

JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **July 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 May 19, 2026
4. Chair's Report
5. Planner's Report
6. Zoning Amendment Application
 - a) RZ000293 – Zoning Amendment Application for 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, May 19, 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;
Wendy Miller, Recorder
PUBLIC: 2 in-person; 2 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 Dale Risvold, **SECONDED** by Anna Russell that the agenda be approved.

CARRIED

3. Adoption of Minutes of April 21, 2026

MOVED by Anna Russell, **SECONDED** by Ron Ramsay that the minutes from the meeting of April 21, 2026, be adopted.

CARRIED

4. Chair's Report

The Chair stated that each Juan de Fuca community is unique and that development applications should be evaluated based on the specific community in question, rather than in comparison to other communities or jurisdictions.

5. Planner's Report

It was reported that Zoning Amendment Application RZ000290, which was considered by the LUC in March and proposed re-designating a portion of the subject property from Residential to Tourism Commercial; and rezoning 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One (CR-1) zone to a new Multi-unit Dwelling One (MD-1) zone and the Tourist Commercial One (TC-1) zone, has been withdrawn by the applicant.

It was advised that the LUC will adjourn for June and that the JdF Official Community Plan (OCP) Steering Committee may be requested to meet in June to consider the Juan de Fuca Electoral Area OCP project.

6. Zoning Amendment Application

a) RZ000294 – Lot 22, Section 77, Renfrew District, Plan VIP58128 (10602 Sherburne Drive)

Iain Lawrence spoke to the application to rezone the subject property from the Forestry (AF) zone to a new Rural 3 – Home Brewery (RU3) zone to permit home brewery accessory to a principal residential use.

The property location, concept site plan and the proposed RU3 zone were highlighted.

It was confirmed that the applicants were present.

Applicant comments included:

- the existing home brewery has a manufacturing licence with on-site store endorsement with the Liquor and Cannabis Regulation Branch (LCRB)
- the zoning amendment does not propose a change to the manufacturing space/size
- the zoning amendment proposes a picnic area for onsite consumption
- the picnic area would accommodate visitors wishing to sit outside, including those with dogs
- the property needs to be rezoned to permit the picnic area to satisfy LCRB requirements
- brewery processing water is directed to a holding tank for irrigation use

LUC discussion ensued regarding:

- the provided Emergency Response Plan notes a marina operation and the Port Renfrew Volunteer Fire Department
- parking requirements to accommodate the increase in visitors
- proposed Bylaw No. 4766 limits hours of operation to three days per calendar week

Iain Lawrence responded to a question from the LUC advising that temporary use permits allow specific land uses to occur for a period of up to 3 years, and that they may be renewed once for an additional 3 years.

MOVED by Dale Risvold, **SECONDED** Vern McConnell that proposed Bylaw No. 4766 be amended to strike "on no more than 3 days per calendar week and" from 3D.08 Hours of Operation.

CARRIED

MOVED by Dale Risvold, **SECONDED** by Vern McConnell that staff be directed to refer proposed Bylaw No. 4766, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 171, 2026", as amended, to the Shirley-Jordan River Advisory Planning Commission, appropriate CRD departments, external agencies, and First Nations for comment.

CARRIED

7. Adjournment

MOVED by Dale Risvold, **SECONDED** by Anna Russell that the meeting be adjourned at 7:41 pm.

Chair



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

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

ISSUE SUMMARY

To consider a zoning amendment application 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) under the Juan de Fuca Land Use Bylaw (Appendix B) and is designated Coastal Uplands (CU) by the Shirley-Jordan River Official Community Plan (OCP) (Appendix C). No development permit areas (DPAs) affecting the parcel have been identified by the OCP.

An application has been submitted to rezone the subject property from the RU2 zone to a new Rural 2 – Recreation (RU2-R) zone to permit *outdoor recreation*, with an accessory *convenience store*. In accordance with the proposal, staff have prepared proposed Bylaw No. 4764 (Appendix D).

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. The proposed accessory *convenience store* use would permit a building or structure that could offer items such as recreation equipment and pre-packaged food and drinks. The application included a land use analysis, conceptual site plans illustrating parking and outdoor activity areas, and a *Wildlife Act* permit to authorize a trout pond (Appendix E). The proponent anticipates providing complementary facilities for patrons such as an outdoor picnic area and restrooms.

At its meeting of April 21, 2026, the Juan de Fuca Land Use Committee (LUC) recommended referral of proposed Bylaw No. 4764 to First Nations, CRD departments, the Shirley-Jordan River Advisory Planning Commission (APC) and external agencies: BC Hydro; District of Sooke; Island Health; Ministry of Forests – Archaeology Branch; Ministry of Forests – Water Protection Section; Ministry of Land, Water and Resource Stewardship; Ministry of Transportation & Transit; RCMP; Sooke School District # 62. Comments have been received and are included in Appendix F.

ALTERNATIVES

Alternative 1

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

1. That the referral of proposed Bylaw No. 4764, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 170, 2026", to the Shirley-Jordan River Advisory Planning Commission, CRD departments, First Nations and external agencies be approved and comments be received;
2. That proposed Bylaw No. 4764 be read a first and second time; and
3. That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director of the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4764.

Alternative 2

That proposed Bylaw No. 4764 not proceed.

IMPLICATIONS

Legislative Implications

The 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 River APC considered the application at its meeting on June 3, 2026.

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. Property owners within 500 m of the subject property will be sent notice of the proposed bylaw amendment and the public hearing will be advertised in the local paper and on the CRD website.

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.

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 proponent to better inform consideration of the proposal. Comments received are summarized below and included in Appendix F.

Pacheedaht First Nation had no comment regarding the proposed rezoning.

