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**Minutes of a Meeting of the Shirley/Jordan River Advisory Planning Commission  
Held December 9, 2020, at Juan de Fuca Local Area Services Building, 3-7450 Butler Road,  
Otter Point, BC**

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**PRESENT:** Fiona McDannold (Chair) (EP), Vivi Curutchet (EP), Blair Hughes (EP),  
Melody Kimmel (EP), Brenda Mark (EP)  
**Staff:** Iain Lawrence, Manager, Community Planning (EP);  
Emma Taylor, Planner (EP); Wendy Miller, Recorder (EP)  
**PUBLIC:** Approximately 18 (EP)

EP – Electronic Participation

The meeting was called to order at 7:08 pm.

**1. Elections**

At this time, Iain Lawrence introduced the members of the Shirley/Jordan River Advisory Planning Commission (APC). It was advised that this is the first meeting of the APC since 2018. It was further advised that the role of the APC is to provide input to the Juan de Fuca Land Use Committee (LUC) on land use decisions.

Iain Lawrence called for nominations for the position of Chair of the Shirley/Jordan River APC 2020 and Fiona McDannold's name was put forward. Iain Lawrence called two times for further nominations and, as there were none, Fiona McDannold was acclaimed Chair. Noting that this will be the first and last meeting of the APC in 2020, the election for the position of Vice Chair was not held.

**2. Approval of the Agenda**

**MOVED** by Fiona McDannold, **SECONDED** by Brenda Mark that the agenda be approved. **CARRIED**

**3. Approval of the Supplementary Agenda**

**MOVED** by Melody Kimmel, **SECONDED** by Vivi Curutchet that the supplementary agenda be approved. **CARRIED**

**4. Adoption of the Minutes of November 7, 2018**

**MOVED** by Brenda Mark, **SECONDED** by Vivi Curutchet that the minutes of November 7, 2018, be adopted. **CARRIED**

**5. Planner's Report**

Noting that all attendees are participating electronically, Iain Lawrence suggested that consideration of the application start with staff overview of the proposal followed by comments/questions from the APC for the Planner and the applicant, followed by comments/questions from the public. Iain Lawrence advised that at the close of discussion, a recommendation from the APC is requested for consideration by the LUC.

The Chair extended support for the proposed meeting format.

## 6. Rezoning Application

### a) RZ000270 - Section 4, Renfrew District Except Those Parts in Plans 427R, 23879, VIP68644, VIP79213, VIP80549, VIP82411 and EPP69011 (12036 West Coast Road)

Emma Taylor spoke to the staff report and the request to amend the Wildwood Terrace Neighbourhood Commercial C-1A zone to add *food and beverage processing* in order to permit a brewery and accessory service and sales on the subject property.

Emma Taylor confirmed that the LUC considered the application at its meeting of November 17, 2020, and recommended that the proposal be referred to agencies and to a meeting of Shirley/Jordan River APC. At that same meeting, the LUC supported the applicant's request to increase the Total Floor Area permitted by the C-1A zone from 1,000 m<sup>2</sup> to 4,000 m<sup>2</sup>.

Emma Taylor directed attention to proposed Bylaw No. 4381, which would amend the C-1A zone to add food and beverage processing as a permitted principal use and permit accessory service and sale of liquor subject to approval of a licence and endorsements under the *Liquor Control and Licensing Act*.

Emma Taylor directed attention to the development proposal and preliminary site plans, as provided by the applicant. It was confirmed that a development permit for the form and character of commercial buildings will be required for the brewery. It was further confirmed that the applicants were in attendance.

The Chair requested comment from the applicants.

One of the applicants responded to comments received from the public, as included in the supplementary agenda, noting that:

- non-alcoholic beverages/food will be provided to support a more inclusive environment
- the operation will not be a bar/pub
- the operation will be a manufacturing facility with a focus on off-sale/wholesale
- a local brewery will promote local consumption, potentially reducing travel into Sooke/traffic risk
- there are options to address concerns regarding the location of the school bus stop and hours of operation
- access to the brewery site will be from an interior road

The Chair requested comment from the APC.

