

JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **April 21, 2026, at 7 pm**

Juan de Fuca Local Area Services Building, #3 – 7450 Butler Road, Otter Point, BC

AGENDA

1. Territorial Acknowledgment
2. Approval of Agenda
3. Adoption of Minutes of March 17, 2026
4. Chair's Report
5. Planner's Report
6. Zoning Amendment Application
 - a) RZ000293 – Lot A, District Lot 87, Renfrew District, Plan EPP31225 (2820 Kirby Creek Road)
7. Adjournment

PLEASE NOTE: The public may attend the meeting in-person or electronically through video or teleconference. To attend electronically, please contact us by email at jdfinfo@crd.bc.ca so that staff may forward meeting details.



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**Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, March 17, 2026, 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 Administration; Darren Lucas, Planner; Wendy Miller, Recorder
PUBLIC: 6 in-person; 1 EP

EP – Electronic Participation

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 Roy McIntyre, **SECONDED** by Anna Russell that the agenda be approved.

CARRIED

3. Adoption of Minutes of February 17, 2026

MOVED by Roy McIntyre, **SECONDED** by Dale Risvold that the minutes from the meeting of February 17, 2026, be adopted.

CARRIED

4. Chair's Report

The Chair welcomed everyone to the meeting.

5. Planner's Report

It was reported that the consultant for the Juan de Fuca Electoral Area Official Community Plan (OCP) Consolidation and Willis Point OCP/Local Area Plan (LAP) Update project, Stantec Consulting Ltd., has submitted background reports for review by staff. Staff workshop scheduling, build-out information and engagement plan are currently being developed by the consultant.

6. Development Variance Permit Application

a) VA000167 – Lot 16, Section 10, Otter District, Plan VIP77477 (2196 Otter Ridge Drive)

Iain Lawrence spoke to the application to reduce the requirement that ten percent of the perimeter of the lot front onto a public highway in order to authorize a two-lot subdivision.

The property location and proposed subdivision plan were highlighted.

It was confirmed that applicant was present.

The applicant responded to a question from the LUC advising that a secondary suite is not being pursued, noting that the proposed new lot is intended for a relative, which will allow for separate financing.

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

That Development Variance Permit VA000167 for Lot 16, Section 10, Otter District, Plan VIP77477 to vary the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, Part 1, Section 3.10(4)(a), by reducing the minimum frontage requirement from 10% to 3.8% for proposed Lot B, as shown on the Proposed Subdivision plan, prepared by West Coast Design and Development Services, dated December 7, 2022, for the purpose of permitting a two-lot subdivision, be approved.

CARRIED

7. Zoning Amendment Application

a) **RZ000291 – 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)**

Iain Lawrence spoke to the application to rezone the subject property 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.

The application was initially considered by the LUC at its meeting of November 18, 2025. At that meeting, the LUC directed referral of the application to agencies and to the Shirley-Jordan River Advisory Planning Commission. Attention was directed to the referral comments included in the staff report.

The property location, current split zone boundary and proposed subdivision plan were highlighted.

It was confirmed that applicant was not present.

Iain Lawrence responded to questions from the LUC advising that the RU2 zone would not prohibit personal timber harvesting, subject to development permit requirements, and that the forestry encumbrance is related to the transferee having first right of refusal for any cleared timber. It was further advised that a groundwater licence would be required for farm use.

MOVED by Ron Ramsay, **SECONDED** by Roy McIntyre that 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 River 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.

CARRIED

8. Comprehensive Community Development Plan Amendment Application

a) RZ000290 – Lot 6, District Lot 17, Renfrew District, Plan VIP57304, Except Part in VIP61187 (6545 Cerantes Road)

Darren Lucas spoke to the application to re-designate a portion of the subject property from Residential (R) to Tourism Commercial (TC); and to rezone the property from the Community Residential One (CR-1) zone to a new Multi-unit Dwelling One (MD-1) zone and the Tourist Commercial One (TC-1) zone.

The property location, development permit area designations, proposed land use designation, proposed zone boundary and concept drawing were highlighted.

It was advised that the proposed multi-unit development is outside existing community water and sewer service areas and that the application proposes servicing by a rainwater harvesting system and a wastewater treatment system located on the neighbouring property to the east.

It was further advised that the Official Community Plan (OCP) is currently being updated and that CRD Infrastructure and Water Services (IWS) is also conducting water and wastewater servicing master plan studies for the community.

It was confirmed that applicant was present.

Applicant comments included:

- affordable rental options for staff housing are limited in Port Renfrew
- staff retention is challenging without affordable rentals
- affordable rentals would help retain workers and encourage the growth of the community
- a longer amortization could be sought through the Canadian Mortgage & Housing Corporation (CMHC)
- rezoning requires a public consultation process
- approval of the OCP may take longer than anticipated
- proof of potable water and septic are building permit conditions

Staff responded to questions from the LUC advising that:

- IWS anticipates that the water and wastewater master plan studies will be completed in September/October 2026
- the studies will address service area expansion potential
- density policies will be developed through the OCP update process
- the draft OCP is to be presented and reviewed by the CRD's project partner, paa?čiid?atx (Pacheedaht) First Nation
- the OCP will then be reviewed by legal counsel prior to the formal bylaw adoption process through the LUC and Regional Board

Public comment included:

- economy of Port Renfrew has shifted from mining and logging to tourism
- there is a lack of housing for long-term renters and tourism-sector workers
- lack of residential housing creates challenges in retaining volunteer firefighters
- Community Residential One (CR-1) zoned properties are being used as vacation rentals
- there is an insufficient supply of land zoned for residential use

MOVED by Anna Russell, **SECONDED** by Roy McIntyre that the Juan de Fuca Land Use Committee recommends to the Capital Regional District:

1. That proposed Bylaw No. 4744, not proceed; and
2. That in accordance with the Juan de Fuca Development Fees and Procedures Bylaw No. 3885, a new application for the same purpose in respect of the parcel shall not be made within a 12-month period from the date of the CRD Board's refusal or upon adoption of the updated Official Community Plan for Port Renfrew and completion of the Port Renfrew Water and Wastewater Master Plan studies, whichever comes first.

LUC discussion ensued regarding:

- professional reports and information were not provided in support of the application
- the uncertainty of a multi-unit development's reliance on a community water system for potable water sourced from rainwater capture
- changing weather patterns impacting rainfall levels
- enforcement matters related to non-residential use of existing residential zoned lands
- septic servicing as the development is adjacent to Defiance Creek
- the scale of a 1.4 ha residential development site being used for a proposed density of 80 dwelling units

Opposed: Vern McConnell, Ron Ramsay
CARRIED

9. Adjournment

MOVED by Roy McIntyre, **SECONDED** by Dale Risvold that the meeting be adjourned at 8:19 pm.

Chair



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REPORT TO JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, APRIL 21, 2026

SUBJECT **Zoning Amendment Application for Lot A, District Lot 87, Renfrew District, Plan EPP31225; PID: 029-514-819**

ISSUE SUMMARY

An application has been made to rezone the subject property from the Rural 2 (RU2) zone to a new Rural 2 - Recreation (RU2-R) zone.

