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**Minutes of a Meeting of the Juan de Fuca Land Use Committee  
Held Tuesday, June 20, 2017, at the Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Mike Hicks (Chair), Roy McIntyre, Ron Ramsay, Dale Risvold, Sandy Sinclair, Art Wynans  
**Staff:** Iain Lawrence, Manager, Local Area Planning; Wendy Miller, Recorder  
**ABSENT:** Stan Jensen  
**PUBLIC:** 3

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

**1. Approval of the Agenda**

The Chair requested that he provide his report after consideration of proposed Bylaw No. 4179.

**MOVED** by Dale Risvold, **SECONDED** by Roy McIntyre that the agenda be approved, as amended. **CARRIED**

**2. Approval of the Supplementary Agenda**

No supplementary items.

**3. Adoption of Minutes from the Meeting of March 21, 2017**

**MOVED** by Roy McIntyre, **SECONDED** by Ron Ramsay that the minutes from the meeting of March 21, 2017, be adopted. **CARRIED**

**4. Planner's Report**

a) Following the Land Use Committee's past practice, it was asked if the Committee would adjourn for the month of August. The LUC stated that it would adjourn, but agreed to meet if a pressing matter arose.

b) It was reported that, should the LUC support the staff recommendations presented this evening, the following meetings will be scheduled:

Otter Point Advisory Planning Commission  
Date: Monday, July 17, 2017  
Time: 7 pm  
Place: Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC

Agricultural Advisory Planning Commission  
Date: Tuesday, August 1, 2017  
Time: 6 pm  
Place: Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC

Shirley/Jordan River Advisory Planning Commission  
Date: Wednesday, August 2, 2017  
Time: 7 pm  
Place: Shirley Community Hall  
2795 Sheringham Point Road, Shirley, BC

Public Hearing – Proposed Bylaw No. 4167  
Date: Monday, August 14, 2017  
Time: 6 pm  
Place: Port Renfrew Community Centre  
6638 Deering Road, Port Renfrew, BC

## **5. Rezoning Applications**

### **a) RZ000246 - Lot 3, District Lot 17, Renfrew District, Plan VIP13240 and Lot A, District Lot 17, Renfrew District, Plan VIP54121 (Parkinson Road)**

Iain Lawrence spoke to the staff report and the request to rezone two properties from Community Residential – One (CR-1) to Tourism Commercial - One (TC-1), in order to expand the Trailhead Resort in Port Renfrew. The LUC referred the proposal to the Port Renfrew Advisory Planning Commission and to agencies in February. A response was received from Pacheedaht First Nation advising that it operates Seafoam Seafoods on a property adjacent to Lot A and that it has an interest in maintaining the long-term industrial use and zone on that property, as well as ensuring continued access to the Snuggery Cove Community Dock, as part of its future economic development.

The Chair confirmed that the applicant was present.

The applicant stated that the:

- intent of the application is to pursue subdivision to amalgamate the subject properties with the main resort property
- rezoning proposal will not impact access to the community dock
- resort offers in-house fish processing services

The Chair stated that Pacheedaht First Nation has a representative on the board for the Port Renfrew Community Dock Society.

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

- a) That the referral of proposed Bylaw No. 4167 directed by the Juan de Fuca Land Use Committee to the Port Renfrew Advisory Planning Commission, BC Hydro, Cowichan Valley Regional District, District of Sooke, Island Health, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, RCMP and Sooke School District No. 62 and appropriate CRD departments be approved and the comments be received;
- b) That proposed Bylaw No. 4167, “Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 8, 2017” be introduced and read a first time and second time; and

- c) That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4167.

**CARRIED**

**b) RZ000247 - Strata Lots 9, 21, 23 and 28, Section 16, Otter District, Plan VIS7096; and Lot A, Section 16, Otter District, Plan VIP89031, Except Part in Strata Plan VIS7096 (Butler Road – Sooke Business Park)**

Iain Lawrence spoke to the staff report and the request to rezone five properties from the General Industrial (M-2) zone to a new Sooke Business Park Industrial (M-SBP) zone in order to clarify allowable uses, respond to market demand and permit licensed medical marihuana production facilities pursuant to Health Canada's *Marihuana for Medical Purposes Regulation (MMPR)*. Iain Lawrence outlined the uses permitted by the proposed zone. It was advised the prohibited uses were expanded to include the uses on the Prohibited Uses covenant registered on the title of all the lots within the Sooke Business Park.

The Chair confirmed that the applicant was present.

The applicant stated support for the expanded list of permitted uses proposed by the new zone, reporting that:

- two properties previously rezoned to General Industrial Medical Marihuana were sold to owners who did not wish to establish medical marihuana production facilities
- sale of a third property is pending
- the prospective buyer does not wish to establish a medical marihuana production facility
- a recent inquiry by a distillery highlighted market interest in other potential uses
- the proposed zone broadens the list of permitted uses while strengthening prohibited uses
- it is hoped the expanded list of uses will assist with property sales

The applicant responded to questions from the LUC advising that:

- the current zone and the proposed zone permit a caretaker unit accessory to the industrial use
- lots are serviced by rain water capture with water trucked in as required
- water use demand is low due to the uses permitted by the zones for the Sooke Business Park
- as West Coast Super Storage occupies multiple lots, more septic capacity is available than needed
- the Sooke Business Park is serviced by a fire protection pond
- water connection lines are installed on each lot, should CRD Integrated Water Services expand water services
- long term plans include completion of the access to Ramsden Road

The LUC stated support for amending proposed Bylaw No. 4187 to strike "gravel processing" from the list of permitted uses. The applicant stated no objection to the amendment.

