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**Minutes of a Meeting of the Juan de Fuca Land Use Committee  
Held Tuesday, September 20, 2016, at the Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Mike Hicks (Chair), Ted Dixon, Stan Jensen, Roy McIntyre, Ron Ramsay,  
Sandy Sinclair, Art Wynans  
**PUBLIC:** 3

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

**1. Approval of the Agenda**

**MOVED** by Ted Dixon, **SECONDED** by Art Wynans that the agenda be approved.

**CARRIED**

**2. Approval of the Supplementary Agenda**

No supplementary items.

**3. Adoption of Minutes from the Meeting of July 19, 2016**

**MOVED** by Roy McIntyre, **SECONDED** by Ron Ramsay that the minutes from the meeting of July 19, 2016, be adopted.

**CARRIED**

**4. Chair's Report**

The Chair reported that the Electoral Area Services Committee will be discussing water servicing requests for East Sooke properties falling within the boundaries of the Juan de Fuca Water Distribution Local Service Area. It was noted that the Local Service Area bylaw was adopted prior to the adoption of the Regional Growth Strategy (RGS).

It was further reported that CRD Board consideration of the pending Official Community Plans (OCPs) for East Sooke (Bylaw No. 4000) and Shirley – Jordan River (Bylaw No. 4001) has been postponed until the new RGS (Bylaw No. 4017) is adopted. Should adoption be delayed, an amendment to the existing RGS can be considered to support adoption of the pending OCP bylaws. It is understood that the Planning, Transportation and Protective Services Committee will be considering an amendment to new RGS to incorporate changes proposed by the pending Shirley – Jordan River OCP.

The Chair provided an update on the Core Area Wastewater Treatment Project and recent decisions of the BC Supreme Court regarding RGS policies and recent cases between the Greater Vancouver Regional District and Township of Langley.

**5. Planner's Report**

Further to the Chair's comment regarding opportunity to amend the existing RGS, it was advised that the District of Metchosin and the City of Langford initiated an amendment to the RGS at the September 14, 2016 meeting of the CRD Board.

It was reported that the CRD Board adopted Bylaw No. 4054, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 127, 2016" at its September 14, 2016 meeting, rezoning six properties from General Industrial (M-2) to General Industrial Medical Marihuana (M-2MM).

Iain Lawrence advised of the following meetings.

Juan de Fuca Board of Variance - BV000443 – Lot H, District Lot 87, Renfrew District, Plan EPP31225 (2860 Kirby Creek Road)

Date: September 27, 2016

Time: 6 pm

Place: Juan de Fuca Local Area Services Building

Public Hearing - Bylaw No. 4097, “Juan de Fuca Land Use Bylaw, Bylaw No. 1, 1992, Amendment Bylaw No. 129, 2016” (Sheringham Point Lighthouse)

Will be held at: Shirley Community Hall

Located at: 2795 Sheringham Point Road, Shirley, BC

On: Wednesday, September 28, 2016, starting at 7 pm

Public Hearing - Regional Growth Strategy Bylaw

Date: Wednesday, October 19, 2016

Location: CRD Headquarters, 625 Fisgard Street, Victoria, BC

Time: 3 – 6pm: Open house in the CRD storefront on Centennial Square, 6pm: Public hearing in the CRD Board Room

It was further reported that the Document Library on the CRD website has been updated to reflect agendas/minutes for the last five years. Older agendas/minutes are available to the public upon request.

## **6. Development Permit with Variance and Floodplain Exemption Application**

### **a) DV000050 - Lot 1, Sections 2 and 47, Otter District, Plan 44245 (3185 Robinson Road)**

Iain Lawrence spoke to the staff report and the request for a development permit with variance and floodplain exemption to reduce the front yard setback requirement for an accessory building from 8.1 m to 1.3 m, to reduce the floodplain setback from De Mamiel Creek from 30 m to 15 m, and to reduce the flood construction evaluation above the creek from 3 m to 2 m.

It was advised that a report has been prepared by a Qualified Environmental Professional (QEP) addressing the *Riparian Areas Regulation* and the *Watercourses and Wetlands Development Permit Guidelines*, and a Professional Engineer’s report has been submitted addressing floodplain specifications.

Iain Lawrence presented photos showing the proposed location of the accessory building. The building will be sited in an existing cleared site. It was advised that there will be no new areas of site disturbance. It was confirmed that no submissions have been received from the public regarding the request.

The Chair confirmed that the application representative was present. The representative stated that siting for the accessory structure was challenging due to the floodplain and septic location. It was confirmed that the accessory building will be used for storage.

LUC comments included:

- concern for contaminants entering into the creek from a floor drain
- potential for contaminants entering the creek preexists as the creek runs under Robinson Road
- the QEP’s proposal to site the accessory building within the Streamside Protection and Enhancement Area (SPEA) and exceeding the 22.23 m SPEA setback in other areas of the property is not an equal exchange

- concern that tree felling will decrease shading and increase water temperature, impacting fish habitat
- proposed accessory building will provide more shade than the existing cleared site
- siting of the proposed accessory building is the same distance away from the creek as the house
- no objections have been received from adjacent property owners

The representative stated that no trees will be felled to accommodate the accessory building.

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

1. That Development Permit with Variance and Floodplain Exemption DV000050, for Lot 1, Sections 2 and 47, Otter District, Plan 44245 for the purpose of constructing an accessory building, be approved.

**CARRIED**

## **7. Adjournment**

**MOVED** by Roy McIntyre, **SECONDED** by Sandy Sinclair that the meeting adjourn.

The meeting adjourned at 7:21 p.m.

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Chair