T'Sou-ke First Nation requested a site visit during the referral period; however, the proponent expressed preference to discuss the proposal at an in-person meeting with the Nation and the CRD at the Nation's office. Following that meeting, T'Sou-ke Nation provided formal comments emphasizing the need to protect archaeological, environmental, and cultural values, including completion of an archaeological assessment and ongoing consultation. The Nation requested involvement in monitoring and notification and participation during ground disturbing activities, particularly if any cultural or archaeological materials are encountered.

Referral Comments

In addition to the First Nations noted above, referrals were sent to external agencies, relevant CRD departments, and to the Shirley-Jordan River APC. Comments received are summarized below.

BC Hydro stated that they had no objection in principle to the proposed rezoning.

Ministry of Land, Water, and Resource Stewardship – Ecosystems Branch recommended surveying the property for connections to natural watercourses or wetlands. The Branch noted that the application area lies within partially identified critical habitat for the Little Brown Myotis, Northern Myotis and Tri-colored Bat. They advised applying standard environmental best practices and reporting any bat sightings to the Ministry.

Ministry of Land, Water, and Resource Stewardship – Groundwater Branch has no concerns with the proposal; however, a water licence will be required if a well is used for future commercial purposes.

Ministry of Transportation and Transit advised that the Ministry approval of the Bylaw does not apply in this area; however, a commercial access permit will be required. In addition, future development must not impact the drainage channel within their statutory right-of-way (CA4276886).

CRD First Nations Relations commented that while there are no registered archaeological sites on or immediately adjacent to the property, there is no record of any archaeological assessments that included the subject property. A *Heritage Conservation Act* permit is not required prior to development; however, there could be significant delays in acquiring a permit if archaeological deposits, features, or materials are identified during land alteration.

CRD Electoral Area Emergency Programs and CRD Bylaw Enforcement services stated no concerns.

A Public Information Meeting was held in the community, and the Shirley-Jordan River APC considered the application on June 3, 2026, with approximately five members of the public in attendance. The APC passed the following motion with respect to Bylaw No. 4764.

MOVED by Fiona McDannold, **SECONDED** by Melody Kimmel that having considered the proposed bylaw, the Shirley-Jordan River Advisory Planning Commission supports zoning amendment application RZ000293 for Lot A, District Lot 87, Renfrew District, Plan EPP31225, as presented.

Intergovernmental Implications

The proponent 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 proponent's qualified environmental professional confirmed that there are no watercourses on-site, and while a nearby ravine slightly overlaps the northeast corner, no impacts to the adjacent riparian system are anticipated. Existing "U-catch" permit conditions will help prevent potential impacts, if any.

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. The Ministry has highlighted that development must not impact the right-of-way. In addition, the landowner will be required to obtain an access permit prior to commercial operations.

Official Community Plan Context and Policy 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 Private 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. While the OCP does not define *low-impact recreation*, both the APC and the public in attendance at the public information meeting expressed support for the size and type of proposed outdoor

recreation activities and venue. Based on this feedback, along with a review of relevant OCP policies, staff are of the opinion that the proposal is consistent with the CU designation and the OCP's objective of maintaining Shirley's rural character.

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* and *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*. The RU2-R zone maintains the current maximum principal building height, but stipulates that less than 50% of the land parcel area may be used for *outdoor recreation* purposes. Setbacks specified for the use are 30.0 m from the front lot line and 10.0 m from all other lot lines. The RU2-R zone restricts the maximum floor area for the accessory *convenience store* to 90 m², rather than 280 m² as currently specified by Bylaw No. 2040. The accessory *convenience store* would be required to comply with the setbacks specified for *outdoor recreation* uses, and be limited to a maximum accessory building height of 6.0 m. The RU2-R zone also includes setbacks for a gravel visitor parking area.

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. The subject property is located in the vicinity of the Shirley community hall and fire station and to an existing commercial area. The proposal included a comprehensive land use analysis, plans conceptualizing a venue that includes fishing ponds, disc golf and archery, as well as a provincial permit to authorize a trout pond. The proposed zone regulations would limit the area devoted to the use to less than half of the 4.1 ha property. Other than the new *outdoor recreation* and accessory *convenience store* uses, the proposed RU2-R zone is similar to the current RU2 zone and is consistent with Shirley-Jordan River OCP policies and the Coastal Uplands land use designation. Referral comments received, including a recommendation of support for the application from the Shirley-Jordan River APC, suggest that the scale is in keeping with the *low-impact recreation* use supported by the OCP.

Based on the proposal, comments received, and the policies of the Shirley – Jordan River OCP, staff recommend that proposed Bylaw No. 4764 be read a first, second and third time and that Bylaw No. 4764 proceed to a public hearing.

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* venue and an accessory *convenience store*. Based on the information provided and the referral comments received, staff recommend that the referral be approved, that comments be received, that Bylaw No. 4764 be read a first and second time, and that a Public Hearing with respect to the Bylaw be held by the Electoral Area Director.

