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**Minutes of a Meeting of the Juan de Fuca Land Use Committee  
Held Wednesday, May 20, 2015 at the Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Mike Hicks (Chair), Stan Jensen, Roy McIntyre, Ron Ramsay, Sandy Sinclair, Art Wynans  
**Staff:** June Klassen, Local Area Planning Manager; Wendy Miller, Recorder  
**ABSENT:** Ted Dixon  
**PUBLIC:** 2

The meeting was called to order at 7:05 p.m.

**1. Approval of the Agenda**

**MOVED** by Roy McIntyre, **SECONDED** by Stan Jensen that the agenda be approved.

**CARRIED**

**2. Approval of the Supplementary Agenda**

No supplementary submissions.

**3. Adoption of Minutes from the Meeting of April 23, 2015**

**MOVED** by Sandy Sinclair, **SECONDED** by Roy McIntyre that the minutes from the meeting of April 23, 2015 be adopted.

**CARRIED**

**4. Chair's Report**

No report.

**5. Planner's Report**

June Klassen advised that Bylaw No. 3973 was adopted by the Board on May 13, 2015. The bylaw amends Bylaw No. 2040 by amending Section 3.10 to include a missing rural residential zone (RR-A), by amending the secondary suite and detached accessory suite regulations to prohibit a building strata and by clarifying the definition of floor area. June Klassen advised of the below meeting:

Public Information Meeting – Rezoning Application RZ000237 – Meteorological Towers  
Monday, June 1, 2015 at 7:00 p.m.

Juan de Fuca Local Area Services Building, Otter Point, BC

Stan Jensen entered the meeting at 7:05 p.m.

**6. Development Permit and Frontage Exemption Application**

**a) DV000044 - Lots 6, 7 & 8, Block 453, Malahat District, Plan VIP84067 (Goldstream Heights Drive – Earth Corp c/o Devin Hawes)**

June Klassen spoke to the staff report and application 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 as part of a subdivision application.

The Chair confirmed that the application agent, Devin Hawes, was present.

Devin Hawes responded to questions from the LUC, presenting an aerial photo of the area showing the existing road network. It was confirmed that a subdivision application (S-01-14) was required to consolidate Lots 6, 7 and 8 to allow re-subdivision into four lots.

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

- a) That the Steep Slopes, Watercourses, Wetlands and Riparian Areas, and Sensitive Ecosystems Development Permit DV000044 for Lots 6, 7 and 8, Block 453, Malahat District, Plan VIP84067 for the proposed consolidation and re-subdivision into four lots, as shown in the Bazett Land Surveying Inc. Plan of Proposed Subdivision, Appendix C, be approved subject to the following conditions:
  - i. That the proposed development comply with the Steep Slopes, Watercourses, Wetlands and Riparian Areas and Sensitive Ecosystems Development Permit Guidelines outlined in the Malahat Official Community Plan, Bylaw No. 3721;
  - ii. That the proposed development comply with the recommendations outlined in the professional engineer's report prepared by Thurber Engineering Ltd., dated December 11, 2014, as shown in Appendix D; and
  - iii. That the proposed development be contained to previously disturbed road networks and building sites on the subject properties as described in the reports prepared by P.A. Harder and Associates Ltd., dated December 9, 2014 and April 22, 2015, as shown in Appendix E.
- b) That the exemption from Section 944(1)(a) of the *Local Government Act* for proposed Lot 2, as shown in the Bazett Land Surveying Inc. Plan of Proposed Subdivision, Appendix C, be approved.

**CARRIED**

At this time, June Klassen advised that Earth Corp is providing land dedication from the Goldstream Heights subdivision to support the final segment for the Trans Canada Trail routing.

## 7. Rezoning Application

### a) **RZ000236 - Lot 205, Renfrew District - Rezone from Rural Resource Land to Comprehensive Development One – Soule Creek (6215 Powder Main Road - Cash c/o West Coast Design)**

June Klassen spoke to the staff report and application to rezone the property from Rural Resource Land (RRL) to a Soule Creek Tourist Commercial (TC-SC) zone in order to permit tourist accommodation. It was advised that the Rural Resource Lands Official Community Plan (OCP) designates the subject property as Rural Resource Land (RRL) which supports tourism. It was confirmed that the property is within the Port Renfrew fire protection service area but outside the local water and sewer service areas. Although the applicants have indicated that they do not wish to pursue subdivision at this time, the proposed zone retains the 4 ha subdivision potential. It was reported that the TC-SC zone would apply to a 4 ha area that would need to be delineated by a BC Land Surveyor reference plan prior to bylaw approval.

The Chair confirmed that the application agent, Randy Clarkston, was present.

Randy Clarkston stated that the pre-existing use of the property was overlooked when the land use bylaw was under review. It was advised that the applicants are trying to have the property conform to the zoning bylaw. Randy Clarkston stated issue with the proposed restrictive covenant to protect the riparian and floodplain areas requirement outlined in the zone. It was stated these areas are already protected by existing regulations.

June Klassen stated that the proposed restrictive covenant supports the general policies of the OCP which outline that applications for rezoning will only be considered where it can be demonstrated that regional and community valued features and landscapes can be protected.

**MOVED** by Roy McIntyre, **SECONDED** by Stan Jensen that the Juan de Fuca Land Use Committee support amending proposed Bylaw No. 4018 by striking 4.7.1 Permitted Uses, item 2 in its entirety.

A LUC member stated no issue with the motion but stated general support for the concept of amenity provision in OCPs as the concept supports the positive development of lands.

The Chair called the question.

**CARRIED**

A LUC member questioned potential lot coverage as it relates to emergency servicing. Randy Clarkston stated that the property has been logged and can be serviced by air. June Klassen stated that the property is within the Port Renfrew fire protection service area and that review of permitted buildings and structures on the property will address interior safety requirements.

In response to a question regarding access to the remainder area, Randy Clarkston stated that an easement is not required because a new lot is not being created.

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

- a) That proposed Bylaw No. 4018, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 5, 2015", as amended, be referred to a public information meeting, relevant CRD departments and to the following agencies for comment:

BC Hydro	Halalt First Nation	Pacheedaht First Nation
Cowichan Tribes	Island Health	Penelakut Tribe
Cowichan Valley Regional District	JdFEA Parks & Rec Advisory Commission	Port Renfrew Fire Department
Cowichan Valley SD No. 79	Lake Cowichan First Nation	RCMP
District of Colwood	Lyackson First Nation	Scia'new First Nation
District of Langford	Ministry of Environment	Sooke SD No. 62
District of Metchosin	MFLNRO Archaeology Branch	Stz'uminus First Nation
District of Sooke	MOTI	T'Sou-ke First Nation

- b) That proposed Bylaw No. 4018, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 5, 2015", as amended, be referred to the full CRD Board for a determination of consistency with the Regional Growth Strategy (RGS).

**CARRIED**

**8. Adjournment**

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

The meeting adjourned at 7:30 p.m.

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Chair