshen <klesyshen@sooke.ca>
Sent: Monday, December 17, 2012 2:09 PM
To: Wendy Miller
Cc: Gerard LeBlanc
Subject: RE: Rezoning Application Z-05-12

Hello Wendy,
The planning department has reviewed the staff report for application Z-05-12.
The District of Sooke has no concerns regarding this proposal.

Regards,

Katherine Lesyshen, MCIP, RPP
Planner II- District of Sooke
2205 Otter Point Road, Sooke BC V9Z 1J2
Email: klesyshen@sooke.ca
(250) 642-1627 Fax: (250) 642-0541

OTTER POINT VOLUNTEER FIRE DEPARTMENT

Thursday, 7-9 p.m.
Office Phone 642-6211
Office Fax 642-2673

3727 Otter Point Road
Sooke, B.C. V9Z 0K1
www.otterpointfire.bc.ca

December 18, 2012

Capital Regional District
#2-6868 West Coast Road,
Sooke, B.C., V9Z 0S9
Attention: June Klassen, Manager, Local Area Planning



Re: Rezoning Referral: Lots 1, 2 and 3 of Section 16, Otter Land District, Plan VIS7096

The Otter Point Fire Department has no concerns with, and fully supports this zoning amendment.

Yours truly,

A handwritten signature in black ink that appears to read "K. Brehart".

Kevan Brehart
Fire Chief

From: Evanoff, Ryan TRAN:EX [<mailto:Ryan.Evanoff@gov.bc.ca>]
Sent: Thursday, December 20, 2012 8:16 AM
To: June Klassen
Subject: Rezoning Referral Z05-12

Re: Ministry File 2012-06212, Rezoning for CRD office in Sooke Business Park

June,
Please accept this email as an official response to your rezoning referral Z-05-12, for the creation of a new CRD office in the Sooke Business Park.

The Ministry has no objections to the proposal, and has no additional requirements for approval.

If you require any additional documentation please feel free to contact myself directly.

Thank you,

RYAN EVANOFF | DISTRICT DEVELOPMENT TECHNICIAN | BC MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE | VANCOUVER ISLAND DISTRICT | 240-4460 CHATTERTON WAY, VICTORIA, BC V8X 5J2 |
T: 250.952.4495 | F: 250.952.4508
WEBSITE FOR DEVELOPMENT APPROVALS:
www.th.gov.bc.ca/Development_Approvals/home.htm | MINISTRY WEBSITE: <http://tranbc.ca/>



Please consider the environment before printing this email.

From: Pete Godau <pgodau@sd62.bc.ca>
Sent: Monday, December 17, 2012 3:13 PM
To: Wendy Miller
Cc: Jim Cambridge; Harold Cull; Jennifer Paget
Subject: FW: Rezoning Application Z-05-12
Attachments: PPS-JDF-2012-11-20-Z-05-12-LUCreport_WithSignatures.pdf.pdf.pdf; PPS-JDF-2012-12-13-Z-05-12-SD62.pdf

At this time the School District does not have any concerns with this rezoning application.

Thank you,


Peter Godau,
Manager of Facilities
School District # 62
(250)474-9841
pgodau@sd62.bc.ca

RESPONSE SUMMARY – Z-05-12

☒ Interest Affected by Proposal for Reasons Outlined Below
☐ Interest Unaffected by Proposal

Comments:

Provided a Permit To Operate a Drinking Water System is obtained from this office and an Authorized Person (AP), as defined in the Sewerage System Regulation, submits the required sewerage filing and letter of certification to connect to the onsite disposal field then this office has no objections to the proposed rezoning application (CRD File # Z-05-12).


Signed

Gary Beise

Environmental Health Officer
Title

Jan 7, 2013
Date

Vancouver Island Health Authority
Agency

Appendix 5: Otter Point APC Minutes January 7, 2013

MOVED by Anne Miller, **SECONDED** by Al Wickheim that the APC support the Juan de Fuca Public Service Building P-4 zone as outlined. **CARRIED**

Wendy Miller

From: Anne-Marie Marchi
Sent: Wednesday, January 09, 2013 2:25 PM
To: jdf info
Cc: Jeff Ward
Subject: File DP-10-12 with Variance - 314 Becher Bay Road

As per Jeff Ward, Regional Parks has no objections. Thank you.
Anne-Marie

Anne-Marie Marchi, Administrative Clerk
Visitor Services and Community Development
CRD Regional Parks
490 Atkins Avenue
Victoria BC V9B 2Z8
T: 250.360.3338
F: 250.478.5416
www.crd.bc.ca



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Wendy Miller

From: JandM Nelson
Sent: Friday, January 11, 2013 2:55 PM
To: jdf info
Cc: directorjdf
Subject: JdF Land Use Committee mtg 15-1-13

Development Variance Permit Application – VAR-07-12: Lot 55, Section 2, Renfrew District, Plan VIP 83894; Nicholson – 3632 Petrel Drive, Jordan River

The Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 (Appendix 1), permits a detached accessory suite building to be up to 7 meters in height.

