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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, September 19, 2017, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Mike Hicks (Chair), Stan Jensen, Roy McIntyre, Ron Ramsay, Dale Risvold,
Sandy Sinclair
Staff: Iain Lawrence, Manager, Local Area Planning; Wendy Miller, Recorder
ABSENT: Art Wynans
PUBLIC: 7

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

1. Approval of the Agenda

MOVED by Dale Risvold, **SECONDED** by Sandy Sinclair that the agenda be approved. **CARRIED**

2. Approval of the Supplementary Agenda

MOVED by Roy McIntyre, **SECONDED** by Ron Ramsay that the supplementary agenda be approved. **CARRIED**

3. Adoption of Minutes from the Meeting of July 18, 2017

MOVED by Ron Ramsay, **SECONDED** by Sandy Sinclair that the minutes from the meeting of July 18, 2017, be adopted. **CARRIED**

4. Chair's Report

No report.

5. Planner's Report

- a) Bylaw No. 4167, "Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 8, 2017" was adopted by the CRD Board on September 13, 2017, rezoning the Trailhead Resort to Tourism Commercial – One.
- b) In response to comments made at the August 2, 2017 meeting of the Shirley/Jordan River APC, Director Hicks will be holding a meeting with residents in Jordan River on September 22, 2017 regarding BC Hydro's rezoning proposal (RZ000248).
- c) Should the staff recommendations presented this evening be supported by the LUC, regarding application RZ000247 (Strata Lot 6) and RZ000249 (Strata Lots 11, 18, 19 and 20), the following meeting will be scheduled:

Otter Point Advisory Planning Commission
Date: Monday, September 25, 2017
Time: 7 pm
Place: Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC

6. Development Permit with Variance Application

a) DV000054 - Lot C, Section 9, Otter District, Plan 14072 (8418 West Coast Road)

Iain Lawrence spoke to the staff report and the request for a steep slopes and sensitive ecosystems development permit with variance to reduce the requirement that 10% of the parcel fronts onto a highway for the purpose of creating a two-lot subdivision. Iain Lawrence confirmed that the recommendations outlined in the geotechnical report and the environmental report prepared by qualified professionals are included as conditions in the development permit. It was further confirmed that the reduction in frontage from 10% to 4% (59 m on proposed Lot 1 and 63 m on proposed Lot 2) is considered adequate to provide access to each parcel.

Iain Lawrence directed attention to the supplementary submission from Constance D. Isherwood, Otter Point. The submission states that the property owner does not oppose the variance, but requests that variance approval include the requirement of a 75-150 metre setback from the road for any buildings built on proposed Lot 2. Iain Lawrence reported that the geotechnical report provides an approximate location for the residence on proposed Lot 2.

The Chair confirmed that the applicant was present.

The applicant stated that:

- the property has been owned by the family since 1980
- there is an existing approved driveway with residence on proposed Lot 1
- the Ministry of Transportation and Infrastructure (MoTI) considers the distance between driveways as part of its approval process
- MoTI is satisfied with the distance between the driveways
- each lot will have 200 feet of highway frontage
- trees on proposed Lot 2 were taken down after ongoing storm damage
- the adjacent property has an expanded ocean view as a result of tree felling
- the house on proposed Lot 2 will be sited to conform with Island Health's sewerage regulations and within the setbacks prescribed by the property's zone and outside of the steep slopes development permit area
- it is anticipated that the house on proposed Lot 2 will be a one storey rancher

Iain Lawrence responded to a question from the LUC advising that the front yard setback for an accessory structure on proposed Lot 2 is 7.5 m; the side yard setback for an accessory structure is less than the setback prescribed by the property's zone.

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

That Development Permit with Variance DV000054 for Lot C, Section 9, Otter District, Plan 14072 for the purpose of creating a two-lot subdivision, be approved.

CARRIED

7. Rezoning Applications

- a) **RZ000247 and RZ000249 - Strata Lots 9, 11, 18, 19, 20, 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 ten 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 marijuana production facilities pursuant to Health Canada's *Access to Cannabis for Medical Purposes Regulations (ACMPR)*. It was confirmed the staff report reflects an application (RZ000249) from another property owner to rezone four properties and, since writing of the staff report, the original applicant has requested that Strata Lot 6 be added to the rezoning proposal.

The Chair confirmed that the applicants were present.

An applicant responded to questions from the LUC advising that subdivision potential in the Sooke Business Park is restricted by water and sewerage limitations. It was further advised that the majority of lots in the Sooke Business Park are only large enough to accommodate a building footprint.

Iain Lawrence responded to questions from the LUC confirming that proposed Bylaw No. 4187 has been amended to delete gravel processing as a permitted use and that any comments from the September 25, 2017, Otter Point Advisory Planning Commission meeting will be brought forward directly to the CRD Board.

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

- a) That the referral of proposed Bylaw No. 4187 directed by the Juan de Fuca Land Use Committee to BC Hydro, CRD Building Inspection, CRD Protective Services, District of Sooke, Island Health, Ministry of Transportation and Infrastructure, RCMP and T'Sou-ke First Nation be approved and the comments be received;
- b) That proposed Bylaw No. 4187, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 130, 2017", as amended to include Strata Lot 6, Section 16, Otter District, Plan VIS7096, be introduced and read a first time, read a 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. 4187.

CARRIED

8. Adjournment

The meeting adjourned at 7:20 p.m.

Chair