



**REPORT TO JUAN DE FUCA LAND USE COMMITTEE  
MEETING OF TUESDAY, JANUARY 20, 2015**

**SUBJECT**      **PROPOSED AMENDMENTS TO THE WILLIS POINT COMPREHENSIVE COMMUNITY PLAN, BYLAW NO. 3027 (AMENDMENT BYLAW NO. 3996)**

**ISSUE**

An amendment to Bylaw No. 3027, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, is proposed to incorporate new steep slope mapping and to revise the zoning map to correct an error on an Agricultural Land Reserve parcel.

**BACKGROUND**

The Willis Point Comprehensive Community Plan (CCP) Bylaw No. 3027 was adopted in 2003 and the mapping was updated to new Capital Regional District (CRD) standards through amendment Bylaw No. 3720. After this bylaw was adopted, the CRD prepared new steep slope development permit area mapping based upon new more detailed 2013 contour information. This proposed amendment will incorporate the new twenty percent (20%) steep slope areas into Map 3 – Environmental Constraints and into Map 3a – Steep Slopes Development Permit Area.

In reviewing the mapping, it was noted that Map 4 – Zoning includes the Agriculture (AG) zone in the legend and the AG symbol is shown on Lot 1, Section 53A, Highland District, Plan 20302 (6115 Castlerock Road) which is incorrect. The proposed amendment will correct the error on Map 4.

Staff has prepared proposed Bylaw No. 3996 which inserts the new maps into the Willis Point Comprehensive Community Plan.

**ALTERNATIVES**

That the Land Use Committee recommends to the CRD Board that:

- 1 a) Proposed Bylaw No. 3996, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015, as included in Appendix 1, be referred to a public information meeting in the community, and to appropriate CRD departments and agencies for comment:
 

Cowichan Tribes	Malahat First Nation
Cowichan Valley Regional District	Ministry of Transportation and Infrastructure
District of Highlands	School District #63
District of Saanich	Willis Point Fire Department
Island Health	
- b) Proposed Bylaw No. 3996, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015, as included in Appendix 1, be referred to the full CRD Board for a determination of consistency with the Regional Growth Strategy in accordance with the Juan de Fuca Development Procedure Bylaw No. 3110.
- 2.) Recommend that the CRD Board not refer proposed Bylaw No. 3996.
- 3) Request more information be provided by staff.

**LEGISLATIVE IMPLICATIONS**

Pursuant to Section 879 of the *Local Government Act (LGA)*, an amendment to an Official Community Plan (OCP) requires that local governments provide one or more opportunities for consultation it considers appropriate to persons, organizations and authorities the local government considers may be affected by the adoption, repeal or amendment of an OCP.

Specific consideration must be given to referring the proposed amendment to the adjacent regional districts or municipalities, and First Nations. Consideration should also be given to referring the proposed amendment to improvement districts and applicable provincial and federal agencies.

Pursuant to Section 881 of the *LGA*, a proposed amendment to an OCP must also be referred to the School District. Although the amendment bylaw will not apply to land within 800 m of a controlled access highway, the proposed bylaw will be referred to the Ministry of Transportation and Infrastructure as they own and operate the roads in Willis Point.

Consultation under the above noted sections of the *LGA* must occur prior to the requirement under Section 882 (3) (d) to hold a public hearing as part of the amendment process. In this case, the comments will be received prior to proceeding to first reading of the bylaw.

The Juan de Fuca Development Procedures Bylaw, Bylaw No. 3110 established an OCP amendment process which requires that the proposed amendment bylaw be referred to the full CRD Board for a determination of consistency with the Regional Growth Strategy (RGS).

### **PUBLIC CONSULTATION IMPLICATIONS**

The Advisory Planning Commissions (APCs) 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 Willis Point APC is inactive. Therefore, staff proposes holding a public information meeting in the community to discuss the proposed amendment.

Should the amendment to the Willis Point CCP proceed, it will be considered pursuant to the bylaw amendment process outlined in the Juan de Fuca Electoral Area Development Procedures Bylaw, Bylaw No. 3110. A public hearing pursuant to Section 890 of the *LGA* would be required subsequent to the amendments passing second reading by the CRD Board. A notice of the proposed bylaw amendment will be advertised in the local paper and on the website.

