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**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission  
Held August 9, 2022 at Juan de Fuca Local Area Services Building, 3-7450 Butler Road,  
Otter Point, BC**

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**PRESENT:** Fiona McDannold (Chair), Vivi Curutchet, Wayne Jackaman (EP), Melody Kimmel  
**Staff:** Iain Lawrence, Senior Manager, JdF Local Area Services;  
Darren Lucas, Planner; Wendy Miller, Recorder  
**ABSENT:** Emily Anderson  
**PUBLIC:** 4 (EP); 1 in-person

EP – Electronic Participation

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

**1. Approval of the Agenda**

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

**2. Approval of the Supplementary Agenda**

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

**3. Adoption of the Minutes of March 15, 2022**

**MOVED** by Melody Kimmel, **SECONDED** by Vivi Curutchet that the minutes of March 15, 2022 be adopted. **CARRIED**

**4. Planner's Report**

Further to the APC's consideration of the zoning amendment application for Kirby Creek (Bylaw No. 4464), Iain Lawrence reported that the CRD Board will consider giving proposed Bylaw No. 4464 first and second reading and direction to proceed to public hearing at its meeting of August 10, 2022. The public hearing is tentatively scheduled for September.

Iain Lawrence introduced Darren Lucas, Planner.

**5. Zoning Amendment Application**

**a) RZ000278 - To Add Detached Accessory Suite as a Permitted Accessory Use in the Wildwood Terrace 4 (WT-4) Zone**

Darren Lucas spoke to the staff report for a joint application to amend the Wildwood Terrace 4 (WT-4) zone to allow opportunity for a suite to be located in an accessory building. The subject properties, zoning map and proposed amendment to the WT-4 zone were highlighted. It was advised that proposed Bylaw No. 4496 will not increase density or minimum setbacks permitted by the WT-4 zone.

The applicant stated that:

- the WT-4 zone does not permit a secondary dwelling, unlike the WT-1, WT-2 and WT-3 zones
- the WT-1, WT-2 and WT-3 zones permit a greater height for principal buildings and a greater Total Floor Area than the WT-4 zone
- amending the WT-4 zone to provide opportunity for either a secondary suite or a detached accessory suite would provide greater equity between the residential zones in Jordan River and the Juan de Fuca
- the amendment does not propose a change to parcel coverage or Total Floor Area
- the proposal is consistent with the Official Community Plan
- opportunity for a secondary suite or a detached accessory suite would provide greater housing options/greater property affordability options

Brenda Mark, Shirley:

- the staff report notes that suites are considered acceptable forms of development to increase the affordability of housing and offer rental accommodation
- the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, does not regulate rental length of stay nor does it regulate vacation rental use with the exception of bed and breakfast use
- without these regulations, suites are being used as vacation rentals which do not provide residential housing
- lack of residential housing and unregulated vacation rental use is becoming an issue in many communities including the Juan de Fuca
- the conversation regarding vacation rental use needs to start because the issue is not going away
- the proposal to add detached accessory suite to the WT-4 zone provides opportunity to consider adding language to proposed Bylaw No. 4496 to address rental length of stay and vacation rental use in Bylaw No. 2040
- Bylaw No. 2040 is old and requires review

Kate Vallance and Charles Macpherson, Jordan River:

- own a WT-4 zoned lot
- support the bylaw amendment to provide a housing option for family

Iain Lawrence responded to a question from the APC advising that prior to 2010 the Wildwood Terrace properties were not zoned. The land is designated Private Managed Forest Land (PMFL) and the WT-4 zone includes resource extraction as a permitted use as the parcel has historically included a gravel processing area.

The applicant stated that:

- the WT-1, WT-2 and WT-3 zones reflect the building schemes registered prior to the properties being zoned
- at the time that zoning was being considered, many different draft zones were under review
- it is suspected that adding a detached accessory suite as a permitted use in the WT-4 zone was overlooked
- regulation of vacation rental use is a larger question for the CRD consider

APC comments included:

- appreciate the comments submitted by residents to the LUC and the APC
- acknowledge that many lots in the subject area are irregular and subject to riparian setbacks
- setbacks for a detached accessory suite should avoid awkward siting
- variances can be requested to reduce required setbacks
- variances to reduce setbacks to address riparian and steep slope areas have been approved, causing tension in the community
- suites are an important housing option
- support the detached accessory suite regulations requiring that the owner of the lot must occupy either the detached accessory suite or the principal dwelling
- length of rental stay/vacation rental use is a concern and needs to be addressed
- enforcement/enforcement resources for non-compliance is an issue
- Bylaw No. 2040 is in need of review

Iain Lawrence responded to questions from the APC advising that:

- staff would need to see a site plan and building design to comment on structure siting for a specific parcel
- adjacent owners and occupiers receive notice of variance applications
- the LUC and the BOV have both been sensitive to neighbour concerns in considering approval of variances
- staff is aware of the communities' long-standing interest in reviewing Bylaw No. 2040

**MOVED** by Vivi Curutchet, **SECONDED** by Wayne Jackaman that the APC recommends to the LUC that proposed Bylaw No. 4496 proceed and that the APC state its support for addressing vacation rental use in all zones and its support for review of Bylaw No. 2040.

**CARRIED**

## **6. Adjournment**

The meeting adjourned at 7:41 pm.

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Chair