



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE  
MEETING OF TUESDAY, JANUARY 17, 2012**

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**SUBJECT      ZONING AMENDMENT APPLICATION FOR PORT RENFREW RECREATION CENTRE  
ISSUE**

The Port Renfrew Recreation Centre Operating Committee is proposing to permit office uses in the community hall.

**BACKGROUND**

The 0.16ha subject property is located on Deering Road in Port Renfrew (Appendix 1). The property is zoned Community Use (CU) in the Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 3109. A 313m<sup>2</sup> community hall and associated parking is located on the property (Appendix 2).

In 2007, a development permit variance (DVP-20-07) was issued for the front entrance canopy which relaxed the front yard setback from 6m to 0m. The Ministry of Transportation and Infrastructure has granted a setback variance for the canopy which is within the 4.5m setback and encroaches onto the road right-of-way.

The Port Renfrew Recreation Centre Operating Committee is considering renting office space to agencies and societies to help support the operational budget for the hall. The current zone does not permit office uses in the hall; therefore, a new zone must be created to add office use to the permitted uses.

Staff has prepared Bylaw No. 3791 which would rezone the parcel from Community Use (CU) to a new Community Use One (CU-1) zone (Appendix 3).

**ALTERNATIVES**

1. Proceed with referral of the proposed Bylaw 3791, "Comprehensive Community Development Plan for Port Renfrew Bylaw No. 1, 2003, Amendment Bylaw No. 4, 2011" to agencies for comment.
2. Deny the application and do not proceed with referral.
3. Refer the application back to staff for more information.

**LEGISLATIVE IMPLICATIONS**

Pursuant to Section 879 of the *Local Government Act (LGA)*, an amendment to a zoning bylaw requires that the local government provide one or more opportunities for consultation it considers appropriate to the persons, organizations and authorities the local government considers may be affected by the adoption, repeal or amendment of a zoning bylaw. The decision on which bodies are consulted in accordance with the *LGA* has been delegated to the Juan de Fuca Land Use Committee in Bylaw No. 3166.

Pursuant to Section 881 of the *LGA*, a proposed amendment to a zoning bylaw must be referred to the school district. Where an amendment or new land use and subdivision bylaw will apply to land within 800m of a controlled access highway, the bylaw must be referred to the Ministry of Transportation and Infrastructure.

**PUBLIC CONSULTATION IMPLICATIONS**

The Advisory Planning Commissions were established to make recommendations to the Land Use Committee on land use planning matters referred to them relating to Part 26 of the *LGA*; however, the Port Renfrew Advisory Planning Commission is inactive. Staff proposes holding a public information session at the hall to obtain community comments.

Should the proposal proceed, a public hearing pursuant to Section 890 of the *LGA* will be required subsequent to the amendments passing second reading by the Capital Regional District Board. Property owners within 500m of the subject property will be sent a notice of the proposed bylaw amendments and it will be provided to Port Renfrew residents through an unaddressed mail drop and will be advertised in the local paper and on the website.

## **REGIONAL GROWTH STRATEGY AND OFFICIAL COMMUNITY PLAN IMPLICATIONS**

In the evaluation of a zoning amendment, consideration must be given to the Capital Regional District's Regional Growth Strategy (RGS) Bylaw No. 2952 and Comprehensive Community Development Plan for Port Renfrew Bylaw No. 3109. The proposed rezoning which is a minor amendment to permitted uses within an existing facility is compatible with the OCP and is not considered to be inconsistent with the RGS.

### **PLANNING ANALYSIS**

The Comprehensive Community Development Plan for Port Renfrew Bylaw No. 3109 designates this land as Residential and a community facility is permitted in this area as section 4.1.1(3) states:

- (3) Community sponsored activities that serve to complement or enhance the residential lifestyle may be considered.*

The hall is an existing facility that has provided space for government agencies, recreation programs and has had a thrift store. The new Port Renfrew Recreation Centre Operating Committee is considering options to generate revenues to assist in covering the operating expenses of the hall. They are proposing that a maximum of 40% of the building could be rented as office space to agencies and societies. It is intended that the provision of office space would not compete with private office space providers already existing in Port Renfrew.

As this is a minor amendment to the permitted uses for the existing hall, staff recommends referring the proposed bylaw for comment.