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

There are no changes to the land use policy proposed by the amendment, however, as outlined in the Juan de Fuca Development Procedures Bylaw, Bylaw No. 3110 the proposed amendment bylaw be referred to the full CRD Board for a determination of consistency with the RGS.

As the proposed bylaw is incorporating new steep slopes mapping, which identifies lands with a slope greater than 20% in accordance with the steep slopes development permit area designation, and corrects an error in the zoning mapping, which reflects the provisions of the plan, the proposed amendment is consistent with the Willis Point CCP.

### **PLANNING ANALYSIS**

CRD GIS staff has prepared new steep slope polygons to identify lands with a slope greater than 20%, as per the steep slopes development permit designation, based upon more detailed 2013 contour information. These new polygons are identified on revised Map 3 – Environmental Constraints and on Map 3a – Steep Slopes Development Permit Area. This new mapping maintains the large steep slope areas along the western and eastern sides of the community, and provides an improved representation of the slopes on the large Rural Conservation lands and areas adjacent to the foreshore. This improved mapping also addresses the concern regarding the general accuracy of the development permit area mapping.

Map 4 – Zoning includes the AG zone in the legend and the corresponding AG symbol is shown on Lot 1, Section 53A, Highland District, Plan 20302 (6115 Castlerock Road). However, while applying the AG zone to this property was initially proposed as part of amendment Bylaw No. 3720, the landowner did not authorize the new zone and therefore the zoning was not changed. It was noted that the parcel is subject to Section 19.0 Agricultural Land Use Policies in Schedule B of the CCP. Staff was satisfied that the land use regulations under Section 19.0 Agricultural Land Use Policies in Schedule B of the CCP and the *Agricultural Land Commission Act* provide sufficient planning control. Therefore, the proposed amendment includes a new Map 4 – Zoning which identifies this parcel as Agricultural Land Reserve as indicated in the original Willis Point CCP.

Staff recommends referring proposed Bylaw No. 3996 to agencies for comment and holding a public information meeting in Willis Point to allow for public comment.

**CONCLUSION**

This proposed amendment will incorporate the new 20% steep slope areas based upon more detailed 2013 contour information into Map 3 – Environmental Constraints and into Map 3a – Steep Slopes Development Permit Area. The proposed amendment will also correct an error on Map 4 – Zoning relating to the designation on Lot 1, Section 53A, Highland District, Plan 20302 (6115 Castlerock Road). Staff recommends that the proposed amendment bylaw proceed for referral.

**RECOMMENDATION**

That the Land Use Committee recommends to the CRD Board that:

- 1 a) Proposed Bylaw No. 3996, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015, as included in Appendix 1, be referred to a public information meeting in the community, and to appropriate CRD departments and agencies for comment:

Cowichan Tribes	Malahat First Nation
Cowichan Valley Regional District	Ministry of Transportation and Infrastructure
District of Highlands	School District #63
District of Saanich	Willis Point Fire Department
Island Health	

- b) Proposed Bylaw No. 3996, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015, as included in Appendix 1, be referred to the full CRD Board for a determination of consistency with the Regional Growth Strategy in accordance with the Juan de Fuca Development Procedure Bylaw No. 3110.

**\*\*ORIGINAL SIGNED\*\***

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June Klassen, MCIP, RPP  
Manager, Local Area Planning

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Kevin Lorette, P.Eng., MBA  
General Manager,  
Planning and Protective Services  
Concurrence

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Robert Lapham, MCIP, RPP  
Chief Administrative Officer  
Concurrence

Appendices:

