

MOVED by Vern McConnell, **SECONDED** by Dale Risvold that the Land Use Committee recommends to the CRD Board:

That Development Permit with Variance DV000067, for Lot 1, Section 43, Highland District, Plan 14620, to authorize construction in a steep slope and foreshore development permit area, and to vary the Comprehensive Community Plan for Willis Point, Bylaw No. 3027, Schedule B, Part III, Section 22(2)(d) by:

- a) reducing the rear setback from 6 m to 1.5 m for renovation of the residence; and
- b) reducing the rear setback from 1.5 m to 0.1 m for renovation of the accessory pool building; and
- c) reducing the exterior side setback from 4.6 m to 0.8 m for improvements to the accessory carport and rock wall structures,

be approved.

CARRIED

7. Provision of Park Land for Subdivision

a) SU000699/SU000700 - Lot 2, Section 97, Sooke District, Plan 15036 (6400 Block East Sooke Road)

Iain Lawrence spoke to the staff report addressing the provision of 5% park land or cash-in-lieu pursuant to Section 510 of the *Local Government Act* for a proposed subdivision.

Iain Lawrence confirmed that the initial rezoning application (RZ000253) to support the nine-lot subdivision was considered by the East Sooke Advisory Planning Commission (APC) on August 8, 2018. At that meeting, the APC stated support for the protected area proposed by the applicant not being dedicated as park as the area acts as a wildlife corridor. It was further confirmed that the subdivision application was considered by the Juan de Fuca Electoral Area Parks and Recreation Commission on May 29, 2019. At that meeting, the commission supported protection of the wildlife corridor through a multi-party covenant and park land dedication in the form of cash-in-lieu.

Iain Lawrence responded to questions from the LUC advising that:

- protection of the corridor will be secured by a restrictive covenant between the CRD, private property owners and the future strata
- in accordance with the professional report submitted at the time of rezoning, the development permit with variance application (DV000068) required for subdivision will require that a professional biologist be consulted regarding the driveways that will cross through the corridor
- payment for park purposes is required for phase two of the subdivision (seven lots)
- payment for park purposes is required prior to registration of the seven-lot subdivision

The Chair confirmed that the applicant was present.

The applicant stated that he considers the protected area to be an asset to the land. The applicant confirmed that access to the corridor will be limited to the private property owners registered on the covenant and that the covenant will restrict alteration to the corridor.

MOVED by Sandy Sinclair, **SECONDED** by Stan Jensen that the Land Use Committee recommends to the CRD Board:

That 5% cash in lieu of park land dedication be requested pursuant to Section 510 of the *Local Government Act* for the proposed subdivision of Lot 2, Section 97, Sooke District, Plan 15036.

CARRIED

8. Proposed Bylaws

a) **Bylaw No. 4290, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 143, 2018” (Sooke Business Park)**

Iain Lawrence spoke to the staff report for proposed Bylaw No. 4290 that would establish a consistent land use zoning designation for parcels within the Sooke Business Park development. Iain Lawrence directed attention to the referral comments received and confirmed that the Juan de Fuca Local Area Services Building, located in the development, will remain zoned Juan de Fuca Public Service Building (P-4).

MOVED by Sandy Sinclair, **SECONDED** by Stan Jensen that the Land Use Committee recommends to the CRD Board:

- a) That the referral of the proposed bylaw directed by the Juan de Fuca Land Use Committee to the Otter Point Advisory Planning Commission; BC Hydro; District of Sooke; Island Health; MFLNRORD – Groundwater Protection Branch; Ministry of Transportation and Infrastructure (MoTI); RCMP; T'Sou-ke First Nation; and appropriate CRD departments be approved and the comments received;
- b) That proposed Bylaw No. 4290, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 143, 2018” be introduced and read a first time and read a second time; and
- c) 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. 4290.

CARRIED

b) **Bylaw No. 4303, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 145, 2019” (Fencing)**

Iain Lawrence spoke to the staff report for proposed Bylaw No. 4303 that would establish additional fencing regulations to specify that the use of barbed-wire, razor wire and electric wire as a fencing material is only permitted where such fences are necessary for the confinement of livestock, or where a fence is required to limit access to a lawful commercial, industrial, community or institutional use and the wire component is no closer than 2 m to the ground.

Iain Lawrence responded to questions from the LUC confirming that:

- the bylaw was prepared in response to a complaint of a barbed-wire fence being erected along the boundary of two rural residential properties
- while the bylaw amendment might not apply to the current complaint, the *Community Charter* permits local governments to declare certain structures to be hazardous and require remedial action
- should the bylaw be adopted, property owners could apply for a variance for fencing that does not comply with the fencing regulations