



## Public Hearing Information Package

**Monday, February 3, 2025 at 6:00 P.M.**  
*Council Chambers*  
 4450 Happy Valley Road, Victoria, BC, V9C 3Z3

### Metchosin Official Community Plan Amendment Bylaw No. 693

<b>Proposed Bylaw:</b>	<i>Metchosin Official Community Plan Amendment Bylaw No. 693.</i>
<b>OCP Amendment:</b>	<p>The general purpose of <i>Metchosin Official Community Plan Amendment Bylaw No. 693</i> is to rectify a procedural error from 2010 when <i>Official Community Plan Amendment Bylaw No. 565</i> was adopted to introduce a new “Village” land use designation, with supporting mapping, policies, objectives and a development permit area for properties in the Village Centre.</p> <p><i>Official Community Plan Amendment Bylaw No. 693</i> proposes to re-enact the amendments introduced in the 2010 <i>Official Community Plan Amendment Bylaw No. 565</i> and introduces minor housekeeping amendments such as clarification regarding maps, updated references to legislation, and minor changes to the drafting language to improve clarity. The properties shaded on the map are affected by <i>Official Community Plan Amendment Bylaw No. 693</i>.</p> <p>Endorsement of the <i>Official Community Plan Amendment Bylaw No. 693</i> has been received from the Agricultural Land Commission.</p>

### Information Package Contents:

- a) Notice of Public Hearing published in the Goldstream News Gazette January 22<sup>nd</sup> & January 29<sup>th</sup>, 2025 ..... 1
- b) *Metchosin Official Community Plan Amendment Bylaw No. 693* at second reading..... 3
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  - Bylaw No. 693





### NOTICE OF PUBLIC HEARING

The District of Metchosin hereby gives **NOTICE OF A PUBLIC HEARING** to be held on **MONDAY, February 3, 2025 at 6:00 P.M.**, to allow the public to make verbal or written representations to Council with respect to the following proposed bylaw:

#### **METCHOSIN OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 693**

The general purpose of Official Community Plan Amendment Bylaw No. 693 is to rectify a procedural error from 2010 when Official Community Plan Amendment Bylaw No. 565 was adopted to introduce a new "Village" land use designation, with supporting mapping, policies, objectives and a development permit area for properties in the Village Centre.

Official Community Plan Amendment Bylaw No. 693 proposes to re-enact the amendments introduced in the 2010 Official Community Plan Amendment Bylaw No. 565 and introduces minor housekeeping amendments such as clarification regarding maps, updated references to legislation, and minor changes to the drafting language to improve clarity. The properties shaded on the map are affected by Official Community Plan Amendment Bylaw No. 693.

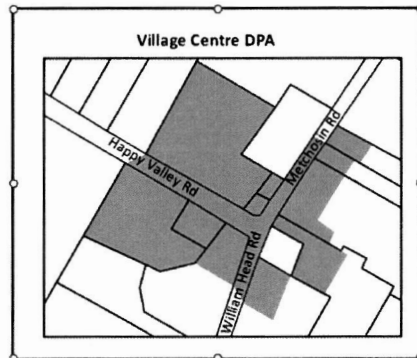
Endorsement of Official Community Plan Amendment Bylaw No. 693 has been received from the Agricultural Land Commission.

#### **Further Information:**

Relevant documents, and copies of the proposed bylaw may be viewed at the District of Metchosin Municipal Hall at 4450 Happy Valley Road, Metchosin, BC, by making an appointment via phone (250) 474-3167 or by emailing [info@metchosin.ca](mailto:info@metchosin.ca) between the hours of 8:00 am and 4:00 pm, Monday to Friday (excluding statutory holidays) commencing January 22, 2025, to and including February 3, 2025.

#### **Public Input:**

All persons who believe their interest in property are affected by the proposed bylaw will be afforded an opportunity to be heard at the **Public Hearing** to be held in **Metchosin Council Chambers, 4450 Happy Valley Road, Victoria, BC., on Monday, February 3, 2025 at 6:00 pm** on the matters contained in the proposed bylaw. Should you have any concerns or comments you wish to convey to Council, please submit in writing by email to [info@metchosin.ca](mailto:info@metchosin.ca), or submit in person by dropping your submission in the mail slot at the right side of the Municipal Hall entrance, or submit by mail to District of Metchosin Municipal Office, 4450 Happy Valley Road, Victoria, British Columbia, V9C 3Z3 **no later than Monday February 3, 2025 at 4:00 pm**. Please be advised that all submissions to Council will become part of the public record.



Bob Payette  
Chief Administrative Officer



**DISTRICT OF METCHOSIN**

**BYLAW NO. 693**

**A BYLAW TO AMEND THE *METCHOSIN OFFICIAL COMMUNITY PLAN BYLAW NO. 258,*  
*for the purpose of addressing housekeeping amendments to the Village land use designation.***

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The Council of the District of Metchosin, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as *METCHOSIN OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 693.*
2. *Metchosin Official Community Plan Bylaw No. 258* is amended as follows:
  - (a) “Part 7 – Commercial” is repealed and replaced with the revised “Part 7 – Commercial” attached as Schedule A and forming part of this bylaw.
  - (b) The Village Centre inset of Map 3 – Plan Map is repealed and replaced with the inset map attached as Schedule B and forming part of this bylaw.
  - (c) The Village Centre DPA inset of Map 6 – Development Permit Areas is repealed and replaced with the inset map attached as Schedule C and forming part of this bylaw.
  - (d) The following portion of section 3.39 is repealed:

“However, those lands designated as Village on Plan Map 3 should be considered appropriate for non-farm use or exclusion from the ALR upon application by the owner or the District of Metchosin, subject to:

    - (1) Agricultural viability of adjacent farmland not being impaired, and,
    - (2) Compliance with the policies in Section 7.3, and in particular, Policy 7.3.7.”

And replaced with:

- “However, those lands designated as Village on Plan Map 3 should be deemed appropriate for non-farm use or ALR exclusion upon application by the owner or the District of Metchosin, subject to:
- (1) Agricultural viability of adjoining farmland not being diminished, and
  - (2) Compliance with the policies in Section 7.3, and in particular, Policy 7.3.7.

Read a first time this	20 <sup>th</sup> day of	November	2023.
Read a second time this	20 <sup>th</sup> day of	November	2023.
Endorsed by the Agricultural Land Commission (ALC) this (Resolution #689/2024)	29 <sup>th</sup> day of	October	2024.
Notice published in the Goldstream Gazette the	22 <sup>nd</sup> and 29 <sup>th</sup> days of	January	2025.
PUBLIC HEARING HELD THIS	3 <sup>rd</sup> day of	February	2025.
Read a third time this	day of		2025.
Finally passed and adopted by Council this	day of		2025.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

## Schedule A

**PART 7: COMMERCIAL****7.1 BACKGROUND**

Commercial activity in Metchosin has been largely limited to the corner of Happy Valley and Metchosin Roads. This site, which is the location of the "general store", the original church, school and community hall also provides a historical focus for the community. Over time, other commercial outlets have been opened across from the general store and the school. It is now recognized as the Metchosin Village Centre.

There is also a demand for commercial activities generally known as "home businesses". Generally, these are small-scale endeavours involving such activities as pottery, small-scale weaving, arts and crafts, home daycare, small appliance repair, professional office functions and roadside sales of farm goods.

With controls in place, home businesses can be compatible with a rural community. Such businesses can be of benefit to residents by increasing local employment opportunities and by providing services to residents. Over time, home businesses may grow in size and scale to the extent that they must move to an area designated for commercial activities. This process of transition from a "home business" to a full-fledged commercial activity is important in order to retain the residential and rural nature of the non-commercially designated areas.

**7.1.1 VILLAGE CENTRE**

The Village Centre is a compact area, and the community vision for this area is that it remains a compact community and cultural core that provides services and recreation opportunities primarily to local residents. The role of the Village Centre is therefore not limited to the provision of commercial services, but rather a diversity of institutional, recreational and commercial uses. Much of the land is included within the Agricultural Land Reserve. The compact boundaries of the Village designation are intended to concentrate commercial and institutional uses, to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. New development can occur within this framework, but growth is expected to be limited. Preservation and enhancement of the rural landscape and existing trees and wooded areas will be a key value and criterion applied to any new development or change in use, along with the need to respect and support adjacent agricultural activities, and reflect the District's greenhouse gas emission reduction targets and related energy and water conservation strategies. Any new developments will be included in, and guided by the Village Centre Development Permit Area and associated guidelines. In addition to addressing design, the development permit area is intended to help the District reduce greenhouse gas emissions, and conserve energy and water. Furthermore, lands within the ALR are subject to the *Agricultural Land Commission Act*. Any new development for a commercial or other use not permitted by the *Agricultural Land Commission Act* will require approval by the Agricultural Land Commission.

**7.2 OBJECTIVES**

- 7.2.1 To recognize existing commercial activity in the "village" and to provide for limited expansion within this compact area.
- 7.2.2 To provide opportunities for home businesses, compatible with maintaining a rural community.
- 7.2.3 To prevent ribbon commercial development.

- 7.2.4 To discourage commercial land uses in conflict with the rural and agricultural character of the community and which would likely impose undue servicing burdens on the tax payer.
- 7.2.5 To permit commercial development only where an adequate community water supply is demonstrated and where soil conditions are suitable for the satisfactory long term operation of septic disposal systems.

**7.3 POLICIES**

Definition: Lands designated Village on Plan Map 3 shall be used for a mix of complementary commercial, community institutional, and residential uses that reinforce the Village as the community’s cultural core, commercial centre and recreational hub. Commercial purposes include retail stores, offices, household services and associated repairs, business services and community services. Community uses include community facilities, private and public schools. Residential uses (one dwelling unit per parcel) are permitted in single-family dwellings, or within a mixed-use building.

