

# **Bylaw No. 2224**

## **Menzies Bay Area Official Community Plan 2000**

Consolidated Copy for  
Convenience Purposes 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 review the complete bylaw when required



**BYLAW NO. 2224 MENZIES BAY AREA OFFICIAL COMMUNITY PLAN 2000**

The following is a consolidated version of the Menzies Bay Area Official Community Plan bylaw and includes the following amendment bylaws:

<b>BYLAW No.</b>	<b>BYLAW NAME</b>	<b>ADOPTED</b>	<b>PURPOSE</b>
CSRD 2914	Menzies Bay Official Community Plan Bylaw, 2000, Amendment No. 1	January 29, 2007	To amend Schedule A by redesignating property described as District Lot 1, Sayward District, except parts in Plans 1572RW, VIP69429 and VIP74730 from Forestry to Industrial.
CSRD 2937	Menzies Bay Official Community Plan Bylaw, 2000, Amendment No. 2	Not adopted	
CSRD 3072	Menzies Bay Area Official Community Plan 2000, Amendment No. 3	Not adopted	
SRD 98	Menzies Bay Official Community Plan Bylaw, 2000, Amendment No. 5	September 22, 2011	To amend Part 200 Community Goals, Objectives and Policies, section 202 Environment to include greenhouse gas emissions.
SRD 83	Menzies Bay Area Official Community Plan Bylaw, 2000, Amendment No. 4	April 26, 2012	To amend all references to Sensitive Ecosystem Development Permit with Environmentally Sensitive Areas Development Permit (ESADP), Part 202 Policies, Parts 301, 303, 304 and Part 500.
SRD 177	Menzies Bay Area Official Community Plan Bylaw, 2000, Amendment No. 6	June 26, 2014	To amend by re-designating approximately 1.3 hectares of Crown land from Forestry (F) to Mixed Use (MU).
SRD 180	Menzies Bay Area Official Community Plan Bylaw, 2000, Amendment No. 7	June 26, 2014	To amend Part 201 – Resource and Economy by deleting and replacing Part 2301(9) and adding a new Part 304(3).
SRD 408	Menzies Bay Area Official Community Plan Bylaw, 2000, Amendment No. 8	January 27, 2021	Map amendment – redesignate land from Agricultural to Industrial.

**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.**

**REGIONAL DISTRICT OF COMOX-STRATHCONA**

**BYLAW NO. 2224**

**A bylaw to adopt an Official Community Plan for the  
Menzies Bay Area of the Regional District of Comox-Strathcona**

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

**PART A      TITLE**

- 1) This Bylaw may be cited as Bylaw No. 2224 being the **“MENZIES BAY AREA OFFICIAL COMMUNITY PLAN BYLAW, 2000”**.

**PART B      APPLICATION**

- 1) This Official Community Plan shall be applicable to a portion of Electoral Areas “H” of the Regional District of Comox-Strathcona as outlined in Schedule “A” which is attached and forms part of this Bylaw.
- 2) 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 878(2) of the Local Government Act.

**PART C      ENACTMENT AND REPEAL**

- 1) Pursuant to Section 875 of the Municipal Act, the Official Community Plan and all Schedules of this Bylaw are adopted as the Official Community Plan for a portion of Electoral Area “H” of the Regional District of Comox-Strathcona;
- 2) Bylaw No. 881 being the “Campbell River Area Official Community Plan Bylaw, 1986” and all amendments thereto, is hereby repealed upon adoption of this Bylaw.