**MOVED** by Sandy Sinclair, **SECONDED** by Art Wynans that staff be directed to refer proposed Bylaw No. 4187, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No.

131, 2017”, as amended, to the Otter Point Advisory Planning Commission and to the following agencies and departments for comment:

BC Hydro	District of Sooke	RCMP
CRD Building Inspection	Island Health	T’Sou-ke First Nation
CRD Protective Services	Ministry of Transportation and Infrastructure	

**CARRIED**

## 6. Proposed Bylaw

### a) **Bylaw No. 4179, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 130, 2017”**

Iain Lawrence spoke to the staff report and proposed Bylaw No. 4179, which would add agriculture and intensive agricultural uses to the Forestry (AF) zone. It was advised that staff have recently received several inquiries into AF zoned properties on Kirby Creek Road, Invermuir Road and Clarke Road from prospective buyers that have expressed interest in agricultural activities. At present, staff cannot provide assurance to prospective buyers that complaints regarding agricultural activities on these properties will not initiate enforcement action. Adoption of the amendment bylaw would add 800 hectares of agricultural land in Otter Point and 1,500 hectares in Shirley and Jordan River.

Iain Lawrence responded to questions from the LUC advising that the:

- majority of land zoned AF is classified Private Managed Forest Land (PMFL)
- parcels removed from PMFL have been subdivided into smaller, residential parcels
- proposed setbacks for agricultural buildings are in keeping with the regulations in the AG zone
- AF zoned properties are not being rezoned
- uses permitted on AF properties are being expanded
- density provisions on AF properties are not being increased
- AF zone presently permits an accessory suite or a detached accessory suite
- properties are designated Rural Lands in the Otter Point Official Community Plan (OCP), Settlement Area in the Shirley/Jordan River OCP and Renewable Resource Lands in the current Regional Growth Strategy

**MOVED** by Ron Ramsay, **SECONDED** by Roy McIntyre that staff be directed to refer proposed Bylaw No. 4179, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 130, 2017”, to appropriate CRD departments and the following agencies for comment:

Agricultural Advisory Planning Commission	Ministry of Transportation and Infrastructure Otter Point Advisory Planning Commission
Cowichan Valley Regional District	Pacheedaht First Nation
District of Sooke	Scia’new First Nation
Managed Forest Council	Shirley/Jordan River Advisory Planning Commission
Ministry of Agriculture	
Ministry of Forests, Lands and Natural Resource Operations	T’Sou-ke First Nation

**CARRIED**

## 7. Chair's Report

- a) The Regional Growth Strategy (RGS) update (Bylaw No. 4017) was referred to the municipalities for acceptance. Seven municipalities did not accept Bylaw No. 4017. Five municipalities rejected the bylaw on the basis of the proposed water servicing policies for the Juan de Fuca. The CRD has agreed to a non-binding dispute resolution process. At its June 14 meeting, the CRD Board selected Directors Ben Isitt and Nils Jensen as CRD representatives for the non-binding dispute resolution. At this same meeting, the CRD resolved to request that the Juan de Fuca Director be provided at least an hour during the mediation sessions to convey the interests of the Juan de Fuca.
- b) Freedom Mobile is proposing to install a tower at 2326 Kemp Lake Road. Telecommunication providers are required to consult with local governments and the general public regarding new installations. Tower approval falls under the jurisdiction of the federal government (Innovation, Science and Economic Development Canada). Local Area Planning will provide comment back to Freedom Mobile regarding the proposal including the comments received from the public.
- c) The CRD will be officially opening the Sooke Hills Wilderness Trail, which forms part of The Great Trail, this Friday. The Sooke Hills Wilderness Trail runs from Humpback Reservoir to the Malahat and into the Cowichan Valley Regional District.

At this time, Iain Lawrence responded to questions from the LUC regarding matters in the Malahat. It was advised that:

- the Trans Canada Highway property currently operating as a campground is conforming to its zoning
- an application has been received to rezone a property in the Goldstream Heights area to permit a campground
- Building Inspection has been contacted regarding permit issues related to a trailer on Aspen Road
- staff has contacted the Ministry of Transportation and Infrastructure in response to residential property owner interest in receiving soil from road construction on the Trans Canada Highway
- soil deposits must conform with the Juan de Fuca Soil Removal or Deposit Bylaw
- the Ministry has certified that soil received from residents as part of its road construction project will be clean fill

## 8. Adjournment

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

**CARRIED**

The meeting adjourned at 8:11 p.m.

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Chair