- 7.3.1 Existing commercial and institutional activity located near the corner of Metchosin and Happy Valley Roads is recognized and encouraged to remain the community focus of Metchosin.
- 7.3.2 Expansion and strengthening of the Village is encouraged within lands designated Village. Within this designation, a variety of complementary and compatible land uses are permitted, including commercial, institutional and residential. Any proposed new development must be consistent with Metchosin’s rural character.
- 7.3.3 The focus of commercial development is intended to be oriented toward local residential demand, including small-scale retail uses, and local professional offices. Mixed use buildings up to a maximum of two storeys are permitted with a combination of commercial, institutional and residential uses.
- 7.3.4 One residential dwelling unit is permitted per lot, plus one secondary suite, to be provided either through a single family dwelling, or within a mixed use building, subject to the Land Use Bylaw.
- 7.3.5 Much of the land in and around the Village is included within the Agricultural Land Reserve. The compact boundaries of the Village designation are intended to concentrate commercial and institutional uses, to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. Uses proposed within the Village must be considered within the context of impacts on the viability of adjacent ALR lands and active farms.
- 7.3.6 The Village designation is not intended to permit any industrial use, big box format or warehouse retail uses, drive-thru restaurants, strip clubs or tourist-oriented attractions.
- 7.3.7 Proposed new development within the Village is subject to the following considerations:
  - 1) Consistency with the desire for the Village to remain compact;
  - 2) Consistency with the rural character of the District, and the Village Centre Development Permit guidelines;
  - 3) Demonstrated need for the proposed use or services in the community;
  - 4) Consistency with the District’s greenhouse gas emission reduction targets and any associated policies, actions or strategies;
  - 5) Compatibility with surrounding ALR lands and/or farm activities; and,

- 6) Preservation and enhancement of existing wooded areas and rural landscape.
- 7.3.8 New commercial development within the Village designation is subject to a development permit in accordance with Sections 488(1) (f), (h), (i), and (j) of the *Local Government Act*. Any properties designated Village must be included in the Village Centre Development Permit Area.
- 7.3.9 Commercial development outside the Village is discouraged.
- 7.3.10 Subject to land use controls, the sale of agricultural products and limited commercial uses should be permitted through home businesses. Land use controls should be designed to:
  - 1) Prevent commercial activity that would generate excessive traffic;
  - 2) Limit commercial type signs;
  - 3) Limit the number of persons engaged in the activity;
  - 4) Limit the size of the activity;
  - 5) Discourage unenclosed, outdoor storage; and
  - 6) Prevent occupations likely to have injurious effects on neighbouring properties in terms of noise, smells, vibrations or unsightly conditions.
- 7.3.11 Notwithstanding Policy 7.3.9, Council may issue permits for temporary commercial use in all designations as shown on Plan Map 3, in accordance with Section 492 of the *Local Government Act*. Any temporary building or structure shall be in keeping with the rural style of Metchosin.
- 7.3.12 In implementing this Plan, any expansion in commercial activity is to be consistent with the rural character of Metchosin.

**7.4 VILLAGE CENTRE DEVELOPMENT PERMIT AREA**

Section 488(1)(f) of the *Local Government Act* states that a community plan may designate areas for the establishment of objectives and the provision of form and character guidelines for commercial development. In such areas, land shall not be subdivided and the construction of, or addition to, a commercial structure shall not begin without a Development Permit. In addition, Sections 488(1) (h), (i), and (j) of the *Local Government Act* permit a development permit area to be designated for the establishment of objectives to promote energy conservation, water conservation and the reduction of greenhouse gas emissions. Council has therefore established the following designation, conditions and guidelines.

**7.4.1 Designation:**

The area shown on the Village Centre Development Permit Area, Map 6, is designated for the establishment of objectives and the provision of guidelines for the following purposes:

- the form and character of commercial development;
- to promote energy conservation;
- to promote water conservation; and,
- to promote the reduction of greenhouse gas emissions.

**7.4.2 Special Conditions:**

The conditions justifying the foregoing designation are:

- 1) The desire to maintain the rural streetscape, where the trees and landscaping, and not the buildings or parking, are the dominant feature;
- 2) The visibility of the proposed commercial development, and the associated parking, from roads which are well-travelled;
- 3) The importance of ensuring that commercial development is compatible with and contributes to the rural character of the community;
- 4) The Village’s role as a gathering place for residents, and the need to ensure commercial buildings recognize the importance of this function and further enhance this role through building form and character;
- 5) The area is home to some of the community’s valued heritage landmarks, including the old schoolhouse, Metchosin school, and St. Mary the Virgin church. The Development Permit process is needed to ensure new buildings are sensitive to the character of these assets, and their significance to the community; and,
- 6) The desire to encourage water and energy conservation, green building standards, and reduce greenhouse gas emissions.

**7.4.3 Guidelines:**

The Metchosin Village Centre, while the commercial, cultural and recreational hub of the community, is still true to its rural and agricultural roots. While there is the potential for some limited expansion, this is not to be at the expense of the rural atmosphere that is the pride of the community. The guidelines are not intended to advocate one building type or architectural style – variety is valued – but rather a consistency in authenticity and quality that reflects the character of the District. Landscaping – and in particular the preservation of existing trees – is intended to be a dominant feature of any development. Finally, the objectives of conserving water and energy, and reducing greenhouse gas emissions, consistent with the District’s targets, policies and strategies, should be incorporated into each development. *(Note: Illustrations shown are not intended to be replicated, but are sample designs of interpretations of rural character that may be appropriate in the Village depending on the context).*

- 1) Buildings should be sited in a way that promotes connectivity with adjacent uses, without bringing the buildings too close to the front lot line as to impact on the predominantly rural streetscape where trees and landscaping, not buildings, are the dominant feature.
- 2) Buildings and parking are to be screened with landscaping to eliminate the impact of the building, use, and/or the parking on the streetscape and on neighbouring uses, without impairing sight lines, and safe ingress and egress from the property or compromising the desire for connectivity between compatible uses.
- 3) Pervious, permeable or porous parking surfaces will be required to conserve water, retain and support vegetation, and address the management of rain water and run-off.
- 4) Linkages that connect to existing or planned trails through the Village and



provide connectivity with immediately adjacent properties are essential, fostering an environment that encourages walking, biking and alternative modes of transportation.

- 5) Each development must provide for decorative outdoor furniture (e.g. benches, bike racks, hitching posts, refuse containers, etc.) that supports the gathering function of the Village Centre, encourages the use of proposed or existing trails, and promotes alternative modes of transportation.
- 6) Hand-crafted signs, particularly wood signs of professional quality are encouraged, including hanging signs. Front lighting is preferred, and backlit signs, as well as neon or flashing signs are not permitted. Double-sided hanging signs are permitted.
- 7) Exterior storage, service and refuse areas shall be landscaped and buffered so as to minimize intrusions on adjacent uses.
- 8) General two-storey height limit for all buildings.
- 9) The use of wood, stone and natural exterior finishing materials is encouraged, such as post and beam construction, exposed beams, open frame, board and batten, clapboard, shingles, shakes, and stone, unless otherwise prohibited for safety reasons, or inconsistent with green building standards, greenhouse gas emission or energy conservation objectives.
- 10) Elements such as pitched rooflines, gables, dormers and overhangs, as well as green or living roofs, are encouraged.

- 11) Porches are encouraged in part to facilitate the role of the Village as a gathering place, and to provide a public area that is sheltered from rain.



- 12) Attention should be paid to the character of windows, doors and entranceways. Window details such as wide casings, double-hung sash windows and true divide muntins are considered appropriate.

- 13) Contemporary west-coast style architecture, such as the Metchosin municipal hall, as well as the My-Chosen Café are noted as examples of newer developments that make a positive contribution to the character of the Village without adhering to one uniform design theme.

- 14) Each development is required to incorporate features, materials and/or designs that promote water and energy conservation, and reduce greenhouse gas emissions. Efforts are encouraged to include, but not necessarily be limited to:

- Orientation of buildings for solar energy gain;
- Landscaping that provides for light penetration in winter, and cooling shade in the summer;
- Use of native plants and landscaping that requires less water;
- Drainage by infiltration, and minimizing impervious areas;
- Natural ventilation; and,

- Green building standards.

15) Applications for new development will be required to include a summary of factors incorporated into the building and site design that address water and energy conservation, and reduce greenhouse gas emissions.



16) A landscape plan by a professional landscape architect may be required as part of the development permit process.

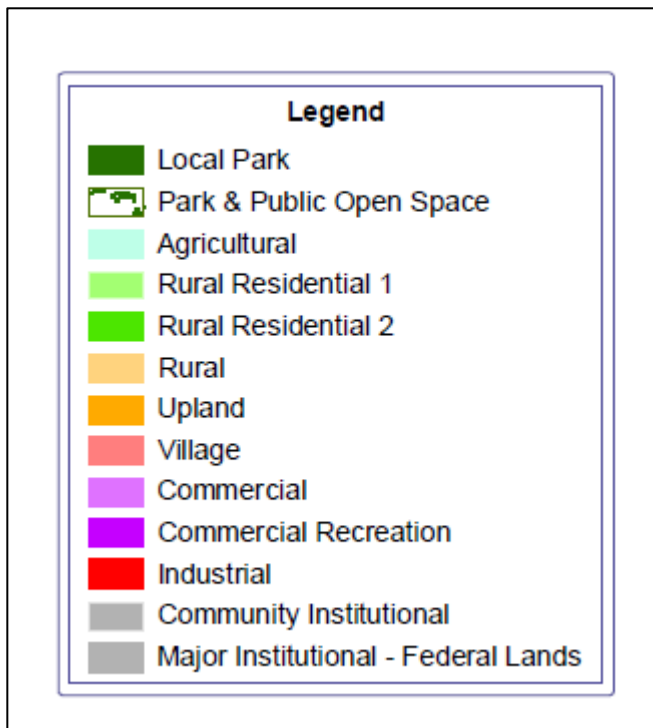
17) Where possible, buildings are encouraged to be painted in autumn colours.

18) Any exterior lighting of buildings shall be installed to minimize light pollution of the night sky. Any lighting not attached to a building, if required, must also aim to minimize light pollution of the night sky, and employ solar or energy conservation technologies.

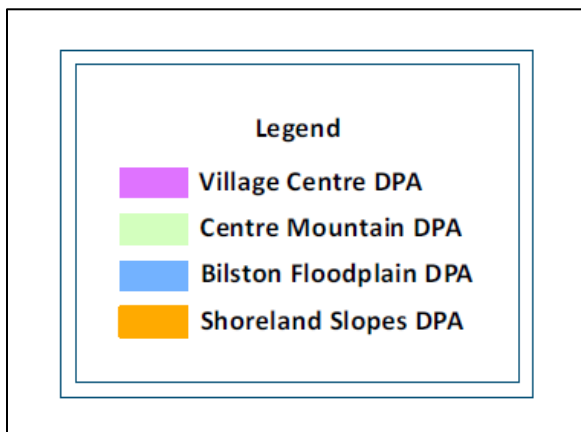
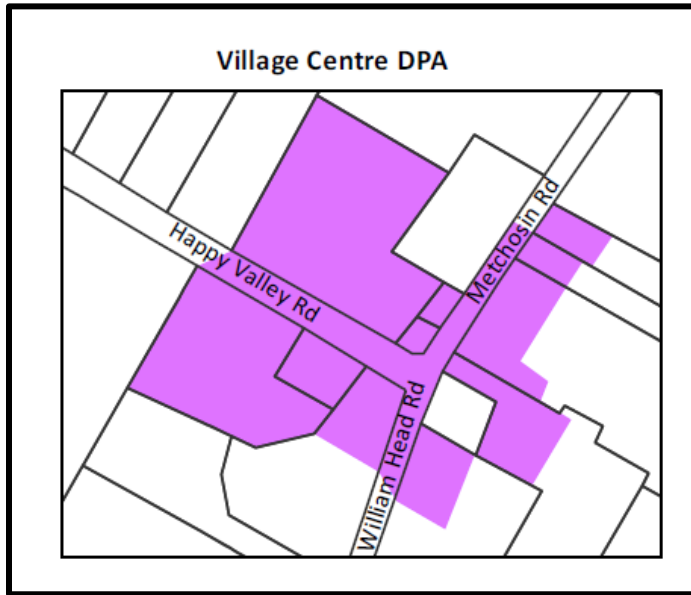
#### 7.4.4 Exemptions:

Internal renovations or land alterations within the Village Centre Development Permit Area shall not require a Development Permit.

