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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, September 17, 2013 at the Juan de Fuca Electoral Area Office, #2-6868 West
Coast Road, Sooke, BC**

PRESENT: Director Mike Hicks (Chair), Ted Dixon, Roy McIntyre, Heather Phillips,
Art Wynans
Staff: June Klassen, Local Area Planning Manager; Wendy Miller, Recorder
ABSENT: Kara Middleton, Harold Shipton
PUBLIC: 5

The meeting was called to order at 7:06 p.m.

1. Approval of the Agenda

MOVED by Ted Dixon, **SECONDED** by Heather Phillips that the agenda be amended to reflect receipt of the draft minutes from the September 12, 2013 Willis Point Advisory Planning Commission meeting and supplementary submissions from FAMA Holdings Ltd. and Martin Willcock.

CARRIED

2. Adoption of Minutes from the Meeting of July 16, 2013

MOVED by Roy McIntyre, **SECONDED** by Art Wynans that the minutes from the meeting of July 16, 2013 be adopted.

CARRIED

3. Receipt of Draft Minutes from the September 12, 2013 Willis Point Advisory Planning Commission Meeting

Supplementary agenda item received and added to the agenda.

4. Chair's Report

No report.

5. Planner's Report

June Klassen advised of the below meetings:

Public Hearing

Bylaw No. 3857, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 113, 2013".

Monday, September 23, 2013 at 7:00 p.m.

Juan de Fuca Planning Office

2 - 6868 West Coast Road, Sooke, BC

Otter Point Citizens' Committee OCP Review

Wednesday, September 25, 2013 at 7:00 p.m.

Otter Point Fire Hall

3727 Otter Point Road, Otter Point, BC

6. Development Permit and Frontage Exemption Applications

a) DP-09-13 – Lot 9, District Lot 136, Malahat District, Plan 30892 (Young – 4111 Rocky Mountain Road)

June Klassen spoke to the staff report and request for a development permit to address the Steep Slopes, and Foreshore and Marine Shoreline development permit objectives, and for an exemption to Section 944 of the *Local Government Act (LGA)*, for the purpose of allowing a two-lot subdivision and construction of a single-family dwelling and driveway on proposed Lot B. June Klassen directed attention to the geotechnical report submitted by the applicant, noting that the report concludes that, if the provided recommendations are followed, the site is safe for the intended use.

June Klassen clarified that development permits are reviewed and approved by the General Manager, Planning and Protective Services. Requests for a development permit with variance (exemption) are presented to the LUC for consideration.

The Chair confirmed that the application agent, Ryan Young, was present. Ryan Young stated that there has been no change to the bylaw (Bylaw No. 980) restricting subdivision of the property and that there has been no change to the proposed plan of subdivision. It was advised that the property owners intend to subdivide for a family member.

June Klassen confirmed that the reduction in frontage is from 78.1 m to 64 m. A LUC member stated support for staff reports identifying the requested reduction in frontage as a difference in measure and as a percentage.

MOVED by Ted Dixon, **SECONDED** by Art Wynans that the Juan de Fuca Land Use Committee support the staff report and recommendation and recommend to the CRD Board:

1. That Steep Slopes, and Foreshore and Marine Shoreline development permit DP-09-13 for Lot 9, District Lot 136, Malahat District, Plan 30892 be approved subject to the following conditions:
 1. That the proposed development comply with the Steep Slopes, and Foreshore and Marine Shoreline Development Permit Guidelines outlined in the Malahat Official Community Plan, Bylaw No. 3721;
 2. That the proposed development comply with the recommendations outlined in the geotechnical engineer's report certified by Richard Brimmell, P.Eng., dated July 19, 2013, (Appendix 3);
 3. That the geotechnical engineer's report certified by Richard Brimmell, P.Eng., dated July 19, 2013, be secured via a restrictive covenant registered on title as part of the subdivision approval process; and
 4. That the conditions of this development permit be verified as part of the building permit process; and

2. That the request for an exemption from Section 944(1)(a) of the *Local Government Act* for proposed Lot B of the two-lot subdivision of Lot 9, District Lot 136, Malahat District, Plan 30892, as shown on the Tentative Subdivision Plan, prepared by JE Anderson & Associates, dated April 23, 2013 (Appendix 2), be approved.

CARRIED

b) DP-11-13 - Lots 8 and 9, Sections 46A & 47A, Highland District, Plan VIP77211 (Cotter and FAMA Holdings Ltd. – Willis Point Road)

June Klassen spoke to the staff report and request for a development permit and an exemption from Section 944 of the *Local Government Act (LGA)* to reduce the road frontage and to establish a driveway and building site in a sensitive ecosystem, riparian and steep slope development permit area on Lot 9 as part of a lot-line adjustment subdivision application.

June Klassen outlined the recommendations included in the geotechnical report and sensitive ecosystem report as submitted by the applicant. June Klassen directed attention to the supplementary submissions from FAMA Holdings Ltd. and Martin Willcock supporting the application. It was advised that the request for a development permit and the exemption were reviewed and supported by the Willis Point Advisory Planning Commission on September 12, 2013.

June Klassen responded to a question directed through the Chair advising that the radius of curvature of the driveway and any requirement for a sprinkler system, a standpipe or a cistern will be verified as part of the building permit process as outlined in the staff recommendation (Item 1, 5).

A LUC member stated support for the recommendations outlined in the sensitive ecosystems report including the recommendation for two nesting boxes. Another LUC member stated overall support for the application as the proposal is in line with the character of Willis Point.

MOVED by Art Wynans, **SECONDED** by Roy McNytre that the Juan de Fuca Land Use Committee support the staff report and recommendation and recommend to the CRD Board:

1. That Steep Slopes; Foreshore, Wetlands & Riparian Areas; and Sensitive Ecosystems development permit DP-11-13 for Lots 8 & 9, Sections 46A & 47A, Highland District, Plan VIP77211 be approved subject to the following conditions:
 1. That the proposed development comply with the Steep Slopes; Foreshore, Wetlands & Riparian Areas; and Sensitive Ecosystems Development Permit Guidelines outlined in the Willis Point Comprehensive Community Plan, Bylaw No. 3027;
 2. That the proposed development comply with the recommendations outlined in the professional engineer's report prepared by Ryzuk Geotechnical (Appendix 3), the qualified environmental professional's report prepared by Cascadia Biological Services (Appendix 4) and with the Section 9 *Water Act* notification (Appendix 5);

3. That the professional engineer's report prepared by Ryzuk Geotechnical (Appendix 3) be secured via a restrictive covenant registered on title of Lot 9 as part of the Building Permit process; and
 4. That the driveway be designed and constructed in coordination with a qualified environmental professional and civil engineer prior to issuance of a building permit to the satisfaction of the CRD and Willis Point Fire Department;
 5. That the conditions of this permit be verified as part of the building permit process.
2. That the exemption from Section 944(1)(a) of the Local Government Act for Lot 9, Sections 46A & 47A, Highland District, Plan VIP77211, as shown on the Proposed Boundary Adjustment, prepared by Richard J. Wey & Associates (Appendix 2), be approved.

CARRIED

7. Correspondence

- a) **FAMA Holdings Ltd. – DP-11-13 (Cotter and FAMA Holdings Ltd.)**
- b) **Martin Willock, Willis Point – DP-11-13 (Cotter and FAMA Holdings Ltd.)**

Supplementary agenda submissions received and added to the agenda.

8. New Business

9. Adjournment

MOVED by Roy McIntyre, **SECONDED** by Art Wynans that the meeting adjourn.

CARRIED

The meeting adjourned at 7:25 p.m.

Chair