### **CONCLUSION**


The Port Renfrew Recreation Centre Operating Committee would like to be able to rent office space to agencies and societies to generate operating revenue which is not permitted under the current zoning. Therefore, a new zone has been created that has added to permit office uses on the site. Staff recommends referring the proposed bylaw to relevant CRD departments and other agencies for comment and holding a public information session at the hall to obtain community comments.


### **RECOMMENDATION**

That the Juan de Fuca Land Use Committee recommend that staff be directed to refer the January 17, 2012 staff report and proposed Bylaw No. 3791 for Lot 1, Section 36, Township 13, Renfrew District, Plan VIP50819, to the appropriate CRD departments and the following agencies for comment and hold a public information session at the hall to obtain community comments.

BC Hydro  
Cowichan Tribes  
Cowichan Valley Regional District  
Halalt First Nation  
Hul'qumi'num Treaty Group  
Lake Cowichan First Nation  
Lyackson First Nation  
Ministry of Environment  
Ministry of Forests, Lands and Natural Resource  
Operations  
Ministry of Transportation and Infrastructure

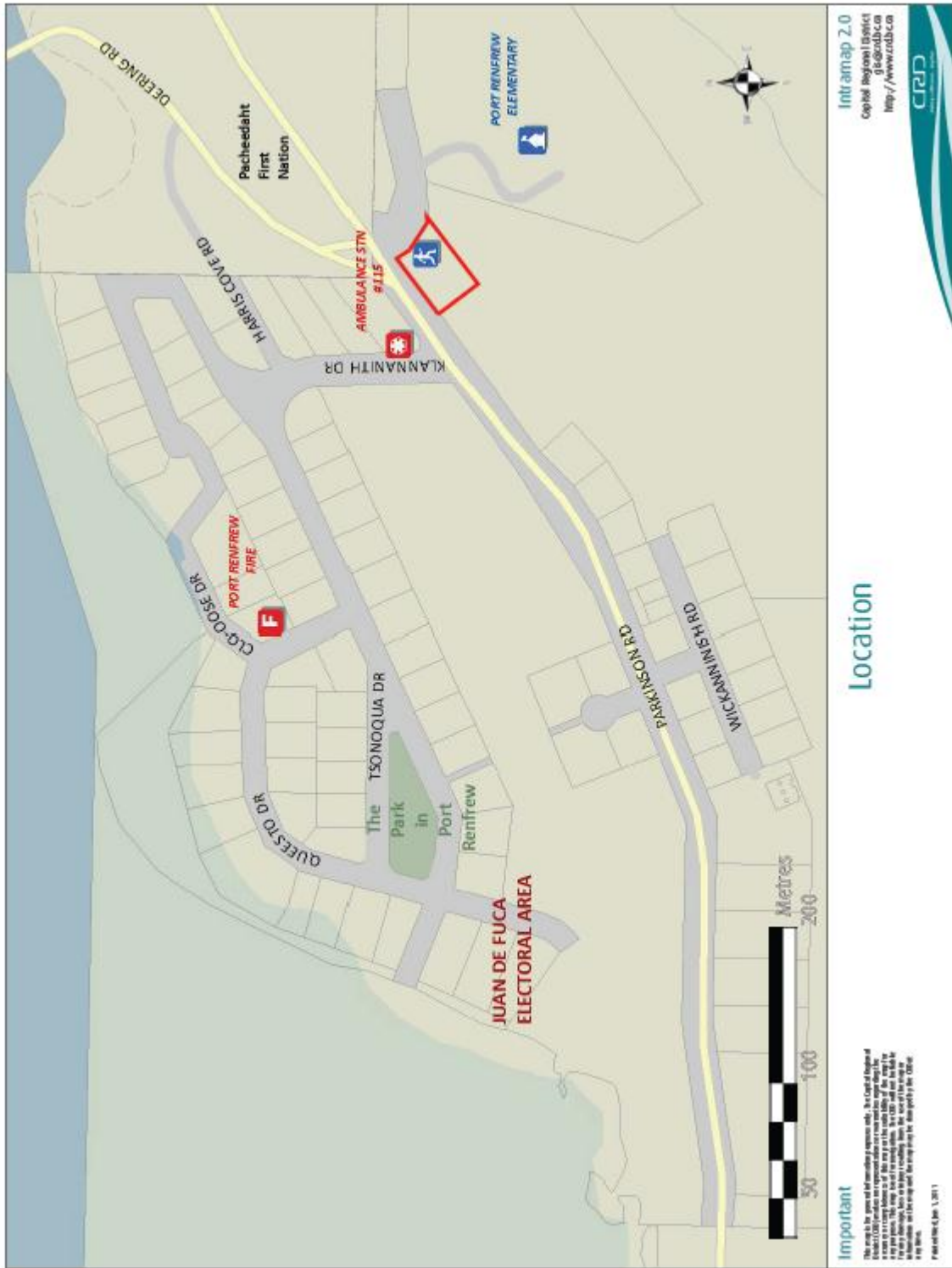
Pacheedaht First Nation  
Penelakut Tribe  
Port Renfrew Fire Department  
RCMP  
Scia'new First Nation  
Sooke School District #62  
Stz'uminus First Nation  
Te'Mexw Treaty Association  
T'Sou-ke First Nation  
Vancouver Island Health Authority

