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REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, MAY 13, 2026

SUBJECT Public Hearing Report on Bylaw No. 4705, “Shirley-Jordan River Official Community Plan Bylaw No. 5., 2018, Amendment Bylaw No. 3, 2025” and Bylaw No. 4706, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 168, 2025”

ISSUE SUMMARY

To receive the Report of the Public Hearing held March 31, 2026, for proposed Bylaw No. 4705 (Appendix A) and Bylaw No. 4706 (Appendix B), and to consider the bylaws for third reading.

BACKGROUND

At its meeting of March 11, 2026, the Capital Regional District (CRD) Board gave first and second reading to Bylaw No. 4705, “Shirley-Jordan River Official Community Plan Bylaw No. 5., 2018, Amendment Bylaw No. 3, 2025” and Bylaw No. 4706, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 168, 2025”. The Board subsequently passed a resolution to delegate authority to the Electoral Area Director to hold a public hearing with respect to the bylaws.

Bylaw No. 4705 will amend the Shirley-Jordan River Official Community Plan (OCP) by redesignating a 0.5 ha portion of the subject property from Coastal Uplands (CU) to Commercial (CO), and a 3.5 ha portion from CU to Pacific Acreage to support the concurrent rezoning of the property.

Bylaw No. 4706 will amend the Juan de Fuca Land Use Bylaw by rezoning a 0.5 ha portion of the subject property from Forestry (AF) to a new Commercial Rural Market (C-2) zone to permit operation of a country market, and a 3.5 ha portion from the AF zone to the Rural Residential 3 (RR-3) zone to permit continued rural residential uses.

A public hearing was held for the bylaws on March 31, 2026. Five members of the public attended the hearing and no written submissions were received in response to the notice of public hearing. The Report of Public Hearing is attached as Appendix C.

ALTERNATIVES

Alternative 1

1. That the minutes that form the Report of Public Hearing for Bylaw No. 4705, “Shirley-Jordan River Official Community Plan Bylaw No. 5., 2018, Amendment Bylaw No. 3, 2025”, and Bylaw No. 4706, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 168, 2025”, which are certified as a fair and accurate summary of the representations that were made at the public hearing held on March 31, 2026, be received;
2. That Bylaw No. 4705 be read a third time;
3. That Bylaw No. 4705 be adopted;
4. That Bylaw No. 4706 be read a third time; and
5. That prior to the adoption of proposed Bylaw No. 4706, the landowner provide an amenity contribution in the form of a statutory right-of-way adjacent to West Coast Road in favour of the Capital Regional District for the purpose of establishing a public trail; 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. 4705 and Bylaw No. 4706 be received.

IMPLICATIONS

Regional Growth Strategy Implications

Section 445 of the *Local Government Act* 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.

The bylaws were considered by the CRD Board on March 11, 2026, and found to be consistent with the RGS.

Referral Implications

Bylaw Nos. 4705 and 4706 were referred to external agencies, the Shirley–Jordan River Advisory Planning Commission and to CRD departments in September 2025.

Referral comments were returned to the Land Use Committee, and the CRD Board gave first and second reading to Bylaw Nos. 4705 and 4706 at its meeting on March 11, 2026.

In response to comments received, the applicant agreed to providing a statutory right-of-way in favour of the CRD for a roadside trail prior to adoption of Bylaw No. 4706.

Official Community Plan Implications

The Shirley-Jordan River OCP designates the subject property CU, which supports forestry activities on Private Managed Forest Land (PMFL), as well as low-impact tourism, recreation and agriculture on lands that are no longer PMFL. The average parcel size supported by the CU designation is 4.0 hectares.

The CO land use designation supports small-scale commercial uses, such as those permitted by the proposed C-2 zone, and parcel sizes in the range of 0.4 ha. The Pacific Acreage designation supports residential, agricultural and small-scale neighborhood commercial activities permitted by the RR-3 zone, and parcel sizes in the range of 2.0 ha.