BACKGROUND

The 4.1 ha subject property is located at 2820 Kirby Creek Road in Shirley (Appendix A). The property is zoned Rural 2 (RU2) (Appendix B) under the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, and designated Coastal Uplands (CU) (Appendix C) in the Shirley-Jordan River Official Community Plan (OCP), Bylaw No. 4001. The property is within the Shirley Fire Protection Service Area, and no Development Permit Areas (DPAs) have been identified by the OCP.

The landowner has applied to rezone the subject property from the RU2 zone to a new Rural 2 – Recreation (RU2-R) zone (Appendix D) to permit *outdoor recreation*, with an accessory *convenience store*. The proponent intends to reside on the property while operating a “U-Catch” fishing business with additional recreational activities such as archery and disc golf; accessed from a 10-stall gravel parking lot. The accessory *convenience store* use would allow for a “concession stand or building” offering supplementary equipment and items with pre-packaged food and drinks to patrons. The application included a land use analysis, provincial permit, and conceptual site plans illustrating outdoor activity areas including three fishing ponds (Appendix E). The proponent anticipates providing complementary facilities to future patrons, such as an outdoor picnic area and restrooms serviced by tugged water storage tanks and Island Heath approved septic.

In accordance with the proposal, staff have prepared Bylaw No. 4764 (Appendix F) for consideration and referral to CRD departments, external agencies, and First Nations.

ALTERNATIVES

Alternative 1

That staff be directed to refer proposed Bylaw No. 4764, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 170, 2026", to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, external agencies, and First Nations for comment.

Alternative 2

That proposed Bylaw No. 4764 not proceed.

IMPLICATIONS

Legislative Implications

The CRD established Advisory Planning Commissions (APCs) 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)*. Staff recommend referring proposed Bylaw No. 4764 to the Shirley-Jordan River APC.

Should Bylaw No. 4764 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 500 m of the subject property will be sent notice of the proposed bylaw amendments and a public hearing will be advertised in the local paper and on the CRD website.

First Nations Implications

The CRD highly values building strong relationships with First Nations and aims to improve engagement procedures that support reconciliation. The subject property is located within the traditional territory of the paaᑭiidᑭatᑭ (Pacheedaht) and T'Sou-ke First Nations. Each Nation will be invited to participate in the land use review and referral process to inform them of the proposed development activity within their traditional territory and seek meaningful dialogue and comment regarding on the proposal.

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 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 River OCP.

Intergovernmental Implications

The applicant has obtained a *Wildlife Act* Permit, issued by the Ministry of Water, Land and Resource Stewardship (WLRS), for trout fishing ponds. The permit outlines requirements of the *Act* and specifies that use of the fishing ponds is conditional to compliance with all other applicable acts and regulations, including CRD bylaws.

The property has a registered statutory right-of-way (CA4276886) in favour of the Ministry of Transportation and Transit (MOTT) for drainage of overland water flow extending along the southern portion of the site, between Kirby Creek Road and Kirby Creek.

Official Community Plan Implications

The Shirley–Jordan River OCP designates the subject property as Coastal Uplands (CU). The intent of the CU designation is to support forestry uses on Privately Managed Forest Lands (PMFL). The CU designation also supports *low-impact tourism* and *recreation* uses, as well as *residential* and *agricultural* uses on lands that are no longer PMFL. Staff note that the OCP does not assign specific definitions or metrics to these terms to assess conformance.

The neighbouring area includes rural-scale recreational, industrial, and commercial uses, as well as community services and activities centered around the Shirley community hall and fire station. Staff are of the opinion that proposed Bylaw No. 4764, to rezone the property from RU2 to RU2-R to permit *outdoor recreation* and *accessory convenience store*, is consistent with the CU designation and the OCP's objective of maintaining Shirley's rural character. Since the OCP does not define *low-impact recreation*, the potential impact of the proposed use is assessed through the referral process and consideration of broader OCP policies and objectives.

Zoning Implications

The property is zoned RU2 under Bylaw No. 2040, which specifies a minimum parcel size of 4.0 ha and permits a *one-family dwelling*, *agriculture*, *farm buildings*. Typical rural zone accessory uses such as *secondary or detached accessory suite* and *home-based business* are permitted, as well as *accessory composting of waste generated on-site*. The RU2 zone specifies a maximum principal building height of 11.0 m, lot coverage of 10% and setbacks consistent with the rural residential zones in Bylaw No. 2040. Agriculture uses and buildings require increased setbacks of 30.0 m from the front lot line, and 15.0 m from all other lots lines.

The proposed Rural 2 – Recreation (RU2-R) zone maintains the currently permitted uses, density, and regulations; but adds *outdoor recreation* as a principal use with an accessory *convenience store* and regulations specific to those proposed uses. The RU2-R zone maintains the current maximum principal building height, but stipulates that no more than 49.0 % of the land parcel area shall be used for *outdoor recreation* purposes, which also must be setback at least 30.0 m from the front lot line, and 10.0 m from all other lot lines. The RU2-R zone also proposes that the 90.0 m² maximum floor area

specified for detached accessory suites also be used for the accessory *convenience store*, but as additional floor area beyond the 250.0 m² maximum for accessory buildings. However, the RU2-R zone would require the accessory *convenience store* to meet the same setbacks required for the *outdoor recreation* uses and maintains the 6.0 m maximum accessory building height. Anticipating that future patrons will drive to the property, the RU2-R zone includes setbacks for a gravel visitor parking area, requiring at least 7.5 m from the front and flanking lots lines, 1.5 m from the side lot lines, and 10.0 m from the rear lot line.

Planning Analysis

The proponent's primary objective is to offer *outdoor recreation* activities to the public on a rural property on Kirby Creek Road in Shirley near the community hall, fire station, and commercial area. The proposal included a comprehensive land use analysis, provincial permit, and plans conceptualizing a venue that includes trout fishing ponds, disc golf and archery. The use would be limited to no more than 49 percent of the 4.1 ha property's land. Other than the new *outdoor recreation* and accessory *convenience store* uses, the proposed RU2-R zone is similar to the current RU2 zone and consistent with Shirley-Jordan River OCP policies and the Coastal Uplands land use designation. The referral process will provide information to advise whether the scale is in keeping with the low-impact recreation use supported by the OCP. Should the application proceed, all comments received will be brought to the Land Use Committee for consideration.

CONCLUSION

The purpose of Bylaw No. 4764 is to rezone the 4.1 ha subject property from the Rural 2 (RU2) zone to a new Rural 2 – Recreation (RU2-R) zone to permit an *outdoor recreation* development with an accessory *convenience store* supplementing that use. Staff have prepared Bylaw No. 4764 for the LUC's consideration based on the information provided by the applicant.

