



Making a difference...together

**REPORT TO PLANNING AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 16, 2024**

SUBJECT Shirley-Jordan River Official Community Plan Amendment and Rezoning Application RZ000284

ISSUE SUMMARY

To consider whether the proposed Bylaw No. 4598, “Shirley-Jordan River Official Community Plan Bylaw No. 5, 2018, Amendment Bylaw No. 2, 2024”, and Bylaw No. 4599, "Juan de Fuca Land Use Bylaw, 1992, Amendment No. 162, 2024" are consistent with the 2018 Regional Growth Strategy (RGS).

BACKGROUND

Section 445 of the *Local Government Act (LGA)* requires that all bylaws adopted by a regional district board after the board has adopted a RGS be consistent with the RGS. Since the proposal includes an amendment to the Shirley-Jordan River Official Community Plan (OCP) and the Juan de Fuca Land Use Bylaw, a determination of consistency with the RGS must be made prior to first reading.

The 3.3 ha subject property (the “Land”) is located in the community of Jordan River on the northern side of West Coast Road (12036 West Coast Road). The property is currently designated Pacific Acreage (PA) in the Shirley-Jordan River Official Community Plan, Bylaw No. 4001 (the “OCP”) and the application is to change the subdivided property to a CO (Commercial) designation with an amendment to support smaller minimum lot sizes. The Land is zoned C-1A Neighbourhood Commercial under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 (the “Zoning Bylaw”). The Land is outside of the flood inundation area in Jordan River identified by BC Hydro.

The applicant’s primary objective for this application is to improve the viability and access to rural commercial land within Jordan River. The proposal includes a country market, a micro-brewery with ancillary onsite store, and a picnic area, lounge and special events area that serves the community, supports local tourism, and provides opportunities for local ownership of commercial lands. The community values expressed by the OCP identify goals and objectives for servicing rural areas, supporting local employment opportunities, and promoting opportunities for pedestrian connectivity to reduce motor vehicle trips to address potential impacts to the environmental and enhance local character.

For additional information, please refer to the staff report to the Juan de Fuca Land Use Committee (JdF LUC) of Tuesday October 15, 2024 attached as Appendix A.

ALTERNATIVES

Alternative 1

The Planning and Protective Services Committee recommends to the Capital Regional District Board:

That proposed Bylaw No. 4598, “Shirley-Jordan River Official Community Plan Bylaw No. 5, 2018, Amendment Bylaw No. 2, 2024” and Bylaw No. 4599, “Juan de Fuca Land Use Bylaw, 1992, Amendment No. 162, 2024” be considered in relation to the 2018 Regional Growth Strategy (Bylaw No. 4017) and be accepted in accordance with the requirements of section 445 of the

Local Government Act.

Alternative 2

The Planning and Protective Services Committee recommends to the Capital Regional District Board:

That proposed Bylaw No. 4598, “Shirley-Jordan River Official Community Plan Bylaw No. 5, 2018, Amendment Bylaw No. 2, 2024” and Bylaw No. 4599, “Juan de Fuca Land Use Bylaw, 1992, Amendment No. 162, 2024” be considered in relation to the 2018 Regional Growth Strategy (Bylaw No. 4017) and not be accepted in accordance with the requirements of section 445 of the *Local Government Act*.

Alternative 3

That this report be referred back to staff for additional information based on Planning and Protective Services Committee direction.

IMPLICATIONS

Alignment with Board & Corporate Priorities

Capital Regional District (CRD) Corporate priority 8a is focused on managed growth, keeping approved plans current and monitoring for effectiveness. In the Juan de Fuca Electoral Area, this includes reviewing referrals of proposed OCP amendments and assessing for RGS consistency. This is an important part of ensuring ongoing effectiveness of growth management in the region.

Climate Implications

The proposed commercial development will improve access to rural commercial land within Jordan River. The proposal also includes a village gathering place that serves the community, supports local tourism, and provides opportunities for local ownership of commercial lands. The proposed development has the potential for a reduction in car trips for local residents who would otherwise need to drive to more distant locations for shopping and recreation.

Environmental Implications

On March 19, 2024 the JdF LUC received a staff report that included an environmental assessment and preliminary groundwater assessment. These studies can be found in Appendix A of this report.

A Qualified Environmental Professional (QEP) confirmed that there are no wetlands or watercourses on the land or within 50m of its boundaries. It was also determined that the property does not occur within or in proximity to a Riparian Assessment Area or a Riparian Development Permit Area.

