



Making a difference...together

**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, March 16, 2021, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Director Mike Hicks (Chair), Stan Jensen (EP), Vern McConnell (EP), Roy McIntyre (EP), Ron Ramsay (EP), Dale Risvold (EP), Sandy Sinclair (EP)
Staff: Iain Lawrence, Manager, Community Planning (EP); Wendy Miller, Recorder (EP)

PUBLIC: 5 EP

EP – Electronic Participation

The meeting was called to order at 7:06 pm.

1. Approval of the Agenda

MOVED by Dale Risvold, **SECONDED** by Vern McConnell that the agenda be approved.

CARRIED

2. Approval of the Supplementary Agenda

MOVED by Dale Risvold, **SECONDED** by Vern McConnell that the supplementary agenda be approved.

CARRIED

3. Adoption of Minutes from the Meeting of February 16, 2021

MOVED by Sandy Sinclair, **SECONDED** by Vern McConnell that the minutes from the meeting of February 16, 2021, be adopted.

CARRIED

4. Chair's Report

No report.

5. Planner's Report

No report.

6. Zoning Amendment Application

a) RZ000271 – PID: 006-452-230 (9662 West Coast Road)

Iain Lawrence spoke to the staff report and the application to amend the Forestry (AF) zone to add a site specific provision to permit an industrial sawmill and associated log and lumber storage uses on the subject property as the current operation has expanded beyond the scope of the Home Industry regulations.

Iain Lawrence highlighted the subject property map, site plan and photos showing the sawmill operation and current sound proofing measures made by the applicants.

Iain Lawrence advised that proposed Bylaw No. 4407 was prepared to address the application proposal. It was confirmed that the bylaw includes a 30 m setback for the industrial sawmill operation as well as screening and fencing requirements.

Iain Lawrence directed attention to the supplementary agenda, noting that 36 submissions were received in support of the application. A further submission was received outlining concerns about the proposal.

The Chair confirmed that the applicants were present.

Iain Lawrence responded to questions from the LUC advising that:

- the letters of support were solicited by the applicants
- to the south of the subject property, there is a property zoned Neighbourhood Commercial and a property zoned Community Facility
- the properties to the north of subject property are zoned AF
- the Shirley – Jordan River Official Community Plan does not designate a town centre hub

Tony White, Shirley, stated that:

- he has owned a property adjacent to the subject property for 28 years
- he considered the community quiet until the sawmill operation started
- he can no longer enjoy being in his front or back yard due to the noise being generated by the sawmill operation
- he is recently semi-retired and would like to enjoy being outdoors
- should he sell his property, he has concern for the resale value of his property due to the sawmill operation
- he has been in ongoing dialogue with the subject property owners and CRD Bylaw Enforcement regarding his concerns
- he would like know what enforcement measures can be taken during consideration of the proposal and how long consideration of the proposal will take

Iain Lawrence responded to questions from the LUC advising that:

- the setbacks and screening requirements included in proposed Bylaw No. 4407 are intended to help mitigate noise concerns
- the current portable sawmill may operate for a period of not more than 30 days in a 12-month period
- proposed Bylaw No. 4407 would require a minimum 30 m front, side, rear and flanking yard setback
- the current portable sawmill meets the proposed 30 m setback requirements
- the Home Industry regulations provide language for no noise nuisance
- noise level defined in the Home Based Business regulations is subjective and difficult to regulate
- additional mitigation measures can be considered through referral of the proposal to agencies and the Shirley/Jordan River Advisory Planning Commission

MOVED by Vern McConnell, **SECONDED** by Ron Ramsay that staff be directed to refer proposed Bylaw No. 4407, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 150, 2021" to the Shirley/Jordan River Advisory Planning Commission, appropriate CRD departments and the following external agencies and First Nations for comment:

BC Hydro

District of Sooke

FLNR - Archaeology Branch

FLNR - Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Island Health

Ministry of Environment & Climate Change Strategy – Hazardous Waste and Forestry,
Authorizations South

Ministry of Environment & Climate Change Strategy – Water Stewardship Division

Ministry of Transportation & Infrastructure

Pacheedaht First Nation

RCMP

Shirley Volunteer Fire Department

Sooke School District #62

T'Sou-ke First Nation

CARRIED

7. Adjournment

The meeting adjourned at 7:24 pm.

Chair