RECOMMENDATION

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

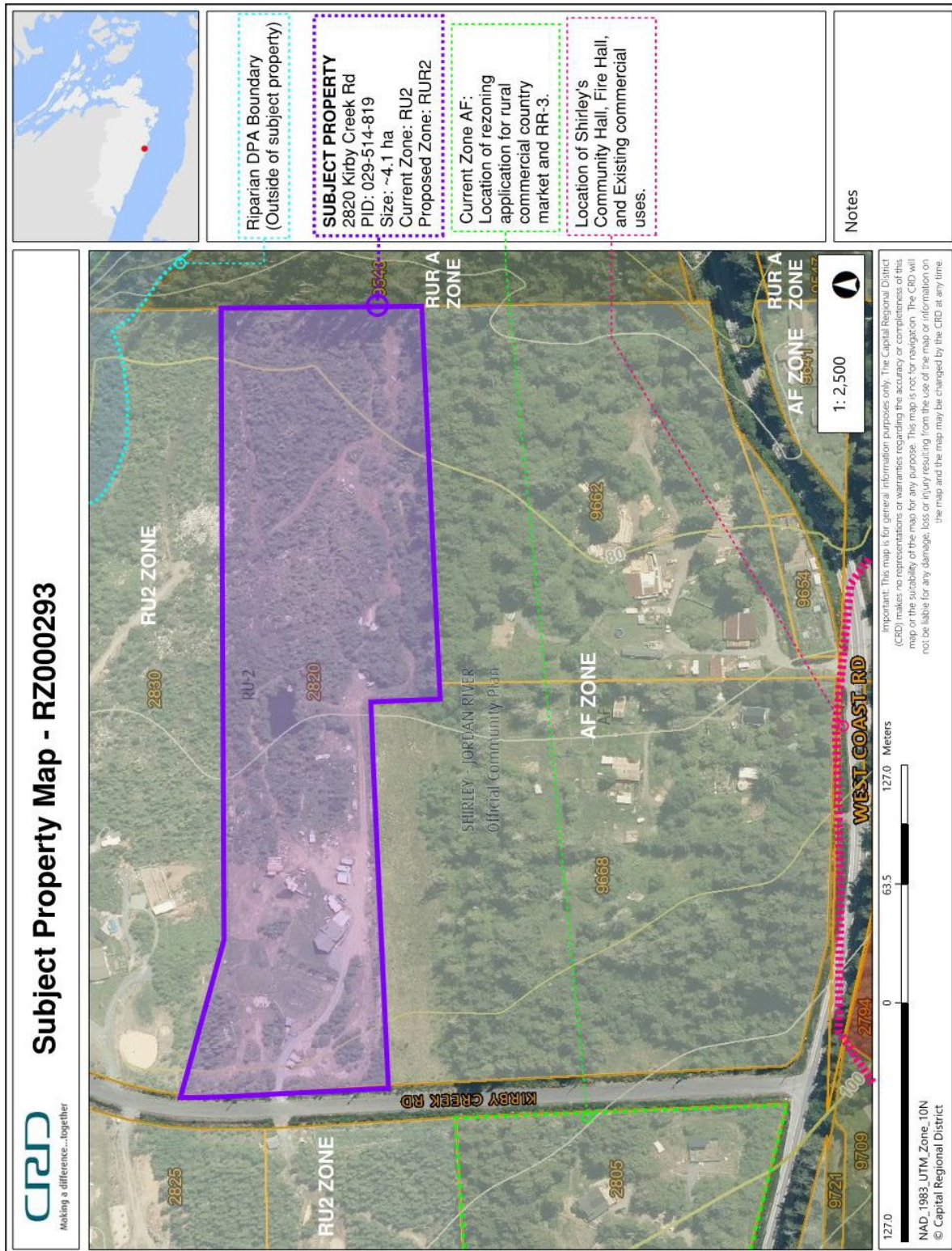
1. That the referral of proposed Bylaw No. 4764, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 170, 2026", to the Shirley-Jordan River Advisory Planning Commission, CRD departments, First Nations and external agencies be approved and comments be received;
2. That proposed Bylaw No. 4764 be read a first and second time; and
3. That in accordance with the provisions of Section 469 of the *Local Government Act*, the Director of the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4764.

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

ATTACHMENTS

- 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 Bylaw No. 4764
- Appendix E: Supplementary Application Information
- Appendix F: Referral Comments

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 Uplands 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 Bylaw No. 4764

**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 "RU2-R Rural 2 – Recreation Zone" below the words "RU2 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 of 1,000 m².
(d) Residential buildings and structures shall not exceed a total floor area of 418.0 m².
(e) Outdoor recreation uses and related accessory uses and buildings must occupy less than 50% of the parcel area.
(f) One convenience store accessory to outdoor recreation:
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) 10.0 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

3

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 a 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 trails, hiking, picnic areas, fishing, archery, and disc golf establishments.

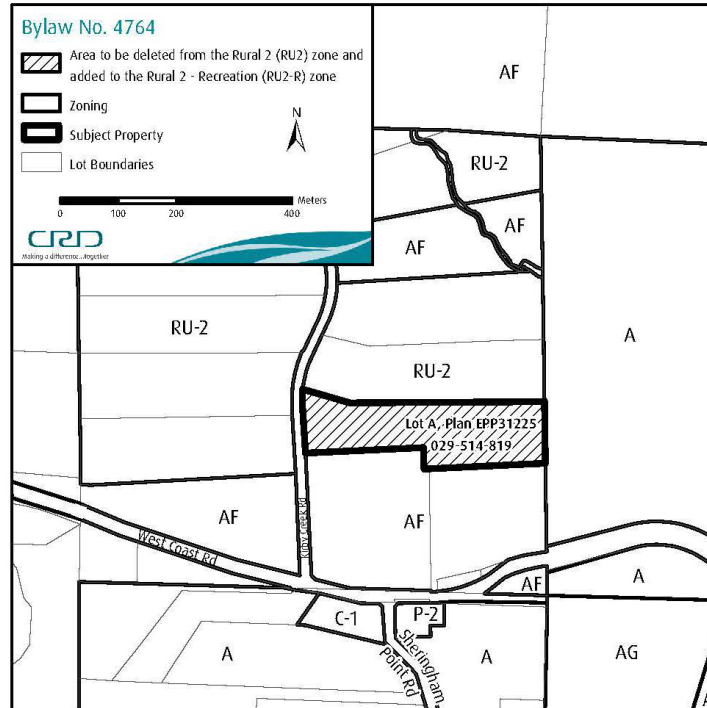
D. SCHEDULE B, ZONING MAPS

- (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.