The initial proposal included a groundwater study; however, comments received from Pacheedaht First Nation (PFN) expressed concern regarding potential impacts to local water availability with particular interest in Bliss Spring. In response, the applicant submitted an additional groundwater study. The supplementary assessment focused on quantity and quality testing from the well to be used by the brewery, which is located at an elevation above Bliss Spring. Anticipating that the brewery will likely have the highest water demand, findings from this assessment confirmed that the immediate aquifer is capable of meeting a maximum potential demand of 350,000 litres per year. Additional information can be found in Appendix B of this report.

First Nations Implications

The subject property is located within the asserted traditional territory of the Pacheedaht and T'Sou-ke First Nations and each Nation was invited to participate in the land use review process to better inform consideration of the proposal.

PFN stated concerns on potential impacts to the delivery of emergency services and the aquifer that the local area relies on. The PFN encouraged the applicant to respond by providing information on the Bliss Spring water resource and address pedestrian accessibility to the site.

T'Sou-ke First Nation is to be informed and involved in any archaeological findings identified during the construction on the property and that an archaeological chance and find procedure should be implemented during the construction.

Regional Growth Strategy Implications

CRD Regional Planning staff have reviewed the proposed OCP amendment and Land Use Bylaw amendment and believe that they are consistent with the 2018 Regional Growth Strategy.

RGS Objective 1.1 – Managing and Balancing Growth, provides a description of regional land use designations including that of the Rural/Rural Residential Policy Area that applies for the property in question. This definition states that: *“Commercial uses are local serving and such uses and other employment opportunities result in minimal impact on the surrounding community and to the environment. Low-impact tourism uses complement rural character.”*

The application aligns with this definition of rural commercial uses as it will be primarily serving the local community while providing employment opportunities. While not intended to become future urban areas requiring extensive services, commercial uses serving the local community by providing employment opportunities in a rural context can be supported if impacts to the local community and environment are minimal.

RGS Objective 1.2 – Protect the Integrity of Rural Communities, seeks to avoid the creation of future urban areas through development that complement rural form, density, and character. The application proposes onsite well and septic systems, which support a rural scale of development rather than an urban scale seen in neighbouring incorporated communities where community level services are available. The proposed rural servicing will require permitting and licensing at the time of development.

RGS Objective 5.1 – Realize the Region's Economic Potential, includes the economic development consideration to: *“[Find] ways to expand and diversify the economy of formerly resource-dependent communities in Sooke and the Juan de Fuca Electoral Area, such as through low-impact recreation and tourism.”* The proposed land use aligns with this objective.

CRD staff are of the opinion that the proposed OCP amendment is consistent with the direction provided by the RGS, and that this application does not alter the Shirley-Jordan River OCP's work towards the overall goals and objectives expressed by the community's long-term collective vision. The amendment does not impact the OCP's alignment with the RGS.

Service Implications

Implications for CRD services are not expected as the land is not located within community water, sewer or fire protection local service areas. Covenant CA5916759 is registered on the title of the property and requires that all buildings and structures be equipped with an automatic sprinkler system that fully meets the requirements of the National Fire Protection Association (NFPA).

Social Implications

Should the proposal proceed, a public hearing pursuant to Part 14, Division 3 of the *LGA* will be required subsequent to the amendment passing second reading by the CRD Board. Property owners within 500m of the subject property will be sent notice of the proposed bylaw amendment and a public hearing will be advertised in the local paper and on the CRD website.

CONCLUSION

The purpose of Bylaw Nos. 4598 and 4599 is to amend the Shirley-Jordan River Official Community Plan, Bylaw No. 4001, by redesignating a 3.3 ha portion of the subject property from Pacific Acreage (PA) to Commercial (CO) with amendments, and amend the Wildwood Terrace Neighbourhood Commercial (C-1A) zone of the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, by permitting additional commercial uses and a smaller average and minimum parcel size to facilitate subdivision. The proposed bylaws are consistent with the RGS.

RECOMMENDATION

The Planning and Protective Services Committee recommends to the Capital Regional District Board:

That proposed Bylaw No. 4598, “Shirley-Jordan River Official Community Plan Bylaw No. 5, 2018, Amendment Bylaw No. 2, 2024” and Bylaw No. 4599, “Juan de Fuca Land Use Bylaw, 1992, Amendment No. 162, 2024” be considered in relation to the 2018 Regional Growth Strategy (Bylaw No. 4017) and be accepted in accordance with the requirements of section 445 of the *Local Government Act*.

Submitted by:	Patrick Klassen, RPP, MCIP, Senior Manager, Regional Planning
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Staff Report to the Juan de Fuca Land Use Committee of Tuesday October 15, 2024: Zoning Bylaw & Official Community Plan Amendment Application for Lot A Section 4 Renfrew District Plan EPP131465; PID: 032-229-046