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**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE  
MEETING OF TUESDAY, MARCH 17, 2026**

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**SUBJECT**      **Zoning Amendment Application for That Part of Section 90, Renfrew District, Shown Outlined in Red on Plan 913R Lying to the North of the Southerly Boundary of Plan 503RW – 9260 Invermuir Road**

**ISSUE SUMMARY**

The applicant has applied to rezone the subject property (Appendix A) from the Rural (A) and Forestry (AF) zones (Appendix B) to the Rural 2 (RU2) zone (Appendix C) to facilitate a two-lot subdivision (Appendix D) and permit agriculture and farm buildings.

**BACKGROUND**

The 13.7 ha property is located at 9260 Invermuir Road in Shirley. The property is split-zoned Rural (A) and Forestry (AF) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040. There is an RU2 zoned parcel to the west, a Resource Land (RL) zoned parcel to the northeast, and Rural (A) zoned parcels to the east and across Invermuir Road to the south.

The property is designated Coastal Upland (CU) in the Shirley – Jordan Official Community Plan (OCP), Bylaw No. 4001, and portions of the property are designated as Riparian and Sensitive Ecosystem Development Permit (DP) areas. The parcel is within the Shirley Fire Protection Service Area, but outside a community water service area.

There is an existing dwelling on the parcel that was completed in 2023. Upon completion of the rezoning and subdivision, the dwelling would be located on proposed Lot B.

At its meeting of November 18, 2025, the Juan de Fuca Land Use Committee recommended referral of proposed Bylaw No. 4716 (Appendix E) to the Shirley–Jordan Advisory Planning Commission and to appropriate CRD departments, First Nations and agencies. Comments have been received and are included in Appendix F.

**ALTERNATIVES**

*Alternative 1*

The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

1. That the referral of proposed Bylaw No. 4716, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 169, 2025", to the Shirley-Jordan Advisory Planning Commission, First Nations, CRD departments and external agencies be approved and the comments received.
2. That proposed Bylaw No. 4716 be introduced and read a first, second and third time; and
3. That proposed Bylaw No. 4716 be adopted.

*Alternative 2*

That the CRD not proceed with proposed Bylaw No. 4716.

**IMPLICATIONS**

*Legislative Implications*

The Advisory Planning Commissions (APCs) were established to make recommendations to the Land Use Committee on land use planning matters referred to them related to Part 14 of the *Local Government Act* (LGA). The Shirley–Jordan APC considered the application at its meeting on January 13, 2026.

Pursuant to Section 464(3) of the LGA, if 1) an official community plan is in effect for the area that is the subject of the zoning bylaw, 2) the bylaw is consistent with the OCP, and 3) the sole purpose of the bylaw is to permit a development that is entirely a residential development, the CRD must not hold a public hearing with respect to the bylaw.

Since the development proposal meets all three conditions, the CRD must not hold a public hearing with respect to the bylaw. Notice of the proposed bylaw amendment advising of the date of first reading will be

provided in accordance with Sections 466 and 467 of the *LGA*. Upon receipt of referral comments, the LUC may consider a recommendation for all bylaw readings and adoption at the same meeting.

#### *First Nations Implications*

The subject property is located within the asserted traditional territory of the Pacheedaht and T'Sou-ke First Nations. Each Nation was invited to participate in an application review process with staff and the applicant to better inform consideration of the proposal.

Pacheedaht First Nation confirmed that the subject property is outside their asserted traditional territory and that their interests were unaffected.

T'Sou-ke First Nation requested the opportunity to be onsite during any excavation and noted that existing chance-find procedures are inadequate. The Nation also requested that appropriate protection measures be in place to prevent erosion and the spread of invasive plant species.

#### *Referral Comments*

Referrals were sent to 10 agencies, CRD departments, and to the Shirley-Jordan APC. Comments received are summarized below and included in Appendix F.

CRD Bylaw Enforcement commented that the subject property is no longer classified as Managed Forest under the *Private Managed Forest Land Act* and, as such, forestry activities would be subject to the guidelines set out in the Noise Suppression Bylaw. Given the location of the subject property and proposed density, Bylaw Enforcement does not anticipate any concerns with the rezoning.

CRD First Nations Relations advised that the property is not located within or immediately adjacent to a protected archaeological site and that a permit is not required to undertake work unless archaeological materials are exposed or impacted during land-altering activities.

BC Hydro stated no objection and that no building encroachment is permitted within its right-of-way. BC Hydro may have additional comments at the time of subdivision.

District of Sooke stated that they had no comment regarding the proposed rezoning.

Ministry of Agriculture and Food stated that it supports the rezoning application as agriculture and associated farm buildings will be permitted on the subject property if the bylaw is approved.

Ministry of Forests – Archaeology Branch advised that there are no known archaeological sites recorded on the subject property and that archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property.