CRD Bylaw No. 4764

4

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	2026
READ A SECOND TIME THIS	day of	2026
READ A THIRD TIME THIS	day of	2026
ADOPTED THIS	day of	2026

CHAIR

CORPORATE OFFICE

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

Laura Hooper M.Sc. P. Ag.

Principal



Provincial Permit
(Trout Fishing Ponds)

PERMIT

34720-20

WILDLIFE ACT
PERMIT NA25-1008376

PERMIT HOLDER	2820 Kirby Creek Road
---------------	----------------------------------

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, 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.
----	--

SUBJECT TO THE FOLLOWING:

TERMS OF PERMIT	1. This permit is only valid for the rainbow trout pond located at 2820 Kirby creek rd, Shirley, BC, 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 

Last Updated: 02-AUG-2022

Page 1 of 3

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.

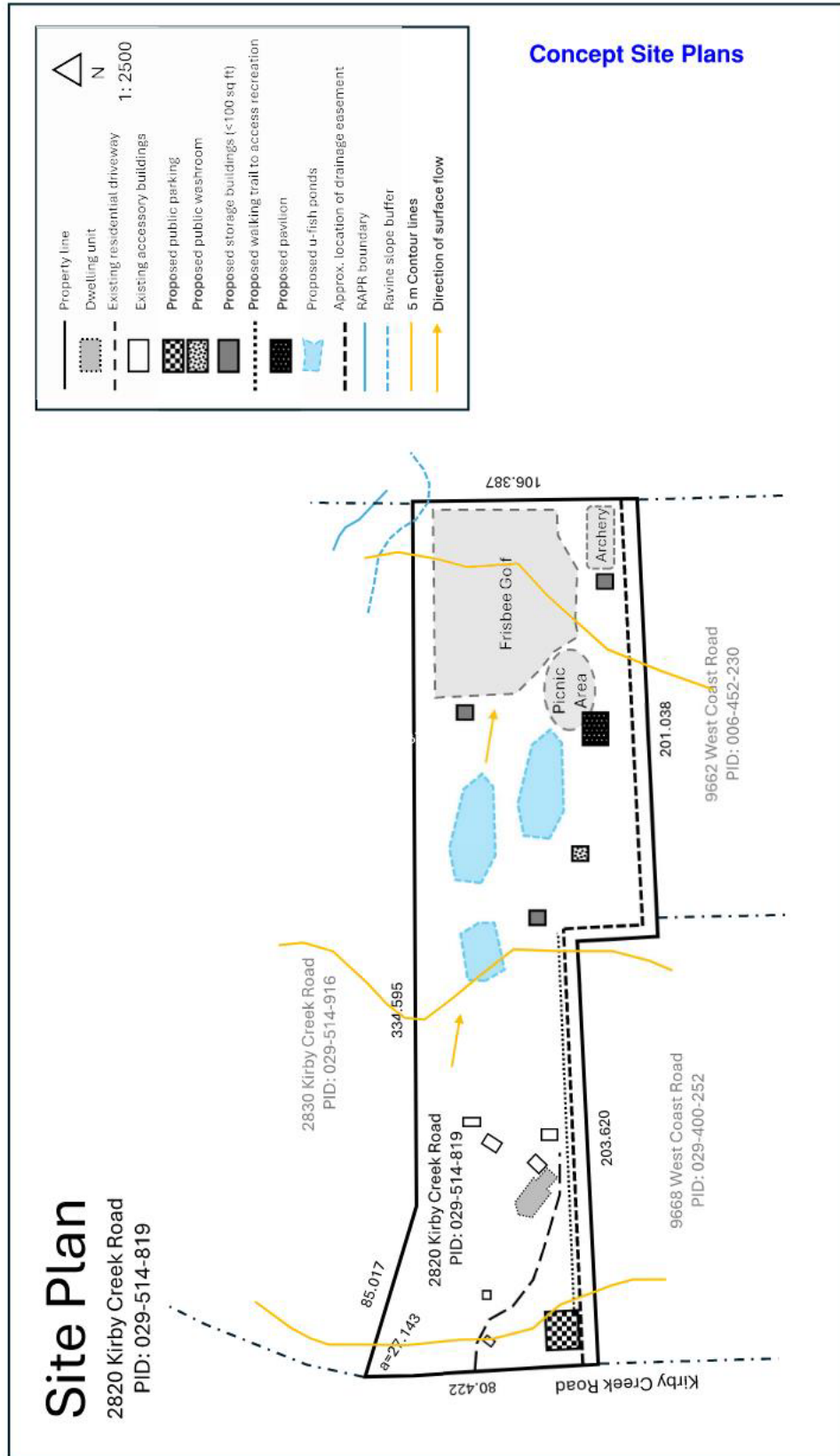
General offence – failure to comply with permit

