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**Minutes of a Meeting of the Juan de Fuca Land Use Committee  
Held Tuesday, May 15, 2018, at the Juan de Fuca Local Area Services Building  
3 – 7450 Butler Road, Otter Point, BC**

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

**ABSENT:** None

**PUBLIC:** 10

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

**1. Approval of the Agenda**

**MOVED** by Art Wynans, **SECONDED** by Dale Risvold that the agenda be approved. **CARRIED**

**2. Approval of the Supplementary Agenda**

None

**3. Adoption of Minutes from the Meeting of April 17, 2018**

**MOVED** by Sandy Sinclair, **SECONDED** by Dale Risvold that the minutes from the meeting of April 17, 2018, be adopted. **CARRIED**

**4. Chair's Report**

The Chair announced that the East Sooke Official Community Plan (OCP) and the Shirley-Jordan River Official Community Plan were both found to be consistent with the Regional Growth Strategy at the last Regional Board meeting and that they continue to move through the process. The public hearings will be held in two weeks and then the OCPs will go back to the Regional Board.

**5. Planner's Report**

Iain Lawrence confirmed the public hearings for the East Sooke Official Community Plan, Bylaw 4000, and the Shirley/Jordan River Official Community Plan, Bylaw No.4001, are scheduled for Monday, May 28, 2018, commencing at 7 pm, and will be held at the Juan de Fuca Local Area Services Building.

**6. Development Permit with Variance Application**

**a) DV000060 – Strata Lots 15 and 16, Section 16, Otter District, Plan VIS7096 (7450 Butler Road - Sooke Business Park)**

Iain Lawrence spoke to the staff report and gave a short slide presentation for the development permit with variance application. The slides depicted a sketch of the lots with the existing building and the proposed addition and where the lot lines presently are. It was explained that the applicant is requesting a variance for the proposed rear yard setback adjustment from 4.5 m to 2.8 m. for the existing building resulting from the proposed cancellation of a lot line. The building design is proposed to be three stories,

14 m. in height, and staff have worked with the applicant's architect to improve the building's façade

The lower portion of the building will be a grey colour, with a lighter color on the upper portion and have wood beams and siding around the main entrance. It was noted that one condition is that the lighting on the building will be ground oriented, as well as complying with other Health Canada standards. Staff confirmed their opinion that the proposed building meets form and character guidelines of the Otter Point Official Community Plan, and is within the height requirements of the M2-MM zone.

The applicant's representative was in attendance and acknowledged he would address any questions that may arise.

Concern was raised regarding the potential shading of the sun that could impact the neighboring lot and the representative advised that the applicant also owned the next door lot.

Another question raised was whether the applicant would capture roof water and the representative stated that Health Canada does not permit roof water for Medical Marijuana production. The intention is to use trucked water.

A discussion ensued regarding proposed future plans of the water supply for the Juan de Fuca Electoral Area (JDFA) and the potential number of residents from the Otter Point area that could be hired as employees. The representative responded that the business is presently in phase two and that phase three and four would be larger with a final total of up to 50 employees.

Questions from the public were asked regarding water waste and where it will go. The representative advised that the water is recycled, that the product is all organic and no fertilizers or chemicals are used. The plants are watered through the soil and roots, not through the leaves.

**MOVED** by Roy McIntyre, **SECONDED** by Dale Risvold that the Land Use Committee recommend to the CRD Board:

That Development Permit with Variance DV000060, for Strata Lots 15 and 16, Section 16, Otter District, Strata Plan VIS7096 to vary the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 27.08(d)(ii) by reducing the rear yard setback requirement from 4.5 m to 2.8 m, for the purpose of reconfiguring the lot boundaries and constructing an addition to the existing building, be approved. **CARRIED**

**7. Invitation for Public Input – Proposed 50m Monopole Wireless Communications Facility  
Lot 4, District Lot 28, Otter District, Plan VIP19985 (2620 Kemp Lake Road)**

Iain Lawrence advised that the proponent's first proposal received significant feedback and, therefore, the proponent came back with this proposal. A short slide presentation was made to show a map of the proposed tower location on the property, the Ministry road rights-of-way on two sides, and the location of the closest residence. Slides showed the simulation of pre- and post-photos of the tower on the site and provided a schematic diagram of the tower. It was explained that the staff report recommendation was to provide a no comment resolution; however, the applicant is requesting some form of support, which can be considered by the Land Use Committee.

The Chair confirmed that two large neighboring properties behind the proposed location were owned by the Crown and that the proposed property itself was privately owned. The land owner confirmed his attendance.

Staff advised that a 500 m. area notification letter was sent out in the neighborhood and that no public responses were received.

Representatives for the proponent were in attendance and explained that Industry Canada asked them to consult local government for a decision and that while the Federal Government does make the final decision, it wants to hear from local government regarding the land use.

A discussion ensued with questions being raised regarding the strength of the signal, radio wave technology, piggybacking of service providers on infrastructure, and why other alternative locations of the tower are not suitable.

The proponent advised that the particular band within the radio frequency spectrum they have been allocated is lower power and that the towers must be in relatively close proximity to the residents who would receive service.

The Chair confirmed that the staff recommendation is now to state that there is “no objection” to the siting, rather than “no comment”, as stated in the staff report.

**MOVED** by Sandy Sinclair, **SECONDED** by Dale Risvold that the Land Use Committee recommend to the CRD Board:

That a resolution be provided to the proponent that the CRD Board has no objection to the proposed siting of a 50.0 m monopole wireless communications facility on Lot 4, District Lot 28, Otter District, Plan VIP19985. **CARRIED**

### **Adjournment**

The meeting adjourned at 7:45 p.m.

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Chair