RECOMMENDATION

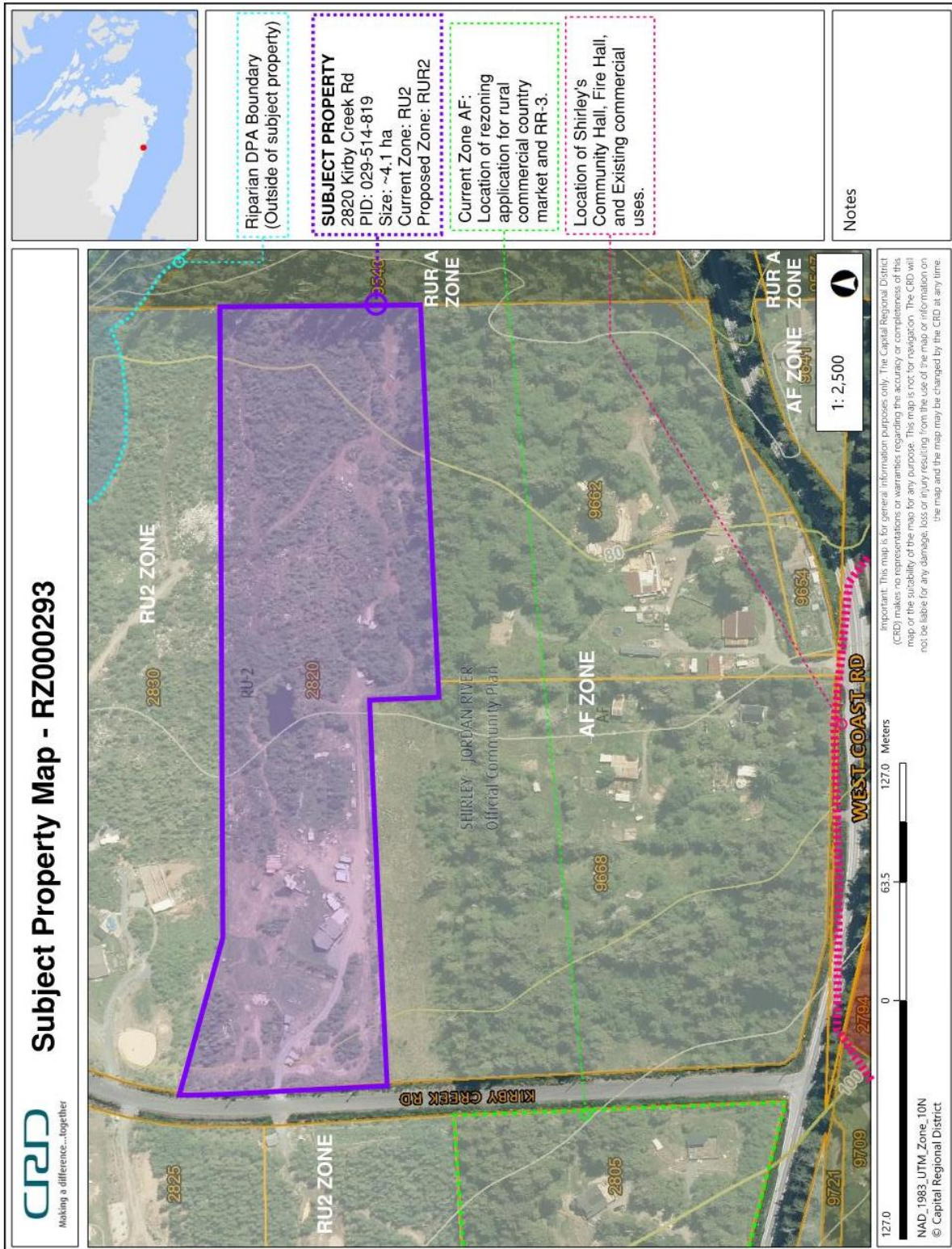
That staff be directed to refer proposed Bylaw No. 4764, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 170, 2026", to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, external agencies, and First Nations for comment.

Submitted by:	Iain Lawrence, MCIP, RPP, Senior Manager, Juan de Fuca Administration
Concurrence:	Dan Ovington, BBA, Acting General Manager, Electoral Area Services

ATTACHMENT(S)

- Appendix A: Subject Property Map
- Appendix B: Current Rural 2 (RU2) Zone
- Appendix C: Related Coastal Uplands Policies – Shirley Jordan River OCP
- Appendix D: Proposed Rural 2 – Recreation (RU2-R) Zone
- Appendix E: Supplementary Application Information
- Appendix F: Proposed Bylaw No. 4764

Appendix A: Subject Property Map



Appendix B: Current Rural 2 (RU2) Zone

Schedule "A" of Capital Regional District Bylaw No. 2040
Juan de Fuca Land Use Bylaw

3A.0 RURAL 2 ZONE – RU2

Bylaw 4259

3A.01 Permitted Principal Uses & Buildings

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted by the Rural 2 RU2 Zone:

- (a) Agriculture;
- (b) Farm Buildings on Farms;
- (c) Residential;
- (d) One-family Dwelling.

3A.02 Permitted Accessory Uses

- (a) Accessory buildings and structures ancillary to a permitted use pursuant to Part 1, section 4.01;
- (b) Secondary Suite pursuant to Part 1, Subsection 4.19;
- (c) Detached Accessory Suite pursuant to Part 1, Subsection 4.20;
- (d) Home Based Business Categories One, Two and Three;
- (e) Two Boarders or Lodgers;
- (f) One recreation vehicle may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors;
- (g) Composting of waste generated on-site.

3A.03 Minimum Parcel Size for Subdivision Purposes

- (a) The minimum lot size is 4 ha.

3A.04 Density

- (a) One one-family dwelling per lot is permitted.
- (b) One secondary suite or one detached accessory suite per lot is permitted.
- (c) Farm buildings and structures shall not exceed a total floor area 1,000m².
- (d) Residential buildings and structures shall not exceed a total floor area of 418 m².

3A.05 Height

- (a) The maximum height of principal buildings is 11 m.

3A.06 Lot Coverage

- (a) The maximum lot coverage shall be 10%.

3A.07 Yard Requirements

- (a) Residential buildings and structures shall be set back a minimum of:
 - a. 7.5 m from the front lot line;
 - b. 6 m from side lot lines;
 - c. 10 m from the rear lot line; and
 - d. 6 m CTS from flanking lot lines.
- (b) Except for grazing of livestock and growing of agricultural crops, agricultural uses and farm buildings shall be set back a minimum of:
 - a. 30 m from the front lot line;
 - b. 15 m from side, rear and flanking lot lines.

Schedule “A” of Capital Regional District Bylaw No. 2040
Juan de Fuca Land Use Bylaw

3A.08 Watercourse Setbacks

- (a) Agricultural uses and farm buildings and structures shall be a minimum of 15 m from the natural boundary of a watercourse.

