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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, September 15, 2015 at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Mike Hicks (Chair), Ted Dixon, Stan Jensen, Roy McIntyre, Ron Ramsay,
Sandy Sinclair, Art Wynans
Staff: Iain Lawrence, Supervisor, Local Area Planning; Wendy Miller, Recorder
PUBLIC: 12

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

1. Approval of the Agenda and Supplementary Agenda

The Chair advised that rezoning application RZ000239 has been withdrawn by the applicant.

MOVED by Sandy Sinclair, **SECONDED** by Ted Dixon that the agenda be approved as amended to strike consideration of rezoning application RZ000239 and that the supplementary agenda be approved as circulated.

CARRIED

2. Adoption of Minutes from the Meeting of July 23, 2015

MOVED by Ted Dixon, **SECONDED** by Sandy Sinclair that the minutes from the meeting of July 23, 2015 be adopted.

CARRIED

3. Chair's Report

The Chair introduced Iain Lawrence, Supervisor, Local Area Planning.

The Chair reported that June Klassen, Manager, Local Area Planning, will be working out of Victoria spending 2/3 of her time assisting the Southern Gulf Islands and 1/3 of her time assisting the Planning office.

4. Planner's Report

Iain Lawrence advised of the below:

Public Hearing
Bylaw No. 3941, "Juan de Fuca Soil Removal or Deposit Bylaw No. 1, 2015"
Date: September 21, 2015
Time: 7:00 p.m.
Place: Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC

Ron Ramsay entered the meeting at 7:05 p.m.

5. Development Variance Permits

a) VA000134 – Lot 1, District Lots 17, 899, 929, Renfrew District, Plan VIP79865 (17310 Parkinson Road)

Iain Lawrence spoke to the staff report and request for a development variance permit to relax the rear yard setback from 6 m to 2.64 m for the purpose of constructing a tourist cabin. It was confirmed that the variance is related to siting of a tourist cabin and that all staff report references to single-family dwelling should read tourist cabin. It was reported that a geotechnical report has been provided and confirms that the site is safe for the use intended and that no submissions have been received from the public regarding the request.

The Chair confirmed that the construction manager for the project was present. The construction manager responded to questions from the LUC advising that no works related to the tourist cabin have started and that the cove that bounds the property has contributed to the request for a variance.

MOVED by Roy McIntyre, **SECONDED** by Art Wynans that the Juan de Fuca Land Use Committee supports the staff recommendation as amended and recommends to the CRD Board:

That Development Variance Permit VA000134 for Lot 1, District Lots 17, 899, 929, Renfrew District, Plan VIP79865 to vary the Port Renfrew Comprehensive Plan, Bylaw No. 3109, Schedule "B", Section 23 item 2.(h)(iv) to relax the rear yard setback from 6 m to 2.64 m for the purpose of constructing a tourist cabin, be approved.

CARRIED

b) VA000135 – Lot A, Section 51, Otter District, Plan VIP89485 (4039 Otter Point Road)

Iain Lawrence spoke to the staff report and request for a development variance permit to reduce the requirement that ten percent of the lot fronts onto a highway for the purpose of creating a two-lot subdivision.

Iain Lawrence advised that the property was subdivided in 2012 (S-11-10) and rezoned in 2015 (Z-02-14) from RR-3 to RR-2. It was further advised that a development permit with frontage variance (DP-26-10) was issued in 2011 and a covenant was registered on title of the lots created by the subdivision in 2012 indicating recommendations for safe building sites. As this covenant will remain on title of the properties, the requirement for an additional development permit has been waived. It was reported that no submissions have been received from the public regarding the request.

The Chair confirmed that the applicants were present. The applicants stated that the Ministry of Transportation and Infrastructure has approved the access off Otter Point Road.

MOVED by Sandy Sinclair, **SECONDED** by Art Wynans that the Juan de Fuca Land Use Committee recommends to the CRD Board:

That Development Variance Permit VA000135 for Lot A, Section 51, Otter District, Plan VIP89485 to vary the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, Schedule "A", Part 1, Section 3.10 item (4)(a) to reduce the minimum frontage

requirement from 58.48 m to 6.04 m for proposed Lot 2 for the purpose of permitting a two-lot subdivision as shown in the Site Plan submitted by West Coast Design & Development Services, August 12, 2015 (Appendix B), be approved.

CARRIED

c) VA000136 – Lot 2, Section 90, Renfrew District, Plan 7887 (9227 Invermuir Road)

Iain Lawrence spoke to the staff report and request for a development variance permit to increase the maximum total floor area requirement for accessory buildings for the purpose of constructing a 350 m² workshop. It was advised that the owners are proposing to demolish the 80 m² carport and shed but retain the 42 m² greenhouse and 14.5 m² woodshed. The total combined floor area of accessory buildings would be 406.5 m². It was reported that no submissions have been received from the public regarding the request.

The Chair confirmed that a representative for the applicants was present. The representative responded to questions from the LUC and the public advising that:

- the workshop will be used primarily for storage of vehicles
- a small portion of the workshop will be for a work bench, water system and electrical panels
- the accessory building is not intended to be an auto workshop
- workshop will be sited on the demolition site
- water system will include ultraviolet treatment and filtration
- rainwater storage for fire protection is being considered
- water storage would not impact well water
- rainwater would be collected from a metal roof system

Diane Foster, Shirley, stated no objection to the proposal.

The Chair responded to a question from the LUC and confirmed that variances are generally not referred to Advisory Planning Commissions.

