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**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, MARCH 12, 2025**

SUBJECT **Public Hearing Report on Bylaw No. 4550, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 160, 2023”**

ISSUE SUMMARY

To receive the Report of the Public Hearing held January 28, 2025, for proposed Bylaw No. 4550, and to consider Bylaw No. 4550 for third reading.

BACKGROUND

At its meeting of December 11, 2024, the Capital Regional District (CRD) Board gave first and second reading to Bylaw No. 4550, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 160, 2023”, and passed a resolution to delegate authority to the Regional Director to hold a public hearing with respect to Bylaw No. 4550.

Bylaw No. 4550 (Appendix A) will amend the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, by deleting Parcel A (DD 1047521I) of District Lot 745, Renfrew District, and Parcel B (DD 52657I) of District Lot 745, Renfrew District, from the Forestry (AF) Zone and by deleting District Lot 175, Renfrew District, from the Resource Land (RL) Zone; and adding the said properties to a new Silviculture Campground (CR5) Zone to permit a commercial campground.

A public hearing was held for Bylaw No. 4550 on January 28, 2025. Eleven members of the public attended the hearing. Four written public hearing submissions were received prior to the close of the public hearing. Written public hearing submissions were provided to the Board through the CRD Board correspondence portal. The Report of Public Hearing is attached as Appendix B.

ALTERNATIVES

Alternative 1

- 1) That the minutes that form the Report of Public Hearing for Bylaw No. 4550, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 160, 2023”, which are certified as a fair and accurate summary of the representations that were made at the public hearing held on January 28, 2025, be received;
- 2) That Bylaw No. 4550 be read a third time; and
- 3) That prior to adoption of proposed Bylaw No. 4550, the landowner registers a covenant in favour of the Capital Regional District prohibiting subdivision on District Lot 175, Renfrew District (PID: 023-414-308); and that staff be directed to ensure that all conditions are satisfied towards completion and registration.

Alternative 2

That the minutes that form the Report of Public Hearing for Bylaw No. 4550, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 160, 2023”, which are certified as a fair and accurate summary of the representations that were made at the public hearing held on January 28, 2025, be received.

IMPLICATIONS

Regional Growth Strategy Implications

Section 445 of the *Local Government Act (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 River Official Community Plan (OCP) area is consistent with the OCP, it does not proceed to the full CRD Board for a determination of consistency with the RGS. The proposed rezoning is consistent with the policies of the Shirley–Jordan River OCP.

Referral Process Implications

Bylaw No. 4550 was referred to external agencies, the Shirley–Jordan River Advisory Planning Commission (APC) and to CRD departments in March 2024. Referral comments indicated that, while the scale of the initial proposal was consistent with low impact tourism, there were concerns that the use of Strata Lot 13, which is subject to a “no subdivision” and “no build” covenant, would impact neighboring landowners. Potential subdivision of the 66.0 ha RL zoned lot, campsite capacity, large recreational vehicles, wildfire risks, impacts of development near watercourses were also noted as items of concern. The Juan de Fuca Community Parks and Recreation Advisory Commission recommended that public trails connecting community and backcountry trails should be considered.

Referral comments and a revised proposal were returned to the Land Use Committee, and the CRD Board gave first and second reading to Bylaw No. 4550 at its meeting on December 11, 2024.

Land Use Implications

The Shirley-Jordan River OCP designates the subject properties as Coastal Upland (CU), which consists primarily of parcels enrolled in the Private Managed Forest Lands (PMFL) program and supports the continued use of those lands for forestry activities. If lands have been removed from the PMFL program, then uses such as low-impact recreation and low-impact tourism are supported. Community parks, single-family residential, and agriculture are also supported in this land use designation.

The proposal included an Environmental Review and Visitor Access and Servicing Route Plans, which were considered by the CRD Board at its meeting of December 11, 2024.

The proposal includes regulations for a *campground*, maintains *silviculture* and *one-family dwelling* as principal uses, and clarifies that *secondary suite*, *detached accessory suite*, and *home-based business* are accessory uses. The proposed CR5 zone includes regulations to limit the size of vehicles and the number of persons per camping space, and to prescribe *fire buffer* and watercourse setback requirements.

The applicant addressed the Land Use Committee at its meeting of December 10, 2024, stating opposition to providing a community amenity in the form of a trail connection in consideration of the numerous revisions made to the zoning proposal to address comments received through the application review process.

The Land Use Committee recommended that proposed Bylaw No. 4550 be advanced without the provision of a community amenity, and the CRD Board gave first and second reading to Bylaw No. 4550 at its meeting on December 11, 2024.

Staff are of the opinion that the revised proposal is aligned with the Coastal Uplands land use designation and broader OCP policies, and recommend that the proposed bylaw be given third reading. Staff further recommend that adoption of the Bylaw be withheld pending registration of a restrictive covenant prohibiting further subdivision of District Lot 175.

CONCLUSION

The purpose of Bylaw No. 4550 is to amend Bylaw No. 2040 by removing the subject properties from the Forestry (AF) and Resource Land (RL) zones and adding them to a new Silviculture Campground (CR5) zone. Proposed Bylaw No. 4550 has been read a second time and a public hearing for Bylaw No. 4550 was held on January 28, 2025. Staff recommend that the minutes of the public hearing be received, and that the proposed bylaw be given third reading. Staff further recommend that adoption of the Bylaw be withheld pending registration of a restrictive covenant prohibiting further subdivision of District Lot 175.

RECOMMENDATIONS

- 1) That the minutes that form the Report of Public Hearing for Bylaw No. 4550, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 160, 2023”, which are certified as a fair and accurate summary of the representations that were made at the public hearing held on January 28, 2025, be received;
- 2) That Bylaw No. 4550 be read a third time; and
- 3) That prior to adoption of proposed Bylaw No. 4550, the landowner registers a covenant in favour of the Capital Regional District prohibiting subdivision on District Lot 175, Renfrew District (PID: 023-414-308); and that staff be directed to ensure that all conditions are satisfied towards completion and registration.

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| Submitted by: | Iain Lawrence, MCIP, RPP, Senior Manager, JdF Local Area Services |
| Concurrence: | Patrick Klassen, MCIP, RPP, Acting General Manager - Housing, Planning & Protective Services |
| Concurrence: | Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer |

ATTACHMENTS

- Appendix A: Proposed Bylaw No. 4550
- Appendix B: Report of Public Hearing