3A.09 Definitions

- (a) For the purpose of the RURAL 2 zone – RU2, the following definitions apply:

Agriculture means the growing, rearing, producing or harvesting agricultural crops or livestock; apiculture; horticulture; silviculture; the use and storage of associated farm machinery, implements and agricultural supplies; includes the ancillary sale, storage and processing on a parcel of the primary products harvested, reared or produced on that parcel; excludes intensive agriculture, intensive agriculture – medical marihuana, licenced cannabis production pursuant to the *Cannabis Act*, kennels, aquaculture, growing of mushrooms within a building and the permanent confinement of livestock or animals of any kind within a building.

Farm Building means a structure which does not contain a residential occupancy and is: i) associated with and located on land devoted to the practice of farming; and ii) used essentially for the housing of agricultural crops or equipment or livestock including storage and processing of agricultural products produced on site; but excludes abattoirs, indoor equestrian riding arenas, and buildings for the permanent confinement of livestock or animals of any kind.

Appendix C: Related Coastal Upland Policies – Shirley Jordan River OCP

[\(Page 84 of the Shirley-Jordan River OCP\)](#)

403 Coastal Upland Land Use Designation

The intent of the Coastal Upland land use designation is to support the continued use of these lands for forestry. Lands in this designation consist primarily of *parcels* enrolled in the PMFL program or zoned for forestry uses. If lands are removed from the PMFL program, then land uses such as low-impact recreation and low-impact tourism are supported. Community parks, single-family residential, and agriculture are also supported in this designation.

[\(Page 109 of the Shirley-Jordan River OCP\)](#)

484 Policies for Development and Local Economy

- P. For lands designated as Coastal Upland on Schedule B, a density of one *parcel* per 4 hectares and one dwelling per *parcel* is supported.
- Q. On lands designated Coastal Upland, low impact tourism uses such as wilderness lodges and guiding camps are supported on lands removed from the PMFL program.
- S. On lands designated Coastal Upland or Renewable Resource, only those industrial uses associated with forestry and mining are acceptable.

Appendix D: Proposed Rural 2 – Recreation (RU2-R) Zone

Key changes between the current Rural 2 (RU2) zone and the newly proposed Rural 2 Recreation (RU2R) Zone are highlight in yellow with a blue outline.

3C.0 RURAL 2 RECREATION – RU2R

3C.01 Permitted Principal Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted by the Rural 2 Recreation RU2R Zone:

- (a) Agriculture;
- (b) Farm Buildings on Farms;
- (c) Residential;
- (d) One-family Dwelling;
- (e) Outdoor Recreation.

3C.02 Permitted Accessory Uses

In addition to the uses permitted by Section 3C.01 of Part 2 of this Bylaw, the following Accessory Uses in conjunction with a permitted Principal Use and no others shall be permitted:

- (a) Accessory buildings and structures ancillary to a permitted use pursuant to Part 1, section 4.01;
- (b) Secondary Suite pursuant to Part 1, Subsection 4.19;
- (c) Detached Accessory Suite pursuant to Part 1, Subsection 4.20;
- (d) Home Based Business Categories One, Two and Three;
- (e) Two Boarders or Lodgers;
- (f) One recreation vehicle may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors;
- (g) Composting of waste generated on-site;
- (h) Convenience Store accessory to the Outdoor Recreation Principal Use;

3C.03 Minimum Parcel Size for Subdivision Purposes

- (a) The minimum lot size is 4 ha.

3C.04 Density

- (a) One one-family dwelling per lot is permitted.
- (b) One secondary suite or one detached accessory suite per lot is permitted.
- (c) Farm buildings and structures shall not exceed a total floor area 1,000.0 m².
- (d) Residential buildings and structures shall not exceed a total floor area of 418.0 m².
- (e) No more than 49.0% of the parcel area shall be used for Outdoor Recreation uses or accessory and supporting uses and or outdoor areas.
- (f) One Convenience Store Accessory Use:
 - (i) Notwithstanding the maximum floor area stipulated by the "Convenience Store" definition in Section 2.0 of Part 1 of this Bylaw, the maximum floor area shall not exceed a total floor area of 90.0 m², in addition to the maximum total combined floor area for accessory buildings stipulated by Section 4.01 (c) of Part 1 of this Bylaw.

3C.05 Height

- (a) The maximum height of principal buildings and structures is 11.0 m.

3C.06 Lot Coverage

- (a) The maximum lot coverage shall be 10.0%.

3C.07 Yard Requirements

- (a) Residential buildings and structures shall be set back a minimum of:
 - i) 7.5 m from the front lot line;
 - ii) 6.0 m from side lot lines;
 - iii) 10 m from the rear lot line; and
 - iv) 6.0 m CTS from flanking lot lines.

- (b) Except for, grazing of livestock, growing of agricultural crops, agricultural uses, and farm buildings shall be set back a minimum of:
 - i) 30.0 m from the front lot line;
 - ii) 15.0 m from side, rear and flanking lot lines.

- (c) Except for, Outdoor Recreation Principal and Accessory Uses including a Convenience Store shall be set back a minimum of:
 - i) 30.0 m from the front lot line;
 - ii) 10.0m from side, rear and flanking lines.
- (e) Except for parking spaces and areas apart of the Outdoor Recreation Use shall be set back a minimum of:
 - i) 7.5 m from the front lot line;
 - ii). 1.5 m from side lot lines;
 - iii) 10.0 m from the rear lot line; and
 - iv) 7.5 m CTS from flanking lot lines.

3C.08 Watercourse Setbacks

- (a) Agricultural uses and farm buildings and structures shall be a minimum of 15 m from the natural boundary of a watercourse.

3C.09 Definitions

- (a) For the purpose of the Rural 2 Recreation RU2R, the following definitions apply:

Agriculture means the growing, rearing, producing or harvesting agricultural crops or livestock; apiculture; horticulture; silviculture; the use and storage of associated farm machinery, implements and agricultural supplies; includes the ancillary sale, storage and processing on a parcel of the primary products harvested, reared or produced on that parcel; excludes intensive agriculture, intensive agriculture – medical marihuana, licensed cannabis production pursuant to the Cannabis Act, kennels, aquaculture, growing of mushrooms within a building and the permanent confinement of livestock or animals of any kind within a building.

Farm Building means a structure which does not contain a residential occupancy and is: i) associated with and located on land devoted to the practice of farming; and ii) used essentially for the housing of agricultural crops or equipment or livestock including storage and processing of agricultural products produced on site; but excludes abattoirs, indoor equestrian riding arenas, and buildings for the permanent confinement of livestock or animals of any kind.

Outdoor Recreation means permanent development or use providing outdoor facilities for recreation activities, where patrons are the primary participants; and without limiting the generality of the foregoing includes non-motorized multiuse trail, hiking, picnic areas, fishing, archery, and disc golf establishments.

