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**Minutes of a Meeting of the Shirley/Jordan River Advisory Planning Commission
Held April 23, 2013 at the Shirley Community Hall,
2795 Sheringham Point Road, Shirley, BC**

PRESENT: Fiona McDannold (Chair), Dominique Bernardet, Sonja De Wit, Pascale Knoglinger, Brenda Mark

Staff: June Klassen, Local Area Planning Manager; Emma Taylor, Recorder

PUBLIC: 6

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

1. Approval of the Agenda

MOVED by Brenda Mark, **SECONDED** by Pascale Knoglinger that the agenda be approved. **CARRIED**

2. Approval of the Supplementary Agenda

No supplementary agenda.

3. Adoption of the Minutes of March 5, 2013

MOVED by Sonja De Wit, **SECONDED** by Brenda Mark that the minutes of March 5, 2013 be adopted.

CARRIED

4. Proposed Bylaw

a) Proposed Bylaw No. 3759, Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 107, 2013

June Klassen spoke to the staff report and proposed Bylaw No. 3759.

An APC member announced they were a property owner affected by the proposed bylaw and requested that if any person felt that constituted a conflict of interest they should request the member remove themselves from the meeting. No persons felt there was a conflict of interest situation.

An member of the public suggested the term 'tourist service lodge' for the Wildwood Terrace Tourist Commercial zone (WT-TC) as the use is strictly service-oriented whereas the term 'tourist lodge' may be a definition used elsewhere in the land use bylaws where temporary accommodation is permitted.

The member also noted that, with respect to the Jordan River Destination Resort zone (CR-1A), a single-family dwelling anywhere else defined does not include hotel rooms and questioned whether the proposed use was better described as a tourist lodge. June Klassen suggested that the density provisions be changed to permit twenty hotel rooms within the principal building.

An APC member questioned the difference between a convenience store and retail store and why both are permitted in the commercial zones. June Klassen clarified the definitions in Bylaw No. 2040.

A member of the public representing the BC Landowners Association and two local landowners questioned the language in the proposed bylaw regulating the minimum parcel size of the remainder parcel under Section 946 of the *Local Government Act*. The member suggested the provision to subdivide for a family member may be an option desired by owners affected. June Klassen confirmed the language is based on advice that local government can only regulate the remainder parcel and described other considerations possibly restricting subdivision potential. The developer confirmed that the building scheme registered on title restricts further subdivision of parcels in the Wildwood development.

An APC member requested clarification on density provisions related to the full build-out potential of the Wildwood Terrace zones (WT-1, WT-2, WT-3, WT-4). The developer outlined many restrictions on the parcels such as septic requirements, water and setbacks that would limit build-out in reality. June Klassen confirmed that the zoning mimics the densities established in the building schemes.

An APC member questioned whether any community water systems or water licenses supplied the parcels. June Klassen confirmed that the water source was individual wells.

An APC member questioned the provision in Bylaw No. 189 permitting parcel averaging and the creation of additional parcels. June Klassen confirmed that the amendments to Bylaw No. 189 were approved previously. The APC member questioned whether there were any changes to the building scheme since the development was established. The developer confirmed no changes to the building schemes have occurred.

A member of the public noted that generally the CRD does not have the ability to support or enforce building schemes; therefore, this was a unique circumstance where the CRD is writing the building scheme into the zoning bylaw.

An APC member stated concern that the high densities may establish a precedent in the Official Community Plan area. June Klassen stated that densities will be reviewed through an OCP review and settlement containment areas can be established to delineate areas of higher density and recognize areas of less density.

An APC member suggested that the slight differences between the Wildwood Terrace zones (WT-1, WT-2 and WT-3) may be confusing for future property owners. June Klassen noted that a disclosure statement is provided to prospective purchasers by the developer at time of sale. An APC member stated that owners in the subdivision based their purchase decisions on the building scheme and the proposed zoning protects these interests by retaining these uses. Staff noted that a previous draft of the proposed bylaw created a general zone for all Wildwood Terrace properties; however, owners were not satisfied with that option.

An APC member questioned how Jordan River Hamlet property owners were able to choose which zone they wanted. June Klassen described that some property owners

requested commercial zoning to reflect current uses whereas some property owners wished to remain residential and this will have tax implications.

An APC member questioned whether the structures could be rebuilt if the properties were destroyed by a natural disaster. June Klassen confirmed that the structures would have to conform to the zoning requirements.

June Klassen outlined the process for review of referral comments on the proposed bylaw by the Land Use Committee and CRD Board.

MOVED by Sonja De Wit, **SECONDED** by Pascale Knoglinger that the APC supports the proposed Bylaw No. 3759.

CARRIED

5. New Business

No new business.

6. Adjournment

The meeting was adjourned at 7:55 pm.

Chair