



Making a difference...together

**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, June 21, 2016, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Mike Hicks (Chair), Ted Dixon, Roy McIntyre, Ron Ramsay, Sandy Sinclair, Art Wynans
Staff: Iain Lawrence, Manager, Local Area Planning; Wendy Miller, Recorder
ABSENT: Stan Jensen
PUBLIC: 8

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

1. Approval of the Agenda and Supplementary Agenda

MOVED by Sandy Sinclair, **SECONDED** by Ted Dixon that the agenda and supplementary agenda be approved. **CARRIED**

2. Adoption of Minutes from the Meeting of May 17, 2016

MOVED by Roy McIntyre, **SECONDED** by Ron Ramsay that the minutes from the meeting of May 17, 2016, be adopted. **CARRIED**

3. Chair's Report

The Chair solicited the membership regarding interest in moving the meeting start time from 7:00 p.m. to 6:00 p.m. Members stated no objection to moving the start time effective the July meeting. Interest in participating electronically at meetings was expressed.

4. Planner's Report

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

5. Amend Development Permit with Frontage Exemption and Acquire Park Dedication

a) DP-08-11/S-22-08 - Block 352, Malahat District, Except Part In VIP84067 And Block 399, Malahat District (Goldstream Heights)

Iain Lawrence spoke to the staff report and request to amend a development permit issued for a proposed 86-lot subdivision within the steep slopes, riparian and sensitive ecosystem development permit areas (DPAs); to exempt the requirement of Section 512 of the *Local Government Act (LGA)* that the minimum frontage of a lot shall be one tenth of the perimeter of the lot that fronts on the highway; and to acquire park dedication for the Trans Canada Trail (TCT) pursuant to Section 510 of the *LGA*.

It was advised that the applicant, in communication with the Ministry of Transportation and Infrastructure, has revised the proposed subdivision layout for the 86 lots in order to accommodate a more suitable road alignment and lot configuration. At the request of CRD Regional Parks, the previous layout included a route for the TCT. Iain Lawrence directed attention to the revised frontage plan submitted by the applicant.

It was advised that the revised layout and lot configuration results in:

- reduced creek crossings
- 39 lots not meeting the lot frontage requirements specified by the LGA
- formal park dedication required by the LGA

Iain Lawrence advised that the recommendation related to park dedication presented for LUC consideration was supported by the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission at its meeting of April 26, 2016.

Iain Lawrence summarized the two supplementary submissions not supporting the request. It was noted that local governments cannot deny a development permit when development permit guidelines have been met. It was advised that the applicant has submitted updated professional reports to address the development permit guidelines established by the Malahat Official Community Plan. It was reported that no further submissions have been received from the public regarding the request.

The Chair confirmed that the applicant was present.

The applicant responded to questions from the LUC and the public advising that:

- the subdivision is a residential development
- the residential development is accessed off Shawnigan Lake Road
- the smallest lot is 2.50 acres with the majority of lots being 5 acres or larger
- lots located on the northern portion of the subdivision have been selling for \$200,000 to \$350,000
- drainage has been designed to direct water back to Arbutus Creek
- permission has been given to CRD Regional Parks to access the land to work on the TCT

Caleen Taylor, Langford, stated concern regarding drainage and water contamination and reported that notice of the meeting was received two days before the meeting and that some adjacent residents have reported not receiving the notice.

Chuck Farrar, representing an adjacent property owner, stated that the applicant has provided access through the development site to the adjacent property. Chuck Farrar stated no issue with application.

Gail Watson, Langford, stated concern regarding drinking water quality and requested that more notice be provided of upcoming meetings.

Iain Lawrence advised that the applicant has submitted Riparian Assessment reports addressing the *Riparian Areas Regulation*. It was further advised that notice of the meeting was mailed ten days prior to the meeting in accordance with the LGA.

MOVED by Ted Dixon, **SECONDED** by Art Wynans that the Land Use Committee recommends to the CRD Board:

- a. That amended Steep Slopes, Sensitive Ecosystems and Watercourses, Wetlands and Riparian Areas development permit DP-08-11, and frontage exemption for 39 lots, as amended, for Block 352, Malahat District, Except Part in VIP84067 and Block 399 Malahat District, for the purpose of permitting an 86-lot subdivision, be approved.

- b. That the parcel shown as park dedication on the Survey Plan, prepared by Bazett Land Surveying Inc., dated April 5, 2016 and a 0.8 ha viewpoint from proposed Lot 1, be accepted as park dedication pursuant to Section 510 of the *Local Government Act* and that a statutory right-of-way be secured for public trail access and maintenance purposes over the panhandle access to proposed Lot 55.

CARRIED

6. Floodplain Exemption Application

a) DV000048 - Lot 2, Section 2, Renfrew District, Plan VIP83339 (Waters Edge Drive)

Iain Lawrence spoke to the staff report and the request for a floodplain exemption in order to construct a single-family dwelling within the floodplain setbacks specified in Part 5 of the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. It was advised that a geotechnical engineer's report has been prepared assessing the proposed building site, providing recommendations to ensure the site is safe for the use intended. It was confirmed that no submissions have been received from the public regarding the request.

The Chair confirmed that the applicant was present.

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

That floodplain exemption DV000048 for Lot 2, Section 2, Renfrew District, Plan VIP83339 for the purpose of constructing a single-family dwelling be granted subject to the following conditions:

- a) That the proposed development comply with the recommendations outlined in the professional geotechnical engineer's report prepared by WSP Canada Ltd., dated April 13 & 19, 2016;
- b) That the building location be verified by a BC Land Surveyor prior to completion of the building permit; and
- c) That the professional geotechnical engineer's report prepared by WSP Canada Ltd., dated April 13 & 19, 2016, be secured via a restrictive covenant registered on title as part of the Building Permit process.

CARRIED

7. Adjournment

MOVED by Art Wynans, **SECONDED** by Sandy Sinclair that the meeting adjourn.

The meeting adjourned at 7:29 p.m.

Chair