The OCP and the Active Transportation Network Plan (ATNP) for the Juan de Fuca identifies an interest in the development of a local trail network, particularly along West Coast Road. This network is intended to connect residential areas with commercial nodes, local, regional, and provincial parks and trails, and other community-based amenities. The ATNP provides guidance to implement OCP policies that support reducing motor vehicle trips within the community. To that end, the Juan de Fuca Electoral Area Parks and Recreation Advisory Commission recommended that a public trail be established via a statutory right-of-way adjacent to West Coast Road.

Land Use Implications

The application proposes to split-zone the 4.0 ha subject property by rezoning a 0.5 ha portion from AF to a new C-2 zone and the remaining 3.5 ha to RR-3. In accordance with Bylaw No. 2040, the proposed C-2/RR-3 zone boundary will act as a property boundary for the purposes of determining use and density, but not setbacks. The zone boundary could also serve as a potential property line

for a future subdivision that would create two separate parcels.

The proposed C-2 zone permits civic uses, country markets, convenience stores, food and beverage processing, greenhouses and plant nurseries, horticulture, restaurants, and retail stores. It excludes gas bars, gas stations, bulk fuel sales, auto repair, carwashes, and any use requiring a permit under the *Environmental Management Act* in consideration of potential impacts to the underlying aquifer. Accessory uses may include residential, screened storage yards, picnic areas, lounges, and outdoor event spaces.

The remaining 3.5 ha portion of the parcel is proposed to be zoned RR-3, which reduces the minimum parcel size to 2.0 ha and permits one- or two-family dwellings, agriculture, farm buildings, animal hospitals and veterinary clinics. Accessory uses include home-based businesses and either a secondary suite or detached accessory suite.

Staff are of the opinion that the proposed zoning amendments are in keeping with the direction provided by the OCP, and that the proposed OCP amendments are consistent with and supported by the other policies of the Plan.

CONCLUSION

The purpose of Bylaw No. 4705 is to amend the Shirley-Jordan River Official Community Plan by redesignating a 0.5 ha portion of the parcel from Coastal Uplands to Commercial and redesignating the 3.5 ha remainder from Coastal Uplands to Pacific Acreage to support rezoning of the property. The purpose of Bylaw No. 4706 is to amend the Juan de Fuca Land Use Bylaw by rezoning a 0.5 ha portion of the parcel from the Forestry zone to a new Commercial Rural Market zone, and the 3.5 ha remainder from the Forestry zone to the Rural Residential 3 zone. Bylaw No. 4705 and 4706 have been read a second time and a public hearing for the bylaws was held on March 31, 2026.

Staff recommend that the minutes of the public hearing be received and that Bylaw No. 4705 be given third reading and adopted. Staff also recommend that Bylaw No. 4706 be given third reading and that prior to adoption of the bylaw, the landowner register a statutory right-of-way in favour of the CRD for a public trail along West Coast Road.

RECOMMENDATION

1. That the minutes that form the Report of Public Hearing for Bylaw No. 4705, “Shirley-Jordan River Official Community Plan Bylaw No. 5., 2018, Amendment Bylaw No. 3, 2025”, and Bylaw No. 4706, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 168, 2025”, which are certified as a fair and accurate summary of the representations that were made at the public hearing held on March 31, 2026, be received;
2. That Bylaw No. 4705 be read a third time;
3. That Bylaw No. 4705 be adopted;
4. That Bylaw No. 4706 be read a third time; and
5. That prior to the adoption of proposed Bylaw No. 4706, the landowner provide an amenity contribution in the form of a statutory right-of-way adjacent to West Coast Road in favour of the Capital Regional District for the purpose of establishing a public trail; and that staff be directed to ensure that all conditions are satisfied towards completion and registration.

Submitted by:	Iain Lawrence, MCIP, RPP, Senior Manager, JdF 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: Proposed Bylaw No. 4705

Appendix B: Proposed Bylaw No. 4706

Appendix C: Report of Public Hearing