Appendix E: Supplementary Application Information

Land Use Analysis



Danaca Consulting
2554 Sooke River Road
Sooke, BC V9Z 0X8
Tel: 250.588.8208
danacaconsulting@gmail.com

February 9, 2026

Juan de Fuca Planning Department
Capital Regional District
3-7450 Butler Road
Sooke, BC V9Z 1N1

Dear Mr. Lawrence,

Subject: Rationale for Rezoning Request at 2820 Kirby Creek Road

On behalf of our client, we are submitting this request for rezoning 2820 Kirby Creek Road from Rural 2 Zone - RU2 to a new zone Rural 2 Recreation Zone – RU-2R. The proposed rezoning to allow low-impact outdoor recreation on the 4.05-hectare parcel at 2820 Kirby Creek Road seeks to align permitted neighbourhood land uses with the site's physical characteristics, the intent of the Official Community Plan, and opportunities to deliver meaningful community benefits. The vision emphasizes low impact, family-oriented, and environmentally compatible outdoor recreational activities.

Background

The subject property at 2820 Kirby Creek Road is 4.05 hectares (10.01 acres). The lot is Rural 2 Zone RU2, is within the Coastal Upland designation Shirley – Jordan River Official Community Plan (OCP), Bylaw No. 4001. The parcel is within the Shirley Fire Protection Service Area, but outside a community water service area. The property contains a one-family dwelling unit that is serviced by a well and septic system. Adjoining And nearby

There is a 5 m wide easement, registered in favour of the Ministry of Transportation and Transit, on the southern property line that drains surface water runoff. It is expected that the proposed rezoning and subsequent development will not impact the easement. There are no watercourses on the property however there is a small ravine slope buffer zone (50 sq m) in the northeast corner of the property and a Riparian Areas Protection Regulation buffer on the bordering property. It is expected that the proposed rezoning and subsequent development will not impact this riparian area as all current applicable

Land Use Analysis

setbacks will be maintained. The property has approximately 10 m drop in elevation from the northwest to the southeast over its approximate 185 m length. The surface water generally flows southeast.

Statement of Proposed Use

The applicant proposes to rezone the subject property to permit low-impact recreational use in support of a small-scale, locally run family business offering outdoor activities aligned with the site's natural character and the Shirley–Jordan River OCP vision for Coastal Uplands.

Planned recreational components include:

- Three (3) man-made rainbow trout ponds for u-catch recreational fishing. The existing pond is approximately 370 sq m and is, at its' maximum, 3 m deep. Future ponds would be the same size or larger, to approximately 750 sq m and the same maximum depth (3 m). The ponds will be lined. Rainfall and overland flows will be used to fill the ponds as using trucked water is cost prohibitive.
- An archery range featuring low-speed, instructional longbow use intended for newcomers and supervised small group lessons.
- A 9-hole disc golf course designed with careful trail integration to ensure slow play and safety, targeting youth and family engagement.
- A mowed open field area supporting low-impact field games such as cornhole, bocce, croquet, tag, and badminton.

This facility will operate as a "mom-and-pop" style venture, gradually developing in phases with minimal disruption to surrounding properties. The atmosphere is envisioned as informal and family-friendly, with the primary ambient sound being laughter and social enjoyment.

Site services and infrastructure will include:

- Gravel parking for up to 10 vehicles.
- Public toilets with VIHA-approved septic systems.
- Small accessory storage shed(s).
- A small concession kiosk/pavilion offering supplementary items such as pre-packaged snacks, bottled drinks, bait, lures, Frisbees, and apparel to support recreational activities. The floor area for the accessory retail store use will be a maximum of 90 m².
- Water for recreational users (i.e. toilets) supplied entirely via truck and stored in on-site tanks with no impact to domestic or ground water systems.

Target user groups include families, school and educational programs, outdoor enthusiasts, and residents. The project is expected to enhance safe, nature-based tourism and community recreation opportunities in the Shirley and Juan de Fuca region.

Land Use Analysis

Rationale for Zone

This request aligns with zoning best practices that support place-based rural tourism and outdoor activity and would be enabled through rezone to a zone tailored to low-impact outdoor recreation combined with residential use. The zone allows the principal and accessory uses of the existing and neighbouring RU2 but layers low impact outdoor recreation as a principal use, and concession and parking as permitted accessory uses.

- **Site-specific suitability:** The site features seasonal surface water flow, abundant low-elevation drainage, and no watercourses. These conditions are ideal for low impact outdoor recreation without disruption to sensitive ecological systems.
- **OCP Alignment:** The Shirley-Jordan River OCP supports outdoor recreation as part of the “Coastal Uplands” land designation and encourages uses that promote wellness, local tourism, and environmental education.
- **Existing precedents:** Immediately adjacent land uses include a Girl Guides camp, Shirley Delicious, Shirley Fire Department, residential uses, and forestry/sawmill operations, all of which affirm the area’s mixed rural character and compatibility with family-oriented outdoor recreation.

Conclusion

The requested rezoning will support local economic development by expanding recreational offerings within “downtown” Shirley. This proposal enhances access to safe, family-friendly outdoor activities that complement the growing tourism sector in the Shirley and Juan de Fuca region. It offers both residents and visitors a welcoming, well-managed setting to experience and appreciate the unique natural and cultural character of Shirley.

We appreciate your consideration and would be pleased to provide any further information required.

Sincerely,



Laura Hooper M.Sc. P. Ag.

Principal



Provincial Permit
(Trout Fishing Ponds)

PERMIT

34720-20


WILDLIFE ACT
PERMIT NA25-1008376

PERMIT HOLDER	[REDACTED] 2820 Kirby Creek Road [REDACTED]
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IS AUTHORIZED UNDER s. 2.1 (2) of the Permit Regulation, B.C. Reg. 253/2000

TO	Transport in British Columbia, rainbow trout from a licenced aquaculture facility to the pond* located at 2820 Kirby Creek Rd, Shirley, BC, [REDACTED] PID 029-514-819 LOT A District LOT 87 RENFREW DISTRICT PLAN EPP 31225 and to hold rainbow trout in that pond. *See Section 2.1 on page 3 for definition of pond.
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SUBJECT TO THE FOLLOWING:

TERMS OF PERMIT	<ol style="list-style-type: none"> 1. This permit is only valid for the rainbow trout pond located at 2820 Kirby creek rd, Shirley, BC, [REDACTED] PID 029-514-819 LOT A District LOT 87 RENFREW DISTRICT PLAN EPP 31225. 2. The permit holder must comply with all laws applicable to the activities carried out under this permit. 3. The pond must not be used for commercial aquaculture. 4. The pond must be a CLOSED SYSTEM that is NOT connected to a natural watercourse in any way. 5. Rainbow trout held in the pond must not be able to escape to tidal or non-tidal waters if the pond overflows or is flooded. 6. The permit holder must take all reasonably necessary steps to ensure that public safety is not jeopardized, and fish or wildlife habitat is not damaged by any action taken under authority of this permit. 7. The permit holder must ensure that the fish are treated in a humane manner and are not subjected to any unnecessary harm or suffering. 8. The permit holder must transport the fish only by the most direct route from the licenced facility to the pond. 9. The permit holder must not release to public waters, water from any shipping container used to transport the fish. 10. The permit holder must provide at his or her own expense, for disease control, any prophylactic treatment for the fish or fish eggs that is prescribed by an Officer under the <i>Wildlife Act</i>.
COMPLIANCE ADVISORY	Failure to comply with any term of this permit is an offence under the <i>Wildlife Act</i> , and may result in any or all of prosecution, suspension of the permit, cancellation of the permit, ineligibility for future permits, and denial of future permit requests.
PERIOD OF PERMIT	This permit is only valid from December 15, 2025 to December 14, 2030
DATE OF ISSUE	December 15, 2025
SIGNATURE OF ISSUER	 Sean Pendergast Deputy Regional Manager Recreational Fisheries & Wildlife Programs West Coast Region

