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**Minutes of a Meeting of the Otter Point Advisory Planning Commission
Held September 10, 2019 at Juan de Fuca Local Area Services Building, 3-7450 Butler Road,
Otter Point, BC**

PRESENT: Al Wickheim (Chair), Bud Gibbons, Sid Jorna, Anne Miller, Stephen Smith
Staff: Emma Taylor, Planner; Wendy Miller, Recorder
PUBLIC: 26

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

1. Approval of the Agenda

MOVED by Anne Miller, **SECONDED** by Sid Jorna that the agenda be approved.

CARRIED

2. Approval of the Supplementary Agenda

No supplementary items.

3. Adoption of the Minutes of April 9, 2019

MOVED by Bud Gibbons, **SECONDED** by Anne Miller that the minutes of the meeting of April 9, 2019, be adopted.

CARRIED

4. Planner's Report

- a) At its meeting of August 14, 2019, the CRD Board adopted Bylaw No. 4290, rezoning the remaining lots in the Sooke Business Park to the Sooke Business Park Industrial (M-SBP) zone and specifying that the maximum floor area for a caretaker suite in the M-SBP zone is 90 m².
- b) CRD Corporate Services is hosting a committee/commission orientation on Monday, September 16, 2019 at 3 pm at the Juan de Fuca Local Area Services Building.
- c) It was confirmed that at its meeting of April 10, 2019, the CRD Board approved the temporary use permit for 7861 Tugwell Road (TP000009) allowing the proposed expansion of a home based microbrewery.

5. Zoning and Official Community Plan Amendment Application

- a) **RZ000267 - That Part of Section 17, Otter District, Lying East of Otter Point Road, Except Parcel C (DD43782I) And Except Parts in Plans 3054 And 17721 (3542 & 1-3542 Otter Point Road)**

The Chair directed attention to the staff report considered by the Juan de Fuca Land Use Committee at its meeting of July 16, 2019.

Emma Taylor advised the property owner is requesting to rezone the property to permit a seven-lot subdivision, as well as an industrial sawmill operation and an aquaponics facility (Bylaw No. 4316). An Official Community Plan (OCP) amendment is also proposed to update the Watercourses and Wetland Areas and Commercial Industrial development areas (Bylaw No. 4317). It was advised that the Land Use Committee has directed referral of the proposal to external agencies, CRD departments, the Juan de Fuca Electoral Area

Parks and Recreation Advisory Commission and to the Otter Point Advisory Planning Commission (APC).

Emma Taylor spoke to the proposed subdivision plan identifying the areas proposed for residential, aquaponics and sawmill use. It was confirmed that the proposed OCP amendment would designate the areas identified for aquaponics and sawmill use as a development permit area to address the form and character of commercial and industrial buildings. Attention was directed to the OCP policies as included in the staff report for community consideration of rezoning applications.

Emma Taylor reported that the owner has submitted an environmental assessment report prepared by Corvidae Environmental Consulting Inc. which identifies a watercourse on the property and outlines considerations for future development. It was advised that the Biologist who prepared the report is acting as the application agent.

Emma Taylor identified the subject property on the web map, identifying industrial zoned properties in the vicinity of the subject property and the undeveloped roads adjacent to the subject property. It was advised that the Juan de Fuca Community Parks division currently holds a Licence of Occupation over Weiland Road right-of-way for future construction of a multi-use trail extending from William Simmons Memorial Park to Kemp Lake Road, but that the right of way terminates at the subject property.

Emma Taylor directed attention to Bylaw No. 4316 as included in the meeting agenda package to reflect changes related to building size and lot coverage for the proposed aquaponics use as requested by the applicant.

The Chair confirmed that the application representatives were present.

The Chair requested that the representatives speak to the proposed residential area.

Residential Area

The representatives stated that:

- the five proposed residential lots are for the owner's children and will be developed as required
- individual wells have been drilled on the five proposed residential lots
- although not required, cisterns will be installed on each lot
- percolation test holes have been dug
- surface water will be protected through the update to the Watercourse and Wetland Areas development permit area (DPA)
- the watercourse identified on the subject property flows west to east, draining into King Creek

Emma Taylor identified lands on the web map that are in the vicinity of the subject property that are designated a Watercourse and Wetland Areas DPA. It was confirmed that the Watercourse and Wetland Areas DPA includes land within 30 metres (100 feet) of the natural boundary of a watercourse.

