



**OYSTER BAY – BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996
(CONSOLIDATED)**

The following is a consolidated version of the Oyster-Bay – Buttle Lake Official Community Plan Bylaw and includes the following amendment bylaws:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
CSR 2206	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 1	January 31, 2000	To add Schedule “B” the Electoral Area D Greenways Plan to the Oyster Bay – Buttle Lake OCP
CSR 2260	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 2	September 17, 2001	Text amendments
CSR 2320	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 3	Not adopted	N/A
CSR 2322	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 4	July 30, 2001	To exempt property legally described as Lot 2, District Lot 196, Comox Land District, Plan 18649 from the average lot requirement of 2 ha (4.9 acres) as stated in the Country Residential designation.
CSR 2566	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 5	September 29, 2003	To amend Section 309 of the OCP by adding a new policy pertaining to the Residential Designation.
CSR 2709	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 6	Rescinded	N/a
CSR 2730	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 7	April 25, 2005	To amend the OCP to recognize the new version (3 rd Edition/June 2004) of the “Comox-Strathcona Sensitive Habitat Atlas
CSR 2978	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 8	March 29, 2007	To amend the bylaw to increase buffer radius for protection of eagle nest trees

CSRD 3026	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 9	June 28, 2007	To amend the OCP to recognize the new version (4 th Edition/March 2007) of the "Comox-Strathcona Sensitive Habitat Atlas
CSRD 3049	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 10	October 25, 2007	To exempt property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan VIP54090 from the average lot requirement of 2 hectares (4.9 acres) as stated in the 'Country Residential' designation
CSRD 3059	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 11	Not adopted	N/A
CSRD 3068	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 12	Not adopted	N/A
CSRD 3073	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 13	Not adopted	N/A
SRD 25	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 14	Not adopted	N/A
SRD 26	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 15	May 28, 2009	To re-designate the subject property from Rural (RU) to Country Residential (CR)
SRD 32	Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 16	Rescinded	N/A
SRD 42	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996, Amendment Bylaw No. 17	February 23, 2010	To amend section 404.3 and 404.4 to recognize the breeding seasons of bald eagles and blue herons.
SRD 44	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996 Amendment Bylaw No. 18	October 29, 2009	To amend section 400 – Designated Development Permit Areas by adding a new subsection entitled, Administration, Violation and Penalty
SRD 56	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996 Amendment Bylaw No. 19	January 28, 2010	Map amendment – to amend the land use designation for land described as Lot 4, Plan VIP 19325, Block 29, Comox District, on "Map 3" of Bylaw No. 1857, from 'Rural' (RU) to 'Country Residential' (CR).

SRD 82	Oyster Bay-Buttle Lake Official Community Plan Bylaw 1996 Amendment Bylaw 20	March 26, 2012	To amend Part 306, Part 404.1 and 404 Guidelines regarding RAR
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This bylaw may not be current due to pending updates or revisions and SHOULD NOT BE RELIED UPON FOR LEGAL PURPOSES. Please contact the Corporate Services Manager for the Strathcona Regional District for the most current version.



Bylaw No. 1857

OYSTER BAY - BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996

Consolidated copy
for your convenience only

**The version of this bylaw may not be complete due to pending updates or revisions and therefore is here for reference purposes only
THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES
Please come into the regional district office to view the complete bylaw when required**

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 1857

**A bylaw to adopt an
Official Community Plan for
Electoral Area “D” and a portion of Electoral Area “H” of the
Regional District of Comox-Strathcona**

The Board of the Regional District of Comox-Strathcona in open meeting assembled, enacts the following:

PART A **TITLE**

- 1) This Bylaw may be cited as the **“Oyster Bay - Buttle Lake Official Community Plan Bylaw, 1996”**.

PART B **APPLICATION**

- 1) This Official Community Plan Bylaw shall be applicable to Electoral Area “D” (Oyster Bay/Buttle Lake) and a portion of Electoral Area “H” (Sayward/Bloedel) of the Regional District of Comox-Strathcona as identified in the Plan .
- 2) For the purpose of this Bylaw, Schedule “A”, being the text, is attached to and forms an integral part of this Bylaw and bears the words Schedule “A”.
- 3) For the purposed of this Bylaw, Maps 1 to 7, being the Plan Maps, are attached to and form a part of this Bylaw.
- 4) Where matters in this Bylaw are deemed beyond the jurisdiction of the Board of the Regional District of Comox-Strathcona, such regulations and/or policies shall be considered as broad objectives of the Board pursuant to Section 945(5) of the Municipal Act.

PART C **ENACTMENT AND REPEAL**

- 1) Pursuant to Section 944 of the Municipal Act, this Bylaw, including the attached Schedule “A”, and Maps 1 to 7, is adopted as the Official Community Plan for Electoral Area ‘D’ (Oyster Bay - Buttle Lake) and a portion of Electoral Area “H” (Sayward/Bloedel) of the Regional District of Comox-Strathcona as identified in the Plan.

- 2) The following bylaws are hereby amended to exclude the land and water affected by this Bylaw upon its adoption:
- i) "Bylaw No. 607, being the "Black Creek/Oyster Bay Official Settlement Plan Bylaw, 1983" and all amendments thereto."
 - ii) "Bylaw No. 881, being the "Campbell River Area Official Community Plan Bylaw, 1986" and all amendments thereto."

READ A FIRST AND SECOND TIME THIS	24TH	DAY OF	JUNE	1996.
AMEND AT SECOND READING THIS	24TH	DAY OF	AUGUST	1996.
PUBLIC MEETING HELD THIS	4TH	DAY OF	SEPTEMBER	1996.
PUBLIC HEARING HELD THIS	12TH	DAY OF	SEPTEMBER	1996.
READ A THIRD TIME THIS	28TH	DAY OF	OCTOBER	1996.

I hereby certify the foregoing to be a true and correct copy of the Bylaw No. 1857 being the "Oyster Bay - Buttle Lake Official Community Plan Bylaw, 1996", as read a third time by the Board of the Regional District of Comox-Strathcona on the 28th day of October, 1996.

"B. Whitehead"
Secretary

APPROVED BY THE MINISTRY OF MUNICIPAL AFFAIRS THIS	1ST	DAY OF	APRIL	1997.
RECONSIDERED, FINALLY PASSED AND ADOPTED THIS	28TH	DAY OF	APRIL	1997.

"D. Andrews"
Chairperson

"B. Whitehead"
Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1857 being the "Oyster Bay - Buttle Lake Official Community Plan Bylaw, 1996", as adopted by the Board of the Regional District of Comox-Strathcona on the 28th day of April, 1997.

"B. Whitehead"
Secretary

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OYSTER BAY - BUTTLE LAKE OFFICIAL COMMUNITY PLAN

100 INTRODUCTION

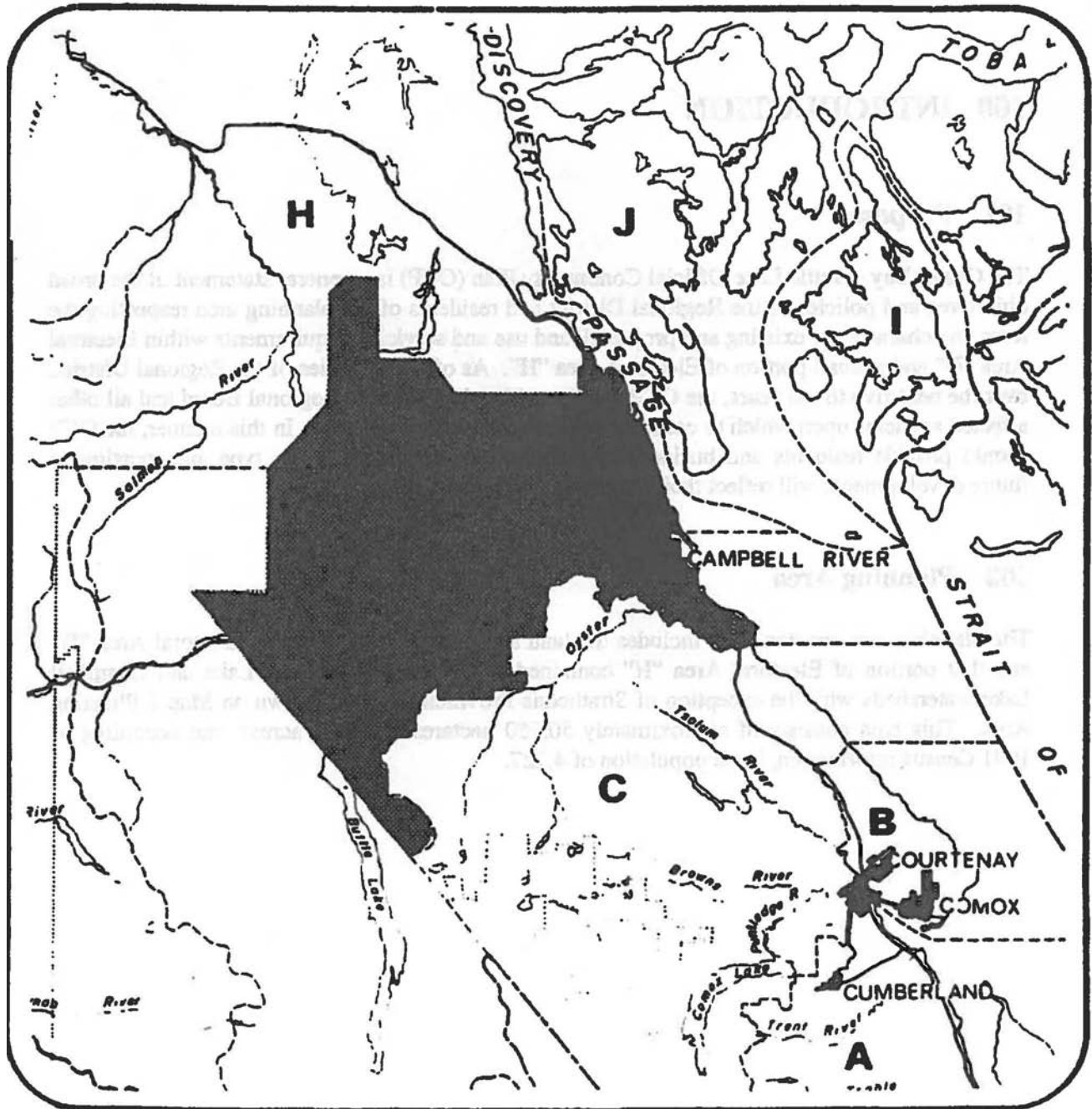
101 Purpose

The Oyster Bay - Buttle Lake Official Community Plan (OCP) is a general statement of the broad objectives and policies of the Regional District and residents of the planning area respecting the form and character of existing and proposed land use and servicing requirements within Electoral Area "D" and a small portion of Electoral Area "H". As official policies of the Regional District, over the next five to ten years, the OCP shall provide a basis for the Regional Board and all other affected agencies upon which to consider land use and servicing issues. In this manner, the OCP should provide residents and business operators some certainty that the type and location of future developments will reflect their long term needs and desires.

102 Planning Area

The planning area for this OCP includes the land and surface water areas of Electoral Area "D" and that portion of Electoral Area "H" contained in the Upper Campbell Lake and Campbell Lake watersheds with the exception of Strathcona Provincial Park as shown on Map 1 Planning Area. This area consists of approximately 50,750 hectares (125,401 acres), and according to 1991 Census information, has a population of 4,227.

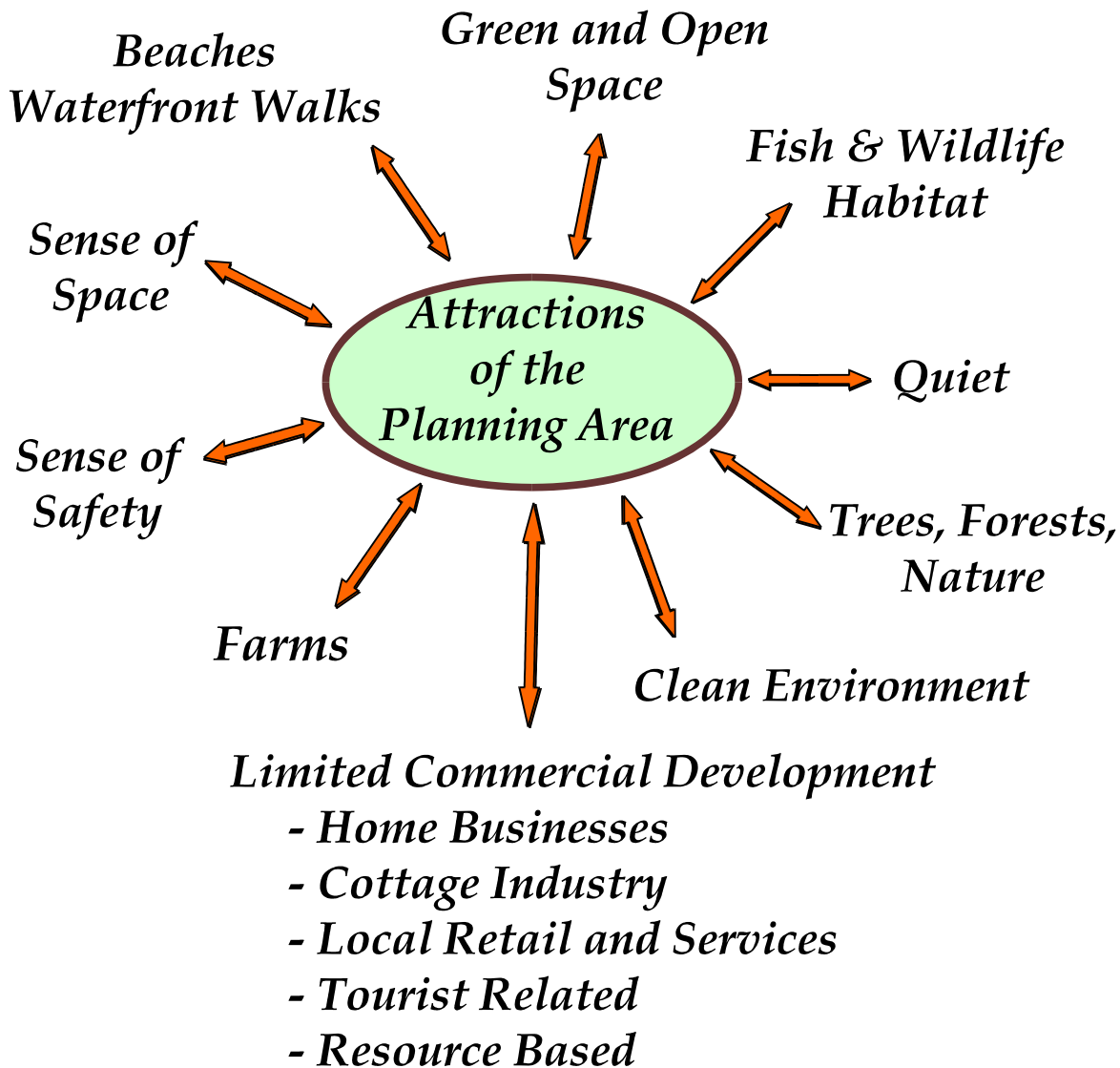
MAP 1
THE PLANNING AREA



200 COMMUNITY VALUES

The most valued characteristics of the present community have been identified from the views and opinions expressed by local residents throughout the OCP review process.

201 Valued Characteristics of The Present Community



202 Community Vision

The residents wish to live in quiet, spacious and friendly, single family neighbourhoods with limited commercial development. Areas of open and green space shall be close by, protected and open to all to enjoy. The community does not aspire to become a suburb of Campbell River, an incorporated municipality, town or village nor a coastal strip development. The residents envision a low density, rural and suburban settlement offering an alternative to city life.

203 Planning Strategies To Protect Valued Characteristics and To Achieve The Community Vision

The overall goal of this Official Community Plan (OCP) is to protect what is important to the community - the valued characteristics of the present community as identified in Part 201. The implementation of the following strategies throughout this OCP shall help to protect these characteristics and achieve the vision the community has for the future.

1. ***Maintain the planning area as a rural and country residential community offering an alternative to the city lifestyle.***

The area north of Henry Road will be maintained as a mix of single family dwellings, local commercial services and tourist facilities. The area south of Henry Road will be maintained as a rural community with farms, forests, protected wildlife habitat, country residential homes, local commercial services and tourist facilities.

2. ***Minimize land consumption for settlements***

A strategy to manage and reduce the consumption of land is the single most important element to protecting the most valued features of the planning area. Most often when land is developed the trees, wildlife habitat, recreational opportunities and aesthetic values of the site are displaced by buildings, private yards and roads. The natural features of the land which help to create the character of the community are lost. To protect these features two things should be done:

- the area used to accommodate new lots and homes should be kept to a minimum; and
- features which help to create the rural character of the community should be protected.

3. ***Upgrade Community Water Systems***

The ability to service lots (existing and new) within the current local service areas will be limited until the water systems are upgraded.

4. ***Complete a Liquid Waste Management Plan***

A number of lots in the planning area have inadequate soils for septic disposal systems. Many of these lots sit vacant, some feature single family homes with septic systems expected to fail in the near future. This situation can be addressed through the completion of a Liquid Waste Management Plan. Through a Plan, a workable framework for the collection, treatment and discharge of all liquid wastes, including the regular maintenance of septic systems and where

appropriate, the establishment of local service areas to provide funding for septic system maintenance can be established.

5. *Limit growth in the planning area to primarily single family residential development, local commercial services, tourist facilities and resource based activities such as agriculture, forestry and tourism.*

In keeping with provincial objectives to discourage sprawl along the coast of Vancouver Island and to promote the development of complete, compact communities, development more commonly associated with urban areas such as multi-family developments, regional shopping facilities, multi-unit care facilities for seniors, and heavy industrial operations shall be directed to regional centres such as Campbell River, Courtenay and Comox.

