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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, April 19, 2022 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,
Roy McIntyre (EP), Ron Ramsay, Dale Risvold (EP), Sandy Sinclair
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services;
Wendy Miller, Recorder
PUBLIC: 4 In-person; 1 EP

EP – Electronic Participation

The meeting was called to order at 7:00 pm.

The Chair provided a Territorial Acknowledgment.

1. Approval of the Agenda

MOVED by Sandy Sinclair, **SECONDED** by Vern McConnell that the agenda be approved. **CARRIED**

2. Approval of the Supplementary Agenda

MOVED by Sandy Sinclair, **SECONDED** by Ron Ramsay that the supplementary agenda be approved. **CARRIED**

3. Adoption of Minutes from the Meeting of February 15, 2022

MOVED by Vern McConnell, **SECONDED** by Sandy Sinclair that the minutes from the meeting of February 15, 2022, be adopted. **CARRIED**

4. Chair's Report

The Chair thanked everyone for coming to the meeting both in-person and electronically, noting the improved audio and visual system at the JdF Local Area Services building.

5. Planner's Report

No report.

6. Development Variance Application

a) VA000156 – Lot 1, Section 89, Sooke District, Plan 26576, except part in Plan 35281 (1381 Pike Road)

Iain Lawrence spoke to the staff report for a variance permit to reduce the requirement that 10% of the perimeter of the lot front onto a public highway in order to authorize a three-lot subdivision.

Iain Lawrence highlighted the subject property and proposed subdivision plan advising that the Ministry of Transportation and Infrastructure (MoTI) requested that driveway accesses be constructed for the two new parcels, rather than using a shared access. As a result of topography and in order to achieve usable grades for the driveway on Lot 2,

the proposed subdivision plan configuration was altered resulting in a substantial reduction in the road frontage provided for proposed Lot 1.

Iain Lawrence confirmed that no comments were received in response to the notice of intent mailed to the owners and occupiers of land within 500 m of the subject property.

The Chair confirmed that the applicant was present.

Iain Lawrence responded to a question from the LUC advising that the *Local Government Act (LGA)* specifies a minimum frontage requirement and that a local government may exempt a parcel from that requirement, regardless of whether a land use bylaw provides a minimum frontage. Bylaw No. 2040 specifies a frontage requirement.

MOVED by Stan Jensen, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That Development Variance Permit VA000156 for Lot 1, Section 89, Sooke District, Plan 26576, except part in Plan 35281 to vary the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Schedule A, Part 1, Section 3.10(4)(a) by reducing the minimum frontage requirement for proposed Lot 1 from 10% of the lot perimeter (34.3 m) to 3% of the lot perimeter (10.51 m) for the purpose of permitting a three-lot subdivision, be approved

CARRIED

7. Temporary Use Permit Application

a) TP000011 - Lot 4, Section 47, Otter District, Plan VIP52344 (7861 Tugwell Road)

Iain Lawrence spoke to the staff report for a new temporary use permit to allow for the continued operation of a microbrewery with new outdoor patio and expanded food service on land zoned Rural Residential 2 (RR-2).

Iain Lawrence reported that the temporary use permit and the liquor lounge endorsement and outdoor patio applications being considered this evening are both for 7861 Tugwell Road.

Iain Lawrence highlighted the subject property and site plan of the brewery, showing the licensed brewery and picnic area permitted by temporary use permit TP000009 as issued in 2018. The picnic area endorsement allows the operator to host up to 30 persons on the property for the purpose of consuming products outdoors. The owner has now applied for a new temporary use permit to allow for a food trailer and permanent patio for the expanded food service. Proposed temporary use permit TP000011 maintains a maximum of 30 persons on site at any one time.

Iain Lawrence confirmed that, to date, no complaints have been received from neighbouring residents regarding noise, odour or traffic related to the existing operation and that one submission of support was received in response to the notice of intent mailed to the owners and occupiers of land within 500 m of the subject property.

The Chair confirmed that the applicants were present.

The applicants stated:

- in addition to attracting tourists, the brewery is frequented by residents within a 5 km radius
- the site does not normally approach the 30 person maximum

- the operation is not interested in providing private bookings/weddings, amplified music or extending hours past 7:00 pm
- in addition to the four current employees, two additional employees are anticipated for the food service
- the food service is anticipated to be standard pub fare

MOVED by Stan Jensen, **SECONDED** by Vern McConnell that staff be directed to refer Temporary Use Permit TP000011 to the Otter Point Advisory Planning Commission, to appropriate CRD departments, and to the following external agencies and First Nation for comment:

BC Hydro
District of Sooke
Island Health
Ministry of Transportation and Infrastructure
RCMP
T'Sou-ke First Nation

CARRIED

8. Liquor Lounge Endorsement and Outdoor Patio Application

a) LP000031 - Lot 4, Section 47, Otter District, Plan VIP52344 (7861 Tugwell Road)

Iain Lawrence spoke to the staff report for the application for a liquor lounge endorsement and outdoor patio on an existing manufacturer's licence for brewing from the Liquor and Cannabis Regulation Branch (LCRB). It was advised that a resolution is required from the LUC either commenting on the application or opting out of the review process. CRD approval of LP000031 is contingent on CRD issuance of temporary use permit TP000011, which requires further public consultation.

MOVED by Sandy Sinclair, **SECONDED** by Vern McConnell:

1. That comment be provided to the LCRB confirming that the Land Use Committee has considered the proposed location, person capacity, hours of liquor service, impact of noise, the general impact on the community of the proposed lounge endorsement and outdoor patio application for Bad Dog Brewing Company (LP000031);
2. That public comments received by the Land Use Committee regarding application LP000031 be provided to the LCRB; and
3. That the lounge endorsement with outdoor patio for Bad Dog Brewing Company (LP000031) be supported in-principle, subject to the issuance of Temporary Use Permit TP000011.

CARRIED

9. Adjournment

The meeting adjourned at 7:22 pm.

Chair