ADVISORY

Provincial Permit
(Trout Fishing Ponds)

PERMIT NA25-1008376

GENERAL

- It is the permit holder's responsibility to be aware of all applicable laws and the limits of this permit. For example, this permit does not give the permit holder authority to access or travel through any private land without permission from the landowner.
- The Province is not liable for any illness contracted through wildlife handling. It is the responsibility of the permit holder to inform themselves of possible health hazards, and to ensure that all reasonably necessary safety measures are undertaken.
- If applicable, the permit holder is responsible for renewing this permit. The issuer is not obliged to send a reminder notice.

LEGISLATION

Below is a non-exhaustive list of provisions under the *Wildlife Act* and regulations that are relevant to this permit. It is the permit holder's responsibility to be aware of any provisions under the *Wildlife Act* or regulations that may apply to this permit.

Wildlife Act

Documents not transferable

81 Except as authorized by regulation or as otherwise provided under this Act, a licence, permit or limited entry hunting authorization is not transferable, and a person commits an offence if the person

- (a) allows his or her licence, permit or limited entry hunting authorization to be used by another person, or
- (b) uses another person's licence, permit or limited entry hunting authorization.

Failure to pay fine

85 (1) This section applies if a person

- (a) fails to pay, within the time required by law, a fine imposed as a result of the person's conviction for an offence under this Act or the *Firearm Act*, and
- (b) has been served with notice of this section.

(2) In the circumstances referred to in subsection (1),

- (a) the person's right to apply for or obtain a licence, permit or limited entry hunting authorization under this Act is suspended immediately and automatically on the failure to pay the fine,
- (b) all licences, permits and limited entry hunting authorizations issued to that person under this Act are cancelled immediately and automatically on the failure to pay the fine,
- (b.1) the person must not apply for employment as an assistant guide,
- (b.2) the person must not guide as an assistant guide, and
- (c) the person commits an offence if, before that fine is paid, the person
 - (i) applies for, or in any way obtains, a licence, permit or limited entry hunting authorization under this Act,
 - (ii) does anything for which a licence, permit or limited entry hunting authorization under this Act is required,
 - (iii) applies for employment as an assistant guide, or
 - (iv) guides as an assistant guide.

Proof of identity and authorization

97 (1) In this section, "authorization" means a licence, permit or limited entry hunting authorization issued under this Act.

(2) Subject to subsection (5), a person who is required to hold an authorization must, on the request of an officer,

- (a) state the person's name and address,
- (b) produce prescribed photo identification, and
- (c) demonstrate in accordance with subsection (3) that the person holds the authorization.

(3) A person may demonstrate that the person holds an authorization by

- (a) producing the authorization, or
- (b) unless the regulations require that the original authorization be produced,
 - (i) producing a legible copy of the authorization, or
 - (ii) if authorized by the regulations, stating a number assigned to the person by the director as an identification number for the person.

**Provincial Permit
(Trout Fishing Ponds)**

- (4) Subject to subsection (5), a person who would be required to hold a licence or permit issued under this Act were the person not exempt under section 11 (9) or 12 (b) must, on the request of an officer,
- (a) state the person's name and address, and
 - (b) produce prescribed photo identification.
- (5) Subsections (2) (b) and (4) (b) do not apply to a person in a prescribed class of persons.
- (6) A person who contravenes subsection (2) or (4) commits an offence.

Permit Regulation

Rainbow trout ponds

2.1 (1) In this section "pond" means an artificially created pool of water

- (a) that is a closed-system for holding rainbow trout,
- (b) that is not connected to a natural watercourse,
- (c) from which rainbow trout cannot escape to tidal or non-tidal waters if the pond overflows, and
- (d) that is not used for commercial aquaculture.

General offence – failure to comply with permit

8 A person who holds a permit under the Act or this regulation commits an offence if the person fails to comply with a term of the permit.