Schedule B – Village Centre Designation and Inset



Schedule C – Village Centre DPA and Inset



October 29, 2024

ALC Planning Review: 46854  
Resolution #689/2024

Bob Payette  
Chief Administrative Officer, District of Metchosin  
[bpayette@metchosin.ca](mailto:bpayette@metchosin.ca)

**Re: Request for Endorsement of District of Metchosin's Official  
Community Plan Amendment Bylaw 693**

Thank you for forwarding, for review and comment by the Agricultural Land Commission (the "ALC" or "Commission"), a draft copy of the District of Metchosin's Official Community Plan Amendment Bylaw 693 (the "OCP Amendment"), dated November 20, 2023. The draft OCP Amendment sets out a proposal to amend the District of Metchosin's (the "District") Official Community Plan ("OCP") to designate some properties within the Agricultural Land Reserve ("ALR") as "Village" (the "Request"). Thank you also for your presentation to the Executive Committee of the Commission (the "Executive Committee") on February 7, 2024.

The OCP Amendment proposes to amend the current OCP and designate 3 ha of ALR land for non-agricultural (commercial, community institutional, residential) uses impacting eight properties (Schedule A). Of the 3 ha:

- The designation of approximately 1.8 ha would change from its current "Agriculture" OCP designation to "Village" (Properties 1, 5, and 6); and,
- The designation of approximately 1.2 ha would change from its current "Commercial" OCP designation to "Village" (Properties 2, 3, 4, 8 and 9).

The OCP Amendment also requests confirmation of the existing "Village" designation of approximately 1.9 ha of ALR land, impacting one property (Property 7) (Schedule A).

The Request was reviewed in the context of s.46 of the Agricultural Land Commission Act (the "ALCA"). Section 46 of the ALCA requires local governments to ensure their bylaws are consistent with the ALCA, ALR regulations, and any orders of the Commission. Inconsistent bylaws include (but are not limited to) those which allow a use of land in the ALR that is not permitted under the ALCA or contemplate a use of land that would impair or impede the intent of the ALCA. A

local government bylaw or a First Nation government law that is inconsistent with the ALCA, ALR Regulations, and/or any orders of the Commission, has, to the extent of the inconsistency, no force or effect.

The Request was also weighed against the purposes of the Commission as stipulated in s.6 of the ALCA:

- To preserve agricultural land;
- To encourage farming on agricultural land in collaboration with other communities of interest; and,
- To encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaw and policies

The Commission must also give priority to protecting and enhancing the following in exercising its powers and performing its duties:

- The size, integrity and continuity of the land base of the agricultural land reserve;
- The use of the agricultural land reserve for farm use.

### **Discussion**

The nine properties (the "Properties") impacted by the Request are all located in the village center of the District (the "Proposal Area") and are all located entirely in the ALR.

The Request will not result in exclusion of land from the ALR.

The District explains that the Village designation will allow for a *"mix of complementary commercial, community institutional, and residential uses that reinforce the Village as the community's cultural core, commercial centre and recreational hub. Commercial purposes include retail stores, offices, household services and associated repairs, business services and community services. Community uses include community facilities, private and public schools. Residential uses (one dwelling unit per parcel) are permitted in the single-family dwellings, or within a mixed-use building"*.

Properties 1, 2, 3, 4, 7, 8, 9:

The Request proposes the following:

- Property 1 (0.4 ha) : Split designated "Village" (0.2 ha) and "Agricultural" (0.2 ha)
- Property 2 (0.4 ha): Split designated "Village" (0.1 ha) and "Agricultural" (0.3 ha)
- Property 3 (3.1 ha): Split designated "Village" (0.5 ha) and "Agricultural" (2.6 ha)
- Property 4 (1.4 ha): Split designated "Village (0.4 ha) and "Agricultural" (1 ha)
- Property 7 (1.9 ha): The entire parcel designated "Village" (1.9 ha)
- Property 8 (0.1 ha): The entire parcel designated "Village" (0.1 ha)
- Property 9 (0.1 ha): The entire parcel designated "Village" (0.1 ha)

For Properties 1, 2, 3, and 4, the "Village" designation is proposed to be adjacent to Metchosin Road, leaving the southeastern portions of Properties 1, 2, 3, and 4 to remain designated "Agricultural".

**Findings:** In 1995, the Commission endorsed Metchosin OCP Bylaw No. 189 which identified the intersection of Happy Valley and William Head Roads as "Commercial" and "Community Institutional". Based on Map 3: Plan Map provided in the 1995 endorsed Metchosin OCP Bylaw No. 189, the Commission confirms that the previously endorsed area includes portions of Properties 1, 2, 3, 4, and all of Properties 8 and 9 which were designated "Community" while all of Property 7 was designated "Community Institutional". The Executive Committee confirms that the proposed "Village" designation on portions of Properties 1, 2, 3, 4, and all of Properties 7, 8, and 9 are consistent with the previously endorsed "Commercial" and "Community Institutional" designations in Resolution #491/95.

**Decision:** The Commission conditionally endorses the "Village" designation on portions of Properties 1, 2, 3, 4, and all of Properties 7, 8 and 9 as shown on the attached Decision Map (Schedule B), subject to maintaining access to the land designated as "Agricultural" on Properties 1, 2, 3, and 4 such that the agriculturally designated remainder can be used for agricultural purposes.

Property 5:

The Request proposes to amend the designation of Property 5 (1.9 ha) from "Agricultural" to a split designation of "Village" (0.3 ha) and "Agricultural" (1.6 ha).

The "Village" designation is proposed to be located in the northwestern corner of Property 5 adjacent to William Head Road.

The portion of Property 5 that is proposed to be designated as "Village" is used for residential purposes.

**Findings:** The Commission finds that the portion of Property 5 that is proposed to be designated "Village" is located within the District village center and is located adjacent to other areas that have been conditionally endorsed to be designated as "Village", and prior to that designated as "Commercial" or "Community Institutional". The Commission finds that allowing a portion of Property 5 to be designated as "Village" reduces the non-farm use development pressures on the ALR outside of the District village center.

**Decision:** The Commission conditionally endorses the "Village" designation on a portion of Property 5 as shown on the attached Decision Map (Schedule B), subject to maintaining access to the land designated as "Agricultural" on Property 5 such that the agriculturally designated remainder can be used for agricultural purposes.

#### Property 6:

The Request proposes to amend the designation of Property 6 from "Agricultural" to "Village". The "Village" designation is proposed to apply to the entire property (1.3 ha).

Property 6 is used for residential and agricultural purposes but is located within the village core. There are two properties to the east of Property 6, one (0.3 ha) is located outside of the ALR and is used for commercial purposes, another is located partially within the ALR (0.3 ha outside of the ALR, 1 ha within the ALR), the non-ALR portion of the property is used for commercial purposes. The property to the west (~4.4 ha) of Property 6 was previously endorsed by the Commission as "Community Institutional" by Resolution #491/95, and includes the District offices, a community hall, and fire hall. Property 7 is located directly across Happy Valley Road from Property 6 is used for commercial, institutional and recreational purposes.

**Findings:** The Commission finds that Property 6 is located within the District village center adjacent to existing commercial, institutional and recreational uses that are were previously endorsed by the Commission by Resolution #491/95 or outside of the ALR. The Commission finds that allowing Property 6 to be designated as "Village" concentrates potential non-farm uses within the existing established and previously endorsed village center and reduces the non-farm use development pressures on the ALR outside of the District village center.

**Decision:** The Commission endorses the "Village" designation on Property 6 as shown on the attached Decision Map (Schedule B).

### **Next Steps**

Although the Commission has conditionally endorsed the "Village" bylaw designation (totaling ~4.9 ha over nine properties), the Properties remain in the ALR, and therefore, the ALCA and its regulations still apply. As such, non-farm use applications are required to be submitted to the Commission to determine the proposal's consistency with the Commission's endorsement.

In considering non-farm use applications that are consistent with the Commission's conditionally endorsed "Village" designation on the Properties, the Commission requires that the ALC's Chief Executive Officer (the "CEO"):

- consider whether requiring the construction and maintenance of fencing would be appropriate to reduce the potential for non-farm uses to spread onto land designated for agriculture; and,
- require the submission of zoning bylaw amendments for the Properties to be reviewed and approved by the Commission prior to first reading.

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This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the Nicole Mak at 236-468-3278 or by e-mail at [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Jennifer Dyson, ALC Chair

Enclosure: Schedule A: Affected Property Information  
Schedule B: Decision Map  
Referral of District of Metchosin's Official Community Plan  
Amendment Bylaw 693

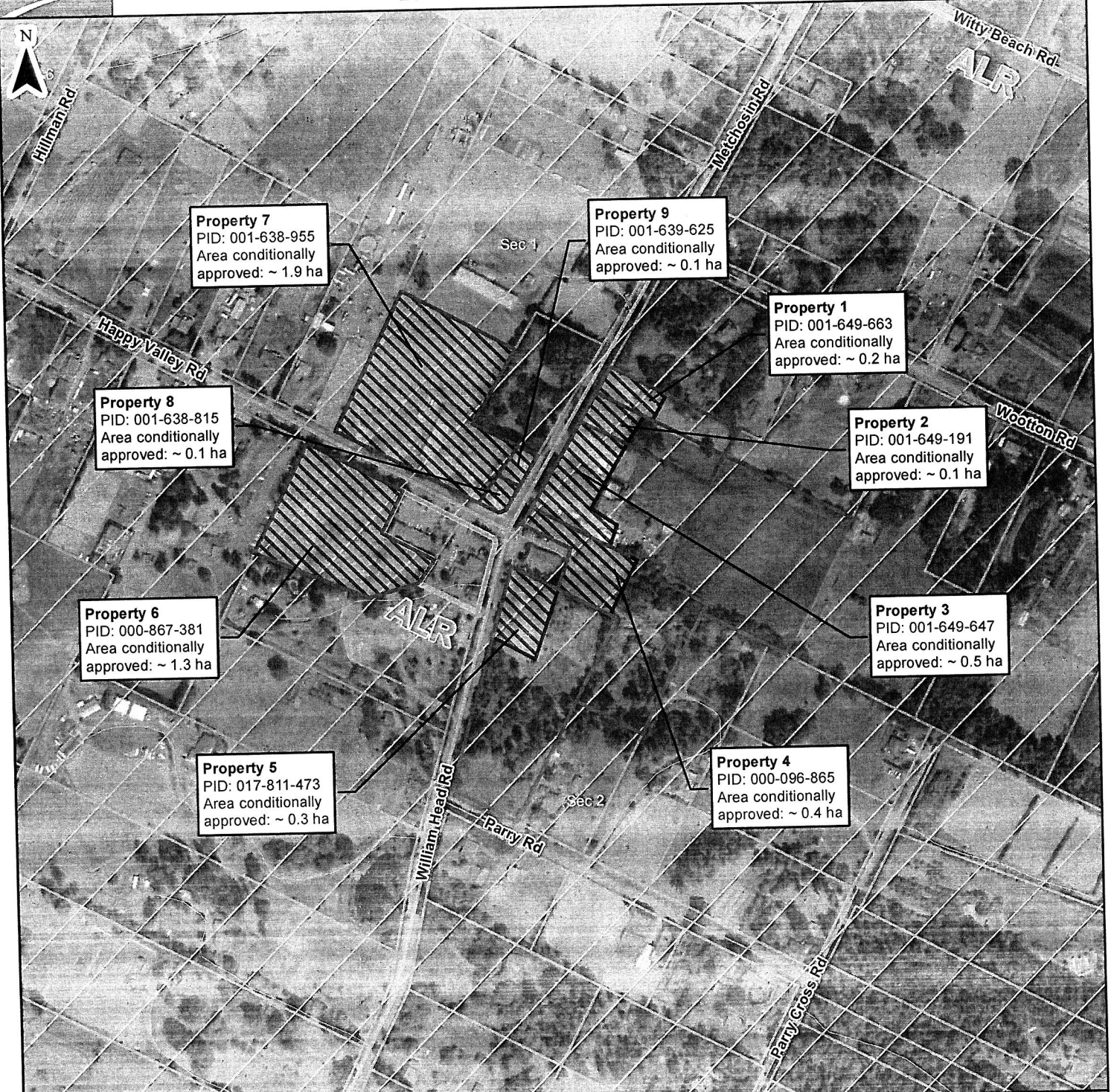
CC: District of Metchosin (Attention: Katherine Lesyshen and Susan Dyble)  
Ministry of Agriculture and Food – Attention: Reed Bailey