The agent responded to a question from the APC regarding viability of a trail in the vicinity of Weiland Road advising that there is methodology available for creek crossings.

The representatives confirmed that well reports can be made available.

The Chair requested that the representatives speak to the proposed aquaponics area.

Aquaponics Area

The representatives stated that:

- the facility requires 0.4 gallons per minute (GPM) of water
- a well has been drilled and a percolation test hole dug
- a cistern will be installed
- the aquaponics building is sited at the back of the property to limit views of the facility from Otter Point Road
- views of the facility will be buffered by the proposed residential use
- the proposed height of the building (12.6 m) would reduce the footprint of the facility
- a separate access to the facility is required
- access to be determined by the Ministry of Transportation and Infrastructure (MoTI)
- access will not be by easement over the other proposed lots
- the facility is anticipated to operate 35 hours a week and employ 20 workers
- operation will produce salad greens, micro greens, herbs and trout
- fish species may change depending on market demand
- reinforced, lined cement tanks will be above ground
- no water will be discharged to the surface
- the facility will be built to meet a life expectancy of 25 years
- building materials will be food grade to meet organic status
- the facility will produce vermicompost (worm compost)
- HVAC will scrub any odour but vermicompost is generally odourless
- a HACCP (Hazard Analysis and Critical Control Points) plan is being designed for the facility
- monitors will be installed to detect any water breaks
- in the event of a break, the system would shut down and overflow directed to a filtration system
- sawdust from the sawmill operation may be utilized as the aquaponics facility requires a grain chaff

Emma Taylor responded to a question from the APC confirming that, should the applicant's proposed changes to the M-4 zone not be supported, the applicant could submit a variance application to vary the building's building size and height,

The Chair requested that the representatives speak to the proposed sawmill area.

Sawmill Area

The representatives stated that:

- sawdust is currently stored outdoors
- a new structure for sawdust storage is proposed
- sawdust will be bagged for sale
- current sawmill operation employs 8-10 full-time workers

Doug Brubaker, Otter Point, stated that:

- he owns a lumber manufacturing company
- his establishment offers sawdust free of charge
- sawdust is not easy to get rid of
- water supply is a concern in the community and on his property even with rainwater capture and greywater reuse
- he has concern regarding property development, in general, as all watercourses have not been mapped

The Chair opened the floor to questions.

A member of the public stated that she lives on an adjacent property and has concern regarding hours of operation and air quality as the property owner currently burns wood debris outdoors. It was questioned if Tenbury Road, the undeveloped road to the east, will be utilized.

A representative stated that the owner will be moving to an electric sawmill and that the new mill will be enclosed.

Emma Taylor advised that the MoTI is the authority for roads and that the MoTI has relayed that an industrial access permit is required for the sawmill operation.

Ron Watson, Otter Point, stated that he:

- has concern regarding water supply as water is limited 3-5 months of the year
- has concern regarding spontaneous combustion of sawdust
- lives downhill from the subject property and can hear the sawmill operation at its present size
- has concern that noise impact will increase, should the operation expand
- had hoped to see more written material regarding the proposal

A representative stated that current noise levels are high as the site is being readied for development.

A member of the public questioned if the aquaponics facility will have backup generators.

The aquaponics representative stated that, in addition to having a diesel generator, the facility will have solar panels on the roof with storage and grid connection.

Doug Dunnett, Otter Point, stated that:

- he lives on an adjacent property
- he has concern regarding water supply
- he has concern regarding the access to the aquaponics area and provisions for buffering

Emma Taylor confirmed that the proposed Industrial Aquaculture (M-4) zone provides regulations for screening and that the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, provides regulations for fencing.

A member of the public stated that:

- he lives across from the subject property
- the subject property sits in a valley
- noise from the sawmill operation echoes across the valley
- the property has been cleared with the exception of the lands within the riparian assessment area
- no buffer has been left
- he has concern regarding hydrocarbon storage
- King Creek is salmon bearing

A representative stated that there is a replanting plan.

