

## 8. Building Conversion to Strata Application

### a) BC000023 - Lot 1, Block 453, Malahat District, Plan VIP84067 (1480 & 1490 Finlayson View Place)

Iain Lawrence spoke to the staff report and the request to convert two single-family dwelling buildings to strata at 1480 and 1490 Finlayson View Place.

Iain Lawrence confirmed that:

- the subject property is located in the Goldstream Heights development
- the property is split-zoned Greenbelt 3 (GB-3) and Greenbelt 2 (GB-2) in the Malahat Land Use Bylaw, 1981, Bylaw No. 980
- Bylaw No. 980 states that where a lot is included in more than one zone, the zone boundary shall be deemed to be a lot boundary for the purposes of determining applicable uses and densities
- one single-family dwelling is complete and a second single-family dwelling is under construction
- the existing groundwater well on the property provides an estimated flow rate of 26,712 litres per day
- Bylaw No. 980 requires proof of potable water of at least 1,400 litres per day for each single-family dwelling and each suite

The Chair confirmed that the applicant was not present.

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

That Building Conversion Strata BC000023, for Lot 1, Block 453, Malahat District, Plan VIP84067, to obtain individual title for two single-family dwellings as shown on the Sketch Plan prepared by Glen Mitchell, BCLS, be approved subject to the following conditions:

- i. Approval for a water supply system under the *Drinking Water Protection Act* be obtained;
- ii. A certificate of occupancy for the dwelling at 1490 Finlayson View Place be obtained;
- iii. The submission of a final survey plan for endorsement by the General Manager, Planning & Protective Services Department.

**CARRIED**

## 9. Rezoning Applications

### a) RZ000265 - Lot D, Section 36, Renfrew District, Plan VIS5337 (17015 Parkinson Road)

Iain Lawrence spoke to the staff report and the request to amend the Tourism Commercial - One (TC-1) zone in order to permit an existing mix of commercial and residential uses on a parcel in Port Renfrew. It was confirmed that the building strata, granting individual title to the ground-floor retail space and each of the three dwelling units above was registered in April 2003 prior to the adoption of a zoning bylaw for Port Renfrew in August 2004. As the use has been ongoing since that time, the property is considered legal non-conforming for use in accordance with Section 528 of the *Local Government Act*. It was further confirmed that the bylaw amendment was prompted by the applicant as part of the process to purchase one of the dwelling units.

Iain Lawrence directed attention to the referral comments received from agencies and to the minutes from the May 29, 2019, public information meeting held in Port Renfrew. It

was advised that two members of the public stated support for the proposal and that no objections to the proposal were stated at the public information meeting.

The Chair confirmed that the applicant was not present.

Iain Lawrence responded to a question from the LUC confirming that the bylaw amendment is site specific as proposed Bylaw No. 4292 specifies that three dwelling units above the retail store or tourist facility are permitted on the subject property.

**MOVED** by Roy McIntyre, **SECONDED** by Ron Ramsay 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 a public information meeting; BC Hydro, Cowichan Valley Regional District, District of Sooke, Island Health, Ministry of Transportation and Infrastructure, Pacheedaht First Nation, RCMP, Sooke School District #62; and CRD departments be approved and the comments received;
- b) That proposed Bylaw No. 4292, "Comprehensive Community Plan for Port Renfrew, Bylaw No. 1, 2003, Amendment Bylaw No. 12, 2019" 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. 4292.

**CARRIED**

**b) RZ000268 - Lot 12, Section 128, Sooke District, Plan VIP58851 (5495 Mt. Matheson Road)**

Iain Lawrence spoke to the staff report and the request to rezone the subject property from the Rural (A) zone to the Rural Residential 6A (RR-6A) zone to permit a four lot subdivision.

Iain Lawrence confirmed that:

- a development permit was issued to authorize construction of two dwellings and driveways within the steep slopes, riparian and sensitive ecosystem DPAs (DP-18-12)
- there is one house on the property that was constructed in 2014
- covenant CA3979900 is registered on title requiring a professional engineer to confirm that the land is safe for the use intended
- there an easement to provide access to a shared well on the adjacent property
- the East Sooke Official Community Plan, Bylaw No. 4000, supports an average density of one parcel per one hectare within a plan provided that no new parcels are created with an area of less than 0.4 ha

Iain Lawrence responded to questions from the LUC confirming that:

- proof of potable water is a condition of subdivision
- subdivisions are approved by the Provincial Approving Officer
- the Province regulates water licences and approvals