46854d1

**Schedule A: Affected Property Information**

Property	Civic Address	PID	Parcel Size (ha)*	Current OCP designation	Proposed OCP designation	Approximate OCP designation area in ALR (ha)
1	4347 Metchosin Road	001-649-663	0.4	Agriculture	Village & Agricultural	0.2
2	4357 Metchosin Road	001-649-191	0.4	Commercial & Agriculture	Village & Agricultural	0.1
3	4377 Metchosin Road	001-649-647	3.1	Commercial & Agriculture	Village & Agricultural	0.5
4	4397 Metchosin Road	000-096-865	1.4	Commercial & Agriculture	Village & Agricultural	0.4
5	4409 William Head Road	017-811-473	1.9	Agriculture	Village & Agricultural	0.3
6	4460 Happy Valley Road	000-867-381	1.3	Agriculture	Village	1.3
7	4495 Happy Valley Road	001-638-955	1.9	Village	Village	1.9
8	4398 Metchosin Road	001-638-815	0.1	Commercial	Village	0.1
9	4384 Metchosin Road	001-639-625	0.1	Commercial	Village	0.1

\* all parcels are entirely within the ALR



**Property 7**  
PID: 001-638-955  
Area conditionally approved: ~ 1.9 ha

**Property 9**  
PID: 001-639-625  
Area conditionally approved: ~ 0.1 ha

**Property 1**  
PID: 001-649-663  
Area conditionally approved: ~ 0.2 ha

**Property 8**  
PID: 001-638-815  
Area conditionally approved: ~ 0.1 ha

**Property 2**  
PID: 001-649-191  
Area conditionally approved: ~ 0.1 ha

**Property 6**  
PID: 000-867-381  
Area conditionally approved: ~ 1.3 ha

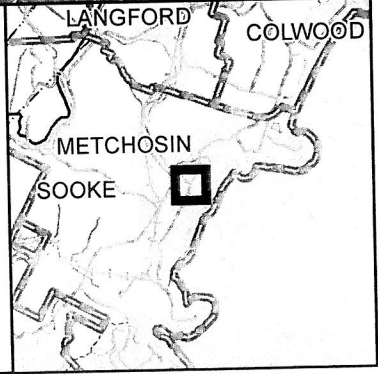
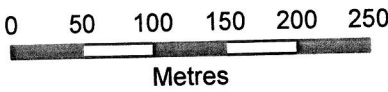
**Property 3**  
PID: 001-649-647  
Area conditionally approved: ~ 0.5 ha

**Property 5**  
PID: 017-811-473  
Area conditionally approved: ~ 0.3 ha

**Property 4**  
PID: 000-096-865  
Area conditionally approved: ~ 0.4 ha

ALC FILE NO: 46854	RESOLUTION NO: 689/2024
MAP PRODUCED: October 16, 2024	
MAP SCALE: 1:5,000	
DATA SOURCES & NOTES: ALC, BCGW and ESRI / Maxar. Contains information licensed under Open Government License - British Columbia.	
Map for reference only. Accuracy not guaranteed.	

-  Conditionally Approved OCP Village Designation (~4.9 ha)
-  Subject Properties
-  Agricultural Land Reserve
-  PMBC Parcel Cadastre





## DISTRICT OF METCHOSIN

OUR FILE: 3320-23-01  
ALC Planning Review 29851

November 20, 2023

Agricultural Land Commission  
133-4940 Canada Way  
Burnaby, BC V5G 4K6

Attention: Nicole Mak, Regional Planner  
nicole.mak@gov.bc.ca

Dear Nicole:

**Re: Official Community Plan Amendment Bylaw 693**

This letter is in response to your correspondence of June 29, 2023 as it relates to a 2010 Metchosin Official Community Plan amendment. Your letter extended an opportunity for the District of Metchosin to present the original OCP Amendment that designated ALR lands as "Village" to the ALC Executive Committee and to request endorsement.

The District has initiated a new bylaw amendment that provides the ALC such opportunity, and at the Council meeting on November 20, 2023, Bylaw No. 693 received first and second reading. In accordance with the *Local Government Act*, we are now referring the bylaw to the Agricultural Land Commission for endorsement. There are no substantive changes in the amendments proposed from the original bylaw to the bylaw today, but it does include some housekeeping amendments, minor changes to language to improve clarity and updated references to legislation. Council has agreed to repeal and re-enact the amendments in order to give the ALC the opportunity to endorse the OCP amendment formally.

While we encourage you to review the attached bylaw in detail, some of the key changes to highlight in the original proposed bylaw included the following:

1. The seven properties in Metchosin's Village Centre that were currently designated commercial in the OCP will have that designation changed to a Village designation that permits a wider range of uses, and mixed use rather than just commercial use.
2. Three sites that are currently designated Agriculture in the OCP (adjacent to commercial sites) will be changed to reflect the Village designation. The areas added to the Village designation include a portion of a property at 4347 Metchosin Road which has already been approved by the ALC for non-farm use; the portion of 4409 William Head Road primarily occupied by a house, and the property at 4460 Happy Valley Road which is located between the Municipal Hall and the existing commercial plaza.
3. Adjustments to the Commercial policies, and the addition of statements intended to support agricultural activity in the area, such as the need to preserve the agricultural

4450 Happy Valley Road, Victoria, B.C. V9C 3Z3  
Administration Office (250) 474-3167 Fax 474-6298  
Building Inspection Department (250) 474-3196 Fax 474-6298

nature of the community, and discourage commercial uses in conflict with agriculture as a key objective. A discussion of the Village Core and the vision associated with that area is also included in the proposed bylaw, which references that the compact boundaries of the Village designation is intended to concentrate commercial and institutional uses and to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. Furthermore, a key criterion for evaluating any new development is the compatibility with surrounding ALR lands and/or farm activities.

4. Adjustments to the Village Centre Development Permit Area, both in terms of the boundaries (significantly smaller boundary to reflect only those properties designated for Village uses), as well as guidance that helps to clarify the District's vision for any new development in the Village. The significant reduction in the development permit area is intended to reinforce the desire for the Village Centre to remain compact, and not to encourage further commercial expansion. Notably, the existing OCP indicates that "expansion ... is encouraged and permitted to take place" over a much larger area, and it was determined that the District is not likely to need, nor does it want to encourage this scale of commercial activity on its base of agricultural land. It is hoped that the Metchosin School fields as well as the Municipal Hall riding ring and cricket pitch will provide a good buffer to the agricultural properties to the west along Happy Valley Road.
5. The bylaw also includes some adjustments to the Agricultural policy section of the OCP (Section 3.3.9), including the provision that indicates that the lands designated as Village could be candidates for ALR exclusion or non-farm use as it relates to Section 7.3 of the OCP.

We are optimistic that the Commission will agree that the amendments to the OCP will enhance our community's strong support for agriculture, and ensure any future expansion of our Village core will not negatively impact our community's agricultural potential. If you have any questions, comments or concerns, please do not hesitate to contact our office.

On behalf of the District, I wish to thank you in advance for promptly replying to this referral.

Sincerely,



Sue-Lin Tarnowski  
Interim Chief Administrative Officer

cc: Katherine Lesyshen, MCIP, RPP, Planner

Encl.

DISTRICT OF METCHOSIN

BYLAW NO. 693

**A BYLAW TO AMEND THE METCHOSIN OFFICIAL COMMUNITY PLAN BYLAW NO. 258,  
for the purpose of addressing housekeeping amendments to the Village land use designation.**

---

The Council of the District of Metchosin, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as *METCHOSIN OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 693*.
2. *Metchosin Official Community Plan Bylaw No. 258* is amended as follows:
  - (a) "Part 7 – Commercial" is repealed and replaced with the revised "Part 7 – Commercial" attached as Schedule A and forming part of this bylaw.
  - (b) The Village Centre inset of Map 3 – Plan Map is repealed and replaced with the inset map attached as Schedule B and forming part of this bylaw.
  - (c) The Village Centre DPA inset of Map 6 – Development Permit Areas is repealed and replaced with the inset map attached as Schedule C and forming part of this bylaw.
  - (d) The following portion of section 3.39 is repealed:

"However, those lands designated as Village on Plan Map 3 should be considered appropriate for non-farm use or exclusion from the ALR upon application by the owner or the District of Metchosin, subject to:

    - (1) Agricultural viability of adjacent farmland not being impaired, and,
    - (2) Compliance with the policies in Section 7.3, and in particular, Policy 7.3.7."

And replaced with:

- "However, those lands designated as Village on Plan Map 3 should be deemed appropriate for non-farm use or ALR exclusion upon application by the owner or the District of Metchosin, subject to:
- (1) Agricultural viability of adjoining farmland not being diminished, and
  - (2) Compliance with the policies in Section 7.3, and in particular, Policy 7.3.7.

Read a first time this	20 <sup>th</sup>	day of	November	2023.
Read a second time this	20 <sup>th</sup>	day of	November	2023.
Notice published the		day of		
PUBLIC HEARING HELD THIS		day of		2024.
Read a third time this		day of		2024.
Finally passed and adopted by Council this		day of		2024.