6. *Establish Neighbourhood Containment Boundaries*

The use of greenbelts, resource lands and environmentally sensitive areas as well defined edges for neighbourhoods may help to discourage strip development and sprawl and encourage infilling within serviced areas.

7. *Promote the Use of Rural Design Guidelines*

Rural design guidelines are development principles which encourage landowners to:

- a) maintain the existing topography, vegetation and other natural and man-made features of a site when developing;
- b) design buildings and structures to reflect and enhance the form and character of the community;
- c) site buildings, roads and required services to be unobtrusive and absorbed by the landscape.

Promoting the use of such guidelines is essential for protecting the rural character of the planning area.

8. *Maintain and Protect the Agricultural and Forest Land Reserves*

9. *Conserve and Protect Environmentally Sensitive Areas*

PART 300 OBJECTIVES AND POLICIES

This section of the Official Community Plan outlines broad objectives and policies respecting the form and character of existing and proposed land use and servicing requirements expected in the planning area over the next five to ten years. Where the following policies deal with matters beyond the jurisdiction of the Regional District such as forestry and mining, those agencies having authority to regulate are encouraged to consider the applicable policies a broad statement of local interests regarding that particular resource or issue.

Land use designations are shown on Maps 2 and 3 Development permit areas are identified on Maps 3 and Map 4: Oyster Bay-Buttle Lake Sensitive Ecosystems - East.

301 AGRICULTURE

Objectives:

1. *Preserve* arable land for food production;
2. *Recognize* and protect the needs and activities of agricultural operations when considering uses on adjacent lands;
3. *Encourage* sustainable farming practices; and
4. *Encourage* the production, processing and marketing of local food products.
5. *Encourage* environmentally sound agricultural practices that protect surface water, ground water and soil integrity.

Policies:

Preserving Land

1. The mandate of the BC Land Reserve Commission to preserve and encourage the use of arable land for food production shall be supported.
2. Applications to subdivide or develop land in the Agricultural Land Reserve (ALR) for non-farm use will not be supported where the proposed subdivision or use discourages or limits the use of the subject lands or adjacent ALR parcels for agriculture.
3. Applications to remove land from the ALR shall not be supported where the land is of suitable size, location, topography and soils to support agriculture or forestry uses, including woodlot operations and poplar plantations.
4. To reduce the potential for land use conflicts, new developments on non-agricultural lands adjacent to the Agricultural Land Reserve shall be designed with appropriate subdivisional sizes and dimensions, building setbacks, stormwater arrangements and appropriate buffering along property lines in the form of berms, landscaped buffer areas, and fencing in accordance with the Landscaped Buffer Specifications of the Land Reserve Commission.
5. Non-agricultural uses, including transportation and utility rights-of-way and linear parkways, which would conflict with farming operations and ALR lands, shall be encouraged to locate on other lands where feasible.

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6. Farm operators are encouraged to protect environmentally sensitive areas on their land and to use environmentally safe practices and techniques.
7. Farm markets, small scale processing of agricultural goods, bed and breakfast operations, "farm experience" tourist developments, home businesses and similar land uses on parcels in the ALR which specifically assist the individual farmer, and the farm community in general, shall be encouraged.
8. The retention, protection, and enhancement of lands with agricultural capability shall be supported.
9. Consolidation of smaller parcels of agricultural land into larger, more viable agricultural units is encouraged and any subdivision of larger agricultural parcels into smaller parcels shall be discouraged.
10. The University of British Columbia will be encouraged to work cooperatively with the Regional District, Oyster Bay community, Montford Legacy Association and other community organizations to develop a Plan which ensures that the land uses remain agriculture based and promotes the use of the UBC Research Farm for sustainable agricultural operations, research, and education, in keeping with its long-term role as a rural resource centre for Vancouver Island.

Designations and Minimum Lot Sizes

8. Parcels in the ALR or with "farm" status pursuant to the Assessment Act are designated as follows:

Parcels	Designation	Minimum Lot Size*
Parcels assessed as "farm" pursuant to the <u>Assessment Act</u> and ALR parcels east of the BC Hydro Transmission ROW	Agriculture	8 ha (19.8 ac)
ALR parcels west of the BC Hydro Transmission ROW	Upland Resource (See Section 314)	40 or 400 ha (98.8 to 988.4 ac) (See Section 314)
Parcels in both the FLR/ALR	Upland Resource (See Section 314)	40 or 400 ha (98.8 to 988.4 ac) (See Section 314)

Please note: For parcels in the ALR or FLR, the minimum lot size applies only where approval for subdivision has been obtained from the Land Reserve Commission.

Dwellings

9. A maximum of one dwelling per parcel may be permitted. Additional dwellings may be permitted where approved by the Land Reserve Commission and authorized by the applicable zoning.

302 ARCHAEOLOGICAL SITES

Six archaeological sites are documented in the planning area although a comprehensive inventory has never been completed. Studies of the known sites have discovered cultural material, shell midden, human remains, lithics and other materials. Archaeological sites pre-dating 1846 may not be altered or changed in any manner without a permit pursuant to the Heritage Conservation Act.

Objectives:

1. *Encourage* and facilitate the identification, protection and conservation of archaeological sites.

Policies:

1. Developers shall be encouraged to protect archaeological resources during all phases of project planning, design and construction.
2. To assess and identify the archaeological resource potential in the planning area the commission of an archaeological resource overview in accordance with Section 3.4 of the British Columbia Archaeological Impact Assessment Guidelines, Revised 1992, published by the Archaeology Branch of the Ministry of Tourism and Ministry Responsible for Culture, shall be considered as funding becomes available.

303 COMMERCIAL

Commercial development in the planning area consists of neighbourhood stores, tourist accommodations, restaurants, home businesses and limited light industrial. The bulk of the residents' shopping needs are satisfied by stores and services in Campbell River, Black Creek and the Comox Valley. Vacant commercial land has been available in the area for a number of years. The continued protection of these sites and other key locations is important at this time to ensure opportunities for commercial businesses as the population needed to serve them, is established.

Objectives:

1. *Ensure* the form and character of commercial development retains a rural flavour, reflects community values and does not harm the natural environment;
2. *Discourage* commercial strip development along the Island Highway and Inland Island Highway;
3. *Direct* commercial services catering to local residents to existing commercial nodes;
4. *Support* tourist commercial development associated with the natural amenities and features of the area; and
5. *Support* the establishment of home businesses and cottage industries.

Policies:

Desired Types of Commercial Development:

1. Commercial uses which are desired in the planning area include tourist facilities, home businesses, cottage industries, convenience stores and other businesses catering primarily to Electoral Area "D" residents. Retail establishments which attract and serve customers from throughout the region such as malls, 'big box' retail outlets, franchises and chain stores shall be discouraged.

Designations and Minimum Lot Sizes:

2. Designations for commercial uses shall be "Neighbourhood Commercial", "Tourist Commercial", and "Cottage Industry".
3. Minimum lot size requirements shall be left to the zoning process.

Neighbourhood Commercial:

4. A full mix of local neighbourhood services and facilities shall be encouraged in areas designated "Neighbourhood Commercial" to create a true focal point for the neighbourhood, discourage strip development and reduce motor vehicle use.
5. Residential use is encouraged as an accessory use to neighbourhood commercial development.

Tourist Commercial:

6. New campgrounds and other tourist facilities may be permitted in any portion of the planning area without amending this OCP including Map 3. Siting of new facilities shall be in accordance with the conditions noted in Policy 10.

Siting:

7. Isolated and random commercial development shall be discouraged other than cottage industries, convenience stores, home businesses and tourist facilities.
8. Existing commercial developments on the Island Highway shall be recognized, however, the development of additional commercial development along the Highway shall be discouraged unless located in an area designated "Neighbourhood Commercial".
9. Suitable sites for commercial enterprises shall be protected from other forms of development and incompatible adjacent uses.
10. Commercial sites shall:
 - a) not generate excessive traffic and noise in residential areas;
 - b) be compatible with adjacent uses and natural resource areas,
 - c) provide adequate buffering and screening;
 - d) allow public access to the waterfront areas;
 - e) include systems for sewage treatment and disposal, stormwater management and water supply and distribution; and
 - f) maintain environmentally sensitive areas.

Development Permit Areas:

11. All parcels designated "Neighbourhood Commercial", "Tourist Commercial" and "Cottage Industry" shall be designated as development permits areas. Strathcona Park Lodge is excluded from this designation. (See Section 400 for the development permit guidelines.)

Home Based Businesses:

12. Home businesses, where the business operation is accessory to residential use, and bed and breakfast operations may be permitted in any portion of the planning area to create employment and to satisfy the demand for various goods and services.
13. A commercial or light industrial business operated from a home shall be considered a cottage industry where the floor area used for the business exceeds the living area of the home yet satisfies all other requirements for home businesses (See Policy 15 below). Cottage industry shall be permitted in areas designated as "Cottage Industry" or "Neighbourhood Commercial". Cottage industry may include assembly, processing, repair, retail and service establishments. Examples of cottage industry include a professional office such as a veterinary clinic, a bakery, a cabinet making shop, an artist studio and gallery, and a small engine repair business.
14. The sale of equestrian accessories and services (i.e. farrier and tack store) may be permitted on any parcel designated "Rural" or "Country Residential" as equestrian centres.
15. To ensure home businesses, bed and breakfast operations, cottage industries and equestrian centres do not disrupt the residential or rural nature of an area these operations will be subject regulations designed to:
 - a) limit the size and number of signs;
 - b) prohibit uses which may create a nuisance;
 - c) limit activities which may occur outside a building or structure;
 - d) prevent unrestricted retailing;
 - e) limit the size of the operation so that it remains ancillary to the permitted principal uses except in the case of cottage industries;
 - f) limit the number of employees; and
 - g) outline required approvals.

Temporary Uses:

16. All lands, except those designated "Residential" shall be designated as being eligible for consideration for the issuance of Temporary Commercial Use permits. The issuance of such a permit shall be conditional on the applicant providing:
 - a) a detailed description of the proposed use and the duration of proposed activity;
 - b) plans for mitigation of potentially harmful impact on the environment and the local community;
 - c) applicable provincial and federal government approvals or permits;
 - d) a security to guarantee performance of the terms of the permit;
 - e) a plan for rehabilitation of the site following the discontinuance of the proposed temporary use; and
 - f) other information required to fully evaluate the application.

304 COMMUNITY FACILITIES

Community facilities generally include schools, churches, community halls, daycare's, hospitals and medical clinics, community care facilities, postal outlets, recycling depots, public markets (flea markets or farmers' market), government offices, parks, trails, fire halls, and police and ambulance stations.

Objectives:

1. *Identify and protect* suitable sites for community facilities;
2. *Encourage* the provision of adequate levels of public safety protection (police, fire); and
3. *Encourage* community facilities that enhance the social, economic, education, environmental and cultural aspects of life in the community.

Policies:

New Community Facilities:

1. The community supports and encourages the development of the following community facilities:
 - a) community centre;
 - b) secondary school;
 - c) an additional elementary school;
 - d) home-based and centrally located daycare centres;
 - e) public markets;
 - f) parks and linear parkways;
 - g) fire hall; and
 - h) recycling bins.
2. Opportunities to create publicly-owned community facilities may be encouraged through density bonusing, community land trusts and other similar mechanisms.

Schools:

3. The local school district will be encouraged to work cooperatively with the Regional District and developers to acquire school sites at minimal cost to taxpayers. This cooperative approach may include an agreement for school site acquisition pursuant to the Municipal Act.
4. The continued use of Montfort House and school facilities for recreational, cultural, educational and community activities and events shall be supported.
5. When the Maple Elementary School site is no longer required by the local school district use of the property for community uses shall be encouraged.

Siting and Design Guidelines:

6. Community facilities may be located throughout the planning area, however, community facilities such as churches, community halls, and schools shall be encouraged to locate in areas designated "Neighbourhood Commercial" or at major intersections and other

- prominent sites to serve as focal points and landmarks of the community. Developers shall be encouraged to reserve prominent sites for community facilities.
7. Daycare facilities and community care facilities may be operated throughout the planning area. Daycares of 10 children or less shall be regulated as a home business.
 8. Club activities shall be considered a community service and may be permitted as community facilities.
 9. Places designated for public use shall be designed to be safe and accessible to all and protected from vandalism.
 10. Community facilities shall be screened and buffered from adjacent uses where activities at a specific facility may create a nuisance.
 11. The developers of community facilities are encouraged to reserve a minimum of one percent (1%) of construction or renovation costs for artwork.
 12. Community facilities shall be encouraged to provide recycling containers adjacent to their waste disposal areas.

Minimum Lot Size:

13. The minimum lot size for community facilities shall be determined by zoning.

305 ENERGY

Local government decisions on land use, zoning, building design, infrastructure and transportation have a huge impact on energy consumption. The following objectives and policies strive to recognize this impact and to begin to incorporate sustainable energy use wherever possible in land use planning decisions.

Objectives:

1. *Encourage and promote* energy conservation; and
2. *Encourage and promote* the use and development of renewable sources of energy such as solar, geothermal, wind, bio-mass and hydroelectric (excluding storage projects).

Policies:

1. Developers shall be encouraged to incorporate energy conservation measures into the siting, design and landscaping of buildings and infrastructure.
2. Residents shall be encouraged to reduce the number of vehicle trips per household each day and to reduce the distance traveled to meet basic daily needs by supporting the following:
 - a) initiatives and infrastructure improvements which promote walking, cycling, public transit and carpooling;
 - b) zoning permitting home businesses and cottage industries;
 - c) the development of commercial nodes as neighbourhood centres; and
 - d) clustering of development.

3. Zoning regulations shall promote energy conservation siting, design and landscaping, and may allow an increase in density where energy conservation or renewable energy supplies are incorporated into a development as community amenities.

306 ENVIRONMENTALLY SENSITIVE AREAS

Environmentally sensitive areas are areas of land or land and water containing vegetation, terrain or fish and wildlife habitat which may be sensitive to development. Environmentally sensitive areas in the planning area include those areas within the "Fisheries Identified Planning Boundary for Environmentally Sensitive Areas" illustrated in the Comox-Strathcona Sensitive Habitat Atlas and subsequent revisions, which form Map 4: Oyster Bay-Buttle Lake Sensitive Ecosystems – East.

Objectives

1. *Support* the identification, mapping and inventory of environmentally sensitive areas;
2. *Identify and maintain* environmentally sensitive areas appropriate for public recreational use;
3. *Discourage* encroachment of incompatible uses on environmentally sensitive areas;
4. *Encourage* the preservation, protection and rehabilitation of environmentally sensitive areas;
5. *Protect* the quality and quantity of water resources through the regulation of land uses; and
6. *Recognize* fish and wildlife habitats, streams and wetlands as important land uses during the planning process and to encourage the incorporation of wetland and stream habitat considerations into the planning, and site design of new development.

Policies:

Identification

1. The identification, mapping and inventory of environmentally sensitive areas and the use of an intergovernmental memorandum of understanding (MOU) for the protection of identified sensitive areas shall be supported.

Protection and Management

2. Fisheries sensitive areas identified on Map 4: Oyster Bay-Buttle Lake Sensitive Ecosystems - East shall be designated as development permit areas. (Guidelines for this designation are found in Section 404.)
3. The provincial Riparian Areas Regulation (RAR) shall be applied to all development, as defined by the RAR, within the Strathcona Regional District.
4. Where environmentally sensitive areas are identified, the landowners shall be encouraged to place these areas into a public trust or return them to a public domain through the use of legislative mechanisms such as Section 215 covenants, transfer of development rights, density bonusing, tax credit donations, return to Crown designations, and community land trusts.

5. Wherever possible, the environmentally sensitive areas shall be maintained as one contiguous parcel rather than fragmented remnants.
6. Environmental studies and monitoring completed by qualified professionals, to terms of reference set by the Regional District and appropriate agencies, and paid for by the property owner(s) may be required prior to permitting development which may have an impact on known or suspected environmentally sensitive areas. The required studies may include hydrogeological reports, stormwater management plans, environmental impact studies, flora and fauna inventories and mitigation plans.
7. On and off-site drainage improvements may be required to ensure the quality and quantity of the stormwater runoff from a parcel or area of development does not threaten the productivity and biodiversity of an environmentally sensitive area. There should be no increase in the peak run-off of groundwater from a parcel after development as compared to that which occurred before the development took place.
8. The retention and planting of native ground cover and trees in all developments shall be encouraged.
9. Private landowners, industry and the public shall be consulted regarding cooperative approaches to protecting fish and wildlife habitat and maintaining and improving water quality.
10. Development which interrupts the natural foreshore process or has an adverse effect on the foreshore, intertidal areas or adjacent upland properties, shall be discouraged.
11. Where subdivision proposals contain land which adjoins a lake, river, stream or wetland, the Approving Officer shall be encouraged to review the proposal in light of the Official Community Plan policies, and to request the dedication of land along the bank or shore for the purpose of protecting an environmentally sensitive area, and where appropriate, providing public access.
12. The fencing of watercourses shall be encouraged where access by humans or livestock is to be restricted. Access to other environmentally sensitive areas shall be limited according to the level of sensitivity by an authority having jurisdiction.
13. The foreshore area and all oceanfront public accesses and roadways should remain free from access limiting development and should be retained for public use. Agreements to permit access around any structure or development that extends below the high water mark shall be encouraged.
14. The use of methods other than pesticides and herbicides in environmentally sensitive areas shall be encouraged on lands where alternatives are available.
15. The introduction of any foreign or chemical substance into watercourses is not supported.