Emma Taylor responded to the comments received from the APC, advising that:

- there is no record of building permits for the existing structures on the subject property
- the C-1A permits Convenience Store, Retail Store and Civic Uses as principal uses
- review of current uses/structures will be reviewed as part of the referral process
- prior to the subject area being zoned to C-1A, the property was not zoned
- there may be an aspect of historical use which may account for the gravel operation
- parking proposed by Bylaw No. 4381 is to address the food and beverage processing use
- the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, already stipulates parking requirements for licensed premises
- the proposed food and beverage processing scale is in keeping with a commercial zone as opposed to an industrial zone

The Chair requested comment from the applicants regarding the increase in Total Floor Area from 1,000 m<sup>2</sup> to 4,000 m<sup>2</sup>.

An applicant stated that:

- there are existing structures on the C-1A zoned portion of the property
- the proposed brewery use would exceed the current total floor area allowance due to the existing structures
- it is hoped that the brewery site could act as a community hub, replacing what was lost at the town site
- although the full buildout is not known at this time, the increase in Total Floor Area would accommodate additional structures without having to pursue rezoning in future

APC comments included:

- the idea that offering alcohol in the community will reduce drinking and driving is misguided
- aspects of the proposal, including the amount of product to be produced, are unclear
- it is unclear as to whether the subject area is Private Managed Forest Land (PMFL)
- it is unclear as to whether the applicants will be pursuing subdivision in future
- it is unclear as to whether the increase in Total Floor Area is required
- "lounge" is not defined by Bylaw No. 2040

An applicant stated that the C-1A zoned portion of the property cannot be subdivided further.

Staff advised that:

- the proposal was referred to CRD Building Inspection to make comment on existing structures/future structures
- local government bylaws cannot restrict/regulate forestry activities on lands classified as PMFL
- the provincial manufacturer licence (brewery licence) permits sales for distribution, marketing/promotion, product sampling and guided tours
- a lounge endorsement application requires additional public consultation and local government/First Nation approval
- potential endorsements include an onsite store, picnic area, lounge and special events
- a lounge would include indoor seating and food services

The Chair requested comment from the public.

Wayne Jackaman, Jordan River, questioned the brewery's water source, anticipated water use and waste management plans.

Emma Taylor confirmed that:

- a license is required for non-domestic groundwater use pursuant to the *Water Sustainability Act*
- the proposal was referred to the provincial Water Stewardship Division for comment
- the Shirley – Jordan River Official Community Plan (OCP), Bylaw No. 4001, provides policies for water use and protection

The applicants stated that:

- rainwater collection may also be considered in addition to well water
- there is opportunity to repurpose/recycle barley waste offsite
- water use requirements remain under review as production demand will increase water usage
- hours of operation also remain under review

Emma Taylor confirmed that hours of operation for endorsement applications are regulated by the Province.

Tannis Dukart, Jordan River, stated that:

- the Jordan River community is growing
- the community lacks infrastructure to support this growth
- the community lacks road shoulders/road crossings for safe walking
- the community does not have garbage service
- police, fire and ambulance services are not located in Jordan River
- she has concerns regarding the brewery's ingress/egress, impact on the environment and impact on water supply
- plans for the gravel operation are not known
- Pacheedaht First Nation's plans for their Jordan River lands are not known
- does not support the development proposal as it appears it will encourage partiers
- small community success does not start with a brewery

An applicant acknowledged:

- the community association's efforts to bring the community together
- the community's interest in establishing a meeting place and fire hall

The same applicant stated that:

- a meeting place and fire hall cost money
- the brewery will provide a tax base
- the brewery can act as community gathering place
- the applicants do not support Jordan River becoming a destination for partiers

Jay Evans, Shirley, stated concern regarding water and fire protection.

Burlin Phillips, Jordan River, stated that he does not believe that a local brewery will reduce drinking and driving in the community as the brewery will attract visitors from outside of the area.