---

Mayor

---

Corporate Officer

## Schedule A

**PART 7: COMMERCIAL****7.1 BACKGROUND**

Commercial activity in Metchosin has been largely limited to the corner of Happy Valley and Metchosin Roads. This site, which is the location of the "general store", the original church, school and community hall also provides a historical focus for the community. Over time, other commercial outlets have been opened across from the general store and the school. It is now recognized as the Metchosin Village Centre.

There is also a demand for commercial activities generally known as "home businesses". Generally, these are small-scale endeavours involving such activities as pottery, small-scale weaving, arts and crafts, home daycare, small appliance repair, professional office functions and roadside sales of farm goods.

With controls in place, home businesses can be compatible with a rural community. Such businesses can be of benefit to residents by increasing local employment opportunities and by providing services to residents. Over time, home businesses may grow in size and scale to the extent that they must move to an area designated for commercial activities. This process of transition from a "home business" to a full-fledged commercial activity is important in order to retain the residential and rural nature of the non-commercially designated areas.

**7.1.1 VILLAGE CENTRE**

The Village Centre is a compact area, and the community vision for this area is that it remains a compact community and cultural core that provides services and recreation opportunities primarily to local residents. The role of the Village Centre is therefore not limited to the provision of commercial services, but rather a diversity of institutional, recreational and commercial uses. Much of the land is included within the Agricultural Land Reserve. The compact boundaries of the Village designation are intended to concentrate commercial and institutional uses, to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. New development can occur within this framework, but growth is expected to be limited. Preservation and enhancement of the rural landscape and existing trees and wooded areas will be a key value and criterion applied to any new development or change in use, along with the need to respect and support adjacent agricultural activities, and reflect the District's greenhouse gas emission reduction targets and related energy and water conservation strategies. Any new developments will be included in, and guided by the Village Centre Development Permit Area and associated guidelines. In addition to addressing design, the development permit area is intended to help the District reduce greenhouse gas emissions, and conserve energy and water. Furthermore, lands within the ALR are subject to the *Agricultural Land Commission Act*. Any new development for a commercial or other use not permitted by the *Agricultural Land Commission Act* will require approval by the Agricultural Land Commission.

**7.2 OBJECTIVES**

- 7.2.1 To recognize existing commercial activity in the "village" and to provide for limited expansion within this compact area.
- 7.2.2 To provide opportunities for home businesses, compatible with maintaining a rural community.
- 7.2.3 To prevent ribbon commercial development.

- 7.2.4 To discourage commercial land uses in conflict with the rural and agricultural character of the community and which would likely impose undue servicing burdens on the tax payer.
- 7.2.5 To permit commercial development only where an adequate community water supply is demonstrated and where soil conditions are suitable for the satisfactory long term operation of septic disposal systems.

### 7.3 POLICIES

Definition: Lands designated Village on Plan Map 3 shall be used for a mix of complementary commercial, community institutional, and residential uses that reinforce the Village as the community's cultural core, commercial centre and recreational hub. Commercial purposes include retail stores, offices, household services and associated repairs, business services and community services. Community uses include community facilities, private and public schools. Residential uses (one dwelling unit per parcel) are permitted in single-family dwellings, or within a mixed-use building.

- 7.3.1 Existing commercial and institutional activity located near the corner of Metchosin and Happy Valley Roads is recognized and encouraged to remain the community focus of Metchosin.
- 7.3.2 Expansion and strengthening of the Village is encouraged within lands designated Village. Within this designation, a variety of complementary and compatible land uses are permitted, including commercial, institutional and residential. Any proposed new development must be consistent with Metchosin's rural character.
- 7.3.3 The focus of commercial development is intended to be oriented toward local residential demand, including small-scale retail uses, and local professional offices. Mixed use buildings up to a maximum of two storeys are permitted with a combination of commercial, institutional and residential uses.
- 7.3.4 One residential dwelling unit is permitted per lot, plus one secondary suite, to be provided either through a single family dwelling, or within a mixed use building, subject to the Land Use Bylaw.
- 7.3.5 Much of the land in and around the Village is included within the Agricultural Land Reserve. The compact boundaries of the Village designation are intended to concentrate commercial and institutional uses, to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. Uses proposed within the Village must be considered within the context of impacts on the viability of adjacent ALR lands and active farms.
- 7.3.6 The Village designation is not intended to permit any industrial use, big box format or warehouse retail uses, drive-thru restaurants, strip clubs or tourist-oriented attractions.
- 7.3.7 Proposed new development within the Village is subject to the following considerations:
- 1) Consistency with the desire for the Village to remain compact;
  - 2) Consistency with the rural character of the District, and the Village Centre Development Permit guidelines;
  - 3) Demonstrated need for the proposed use or services in the community;
  - 4) Consistency with the District's greenhouse gas emission reduction targets and any associated policies, actions or strategies;
  - 5) Compatibility with surrounding ALR lands and/or farm activities; and,

- 6) Preservation and enhancement of existing wooded areas and rural landscape.
- 7.3.8 New commercial development within the Village designation is subject to a development permit in accordance with Sections 488(1) (f), (h), (i), and (j) of the *Local Government Act*. Any properties designated Village must be included in the Village Centre Development Permit Area.
- 7.3.9 Commercial development outside the Village is discouraged.
- 7.3.10 Subject to land use controls, the sale of agricultural products and limited commercial uses should be permitted through home businesses. Land use controls should be designed to:
  - 1) Prevent commercial activity that would generate excessive traffic;
  - 2) Limit commercial type signs;
  - 3) Limit the number of persons engaged in the activity;
  - 4) Limit the size of the activity;
  - 5) Discourage unenclosed, outdoor storage; and
  - 6) Prevent occupations likely to have injurious effects on neighbouring properties in terms of noise, smells, vibrations or unsightly conditions.
- 7.3.11 Notwithstanding Policy 7.3.9, Council may issue permits for temporary commercial use in all designations as shown on Plan Map 3, in accordance with Section 492 of the *Local Government Act*. Any temporary building or structure shall be in keeping with the rural style of Metchosin.
- 7.3.12 In implementing this Plan, any expansion in commercial activity is to be consistent with the rural character of Metchosin.

#### **7.4 VILLAGE CENTRE DEVELOPMENT PERMIT AREA**

Section 488(1)(f) of the *Local Government Act* states that a community plan may designate areas for the establishment of objectives and the provision of form and character guidelines for commercial development. In such areas, land shall not be subdivided and the construction of, or addition to, a commercial structure shall not begin without a Development Permit. In addition, Sections 488(1) (h), (i), and (j) of the *Local Government Act* permit a development permit area to be designated for the establishment of objectives to promote energy conservation, water conservation and the reduction of greenhouse gas emissions. Council has therefore established the following designation, conditions and guidelines.

##### **7.4.1 Designation:**

The area shown on the Village Centre Development Permit Area, Map 6, is designated for the establishment of objectives and the provision of guidelines for the following purposes:

- the form and character of commercial development;
- to promote energy conservation;
- to promote water conservation; and,
- to promote the reduction of greenhouse gas emissions.

##### **7.4.2 Special Conditions:**

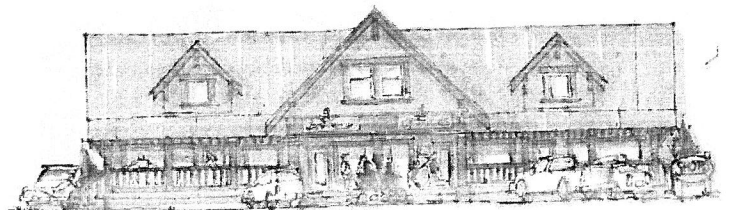
The conditions justifying the foregoing designation are:

- 1) The desire to maintain the rural streetscape, where the trees and landscaping, and not the buildings or parking, are the dominant feature;
- 2) The visibility of the proposed commercial development, and the associated parking, from roads which are well-travelled;
- 3) The importance of ensuring that commercial development is compatible with and contributes to the rural character of the community;
- 4) The Village's role as a gathering place for residents, and the need to ensure commercial buildings recognize the importance of this function and further enhance this role through building form and character;
- 5) The area is home to some of the community's valued heritage landmarks, including the old schoolhouse, Metchosin school, and St. Mary the Virgin church. The Development Permit process is needed to ensure new buildings are sensitive to the character of these assets, and their significance to the community; and,
- 6) The desire to encourage water and energy conservation, green building standards, and reduce greenhouse gas emissions.

#### 7.4.3 Guidelines:

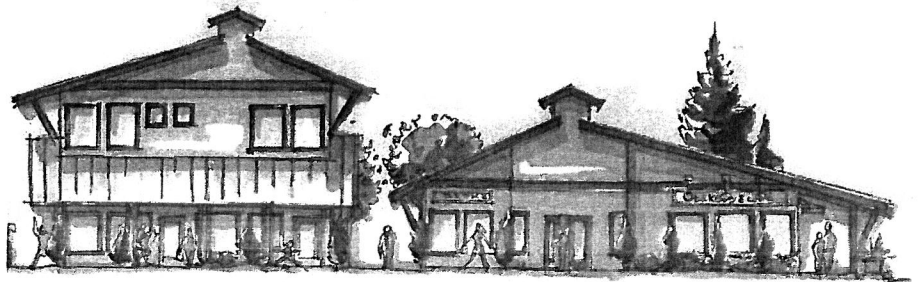
The Metchosin Village Centre, while the commercial, cultural and recreational hub of the community, is still true to its rural and agricultural roots. While there is the potential for some limited expansion, this is not to be at the expense of the rural atmosphere that is the pride of the community. The guidelines are not intended to advocate one building type or architectural style – variety is valued – but rather a consistency in authenticity and quality that reflects the character of the District. Landscaping – and in particular the preservation of existing trees – is intended to be a dominant feature of any development. Finally, the objectives of conserving water and energy, and reducing greenhouse gas emissions, consistent with the District's targets, policies and strategies, should be incorporated into each development. *(Note: Illustrations shown are not intended to be replicated, but are sample designs of interpretations of rural character that may be appropriate in the Village depending on the context).*

- 1) Buildings should be sited in a way that promotes connectivity with adjacent uses, without bringing the buildings too close to the front lot line as to impact on the predominantly rural streetscape where trees and landscaping, not buildings, are the dominant feature.
- 2) Buildings and parking are to be screened with landscaping to eliminate the impact of the building, use, and/or the parking on the streetscape and on neighbouring uses, without impairing sight lines, and safe ingress and egress from the property or compromising the desire for connectivity between compatible uses.
- 3) Pervious, permeable or porous parking surfaces will be required to conserve water, retain and support vegetation, and address the management of rain water and run-off.
- 4) Linkages that connect to existing or planned trails through the Village and



provide connectivity with immediately adjacent properties are essential, fostering an environment that encourages walking, biking and alternative modes of transportation.