Ministry of Water, Land and Resource Stewardship – Ecosystem Section stated that while the rezoning would represent a permanent ecosystem change, it considers the rezoning to be low risk. The Ministry provided resources related to bat best management practices and nesting bird window regulations, as well as requirements under the *Riparian Area Protection Regulation* and the *Water Sustainability Act* if any wetlands or streams are encountered.

Ministry of Transportation and Transit had no objection to the zoning bylaw amendment and noted that approval of the bylaw pursuant to Section 52 of the *Transportation Act* is not required. The Ministry advised that no storm drainage from the property may be directed into Ministry ditches.

A Public Information Meeting was held in the community and the Shirley-Jordan APC considered the application on January 13, 2026. Two application representatives attended; no members of the public attended. Following the Public Information Meeting, the APC passed the following motion with respect to Bylaw No. 4716:

**MOVED** by Fiona McDannold, **SECONDED** by Melody Kimmel that having considered the proposed bylaw, the Shirley-Jordan Advisory Planning Commission supports Zoning Amendment Application RZ000291 for That Part of Section 90, Renfrew District, Shown Outlined in Red on Plan 913R Lying to the North of the Southerly Boundary of Plan 503RW, as presented.

*Regional Growth Strategy Implications*

Section 445 of the LGA requires that all bylaws adopted by a regional district board after the board has adopted a regional growth strategy (RGS) be consistent with the RGS. In accordance with CRD policy, where a zoning bylaw amendment that applies to land within the Shirley – Jordan OCP area is consistent with the OCP, it does not proceed to the CRD Board for a determination of consistency with the RGS. Staff are of the opinion that the proposed amendment is consistent with the policies of the Shirley – Jordan OCP.

*Official Community Plan Implications*

The subject property is designated Coastal Uplands (CU) in the Shirley – Jordan OCP which supports the continued use of these lands for forestry purposes. However, if lands are removed from PMFL, then uses such as low-impact recreation, low-impact tourism, community parks, single-family residential and agriculture are also supported. The CU designation supports a density of one parcel per 4 ha and one dwelling and one accessory dwelling unit per parcel. The proposal to rezone the property to RU2 is consistent with Coastal Uplands designation.

*Land Use Implications*

The property is split-zoned Forestry (AF) and Rural (A) under Bylaw No. 2040. The zone boundary has been in place since the adoption of Bylaw No. 282, 1976; however, there is no obvious rationale for this divide. The AF zoned portion of the parcel is 12.6 ha, and the A zoned portion is 1.1 ha. While the total parcel area is 13.7 ha and the minimum parcel size of both the AF and A zones is 4 ha, the location of the zone boundary precludes subdivision.

The property is partially designated as Riparian and Sensitive Ecosystem DP areas in Bylaw No. 4001. A development permit is required prior to any land alteration, subdivision or building construction in those areas.

The BC Groundwater Wells and Aquifers database has a record of two wells on the existing property, both located within Aquifer 449 and exceed the requirements specified by Bylaw No. 2040. Proof of potable water and adequate septic will be confirmed as a condition of subdivision.

Based on the referral comments received and the policies of the Shirley – Jordan River OCP, staff recommend that proposed Bylaw No. 4716 be read a first, second and third time, and that Bylaw No. 4716 be adopted.

**CONCLUSION**

The purpose of this zoning bylaw amendment application is to rezone the 13.7 ha property on Invermuir Road from the Rural (A) and Forestry (AF) zones to the Rural 2 (RU2) zone to facilitate a two-lot subdivision and permit agriculture and farm buildings. Since the proposal meets the criteria specified by Section 464(3) of the LGA, the CRD must not hold a public hearing with respect to the bylaw. Based on the information provided and the referral comments received, staff recommend that referral of the bylaw be approved and referral comments be received, that Bylaw No. 4716 be read a first, second and third time, and that Bylaw No. 4716 be adopted.

**RECOMMENDATION**

The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

1. That the referral of proposed Bylaw No. 4716, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 169, 2025", to the Shirley-Jordan Advisory Planning Commission, First Nations, CRD departments and external agencies be approved and the comments received.
2. That proposed Bylaw No. 4716 be introduced and read a first, second and third time; and
3. That proposed Bylaw No. 4716 be adopted.

Submitted by:	Iain Lawrence, RPP, MCIP, Senior Manager, Juan de Fuca Administration
Concurrence:	Stephen Henderson, MBA, P.G.Dip.Eng., B.Sc., General Manager, Electoral Area Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

- Appendix A: Subject Property Map
- Appendix B: Forestry (AF) and Rural (A) Zone Regulations
- Appendix C: Rural 2 (RU2) Zone Regulations
- Appendix D: Proposed Plan of Subdivision
- Appendix E: Proposed Bylaw No. 4716
- Appendix F: Referral Comments