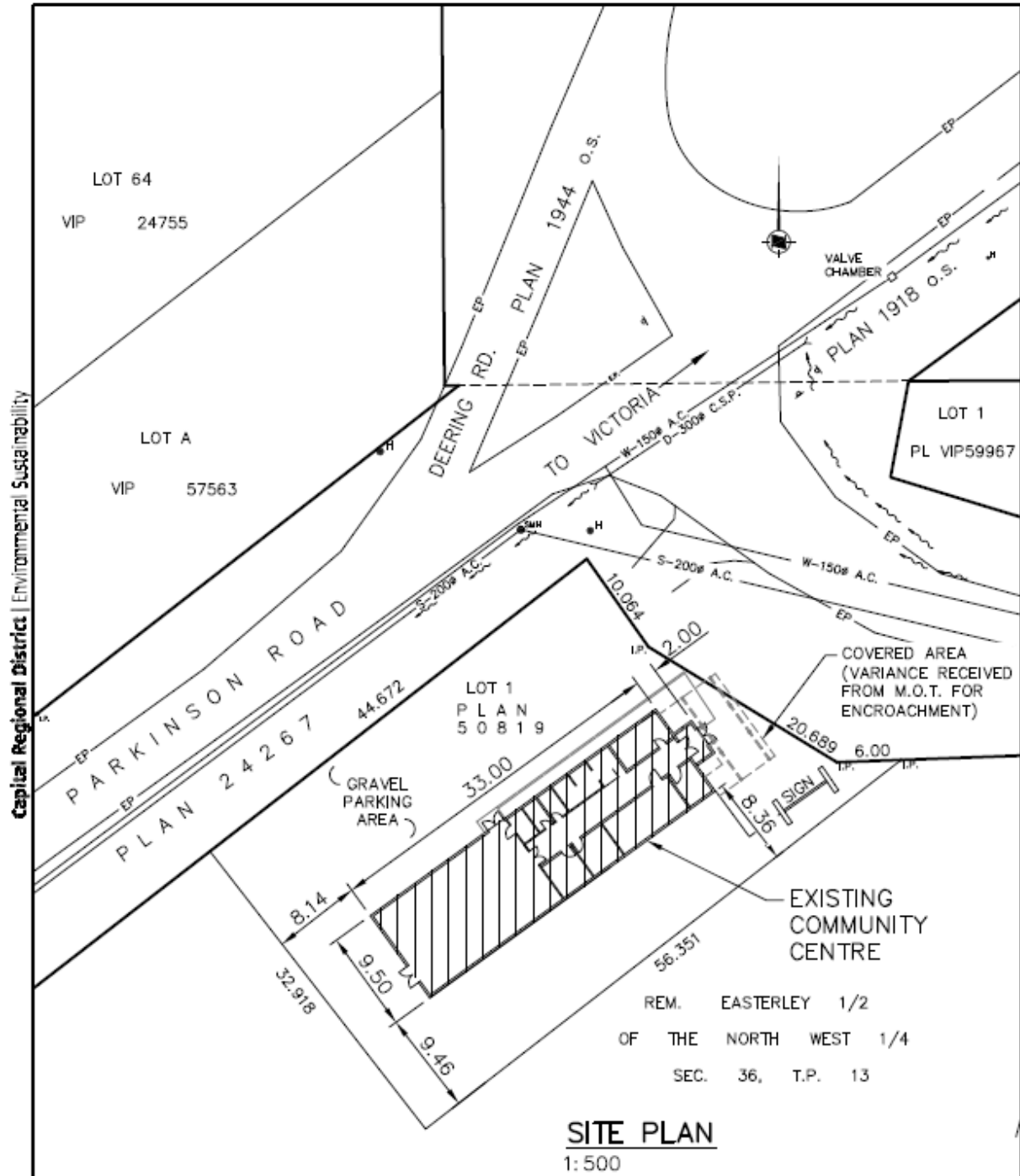
  
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June Klassen  
Manager, Local Area Planning

  
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Robert Lapham, MCIP  
General Manager, Planning & Protective Services


Appendices:

1. Location
2. Site Plan
3. Proposed Bylaw No. 3791





Capital Regional District | Environmental Sustainability

			PORT RENFREW COMMUNITY CENTRE					
			SITE PLAN					
DESIGNED M.C.	DRAWN L.N.	SCALE AS SHOWN	CHECKED M.C.	APPROVED M.C.	DATE 03/06/11	DWG. NO. 15-B115-1	REV. 1	SHT OF 1

**Capital Regional District  
Bylaw No. 3791**

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**A BYLAW TO AMEND BYLAW NO. 3109, "COMPREHENSIVE COMMUNITY  
DEVELOPMENT PLAN FOR PORT RENFREW"**  
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The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 3109 being the "Comprehensive Community Development Plan, Bylaw No. 1, 2003" is hereby amended:
  - (a) Schedule "B", Part 1, ADMINISTRATION OF THE LAND USE REGULATIONS, SECTION 1, DEFINITIONS
    - i. By adding a new definition for "**OFFICE USES**" before the words "**PARCEL AREA**" as follows:

"**OFFICE USES** means the occupancy or use of a building for the purpose of carrying out business, financial or professional activities, and includes accessory retail."
  - (b) Schedule "B" Part IV ZONES by creating a new zone, Community Use One (CU-1), to be inserted after Section 25, and to read as follows:

**25.1 CU-1 (Community Use One) Zone**

**Permitted Uses**

1. The following uses and no others are permitted in this zone:
  - (a) Community Uses;
  - (b) Office Uses