- 5) Each development must provide for decorative outdoor furniture (e.g. benches, bike racks, hitching posts, refuse containers, etc.) that supports the gathering function of the Village Centre, encourages the use of proposed or existing trails, and promotes alternative modes of transportation.
- 6) Hand-crafted signs, particularly wood signs of professional quality are encouraged, including hanging signs. Front lighting is preferred, and backlit signs, as well as neon or flashing signs are not permitted. Double-sided hanging signs are permitted.
- 7) Exterior storage, service and refuse areas shall be landscaped and buffered so as to minimize intrusions on adjacent uses.
- 8) General two-storey height limit for all buildings.
- 9) The use of wood, stone and natural exterior finishing materials is encouraged, such as post and beam construction, exposed beams, open frame, board and batten, clapboard, shingles, shakes, and stone, unless otherwise prohibited for safety reasons, or inconsistent with green building standards, greenhouse gas emission or energy conservation objectives.
- 10) Elements such as pitched rooflines, gables, dormers and overhangs, as well as green or living roofs, are encouraged.
- 11) Porches are encouraged in part to facilitate the role of the Village as a gathering place, and to provide a public area that is sheltered from rain.
- 12) Attention should be paid to the character of windows, doors and entranceways. Window details such as wide casings, double-hung sash windows and true divide muntins are considered appropriate.
- 13) Contemporary west-coast style architecture, such as the Metchosin municipal hall, as well as the My-Chosen Café are noted as examples of newer developments that make a positive contribution to the character of the Village without adhering to one uniform design theme.
- 14) Each development is required to incorporate features, materials and/or designs that promote water and energy conservation, and reduce greenhouse gas emissions. Efforts are encouraged to include, but not necessarily be limited to:
  - Orientation of buildings for solar energy gain;
  - Landscaping that provides for light penetration in winter, and cooling shade in the summer;
  - Use of native plants and landscaping that requires less water;
  - Drainage by infiltration, and minimizing impervious areas;
  - Natural ventilation; and,



- Green building standards.

15) Applications for new development will be required to include a summary of factors incorporated into the building and site design that address water and energy conservation, and reduce greenhouse gas emissions.



16) A landscape plan by a professional landscape architect may be required as part of the development permit process.

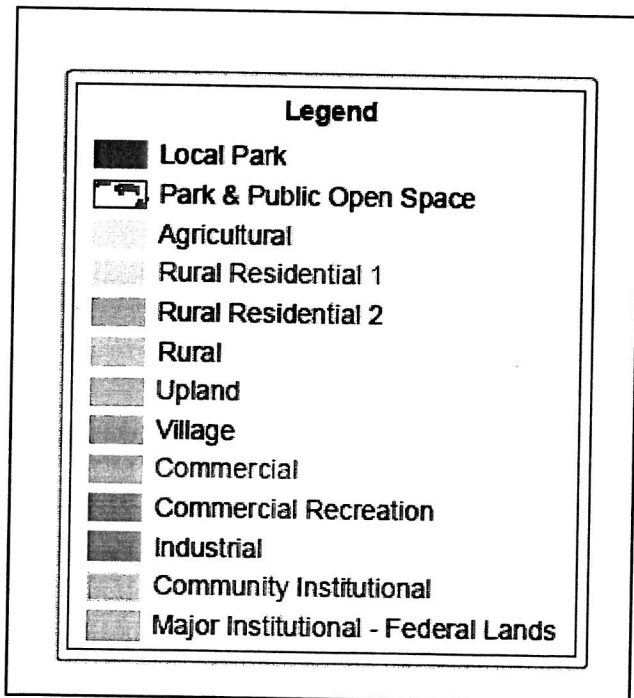
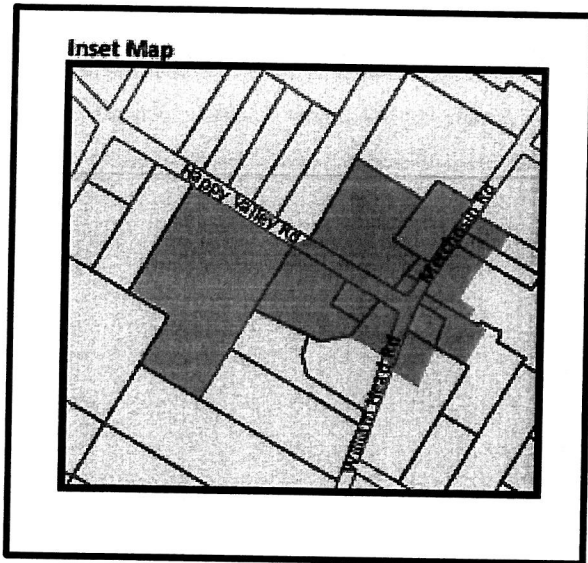
17) Where possible, buildings are encouraged to be painted in autumn colours.

18) Any exterior lighting of buildings shall be installed to minimize light pollution of the night sky. Any lighting not attached to a building, if required, must also aim to minimize light pollution of the night sky, and employ solar or energy conservation technologies.

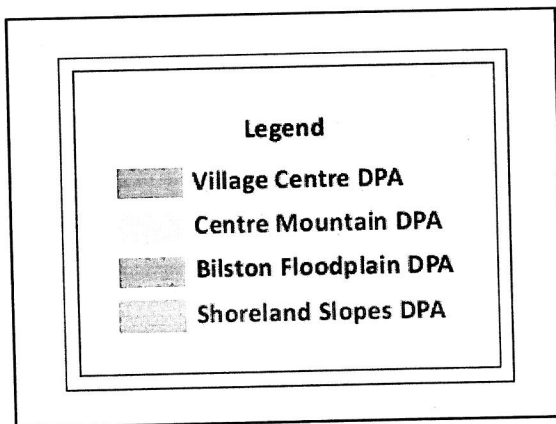
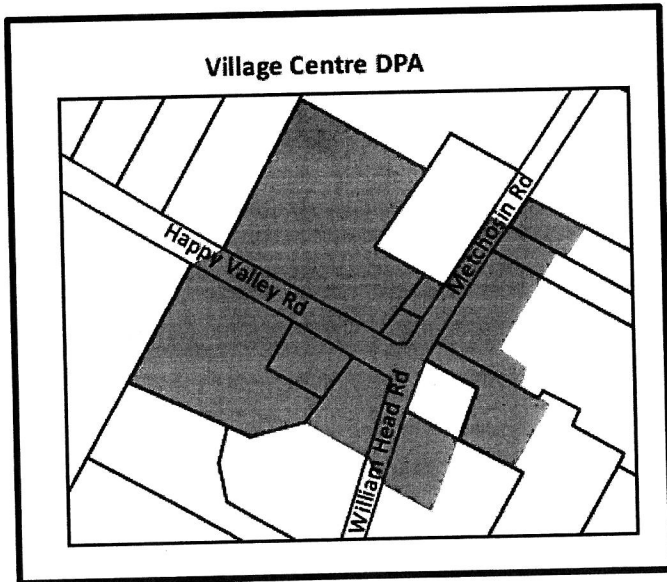
**7.4.4 Exemptions:**

Internal renovations or land alterations within the Village Centre Development Permit Area shall not require a Development Permit.

Schedule B – Village Centre Designation and Inset



Schedule C – Village Centre DPA and Inset





## DISTRICT OF METCHOSIN

OUR FILE: 3320-23-01  
ALC Planning Review 29851

November 20, 2023

Agricultural Land Commission  
133-4940 Canada Way  
Burnaby, BC V5G 4K6

Attention: Nicole Mak, Regional Planner  
nicole.mak@gov.bc.ca

Dear Nicole:

**Re: Official Community Plan Amendment Bylaw 693**

This letter is in response to your correspondence of June 29, 2023 as it relates to a 2010 Metchosin Official Community Plan amendment. Your letter extended an opportunity for the District of Metchosin to present the original OCP Amendment that designated ALR lands as "Village" to the ALC Executive Committee and to request endorsement.

The District has initiated a new bylaw amendment that provides the ALC such opportunity, and at the Council meeting on November 20, 2023, Bylaw No. 693 received first and second reading. In accordance with the *Local Government Act*, we are now referring the bylaw to the Agricultural Land Commission for endorsement. There are no substantive changes in the amendments proposed from the original bylaw to the bylaw today, but it does include some housekeeping amendments, minor changes to language to improve clarity and updated references to legislation. Council has agreed to repeal and re-enact the amendments in order to give the ALC the opportunity to endorse the OCP amendment formally.

While we encourage you to review the attached bylaw in detail, some of the key changes to highlight in the original proposed bylaw included the following:

1. The seven properties in Metchosin's Village Centre that were currently designated commercial in the OCP will have that designation changed to a Village designation that permits a wider range of uses, and mixed use rather than just commercial use.
2. Three sites that are currently designated Agriculture in the OCP (adjacent to commercial sites) will be changed to reflect the Village designation. The areas added to the Village designation include a portion of a property at 4347 Metchosin Road which has already been approved by the ALC for non-farm use; the portion of 4409 William Head Road primarily occupied by a house, and the property at 4460 Happy Valley Road which is located between the Municipal Hall and the existing commercial plaza.
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nature of the community, and discourage commercial uses in conflict with agriculture as a key objective. A discussion of the Village Core and the vision associated with that area is also included in the proposed bylaw, which references that the compact boundaries of the Village designation is intended to concentrate commercial and institutional uses and to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. Furthermore, a key criterion for evaluating any new development is the compatibility with surrounding ALR lands and/or farm activities.

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We are optimistic that the Commission will agree that the amendments to the OCP will enhance our community's strong support for agriculture, and ensure any future expansion of our Village core will not negatively impact our community's agricultural potential. If you have any questions, comments or concerns, please do not hesitate to contact our office.

On behalf of the District, I wish to thank you in advance for promptly replying to this referral.

Sincerely,



Sue-Lin Tarnowski  
Interim Chief Administrative Officer

cc: Katherine Lesyshen, MCIP, RPP, Planner

Encl.

**a) Metchosin Official Community Plan Amendment Bylaw No. 693**

Councillor Gray declared a pecuniary conflict of interest as *Metchosin Official Community Plan Amendment bylaw No. 693* includes the property in which he lives and left the meeting at 9:34 p.m.

The CAO introduced the Staff Report regarding Metchosin Official Community Plan Amendment Bylaw No. 693 to correct a 2010 procedural error related to the referral and approval process with the Agricultural Land Commission.

**Moved and Seconded** by Councillors Epp and Donaldson that Metchosin Official Community Plan Amendment Bylaw No. 693 be introduced and read a first and second time;

**And That** Council consider whether consultation is required with the CRD, the municipalities of Langford, Colwood and Sooke; First Nations; School District 62 and provincial and federal governments and their agencies. As a result, Council requests that Bylaw 693 be referred to the Agricultural Land Commission to provide the Agricultural Land Commission an opportunity to review and endorse the “Village” land use designation;

**And that** Council consider Bylaw No. 693 in conjunction with the District’s financial plan, as well as the CRD Solid Waste Management Plan;

**And Further That** a public hearing be scheduled following a response and endorsement from the Agricultural Land Commission.