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

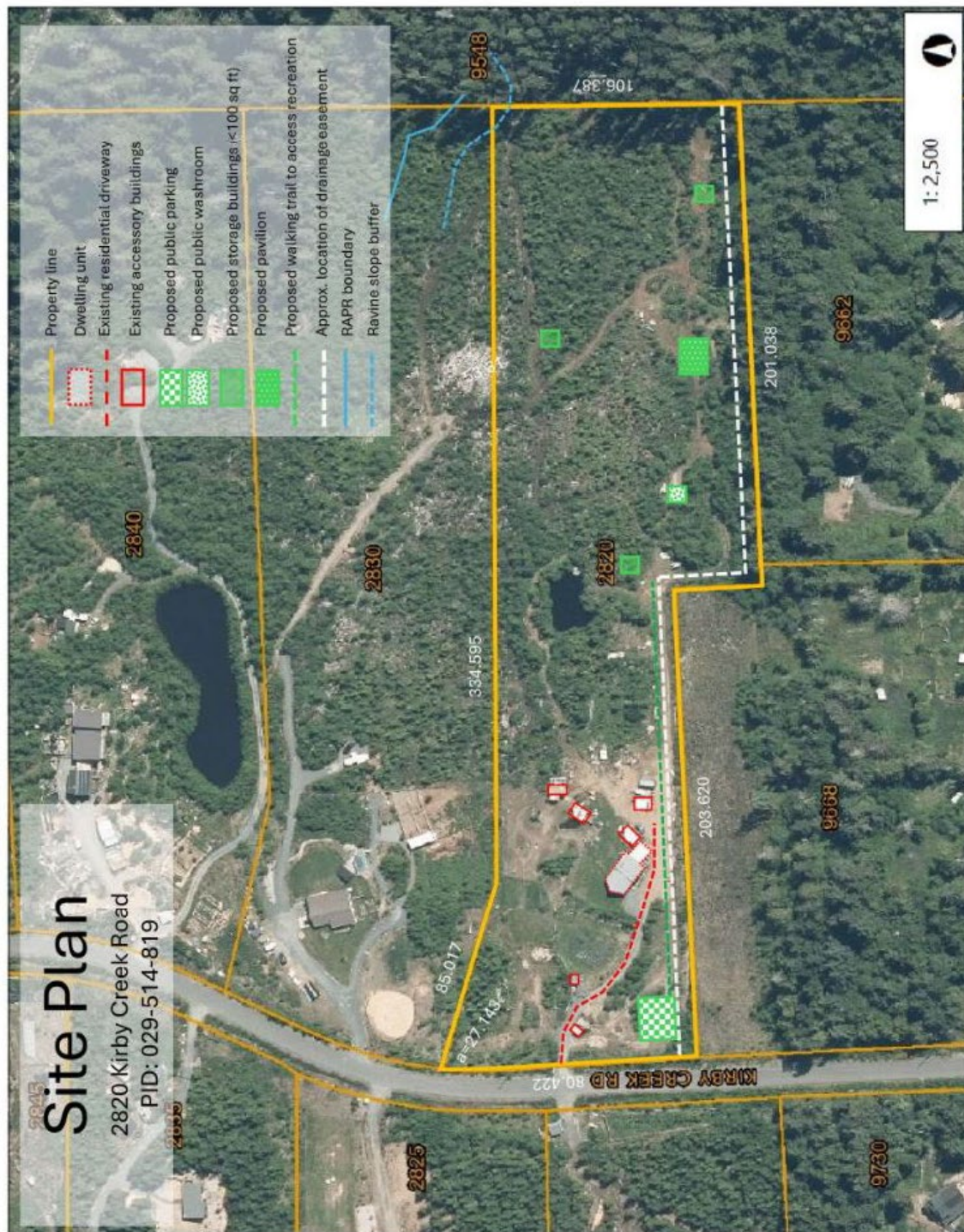
- 21.01 (1) For the purposes of section 97 (2)(b) and (4)(b) of the Act, the following photo identification is prescribed:
- (a) valid photo identification issued to a person by any of the following:
 - (i) the government of Canada;
 - (ii) the government of a province or territory, or an agent of the 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



Concept Site Plans



Appendix F: Referral Comments



PO Box 307, Sooke B.C., V9Z 1G1
Ph.: 250 642-3957 Fax: 250 642-7808

3 June 2026

RE: Zoning Amendment Application RZ000293 - CRD Referral (Shirley)

Proponent File #: RZ000293

TFN File #: TFN00333

Dear Darren,

Thank you for the opportunity to review the Juan de Fuca Electoral Area rezoning application (RZ000293) for 2820 Kirby Creek Road. T'Sou-ke Nation has reviewed the referral materials provided, including the staff report, conceptual site plans, and supporting documentation related to the proposed outdoor recreation use, including fishing ponds, trails, and accessory facilities.

T'Sou-ke Nation acknowledges that the proposal is intended to support low-impact outdoor recreation activities within a rural setting, consistent with the Coastal Uplands designation, and that development is anticipated to occupy a limited portion of the 4.1 ha property. While this approach is noted, the Nation provides the following comments to support meaningful consultation and to ensure that potential impacts to archaeological, environmental, and cultural values are appropriately addressed:

Archaeological and Cultural Considerations

- Given the scale of the site and the potential for below-ground disturbance associated with site preparation, installation of fishing ponds, servicing, trails, and ancillary works, T'Sou-ke Nation must be notified immediately if any archaeological materials or features are encountered during construction activities.
- T'Sou-ke Nation requests the opportunity for T'Sou-ke Guardians to be present onsite during any ground-disturbing activities, particularly during initial site preparation phases. Please provide advance notice prior to construction to facilitate coordination.
- While the proposal appears to emphasize low-impact outdoor uses, the potential for intact subsurface deposits remains. Given the coastal context and proximity to culturally sensitive areas, undocumented archaeological resources may be present.
- If any ground disturbance, trenching, pond excavation, or tree removal is proposed, an Archaeological Impact Assessment (AIA) should be completed in advance. Reliance on chance-find procedures alone is not considered sufficient in areas of elevated archaeological potential.



PO Box 307, Sooke B.C., V9Z 1G1
Ph.: 250 642-3957 Fax: 250 642-7808

Environmental Protection and Site Design

- Care should be taken to ensure that all recreational features—including trails, fishing ponds, picnic areas, and accessory facilities—are appropriately sited to avoid sensitive environmental areas, including steep slopes, riparian zones, and coastal processes.
- Sediment and erosion control measures must be implemented and maintained throughout all phases of development to prevent runoff into nearby waterways, including Kirby Creek, particularly given the drainage right-of-way and connection to surrounding aquatic systems.
- T'Sou-ke Nation recommends maintaining a vegetative buffer along the eastern property boundary to limit runoff impacts to nearby waterways and reduce disturbance to adjacent uses. A strong preference is given to the retention and planting of indigenous/native species.
- All contractor vehicles and equipment must arrive onsite clean and free of soil and plant material to minimize the risk of introducing or spreading invasive species.