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307 FORESTED AREAS

The following objectives and policies are separated into two groups: one recognizing the economic importance of forested lands in the FLR and ALR; and the other acknowledging the aesthetic, cultural and biophysical features of non-reserve forests.

FORESTED AREAS WITHIN THE FLR OR ALR

Objectives:

1. *Recognize* forestry use as a renewable and sustainable resource activity and a significant contributor to the local economy;
2. *Preserve* productive land for forestry use;
3. *Recognize and protect* the needs and activities of forestry operations when considering uses on adjacent lands; and
4. *Encourage* sustainable forestry practices.

Policies:

1. The mandate of the Forest Land Commission to minimize the impact of urban development and rural area settlement on the Forest Land Reserve (FLR) shall be supported.
2. Applications to subdivide or develop land in the FLR for non-forestry use shall not be supported where the proposed subdivision or use discourages or limits the use of the subject lands or adjacent FLR parcels for permitted uses.
3. Applications to remove land from the ALR or FLR shall not be supported where the land is of suitable size, location, topography and soils to support forestry uses, including woodlot operations and poplar plantations.
4. Non-forestry uses, including transportation and utility right-of-ways and linear parkways, which would conflict with forestry operations and FLR lands, shall be encouraged to locate on other lands where feasible.
5. Forestry and woodlot operators shall be encouraged to protect environmentally sensitive areas on their land and to use environmentally safe practices and techniques.
6. Forested lands in the FLR or ALR shall be designated as follows:

FLR/ALR/Both	Designation (see section 314)	Minimum lot size* (see section 314)
FLR	Upland Resource	40 or 400 ha (98.8 or 988.4ac)
Parcels in both the FLR/ALR	Upland Resource	40 or 400 ha (98.8 or 988.4ac)
ALR parcels west of the BC Hydro Transmission R/W	Upland Resource	40 or 400 ha (98.8 or 988.4ac)
ALR parcels east of the BC Hydro Transmission R/W	Agriculture (See Section 301)	8 ha (19.8ac) (See Section 301)

Please note: For parcels in the FLR or ALR, the minimum lot size applies only where approval for subdivision has been obtained from the Land Reserve Commission.

7. A maximum of one dwelling per parcel may be permitted. Additional dwellings may be permitted where approved by the Forest Land Commission and authorized by the applicable zoning.
8. Forestry operations on private land shall be encouraged to comply with provincial forest practice regulations.
9. Programs and initiatives which promote sustainable stewardship of the forest resource and small scale community and private woodlot operations shall be encouraged.

OTHER FORESTED AREAS

Objectives:

1. *Recognize* the aesthetic, cultural and biophysical importance of non-reserve forests; and
2. *Encourage* the long term preservation of forest cover and wildlife trees.

Policies:

1. The preservation of forest cover on non-reserve lands shall be encouraged by use of rural design guidelines, clustering, density bonus, transfer of development rights and other similar mechanisms.
2. The preservation of wildlife trees and supporting vegetation shall be encouraged by use of wildlife tree tags, restrictive covenants and other legal mechanisms.

308 HAZARD LANDS

Hazard lands are those areas with high potential of suffering a natural disaster such as a flood or landslide. Lands along the coastline, Oyster River and the Buttle and Campbell Lake system are at greatest risk of flooding and land erosion. Throughout the planning area seismic activity is a distinct possibility as Vancouver Island is classified as being at a high risk for seismic activity. There is no emergency preparation plan for the planning area to deal with any natural disasters at this time.

Objectives:

1. *Protect* residents from loss of property and personal injury;
2. *Direct* development away from identified hazard lands;
3. *Develop* an emergency preparation plan; and
4. *Encourage* mitigation measures which are compatible with the needs of local residents and are sensitive to the natural environment.

Policies:

1. Lands susceptible to flooding, high fire risk, instability, high rates of erosion or steep slopes that would pose a threat to property if developed, shall be considered hazard lands.
2. To protect property and lives from hazardous conditions, the development, subdivision or alteration of hazard lands shall not be supported unless the applicant or appropriate authority provides a report from a qualified professional that indicates measures can and will be taken to render the development capable of withstanding the effects of a natural disaster without endangering property or lives on surrounding lands or creating any detrimental environmental consequences. In event that the measures recommended by the qualified professional fail, the Regional District shall not be responsible for remedial action to benefit or protect the affected landowner(s).
3. Provincial floodproofing requirements shall be adopted as a Regional District bylaw for the planning area.

309 HOUSING

General Housing

Objectives:

1. *Ensure* housing developments are designed to minimize the disturbance of the existing rural landscapes such as views, tree cover and variety in terrain to retain rural character and natural resource systems, and to minimize interference with resource dependent activities such as agriculture, mining, and timber harvesting;
2. *Guide* the location, pattern and timing of development to ensure growth does not exceed the provision of community facilities and services including water, sewage treatment, schools and parks, and to minimize inefficient service delivery costs;
3. *Ensure* housing developments are compatible with the physical site conditions of slope, soil types and drainage patterns;
4. *Permit* residential development where an adequate quantity and quality of water is demonstrated and where either soil conditions are suitable for the satisfactory long-term operation of septic disposal systems or connection to a community sewage treatment system can be made;
5. *Limit* the extension and development of new infrastructure to encourage efficient use of land within existing local service areas;
6. *Encourage* preservation of the rural landscapes as it is presently enjoyed through efficient land use; and
7. *Establish* containment boundaries around the circumference of settled areas to prevent further suburban sprawl and coastal strip development.

Policies:

Designations and Minimum Lot Sizes

1. Areas for housing development shall be designated as described below and illustrated on Map 3:

Residential

- areas of large suburban lots with septic systems and Regional District water;
- upgrading of water system and the development of alternative sewage treatment and disposal systems to be pursued to permit limited growth;
- new lots shall have an average minimum lot size of 4000m² (1ac).

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- d) notwithstanding the above, the average minimum lot size may be reduced to 2500 square metres (0.62 acre) where the proposed subdivision of the parent parcel creates not more than one additional lot and the subdivision is for the sole purpose of accommodating the siting of one existing, legally established dwelling on each lot.

Country Residential

- rural properties of various sizes with septic systems and either Regional District or well water;
- upgrading of water system to be pursued to expand the local service area and to permit limited growth;
- new lots shall have an average minimum lot size of 2ha (4.9ac).
- The property legally described as Lot 2, District Lot 193, Comox Land District, Plan 18649 is hereby exempted from the average lot requirement of 2 ha (4.9acres) as stated in the Country Residential designation.

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- e) the property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan VIP54090 is hereby exempted from the average lot requirement of 2 hectares (4.9 acres) as stated in the 'Country Residential' designation.

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Rural

- areas expected to remain as rural acreage properties catering to the demand for hobby farms, equestrian activities, rural estates and isolated homesteads with well water and septic systems;
- includes parcels inside the local service areas which have one or more development constraints;
- new lots shall have an average minimum lot size of 8ha (19.8ac).

2. The average minimum lot size may be reduced by 50% for any designation where density bonusing in exchange for community amenities occurs.

3. Extensions of the areas designated "Residential" may be considered if the following conditions are met:

- a) opportunities for development in the existing "Residential" areas have been exhausted or denied;
- b) the new areas are logical extensions of the existing settlement areas, and will be served by community water service, community sewage treatment and any needed stormwater management systems;

- c) a strategy for the development, staging, and finance of infrastructure or community facilities for the extension is adopted;
 - d) rural and recreational characteristics are defined and protected;
 - e) the cumulative impacts of development on rural and recreational characteristics and on natural features and functions are assessed and found to be minimal and acceptable;
 - f) within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included; and
 - g) the proposed development has a compact or clustered form with densities that utilizes efficient use of land, infrastructure, and community facilities.
4. Extensions of the areas designated "Country Residential" may be considered if the following conditions are met:
- a) opportunities for development in the existing "Country Residential" areas have been exhausted or denied;
 - b) new development areas are logical extensions of the existing settlement areas, and the long-term adequacy of on-site or community water supply and sewage treatment and stormwater management systems is demonstrated;
 - c) a strategy for the development, staging, and financing of any needed infrastructure and community facilities for the extension is adopted; and
 - d) rural and recreational characteristics are defined and protected; and
 - e) the cumulative impacts of development on rural and recreational characteristics and on natural features and functions are assessed and are found to be minimal and acceptable;
 - f) within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included; and
 - g) the proposed development will have a compact or clustered form with densities and uses appropriate to the services available or proposed.
5. Extensions may form isolated housing developments where all other conditions in policies 3 and 4 have been satisfied for the designation requested.
6. Mobile home parks may be located in areas designated "Residential" or "Country Residential" where they conform to the general housing policies. Mobile home parks shall be limited to a density of 15 units/ha and a maximum site area of 2.0 ha (4.9 acres).
7. Housing development shall be discouraged and directed away from the following:
- a) parcels designated as Agricultural Land Reserve or Forest Land Reserve;
 - b) parcels designated for commercial or industrial use;
 - c) hazard lands;
 - d) environmentally sensitive areas;
 - e) sites contaminated by past land uses; and
 - f) parcels having significant underlying aggregate or mineral deposits; and
 - g) where development occurs on such lands, it shall be clustered to protect land resources, minimize land use conflicts and ensure public safety.

Subdivision

8. Subdivisions to provide a residence for a relative under Section 996 of the Municipal Act are considered to be appropriate.
9. With a limited amount of land available outside of the ALR and FLR in the planning area, the creation of parcels with a lot area of 1.0 hectare (2.5 acre) or more for primarily single family residential use shall be generally considered to be an inefficient use of land and shall be discouraged.
10. More efficient land use may be encouraged by promoting and permitting the following:
 - a) redevelopment of older neighbourhoods;
 - b) infill housing;
 - c) grouping of housing in clusters in appropriate locations;
 - d) smaller parcels;
 - e) using appropriate local road standards and designs; and
 - f) flexible and innovative regulatory bylaws.

Dwellings

11. The construction of new homes will be limited to single family dwellings. Construction of duplex and multi-family dwellings shall not be permitted.
12. Secondary suites and secondary dwellings of 60.0 square metres (645.9 square feet) may be permitted on parcels connected to a community sewage system or where approved by the Ministry of Health.
13. Two dwellings per parcel may be permitted with approval of the Ministry of Health where the lot is twice the required minimum lot size.
14. Existing duplex and multi-family dwellings and residential lots with more than one dwelling shall be recognized and zoned accordingly.
15. One and two storey height limits shall be considered to protect views of Georgia Strait and Coast Mountains along the Island Highway corridor.

Retaining Rural Character

16. Use of the following guidelines shall be encouraged for designing housing developments:
 - a) Environmentally sensitive areas should be permanently protected as public open space;
 - b) The natural terrain and drainage should be maintained;
 - c) A minimum of 30% of the site area, or a mix of open space and other desired amenities, should be permanently provided for public use and include existing rural and recreational features of the site;
 - d) Pedestrian links and linear parkways should be provided including public access to waterways;
 - e) Clearing of vegetation at the edge of roads and driveways should be kept to a minimum, and roads and driveways curved;

- f) Buildings and structures should be sited and constructed so that they are absorbed by the landscape and do not protrude above the tree tops and crestlines of hills and ridges seen from public places and roads;
 - g) The form and character of the development should reflect and enhance the rural nature of the community;
 - h) Viewpoints should be accessible to the public as landmarks, parks, common open space and stopping points along roads and linear parkways;
 - i) Desired views should be opened by selectively cutting trees and branches, rather than clearing large areas; and
 - j) Favourable road design should be included wherever possible (See Section 313, Policy 5).
17. The zoning bylaw should contain incentives for keeping private land undeveloped such as density bonus, transfer of development rights and a variety of uses which permit the owner to make a living from the land without resorting to large-scale development.
18. Infilling shall be encouraged to be integrated with existing developments to maintain views, sunshine and existing drainage patterns.
19. Setbacks may be reduced or varied to encourage protection of significant rural and natural site characteristics.
20. A conservation zone may be applied to parcels of land covenanted or deeded against further development or use, including common property in strata titled subdivisions.

Cluster Housing

21. Cluster housing developments of 60 dwellings or less with no, or a very small number of commercial and cottage industry enterprises may be permitted in all areas designated for housing where community water, community sewage treatment and stormwater management systems are provided.
22. To encourage the provision of common open space and facilities as well as affordable and special needs housing in clustered housing developments, density bonusing shall be permitted. The permitted bonus shall reflect the number and type of amenities provided. Where density bonusing is proposed, development shall be in compliance with a comprehensive development plan.
23. Common open space means a parcel or parcels of land, and area of water, or combination of land and water to be conserved as an amenity for the common use and benefit of residents in a particular development and the community at large. Parcels of common open space shall be owned and managed in common by the residents in a particular development, a non-profit society or dedicated to a public agency including the Regional District.

Features

- a) Environmentally sensitive areas including areas with slopes greater than 20%, floodplains, wetlands, ground water recharge areas, archaeological sites and

- other critical or sensitive areas worthy of preservation shall be included in areas of common open space.
- b) Existing man-made features, especially those of heritage value such as farmsteads and abandoned right-of-ways, may be preserved as common open space or used for common facilities.
 - c) The selection of areas for protection as common open space shall include the consideration of features on adjacent property(ies) so as to form contiguous masses between properties.
 - d) Common open space shall abut a highway and shall be accessible to the public from the said highway.
 - e) Areas of common open space shall have water frontage where the parent parcel abuts or features a lake, watercourse or sea.
 - f) Common open space shall not include any land within a privately held lot, a road right-of-way or land dedicated under the Municipal Act for school or park use.
 - g) The area used to provide parking for activities in the common open space may be included in the area computations.
24. Common facilities means buildings, structures, equipment, recreational facilities or other physical improvements provided as an amenity for the common use and benefit of the residents in a particular development and where desired the community at large such as shared cooking facilities, meeting rooms, daycare, exercise equipment, extra storage lockers, indoor bicycle storage, and playground equipment. These facilities shall be constructed and funded by the owner of the parcel which he or she is developing. Common facilities shall be owned and managed in common by the residents in a particular development, a non-profit society or dedicated to a public agency including the Regional District.

Facilities provided shall be designed to serve the anticipated needs of the residents of the development, and where applicable, the community-at-large. The anticipated characteristics and demographic profile of future residents, the facilities available in neighbouring developments and relevant policies of this bylaw shall be considered.

Rental, Affordable and Special Needs Housing

Objectives:

1. *Provide* opportunities for the creation of housing that is available for rent, or sale to a full range of incomes, age groups and abilities.

Policies:

1. Where deemed to be appropriate by the community, innovative design, average minimum lot sizes, density bonusing, a range of house sizes and government support may be used to create opportunities for the provision of affordable housing for

households with special needs and households in the lowest 30% of household income distribution.

2. The provision of affordable or special needs housing shall be subject to a housing agreement between the land owner and the Regional District under Section 963.2 of the Municipal Act. The agreement shall specify the number of units, the tenure, availability, management of the units and maximum rents or selling prices. The housing agreement shall be filed in the Land Title Office.

310 INDUSTRIAL

Objectives:

1. *Protect* the rural nature of the planning area from incompatible industrial uses;
2. *Recognize* the District of Campbell River as the regional industrial and commercial centre and encourage heavy industrial uses to locate within its boundaries; and
3. *Allow* small scale, industrial enterprises producing goods and services required by local residents and businesses where conflict with residential development will be avoided.

Policies:

1. Industrial developments shall:
 - a) not generate excessive traffic and noise in residential areas;
 - b) be compatible with adjacent land and water uses and natural resource areas;
 - c) provide buffering and screening;
 - d) allow public access to the waterfront areas;
 - e) include systems for sewage treatment and disposal, stormwater management and water supply and distribution; and
 - f) preserve and protect environmentally sensitive areas.
2. Industrial development in proximity to a residence on an adjoining or adjacent parcel or which is visible from major roads, shall be adequately screened and buffered to avoid conflict with adjacent land uses.
3. Industrial uses may be allowed in areas designated "Industrial".
4. All lands, except those lands identified for park purposes and those designated "Residential" or "Country Residential" shall be designated as being eligible for consideration for the issuance of Temporary Industrial Use permits. The issuance of such a permit shall be conditional on the applicant providing:
 - a) a detailed description of the proposed use and the duration of proposed activity;
 - b) plans for mitigation of potentially harmful impact on the environment and the local community;
 - c) applicable provincial and federal government approvals or permits;
 - d) a security to guarantee performance of the terms of the permit;

- e) a plan for rehabilitation of the site following the discontinuance of the proposed temporary use; and
 - f) other information that the Regional Board may require to fully evaluate the application.
5. All parcels designated "Industrial" shall be designated as development permits areas. (See Section 405 for the development permit guidelines.)

311 PARKS AND RECREATION

Objectives:

1. *Identify, protect and acquire* significant recreational sites, natural habitats and rural landscapes as parks and common open space;
2. *Maximize* public access to Georgia Strait, lakes and watercourses;
3. *Acquire* parks at minimal cost to taxpayers;
4. *Create* a network of multi-use linear trails to provide children with safe and convenient routes for getting to school, to reduce the use of motor vehicles to fulfill daily needs, and to provide a variety of recreational opportunities both inland and along waterways;
5. *Protect* the existing natural features and habitats within parks; and
6. *Encourage* residents to play an active role in the development and maintenance of parks in their neighbourhood.