**Carried**

Councillor Gray returned to the meeting at 9:39 p.m.





## *Report to Council*

---

To: Sue-Lin Tarnowski, Interim Chief Administrative Officer  
From: Katherine Lesyshen, Planner  
Date: November 20, 2023 File No: 3360-23-01  
Subject: OCP Amending bylaw – correcting procedural error

---

### **RECOMMENDATION**

**THAT** Bylaw No. 693 OCP Amendment Bylaw be introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading;

**THAT** Council consider whether consultation is required with the CRD, the municipalities of Langford, Colwood and Sooke; First Nations; School District 62 and provincial and federal governments and their agencies. As a result, Council requests that Bylaw 693 be referred to the Agricultural Land Commission to provide the Agricultural Land Commission an opportunity to review and endorse the “Village” land use designation;

**THAT** Council consider Bylaw No. 693 in conjunction with the District’s financial plan, as well as the CRD Solid Waste Management Plan;

**AND THAT** a public hearing be scheduled following a response and endorsement from the Agricultural Land Commission.

### **OBJECTIVE**

As a result of the referral process for the rezoning application at 4409 William Head Road, the Agricultural Land Commission (ALC) has advised that it will not support the rezoning application of this site due to a procedural error from 2010. The error occurred when the Metchosin Official Community Plan Amendment Bylaw, No. 565 (the “**2010 OCP Amendment Bylaw**”) introduced a new “Village” land use designation with supporting mapping, policies, objectives and a development permit area that applied to several properties within the Agricultural Land Reserve. While ALC staff did respond with no objections to the request in 2010, the Commission itself did not pass a resolution on the matter prior to public hearing. The Agricultural Land Commission advised that support for a draft bylaw that proposes to designate lands located in the Agricultural Land Reserve for non-agricultural use can only be achieved by a resolution of the Commission.

To correct the procedural error, Council must repeal and re-enact the amendments introduced in the 2010 OCP Amendment Bylaw to provide the ALC with an opportunity to review the bylaw and endorse it by way of a resolution of the Commission.

### **BACKGROUND**

In 2010, the District adopted the 2010 OCP Amendment Bylaw, which introduced a new “Village” designation with supporting mapping, policies, objectives and a development permit area. More

specifically, three sites located in the agricultural land reserve were redesignated from “Agriculture” to the new “Village” land use designation.

The 2010 OCP Amendment Bylaw was referred to the Agricultural Land Commission (ALC) in January 2009, which identified the 3 sites that would be changed to “Village”. A staff report dated February 8, 2010, states that the ALC discussed the 2010 OCP Amendment Bylaw with District staff, and commented in writing that it did not have objections to the proposed amendments.

The property owner of 4409 William Head Road, which is one of the three sites that were changed to the “Village” designation under the 2010 OCP Amendment Bylaw, wishes to realize a commercial use that is consistent with the “Village” OCP designation. This year, the owner has applied to rezone the lands from Agricultural (AG) to Commercial 2 (C2) (ALR). In order to realize the commercial use, the property owner is aware that he will also be required to apply to the ALC for a Non-Farm Use permit.

When the rezoning application from 2023 was referred to the ALC, the ALC advised that back in 2010, the ALC never provided a formal endorsement of the “Village” land use designation section of the OCP, which can only be given by resolution of the Commission. ALC staff lack the statutory authority to provide support for designating agricultural land reserve lands for non-agricultural uses. Support for these bylaws can only be achieved by a resolution of the Commission, which reflects a statutory decision made by some or all of the Commissioners.

Since the “Village” designation for the 3 sites was never endorsed by way of resolution of the Commission, ALC staff have stated that they will not support the current rezoning application. The ALC has extended an opportunity for the District to have the ALC endorse those properties designated as “Village”. Legal advice was sought to determine the best approach to obtain ALC endorsement.

### **PROPOSAL**

Staff recommend repealing the provisions that were introduced in the 2010 OCP Amendment Bylaw and then re-enacting the provisions to ensure the ALC is given the opportunity to respond and pass a resolution.

The attached bylaw has been prepared in consultation with the District’s legal counsel. If the proposed OCP amending bylaw is adopted, consideration of the rezoning bylaw can occur subsequently. Progressing the proposed OCP amending bylaw and engaging the ALC for its endorsement is the first step. Staff have included some housekeeping amendments to the bylaw to improve clarity and ensure that references to the *Local Government Act* are updated. No substantive changes are proposed from the 2010 OCP Amendment Bylaw.

### **ANALYSIS**

Under the *Local Government Act*, Council must consider whether consultation is required with the CRD, the municipalities of Langford, Colwood and Sooke; First Nations; School District 62 and provincial and federal governments and their agencies. It has been determined that the minor nature of the proposed changes only requires ALC consultation, and Council has endorsed this statement by resolution.

Under the *Local Government Act*, Council must consider the financial plan and any applicable Waste Management Plans. Council must confirm by resolution that Bylaw No. 693 has been considered in conjunction with the District’s financial plan, as well as the CRD Solid Waste Management Plan.

### **PROCESS**

The process will require repealing and re-enacting the OCP provisions introduced in the 2010 OCP Amendment Bylaw, along with housekeeping amendments such as clarification regarding maps, updated references to legislation, and minor changes to the drafting language to improve clarity. If Bylaw No. 693 receives first and second reading from Council, the bylaw will be referred to the ALC for consultation and endorsement. Once the ALC has provided its endorsement by way of resolution, a public hearing will then be held, and consideration of third reading may be given following the close of the public hearing. Adoption of Bylaw No. 693 would follow.

### **LEGAL IMPACT**

Once Bylaw No. 693 is endorsed by the ALC and is adopted by Council, the "Village" land use designation is affirmed as being consistent with the *Agricultural Land Commission Act*. Therefore, future developments can proceed on lands designated as "Village" in accordance with the "Village" OCP policies without risk of inconsistency with the *Agricultural Land Commission Act* or objections from the ALC. It will also allow for future rezonings, including the current rezoning application for 4409 William Head Road, to be referred to the ALC for consideration on its merits.

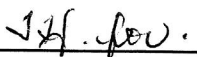
Accordingly, staff recommend that Council grant first and second reading to Bylaw No. 693 and refer the bylaw to the ALC to provide the ALC with an opportunity to consider and provide an endorsing resolution of the "Village" land use designation.

### **OPTIONS**

**THAT** Council consider one of the following options:

- A. Pass the recommendations provided on the first page; or
- B. Request further information from staff.

Respectfully submitted,

  
\_\_\_\_\_  
Katherine Lesyshen, MCIP, RPP  
Planner

Attachments:  
Appendix 1 – Bylaw No. 693



**DISTRICT OF METCHOSIN**

**BYLAW NO. 693**

**A BYLAW TO AMEND THE *METCHOSIN OFFICIAL COMMUNITY PLAN BYLAW NO. 258*,  
for the purpose of addressing housekeeping amendments to the Village land use designation.**

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The Council of the District of Metchosin, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as *METCHOSIN OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 693*.
2. *Metchosin Official Community Plan Bylaw No. 258* is amended as follows:
  - (a) “Part 7 – Commercial” is repealed and replaced with the revised “Part 7 – Commercial” attached as Schedule A and forming part of this bylaw.
  - (b) The Village Centre inset of Map 3 – Plan Map is repealed and replaced with the inset map attached as Schedule B and forming part of this bylaw.
  - (c) The Village Centre DPA inset of Map 6 – Development Permit Areas is repealed and replaced with the inset map attached as Schedule C and forming part of this bylaw.
  - (d) The following portion of section 3.39 is repealed:

“However, those lands designated as Village on Plan Map 3 should be considered appropriate for non-farm use or exclusion from the ALR upon application by the owner or the District of Metchosin, subject to:

    - (1) Agricultural viability of adjacent farmland not being impaired, and,
    - (2) Compliance with the policies in Section 7.3, and in particular, Policy 7.3.7.”

And replaced with:

- “However, those lands designated as Village on Plan Map 3 should be deemed appropriate for non-farm use or ALR exclusion upon application by the owner or the District of Metchosin, subject to:
- (1) Agricultural viability of adjoining farmland not being diminished, and
  - (2) Compliance with the policies in Section 7.3, and in particular, Policy 7.3.7.

Read a first time this

day of

2023.

Read a second time this	day of	2023.
<b>PUBLIC HEARING HELD THIS</b>	day of	2024.
Read a third time this	day of	2024.
Finally passed and adopted by Council this	day of	2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

## Schedule A

**PART 7: COMMERCIAL****7.1 BACKGROUND**

Commercial activity in Metchosin has been largely limited to the corner of Happy Valley and Metchosin Roads. This site, which is the location of the "general store", the original church, school and community hall also provides a historical focus for the community. Over time, other commercial outlets have been opened across from the general store and the school. It is now recognized as the Metchosin Village Centre.

There is also a demand for commercial activities generally known as "home businesses". Generally, these are small-scale endeavours involving such activities as pottery, small-scale weaving, arts and crafts, home daycare, small appliance repair, professional office functions and roadside sales of farm goods.

With controls in place, home businesses can be compatible with a rural community. Such businesses can be of benefit to residents by increasing local employment opportunities and by providing services to residents. Over time, home businesses may grow in size and scale to the extent that they must move to an area designated for commercial activities. This process of transition from a "home business" to a full-fledged commercial activity is important in order to retain the residential and rural nature of the non-commercially designated areas.

**7.1.1 VILLAGE CENTRE**

The Village Centre is a compact area, and the community vision for this area is that it remains a compact community and cultural core that provides services and recreation opportunities primarily to local residents. The role of the Village Centre is therefore not limited to the provision of commercial services, but rather a diversity of institutional, recreational and commercial uses. Much of the land is included within the Agricultural Land Reserve. The compact boundaries of the Village designation are intended to concentrate commercial and institutional uses, to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. New development can occur within this framework, but growth is expected to be limited. Preservation and enhancement of the rural landscape and existing trees and wooded areas will be a key value and criterion applied to any new development or change in use, along with the need to respect and support adjacent agricultural activities, and reflect the District's greenhouse gas emission reduction targets and related energy and water conservation strategies. Any new developments will be included in, and guided by the Village Centre Development Permit Area and associated guidelines. In addition to addressing design, the development permit area is intended to help the District reduce greenhouse gas emissions, and conserve energy and water. Furthermore, lands within the ALR are subject to the *Agricultural Land Commission Act*. Any new development for a commercial or other use not permitted by the *Agricultural Land Commission Act* will require approval by the Agricultural Land Commission.

**7.2 OBJECTIVES**

- 7.2.1 To recognize existing commercial activity in the "village" and to provide for limited expansion within this compact area.
- 7.2.2 To provide opportunities for home businesses, compatible with maintaining a rural community.
- 7.2.3 To prevent ribbon commercial development.
- 7.2.4 To discourage commercial land uses in conflict with the rural and agricultural character of the community and which would likely impose undue servicing burdens on the tax payer.

