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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, September 18, 2018, 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, Sandy Sinclair, Art Wynans
Staff: Iain Lawrence, Manager, Local Area Planning; Wendy Miller, Recorder
ABSENT: Dale Risvold
PUBLIC: 13

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

1. Approval of the Agenda

MOVED by Ron Ramsay, **SECONDED** by Art Wynans that the agenda be approved. **CARRIED**

2. Approval of the Supplementary Agenda

Staff circulated a site plan to the membership for application DV000055.

MOVED by Art Wynans, **SECONDED** by Sandy Sinclair that the supplementary agenda be approved, as amended, to add the site plan dated July 6, 2018, as prepared by Peter Knowles Design and Visualization for application DV000055.

CARRIED

3. Adoption of Minutes from the Meeting of July 17, 2018

MOVED by Roy McIntyre, **SECONDED** by Sandy Sinclair that the minutes from the meeting of July 17, 2018, be adopted.

CARRIED

4. Chair's Report

The Chair reported that he has been nominated for a further term for the position of Regional Director and that Roy McIntyre and Sandy Sinclair have been nominated to be appointed for further terms on the LUC. Should he be elected, the Chair advised that he wishes to appoint Stan Jensen, Ron Ramsay and Dale Risvold to sit for further terms on the LUC. It was confirmed that Art Wynans will not be standing for a further term.

5. Planner's Report

a) It was reported that current LUC terms expire December 31, 2018, with the exception of the Regional Director. The Regional Director will be sworn in at the November meeting of the CRD Board.

b) The next meeting of the LUC is October 9, 2018. It was confirmed that practice has been for the LUC to adjourn for December, if there are no pressing matters.

c) A thank you was extended to the membership for their work over the last four years. Attention was directed to the certificates of appreciation issued to the membership by the CRD Board Chair.

6. Development Permit with Variance Application

a) DV000055 - Lot 12, Section 43, Highland District, Plan 14620 (6778 Mark Lane)

Iain Lawrence spoke to the staff report and the request to decrease the exterior side yard setback requirements of the Community Residential One (CR-1) zone, and to address the Steep Slopes and the Foreshore, Wetlands and Riparian Areas Development Permit (DP) guidelines for the construction of a single-family dwelling.

Iain Lawrence outlined the geotechnical report submitted supporting the application and noted that a permit has also been received from the Ministry of Transportation & Infrastructure for siting the proposed dwelling within proximity of the road right-of-way.

The Chair confirmed that the applicant was present.

The applicant stated that the property has been in his family since 1962 and that his daughter now owns it. The application is requested to continue the family's work on the property.

LUC comments included:

- the decrease in the setback will allow the proposed structure to receive more sunlight
- proposed siting of the structure does not impact the privacy of adjacent properties
- no submissions have been received regarding the proposal

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

That Development Permit with Variance DV000055, as amended to replace the Survey Plan prepared by Kenneth Ng, BCLS, of Explorer Land Surveying, dated March 27, 2018, with the Site Plan prepared by Peter Knowles Design and Visualization, dated July 6, 2018, for Lot 12, Section 43, Highland District, Plan 14620 for the purpose of constructing a single-family dwelling and making improvements to the driveway and septic system, be approved.

CARRIED

7. Development Variance Application

a) VA000146 - Lot 10, Section 76, Renfrew District, Plan VIS4766 (2900 Fishboat Bay Road)

Iain Lawrence spoke to the staff report and the request to reduce the side yard setback requirement for a principal building in the Forestry (AF) zone from 15 m to 9.5 m for the purpose of constructing an addition to the existing dwelling.

Iain Lawrence confirmed that:

- for all structures, the AF zone requires, the front, side, rear and flanking yards to be a minimum of 15 m
- the subject property is 1.01 ha in size and is long and narrow
- the rural residential zones in Bylaw No. 2040 require side yards to be a minimum of 6 m
- the adjacent property to the west and the east both received development variance permits to reduce side yard setbacks
- a letter of support for application VA000146 has been received from the owner of the property to the west

The Chair confirmed that the applicant was present.

