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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, May 20, 2014 at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Director Mike Hicks (Chair), Roy McIntyre, Heather Phillips, Art Wynans
Staff: June Klassen, Local Area Planning Manager; Wendy Miller, Recorder
ABSENT: Ted Dixon, Kara Middleton, Harold Shipton
PUBLIC: 3

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

1. Approval of the Agenda

MOVED by Art Wynans, **SECONDED** by Roy McIntyre that the agenda be approved.

CARRIED

2. Approval of the Supplementary Agenda

No supplementary submissions.

3. Adoption of Minutes from the Meeting of April 14, 2014

MOVED by Roy McIntyre, **SECONDED** by Heather Phillips that the minutes from the meeting of April 14, 2014 be adopted.

CARRIED

4. Chair's Report

No report.

5. Planner's Report

June Klassen requested that, unless a pressing matter comes forward, that the LUC adjourn for the month of August. The Chair stated no objection to the request.

6. Proposed Bylaws

a) Bylaw No. 3849, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014"

June Klassen spoke to the staff report and amendments proposed to remove the requirement that accessory buildings be one-storey, to add the provision for suites to the Forestry (AF) and Agricultural (AG) zones and to address housekeeping items. June Klassen spoke to the referral agency comments outlined in the staff report including comments received from the Agricultural Advisory Planning Commission, the East Sooke Advisory Planning Commission, the Otter Point Advisory Planning Commission and the Shirley/Jordan River Advisory Planning Commission. June Klassen reported that during these meetings it was noted that the Community Facility Camp Barnard zone P-2CB also needed to be added to the institutional zone definition.

June Klassen directed attention to changes in red reflecting the proposed changes to Bylaw No. 2040 including changes to:

- the definition of Height
- the definition of Institutional Zone
- the definition of Rural Residential Zone

- delete references to one storey building (4.01, 4.20)
- delete the word "front" (4.20)
- the Forestry Zone – AF
- the Agricultural Zone – AG

June Klassen responded to questions from the LUC. The diagram included in the definition of Height includes the words, "Mean Elevation of the Highest Roof Plane". June Klassen advised that the proposed change to the definition adds the words from the diagram into the definition text. It was further advised that the regulations for accessory buildings (4.01) and detached accessory suites (4.20) set the height for these structures. Dwelling unit height is regulated by a property's zone.

June Klassen clarified that:

- use of the word "occupy" infers that the owner of the lot must live in either the secondary suite or the single family dwelling (4.19)
- if a secondary suite or the single family dwelling is or is not occupied by the owner becomes an issue when a complaint is received
- the Agricultural Land Commission (ALC) permits one single family dwelling per parcel, one secondary suite within a single family dwelling and one manufactured home unless otherwise prohibited by a local government bylaw
- the ALC may permit additional permanent dwellings if they are required for full time, legitimate, bone fide farm operations
- the proposed changes to the AG zone reflect what is permitted by the ALC on lands within Agricultural Land Reserve (ALR) and what is permitted by the local government on non-ALR lands
- the ALC and the AG zone do not specify that the secondary suite must be for farm workers
- detached accessory suites must not be located closer to the front lot line than the principle building except for when the principal building and the front lot line is greater than 15 m

MOVED by Roy McIntyre, **SECONDED** by Art Wynans that the Juan de Fuca Land Use Committee recommends to the CRD Board that:

1. Proposed Bylaw No. 3849, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 112, 2014" be introduced and read a first time and 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 the Alternate Director, be delegated authority to hold a public hearing with respect to Bylaw No. 3849.

CARRIED

b) Bylaw No. 3958, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 4, 2014"

June Klassen spoke to the staff report and the amendment proposed to clarify the definition of Outdoor Recreation. It was advised that staff received an inquiry regarding permitted uses on a parcel of land zoned Resource Land (RL). The proponent wishes to develop an un-serviced campground as 'low-impact wilderness camping' consistent with

the permitted outdoor recreation use. Staff proposes amending the definition to clarify the difference between low-impact wilderness camping and commercial, tourism campgrounds.

Although the Official Community Plan for the Rural Resource Lands, Bylaw No. 3591 supports tourism, revising the definition would require RL parcels to undergo rezoning to permit a campground. The rezoning process would enable each proposal to be reviewed for appropriateness including scale and potential environmental impact.

LUC member questions/comments included:

- why does Outdoor Recreation need be reflected as a permitted use when the proposed definition will extend only to passive recreational activities
- defining Low-Impact Wilderness Camping would eliminate the multiple changes proposed to the definition of Outdoor Recreation and establish a difference between camping and campground
- "not for profit" is too restrictive

The LUC agreed to strike "not for profit" and "commercial" so that the proposed definition reads:

OUTDOOR RECREATION means a passive, recreational activity, which does not involve the use of principal buildings or structures, but may include associated accessory infrastructure to support the activity (shelter, tent/viewing platform), undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element and includes: parks, trails, open space, playing fields, playgrounds, remote low-impact back-country wilderness camping and hunting; excludes campgrounds, tourism uses.

Zac Doeding, East Sooke

- agrees with LUC member comments
- not opposed to consideration of RV campgrounds but agrees that RV and large scale campgrounds need opportunity for review

Rosemary Jorna, Otter Point

- supports amending the definition as the revision permits the community to examine location, density and scale of the campground/tourism use

MOVED by Roy McIntyre, **SECONDED** by Art Wynans that the Juan de Fuca Land Use Committee recommends to the CRD Board that:

1. Proposed Bylaw No. 3958, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment No. 4, 2014", as included in Appendix 1 and as amended, be referred to appropriate CRD departments and the following agencies for comment: School District #62, Ministry of Transportation & Infrastructure, Cowichan Valley Regional District, and District of Sooke.
2. Proposed Bylaw No. 3958, to amend the Land Use Bylaw for the Rural Resource Lands, Bylaw No. 3602, as amended, be referred to the full CRD Board for a determination of consistency with the Regional Growth Strategy in accordance with the Juan de Fuca Development Procedure Bylaw No. 3110.

LUC member comments included:

- "remote", "low-impact" and "back-country" are subjective
- support for adding additional clauses or defining/quantifying the three referenced words

June Klassen stated that Bylaw No. 3602 does not apply to Crown lands or lands assessed as Private Management Forest Lands. Bylaw No. 3602 applies to approximately ten private parcels zoned RL.

CARRIED

7. Adjournment

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

The meeting adjourned at 7:40 p.m.

Chair