Arnie Campbell, Otter Point, stated that:

- he has no issue with the background noise associated with the operation's current outside work
- he has issue with noise produced by the ventilation system for the current enclosed structure
- the ventilation system noise is a high pitched whine
- he has concern that noise impact will increase, should enclosed operations increase

A member of the public stated that:

- she lives across from the subject property
- noise levels over the past year have been too much
- she has concern regarding the compost facility increasing the rodent population
- she has concern for the existing wildlife/bear corridor the subject property provides
- she has concern regarding water supply
- she has concern regarding increased traffic on Otter Point Road
- Otter Point Road was not built for large volumes
- there is already an issue with speeding on Otter Point Road

A member of the public stated that:

- he has concern regarding noise
- he has concern regarding the aquaponics facility, should the business plan fail
- it is not known what kind of operation could happen in future
- the community should question what it is getting back by supporting the rezoning proposal

Emma Taylor responded to questions from the APC confirming that the OCP is the guiding document for community consideration of rezoning applications and directed attention to policy 4.1.1 (4) which outlines that support for rezoning is more likely where it can be demonstrated that community values and features can be protected subject to the listed criteria. Clarification was provided regarding the potential requirement for 5% park dedication at the time of subdivision pursuant to Section 510 of the *Local Government Act*.

A member of the public stated that:

- she has concern regarding water supply
- noise levels over the past year have been awful
- work has started at 6:00 am and stopped at dark
- work has been lifestyle changing
- she no longer enjoys being outdoors on her property

- the community should question if the proposal is wanted by the community
- the community should question if it wants to support a rural operation developing into an industrial operation
- to date, it has not been clear as to what the property owner is proposing
- she is having a hard time believing that what is proposed will happen

Emma Taylor responded to the question from the public advising that the applicant can request that additional uses be added to the proposed M-4 zone and that, in future, a property owner could submit an application to rezone the property or submit an application for a temporary use permit.

Dane Bugoy, Otter Point, stated that:

- he has concern regarding water supply
- he has concern regarding fire protection as the volunteer fire department has limited resources
- residents regularly need to resort to trucked water
- hauling water increases traffic, impacting carbon levels
- he supports extension of CRD water and hydrant installation

A member of the public stated support for noise mitigation measures as there will also be noise associated with the property's long term buildout.

The agent for the application responded to questions from the public confirming that:

- some trees have been removed from the Streamside Protection and Enhancement Area
- replanting recommendations have been made
- no buildings are currently sited or planned to be sited in the SPEA
- the aquaponics facility will require a stream crossing
- the stream crossing would be in accordance with provincial regulations

Arnie Campbell requested that the proposed subdivision plan be updated to reflect that the property is in Otter Point.

Emma Taylor confirmed that the plan notes the property mailing address and that the property borders the District of Sooke.

The representatives responded to a question from the APC advising that there is no lot large enough in the Sooke Business Park to accommodate the aquaponics proposal which requires at least 1.5 acres of lot coverage.

John McCrae, Fire Chief, Otter Point Volunteer Fire Department, stated that:

- the proposal was referred to the Otter Point Volunteer Fire Department
- the Otter Point Volunteer Fire Department has concern regarding water supply for firefighting services
- the Otter Point Volunteer Fire Department will work with the applicant and the CRD to address concerns

The APC stated:

- concern regarding dust levels
- support for a noise abatement agreement
- concern regarding increased traffic and property access/egress
- support for setting limitations to the aquaponics use proposed by the M-4 zone
- that the OCP supports green initiatives
- trucking water is not a green initiative

The APC acknowledged the concerns identified by the members of the public and advised that residents can forward their concerns directly to staff and to the Land Use Committee.

MOVED by Anne Miller, **SECONDED** by Al Wickheim that the Otter Point Advisory Planning Commission recommend that the Juan de Fuca Land Use Committee allow for further review of primary community concerns including water supply, firefighting servicing, noise, hours of work, traffic, rodents, future land use considerations, pollution including lighting, fencing/buffering and protection of the riparian area.

Opposed: Bud Gibbons
CARRIED

An APC member stated that the proposal should not be given further consideration until the owner addresses current noise issues.

The APC asked the representatives to relay the community's concerns to the owner. The APC stated that it would have appreciated hearing directly from the property owner.

6. Adjournment

The meeting adjourned at 9:10 pm.

Chair