MOVED by Ron Ramsay, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the CRD Board:

That Development Variance Permit VA000136 for Lot 2, Section 90, Renfrew District, Plan 7887 to vary the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, Schedule "A", Part 1, Section 4.01 item (2)(c) by increasing the maximum combined total floor area for accessory buildings from 250 m² to 406.5 m² for the purpose of constructing a 350 m² workshop as shown in the attached building plans (Appendix C) and retaining a 14.5 m² woodshed and 42 m² greenhouse as shown in the attached site plan (Appendix B), be approved.

CARRIED

6. Rezoning Applications

a) RZ000237 – Rezone from Resource Land to Resource Land - Meteorological Tower (TimberWest Forest Corp/Couverdon)

- Lot A, Block 1264, and District Lot 124, Malahat District, Plan 21358 (PID: 003-418-685)
- Lot 1, Block 1263 and of District Lot 124, Malahat District, Plan 24436 (PID: 003-034-372)
- Lot A, District Lot 124, and of Block 1271, Malahat District, Plan 24437 (PID: 003-034-429)
- Lot 1, Block 1270, District Lot 124, Malahat District, Plan 21327 (PID: 003-383-202)
- Lot 1 of Lot 123, Block 1299, Malahat District, Plan 20837 (PID: 003-521-958)
- Block 1410, Malahat District, Containing 8714 Acres More or Less (PID: 008-024-103)
- Block 1234, Malahat District and Cowichan Lake Districts (PID: 009-377-298)
- Block 1272, Malahat District (PID: 009-382-607)

Iain Lawrence spoke to the staff report and application to rezone the properties from Resource Land (RL) to Resource Land – Meteorological Tower (RL-MT) in order to permit the construction and use of meteorological towers. It was advised that the rezoning proposal was referred to agencies and First Nations on May 15, 2015 and that the proposal was considered at a public information meeting on June 1, 2015. Iain Lawrence outlined the referral comments included in the staff report. It was advised that the CRD Board passed a resolution at its meeting of July 8, 2015, confirming that the proposal is consistent with the Regional Growth Strategy.

The Chair confirmed that Jason Carvalho, Project Manager, was present. Jason Carvalho stated that:

- temporary use permits have time limits
- more sufficient data collection is required to support the fiscal commitment to consider wind tower construction
- meteorological towers will be granted a height exemption, avoiding the need for development variance permits
- meteorological towers are generally 80 m in height
- a further public approval process would be required to permit the construction of wind towers

MOVED by Ron Ramsay, **SECONDED** by Roy McIntyre that the Juan de Fuca Land Use Committee recommends to the CRD Board:

- a. That proposed Bylaw No. 4022, “Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 6, 2015” be introduced and read a first time, read a second time; and
- b. That in accordance with the provisions of Section 890 and 891 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4022.

CARRIED

b) RZ000238 – Section 90, Renfrew District, Plan VIP919R – Rezone to New Country Inn Ocean Wilderness Zone (9171 West Coast Road – Ocean Wilderness)

Iain Lawrence spoke to the staff report and proposal to create a new Country Inn Ocean Wilderness zone (CR-4OW) and rezone 9171 West Coast Road from the Country Inn zone (CR-4) to the new zone CR-4OW. Iain Lawrence outlined the background information in the staff report advising that the parcel was rezoned in 2002 from Rural A to the Country Inn zone (CR-4) although British Columbia Assessment Authority information indicates that the parcel is 1.86 ha in size and the CR-4 zone states that country inns on lots of 2 ha or more are permitted. To address this anomaly, staff have prepared proposed Bylaw No. 4028 which creates a new Country Inn Ocean Wilderness zone (CR-4OW) which does not reference parcel size for country inn use.

Iain Lawrence directed attention to the referral agency comments included in the staff report and the supplementary submission from Wilma and Bud Gibbons, Otter Point, supporting the rezoning of 9171 West Coast Road.

The Chair confirmed that the applicant was present. The applicant stated that the owners and the community assumed the country inn use was legalized when the property was rezoned in 2002.

LUC member comments included:

- previous discussion included amending the CR-4 zone to delete reference to parcel size (2 ha)
- creation of a new CR-4OW zone was supported by the LUC to address concerns raised by residents and to expedite the rezoning process
- no other property in the Juan de Fuca Electoral Area is zoned CR-4
- a public approval process would be required to rezone to CR-4 or CR-4OW

Iain Lawrence confirmed that no other permitted uses in the CR-4 zone specify a minimum lot size.

MOVED by Ron Ramsay, **SECONDED** by Art Wynans that the Juan de Fuca Land Use Committee recommends to the CRD Board:

- a. That Bylaw No. 4028, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 125, 2015”, as included in Appendix B, be introduced and read a first time, read a second time; and
- b. That in accordance with the provisions of Section 890 and 891 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4028, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 125, 2015”.

CARRIED

7. Proposed Bylaw

a) Bylaw No. 3996, “Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015”

Iain Lawrence spoke to the staff report and the amendment bylaw that proposes incorporating new steep slope mapping, revising the zoning map to correct an error on an Agricultural Land Reserve parcel, updating mapping to remove a wetland designation from a parcel, and revising maps to reflect a recent boundary adjustment. Iain Lawrence outlined

the referral comments included in the staff report.

LUC member comments included:

- support for the amendment bylaw as the updated maps are an improvement over the previous maps
- lands commonly referred to as "FAMA" lands have been selling as individual lots
- lands identified as potential park are privately owned

MOVED by Art Wynans, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the CRD Board:

- a) That proposed Bylaw No. 3996, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015, as included in Appendix A, be introduced and read a first time and read a second time; and
- b) That in accordance with Section 890 and 891 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or the Alternate Director, be delegated the authority to hold a public hearing with respect to Bylaw No. 3996.

CARRIED

8. Adjournment

MOVED by Ted Dixon, **SECONDED** by Sandy Sinclair that the meeting adjourn.

The meeting adjourned at 7:47 p.m.

Chair