Policies:

Acquisition

1. Generally, the residents want the Regional District to obtain additional parkland of the following types: (listed in order of preference)
 - a) waterfront parks and trails;
 - b) nature parks;
 - c) neighbourhood parks;
 - d) linear parkways, trails and paths;
 - e) recreational playing fields; and
 - f) 'tot lots'.
2. Provision of additional parkland beyond the 5% required by the Municipal Act shall be encouraged.
3. Outright purchase of parkland shall be considered where other methods of acquiring the land have failed and, where either sufficient monies are available in the Electoral Area Parkland Acquisition Reserve Fund or the proposed acquisition has been approved by referendum.
4. To improve access and to enlarge established parks and trails, owners of land abutting or adjacent to parks and trails will be encouraged to donate land.
5. Where an owner of land being subdivided must provide parkland dedication pursuant to Section 992 of the Municipal Act the owner shall provide money under Subsection

- 992(1)(b) of the Municipal Act unless the subject property contains any of the following features:
- a) An area identified in the OCP or Campbell River Area Parks Plan as possible park or trail site;
 - b) An environmentally sensitive area;
 - c) A significant viewpoint;
 - d) An opportunity to expand an existing or potential park or trail or to provide additional access to the shoreline; or
 - e) An area attractive for park purposes.
6. Monies acquired as cash-in-lieu of parkland dedication within the planning area are to be placed in the appropriate Electoral Area Parkland Acquisition Reserve Fund. Said funds are to be utilized for the acquisition of lands suitable for recreational facilities or lands of significant natural value.
7. To recover a portion of the cost of acquiring and developing parks development cost charge bylaws will be considered for adoption and implementation.
8. The following shall be used to guide parkland acquisition:
- a) New park areas shall be a minimum of 1.0 hectare (2.47 acres) in size, except where unique natural features are to be preserved or the land is to serve a special function such as a view point, in which case a smaller area may be acceptable.
 - b) New parks should adjoin or be in close proximity to linear parkways.
 - c) A minimum right-of-way of 5.0 metres (16.4 feet) shall be acquired for linear parkways (trails).
 - d) Acquisition of parkland to create tot lots is considered a low priority except where there is a demonstrated need and support for such.

Multi-Use Trails (Linear Parkways)

9. The creation of a network of walking, bicycling and bridle trails along Georgia Strait and connecting parks and natural areas, schools, and residential neighbourhoods and commercial nodes is encouraged. This network shall be developed through securing easements, covenants or other formal agreements from private property owners, using public road and utility right-of-ways, and obtaining approval to use Crown land. Multi-use trails may not be permitted where they would have a detrimental effect on environmentally sensitive areas or parcels within the FLR and ALR. The network should eventually connect with similar trails in the District of Campbell River and Comox Valley.
10. At the time of subdivision, land dedication, trail easements and statutory rights-of-way shall be requested to establish linear parkways where such are desired. The linear parkways shall be developed or improved on the basis of a priority budget system. Where possible, existing trails shall be protected as part of the network.
11. The extension of the Vancouver Island Recreation Corridor through the planning area is encouraged providing the said corridor does not allow motorized transportation such as dirt bikes and all terrain vehicles.

Waterfront

12. Opportunities to access and enjoy areas along Georgia Strait and other waterways in the planning area, including a public boat launch, shall be a fundamental feature of the parks and open space network.
13. The provision of safe public access shall be encouraged as part of any foreshore related development.

School Grounds

14. The local school district will be encouraged to work cooperatively with the Regional District and developers to develop school grounds as an integral part of the Regional District park system.

Designation

15. Parks shall be a permitted use in any designation or zone.

312 SAND, GRAVEL, MINERAL EXTRACTION

All mining and mineral exploration activities are subject to the Mines Act and Mineral Tenure Act regulations. The Regional District has very limited influence on the management of mineral and aggregate resources. Where the following objectives and policies go beyond the jurisdiction of the Regional District they shall serve as broad statements of local interests which provincial agencies may use in their decision making.

Objectives:

1. *Protect* significant deposits of aggregates, minerals and other non-renewable resources, and areas of significant non-renewable resource potential;
2. *Encourage* utilization of the resources prior to other developments occurring on or adjacent to these sites; and
3. *Encourage* restoration of any abandoned extraction sites.

Policies:

1. Existing aggregate and mineral resource operations, significant deposits and areas of significant resource potential will be protected from surface developments which would render them inaccessible and incompatible with adjacent uses.
2. Use of roads in established neighbourhoods for access or egress for ground resource extraction operations shall be discouraged.
3. Development on lands adjacent to existing operations and areas of significant known deposits of non-renewable resources will be permitted, only where the development does not preclude continuation of the existing operations, does not preclude

- development of the remaining resource, and addresses issues of potential conflicts and public safety.
4. Development may not be permitted in areas of significant known deposits of non-renewable resources where: extraction is deemed to be not feasible by a qualified professional; or where existing or proposed uses serve a greater long-term interest to the general public than does access or extraction; or where it would not significantly preclude or hinder future extraction.
 5. Processing activities which are directly related to mineral or aggregate extraction and which are temporary in nature (i.e. cement or asphalt batch plants) shall require a Temporary Industrial Use permit as outlined in Section 310 Policy (4).
 6. Upon the completion and reclamation of the gravel extraction activity in the Ministry of Transportation site on Terrain Road, the property shall be considered for community use.
 7. Local government approved onsite composting or the use of acceptable compost generated off-site shall be encouraged during restoration.

313 TRANSPORTATION

Roads are the primary component of the transportation system in the planning area. Air facilities and other marine traffic facilities are located in neighbouring municipalities.

Objectives:

1. *Encourage* a safe, efficient and balanced transportation network which is compatible with existing and proposed land uses;
2. *Minimize* the number of accesses and intersections on the Island Highway and other major roads;
3. *Promote* the use and development of transit and carpooling for traveling to and from work and other activities in Campbell River and the Comox Valley;
4. *Develop* a network of pedestrian, equestrian and bicycle paths to encourage non-vehicular travel and recreational opportunities both inland and along waterways;
5. *Reduce* the number of vehicle trips per household to lower energy consumption, reduce pollution, lower costs of infrastructure and provide a safer, healthier human environment; and
6. *Recognize and support* the operation of the Campbell River airport as a regional facility.

Policies:

Ministry of Transportation

1. The Ministry of Transportation shall be encouraged to:

- a) consider the policies of this plan and in particular the impact of future road alignments on agriculture, forestry, the residential community and environmentally sensitive areas when planning any new road alignment;
 - b) route new arterial roads away from existing neighbourhoods and school sites;
 - c) consult with the Regional District and the community respecting opportunities for the accommodation of walkways, bicycle paths and bridle trails within road right-of-ways;
 - d) consult with the Regional District and the community respecting the establishment of local road standards;
 - e) investigate with the Regional District and the community ways to remove the Island Highway as a barrier between much of the community and the Georgia Strait foreshore area; and
 - f) establish safe pedestrian crossings along the Island Highway.
2. The Regional Board shall work closely with the District of Campbell River and the Ministry of Transportation to ensure coordination of planning and development of the road network plan through and around the developed areas of the Regional District and Campbell River as illustrated on Map 6.
 3. The further subdivision or rezoning of property adjacent to the Island Highway or major roads shall recognize the need to minimize direct access to major roads and shall be conditional on provision of suitable alternative access wherever possible.
 4. The Inland Island Highway shall first and foremost serve as a non-access highway, and shall be protected from traffic generating land uses including residential, commercial, and industrial development. No development or zoning changes directly adjacent to the route shall occur.
 5. The following design features are favoured for local roads:
 - a) Roads which meet the needs of pedestrians, horseback riders and cyclists;
 - b) New roads which are interconnected and join existing roads where possible;
 - c) Cul-de-sacs and dead end streets which have pedestrian links to other roads and public areas; and
 - d) Roads designed and built in harmony with the local topography to have the least effect on local features and nearby agricultural, mining, and forestry operations.

The Ministry of Transportation and developers shall be encouraged to incorporate these features into the planning and construction of new roads.

Transit and Non-Vehicular Travel

6. The provision of linear parkways and pathways for the safe and convenient use by pedestrians, equestrians and cyclists shall be encouraged.
7. The retention of abandoned right-of-ways by the appropriate government or public agency for future public use shall be encouraged.

8. Signage advising motorists of pedestrians, horseback riders and cyclists shall be encouraged.
9. Public transport systems and programs or initiatives which promote shared ridership, or pedestrian and bicycle movement shall be encouraged.
10. The development of a shared bus stop or stops between the Comox Valley and Campbell River transit systems shall be encouraged to promote travel by transit.
11. Signs identifying public access to the shoreline shall be encouraged. Parking and walking paths are encouraged at these access points. Trails connecting the access points shall be encouraged where physically possible and practical.

314 UPLAND RESOURCES

Objectives:

1. *Maintain* resource based activities as the primary uses for this area;
2. *Minimize* interference with stream water quality and quantity; and
3. *Protect* and *maintain* the quality and quantities of water used for domestic, commercial and agricultural purposes.

Policies:

1. Land uses shall be limited to resource dependent activities and industries, and activities which require isolated sites such as the storage and manufacturing of explosives.
2. The allocation and use of renewable resources will only be encouraged to the extent to which they can be replenished.
3. Land and water management shall be integrated, with decisions regarding one made in full awareness of its effects on the other to anticipate and resolve conflicts.
4. In those watersheds which act as a supply area for drinking water systems land use regulations which help to maintain water quality at a level suitable for human use shall be supported and encouraged.
5. Protection of the integrity of the water environment and its aquatic ecosystems shall be encouraged.
6. Recognition of the scenic and recreational values of water will be encouraged.
7. Where conflicts arise between competing interests, equitable solutions shall be sought by government, water users and owners in a public forum.
8. The minimum lot size for subdivision shall be as follows:
 - a) 40.0 hectares (98.8 acres) for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 508, 509, 914, 917, and 918;
 - b) 40.0 hectares (98.8 acres) for the area within 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made

- perpendicular to the said rights-of-way boundary, except as modified in Clause (d);
- c) 400 hectares (988.4 acres) for the area more than 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said rights-of-way boundary, except as modified in Clause (d);
 - d) Notwithstanding the above, where a parcel is subject to both the 40.0 and 400.0 hectare (98.8 and 988.4 acres) minimum lot size, the minimum lot size which applies to the greatest portion of the parcel shall be the minimum lot size for subdivision. Where a parcel is divided into portions of equal area by a line 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said rights-of-way boundary, the minimum lot size in respect of the entire parcel shall be 40 hectares (98.8 acres).
9. Forestry operations on private land are encouraged to comply with provincial forest practice regulations.

315 UTILITIES

The following applies to the physical installation and delivery of utility services including but not limited to electricity, telephone, cable, natural gas, streetlights, water, sewage treatment and communication towers.

Objectives:

1. *Encourage* the adequate development and delivery of utility services.

Policies:

1. The Regional District encourages the concept of utility corridors in accordance with the following:
 - a) utility routes should be situated within existing road or utility rights-of-way;
 - b) corridors should be designed as multiple use corridors, such as the corridor along the B.C. Hydro rights-of-way;
 - c) the siting and development of corridors should be undertaken in a manner which respects significant environmental and resource features; and
 - d) the siting and development of corridors should avoid land which is in the ALR and FLR where possible.
2. Underground services shall be encouraged in subdivisions with an average lot size of less than 4000 square metres (1.0 acre).
3. Streetlights and other improvements will only be provided where desired by local residents and supported through an appropriate local service area bylaw. Under the bylaw, the majority of costs will be borne by the benefiting property owners.

316 WATER SUPPLY AND SEWAGE TREATMENT SYSTEMS

Objectives:

1. *Ensure* sufficient service capacities are available to accommodate existing and future needs;
2. *Ensure* an orderly pattern of growth and phasing of services to avoid costly public expenditures on infrastructure; and
3. *Apply* the three "R's" (reduce, recycle and reuse) to water and waste treatment systems.

Policies:

New Lots

1. No lot shall be created unless it has a potable water supply, and either the capability to accommodate an on-site sewage treatment and disposal system or approval to connect to a community sewage treatment system.
2. Development shall be restricted in areas where it is anticipated that septic disposal systems will not function properly or alternative or innovative systems are not feasible.
3. The preferred method of servicing new lots of 2 hectares (4.9 acres) or less is a community water supply and sewage treatment systems.
4. Expansion of water and sewage treatment systems shall be in conformity with overall land use development policies of this Plan.

Septic Systems

5. A public education program on the maintenance and care of septic tanks and disposal fields will be implemented to ensure all septic systems operate at optimum capacity.
6. The Ministry of Health shall be encouraged to:
 - a) consider the cumulative effects of individual septic systems in an area;
 - b) evaluate areas with suspected problems;
 - c) consult with affected landowners respecting corrective measures and where necessary enforce legislative requirements; and
 - d) permit the installation of approved innovative technologies.

Long-term Treatment Solutions

7. A Liquid Waste Management Plan (LWMP) shall be prepared for the planning area and considered for adoption and implementation. The process of preparing, adopting and implementing the LWMP will involve the public to the greatest extent possible. The LWMP will provide a workable framework for the collection, treatment, and discharge of all liquid wastes, including the regular maintenance of septic systems, and where appropriate, the establishment of local service areas to provide the funding for septic system maintenance.

Provincial Approvals

8. Provincial agencies shall be encouraged to expand approved sewage treatment methods to include alternative, non-polluting methods and innovative technologies, in particular those which minimize water consumption and that permit the re-use and separate disposal of grey water.
9. The application of innovative technology for wastewater collection, treatment and disposal shall be encouraged wherever it is economically and operationally feasible.
10. Community sewage treatment systems shall be owned and operated by the Regional District.
11. Provincial agencies shall be encouraged to require all wastewater be treated and disposed by appropriate means of land disposal. A minimum of secondary treatment is encouraged. Ocean discharge of treated waste water shall not be supported.

Water Supply and Conservation

12. Community water supply systems shall be owned and operated by the Regional District.
13. The quantity and quality of drinking water shall be improved to meet the British Columbia Safe Drinking Water Regulation and Guidelines for Canadian Drinking Water Quality.
14. To reduce stress on septic systems and to reduce water consumption, the implementation of a water conservation program including public education and installation of water saving devices in all buildings will be considered.
15. All new development shall provide for the efficient use of water through the use of natural drainage, drought-tolerant landscaping recycled grey water and terrain-sensitive siting and design of infrastructure and buildings.
16. Cisterns and ponds for storage of rainwater to supplement water supply for individual or group household use, fire protection and irrigation are encouraged.
17. Wetlands, groundwater recharge areas and springs shall be protected in a natural state.

Costs

18. Development cost charges and local service areas' bylaws shall be considered as a means of ensuring the proper collection, treatment, and disposal of all wastewaters (storm and sewage) and the provision of adequate water supplies.

317 AQUATIC

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Objectives:

1. Recognize and protect the ecological, tourism, water quality, and recreation values of lakes and marine waters.
2. Recognize and address the impacts of natural processes and hazards at the land-water interface through rezoning processes and utilizing senior agency policies and legislation.

Policies:

1. Lakes, and the area extending 300 metres (948 feet) seaward from the highwater mark of the Georgia Strait are designated as "Aquatic".
2. Proposed waterbased commercial or industrial operations in the "Aquatic" designation shall require rezoning.
3. Proposals to rezone in "Aquatic" designations shall include specific details regarding public access, visual impacts (i.e. the protection of views and the appearance of the development), form and character, and protection of habitat values.

400 DESIGNATED DEVELOPMENT PERMIT AREAS

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Administration, Violation and Penalty

1. Employees of the Strathcona Regional District and other persons appointed by the Chief Administrative Officer of the Strathcona Regional District, are hereby appointed by the Regional Board pursuant to section 268 of the *Local Government Act* to administer the regulations of this Official Community Plan bylaw.
2. Persons appointed under subsection 1. above, may enter, at all reasonable times, on any property to inspect and determine whether all regulations, prohibitions and requirements of this Official Community Plan are being met.
3. Within those development permit areas designated in this Official Community Plan bylaw in accordance with section 919.1(1) of the *Local Government Act*, the following prohibitions apply unless an exemption under section 919.1(4) of the *Local Government Act* applies, or the owner first obtains a development permit:
 - a) land within the area must not be subdivided;
 - b) construction of, addition to, or alteration of a building or structure must not be started;
 - c) land within the area designated under section 919.1(1)(a) or (b) of the *Local Government Act* must not be altered; and,
 - d) land within an area designated under section 99.1(1)(d), (h), (i) or (j), or a building or structure on that land, must not be altered.
4. It shall be unlawful for any person to prevent or obstruct any person appointed under subsection 1. herein from carrying out his or her duties under this Official Community Plan bylaw.
5. Any person who violates the provisions of this Official Community Plan bylaw is guilty of committing an offence and is liable on summary conviction to a penalty not exceeding One Thousand Dollars (\$1,000) or imprisonment for a period not exceeding thirty (30) days.
6. Each day during which a violation is continued shall be deemed to constitute a new and separate offence.

Categories

In the Official Community Plan the following categories of development permits are established pursuant to the provisions of the *Local Government Act*.

1. Establishment of objectives and the provision of guidelines for the form and character of neighbourhood commercial, tourist commercial and cottage industrial development;
2. Protection of fish habitat, wetlands, the natural environment, sensitive ecosystems, wildlife, birds, raptors, and biological diversity; and the
3. Establishment of Upland Habitat Greenways.

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401 NEIGHBOURHOOD COMMERCIAL (Categories "1 and 2")

Area: on Map 2 and 3.

Justification:

- To reduce the potential for conflict between the commercial and industrial uses and uses on adjacent parcels;
- To encourage development which reflects the rural form and character of the surrounding area;
- To promote spontaneous interaction among residents within neighbourhood commercial centres;
- To accommodate the needs of pedestrians and cyclists; and
- To ensure commercial and industrial uses have minimal impact on environmentally sensitive areas.

Guidelines:

Development permits shall be issued in accordance with the following guidelines:

1. Screening

- a) A landscape plan will be submitted for each development. The landscape plan shall include supporting documentary evidence pertaining to landscape specifications, detailed planting lists, cost estimates and a proposed contract with a landscaping company. The landscape plan shall provide for the landscape treatment of the entire site including the identification areas which are to be cleared and the identification of existing vegetation by species.

