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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, November 20, 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: 3

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

1. Approval of the Agenda

MOVED by Art Wynans, **SECONDED** by Stan Jensen that the agenda be approved.

CARRIED

2. Approval of the Supplementary Agenda

MOVED by Art Wynans, **SECONDED** by Sandy Sinclair that the supplementary agenda be approved.

CARRIED

3. Adoption of Minutes from the Meeting of October 9, 2018

MOVED by Sandy Sinclair, **SECONDED** by Ron Ramsay that the minutes from the meeting of October 9, 2018, be adopted.

CARRIED

4. Chair's Report

No report.

5. Planner's Report

It was confirmed that the LUC will be meeting in December. Staff will follow up with the membership to confirm the meeting date.

6. Development Permit with Variance Application

a) DV000061 - Strata Lot 28, Section 16, Otter District, Strata Plan VIS7096 (7450 Butler Road)

Iain Lawrence spoke to the staff report and the request for a development permit with variance.

Iain Lawrence confirmed that:

- the development permit is for a six-tenant, 1,239 m² industrial building
- site development will include landscaping
- the variance is to reduce the required minimum number of parking spaces for the building from 30 to 21

The Chair confirmed that the applicant was present.

The applicant provided information on building design and construction materials and advised that:

- the units will be rented
- the landscaping will be maintained by the building owner
- landscaping will be extended along Ramsden Road
- handicap parking spaces have not been designated
- access from the parking spaces to the building is at grade
- the fire access at Ramsden Road is currently locked, providing greater security
- there are three loading bays
- additional parking can be accommodated by the parking bays and by the flanking road

Iain Lawrence advised that the Ministry of Transportation and Infrastructure did not support parking spaces along Ramsden Road.

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

That Development Permit with Variance DP000061 for Lot 28, Section 16, Otter District, Plan VIS7096, to authorize the construction of a 1,239 m² steel industrial building, and to vary the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 3, Section 5.0, by reducing the required number of parking spaces from 30 to 21, be approved.

CARRIED

7. Subdivision Application – Provision of Park Land

a) S-03-14 - Lot 2, District Lot 17, Renfrew District, Plan 32241 (6649 Godman Road)

Iain Lawrence spoke to the staff report addressing the provision of 5% park land or cash-in-lieu pursuant to Section 510 of the *Local Government Act* for a proposed six-lot bare land strata subdivision.

Iain Lawrence provided background information confirming:

- that the subdivision was first considered by the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission on September 23, 2014
- the Commission recommended cash-in-lieu of park land
- the Commission's recommendation was supported by the Land Use Committee on October 21, 2014, and by the CRD Board on November 12, 2014
- a preliminary non-approval was issued by the Ministry of Transportation & Infrastructure for the subdivision in 2015 due to an unacceptable on-site sewage disposal system design
- the applicant has now provided an acceptable sewage system design and has requested consideration of preliminary layout approval
- the Commission reconsidered the application on September 25, 2018, at which time it rescinded its previous motion, and stated interest in receiving park land for a trail connection

Iain Lawrence responded to questions from the LUC confirming that:

- there have been changes to the local context for parks in Port Renfrew since the recent completion of the Port Renfrew Tourism Trail, which connects Parkinson Road to Beach Camp
- the Commission supports opportunities to further extend the Tourism Trail to Snuggery Cove
- trail location is negotiated between the applicant and the CRD

- based on the existing property's 2018 assessed land value, cash-in-lieu would be approximately \$20,350

The Chair confirmed that cash-in-lieu funds can only be utilized to purchase park land.

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

- a) That the Board motion of November 12, 2014, requesting cash in-lieu of land for subdivision application S-03-14, for Lot 2, District Lot 17, Renfrew District, Plan 32241, be rescinded.
- b) That 5% park land dedication be requested pursuant to Section 510 of the *Local Government Act* for the proposed subdivision of Lot 2, District Lot 17, Renfrew District, Plan 32241 pursuant to securing dedication of land for a trail connection.

CARRIED

8. Temporary Use Permit Application

a) TP000009 - Lot 4, Section 47, Otter District, Plan VIP52344 (7861 Tugwell Road)

Iain Lawrence spoke to the staff report and the request for a temporary use permit to allow the expansion of a home based microbrewery in the Rural Residential 2 (RR-2) zone.

Iain Lawrence confirmed that:

- the microbrewery is currently operating in accordance with the Home Based Business Category 3 (Home Industry) regulations
- the Home Based Business regulations limit the area devoted to the home industry to 60 m² (645 sq. ft.) or 40% of the area of the dwelling, whichever is less
- current operation occupies an indoor floor area of 59.4 m² (640 sq. ft.) within an accessory building
- the applicant proposes to increase the indoor floor area to 96.7 m² (1,040 sq. ft.), and create 82 m² (884 sq. ft.) of covered, outdoor storage
- no complaints have been received to date regarding noise, odour or traffic related to the existing use

The Chair confirmed that the applicant was present.

The applicant responded to questions from the LUC advising that:

- the expansion is an addition to an existing building
- the addition would provide clients coverage from the weather
- the expansion is proposed to support the production of more product rather than more on site clients
- maximum one time capacity was 30 clients and 8 cars
- in the course of one day, visits average 25 – 30 cars
- he does not wish to rezone as, should current demand continue, the operation will need to be moved off site within the next three years
- the operation is located off the main road
- current hours are Wednesday – Sunday from 12:00 to 6:00 p.m.

Iain Lawrence advised that a temporary use permit can be issued for less than three years and that the permit can specify conditions, such as operating hours.

MOVED by Sandy Sinclair, **SECONDED** by Roy McIntyre that staff be directed to refer proposed Temporary Use Permit TP000009 to the Otter Point Advisory Planning Commission, to appropriate CRD departments, and to the following agencies for comment:

BC Hydro	Ministry of Transportation and Infrastructure	RCMP
District of Sooke	Ministry of Public Safety and Solicitor General – Liquor and Cannabis Regulation Branch	T'Sou-ke First Nation
Island Health		

CARRIED

9. 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 comments received from agencies and from the public information meeting held in East Sooke as included in the staff report and directed attention to the supplementary submission received from Rhonda Underwood supporting the application.

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

- a) That the referral of proposed Bylaw No. 4257 directed by the Juan de Fuca Land Use Committee to the East Sooke Advisory Planning Commission; BC Hydro; District of Sooke; Island Health; Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch; Ministry of Transportation and Infrastructure; RCMP; Scia'new First Nation; Sooke School District #62; T'Sou-ke First Nation and appropriate CRD departments be approved and the comments received;
- b) That proposed Bylaw No. 4257, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 135, 2018" be introduced and read a first time and read a second time;
- 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. 4257.

CARRIED

b) **RZ000260 - Lot 9, Section 129, Sooke District, Plan VIP67208 (590 Seedtree 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) for the purpose of permitting a 4-lot bare land strata subdivision as an alternative to a building strata. Iain Lawrence outlined the professional reports received to support the rezoning and requirement for future development permit applications during the subdivision application process.

MOVED by Stan Jensen, **SECONDED** by Ron Ramsay that staff be directed to refer proposed Bylaw No. 4265, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 138, 2018” to the East Sooke Advisory Planning Commission, the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission, 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

10. Adjournment

The meeting adjourned at 7:43 p.m.

Chair