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**Minutes of a Meeting of the Juan de Fuca Land Use Committee  
Held Tuesday, November 15, 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:** 4

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

**1. Approval of the Agenda**

**MOVED** by Sandy Sinclair, **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 October 18, 2016**

**MOVED** by Ron Ramsay, **SECONDED** by Ted Dixon that the minutes from the meeting of October 18, 2016, be adopted.

**CARRIED**

**4. Chair's Report**

The Chair thanked the membership and the public for travelling on a stormy night to attend the meeting.

The Chair reported that the Transportation Select Committee is seeking the support of all municipalities and electoral areas to create a regional transportation service. It was advised the CRD Board supported consideration of this service at its October 12, 2016 meeting. The issue will be considered by the Electoral Area Services Committee on November 16, 2016. It was confirmed that the road network within the Juan de Fuca is maintained and operated by the Ministry of Transportation and Infrastructure. The Chair spoke to the Juan de Fuca's relationship with the Province and the Victoria Regional Transit Commission.

The Chair provided an update on the draft Regional Trails Management Plan and comments received supporting and not supporting paving of the remaining sections of the Lochside Trail which is recognized as a priority action in the plan.

It was reported that the CRD Board approved extension of water service within the Anderson Cove portion of the Juan de Fuca Water Supply Area at its October 12, 2016 meeting with ten votes opposing the motion. Opportunities to extend water in Port Renfrew and opportunities to secure grant funding for water extensions continues.

**5. Planner's Report**

Iain Lawrence requested that, unless a pressing matter comes forward, that the LUC adjourn for the month of December. The Chair stated no objection to the request and suggested that, if possible, the Committee should adjourn in both August and December.

**6. Floodplain Exemption Application**

**a) DV000051 - Lot 10, Section 2, Renfrew District, Plan VIP83339 (3521 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. Iain Lawrence spoke to floodplain regulations as outlined in Bylaw No. 2040 advising that, since the height of the embankment is approximately 45 m, the setback from the crest of the slope is approximately 135 m. As this setback encompasses the entire property, a slope stability review specific to Lot 10 has been submitted by a Professional Engineer. The engineer report confirms that 15 m is an adequate setback from the crest of the slope for the proposed residence and provides recommendations for building construction to ensure the structure is safe for the use intended.

The Chair confirmed that the applicant was present. The applicant stated that the Professional Engineer visited the site and that many variables were considered in preparation of the report. It was advised that the Professional Engineer that completed the 2016 report was aware of the report submitted in 2007.

Iain Lawrence responded to a question from the LUC advising that the 2007 Professional Engineer report notes toe erosion on three lots (Lot 2, Lot 5 and Lot 10). Floodplain exemption applications have been granted for Lot 2 and Lot 5.

**MOVED** by Ron Ramsay, **SECONDED** by Roy McIntyre that the Land Use Committee recommends to the Capital Regional District Board:

That floodplain exemption DV000051 for Lot 10, Section 2, Renfrew District, Plan VIP83339 be granted subject to the following conditions:

- a) That development of the property comply with the recommendations outlined in the professional geotechnical engineer's report prepared by Ryzuk Geotechnical, dated October 4, 2016;
- b) That the building setback be verified by survey prior to completion of the building permit; and
- c) That the professional geotechnical engineer's report prepared by Ryzuk Geotechnical, dated October 4, 2016, be secured via a restrictive covenant registered on title pursuant to section 524(8)(c) of the *Local Government Act*.

**CARRIED**

**7. Proposed Bylaw**

**b) Bylaw No. 4104, "Official Community Plan for Otter Point Bylaw No. 1, 2014, Amendment Bylaw No. 1, 2016"**

Iain Lawrence spoke to the staff report and proposed amendment to the Otter Point Official Community Plan (OCP). It was advised that the bylaw amendment was initiated by staff to incorporate updated steep slopes development permit area mapping and to revise the Land Use Designation map to re-designate a parcel that was previously excluded from the Agricultural Land Reserve (Lot 1, Section 7, Otter District, Plan 22721).

Iain Lawrence responded to questions from the LUC advising that at present Map 5a: Steep Slopes Development Permit Area reflects polygons that are smaller than defined by the Otter Point OCP (less than 10 m) and that the updated Map 5a included in proposed

Bylaw No. 4014 eliminates all polygons with a slope length of less than 10 m. It was further advised that the parcel described as Lot 1, Section 7, Otter District, Plan 22721 was excluded from the Agricultural Land Reserve in 2009 but was not re-designated as part of the OCP update that was completed in 2014.

**MOVED** by Stan Jensen, **SECONDED** by Sandy Sinclair that staff be directed to refer proposed Bylaw No. 4104, "Official Community Plan for Otter Point Bylaw No. 1, 2014, Amendment Bylaw No. 1, 2016", to appropriate CRD departments and the following agencies for comment:

Agricultural Land Commission	Otter Point Advisory Planning Commission
Cowichan Valley Regional District	Scia'new First Nation
District of Sooke	School District #62
Island Health	Te'Mexw Treaty Association
Ministry of Transportation and Infrastructure	T'Sou-ke First Nation

**CARRIED**

## **8. Adjournment**

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

The meeting adjourned at 7:17 p.m.

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Chair