1. Proposed Bylaw No. 3996

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 3996**

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**A BYLAW TO AMEND**

**BYLAW NO. 3027, "COMPREHENSIVE COMMUNITY PLAN FOR WILLIS POINT"**

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

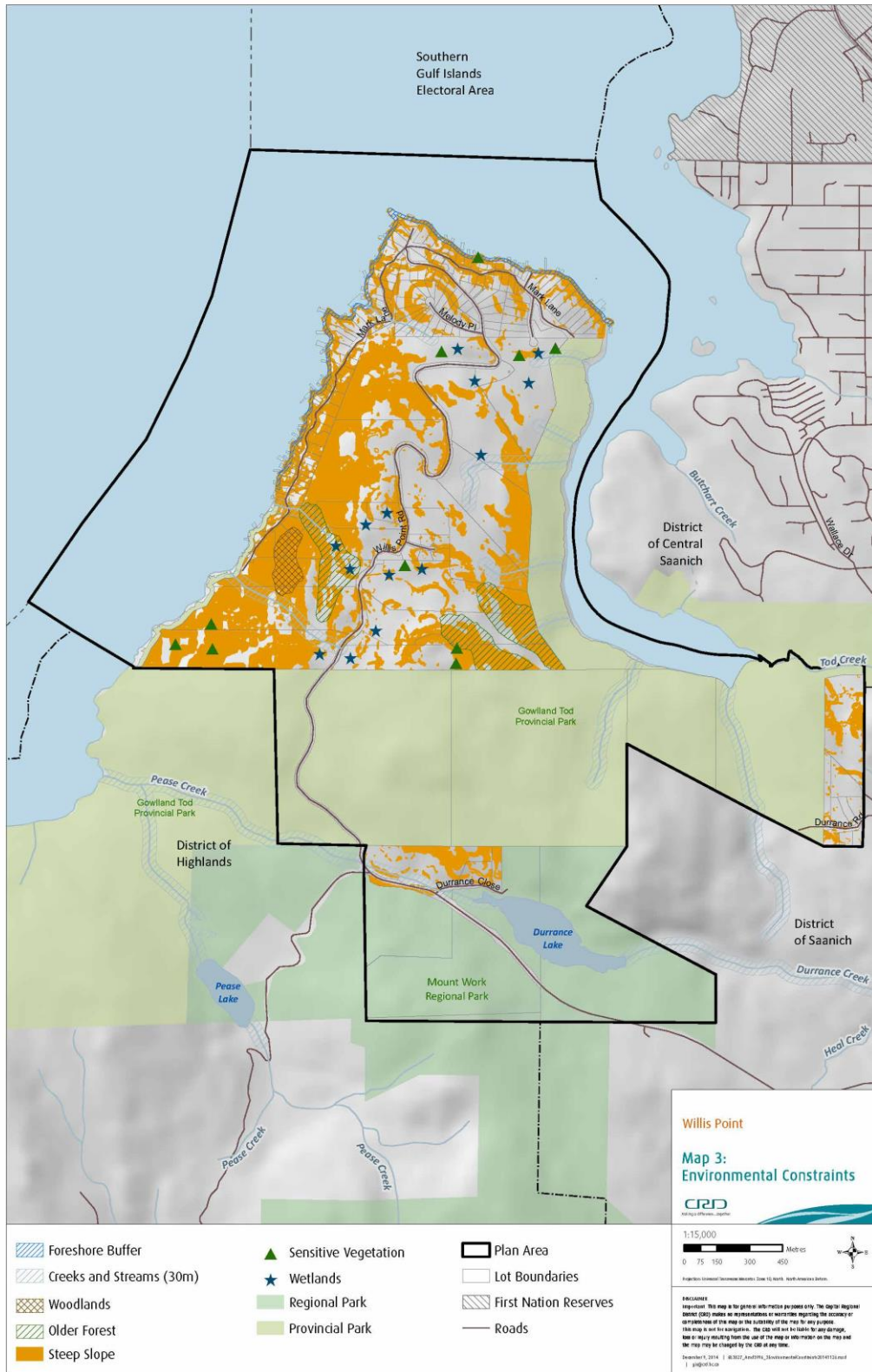
1. Bylaw No. 3027 being the "Comprehensive Community Plan for Willis Point" is hereby amended:
  - A. SCHEDULE "B" LAND USE ZONING**
    - a) Amend Schedule "B" by deleting the map titled "Map 3: Environmental Constraints" and replacing with the new map titled "Map 3: Environmental Constraints" dated December 9, 2014 as shown on Schedule "B" attached to and forming part of this bylaw.
    - b) Amend Schedule "B" by deleting the map titled "Map 3a: Steep Slopes Development Permit Area" and replacing with the new map titled Map 3a: Steep Slopes Development Permit Area" dated December 9, 2014 as shown on Schedule "B" attached to and forming part of this bylaw.
    - c) Amend Schedule "B" by deleting the map titled "Map 4: Zoning" and replacing with the new map titled "Map 4: Zoning" dated December 9, 2014 as shown on Schedule "B" attached to and forming part of this bylaw
2. This bylaw may be cited as Bylaw No. 3996, Comprehensive Community Plan for Willis Point Bylaw No. 1, 2002, Amendment Bylaw No. 4, 2015.