Aquatic Systems and Pond Management

- The proposal includes the development of fishing ponds; therefore, T'Sou-ke Nation requests a management plan for dredged materials and pond effluent. Disposal methods must be clearly outlined. High nutrient loads from dredging or pond maintenance activities have the potential to negatively impact surrounding ecosystems if not properly managed.
- Appropriate best management practices for water quality, fish habitat, and wastewater handling must be implemented to prevent contamination of soils and nearby watercourses.

Monitoring and Reporting

- Any spill reports or environmental incident reports generated during construction or operation should be provided to T'Sou-ke Nation within ten (10) days of occurrence.
- Ongoing monitoring of erosion, water quality, and site stability should be undertaken and shared with the Nation upon request.

Ecological and Cultural Stewardship

- T'Sou-ke Nation would welcome the opportunity to collaborate on the use of native plant species for any landscaping or restoration areas associated with the development. Incorporating indigenous species supports biodiversity and aligns with the cultural landscape of the territory.
- Development should remain consistent with low-impact principles to ensure that the cultural and ecological integrity of the area is maintained over the long term.



PO Box 307, Sooke B.C., V9Z 1G1
Ph.: 250 642-3957 Fax: 250 642-7808

Conclusion

T'Sou-ke Nation recognizes the applicant's intent to pursue a low-impact recreational use of the property. However, careful attention to archaeological protection, aquatic system management, invasive species prevention, and environmental stewardship will be essential to ensuring that impacts to the land and waters remain minimal and respectful of their cultural and ecological significance.

T'Sou-ke Nation remains available to engage further as the application progresses and looks forward to continued consultation. Should you have any questions or require further clarification following this review, please direct correspondence to Eva Shaffer, at landsmanager@tsoukenation.com or 250-642-3957 ext. 227.

Sincerely,

Eva Shaffer

Eva Shaffer
Lands Governance Director, T'Sou-ke First Nation
250-642-3957 ext.227
landsmanager@tsoukenation.com

From: [Mann, Elaine](#)
To: [Wendy Miller](#)
Cc: [Design, SVI](#)
Subject: FW: [External] RE: Zoning Amendment Application RZ000293 - CRD Referral (Shirley)
Date: Thursday, April 23, 2026 7:43:52 AM
Attachments: [REFERRAL-FORM-AGENCIES-RZ000293.pdf](#)
[STAFFRPT-LUC-REFERRAL-RZ000293.pdf](#)

Good morning Wendy

Thank you for your email and attachments.

BC Hydro Property Rights Services has no objection in principle to the proposed rezoning.

In the event that the BC Hydro Field Operations' Distribution Engineering & Design Department in South Vancouver Island wishes to comment, their response will be provided to you under separate cover.

Regards,

Elaine Mann (She/Her) | Property Coordinator,
Property Rights Services Department
Properties Division

BC Hydro
400 Madsen Road
Nanaimo, BC V9R 5M3
T 250-755-7169
E elaine.mann@bchydro.com

-

www.bchydro.com

Smart about power in all we do.

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From: [Toews, Mary WLRS:EX](#)
To: [Wendy Miller](#)
Subject: Re: Zoning Amendment Appl RZ000293 2820 - CRD Referral in Shirley
Date: Thursday, May 28, 2026 11:55:50 AM

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good morning,

I have reviewed this referral and do not object subject to conditions below:

- Survey property for any natural streams or wetlands prior to developing ponds, to ensure adequate protection under the RAPR and Water Sustainability Act and to ensure no connectivity to streams, as per Wildlife Act permit.
- The application is within a 50km x 50km UTM grid unit that has been denoted as containing a critical habitat feature (bat hibernacula), as outlined in the Federal Recovery Strategy for the little brown myotis and Northern myotis (<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/recovery-strategies/little-brown-myotis-2018.html#toc10>). Note that this is a partial identification of critical habitat as more information is still needed. The precise location of the hibernacula is not publicly available. The Federal recovery Strategy notes:
 - “Hibernacula are used by Little Brown Myotis, Northern Myotis, and Tri-colored Bat to survive when ambient temperatures decline and insects are unavailable, and as such are necessary for the survival and recovery of these species.”
 - “Hibernacula for these species are subterranean features, such as caves, abandoned mines, hand-dug wells, cellars, tunnels, rock crevices or tree root hollows where light and noise levels are low”
 - Follow standard environmental best practices and report any bat sightings during works to the Ministry. If there is potential to affect habitat as described above, the Conservation Data Centre can check to confirm whether your application/proposed works are in the vicinity of a known hibernacula and a Qualified Environmental Professional must advise on next steps.
- The federal Migratory Bird Convention Act (MBCA) and/or the BC Wildlife Act trigger protection for bird nests and eggs. Avoid tree and vegetation clearing in the peak nesting window (see below; late-March - Mid-August) and survey for early nesters (e.g. bald eagle, great-horned owl, northern saw-whet owl) protected under the Wildlife Act is potential habitat impacts from mid-January to mid-August. MBCA Schedule 1 bird nests are protected year round as well as a designated waiting period (e.g., Pileated woodpecker waiting period 36 months).
 - **ECCC Nesting Windows**
 - <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html>
 - **Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia (2013) (PDF):**
 - <https://www2.gov.bc.ca/assets/gov/environment/natural-resource->

[stewardship/best-management-practices/raptor_conservation_guidelines_2013.pdf](#)

- **Guidelines to avoid harm to migratory birds**
- <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/reduce-risk-migratory-birds.html>

Mary Toews
Senior Ecosystem Biologist, WCR, WLRS

From: [Veitch, Jennifer WLRS:EX](#)
To: [Wendy Miller](#)
Cc: [Doyle, Jessica WLRS:EX](#)
Subject: RE: Zoning Amendment Application RZ000293 - CRD Referral (Shirley)
Date: Friday, April 24, 2026 4:34:18 PM
Attachments: [image002.png](#)

CRD IT SECURITY WARNING: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good afternoon Wendy,

On behalf of the Ministry of Water Lands and Resources Stewardship – Water Authorization Science and Monitoring Branch (Previously Water Protection), there are no anticipated impacts to groundwater in the area as a result of the proposed change in zoning.