<b>READ A FIRST AND SECOND TIME THIS</b>	<b>17TH</b>	<b>DAY OF</b>	<b>APRIL</b>	<b>2000.</b>
<b>PUBLIC HEARING HELD</b>	<b>20TH</b>	<b>DAY OF</b>	<b>JUNE</b>	<b>2000.</b>
<b>PUBLIC HEARING HELD</b>	<b>27TH</b>	<b>DAY OF</b>	<b>SEPTEMBER</b>	<b>2000.</b>
<b>AMEND AT SECOND READING THIS</b>	<b>29TH</b>	<b>DAY OF</b>	<b>OCTOBER</b>	<b>2001.</b>
<b>READ A THIRD TIME THIS</b>	<b>29TH</b>	<b>DAY OF</b>	<b>OCTOBER</b>	<b>2001.</b>
<b>THIRD READING RESCINDED THIS</b>	<b>26TH</b>	<b>DAY OF</b>	<b>AUGUST</b>	<b>2002.</b>
<b>AMENDED AT SECOND READING THIS</b>	<b>26TH</b>	<b>DAY OF</b>	<b>AUGUST</b>	<b>2002.</b>
<b>READ A THIRD TIME THIS</b>	<b>26TH</b>	<b>DAY OF</b>	<b>AUGUST</b>	<b>2002.</b>

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2224 being the **“MENZIES BAY AREA OFFICIAL COMMUNITY PLAN BYLAW, 2000”**, as read a third time by the Board of the Regional District of Comox-Strathcona on the 26th day of August, 2002.

“B. Randall”  
Manager of Corporate Administration

APPROVED BY THE MINISTER OF  
COMMUNITY, ABORIGINAL AND  
WOMEN'S SERVICES THIS

1ST

DAY OF

OCTOBER

2002.

ADOPTED THIS

28TH

DAY OF

OCTOBER

2002.

"D. M. (Dot) Andrews"

Chair

"B. Randall"

Manager of Corporate Administration

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2224 being the "**MENZIES BAY AREA OFFICIAL COMMUNITY PLAN BYLAW, 2000**" as adopted by the Board of the Regional District of Comox-Strathcona on the 28<sup>th</sup> day of October, 2002.

"B. Randall"

Manager of Corporate Administration

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PART 100

INTRODUCTION

**101 Purpose of the Official Community Plan**

This Official Community Plan (OCP) is a guide for future land use and community development decisions in the Menzies Bay Area. The Plan is a statement of the community's shared values, goals, and objectives.

**102 Plan Area**

This OCP applies to a portion of Electoral Area "H" known as the Menzies Bay Area as shown on Schedule A. This area will be called the Plan Area.

**103 Background to Planning in the Menzies Bay Area**

This OCP rescinds "The Campbell River Area Official Community Plan Bylaw, 1986" being Bylaw No. 881. Originally Bylaw No. 881 was the OCP for a large land base including the Oyster Bay Area, Quinsam, North Campbell River, and Menzies Bay. Over time, new Official Community Plans were developed for all areas except Menzies Bay. Thus, for many years Bylaw No. 881 remained relevant only to the Menzies Bay Area. This OCP will apply only to the Menzies Bay Area and will reflect the values, goals and objectives of the Menzies Bay community.

**PART 200:**

**COMMUNITY GOALS, OBJECTIVES, AND POLICIES**

**201 RESOURCE AND ECONOMY**

**1) Goals**

- a) To support the responsible development of industry as it is recognized that increasing industrial growth in the Plan Area is critical to the economic health of the regional forest industry.
- b) To promote the Industrial designated lands on Schedule A as the "job lands" for the regional forestry industry.
- c) To encourage economic activities and the sustainable utilization of resources while responsibly managing the quality of air, water, and natural ecosystems.
- d) To promote sustainable resource-based activity.

**2) Industry**

**a) Objectives**

- i) To encourage environmentally responsible expansion of the value-added forestry industry and land designated as Industrial.
- ii) To establish the land designated Industrial as the preferred location for forestry related manufacturing.
- iii) To provide for the orderly and phased development of the industrial land base in the Menzies Bay Area.
- iv) To ensure that the location of all industrial use is carried out in an efficient manner and that site planning includes consideration of traffic generation and links, compatibility of use with adjacent land uses, impact on sensitive ecosystems, water supply systems, liquid waste management, stormwater management, and parking

**b) Policies**

- i) Land designated as Industrial is shown on Schedule A.
- ii) Development of the Menzies Bay industrial land base shall be phased in order to promote the orderly and efficient use of land. Those lands designated as Industrial, lying to the east of the Island Highway, shall be identified as the primary area for the location of industrial activity.
- iii) Those lands designated as Industrial, lying to the west of the Island Highway, shall be considered an 'Industrial Reserve' until such time as the land base on the east side of the Island Highway has been substantially developed.