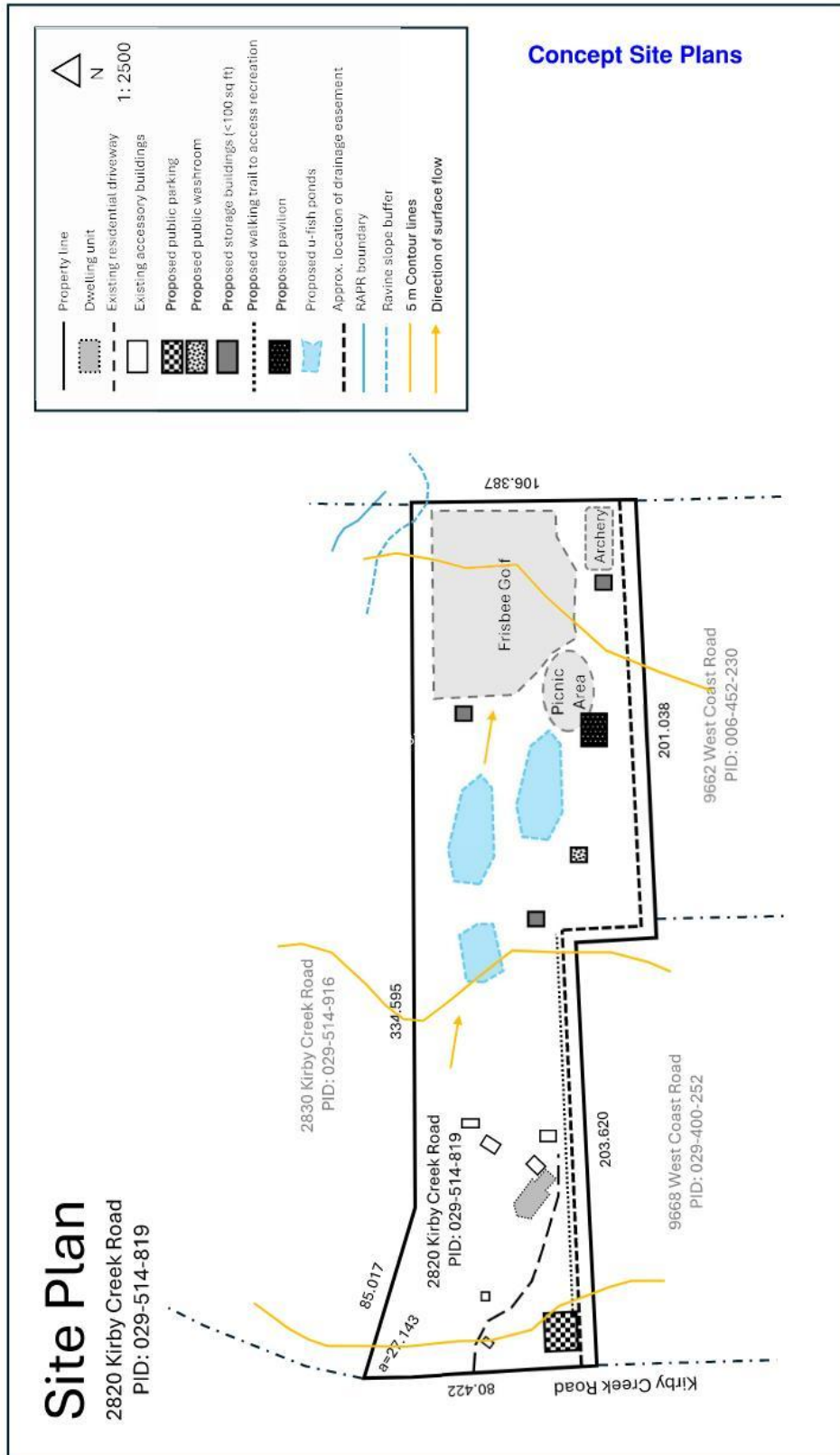
Wildlife Act General Regulation

Proof of identity

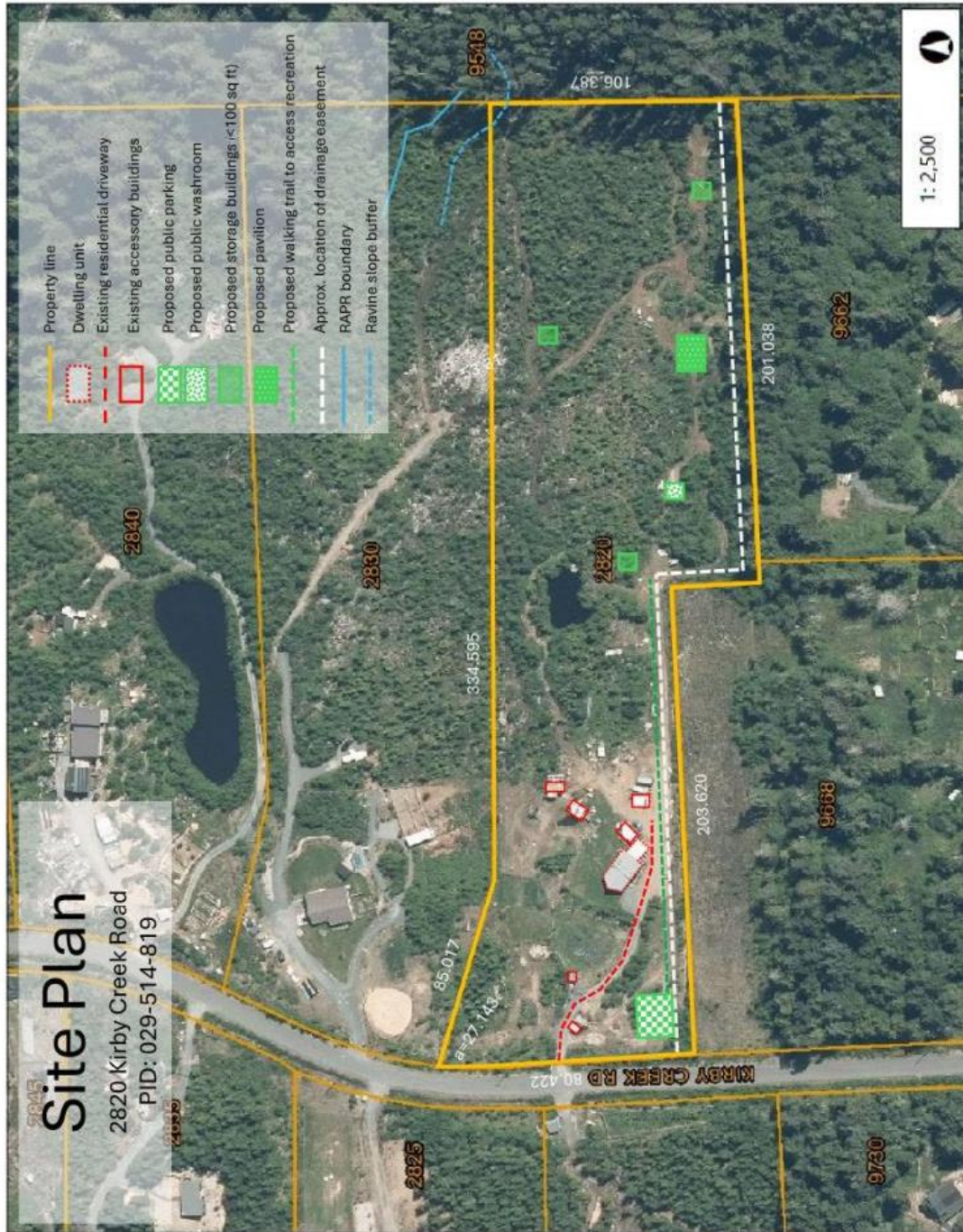
21.01 (1) For the purposes of section 97 (2)(b) and (4)(b) of the Act, the following photo identification is prescribed:

- (a) valid photo identification issued to a person by any of the following:
 - (i) the government of Canada;
 - (ii) the government of a province or territory, or an agent of the government of a province or territory, in which the person has a current address;
 - (iii) the Nisga'a Nation, if the person is a Nisga'a citizen;
 - (iv) a treaty first nation, if the person is a treaty first nation member of the treaty first nation;
- (b) in the case of a person who is a non-resident alien, valid photo identification in the form of
 - (i) valid photo identification in the form of
 - (A) a passport, or
 - (B) a driver's licence issued to the person by a foreign jurisdiction in which the person has a current address, or
 - (ii) a copy of a photo identification referred to in subparagraph (i) that has been certified as a true copy by
 - (A) a lawyer, or
 - (B) a notary who is a member in good standing under the *Notaries Act*
- (c) in any case, a valid NEXUS card.

(2) For the purposes of section 97 (5) of the Act, persons under 16 years of age are prescribed as exempt from the requirement to produce photo identification.



Concept Site Plans



**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4764**

A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended as follows:

A. SCHEDULE A, PART 1, SECTION 2 – DEFINITIONS

- (a) By deleting the definition of RURAL ZONE and replacing it with a new definition as follows:

"RURAL ZONE means A, AG, AG-1, AF, AW, RL, RU2, RU2-R;"

B. SCHEDULE A, PART 1, SECTION 3.07

- (a) By adding the words "Rural 2 – Recreation Zone" below the words "Rural 2 Zone"

C. SCHEDULE A, PART 2 - ZONING DISTRICTS

- (a) By adding the new section 3C.0 Rural 2 – Recreation Zone – RU2-R as follows:

3C.0 RURAL 2 – RECREATION ZONE – RU2-R

3C.01 Permitted Principal Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted by the Rural 2 – Recreation RU2-R Zone:

- (a) Agriculture;
- (b) Farm Buildings on Farms;
- (c) Residential;
- (d) One-family Dwelling;
- (e) Outdoor Recreation.