Street trees and a landscaped boulevard are to be provided. All proposed plant materials shall be suitable for local environment conditions. Landscaping which provides seasonal colour and includes native species and is drought-tolerant are required.
- b) The applicant shall provide a bond in the full amount shown on the cost estimate and contract. Such bond shall be provided upon receipt of all other approvals and prior to the issuance of a Building Permit. A holdback representing 10% of the amount shown on the landscaping contract will be required for a period of one year after the completion of the landscaping to allow for any transplant failures. The applicant shall advise planning staff of the completion of landscaping requirements and arrange for a site inspection.
- c) All outside storage, parking and supply yards shall be totally screened along property lines abutting residential properties with vegetation, berming, fencing, structures or a combination thereof.
- d) Such elements as shipping and loading areas, transformers, and meters shall be screened from public view as effectively as possible through landscaping, fencing, and siting.

- e) Buildings shall be sited to ensure that any adjacent residential properties have visual privacy, as well as, protection from site illumination and noise. Security and other lighting shall not be placed so as to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer.
- f) The roof slope and siting of any buildings shall be such as to minimize any obstruction of direct sunlight falling onto adjacent properties and residences.

2. Form and Character of Structures

- a) Buildings shall incorporate pitched roof forms no less than 4 in 12 pitch and no more than 12 in 12 pitch although the entire building need not be covered with a pitched roof. Alternatively, distinctively shaped roof forms, detailed parapets, exaggerated cornice lines and false fronts can be used.
- b) Buildings over 30.5 metres (100.0 feet) in length shall incorporate recesses, offsets, angular forms or other features providing a visually interesting shape.
- c) Any end wall of a building which faces a public road right-of-way or designated pedestrian route shall be finished to the same standard as the front of the building with canopies, overhangs, display windows and other such features.
- d) Buildings and structures in a multi-building development shall have common design elements such as rooflines, window arrangement, and exterior finish.
- e) Where new commercial development is proposed, buildings should be located in close proximity to the front property line with majority of parking spaces being situated at the rear and side of buildings.
- f) Buildings on abutting parcels may share one common interior wall (0.0 metre side yard setback).
- g) Abutting parcels may share parking spaces and points of access and egress and may be joined by alleys.

3. Spontaneous Interaction

- a) Display windows, connecting shops, outside furniture such as benches, tables, bike racks, garbage and recycling receptacles and community bulletin boards are encouraged.
- b) Public open space shall be provided where the development includes at least one business which sells or serves food and drink products. The public open space shall be hardsurfaced with unit pavers or concrete, include landscaping, moveable seating and areas of sun and shade.

4. Pedestrians and Cyclists

- a) At least one clearly designated route for pedestrians must be provided between the following:
 - i) the road right-of-way, the parking area and the main entrance; and
 - ii) buildings and structures in a multi-building development.

Crosswalks designated by pavers or scored concrete must be provided across vehicular lanes.

5. Protection of Natural Environment

- a) Stormwater from the development is to be managed in accordance with Section 4 of the Land Development Guidelines for Aquatic Habitat published September 1993 by the Department of Fisheries and Oceans and the Ministry of Lands, Parks and Environment.
- b) Centrally located recycling facilities shall be provided for the use of all businesses within a development.

6. Application Requirements:

Application for a development permit may require one or more of the following:

- 1. A statement of the purpose and rationale for the proposed works and when required leave strip reduction:
- 2. Plans indicating:
 - a) Lot boundaries and abutting streets and lanes;
 - b) All watercourses and existing leave strip boundaries;
 - c) Existing structures, buildings, paving, inground infrastructure (drainage fields, irrigation systems, septic systems, etc) on site;
 - d) Proposed development including proposed limit of clearing, grubbing and grading and proposed construction of structures, building, elevations, paving, inground infrastructure within the DPA. (Note: this may require a grading plan)
 - e) The building's appearance, exterior finish, materials, and colour treatment.
- 3. An erosion and sediment control plan and/or a stormwater management plan, based on the principles of the Stream Stewardship and Land Development Guidelines for the Protection of Aquatic Habitat published by FOC and MELP and the Environmental Requirements and BMPs for the Review of Land Development Proposals published by MELP.
- 4. A landscaping or revegetation plan to be completed by a registered professional who is qualified and experienced with riparian planting, and which may include the use of native riparian species appropriate to the site conditions.
- 5. An environmental impact assessment prepared by a Registered Professional Biologist, or equivalent registered professional qualified to give authoritative opinions on the subject matters discussed, including:
 - a) A description of the existing conditions of the site and an analysis of any potential adverse impacts of the proposed work on the environment during and after the work having regard to such matters as topography or

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the work site and surrounding area; and the effects on the stream corridor including effects on water quantity and quality, hydrology, fisheries, wildlife, tree and vegetation inventory, and soils.

- b) Evidence that there is "no net loss" of habitat capabilities with respect to environmental impacts during and after the work and that any impacts will be mitigated to insignificant levels by the work methods and design that will be used or incorporated into the work, including a cost estimate.
6. Location, height, and construction of all proposed fencing and screening.
7. An irrevocable letter of credit or the deposit of securities in a form satisfactory to the Regional District. The amount of the securities shall be 10% of the cost of the project plus amounts equal to the cost estimate of any precautionary or mitigative measures prescribed in a biological assessment, and the cost estimate of any landscaping prescribed in a landscape plan, and shall be required for a period of 18 months after the completion of the project. Such securities shall be provided upon receipt of Regional Board approval and prior to the issuance of the development permit. The applicant shall advise the Regional District of the completion of all development permit conditions and arrange for a site inspection.
8. A proposed phasing plan indicating the sequence and timing of construction where a development is to be constructed in several phases.
9. A plan for waste minimization and recycling during the construction phase.
10. An environmental monitor with environmental monitoring report during and after construction.

7. **Exemptions:**

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Where the following conditions apply, a development permit is not required:

1. Construction of farm buildings;
2. Construction involving a building floor area of 10m² (107.6 ft²) or less;
3. Internal alterations and renovations to a building or structure;
4. Erection of fences less than 2 metres (6.6 feet) in height; and
5. Growing, rearing, producing and harvesting of agricultural products in accordance with recognized standards of the Farm Practices Protection Act and the Codes of Agricultural Practice.
6. Forestry activity on Forest Land Reserve Land in accordance with the "Forest Land Reserve Act".
7. Stream habitat enhancement work and environmental compensation work directed by senior government agencies.
8. In-stream work as defined by the "Water Act" and riparian planting of native vegetation.

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Variation of Other Bylaws:

The requirements of other applicable bylaws may be varied as follows:

1. Setbacks from lot lines and public road right-of-ways may be reduced by up to 30% of the required setback when it is demonstrated that the reduced setback is necessary to protect an environmental feature and is approved by the Regional Board and when applicable approved by the Ministry of Transportation and Highways.

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402 TOURIST COMMERCIAL DEVELOPMENT (Categories "1 & 2")

Area: on Map 2 and 3.

Justification:

- To ensure tourist commercial development reflects the form and character of adjacent rural and residential uses;
- To ensure commercial uses have minimal impact on nearby residents; and
- To ensure commercial uses have minimal impact on environmentally sensitive areas.

Guidelines:

Development permits shall be issued in accordance with the following:

1. Siting

- a) Buildings shall be sited so as to ensure that any adjacent residential properties have visual privacy, as well as, protection from site illumination and noise.
- b) All buildings and structures shall be sited to meet the intent of guidelines No. 1(a) and 2(f).

2. Form and Character of Structures

- a) All buildings and structures shall be architecturally coordinated and shall give consideration to the relationship between buildings and open areas, circulation systems, visual impact and design capability with existing vegetation and surround development. Blank unarticulated walls will not be permitted. Pitched roofs are to have no less than a 4 in 12 pitch and no more than a 12 in 12 pitch.
- b) The design and introduction of a new building type to a residential neighbourhood should provide harmony and lend continuity to the neighbourhood and should not create excessive disruption of the visual character of the neighbourhood.
- c) All roof top, mechanical equipment should be screened from view and incorporated with the overall architectural treatment of buildings.
- d) Any end wall of a building which is visible from the street should be finished to the same standard as the front of the building to provide an attractive appearance.
- e) The roof slope and siting of any buildings shall be such as to minimize any obstruction of direct sunlight falling onto adjacent properties and residences.

- a) Loading and receiving areas shall be located so as to cause minimum disturbance to adjacent residential areas.

3. Landscaping and Performance Bonds

- a) The character of tourist developments shall be enhanced by landscaping of substantial proportions along property lines adjacent to residential developments. The developers shall provide a 5.0 metre (16.4 feet) buffer incorporating existing native vegetation supplemented by landscaping of substantial proportions utilizing approved specimen tree species along property lines fronting onto local roads.
- b) A landscape plan shall be required. A preliminary site plan shall be provided with the required Building Permit application and a detailed landscape plan provided prior to the issuance of a Building Permit. The landscape plan shall be professionally prepared and shall include supporting documentary evidence pertaining to landscape specifications, detailed planting lists, cost estimates and a proposed contract. The landscape plan shall identify existing vegetation by type and identify areas which are to be cleared. The landscape plan shall provide for the landscape treatment of the entire frontage of the building site abutting onto existing or future public roads. Street trees and a landscaped boulevard are to be provided to soften the character and scale of the area. All proposed plant materials shall be suitable for local environmental conditions. All landscaping and screening shall be completed within 12 months of an occupancy permit being issued for any resort development and shall meet or exceed the British Columbia Society of Landscape Architects and British Columbia Nursery Trades Association standards.
- c) The applicant shall provide a bond in the full amount shown on the cost estimate and contract. Such bond shall be provided upon receipt of all other approvals and prior to the issuance of a Building Permit. A holdback representing 10% of the amount shown on the landscaping contract will be required for a period of one year after the completion of the landscaping to allow for any transplant failures. The applicant shall advise planning staff of the completion of landscaping requirements and arrange for a site inspection.

4. Construction Phase

- a) All construction must be completed according to a site/building plan. Plans must be of sufficient detail to convey the intent of the design in terms of the building's appearance, exterior finish, materials and colour treatment, as well as provide the following site information:
 - i) Location and dimensions of all driveway crossings and areas used for parking, loading, vehicle circulation, pedestrians, landscaping, waste collection and recycling, and outside storage and display;
 - ii) Location and dimensions of all existing and proposed improvements;
 - iii) Location and dimensions of all property lines, easements and statutory rights-of-way;
 - iv) Proposed surface treatment of all yard areas;

- v) Dimensioned elevations of all improvements which have an elevation;
 - vi) Proposed methods of management and control of all on-site drainage;
 - vii) Location, height, and construction of all proposed fencing and screening;
 - viii) Such further information or materials as the Regional District may reasonably require.
 - ix) Construction of developments within or adjacent to residential areas shall take place during the working hours of 7:00 a.m. to 7:00 p.m.
- b) There shall be no depositing of any material or debris on any roads before, during or after site development.
 - c) Applications for a development permit shall include a plan for waste minimization and recycling during the construction phase.

5. Outside Storage

- a) The area of any building site bounded by the front lot line, the exterior or interior side lot lines, as the case may be, and the front building line of the structure nearest the front lot line, shall not be used as an outside storage area.
- b) Any portion of a building site which may be used as an outside storage area shall only be used as such if:
 - i) The area is enclosed within a 2.5 metre (8.2 feet) high solid fence having a suitable security gate;
 - ii) None of the goods or materials stored therein exceed the height of the 2.5 metre (8.2 feet) high fence;
 - iii) The area is not directly adjacent to any residential development; and
 - iv) In cases where the area lies between a structure and any public road, it is screened by an adequately landscaped buffer strip so that such storage areas are not readily visible from such public road.
- c) Centrally located recycling facilities shall be provided for the use of all businesses within a development.

6. Screening

- a) All buildings shall be screened from public view from any adjacent residential property as effectively as possible through the use of evergreen landscaping materials, solid fencing and siting.
- b) Such elements as shipping and loading areas, transformers, and meters shall be screened from public view as effectively as possible through the use of evergreen landscaping materials, solid fencing, and siting.
- c) All waste disposal bins shall be completely screened within a solid walled enclosure not less than 2 metres in height.

7. Lighting

- a) Security and other lighting shall not be placed so as to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer.
- b) Lighting fixtures should be architecturally integrated with the design of the buildings.

8. Parking

- a) Large surface parking areas should be broken down into smaller parking lots and contain planted landscaped areas. Visitor parking spaces should be clearly identified and provided within the development. Tree planting is encouraged in parking areas.
- b) Parking areas should clearly identify pedestrian circulation areas, preferably with different paving and landscaping treatment.
- c) All paved parking areas shall be included within the context of the required stormwater water plan and shall incorporate oil/water separators.
- d) Unpaved automobile parking areas shall be covered with a select granular base approved by the Ministry of Transportation and provide storm water controls by means of perimeter curtain drains. Driveway accesses onto adjoining roads shall be paved for a minimum distance of 15.0 metres (49.2 feet) from the edge of the existing pavement into the property containing the tourist development.
- e) The use of any property within the Development Permit Area shall not produce any off-site parking.
- f) Developers are encouraged to incorporate site parking requirements within the principle structures of their development.

9. Signs

- a) One freestanding sign shall be allowed for each street frontage of the business. Freestanding signs shall be permitted in landscaped areas only, on the same parcel as the tourist development. The height of any sign including support structures, shall not exceed 1.5 metres (4.9 feet) and the area of any one face shall not exceed 3.0 square metres (32.3 square feet). A freestanding sign may be illuminated.
- b) One facia sign shall be permitted for each development. The maximum area of facia signs shall not exceed 6.0 square metres (64.6 square feet). Facia signs may be illuminated and should be integrated into the design of the building and may not extend above the top wall of a building. Billboards and roof signs are not permitted.
- c) No signs shall be equipped with flashing, oscillating, neon, moving lights or beacons.

10. Storm Water

- a) It is recognized that the clearing, grading and servicing of sites alters their natural hydrology patterns. In recognition of this fact it shall be required that each development shall prepare a stormwater management plan that has as its goal the maintenance of post-development flows to those of predevelopment flow patterns and volumes over the entire water season. This stormwater plan shall be prepared by a Professional Engineer and may make use of such devices as wet or dry detention ponds, constructed wetlands or other devices as deemed suitable and consistent with accepted engineering practice.
- b) All drainage works which affect roadway ditches or culverts, require Ministry of Transportation approval.

Application Requirements:

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Application for a development permit may require one or more of the following:

1. A statement of the purpose and rational for the proposed works and when required leave strip reduction:
2. Plans indicating:
 - a) Lot boundaries and abutting streets and lanes;
 - b) All watercourses and existing leave strip boundaries;
 - c) Existing structures, buildings, paving, inground infrastructure (drainage fields, irrigation systems, septic systems, etc) on site;
 - d) Proposed development including proposed limit of clearing, grubbing and grading and proposed construction of structures, building, elevations, paving, inground infrastructure within the DPA. (Note: this may require a grading plan)
 - e) The building's appearance, exterior finish, materials, and colour treatment.
3. An erosion and sediment control plan and/or a stormwater management plan, based on the principles of the Stream Stewardship and Land Development Guidelines for the Protection of Aquatic Habitat published by FOC and MELP and the Environmental Requirements and BMPs for the Review of Land Development Proposals published by MELP.
4. A landscaping or revegetation plan to be completed by a registered professional who is qualified and experienced with riparian planting, and which may include the use of native riparian species appropriate to the site conditions.
5. An environmental impact assessment prepared by a Registered Professional Biologist, or equivalent registered professional qualified to give authoritative opinions on the subject matters discussed, including:

- a) A description of the existing conditions of the site and an analysis of any potential adverse impacts of the proposed work on the environment during and after the work having regard to such matters as topography or the work site and surrounding area; and the effects on the stream corridor including effects on water quantity and quality, hydrology, fisheries, wildlife, tree and vegetation inventory, and soils.
 - b) Evidence that there is "no net loss" of habitat capabilities with respect to environmental impacts during and after the work and that any impacts will be mitigated to insignificant levels by the work methods and design that will be used or incorporated into the work, including a cost estimate.
6. Location, height, and construction of all proposed fencing and screening.
 7. An irrevocable letter of credit or the deposit of securities in a form satisfactory to the Regional District. The amount of the securities shall be 10% of the cost of the project plus amounts equal to the cost estimate of any precautionary or mitigative measures prescribed in a biological assessment, and the cost estimate of any landscaping prescribed in a landscape plan, and shall be required for a period of 18 months after the completion of the project. Such securities shall be provided upon receipt of Regional Board approval and prior to the issuance of the development permit. The applicant shall advise the Regional District of the completion of all development permit conditions and arrange for a site inspection.
 8. A proposed phasing plan indicating the sequence and timing of construction where a development is to be constructed in several phases.
 9. A plan for waste minimization and recycling during the construction phase.
 10. An environmental monitor with environmental monitoring report during and after construction.

Exemptions:

Where the following conditions apply, a development permit is not required:

1. Construction of farm buildings;
2. Construction involving a building floor area of 10m² (107.6 ft²) or less;
3. Internal alterations and renovations to a building or structure;
4. Erection of fences less than 2 metres (6.6 feet) in height; and
5. Growing, rearing, producing and harvesting of agricultural products in accordance with recognized standards of the Farm Practices Protection Act and the Codes of Agricultural Practice.
6. Forestry activity on Forest Land Reserve Land in accordance with the "Forest Land Reserve Act".
7. Stream habitat enhancement work and environmental compensation work directed by senior government agencies.
8. In-stream work as defined by the "Water Act" and riparian planting of native vegetation.

