



Making a difference...together

**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, October 18, 2022 at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Director Mike Hicks (Chair), Roy McIntyre, Ron Ramsay, Dale Risvold (EP),
Sandy Sinclair
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services;
Wendy Miller, Recorder
ABSENT: Stan Jensen, Vern McConnell
PUBLIC: 4 in-person; 3 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 Dale Risvold that the agenda be approved.

CARRIED

2. Approval of the Supplementary Agenda

MOVED by Ron Ramsay, **SECONDED** by Roy McIntyre that the supplementary agenda be approved.

CARRIED

3. Adoption of Minutes from the Meeting of September 20, 2022

MOVED by Sandy Sinclair, **SECONDED** by Roy McIntyre that the minutes from the meeting of September 20, 2022, be adopted.

CARRIED

4. Chair's Report

The Chair welcomed Al Wickheim, the newly elected Director for the Juan de Fuca Electoral Area.

In speaking with staff and the incoming Director, the LUC will adjourn until January, unless there is a pressing matter.

5. Planner's Report

Iain Lawrence reported JdF Community Planning would work with Legislative Services to confirm that the LUC will be able to continue to meet electronically in the new term.

6. Development Permit with Variance Applications

a) DV000086 – Lot 1, Section 9, Otter District, Plan 12535 (8492 West Coast Road)

Iain Lawrence spoke to the staff report for a development permit with variance application to authorize subdivision (SU000741) for a relative on a parcel partially designated as Steep Slopes and Sensitive Ecosystems Development Permit areas, and to reduce the requirement that 10% of the lot perimeter of a parcel front onto a public highway.

Iain Lawrence highlighted the subject property and proposed subdivision plan.

Iain Lawrence directed attention to the one submission received in response to the notice of intent mailed to adjacent property owners and occupiers within 500 m of the subject property, as circulated in the supplementary agenda.

Iain Lawrence responded to questions from the LUC advising that:

- each lot will be accessed by a separate driveway
- the Ministry of Transportation and Infrastructure (MoTI) will approve the final lot layout including the proposed driveway accesses
- MoTI will require the owner to provide an affidavit that the subdivision is for a relative
- the proposed remainder lot is 0.87 ha
- Section 514 of the *Local Government Act* allows a subdivision for a relative to create a lot that is less than 1 ha with Island Health approval

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

That Development Permit with Variance DV000086 for Lot 1, Section 9, Otter District, Plan 12535, to authorize the subdivision and proposed development of land designated as Steep Slopes and Sensitive Ecosystems Development Permit Areas; and to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 3.10(4) by reducing the minimum frontage requirement for proposed Lot A from 10% of the lot perimeter (116.9 m) to 2.8% of the lot perimeter (33 m), as shown on the plans prepared by McIlvaney Riley Land Surveying Inc., dated January 14, 2022, be approved.

CARRIED

b) DV000089 - Section 41, Otter District as Shown on Plan Deposited Under DD 551121 (Clark Road)

Iain Lawrence spoke to the staff report for a development permit with variance application to authorize subdivision layout on a parcel designated as Steep Slopes, Riparian, and Sensitive Ecosystem Development Permit areas and to reduce the requirement that 10% of a parcel fronts onto a highway.

Iain Lawrence highlighted the subject property and proposed subdivision plan.

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

The Chair confirmed that the applicant was present.

Iain Lawrence responded to questions from the LUC advising that:

- the proposed panhandles meet the minimum 6 m width requirement for parcels that cannot be further subdivided
- the Province has approved the biologist's report for subdivision layout through the Riparian Areas Protection Regulation Notification System (RAPRNS)

The applicant responded to a question from the LUC advising that the subject property will continue to be used by TimberWest to access a property located to the north, but that the adjacent logging roads are being readied for decommissioning which will reduce traffic.

The Chair stated that roads fall to the Province.

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

That Development Permit with Variance DV000089 for Section 41, Otter District as Shown on Plan Deposited Under DD 55112I to authorize the subdivision of land designated as Steep Slopes, Watercourses and Wetland Areas, and Sensitive Ecosystems Development Permit Areas; and to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, Section 3.10(4) by reducing the minimum frontage requirement for:

- a) proposed Lot 3 from 10% of the lot perimeter (88 m) to 7.5% of the lot perimeter (66 m);
- b) proposed Lot 7 from 10% of the lot perimeter (119 m) to 0.5% of the lot perimeter (6 m); and
- c) proposed Lot 18 from 10% of the lot perimeter (141 m) to 0.46% of the lot perimeter (6.5 m)

as shown on the plan prepared by J.E. Anderson, revised September 21, 2022, be approved.

CARRIED

7. Zoning Amendment Application

- a) **RZ000281 - Strata Lot A (3692 Waters Edge Drive) & Strata Lot B (12051 West Coast Road), Section 2, Renfrew District, Strata Plan VIS6939, Together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form V**

Iain Lawrence spoke to the staff report for a joint application to rezone the subject property from the Rural Residential 2A (RR-2A) zone to the Rural Residential 1 (RR-1) zone for the purposes of dissolving a building strata and subdividing the property into two fee-simple parcels.

Iain Lawrence highlighted the subject property and proposed subdivision plan. It was advised that the property is a non-conforming two-lot building strata that was constructed prior to adoption of the bylaw that zoned the land RR-2A.

Iain Lawrence responded to questions from the LUC advising that the dwelling units are serviced by separate well and septic systems and that separate driveway accesses are proposed.

The Chair confirmed that the applicants were present.

MOVED by Ron Ramsay, **SECONDED** by Sandy Sinclair that staff be directed to refer proposed Bylaw No. 4519, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 159, 2022", to the Shirley-Jordan Advisory Planning Commission, First Nations, appropriate CRD departments and the following external agencies for comment:

BC Hydro

District of Sooke

Island Health

Ministry of Forests – Archaeology Branch

Ministry of Forests – Water Protection Section

Ministry of Land, Water and Resource Stewardship

Ministry of Transportation & Infrastructure

Pacheedaht First Nation

RCMP

Sooke School District #62

T'Sou-ke First Nation

CARRIED

8. Adjournment

The meeting adjourned at 7:27 pm.

Chair