However, the Bylaw says the detached secondary suite building can only be one storey, yet the 7 meter maximum height is high enough for a two-storey building.

The Bylaw as written is contradictory – if only one storey is permitted, then the 7 meter height restriction should be lowered so only one storey can be built; or, leave the maximum height at 7 meters, and allow for a two-storey building.

We feel the Bylaw needs changing one way or the other.

As for this particular application, we do not object to the variance, but do not wish to see this as a precedent for similar applications in the future.

If this Bylaw is not changed, we anticipate a marked increase in this type of variance application.

Joan and Maureen Nelson
Jordan River

Wendy Miller

From: Dave
Sent: Thursday, January 10, 2013 7:51 PM
To: jdf info
Subject: Rezoning Application 2280 Kemp Lake Rd.

To June Klassen
Manager Local Area Planning

In regards to Lot 1 Section 31, Otter District, Plan 25582 Except Plan VIP63956. I do not feel the property should be rezoned to RR-3K from RR3 to allow a dog breeding kennel. The barking of the dogs is **going to be** very disruptive and annoying. It will spoil the peaceful tranquility of the area. That immediate area is on a hill so **the sound** of the dogs will be very loud. I know what it's like when there is only one dog barking. If a kennel is allowed it will be very disruptive. It will diminish property values. I would have to sell my place as I can't stand the sound of dogs barking. It's very hard on my sense of well being. It will spoil everyone's enjoyment of the area.

Yours truly

Dave McConnell

Sooke, BC

Wendy Miller

From: Dianne & Arnie Campbell
Sent: Thursday, January 10, 2013 4:37 PM
To: June Klassen
Cc: Wendy Miller
Subject: Error in Report re Application for Lot 28, Section 15, Otter District?

Hi June: I noticed a small error in the staff report for the dog kennel rezoning application for 3312 Otter Point Road. In your conclusion it says the applicant has operated a dog training business on the property for several years. This is incorrect. The house was only built in 2012 and the business has only operated at that address since last summer or there about. My guess is that the information from the Kemp lake Road application was copied into the Otter Point one? Arnie.

Wendy Miller

From: Wendy Miller
Sent: Thursday, January 10, 2013 12:42 PM
To: Wendy Miller
Subject: Country Market

From: Bob & Heather Phillips
Sent: Tuesday, January 08, 2013 1:23 PM
To: June Klassen; directorjdf
Cc: 'Dianne & Arnie Campbell'; Phillips, Bob and Heather
Subject: Country Market

8 January 2013

Hi, June. Heather Phillips here. I have been thinking over our conversation last night after on "Country Markets" defined as a use in the JDF Zoning Bylaw after the APC meeting.

I agree that parts of the definition are "stupid". The error of keeping the definition as it was written [in 1996?] for the whole Sooke Electoral Area is not your error. It is a collective error that we can correct.

I understand that before changing the definition, you will have to discuss the matter with owners of each of the properties where "Country Market" is a permitted use. I do not see this as a problem since at this time only the Shirley group are attempting to run a Country Market and you say they want to change the definition.

You say that the definition is restrictive. I agree that the JDF needs flexibility in when such markets can operate. You also said the restriction that only "locally" produced goods can be sold at a country market is stupid and that the uses proposed for the new P-4 zone presented to the APC and agree upon by them will cover any "Country Market" use.

One way of interpreting comments at last night's APC meeting might be that the fellow who wanted to sell trinkets from overseas factories would be free to set up his booth in the Juan de Fuca Administrative Building parking lot any time you or Mike thought was appropriate. That might not be very often.

However, if a whole lot of vendors got permission to coordinate setting up their booths and established and published a schedule of the days and hours they expected to be present for sales to the public, there might be difficulty in turning the trinket vendor away without fear of a law suit, and so on.

I think we need more input on defining the Country Market use, especially from the community of farmers and artists in the JDF EA. It is possible that, outside of a business in a shop or home based business, the only retail sales desired in the community is the sale of locally produced goods. The impression I have from working on the Strategic Vision Project for Otter Point and Shirley is that this is likely true. Also, the input from community members who participated in workshops that gathered information for the 2013 [hopefully not 2014 or 2015] version of the Otter Point OCP also suggests people are happy with the Sooke Village as their retail and commercial centre.

Before deciding that the restriction to locally produced goods is a mistake (and we don't need a Country Market use/definition), we need to know more about it.

Cheers. Heather