- 7.2.5 To permit commercial development only where an adequate community water supply is demonstrated and where soil conditions are suitable for the satisfactory long term operation of septic disposal systems.

### 7.3 POLICIES

Definition: Lands designated Village on Plan Map 3 shall be used for a mix of complementary commercial, community institutional, and residential uses that reinforce the Village as the community's cultural core, commercial centre and recreational hub. Commercial purposes include retail stores, offices, household services and associated repairs, business services and community services. Community uses include community facilities, private and public schools. Residential uses (one dwelling unit per parcel) are permitted in single-family dwellings, or within a mixed-use building.

- 7.3.1 Existing commercial and institutional activity located near the corner of Metchosin and Happy Valley Roads is recognized and encouraged to remain the community focus of Metchosin.
- 7.3.2 Expansion and strengthening of the Village is encouraged within lands designated Village. Within this designation, a variety of complementary and compatible land uses are permitted, including commercial, institutional and residential. Any proposed new development must be consistent with Metchosin's rural character.
- 7.3.3 The focus of commercial development is intended to be oriented toward local residential demand, including small-scale retail uses, and local professional offices. Mixed use buildings up to a maximum of two storeys are permitted with a combination of commercial, institutional and residential uses.
- 7.3.4 One residential dwelling unit is permitted per lot, plus one secondary suite, to be provided either through a single family dwelling, or within a mixed use building, subject to the Land Use Bylaw.
- 7.3.5 Much of the land in and around the Village is included within the Agricultural Land Reserve. The compact boundaries of the Village designation are intended to concentrate commercial and institutional uses, to reduce the impact, and potentially enhance the viability of agricultural properties within and surrounding the Village. Uses proposed within the Village must be considered within the context of impacts on the viability of adjacent ALR lands and active farms.
- 7.3.6 The Village designation is not intended to permit any industrial use, big box format or warehouse retail uses, drive-thru restaurants, strip clubs or tourist-oriented attractions.
- 7.3.7 Proposed new development within the Village is subject to the following considerations:
- 1) Consistency with the desire for the Village to remain compact;
  - 2) Consistency with the rural character of the District, and the Village Centre Development Permit guidelines;
  - 3) Demonstrated need for the proposed use or services in the community;
  - 4) Consistency with the District's greenhouse gas emission reduction targets and any associated policies, actions or strategies;
  - 5) Compatibility with surrounding ALR lands and/or farm activities; and,
  - 6) Preservation and enhancement of existing wooded areas and rural landscape.
- 7.3.8 New commercial development within the Village designation is subject to a development permit in accordance with Sections 488(1) (f), (h), (i), and (j) of the *Local Government Act*. Any properties designated Village must be included in the Village Centre Development Permit Area.

- 7.3.9 Commercial development outside the Village is discouraged.
- 7.3.10 Subject to land use controls, the sale of agricultural products and limited commercial uses should be permitted through home businesses. Land use controls should be designed to:
- 1) Prevent commercial activity that would generate excessive traffic;
  - 2) Limit commercial type signs;
  - 3) Limit the number of persons engaged in the activity;
  - 4) Limit the size of the activity;
  - 5) Discourage unenclosed, outdoor storage; and
  - 6) Prevent occupations likely to have injurious effects on neighbouring properties in terms of noise, smells, vibrations or unsightly conditions.
- 7.3.11 Notwithstanding Policy 7.3.9, Council may issue permits for temporary commercial use in all designations as shown on Plan Map 3, in accordance with Section 492 of the *Local Government Act*. Any temporary building or structure shall be in keeping with the rural style of Metchosin.
- 7.3.12 In implementing this Plan, any expansion in commercial activity is to be consistent with the rural character of Metchosin.

#### **7.4 VILLAGE CENTRE DEVELOPMENT PERMIT AREA**

Section 488(1)(f) of the *Local Government Act* states that a community plan may designate areas for the establishment of objectives and the provision of form and character guidelines for commercial development. In such areas, land shall not be subdivided and the construction of, or addition to, a commercial structure shall not begin without a Development Permit. In addition, Sections 488(1)(h), (i), and (j) of the *Local Government Act* permit a development permit area to be designated for the establishment of objectives to promote energy conservation, water conservation and the reduction of greenhouse gas emissions. Council has therefore established the following designation, conditions and guidelines.

##### **7.4.1 Designation:**

The area shown on the Village Centre Development Permit Area, Map 6, is designated for the establishment of objectives and the provision of guidelines for the following purposes:

- the form and character of commercial development;
- to promote energy conservation;
- to promote water conservation; and,
- to promote the reduction of greenhouse gas emissions.

##### **7.4.2 Special Conditions:**

The conditions justifying the foregoing designation are:

- 1) The desire to maintain the rural streetscape, where the trees and landscaping, and not the buildings or parking, are the dominant feature;
- 2) The visibility of the proposed commercial development, and the associated parking, from roads which are well-travelled;
- 3) The importance of ensuring that commercial development is compatible with and contributes to the

- rural character of the community;
- 4) The Village's role as a gathering place for residents, and the need to ensure commercial buildings recognize the importance of this function and further enhance this role through building form and character;
  - 5) The area is home to some of the community's valued heritage landmarks, including the old schoolhouse, Metchosin school, and St. Mary the Virgin church. The Development Permit process is needed to ensure new buildings are sensitive to the character of these assets, and their significance to the community; and,
  - 6) The desire to encourage water and energy conservation, green building standards, and reduce greenhouse gas emissions.

#### 7.4.3 Guidelines:

The Metchosin Village Centre, while the commercial, cultural and recreational hub of the community, is still true to its rural and agricultural roots. While there is the potential for some limited expansion, this is not to be at the expense of the rural atmosphere that is the pride of the community. The guidelines are not intended to advocate one building type or architectural style – variety is valued – but rather a consistency in authenticity and quality that reflects the character of the District. Landscaping – and in particular the preservation of existing trees – is intended to be a dominant feature of any development. Finally, the objectives of conserving water and energy, and reducing greenhouse gas emissions, consistent with the District's targets, policies and strategies, should be incorporated into each development. *(Note: Illustrations shown are not intended to be replicated, but are sample designs of interpretations of rural character that may be appropriate in the Village depending on the context).*

- 1) Buildings should be sited in a way that promotes connectivity with adjacent uses, without bringing the buildings too close to the front lot line as to impact on the predominantly rural streetscape where trees and landscaping, not buildings, are the dominant feature.
- 2) Buildings and parking are to be screened with landscaping to eliminate the impact of the building use, and/or the parking on the streetscape and on neighbouring uses, without impairing sight lines, and safe ingress and egress from the property or compromising the desire for connectivity between compatible uses.
- 3) Pervious, permeable or porous parking surfaces will be required to conserve water, retain and support vegetation, and address the management of rain water and run-off.
- 4) Linkages that connect to existing or planned trails through the Village and provide connectivity with immediately adjacent properties are essential, fostering an environment that encourages walking, biking and alternative modes of transportation.
- 5) Each development must provide for decorative outdoor furniture (e.g. benches, bikeracks, hitching posts, refuse containers, etc.) that supports the gathering function of the Village Centre, encourages the use of proposed or existing trails, and promotes alternative modes of transportation.
- 6) Hand-crafted signs, particularly wood signs of professional quality are encouraged, including hanging signs. Front lighting is preferred, and backlit signs, as well as neon or flashing signs are



not permitted. Double-sided hanging signs are permitted.

- 7) Exterior storage, service and refuse areas shall be landscaped and buffered so as to minimize intrusions on adjacent uses.
- 8) General two-storey height limit for all buildings.
- 9) The use of wood, stone and natural exterior finishing materials is encouraged, such as post and beam construction, exposed beams, open frame, board and batten, clapboard, shingles, shakes, and stone, unless otherwise prohibited for safety reasons, or inconsistent with green building standards, greenhouse gas emission or energy conservation objectives.
- 10) Elements such as pitched rooflines, gables, dormers and overhangs, as well as green or living roofs, are encouraged.

- 11) Porches are encouraged in part to facilitate the role of the Village as a gathering place, and to provide a public area that is sheltered from rain.



- 12) Attention should be paid to the character of windows, doors and entranceways. Window details such as wide casings, double-hung sash windows and true divide muntins are considered appropriate.

- 13) Contemporary west-coast style architecture, such as the Metchosin municipal hall, as well as the My-Chosen Café are noted as examples of newer developments that make a positive contribution to the character of the Village without adhering to one uniform design theme.

- 14) Each development is required to incorporate features, materials and/or designs that promote water and energy conservation, and reduce greenhouse gas emissions. Efforts are encouraged to include, but not necessarily be limited to:

- Orientation of buildings for solar energy gain;
- Landscaping that provides for light penetration in winter, and cooling shade in the summer;
- Use of native plants and landscaping that requires less water;
- Drainage by infiltration, and minimizing impervious areas;
- Natural ventilation; and,
- Green building standards.

- 15) Applications for new development will be required to include a summary of factors incorporated into the building and site design that address water and energy conservation, and reduce greenhouse gas emissions.



- 16) A landscape plan by a professional landscape architect may be required as part of the development permit process.

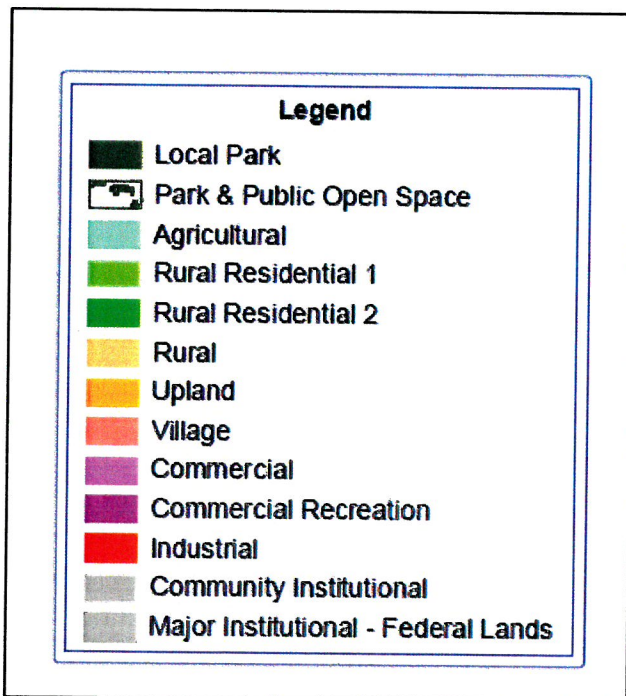
- 17) Where possible, buildings are encouraged to be painted in autumn colours.

- 18) Any exterior lighting of buildings shall be installed to minimize light pollution of the night sky. Any lighting not attached to a building, if required, must also aim to minimize light pollution of the night sky, and employ solar or energy conservation technologies.

7.4.4 **Exemptions:**

Internal renovations or land alterations within the Village Centre Development Permit Area shall not require a Development Permit.

Schedule B – Village Centre Designation and Inset



Schedule C – Village Centre DPA and Inset

