

# Official Community Plan, Land Use and Subdivision Bylaw Amendments for Rural, Resource and Forestry Lands in the Juan de Fuca Electoral Area

## Summary Sheet

Overview of Amending Bylaws Nos. 3474, 3495, 3497, 3498, 3499 and 3500

This Summary Sheet is solely for the purpose of presenting an overview only and the bylaws themselves should be used for legal interpretation. Please refer to the Juan de Fuca Website or the following link for a copy of the bylaws: <http://www.crd.bc.ca/reports/juandefucalandusecom/2007/11november/index.htm>. The staff report with a full explanation is also available with this link.

### Background:

The CRD's Regional Growth Strategy seeks, among other things, to protect the character and quality of rural communities to ensure they remain strongly rooted in the agricultural and resource land base and that the rural countryside and natural landscape remains a durable fact of life in the Capital Region. In support of this goal, the CRD proposes that within the JDF Electoral area urban sprawl be limited by focusing growth within settlement containment areas and continuing to update the local area official community plans, land use and subdivision regulations in a manner that maintains the long-term rural vision for the Electoral Area.

At the November 14, 2007 CRD Board meeting, the CRD Board voted to proceed with the proposed amendments to official community plans, land use and subdivision use regulations dealing with the zoning of rural, resource and forestry land within the Juan de Fuca Electoral Area. However, before any final decisions are made the CRD will be carrying out consultations considered appropriate in connection with the bylaws and holding public hearings scheduled for January 2008.

### Proposed Amendments

#### 1. Official Community Plans – Amending Bylaws Nos. 3497, 3498, 3499

The proposed Official Community Plan (OCP) policy changes amend the Settlement Area Policies of the East Sooke, Otter Point and Shirley/Jordan River OCPs. Section 4.2.2 1] to state that the intention is to retain large lot holdings for rural and resource uses outside of the Settlement Containment Areas with a

minimum parcel size of 120 ha (300 acres). It is currently acknowledged that in the Settlement Containment Areas smaller scale development would occur with parcel sizes being in the 1.0 ha (2.5 acre) range.

The proposed changes to Section 4.2.2 1] are:

- (a) More intensive development such as residential subdivisions should locate within settlement containment areas where development is currently more concentrated and shall conform to all policies, goals and objectives of this Plan.
- (b) The desired parcel size for residential subdivision within the settlement containment area should be in the one hectare (2.5 acres) range.
- (c) Subdivision of land outside of the settlement containment areas should result in parcels of greater than two hectares (5 acres) and which would be generally 120 hectares with respect to lands within the Forestry Zone and Rural B Zone.

## **2. Sooke Land Use Bylaw No. 2040 – Amending Bylaws Nos. 3474 and 3495**

Bylaw No. 2040 is a land use and subdivision bylaw that is applicable to the East Sooke, Otter Point, and Shirley/Jordan River areas. Generally, two zones are currently applicable to the majority of the large lot holdings in the Sooke Land Use Bylaw area: the Forestry Zone (AF) and the Rural Zone (A).

a) Amending Bylaw No. 3474 – Proposes to create a Rural Zone (A) and Rural B Zone (B)

### Rural Zone (A)

The Rural Zone (A) under the proposed changes would now apply to those lots under 7.99 ha (19.74 acres) outside Settlement Containment Areas and those parcels currently zoned Rural Zone (A) within Settlement Containment Areas.

This amending bylaw makes the following other changes to the Rural Zone (A):

- For the purposes of Section 946(4) (Subdivision for a Relative) of the *Local Government Act*, the minimum parcel size shall be 4.0 ha (9.88 acres).
- For the purposes of this subsection, “parcel” includes a lot created by deposit of a strata plan under the *Strata Property Act* (British Columbia).

### Rural B Zone (B)

The amending bylaw proposes to create a new Rural B Zone which will apply to all lots 8.0 ha (19.76 acres) or greater in size that are currently zoned Rural Zone (A).. The proposed Rural B Zone (B) will amend the Rural Zone (A) as follows:

- The minimum parcel size is 120.0 hectares (296.5 acres).
- For the purposes of Section 946(4) (Subdivision for a Relative) of the *Local Government Act*, the minimum parcel size is 120.0 hectares (296.5 acres).
- For the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the *Strata Property Act* (British Columbia).

The proposed amendments to the Rural Zone (A) will have the effect of preventing the ability to create building strata developments. However, the Rural A zone and Rural B Zone will still permit the building of multiple dwelling units based on lot size.

#### b) Amending Bylaw No. 3495 – Forestry Zone (AF)

The present zoning currently permits the subdivision of 4.0 ha (9.88 acre) parcels and one-family dwelling. The proposed changes to the Forestry Zone are as follows:

- The minimum parcel size is 120.0 hectares (296.5 acres);
- For the purposes of Section 946(4) (Subdivision for a Relative) of the *Local Government Act*, the minimum parcel size is 120.0 hectares (296.5 acres).

### **3. Bylaw 189 – Amending Bylaw No. 3500**

Bylaw 189 - A Bylaw Respecting Subdivision in Planning Area No. 1 Sooke Electoral Area currently permits a minimum subdivision parcel size of 120 ha (296.52 acres) Bylaw No. 189 is a subdivision bylaw and currently does not regulate density or land use.

The major changes to Bylaw 189 are as follows:

- The addition of a land use component is added to the Bylaw to limit density to one single family dwelling per parcel.
- The bylaw amendment is also proposed to amend the minimum parcel size for District Lots 111 and 205 from 4.0 ha to 120 ha. The minimum parcel sizes for these parcels was previously established by amendment Bylaw No. 2278.
- To ensure compatibility bylaw 189 will be amended so that it will not apply to those areas covered by Bylaw No. 3109 (Port Renfrew Comprehensive Community Plan) and Bylaw No. 2040 (Sooke Land Use Bylaw, 1992).

Questions can be directed to:

Kris Nichols, Manager Local Area Planning

Phone: 250-642-1500 FAX: 642 – 5274 E-mail: [knichols@crd.bc.ca](mailto:knichols@crd.bc.ca)

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