**Regulations**

2. On a parcel of land located in this zone:

Parcel Size for Subdivision Purposes

- (a) There is no minimum parcel size.

Parcel Area Coverage

- (b) The maximum permitted parcel area coverage of the principal building with all accessory buildings and structures is 50 percent (50%).

Size of Office Use

- (c) Not more than 40 percent (40%) of the principal building shall be used for office uses.

Setbacks

- (d) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
  - i. 6 metres (20 feet) of a front parcel line;
  - ii. 1.5 metres (5 feet) of an interior side parcel line;

- iii. 4.6 metres (15 feet) of an exterior side parcel line; or
  - iv. 6 metres (20 feet) of a rear parcel line.
- (c) By deleting from the Community Use (CU) zone and adding to a new Community Use One (CU-1) zone, for the purpose of permitting office uses within the Port Renfrew Community Hall, of Lot 1, Section 36, Township 13, Renfrew District, Plan VIP50819, as shown on Plan No.1, attached to and forming part of this bylaw.
2. This bylaw may be cited as Bylaw 3791, “Comprehensive Community Development Plan for Port Renfrew Bylaw No. 1, 2003, Amendment Bylaw No. 4, 2012”.

READ A FIRST TIME	THIS	DAY OF	2012
READ A SECOND TIME	THIS	DAY OF	2012
READ A THIRD TIME	THIS	DAY OF	2012
APPROVED by the Minister of Community, Sport and Cultural Development			
	THIS	DAY OF	2012
APPROVED by the Minister of Transportation and Infrastructure			
	THIS	DAY OF	2012
ADOPTED	THIS	DAY OF	2012

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

### Plan No. 1 of Bylaw 3791

Lot 1, Section 36, Township 13, Renfrew District, Plan VIP50819 shown on this plan attached to and forming part of this bylaw.

