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Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, March 18, 2025, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC

PRESENT: Director Al Wickheim (Chair), Les Herring, Vern McConnell, Roy McIntyre,
Ron Ramsay, Dale Risvold, Anna Russell
Staff: Iain Lawrence, Senior Manager, Juan de Fuca Local Area Services;
Wendy Miller, Recorder
PUBLIC: 4 in-person

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

1. Territorial Acknowledgement

The Chair provided a Territorial Acknowledgement.

2. Approval of the Agenda

MOVED by Dale Risvold, **SECONDED** by Vern McConnell that the agenda be approved.

CARRIED

3. Adoption of Minutes of February 18, 2025

MOVED by Vern McConnell, **SECONDED** by Anna Russell that the minutes from the meeting of February 18, 2025, be adopted.

CARRIED

4. Chair's Report

The Chair stated that he visited the site of the application under consideration this evening to review the lay of the land.

5. Planner's Report

Iain Lawrence advised that Bylaw No. 4435, "Juan de Fuca Soil Removal or Deposit Bylaw No. 2, 2025" remains with the Ministry of Environment and Parks for approval. Once approved, Bylaw No. 4435 will return to the CRD Board for adoption.

6. Development Variance Permit Application

a) VA000164 – Lot 7, District Lot 29, Otter District, Plan VIP59848 (7827 Dalrae Place)

Iain Lawrence spoke to the application for a development variance permit to reduce a flanking yard setback from 6 m to 4 m and a rear yard setback from 10 m to 5.5 m, to address undue hardship under the *Riparian Areas Protection Regulation (RAPR)*, which specifies that where less than 30% of a proposed parcel is available for development after the standard of protection and the required zoning setbacks are applied, development is considered to put additional pressure on the riparian areas. Variances to zoning setbacks may be considered in order to meet the 30% buildable area requirement.

The subject property, requested variance, and subdivision approval process and agency roles were highlighted.

Iain Lawrence responded to questions from Land Use Committee and the public advising that:

- this is the first occurrence of an application to the Juan de Fuca Land Use Committee requesting a variance specified by the *RAPR*
- existing structures comply with the zoning and general regulations
- proposed Lot A would be subject to the *RAPR* requirements
- proposed Remainder Lot would be subject the *RAPR* requirements for changes in the future
- the subject property, under its current configuration, would have opportunity for a detached suite
- the Ministry of Transportation and Transit, as the Approving Officer, would require the applicant to sign an affidavit affirming that the intent of the subdivision is to provide a residence for a relative

The Chair confirmed that the applicant was present.

Applicant comments included:

- building permits for proposed Lot A are not being pursued at this time
- has two children who are starting families
- creation of a new lot would have greater long-term value than construction of a detached suite

MOVED by Vern McConnell, **SECONDED** by Dale Risvold that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That Development Variance Permit VA000164 to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 2, be approved as follows:

- a. Section 6.07(c) is varied by reducing the flanking yard setback requirement for proposed Lot A from 6 m to 4 m; and
- b. Section 6.07(d) is varied by reducing the rear yard setback requirement for proposed Remainder Lot 7 from 10 m to 5.5 m;

for the purpose of alleviating undue hardship for a two-lot subdivision of Lot 7, District Lot 29, Otter District, Plan VIP59848, pursuant to the *Riparian Areas Protection Regulation*.

Opposed: Ron Ramsay, Anna Russell

CARRIED

7. Adjournment

The meeting adjourned at 7:35 pm.

Chair