The applicant responded to a question from the LUC confirming that the dwelling meets the yard requirements of the AF zone.

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

That Development Variance Permit VA000146 for Strata Lot 10, Section 76, Renfrew District, Plan VIS4766, to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 3.07, by reducing the side yard setback of the Forestry (AF) zone from 15 m to 9.5 m for the purpose of constructing an addition to a single-family dwelling, be approved.
CARRIED

8. Rezoning Applications

a) RZ000256 - Lot 1, Section 128, Sooke District, Plan VIP58851 (5480, 5488 & 5494 Mt. Matheson Road)

Iain Lawrence spoke to the staff report and the request to rezone the subject property from Rural A to Rural Residential 6A (RR-6A) to permit a 3-lot subdivision for the purpose of granting individual title to each dwelling unit currently located on the property.

Iain Lawrence outlined the professional reports submitted supporting the application and reported that:

- the East Sooke Official Plan supports rezoning applications to permit subdivision of parcels zoned Rural A, as an alternative to a building strata development
- the applicant is pursuing a bare land strata subdivision
- no submissions have been received regarding the proposal

The Chair confirmed that the applicant was present.

The applicant responded to a question from the LUC confirming that no additional dwellings are being considered.

Iain Lawrence responded to questions from the LUC confirming that the proposed bare land strata road follows the existing driveway and that the Ministry of Transportation and Infrastructure will approve the road as part of the subdivision process.

MOVED by Stan Jensen, **SECONDED** by Art Wynans that staff be directed to refer proposed Bylaw No. 4257, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 135, 2018" to the East Sooke Advisory Planning Commission, and to appropriate CRD departments and the following external agencies for comment:

BC Hydro	Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch	Scia'new First Nation
District of Sooke	Ministry of Transportation and Infrastructure	Sooke School District #62
Island Health	RCMP	T'Sou-ke First Nation

CARRIED

b) RZ000258 - Lot 2, Section 95, Sooke District, Plan 45068 (1021 Parkheights Drive)

Iain Lawrence spoke to the staff report and the request to rezone the subject property from Rural Residential 3 (RR-3) to Rural Residential 6A (RR-6A) to permit a 2-lot subdivision.

Iain Lawrence outlined the professional reports submitted supporting the application.

Attention was directed to the supplementary submission received from H el ene and Pierre Rousseau, East Sooke, stating concern regarding:

- construction of additional dwellings in the form of suites
- the minimum parcel size of 0.5 ha permitted by the RR-6A zone
- the professional reports not addressing further construction on Lot B
- water availability in the area
- the riparian area assessment not capturing all the wetlands

Iain Lawrence responded to the concerns raised by the Rousseaus noting that:

- a total of 8 suites have been built in East Sooke since 2012
- the average lot size in the plan of subdivision is 1 ha and the minimum parcel size is 0.50 ha
- the professional reports address the rezoning application
- building designs will be submitted as part of the building permit process
- proof of potable water will be required as part of the subdivision process
- there are no plans to extend the CRD water system in East Sooke at this time
- the Registered Professional Biologist who prepared the riparian assessment report walked the subject property
- the riparian area assessment identifies the wetland to the north

The Chair confirmed that the applicant was present.

The applicant stated that access to proposed Lot B will be through the adjacent property (Lot 1, Plan 45068) over an existing easement. There is no intent to build to the south on proposed Lot B.

Zac Doeding, East Sooke, stated that, throughout the East Sooke Official Community Plan review, he supported the RR-3 zone being included in the decrease in average parcel size to 1 ha. Zac Doeding stated support for the rezoning application.