3C.02 Permitted Accessory Uses

In addition to the uses permitted by Section 3C.01 of Part 2 of this Bylaw, the following Accessory Uses in conjunction with a permitted Principal Use and no others shall be permitted:

- (a) Accessory buildings and structures ancillary to a permitted use pursuant to Part 1, section 4.01;
- (b) Secondary Suite pursuant to Part 1, Subsection 4.19;
- (c) Detached Accessory Suite pursuant to Part 1, Subsection 4.20;
- (d) Home Based Business Categories One, Two and Three;
- (e) Two Boarders or Lodgers;
- (f) One recreation vehicle may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors;
- (g) Composting of waste generated on-site;
- (h) Convenience Store accessory to the Outdoor Recreation Principal Use;

3C.03 Minimum Parcel Size for Subdivision Purposes

- (a) The minimum lot size is 4 ha.

3C.04 Density

- (a) One one-family dwelling per lot is permitted.
(b) One secondary suite or one detached accessory suite per lot is permitted.
(c) Farm buildings and structures shall not exceed a total floor area 1,000.0 m².
(d) Residential buildings and structures shall not exceed a total floor area of 418.0 m².
(e) No more than 49.0% of the parcel area shall be used for Outdoor Recreation uses or accessory and supporting uses and or outdoor areas.
(f) One Convenience Store Accessory Use:
i) Notwithstanding the maximum floor area stipulated by the "Convenience Store" definition in Section 2.0 of Part 1 of this Bylaw, the maximum floor area shall not exceed a total floor area of 90.0 m², in addition to the maximum total combined floor area for accessory buildings stipulated by Section 4.01 (c) of Part 1 of this Bylaw.

3C.05 Height

- (a) The maximum height of principal buildings and structures is 11.0 m.

3C.06 Lot Coverage

- (a) The maximum lot coverage shall be 10.0%.

3C.07 Yard Requirements

- (a) Residential buildings and structures shall be set back a minimum of:
i) 7.5 m from the front lot line;
ii) 6.0 m from side lot lines;
iii) 10 m from the rear lot line; and
iv) 6.0 m CTS from flanking lot lines.
(b) Except for grazing of livestock and growing of agricultural crops, agricultural uses, and farm buildings shall be set back a minimum of:
i) 30.0 m from the front lot line;
ii) 15.0 m from side, rear and flanking lot lines.
(c) Except for, Outdoor Recreation Principal and Accessory Uses including a Convenience Store shall be set back a minimum of:
i) 30.0 m from the front lot line;
ii) 10.0 m from side, rear and flanking lines.
(d) Except for parking spaces and areas apart of the Outdoor Recreation Use shall be set back a minimum of:
i) 7.5 m from the front lot line;
ii) 1.5 m from side lot lines;
iii) 10.0 m from the rear lot line; and
iv) 7.5 m CTS from flanking lot lines.

3C.08 Watercourse Setbacks

- (a) Agricultural uses and farm buildings and structures shall be a minimum of 15.0 m from the natural boundary of a watercourse.

CRD Bylaw No. 4764

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3C.09 Definitions

- (a) For the purpose of the Rural 2 – Recreation RU2-R Zone, the following definitions apply:

Agriculture means the growing, rearing, producing or harvesting agricultural crops or livestock; apiculture; horticulture; silviculture; the use and storage of associated farm machinery, implements and agricultural supplies; includes the ancillary sale, storage and processing on a parcel of the primary products harvested, reared or produced on that parcel; excludes intensive agriculture, intensive agriculture – medical marihuana, licensed cannabis production pursuant to the Cannabis Act, kennels, aquaculture, growing of mushrooms within a building and the permanent confinement of livestock or animals of any kind within a building.

Farm Building means a structure which does not contain a residential occupancy and is: i) associated with and located on land devoted to the practice of farming; and ii) used essentially for the housing of agricultural crops or equipment or livestock including storage and processing of agricultural products produced on site; but excludes abattoirs, indoor equestrian riding arenas, and buildings for the permanent confinement of livestock or animals of any kind.

Outdoor Recreation means permanent development or use providing outdoor facilities for recreation activities, where patrons are the primary participants; and without limiting the generality of the foregoing includes non-motorized multiuse trail, hiking, picnic areas, fishing, archery, and disc golf establishments.

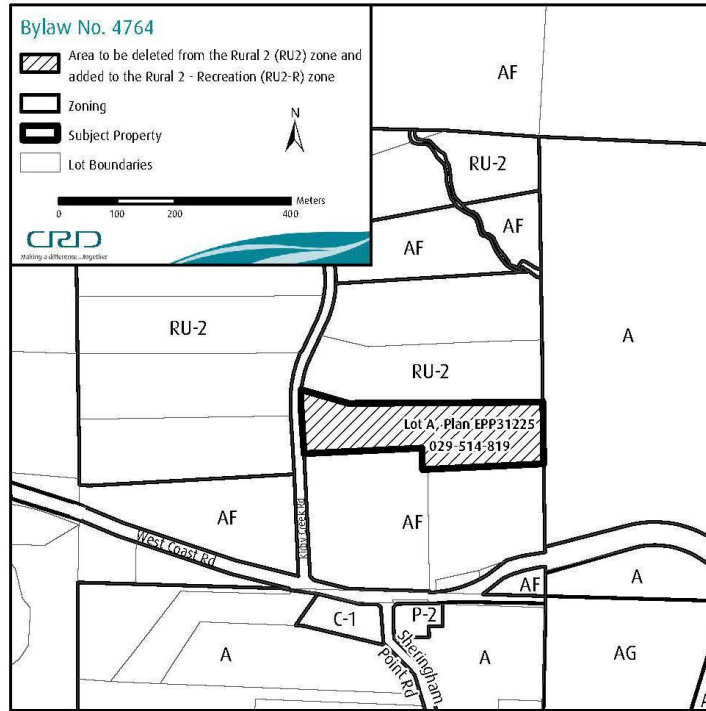
CRD Bylaw No. 4764

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D. SCHEDULE B, ZONING MAPS

- (a) By deleting Lot A, District Lot 87, Renfrew District, Plan EPP31225 from the Rural 2 Zone – RU2 and adding it to the Rural 2 – Recreation RU2-R Zone as shown on Plan No. 1.

Plan No. 1 of Bylaw No. 4764, an amendment to Bylaw No. 2040



2. This Bylaw may be cited as "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 170, 2026".

READ A FIRST TIME THIS	day of	202X
READ A SECOND TIME THIS	day of	202X
READ A THIRD TIME THIS	day of	202X
ADOPTED THIS	day of	202X

 CHAIR

 CORPORATE OFFICE