READ A FIRST TIME	THIS	DAY OF	2015
READ A SECOND TIME	THIS	DAY OF	2015
READ A THIRD TIME	THIS	DAY OF	2015
ADOPTED	THIS	DAY OF	2015

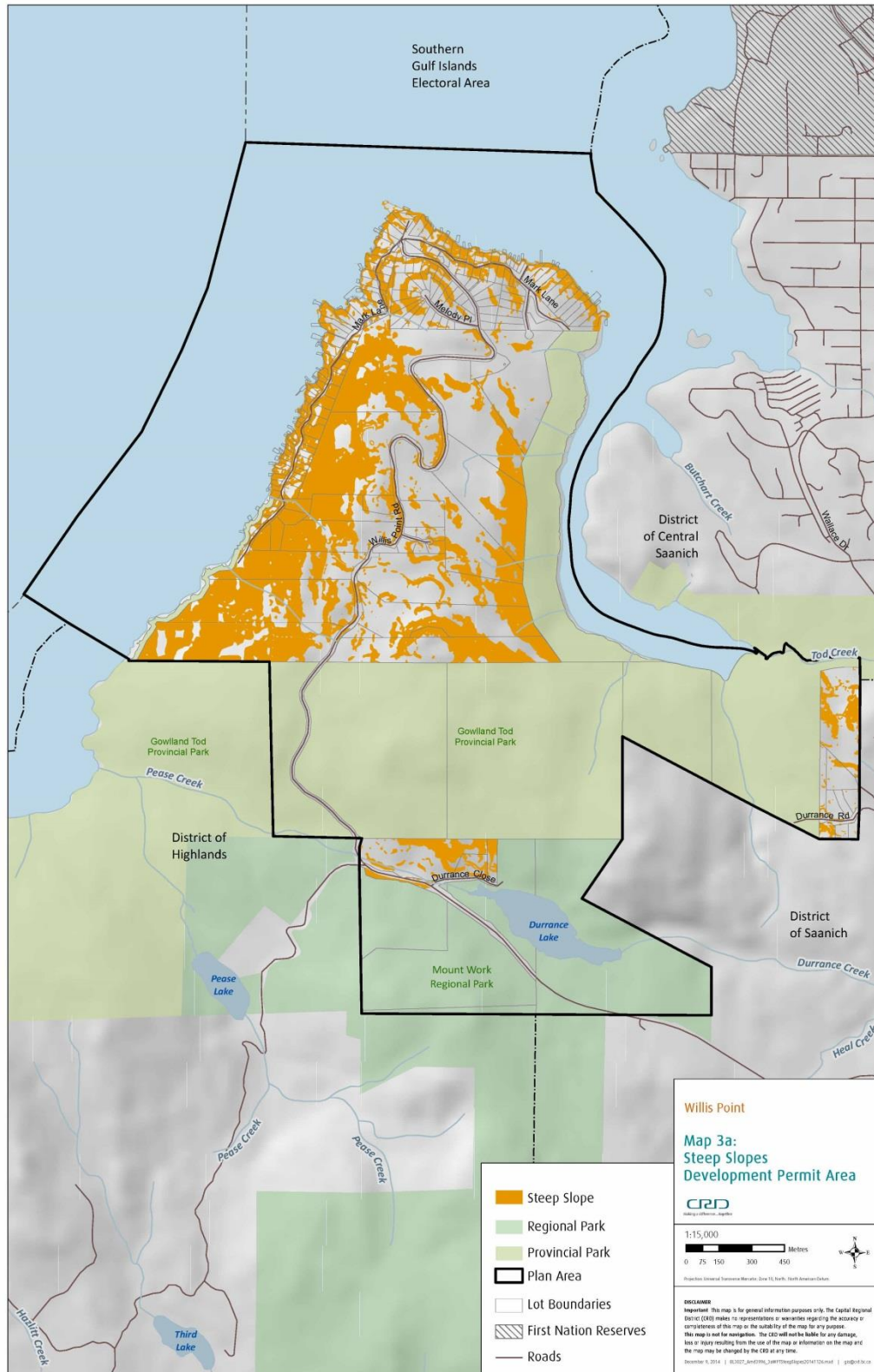
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CHAIR

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CORPORATE OFFICER

Schedule "B" – Map 3: Environmental Constraints



Schedule "B": Map 3a: Steep Slopes Development Permit Area



Schedule "B" – Map 4: Zoning