MOVED by Stan Jensen, **SECONDED** by Sandy Sinclair staff be directed to refer proposed Bylaw No. 4260, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 137, 2018" to the East Sooke Advisory Planning Commission, and to appropriate CRD departments and the following external agencies for comment:

BC Hydro	Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch	Scia'new First Nation
District of Sooke	Ministry of Transportation and Infrastructure	Sooke School District #62
Island Health	RCMP	T'Sou-ke First Nation

CARRIED

9. **Comprehensive Community Plan Amendment Application**

- a) **RZ000242 - That Part of Section 97, Renfrew District as Shown Coloured Red on Plan 344R (PID: 009-592-342);**

Lot 1, Section 97, Renfrew District, Plan EPP24972 (PID: 028-991-125) (17110 Parkinson Road);

That Part of District Lot 17, Renfrew District Shown Outlined in Red on Plan 347R (PID: 009-575-006) (6598 Baird Road); and

Those Parts of Block A and B, District Lot 751, Together with Unsurveyed Crown Foreshore or Land Covered by Water Being Part of the Bed of Port San Juan, All Within Renfrew District, Shown Outlined in Red on Licence V905027, Containing 3.86 Hectares, More or Less

Iain Lawrence spoke to the staff report and the request to redesignate the subject properties from Marine Protection (M) and Residential (R) to a new Pacific Gateway Marina (PGM) designation, and to rezone the subject properties from Marine (M) and Community Residential – One (CR-1) to a new Pacific Gateway Marina Comprehensive Development (PGM-CD) zone, in order to permit a mix of community uses, year-round residential accommodation, vacation properties, and commercial tourism, recreation and marina services to the general public.

Iain Lawrence provided an overview of the six development areas proposed by the PGM-CD zone. It was confirmed that the applicant is working with CRD Integrated Water Services as the proposal is contingent on water system improvements as specified by proposed Bylaw No. 4096. The proposed PGM-CD zone will also require that each parcel be connected to a community sewer system.

Iain Lawrence noted that, at the request of the applicant, it is asked that proposed Bylaw No. 4096 be amended to add “fish processing” as a permitted use to the PGM-CD zone. Iain Lawrence reported that it is anticipated that it will be asked that Bylaw No. 4096 be amended to add sewer requirements as a policy statement for the PGM land use designation.

The applicant spoke to a visual presentation, outlining the six development areas proposed by the PGM-CD zone. It was advised that the different areas were developed to provide certainty to the CRD and the community while potentially accommodating federal, provincial and First Nation uses. It was advised that the proposed development factors in First Nation sites and design elements intended to compliment the topography and natural environment.

The LUC questioned the use of flat roofs in the design scheme due to the amount of rainfall Port Renfrew receives.

The applicant responded stating that public feedback regarding the design scheme is welcomed.

The applicant further responded to questions from the LUC confirming that:

- all units will be for sale with the exception of the lodge
- the development area does not have the capacity to accommodate onsite water/sewer infrastructure
- the required infrastructure will be located on land to the south

- water infrastructure improvement is intended to increase fire flow capacity for the whole area
- sewer will be treated through a land-based system

The LUC requested that the Department of Fisheries be added as a referral agency.

Staff confirmed that comment from the Port Renfrew Volunteer Fire Department is directed through the internal CRD department referral.

MOVED by Roy McIntyre, **SECONDED** by Art Wynans that staff be directed to refer proposed Bylaw No. 4096, “Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 10, 2018”, as amended to add fish processing as a permitted use to the PGM-CD zone, to appropriate CRD departments and the following external agencies for comment:

BC Hydro	Ministry of Environment	Ministry of Transportation and Infrastructure
Cowichan Valley Regional District	Archaeology Branch – MFLNRORD	Pacheedaht First Nation
District of Sooke	Crown Lands & Resources – MFLNRORD	RCMP
Island Health	Department of Fisheries and Oceans	Sooke School District #62

CARRIED

10. Adjournment

The meeting adjourned at 7:45 p.m.

Chair