The new zoning allows for outdoor recreation but does not allow for additional density or residential uses of groundwater that would not have already been covered in the original zoning. In the future, if the applicant desired a well for their commercial operation, we would have the opportunity to evaluate the groundwater usage via their license application.

Thank you for the opportunity for input,

Cheers,



Jennifer Veitch E.I.T., B.Sc.
(she/her/hers)
Groundwater Technician, West Coast Region
Ministry of Water, Lands, and Resource Stewardship
2080 Labieux Rd, Nanaimo V9T 6J9

I respectfully acknowledge that I live, work and play on the traditional territory of the Coast Salish People including Snuneymuwx, Snaw-naw-as, and Stz'uminus Nations. I honour their connection to the land, water, and all living things and am grateful to live in this beautiful place.



BRITISH
COLUMBIA

Ministry of Transportation
and Transit

**DEVELOPMENT SERVICES
PRELIMINARY BYLAW
COMMUNICATION**

Your File #: RZ000293
PASport File 2026-02022
Date: Jun/17/2026

Capital Regional District
c/o Wendy Miller
3 - 7450 Butler Road
Sooke, British Columbia V9Z 1N1

Attention: Wendy Miller

**Re: Proposed Bylaw for Lot A, District Lot 87, Renfrew District, Plan EPP31225;
PID: 029-514-819 to rezone from Rural 2 (RU2) to Rural 2 – Recreation (RU2-R)**

The subject property does not fall within Section 52 of the Transportation Act and will not require formal approval from the Ministry of Transportation and Transit.

Preliminary Approval is granted for the rezoning for one year, subject to the following conditions:

- The applicant shall obtain a Commercial Access Permit from the Ministry of Transportation and Transit for access to the subject property.
- The statutory right-of-way (CA4276886) registered in favour of the Ministry of Transportation and Transit shall remain unobstructed. No development or site alteration shall occur within the right-of-way area that would interfere with its drainage function or impede Ministry access for maintenance and operational purposes without prior written approval from the Ministry of Transportation and Transit.

If you have any questions, please feel free to email Anya Mikes at anya.mikes@gov.bc.ca.

Yours truly,

Anya Mikes
Development Services Officer

Local District Address
Southern Vancouver Island Area 240-4460 Chatterton Way Victoria, British Columbia V8X 5J2 Canada Phone: (250) 952-4515 Fax: (250) 952-4508

H1183P (2026/03)

Page 1 of 1

From: [Shauna Huculak](#)
To: [Wendy Miller](#)
Cc: [Sandra Allen](#); [Pamela Nall](#)
Subject: Re: Zoning Amendment Application RZ000293 - LUC Referral (Shirley)
Date: Thursday, May 07, 2026 1:17:59 PM

Hi Wendy, pls see below:

A search of the *Remote Access to Archaeological Data* (RAAD) managed by the BC Archaeology Branch (Ministry of Forests) was conducted on 07-May-2026. The search indicates that the property is not located within or immediately adjacent to a registered *Heritage Conservation Act* (HCA) protected archaeological site. However, there is no record of an archaeological assessment having occurred on the property. A search of RAAD also indicates that there is no provincial archaeological overview assessment model available for the property. This is not an indicator of low archaeological potential.

Given that there is no registered archaeological site on the property, a Provincial *Heritage Conservation Act* permit is not required to undertake the work. However, a Provincial *Heritage Conservation Act* permit will be required if archaeological deposits, features or materials are exposed and/or encountered during land-altering activities that includes tree felling. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays and potential costs.

All archaeological sites, whether on Provincial Crown or private land (including land under water) that are known or suspected to predate AD 1846, are automatically protected under the HCA (S.13) this includes culturally modified trees. Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their age. Shipwrecks and plane wrecks greater than two years of age are also protected under the HCA. The *Heritage Conservation Act* does not distinguish between those archaeological sites which are "intact," (i.e., those sites which are in a pristine, or undisturbed state) and those which are "disturbed" (i.e., those sites which have been subject to alteration, permitted or otherwise). All archaeological sites, regardless of condition, are protected by the HCA, as described above. *Heritage Conservation Act* -protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests).

shauna

[shauna huculak, M.A., RPCA](#) (they/them)

Manager, Archaeology

Capital Regional District

T: 250.360.3622 | 236.638.1453

From: Corey Anderson <CAnderson@crd.bc.ca>
Sent: Friday, April 24, 2026 12:40 PM
To: Shawn Carby <scarby@crd.bc.ca>
Cc: Mark Groulx <MGroulx@crd.bc.ca>; Philip Williams <pwilliams@crd.bc.ca>; Chris J Vrabel <CVrabel@crd.bc.ca>; Jennifer Carvill <JCarvill@crd.bc.ca>
Subject: Re: Zoning Amendment Application RZ000293 - LUC Referral (Shirley)

I have no comments or objections to this application from an EM perspective.