Brian Kenny, Jordan River, stated that:

- residents support establishment of a community gathering spot
- the applicants are not residents of Jordan River
- he did not move to Jordan River for a brewery or brewery traffic
- he has concerns regarding water and traffic

Sallie Pocock, Jordan River, stated that:

- she shares the concerns raised by other residents
- there is no need for a brewery
- Jordan River is already a destination for visitors from outside of the area

- there are limited washroom facilities for the current level of visitors that come to the community for recreation
- other community needs need to be addressed before a brewery is considered

Iain Lawrence responded to questions from the public and advised that:

- ambulance and RCMP services are located in Sooke
- the community of Jordan River is not within a fire protection service area
- the proposal was referred to the RCMP

APC comments included:

- the community has concerns regarding water supply
- the community has concerns regarding the increase in the Total Floor Area 1,000 m<sup>2</sup> to 4,000 m<sup>2</sup>
- letters of support still indicate concerns regarding fire protection
- the community has concerns regarding the potential for the brewery establishment to apply for further endorsements in accordance with the *Liquor Control and Licensing Act* and the overall scale of the proposal
- subject property is designated Pacific Acreage
- the Pacific Acreage land use designation supports home based businesses and small-scale commercial uses
- existing community businesses provide a good example of the commercial scale supported by the community
- existing businesses are owned by residents
- existing businesses fit the form and character of the community
- preliminary building designs provided by the applicant do not reflect the spirit of the community
- the applicants have not been able to confirm the scale of the brewery establishment or the amount of beer anticipated to be produced
- subject area is already zoned commercial so there will not be a decrease in residential use
- brewery traffic will not be routed through residential areas
- establishment of a brewery has the potential to provide economic benefit to the community
- the applicants are required to get a non-domestic groundwater license
- breweries are permitted as home based businesses on residential lots when a property's zone permits Home Based Business Category 3 and the property meets the home based business regulations
- home based businesses are established without community consultation, but the scale of home base business operations is much smaller
- proposal is not consistent with the community's OCP as the proposal is not small-scale and is not intended to meet community needs
- building and parking designs are not consistent with OCP's Commercial Development Permit Area guidelines
- proposal is not consistent with the OCP's objectives to reduce greenhouse gas
- it is too early to consider zoning to support additional endorsements
- the applicants did not pursue early consultation with the Jordan River community
- community lacks basic infrastructure such as water servicing, cell and internet services
- the community is divided on supporting the proposal based on the letters and comments received

Emma Taylor responded to a question from the APC confirming that existing water use/water availability is considered when a non-domestic groundwater license application is received.

**MOVED** by Brenda Mark, **SECONDED** by Fiona McDannold that the APC report to the Land Use Committee that the APC has reviewed proposed Bylaw No. 4381 and:

- a) That it recommends support for amending the C-1A zone to support food and beverage processing to permit a brewery;
- b) That it does not recommend support for amending the C-1A zone to support an onsite store, picnic area, lounge and special event area;
- c) That it does not recommend support for amending the C-1A zone to increase the Maximum Size of Principal Building from 1,000 m<sup>2</sup> to 4,000 m<sup>2</sup>;
- d) That it recommends support for amending Bylaw No. 2040 to address parking requirements for the food and beverage processing;
- e) That more information be provided by the applicant regarding the overall scale and design of the proposal in the form of a public information meeting for residents.

Prior to calling the vote, the Chair requested comment from staff regarding how the proposal will proceed after the APC meeting.

Iain Lawrence confirmed that:

- the proposal and the minutes from tonight's meeting, as well as the written submissions considered at this meeting, will be returned to a meeting of LUC for its consideration
- notice of that meeting will be mailed to owners and occupants within 500 m of the subject property
- notice of that meeting will also be sent to tonight's public attendees

The Chair called the vote on the motion.

Opposed: Blair Hughes  
**CARRIED**

## **7. Adjournment**

The meeting adjourned at 9:05 pm.

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Chair