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Variation of Other Bylaws:

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The requirements of other applicable bylaws may be varied as follows:

1. Setbacks from lot lines and public road right-of-ways may be reduced by up to 30% of the required setback when it is demonstrated that the reduced setback is necessary to protect an environmental feature and is approved by the Regional Board and when applicable approved by the Ministry of Transportation and Highways.

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403 COTTAGE INDUSTRY (Categories "1 and 2")

Area: on Map 2 and Map 3.

Justification:

- To reduce the potential for conflict between the commercial and industrial uses and uses on adjacent parcels;
- To encourage development which reflects the rural form and character of the surrounding area; and
- To ensure commercial and industrial uses have minimal impact on environmentally sensitive areas.

Guidelines:

Development permits shall be issued in accordance with the following guidelines:

1. Screening

- a) A landscape plan will be submitted for each development. The landscape plan shall include supporting documentary evidence pertaining to landscape specifications, detailed planting lists, cost estimates and a proposed contract with a landscaping company. The landscape plan shall provide for the landscape treatment of the entire site including the identification areas which are to be cleared and the identification of existing vegetation by species.

Street trees and a landscaped boulevard are to be provided. All proposed plant materials shall be suitable for local environment conditions. Landscaping which provides seasonal colour and includes native species and is drought-tolerant are required.

- b) The applicant shall provide a bond in the full amount shown on the cost estimate and contract. Such bond shall be provided upon receipt of all other approvals and prior to the issuance of a Building Permit. A holdback representing 10% of the amount shown on the landscaping contract will be required for a period of one year after the completion of the landscaping to allow for any transplant failures. The applicant shall advise planning staff of the completion of landscaping requirements and arrange for a site inspection.
- c) All outside storage, parking and supply yards shall be totally screened along property lines abutting residential properties with vegetation, berming, fencing, structures or a combination thereof.

- d) Such elements as shipping and loading areas, transformers, and meters shall be screened from public view as effectively as possible through landscaping, fencing, and siting.
- e) Buildings shall be sited to ensure that any adjacent residential properties have visual privacy, as well as, protection from site illumination and noise. Security and other lighting shall not be placed so as to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer.
- f) The roof slope and siting of any buildings shall be such as to minimize any obstruction of direct sunlight falling onto adjacent properties and residences.

2. Form and Character of Structures

- a) Buildings shall incorporate pitched roof forms no less than 4 in 12 pitch and no more than 12 in 12 pitch although the entire building need not be covered with a pitched roof. Alternatively, distinctively shaped roof forms, detailed parapets, exaggerated cornice lines and false fronts can be used.
- b) Buildings over 30.5 metres (100.0 feet) in length shall incorporate recesses, off-sets, angular forms or other features providing a visually interesting shape.
- c) Buildings and structures in a multi-building development shall have common design elements such as rooflines, window arrangement, and exterior finish.
- d) Where new commercial development is proposed, buildings should be located in close proximity to the front property line with majority of parking spaces being situated at the rear and side of buildings.
- e) Abutting parcels may share parking spaces and points of access and egress, and may be joined by alleys.

3. Protection of Natural Environment

- a) Stormwater from the development is to be managed in accordance with Section 4 of the Land Development Guidelines for Aquatic Habitat published September 1993 by the Department of Fisheries and Oceans and the Ministry of Lands, Parks and Environment.
- b) Centrally located recycling facilities shall be provided for the use of all businesses within a development.

4. Application Requirements:

Application for a development permit may require one or more of the following:

- 1. A statement of the purpose and rational for the proposed works and when required leave strip reduction:
- 2. Plans indicating:
 - a) Lot boundaries and abutting streets and lanes;
 - b) All watercourses and existing leave strip boundaries;

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- c) Existing structures, buildings, paving, inground infrastructure (drainage fields, irrigation systems, septic systems, etc) on site;
 - d) Proposed development including proposed limit of clearing, grubbing and grading and proposed construction of structures, building, elevations, paving, inground infrastructure within the DPA. (Note: this may require a grading plan)
 - e) The building's appearance, exterior finish, materials, and colour treatment.
3. An erosion and sediment control plan and/or a stormwater management plan, based on the principles of the Stream Stewardship and Land Development Guidelines for the Protection of Aquatic Habitat published by FOC and MELP and the Environmental Requirements and BMPs for the Review of Land Development Proposals published by MELP.
 4. A landscaping or revegetation plan to be completed by a registered professional who is qualified and experienced with riparian planting, and which may include the use of native riparian species appropriate to the site conditions.
 5. An environmental impact assessment prepared by a Registered Professional Biologist, or equivalent registered professional qualified to give authoritative opinions on the subject matters discussed, including:
 - a) A description of the existing conditions of the site and an analysis of any potential adverse impacts of the proposed work on the environment during and after the work having regard to such matters as topography or the work site and surrounding area; and the effects on the stream corridor including effects on water quantity and quality, hydrology, fisheries, wildlife, tree and vegetation inventory, and soils.
 - b) Evidence that there is "no net loss" of habitat capabilities with respect to environmental impacts during and after the work and that any impacts will be mitigated to insignificant levels by the work methods and design that will be used or incorporated into the work, including a cost estimate.
 6. Location, height, and construction of all proposed fencing and screening.
 7. An irrevocable letter of credit or the deposit of securities in a form satisfactory to the Regional District. The amount of the securities shall be 10% of the cost of the project plus amounts equal to the cost estimate of any precautionary or mitigative measures prescribed in a biological assessment, and the cost estimate of any landscaping prescribed in a landscape plan, and shall be required for a period of 18 months after the completion of the project. Such securities shall be provided upon receipt of Regional Board approval and prior to the issuance of the development permit. The applicant shall advise the Regional District of the completion of all development permit conditions and arrange for a site inspection.
 8. A proposed phasing plan indicating the sequence and timing of construction where a development is to be constructed in several phases.
 9. A plan for waste minimization and recycling during the construction phase.

10. An environmental monitor with environmental monitoring report during and after construction.

5. Exemptions:

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Where the following conditions apply, a development permit is not required:

1. Construction of farm buildings;
2. Construction involving a building floor area of 10m² (107.6 ft²) or less;
3. Internal alterations and renovations to a building or structure;
4. Erection of fences less than 2 metres (6.6 feet) in height; and
5. Growing, rearing, producing and harvesting of agricultural products in accordance with recognized standards of the Farm Practices Protection Act and the Codes of Agricultural Practice.
6. Forestry activity on Forest Land Reserve Land in accordance with the "Forest Land Reserve Act".
7. Stream habitat enhancement work and environmental compensation work directed by senior government agencies.
8. In-stream work as defined by the "Water Act" and riparian planting of native vegetation.

Variation of Other Bylaws:

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The requirements of other applicable bylaws may be varied as follows:

1. Setbacks from lot lines and public road right-of-ways may be reduced by up to 30% of the required setback when it is demonstrated that the reduced setback is necessary to protect an environmental feature and is approved by the Regional Board and when applicable approved by the Ministry of Transportation and Highways.

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404 PROTECTION OF THE NATURAL ENVIRONMENT, ITS ECOSYSTEMS AND BIOLOGICAL DIVERSITY

Areas:

Development Permit Area No. 404.1:

Watercourse Environmentally Sensitive Areas (Watercourse ESAs)

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To comply with the Ministry of Environment's (MOE's) Riparian Areas Regulations (RAR) requirements and to protect the natural environment, a development permit is required for any area located within 30.0 metres from top of bank of a stream connected to fish habitat as identified within the Regional District's Sensitive Habitat Atlas, including all map amendments, or as defined by RAR.

Development Permit Area No. 404.2:

Foreshore Environmentally Sensitive Areas (Foreshore ESAs)

Any area located 50 meters (164 feet) from the natural boundary of Georgia Strait.

**Development Permit Area No. 404.3:
Eagle Nest Trees**

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During the breeding season (January 1 through August 31), those areas within 200.0 metres (656.1 feet) surrounding a bald eagle nesting site tree as designated by the Wildlife Tree Stewardship (WiTS) atlas, or its successor, OR as otherwise determined by the Ministry of Environment (MoE).

**Development Permit Area No. 404.4:
Great Blue Heron Nests and Rookeries**

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During the breeding season (January 1 through September 15), those areas within 300.0 metres (984 feet) surrounding a great blue heron nest or rookery as designated by the Wildlife Tree Stewardship (WiTS) atlas, or its successors, OR as otherwise determined by the Ministry of Environment (MoE).

Justification:

Development Permit Area No. 404.1: Watercourse ESAs

Declining fish stocks in the Strait of Georgia have led to the need for the protection of riparian corridors and other areas containing fisheries values including rivers, lakes, streams, wetlands, and estuaries. Therefore, development within these areas requires assessment to ensure protection of fisheries values from potentially harmful development activities and to ensure "no net loss" of fisheries habitat.

Development Permit Area 404.2: Foreshore ESAs

Declining fish stocks in the Strait of Georgia have led to the need for the protection of fisheries values in areas adjacent to estuaries and the coast line.

Development Permit Area No. 404.3: Eagle Nest Trees and DPA No. 404.4: Heron Nest Sites

Eagles and Herons require protection because of the declining population numbers and habitat loss. They require significant conservation efforts to reduce long-term population viability. Most heron colonies are extremely sensitive to human disturbance, particularly early in the breeding cycle. Additionally heron colonies that lack the protection of buffer trees around the colony are more vulnerable to predators (e.g. eagles preying on heron chicks).

Guidelines:

Development permits in section 404 of this Plan shall be issued in accordance with the following guidelines:

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The following activities will require the issuance of a development permit and, where applicable, trigger RAR and the subsequent requirements for a Riparian Area Assessment:

- a) Subdivision, as defined by the *Local Government Act*;
- b) Alteration of land, including the disturbance of soils;
- c) Land clearing, including the removal, alteration, disruption or destruction of vegetation;
- d) The siting and construction of:

- i) Buildings and structures with a building floor area greater than 10 m², including additions to existing buildings or structures within the Riparian Assessment Area;
 - ii) Retaining walls;
 - iii) Septic tanks, drainage fields, sewage treatment systems and discharges, irrigation or water systems, swimming pools and stormwater management systems;
 - iv) Impervious paving, roads, and driveways;
 - v) Docks, wharves, bridges, shoreline protection devices and flood protection works; and
- e) The placement or storage of:
- i) Contaminated soils and substances;
4. Where encroachment into the DPA is deemed unavoidable, the development or land/vegetation altering activity:
- a) Must take a form that minimizes the area of encroachment into the DPA;
 - b) Must be located so as to cause the least impact on the environmental values of the DPA and so as not to impact negatively upon the adjacent habitat;
 - c) Must be conducted at a time of year and use construction methods that minimize the impact on the DPA;
 - d) May require environmental monitoring by an "approved consultant";
 - e) May require permanent or temporary fencing measure to ensure no encroachment occurs; and
 - f) May require the preparation and implementation of a 'Sediment and Erosion Plan'.
5. Owners of land adjacent to watercourses will be encouraged to enter into a Conservation Covenant with the Regional District, the Province, and/or a non-governmental organization registered to hold such covenants, for the conservation of the leaves strip.
6. The planting of native species of vegetation and trees may be required, as well as the retention or replanting of vegetation, in order to preserve, protect, restore or enhance the natural features and environmental values of the DPA.
7. Additional works or protective measures may also be required to control drainage or erosion, and to protect banks.
8. Discharge from swimming pools, hot tubs, spas, liquid toxins, and deleterious substances shall not be directed into any water course (including culverts, conduits, and ditches), but rather disposed of in a manner which meets the approval of senior agencies.
9. Other than shoreline protection devices, no buildings, structure, driveways, paving, septic fields, irrigation and water systems, swimming pools, hot tubs, spas and retaining walls shall be permitted within 15.0 metres (49.2 feet) of the natural boundary of Georgia Strait. A British Columbia Land Surveyor's certificate may be a condition of the development permit for shoreline protection devices.

Exemptions:

Where the following applies, the requirement for an RAR assessment and/or development permit is not applicable:

- a) Construction of farm buildings, excluding residential and associated structures;
- b) Construction involving a building floor area of 10m² or less;
- c) Internal alterations and renovations to a building or structure or repair or reconstruction on an existing foundation;
- d) Growing, rearing, producing and harvesting of agricultural products in accordance with recognized standards of the *Farm Practices Protection Act* and the *Code of Agricultural Practice*;
- e) Forestry activity on Private Managed Forest Land in accordance with the *Private Managed Forest Lands Act*;
- f) Stream habitat enhancement work and environmental compensation work directed by senior government agencies;
- g) 'In-stream' work as defined by and in compliance with the *Water Act*;
- h) Mining activities as defined by and in compliance with the *Mines Act*;
- i) Hydroelectric facilities as defined by and in compliance with the *Utilities Commission Act*;
- j) Restoration of natural ecosystems and removal of invasive species, provided bank instability will not result from the proposed action.
- k) Removal of hazard trees where there is an immediate threat to the safety of persons or property where an approved authorization for DFO is received.
- l) Subdivisions that are not included within the *Local Government Act* definition, (boundary adjustments and lot consolidations not involving the installation of underground services or the construction of roads, and plans dedicating highways or parks.)
- m) Replacement of the roof of a structure, its exterior finish or sign faces.
- n) Private residential trails up to a maximum of 1.5 metres in width to access the shoreline, provided no tree removal is required for the trail's construction.

Application Requirements

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As specified within Schedule A-5 of Bylaw NO. 5, being the "Planning Procedures & Fees Bylaw, 2008" as amended.

405 INDUSTRIAL (Categories "1 and 2")

Area: Sites Designated "Industrial" on Map 3

Justification:

- To reduce the potential for conflict between the commercial and industrial uses and uses on adjacent parcels;
- To encourage development which reflects the rural form and character of the surrounding area; and
- To ensure commercial and industrial uses have minimal impact on environmentally sensitive areas.

Guidelines:

Development permits shall be issued in accordance with the following guidelines:

1. Screening

- a) A landscape plan will be submitted for each development. The landscape plan shall include supporting documentary evidence pertaining to landscape specifications, detailed planting lists, cost estimates and a proposed contract with a landscaping company. The landscape plan shall provide for the landscape treatment of the entire site including the identification areas which are to be cleared and the identification of existing vegetation by species.

Street trees and a landscaped boulevard are to be provided. All proposed plant materials shall be suitable for local environment conditions. Landscaping which provides seasonal colour and includes native species and is drought-tolerant are preferred.

- b) The applicant shall provide a bond in the full amount shown on the cost estimate and contract. Such bond shall be provided upon receipt of all other approvals and prior to the issuance of a Building Permit. A holdback representing 10% of the amount shown on the landscaping contract will be required for a period of one year after the completion of the landscaping to allow for any transplant failures. The applicant shall advise planning staff of the completion of landscaping requirements and arrange for a site inspection.
- c) All outside storage and work areas shall be totally screened along property lines abutting residential properties and from public road rights-of-way with vegetation, berming, fencing, structures or a combination thereof.

2. Form and Character of Structures

- a) Buildings on abutting parcels may share one common interior wall (0.0 metre side yard setback).
- b) Abutting parcels may share parking spaces and points of access and egress, and may be joined by alleys.

3. Protection of Natural Environment

- a) Stormwater from the development is to be managed in accordance with Section 4 of the Land Development Guidelines for Aquatic Habitat published September 1993 by the Department of Fisheries and Oceans and the Ministry of Lands, Parks and Environment.
- b) Centrally located recycling facilities shall be provided for the use of all businesses within a development.

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4. Application Requirements:

Application for a development permit may require one or more of the following:

1. A statement of the purpose and rational for the proposed works and when required leave strip reduction:

2. Plans indicating:
 - a) Lot boundaries and abutting streets and lanes;
 - b) All watercourses and existing leave strip boundaries;
 - c) Existing structures, buildings, paving, inground infrastructure (drainage fields, irrigation systems, septic systems, etc) on site;
 - d) Proposed development including proposed limit of clearing, grubbing and grading and proposed construction of structures, building, elevations, paving, inground infrastructure within the DPA. (Note: this may require a grading plan)
 - e) The building's appearance, exterior finish, materials, and colour treatment.
3. An erosion and sediment control plan and/or a stormwater management plan, based on the principles of the Stream Stewardship and Land Development Guidelines for the Protection of Aquatic Habitat published by FOC and MELP and the Environmental Requirements and BMPs for the Review of Land Development Proposals published by MELP.
4. A landscaping or revegetation plan to be completed by a registered professional who is qualified and experienced with riparian planting, and which may include the use of native riparian species appropriate to the site conditions.
5. An environmental impact assessment prepared by a Registered Professional Biologist, or equivalent registered professional qualified to give authoritative opinions on the subject matters discussed, including:
 - a) A description of the existing conditions of the site and an analysis of any potential adverse impacts of the proposed work on the environment during and after the work having regard to such matters as topography or the work site and surrounding area; and the effects on the stream corridor including effects on water quantity and quality, hydrology, fisheries, wildlife, tree and vegetation inventory, and soils.
 - b) Evidence that there is "no net loss" of habitat capabilities with respect to environmental impacts during and after the work and that any impacts will be mitigated to insignificant levels by the work methods and design that will be used or incorporated into the work, including a cost estimate.
6. Location, height, and construction of all proposed fencing and screening.
7. An irrevocable letter of credit or the deposit of securities in a form satisfactory to the Regional District. The amount of the securities shall be 10% of the cost of the project plus amounts equal to the cost estimate of any precautionary or mitigative measures prescribed in a biological assessment, and the cost estimate of any landscaping prescribed in a landscape plan, and shall be required for a period of 18 months after the completion of the project. Such securities shall be provided upon receipt of Regional Board approval and prior to the issuance of

the development permit. The applicant shall advise the Regional District of the completion of all development permit conditions and arrange for a site inspection.