Corey Anderson

Manager, Emergency Programs
Capital Regional District
C: 250.415.1695

From: [Philip Williams](#)
To: [Shawn Carby](#); [Mark Groulx](#); [Jennifer Carvill](#); [Chris J Vrabel](#); [Wendy Miller](#)
Subject: RE: Zoning Amendment Application RZ000293 - LUC Referral (Shirley)
Date: Sunday, April 26, 2026 2:00:43 PM
Attachments: [image001.png](#)

Good Afternoon

I have reviewed the Report to the LUC that discusses the re-zoning application of 2820 Kirby Creek Road in Shirley. There is no prior history of bylaw violations associated with the property. I currently do not have concerns with the plans conceptualizing a venue that includes fishing ponds, trails, disc golf, archery, and a concession stand.

Additional off off-street parking may be a future consideration.

Regards,

Phil Williams

Senior Bylaw Officer (Western Division) | Bylaw and Animal Care Services
212-2780 Veterans Memorial Parkway, Victoria, B.C. V9B 3S6
T: 250.478.0624 | F: 250.391.9727 | E: pwilliams@crd.bc.ca



CAPITAL REGIONAL DISTRICT

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Minutes of a Public Information Meeting

**Held June 3, 2026, at the Shirley Community Hall, 2795 Sheringham Point Road,
Shirley, BC**

**SUBJECT: Zoning Amendment Application RZ000293 - Lot A, District Lot 87, Renfrew
District, Plan EPP31225 (2820 Kirby Creek Road)**

PRESENT: Director Al Wickheim
Shirley-Jordan River Advisory Planning Commission Members: Emily Anderson,
Vivi Curutchet, Fiona McDannold

Staff: Darren Lucas, Planner; Wendy Miller, Recorder

PUBLIC: 8

The meeting was called to order at 6:30 pm.

Director Wickheim welcomed everyone to the meeting and provided a Territorial Acknowledgement. The applicant, applicant's agent and staff were introduced. It was advised that the purpose of the meeting is to provide opportunity for the public to learn what is being proposed by the applicant and to obtain comment.

Darren Lucas introduced the proposal considered by the Juan de Fuca Land Use Committee (LUC) at its meeting of April 21, 2026, to amend the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, by rezoning the subject property from the Rural 2 (RU2) zone to a new Rural 2 – Recreation (RU2-R) zone to permit outdoor facilities for recreation activities including a non-motorized multiuse trail, hiking, picnic areas, fishing, archery, and disc golf establishments, and a convenience store accessory to the outdoor recreation principle use.

Applicant comments included:

- existing trout pond is authorized by a provincial permit, is naturally aerated, and is a closed system that is not connected to a watercourse
- subject property was logged by the previous owner and trailed by the applicant
- existing hardpan pond has good water retention
- future pond would be lined to augment the water supply of the existing pond
- topsoil from the dugout would be retained and the subsoil deposited at a local gravel pit
- proposed activities also include disc golf and archery
- the archery area would have a berm and galvanized netting
- onsite parking would be provided
- Island Health regulates septic including septic setbacks
- trout sustained by natural flora and fauna and farmed worms

Public comments included:

- general concern regarding highway traffic speed and highway crossings
- support for the pond and future ponds being fed by overland water
- support for the scale and type of outdoor recreation proposed by the applicant

Adjournment

The meeting adjourned at 7:00 pm.

EASCC-609433730-3727



**Minutes of a Meeting of the Shirley-Jordan River Advisory Planning Commission
Held June 3, 2026, at the Shirley Community Hall, 2795 Sheringham Point Road,
Shirley, BC**

PRESENT: Vivi Curutchet (Chair), Emily Anderson, Melody Kimmel, Fiona McDannold
Staff: Darren Lucas, Planner; Wendy Miller, Recorder
PUBLIC: 5

The meeting was called to order at 7:06 pm.

A Territorial Acknowledgement was provided in the preceding meeting.

1. Approval of the Agenda

MOVED by Melody Kimmel, **SECONDED** by Emily Anderson that the agenda be approved.
CARRIED

2. Adoption of the Minutes of January 13, 2026

MOVED by Emily Anderson, **SECONDED** by Fiona McDannold that the minutes from the meeting of January 13, 2026, be adopted.
CARRIED

3. Planner's Report

No report.

4. Zoning Amendment Application

a) RZ000293 - Lot A, District Lot 87, Renfrew District, Plan EPP31225 (2820 Kirby Creek Road)

Darren Lucas introduced the proposal considered by the Juan de Fuca Land Use Committee at its meeting of April 21, 2026, to amend the Juan de Fuca Land Use Bylaw, Bylaw No. 2040, by rezoning the subject property from the Rural 2 (RU2) zone to a new Rural 2 – Recreation (RU2-R) zone to permit outdoor facilities for recreation activities including a non-motorized multiuse trail, hiking, picnic areas, fishing, archery, and disc golf establishments, and a convenience store accessory to the outdoor recreation principle use.

Darren Lucas responded to a question from the APC confirming that another property owner could submit an application to rezone to the proposed RU2-R zone, should proposed Bylaw No. 4764 be adopted.

The applicant responded to questions from the APC advising that:

- the intent of the proposal is to provide a private fishing experience
- appointments would be required to control carrying capacity of the site
- it is anticipated that appointments would be limited to six groups/families a day
- the proposed accessory convenience store is for site clients

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APC comments included:

- public comments received at the preceding public information meeting indicate support for the proposal
- proposal would support low-impact tourism
- proposal would enable a work-from-home business

MOVED by Fiona McDannold, **SECONDED** by Melody Kimmel that having considered the proposed bylaw, the Shirley-Jordan River Advisory Planning Commission supports Zoning Amendment Application RZ000293 for Lot A, District Lot 87, Renfrew District, Plan EPP31225, as presented.

CARRIED

5. Adjournment

The meeting adjourned at 7:21 pm.

Chair