

Iain Lawrence highlighted the subject property map, proposed subdivision plan (SU000711) and proposed Bylaw No. 4423.

Iain Lawrence responded to a question from the LUC advising that the area subject to the rezoning application could be subdivided into four lots under Bylaw No. 4423.

The Chair confirmed that the applicant was presented.

The applicant stated that the owner wishes to rezone the Industrial Sawmill (M-3) zoned area to permit a broader range of uses as the M-3 area exceeds the area needed for sawmill use.

Heather Phillips, Otter Point:

- Bylaw No. 4423 proposes a range of new uses/business types
- referral will allow the community to comment on the number and type of uses
- the District of Sooke is identified as a referral agency and borders the subject property
- the riparian area is part of the King Creek system which feeds past ALM Farm

**MOVED** by Sandy Sinclair, **SECONDED** by Roy McIntyre that staff be directed to refer proposed Bylaw No. 4423, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 153, 2021" to the Otter Point Advisory Planning Commission, appropriate CRD departments and the following external agencies and First Nations for comment:

BC Hydro

District of Sooke

FLNR - Archaeology Branch

FLNR - Ministry of Forests, Lands, Natural Resource Operations and Rural Development

FLNR - Water Protection Section

Island Health

Ministry of Environment & Climate Change Strategy – Environmental Protection and Sustainability

Ministry of Transportation & Infrastructure

Otter Point Fire Department

RCMP

Sooke School District #62

Sc'ianew

T'Sou-ke First Nation

**CARRIED**

## 9. Administrative Bylaws

### a) **Bylaw No. 4412, "Land Use Bylaw for the Rural Resource Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 8, 2021" and Bylaw No. 4413, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 151, 2021" (Outdoor Recreation)**

Iain Lawrence spoke to the staff report and proposed Bylaw Nos. 4412 and 4413 which would delete the outdoor recreation definition and permitted use from the Land Use Bylaw for the Rural Resource Lands, Bylaw No. 3602, and from the Juan de Fuca Land Use Bylaw, Bylaw No. 2040.

Iain Lawrence advised that the LUC directed referral of the proposal to agencies and to the Shirley/Jordan Advisory Planning Commission (APC) at its May 18, 2021, meeting.

Iain Lawrence outlined the referral comments as included in the staff report and advised that the Shirley/Jordan River APC and Pacheedaht Nation submitted comment in support of proposed Bylaw No. 4412 and 4413. It was advised that Bylaw No. 4413 has been amended to permit parks, hiking trails, horse trails and bicycle paths as uses permitted in all zones, in response to comment received through the referral process.

Heather Phillips, Otter Point:

- LUC comment was made at a previous meeting regarding supporting continued use of ATVs through private agreement
- proposed bylaws do not address this use

Iain Lawrence responded to questions from the LUC advising that:

- Bylaw No. 2040 and 3602 apply to both private and public land
- public land use is not necessarily restricted by local government bylaws as the Province may approve certain land uses contrary to local government zoning
- forestry use on Managed Forest Land is not regulated by local government bylaws until such time that the land is removed from the Managed Forest Land program
- amending land use bylaws to permit ATV use requires more in-depth review

**MOVED** by Stan Jensen, **SECONDED** by Roy McIntyre that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

1. That the referral of proposed Bylaw No. 4412, "Land Use Bylaw for the Rural Resources Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 8, 2021" and proposed Bylaw No. 4413, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 151, 2021" directed by the Juan de Fuca Land Use Committee to the Shirley/Jordan River Advisory Planning Commission, CRD departments, T'Sou-ke First Nation and Pacheedaht First Nation be approved and the comments received;
2. That proposed Bylaw No. 4412, "Land Use Bylaw for the Rural Resources Lands, Bylaw No. 1, 2009, Amendment Bylaw No. 8, 2021" be introduced and read a first time and read a second time;
3. That proposed Bylaw No. 4413, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 151, 2021" be introduced and read a first time and read a second time;
4. That in accordance with the provisions of section 469 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. 4412 and Bylaw No. 4413.

**CARRIED**

The meeting adjourned at 8:32 pm.

---

Chair