8. A proposed phasing plan indicating the sequence and timing of construction where a development is to be constructed in several phases.
9. A plan for waste minimization and recycling during the construction phase.
10. An environmental monitor with environmental monitoring report during and after construction.

5. Exemptions:

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Where the following conditions apply, a development permit is not required:

1. Construction of farm buildings;
2. Construction involving a building floor area of 10m² (107.6 ft²) or less;
3. Internal alterations and renovations to a building or structure;
4. Erection of fences less than 2 metres (6.6 feet) in height; and
5. Growing, rearing, producing and harvesting of agricultural products in accordance with recognized standards of the *Farm Practices Protection Act* and the *Codes of Agricultural Practice*.
6. Forestry activity on Forest Land Reserve Land in accordance with the "Forest Land Reserve Act".
7. Stream habitat enhancement work and environmental compensation work directed by senior government agencies.
8. In-stream work as defined by the "Water Act" and riparian planting of native vegetation.

Variation of Other Bylaws:

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The requirements of other applicable bylaws may be varied as follows:

1. Setbacks from lot lines and public road right-of-ways may be reduced by up to 30% of the required setback when it is demonstrated that the reduced setback is necessary to protect an environmental feature and is approved by the Regional Board and when applicable approved by the Ministry of Transportation and Highways.

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406 UPLAND HABITAT GREENWAYS

Area:

Sites designated as "Upland Habitat Greenways" on the Ecological Greenways Map #1 in the "Area D Greenways Plan" being Schedule "B" of this Plan.

Justification:

Agricultural and settlement land uses impact the Oyster-Bay Buttle Lake area and as a result forested and natural areas may become fragmented and divided from one another by large areas of fields, houses and roads. This fragmentation isolates both plant and animal species into small populations which can become threatened by a lack of genetic diversity, disease and potential population collapse. The Upland Habitat Greenway designation is intended to protect wooded linkages which join larger woodland areas, to offer a place for movement of species between habitat patches, and thus to maintain wildlife abundance that has been identified as a key part of the rural way of life.

Goals

The goals of the Upland Habitat Greenway Development Permit are to:

- a) Maintain natural vegetation on sloping terrain.
- b) Maintain sensitive ecosystems identified on Map 4.
- c) Maintain unique and rare woodland communities (e.g. arbutus and garry oak).
- d) Maintain second growth, woodlands, mature and older forest.
- e) Maintain native trees, woods and thickets, including older second growth, and especially habitat where red or blue listed plant or animal species have been identified and confirmed.
- f) Maintain cliffs, bedrock outcrops, wetlands, coastal bluffs, points and rocky islets, and unique or rare herbaceous (wildflower) communities on sparsely vegetated sites."

Guidelines:

Development permits in section 406 of this Plan shall be issued in accordance with the following guidelines:

1. Upland Habitat greenways shall be protected in continuous corridors suitable for wildlife passage connecting the areas shown on Map #1 of Schedule "B".
2. Width of Upland Habitat Greenways may vary, with a minimum width of 30 metres and an average width of 100 metres.
3. No person shall do any of the following work before an approved Development Permit is issued for that work:
 - a) subdivision or alteration of land, including the disturbance of soils;
 - b) land clearing including the removal, alteration, disruption or destruction of vegetation;
 - c) the siting and construction of:
 - i) buildings and structures, including extensions to existing buildings or structures, with a building floor area greater than 10m² (107.6 ft²);
 - ii) retaining walls;

- iii) septic tanks, drainage fields, sewage treatment systems and discharges, irrigation or water systems, and swimming pools;
 - iv) impervious paving, roads, and driveways,
 - v) docks, wharves, bridges, shoreline protection devices, and flood protection works; and
 - vi) the placement or storage of contaminated soils and substances.
4. Development and alteration of land or vegetation will only be permitted where site-specific constraints, such as topography, covenants, easements, and rights-of-way, do not reasonably allow the development activity to occur outside of the Development Permit Area (DPA). The onus lies with the applicant to demonstrate that encroaching into the DPA is unavoidable due to such circumstances.
5. All development proposals subject to this permit shall use the Stream Stewardship and Land Development Guidelines for the Protection of Aquatic Habitat published by FOC and MELP, the Environmental Requirements and BMPs for the Review of Land Development Proposals, published by MELP; and the Sensitive Ecosystem Inventory: East Vancouver Island and Gulf Islands Conservation Manual published by the Canadian Wildlife Service as a development models and guides.
6. Where encroachment into the DPA is deemed unavoidable, the development or land/vegetation altering activity may:
- i) Take a form that minimizes the area of encroachment into the DPA;
 - ii) Be located so as to cause the least impact on the environmental values of the DPA and so as not to impact negatively upon the habitat;
 - iii) Be conducted at a time of year and use construction methods that minimize the impact on the DPA;
 - iv) Require permanent or temporary fencing measure to ensure no encroachment occurs; and
 - vi) Require the preparation and implementation of a 'Sediment and Erosion Plan'.
7. Owners of land with Upland Habitat on their property will be encouraged to enter into a Conservation Covenant with the Regional District, the Province, and/or a non-governmental organization registered to hold such covenants, for the conservation of the habitat.
8. The planting of native species of vegetation and trees may be required, as well as the retention or replanting of vegetation, in order to preserve, protect, restore or enhance the natural features and environmental values of the habitat.
9. Additional works or protective measures may also be required to protect the habitat.

Application Requirements:

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Application for a development permit may require one or more of the following:

- 1. A statement of the purpose and rational for the proposed works and when required leave strip reduction:

2. Plans indicating:
 - a) Lot boundaries and abutting streets and lanes;
 - b) All watercourses and existing leave strip boundaries;
 - c) Existing structures, buildings, paving, inground infrastructure (drainage fields, irrigation systems, septic systems, etc) on site;
 - d) Proposed development including proposed limit of clearing, grubbing and grading and proposed construction of structures, building, elevations, paving, inground infrastructure within the DPA. (Note: this may require a grading plan)
 - e) The building's appearance, exterior finish, materials, and colour treatment.
3. An erosion and sediment control plan and/or a stormwater management plan, based on the principles of the Stream Stewardship and Land Development Guidelines for the Protection of Aquatic Habitat published by FOC and MELP and the Environmental Requirements and BMPs for the Review of Land Development Proposals published by MELP.
4. A landscaping or revegetation plan to be completed by a registered professional who is qualified and experienced with riparian planting, and which may include the use of native riparian species appropriate to the site conditions.
5. An environmental impact assessment prepared by a Registered Professional Biologist, or equivalent registered professional qualified to give authoritative opinions on the subject matters discussed, including:
 - a) A description of the existing conditions of the site and an analysis of any potential adverse impacts of the proposed work on the environment during and after the work having regard to such matters as topography or the work site and surrounding area; and the effects on the stream corridor including effects on water quantity and quality, hydrology, fisheries, wildlife, tree and vegetation inventory, and soils.
 - b) Evidence that there is "no net loss" of habitat capabilities with respect to environmental impacts during and after the work and that any impacts will be mitigated to insignificant levels by the work methods and design that will be used or incorporated into the work, including a cost estimate.
6. Location, height, and construction of all proposed fencing and screening.
7. An irrevocable letter of credit or the deposit of securities in a form satisfactory to the Regional District. The amount of the securities shall be 10% of the cost of the project plus amounts equal to the cost estimate of any precautionary or mitigative measures prescribed in a biological assessment, and the cost estimate of any landscaping prescribed in a landscape plan, and shall be required for a period of 18 months after the completion of the project. Such securities shall be provided upon receipt of Regional Board approval and prior to the issuance of

the development permit. The applicant shall advise the Regional District of the completion of all development permit conditions and arrange for a site inspection.

8. A proposed phasing plan indicating the sequence and timing of construction where a development is to be constructed in several phases.
9. A plan for waste minimization and recycling during the construction phase.
10. An environmental monitor with environmental monitoring report during and after construction.

Exemptions:

Where the following conditions apply, a development permit is not required:

1. Construction of farm buildings;
2. Construction involving a building floor area of 10m² (107.6 ft²) or less;
3. Internal alterations and renovations to a building or structure;
4. Erection of fences less than 2 metres (6.6 feet) in height; and
5. Growing, rearing, producing and harvesting of agricultural products in accordance with recognized standards of the Farm Practices Protection Act and the Codes of Agricultural Practice.
6. Forestry activity on Forest Land Reserve Land in accordance with the "Forest Land Reserve Act".
7. Stream habitat enhancement work and environmental compensation work directed by senior government agencies.
8. In-stream work as defined by the "Water Act" and riparian planting of native vegetation.

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Variation of Other Bylaws:

The requirements of other applicable bylaws may be varied as follows:

1. Setbacks from lot lines and public road right-of-ways may be reduced by up to 30% of the required setback when it is demonstrated that the reduced setback is necessary to protect an environmental feature and is approved by the Regional Board and when applicable approved by the Ministry of Transportation and Highways.

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500 PLAN IMPLEMENTATION

The following are the main actions required to implement the objectives and policies of this Official Community Plan (OCP).

1. An annual review of the capital expenditure programs of the Regional District to ensure the programs reflect the objectives and policies of this OCP and subsequent amendments.
2. A review of the zoning bylaw to ensure consistency with the objectives and policies of this OCP.
3. A review of the OCP at one or more meetings held specifically for that purpose every two years. At these meetings all plan amending applications received by the Regional District in the last two (2) years shall be reviewed and considered.
4. Work cooperatively with the community, private landowners, and the appropriate government and non-government agencies with respect to the establishment of parks and protected areas in the planning area.
 - b) To implement the "Area D Greenways Plan", being Bylaw No. 2206.
5. Work cooperatively with the local school district and the community respecting future school sites and community centres and opportunities by entering into agreements pursuant to the "Local Government Act".
 - b) To complete a Liquid Waste Management Plan for the Plan Area and to implement the recommended Waste Management Plan.
 - c) An education campaign encouraging the public to reduce water consumption to protect water resources.
6. Work cooperatively with the community and provincial agencies (Ministry of Environment, Lands and Parks, Waste Management Branch and Ministry of Health) respecting alternatives to conventional sewage treatment methods.
 - b) To complete a Liquid Waste Management Plan for the Plan Area and to implement the recommended Waste Management Plan.
 - c) An education campaign encouraging the public to reduce water consumption to protect water resources.
7. Work cooperatively with the community, private landowners, the District of Campbell River and adjacent electoral areas to develop sufficient service capacities.
8. Prepare and adopt rural development guidelines for new concepts in the OCP such as clustering, density bonusing, cottage industry and neighbourhood centres. These guidelines should set performance standards pertaining to scale, organization, inter-relationship and architectural details.
9. To continue to support and encourage the identification, mapping and inventory collection of environmentally sensitive areas, wetlands, endangered flora and fauna, and endangered species. This Plan may be amended to include the improved mapping, when deemed necessary by the Regional Board, to ensure that environmentally

sensitive areas, wetlands, endangered flora and fauna, and endangered species are given the highest priority and are protected through development permit regulations.

10. To complete an emergency preparedness plan for communities in Electoral Area D and to ensure that this planning works cooperatively with emergency preparedness plans of adjacent jurisdictions.

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600 GLOSSARY OF TERMS

Contaminated Soils And Substances

The introduction of any foreign, physical, chemical, or biological substance, often human made, into the soils environment and watercourses.

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Development

means any of the following associated with or resulting from the local government regulation or approval of residential, commercial or industrial powers under Part 26 of the *Local Government Act*:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impervious or semi-impervious surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the *Local Government Act*.

Watercourses

Any drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, wetland, or source of ground water and includes portions that may be contained within a channeled stream, ditch, conduit or culvert.

Natural Boundary

Means the boundary that is indicated by the visible high water mark or water level of a stream that is reached during annual flood events, as indicated by the presence of soil which is subject to regular inundation or able to support vegetation that is typically adapted for life in submerged, semi-submerged or saturated soil conditions.

Older Forest

An ecosystem with mainly coniferous trees, with an average tree age of 100 years or more. The primary tree species in this region are Douglas fir, western hemlock, grand fir, and western red cedar.

Older forests include standing dead trees, fallen logs, and large live trees. They support a large number of plant and animal species, some of which depend on habitat features found only in these ecosystems, such as the hollow centres and bark flakes of large old tree.

Qualified Environmental Professional

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means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if:

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.

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Riparian area

means a Streamside Protection and Enhancement Area (SPEA).

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Riparian Assessment Area

means:

- (a) for a stream, the 30.0 metre strip on both sides of the stream, measured from the high water mark,
- (b) for a ravine less than 60.0 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30.0 metres beyond the top of the ravine bank, and
- (c) for a ravine 60.0 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10.0 metres beyond the top of the ravine bank.

Second Growth Forest

Forested ecosystems with a dominant age class of 60 – 100 years. The paucity of older forest in the study area makes larger stands of this ecosystem type valuable as potential areas of future older forests. They also provide connecting corridors between other natural areas.

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Stream

Includes any of the following that provides fish habitat:

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

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Streamside Protection and Enhancement Area (SPEA)

means an area:

- (a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream, and
- (b) the size of which is determined according to this regulation on the basis of an assessment report provided by a qualified environmental professional in respect of a development proposal.

Top of Bank

- a) For an area (other than an active floodplain area), the point closest to the natural boundary of the stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres measured perpendicularly from the break, and
- b) For a floodplain area, the edge of the active floodplain

SRD
82

Wetland

includes land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

Woodland

Open stands of Arbutus, Douglas Fir, and Arbutus/Douglas Fir. Most of this ecosystem type has been destroyed by urban development, and the few remaining sites are under constant threat of development. They support several rare plant and invertebrate species.

Plan Maps

*The following maps are Part of Schedule "A"
and are available in full size*

Map 2 • Land Use Designation West

Map 3 • Land Use Designation East, 2000

Map 4 • Oyster Bay-Buttle Lake Sensitive Ecosystems - East

Map 5 • Park and Open Space Network

Map 6 • Road Network

Map 7 • Local Service Areas - Water

CSRD 2260

CSRD 2730



Bylaw No. 2206

***ELECTORAL AREA 'D'
GREENWAYS PLAN***

SCHEDULE "B"

***To Bylaw NO. 1857, being the
"OYSTER BAY-BUTTLE LAKE
OFFICIAL COMMUNITY PLAN
BYLAW, 1996"***

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 2206

**A BYLAW TO AMEND THE
"OYSTER BAY – BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996"
BEING BYLAW No. 1857**

The Board of the Regional District of Comox-Strathcona in open meeting assembled, enacts the following amendments to the "OYSTER BAY – BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996", BEING BYLAW No. 1857:

PART A TEXT AMENDMENT

- 1) Bylaw No. 1857 is hereby amended by the addition of the attached text and maps which are identified as Schedule "B" and form the Greenways Plan for Area D.

PART B TITLE

- 1) The Bylaw may be cited as the "Oyster Bay - Buttlet Lake Official Community Plan Bylaw, 1996, Amendment Bylaw No. 1".

READ A FIRST AND SECOND TIME THIS	30TH	DAY OF AUGUST 1999.	
PUBLIC HEARING HELD THIS	15TH	DAY OF SEPTEMBER	1999.
AMENDED AT SECOND THIS	25TH	DAY OF OCTOBER	1999.
READ A THIRD TIME THIS	25TH	DAY OF OCTOBER	1999.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2206, being the "OYSTER BAY – BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996, AMENDMENT BYLAW NO. 1", as read a third time by the Board of the Regional District of Comox-Strathcona on the 25th day of October, 1999.

"B. Whitehead"
Manager, Corporate Administration

Approved by the Ministry of Environment, Lands & Parks On The	12th	Day Of January	2000.
ADOPTED THIS	31ST	DAY OF JANUARY	2000.

"D. (Dot) Andrews"
Chair

"B. Whitehead"
Manager, Corporate Administration

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2206, being the "OYSTER BAY – BUTTLE LAKE OFFICIAL COMMUNITY PLAN BYLAW, 1996, AMENDMENT BYLAW NO. 1", as adopted by the Board of the Regional District of Comox-Strathcona on the 31st day of January, 2000.

"B. Whitehead"
Manager, Corporate Administration

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SCHEDULE 'B'

Part One BACKGROUND

What the Public Said

During two greenway workshops in Area D people pointed out green spaces that they value. From the workshop response forms, it is clear that most people attending the workshops were strongly in favour of protecting:

natural watercourses, wetlands and streamside riparian areas; eagle trees and heron rookeries; other wildlife trees; wildlife and wildlife corridors; veteran or old-growth trees and representative wooded areas; natural foreshore and backshore areas; water quality and quantity for fish and wildlife; clean air; and quiet.

In the outdoor recreation part of the workshop, people wanted to create 'some' or 'as much as possible' of the following features:

waterfront access; walking/hiking trails; cycling trails; equestrian trails; waterfront park & picnic area; nature interpretation; public campgrounds; and playing fields and playgrounds.

A Long Term View

This Greenway Plan takes a long-term view. It recognizes that it may be 20 years or more before the entire greenway system is put in place, just as it may be 20 years or more before some land holdings are ready for development.

Some greenways in working landscapes may never be 'formalized', but may be managed responsibly as private property in forestry or agricultural land uses.

Part Two

GREENWAYS PLAN

The 1996 Oyster Bay – Buttle Lake Official Community Plans adopted a Parks and Open Space Network as a significant part of its policies. The form of open space system that it instigated has come to be called a 'greenway' system in recent years. This plan update will use the term greenway, and will expand the environmental role of the open space system. The plan has two main components: a Greenway Management Program and a Watershed Management Program.

The Greenway Management Program will create a linear system of green spaces that provide habitat and recreational benefits.

- Proposed Ecological Greenways provide aquatic or upland habitat connections, and generally would not have public access;
- Proposed Recreational Greenways include trails along proposed public corridors, and linkages along greenway roads;
- the Forest Land Reserve and Agricultural Land Reserve are working landscapes surrounding the settlement areas of Area D. They and Upland Resource properties are recognized as important parts of the economy and the ecosystem in the OCP, and are noted for their contribution to the greenway system.

Life support in greenway corridors depends on inputs from the watersheds that surround them. A Watershed Management Program is proposed to encourage environmentally-responsible development practices.

2.1 GREENWAY MANAGEMENT PROGRAM

Proposed Ecological Greenways

Aquatic Habitat

- Aquatic Habitat Greenways
- Working Landscape Fisheries Sensitive Areas

Upland Habitat

- Upland habitat Greenways
- Working Landscape Biodiversity Corridors

Proposed Recreational Greenways

Greenway Trails

Greenway Roads

2.1.1 Proposed Ecological Greenways

Ecological Greenways are environmentally sensitive areas and habitat patches connected together by a network of green space. These green space connections allow fish, birds and other species corridors to move to find food, birth and rearing spaces,

and protection from predators. Ecological greenways help to maintain health and biodiversity in fish and wildlife populations. They may be either public or in private ownership. They normally have no public access.

Where mapping discrepancies occur between the 'Comox-Strathcona Sensitive Habitat Atlas' and 'Map#1: Ecological Greenways' the Habitat Atlas prevails.

2.1.1.1 Aquatic Habitat Greenways

Aquatic Habitat Greenways are designed to protect watercourses and the fisheries sensitive zone around them.

Protection of these areas is required under the federal Fisheries Act and the provincial Fish Protection Act. The Aquatic Habitat Greenway designation by the Regional District brings local land use planning in line with these senior government laws, and increases certainty about what areas require protection.

Aquatic Habitat Greenways:

- .1 protect the permanently or intermittently wetted area of the watercourse, including adjacent wetlands, springs, back channels or floodplain that provide summer base flows, winter refuge and sources of cool water.
- .2 conserve vegetation overhanging the watercourse, to maintain cooler water temperatures by providing shade, and to provide food sources for fish.
- .3 maintain vegetated riparian zones for erosion control along banks and steep slopes, to filter pollutants from runoff approaching the stream, and to provide large organic debris to the watercourse. This large organic debris is a critical component of fish habitat.
- .4 also provide prime habitat for birds and other wildlife, in particular if the corridor is well vegetated and includes veteran and standing dead wildlife trees.

Proposed Aquatic Habitat Greenway Locations

Map #1: Ecological Greenways show the conceptual location of major ecological greenway connections. The major aquatic habitat greenways proposed include:

- .1 Oyster River
- .2 Storie Creek
- .3 Wood Creek
- .4 Zinger Creek
- .5 Creeks #3, 4, 4 1/2, 5, 6, 7, 8
- .6 Wetlands (various)
- .7 Foreshore

Other small aquatic greenways will follow stream corridors. Refer to the Comox-Strathcona Sensitive Habitat Atlas for watercourses and related development permit area locations.

2.1.1.2 Working Landscape Fisheries Sensitive Areas

In working landscapes - the Agricultural Land Reserve (ALR) and Forest Land Reserve (FLR), the administration of environmental protection is by Senior Governments. While the Greenway plan shows two types of corridors on working landscapes, it recognizes the limitations of Regional District jurisdiction in these areas.

The Fisheries Sensitive Planning Areas shown on the maps reflect the areas mapped by Senior Governments. The width of conserved aquatic habitat will vary based on fisheries values, adjacent land use, and the applicable senior government guideline. This plan advocates protection of appropriate aquatic conservation corridors through working landscapes.

2.1.1.3 Upland Habitat Greenways

Upland Habitat includes wooded areas, veteran trees and native thickets. These areas provide important habitat for eagles, herons, song birds as well as many small mammals and other species.

Many patches of upland habitat exist on public lands in Area D, such as the UBC Research Farm. Thoughtful private landowners have also maintained habitat on their properties.

Upland Habitat Greenways are mapped to recognize these habitat patches and the existing or potential connections for wildlife between them. The map designation means:

How can we help landowners to help wildlife in these areas?

Upland Habitat Greenways will usually be created as a companion to land uses. Naturescape approaches will be encouraged, e.g.:

- .1 maintaining or replanting a network of vegetation through the land uses, for wildlife food/cover. This will often be on property edges, or on steep slopes for erosion control.
- .2 conserving veteran and standing dead wildlife trees for food, perch and cavity nest sites, and maintaining wildlife cover on the ground.
- .3 voluntary placement of habitat enhancements such as nest boxes, bird feeders, and bird baths or other water supply.

Proposed Upland Habitat Greenway Locations

Map #1: Ecological Greenways show the conceptual location of major ecological greenway connections. The major upland habitat greenways proposed include:

- .1 Island Highway Woods (U1)
- .2 Oyster River Frontage (U2)
- .3 Inland Island Highway Corridor (U3)
- .4 Little Oyster to Wetlands (U4)
- .5 Oyster Bay Foreshore & Wetlands (U5)

2.1.1.4 Working Landscape Biodiversity

In working landscapes - the Agricultural Land Reserve (ALR) and Forest Land Reserve (FLR), the administration of environmental protection is by Senior Governments. While the Greenway plan shows two types of corridors on working landscapes, it recognizes the limitations of Regional District jurisdiction in these areas.

Biodiversity Corridors in working landscapes are similar in objectives and management to Upland Habitat Greenways. However, in areas not covered by the Forest Practices Code, management of upland habitat greenways or biodiversity corridors is entirely voluntary. Location of these corridors may change over time, e.g. as forestry cycles rotate.

Proposed Working Landscape Biodiversity Corridors (voluntary)

Map #1: Ecological Greenways show the conceptual location of major ecological greenway connections. The major working landscape biodiversity corridors proposed include:

- .1 UBC Farm Waterfront (B1)
- .2 Oyster River Corridor (B2)
- .3 Woodhus Creek Corridor (B3)
- .4 Little Oyster River Corridor (B4)
- .5 York to Oyster Bay Corridor (B5)
- .6 Wetlands Corridor (B6)
- .7 Oyster River to Oyster Bay Corridor (B7)
- .8 UBC Woodlot to Slough Corridor (B8)
- .9 Little Oyster to Willow Creek Corridor (B9)

2.1.1.5 Ecological Greenway Management Principles

No Public Access

Ecological Greenways will normally not have public access. Proposed public access routes are designated as Recreational Greenways.

Ownership Options

Different owners will have different objectives for their ecological greenway land. RDSCS policies will keep options open for owners to keep greenway land with regulatory controls, to reduce taxes by applying a covenant, to dedicate land as park, or to gift land with or without a tax advantage.

2.1.1.6 Ecological Greenways Management Tools

Implementation tools that are available to the Regional District include:

Aquatic Habitat Development Permits

Aquatic habitat is protected by existing development permit regulations in the OCP. New wording will increase regulatory flexibility for land use adjacent to greenways. These regulations will need to meet the requirements of the provincial *Fish Protection Act*.

Upland Habitat Development Permits

Upland Habitat Development permits will allow flexibility in setbacks, building height and parking requirements to allow vegetation retention. Minor activities will be exempt from requiring a permit.

Naturescape Program Error! Bookmark not defined.

Both public and private owners along habitat greenways will be encouraged to participate in the provincial Naturescape program.

Greenway Volunteers

Through initiatives such as Streamkeepers and local Land Trusts, Area D will encourage volunteers and service clubs to assist in conservation, restoration, maintenance and monitoring of greenways.

Stewardship Rewards

Greenway stewardship should be rewarding. See the Stewardship Rewards Program for ideas.

2.1.2 Proposed Recreational Greenways

Informal use of the 'Pub to Pub' trail, and the trails along Oyster River have been a significant part of Area D's quality of life. This plan moves to protect, connect and add to the Area D trails system. However, too much human access to wild places can destroy the habitat values that we enjoy. The Recreation Greenway plan balances the needs of people with the needs of other species.

This section introduces two types of recreational greenways: greenway trails and greenway roads. Both are envisioned as beautiful green spaces, with special facilities for people to walk, cycle and enjoy nature.

2.1.2.1 Greenway Trails

People have been making informal use of many trails on both public and private land in Area D. The proposed Greenway Trails will move to protect and extend this system to create a series of interconnected loop circuits through Area D.

Greenway Trails will be for walkers and cyclists, or in some cases, for equestrians. Noisy or high-speed motorized vehicles such as trailbikes or ATVs will be prohibited on most trails, with consideration given to creation of special trails for their use.

Trails will connect to the roadway system, where signage and barriers will restrict vehicular access. Landscape at these entrances should create a source of pride for the neighbourhood.

Landscape buffers along the trail will provide separation between trail users and adjacent residents or livestock. Where necessary, privacy or livestock fences will be installed.

In some cases a greenway trail will parallel an ecological greenway. Where necessary, barriers will be used to keep people out of sensitive habitat areas.

2.1.2.2 Greenway Roads

Greenway Roads will provide access for walkers and cyclists to the larger greenway trail system.

Actual roadway cross sections will vary.

On more busy collector roads, trails may be separated from the pavement - running near the property line behind the roadside ditch.

On more quiet local roads, a wide gravel or rough grass shoulder may be all that is required to accommodate trail uses. In all cases, the objective will be to keep the overall width of the roadway pavement to a minimum.

The plan encourages cooperation between the Regional District and the Ministry of Transportation and Highways to link the 'cycle' shoulder of the Inland Island Highway to the proposed Oyster River trails system.

Proposed Recreational Greenways

Map #2: Recreational Greenways shows the location of major recreational greenway connections. The major recreational greenways proposed include:

- .1 UBC Pub to Pub Trail (R1)
- .2 UBC / Fosgate / Dyke Trail (R2)
- .3 Salmon Point to Oyster Bay Road/Trail (R3)
- .4 Oyster Bay Loop Trails (R4)
- .5 Water Line Trail & Connectors (R5)
- .6 Zinger Creek Trail Loop (R6)
- .7 Wavecrest / Dillman Connector Trail (R7)
- .8 Maple School Access Trails (R8)
- .9 Wetland Links Trail (R9)
- .10 Glenmore/Lewis Loop Trail (R10)
- .11 Oyster River Trail (R11)
- .12 Oyster River to Oyster Bay Trail (R12)
- .13 York Neighbourhood Loop (R13)
- .14 Iron River Road Trail (R14)
- .15 Inland Island Highway Shoulder Trails & Connectors (R15)

Proposed Parks

- .16 Hydro Line Park & Suspension Bridge (P16)
- .17 Oyster / Little Oyster River Park (P17)

2.1.2.3 Recreational Greenway Management Principles

Management of Recreational Greenways by the Regional District will be guided by the following principles.

Public Access on Public Land

Public access will not be promoted on private land - where a green-way trail is proposed, a public route will have to be gained.

Responsible Use

With the trail program will come a need for user education. Trail use regulations and bylaw enforcement will also be implemented, including a monitoring role for volunteers.

Good Neighbour Policy

Trail design will be aware of privacy issues with adjacent residents. Where required, landscape screening and or fencing will provide separation.

Fair Landowner Treatment

Implementing the trails system will involve land acquisition. It is important that the RDCS treat landowners fairly and consistently in property negotiations.

2.1.2.4 Recreational Greenways Management Tools

Implementation tools that are available to the Regional District include:

Trail and Greenway Street Design Guidelines

Standards for trail surfaces, signage and site furniture will be set. Guidelines for trailside vegetation and landscaping will be included.

For greenway roads, alternative standards will be assessed and outlined.

Land Acquisition Guidelines

The RDCS will develop a consistent and fair policy for acquisition of land for greenways or trails. It will facilitate a variety of measures including gifting, tax incentives, covenants, land trust arrangements, park and public way dedication, and direct purchase.

Capital Fund-Raising ProgramError! Bookmark not defined.

Successful implementation of greenway trails and streets will require funding assistance from many levels. Assistance will be expected from the federal government, province, and from crown agencies. Partial funding through development cost charges for open space will be considered where the trails system benefits new development.

Operating and Maintenance PoliciesError! Bookmark not defined.

The RDCS will review its operating and maintenance policies to ensure adequate trail maintenance and bylaw enforcement.

Greenway VolunteersError! Bookmark not defined.

The RDCS anticipates significant assistance from volunteers and service clubs in greenway trail and street funding and construction.

2.2 WATERSHED MANAGEMENT PROGRAM

Protecting greenway corridors alone will not protect Area D's salmon - if the streambeds wash out or dry up due to changes in the watershed hydrology, or if water entering the streams is polluted. These problems commonly occur in areas undergoing unmanaged urban development. A Watershed Management Program is recommended to encourage environmentally-responsible development practices. The program would apply to all lands in Area D, whether inside or outside a greenway.

2.2.1 Watershed Management Issues

Alternating Flood and DroughtError! Bookmark not defined.

Changes to *one* property may seem minute. However, the cumulative effect of land use change in developed watersheds can be dramatic:

- Impervious surfaces such as rooftops, roads and parking lots prevent rainfall from being absorbed by the soil, causing more frequent and severe flooding.
- **The reduced supply of groundwater under impervious surfaces causes lower base flows in streams in summer.**
- The combination of alternating floods and drought can ruin the productivity of a fish stream.

Water Quality IssuesError! Bookmark not defined.

We sometimes forget in urban areas what water from a clear natural stream looks like. Urban water is often filled with pollutants from runoff, including:

- Sediment, which can ruin spawning grounds, bury juvenile fish, and abade fish gills.
- Excess nutrients, such as nitrogen and phosphorus, which can create algae blooms and deplete oxygen needed for fish.
- Other pollutants like household cleaners, hot tub disinfectant, antifreeze, oil, concrete leachate and heavy metals.

2.2.2 Proposed Watershed Awareness Campaign

The first step in addressing these problems is public awareness.

Many people do not understand the relationship between day to day activities and environmental problems in the watershed. Problems can be created by both land development and day to day land use.

To create a new way of thinking, the watershed awareness campaign will need to reach a broad audience.

Components of the campaign might include:

- .1 Know Your Watershed events, at schools, community centres, neighbourhood and professional organizations.
- .2 Public Education (print, video and training of contractors and professionals) on watershed environmental issues and solutions.
- .3 Storm Drain Marking Program, which marks all catch basins to identify their attachment to habitat.

2.2.3 Proposed Stormwater Management Program

The OCP for Area D recognizes the need for a Liquid Waste Management Plan (LWMP) to guide in the management of all liquid wastes. It is proposed that the LWMP include a stormwater management program. This program would provide guidance for limits on effective impervious area, stormwater detention, and other ways to avoid excessive flooding after development. A review of practical techniques to support adequate base flow in streams is also encouraged. Senior government assistance should be sought for this technical review.

2.2.4 Proposed Water Quality Bylaw

Water quality in fish bearing streams is already protected by the federal Fisheries Act. The Regional District could strengthen the protection of fish bearing streams by considering its own Water Quality bylaw.

2.2.5 Proposed Watershed Best Practices Manual

Watershed Stewardship is new to many people in both the public and private sector. There is a need for a well researched manual to provide technical information on:

- .1 erosion and sedimentation control planning and implementation.
- .2 practical techniques to maintain stream base flow.
- .3 stormwater quality and quantity treatment.
- .4 vegetation retention and revegetation techniques.

These best practices would apply to public as well as private projects under Regional District jurisdiction.

2.2.6 Proposed Working Landscapes Advocacy

Area D's policies support the Agricultural Land Reserve and the Forest Land Reserve. These lands are under the jurisdiction of senior governments. The Regional District will advocate to the managers of these large land areas that they meet equivalent standards of watershed management.

Rezoning of properties withdrawn from the ALR/FLR will be contingent upon protection of environmentally sensitive areas of the property.

2.2.7 Proposed Stewardship Rewards Program

Stewardship should be rewarding. Steps that RDCS can take include:

Stewardship Awards

An annual awards program that recognizes citizens, groups or corporations who have shown leadership in environmental stewardship.

Tax Relief Strategies

Senior governments have brought forward two new tax relief opportunities for protection of habitat:

Gifts of Environmentally Sensitive Areas may trigger favorable income tax treatment in some cases.

Covenants on Riparian Areas may be recognized by local governments by waiving property taxes on the covenanted area.

The Regional District will study whether either of these can be applied easily in Area D.

Information Services

Part of the challenge of stewardship is finding out the details of what should be done differently. RDCS will encourage employee training and distribution of information to the public and development industry. Partners will include local Land Trusts, Streamkeepers, and Naturescape Ambassadors.

2.2.8 Proposed One Window Approvals

At present approvals near habitat may be required from three levels of government. The RDCS will pursue the streamlining of the approval process, toward one-window approvals for common applications. Maintaining an Environmental Coordinator position is a key ingredient to this process.

2.3 PLAN IMPLEMENTATION

The ten key steps required for implementation of the plan are:

- .1 Add the Greenway Plan to the Oyster Bay – Buttle Lake Official Community Plan;
- .2 Refine and adopt Ecological Greenway Development Permit Areas;
- .3 Complete negotiations with UBC and other major land-holders to secure waterfront protection;
- .4 Complete a Watershed Best Practices Manual, in cooperation with senior governments and neighbouring local governments;
- .5 Launch a Watershed Awareness Campaign and related training of public, landowners and building trades;
- .6 Initiate a Stewardship Rewards Program;
- .7 Produce Trail and Greenway Road Design and Operations Guidelines, and related standards and bylaws;
- .8 Complete a Capital Funding Plan and make initial approaches;
- .9 Complete the stormwater management component of a Liquid Waste Management Plan, and adopt a Water Quality Bylaw;
- .10 On-going Greenway Implementation Projects.