Notwithstanding the above, the siting of industrial activity on the west side of the Island Highway may be considered in the following circumstances:

- a) where it can be clearly demonstrated that the vacant lands remaining on the east side of the Island Highway have significant environmental considerations associated with them that cannot be overcome with appropriate mitigation measures , or



- b) where it can be clearly demonstrated that the vacant lands remaining on the east side of the Island Highway present significant limitations with respect to satisfying the siting requirements associated with the proposed industrial use.
- iv) As a portion of the Industrial designated lands are located within the Agricultural Land Reserve, agricultural uses shall be recognized as being permitted interim uses. All required approvals shall be sought from the Land Reserve Commission prior to the establishment of any industrial activity on those lands located within the Agricultural Land Reserve.
- v) The Regional District will require that a restricted area of the Menzies Bay industrial waterfront be used for wharf, barge loading, and docking facilities for the purpose of concentrating the demand for marine access facilities along the entire foreshore designated as industrial, with the intent to minimize the overall environmental impact in the region.
- vi) Land designated and zoned as Industrial will be designated as development permit areas, to provide controls over character, deleterious waste management, drainage, and sensitive ecosystems impact.
- vii) Through the use of development permit provisions the Regional District will ensure that industrial development is screened and buffered from residential and tourism land uses to maintain visual integrity and to avoid land use conflicts.
- viii) Through the use of development permit provisions the Regional District will ensure that industrial development adjacent to the Island Highway is screened and buffered to protect the scenic qualities of the Island Highway's view corridor.
- ix) Residential use on industrial designated land will be limited to one watchperson's unit used for the purposes of property security.
- x) The Regional District shall encourage a rural service centre that meets the basic needs of residents, businesses, and industry in areas designated as Industrial on Schedule A.
- xi) The Regional District will encourage the appropriate agency and landowner to provide controlled access where industrial development is located adjacent to the Island Highway or other major roads, to avoid hazard to traffic.
- xii) Open burning of wood wastes permits should occur only when local weather conditions allow smoke and fumes to move out of the surrounding areas. No new site permits or renewals of existing site permits should be approved by the approving authority where:
  - a) The application site is less than 1.0 kilometre (0.62 miles) from any existing open burning permit;
  - b) The application site is subject to heavy fog in cold or rainy weather;
  - c) The application site is deemed unsuitable by reason of natural topography, weather factors, visibility factors or established elk crossing;

- d) An alternate method of disposal is available and economically feasible.
- xiii) The Regional District will only support open burning that meets provincial standards and regulations including the *Waste Management Act*, *Forest Act*, *Open Burning Smoke Control Regulation*, and the *Forest Fire Prevention and Suppression Regulation*.

### 3) Forestry

#### a) Objectives

- i) To encourage socially and environmentally responsible forestry practices.
- ii) To support and recognize the economic significance of the forest industry.
- iii) To support value-added processing of forest resources.

#### b) Policies

- i) Land designated as Forestry is shown on Schedule A.
- ii) Land uses within the Forest Land Reserve and Agricultural Land Reserve are subject to the regulations and orders of the Land Reserve Commission.
- iii) The Regional District shall discourage land uses that conflict with and restrict forest-related activity.
- iv) The use of methods other than aerial application of pesticides to manage forest pests on forest lands, where alternatives are available and economically feasible, shall be encouraged.
- v) The environmental standards of the *Forest Practices Code of British Columbia Act* including conserving biological diversity, soil, water, fish, wildlife, scenic diversity and other forest resources shall be supported on land designated as Forestry.

### 4) Agriculture

#### a) Objectives

- i) To preserve and encourage the integrity of the Agricultural Land Reserve for sustainable agricultural activity.
- ii) To prevent land use conflicts that would affect or restrict efficient agricultural operations.

#### b) Policies

- i) Land designated as Agriculture is shown on Schedule A.
- ii) Through subdivision, rezoning, and development approval information requirements the Regional District shall encourage the buffering of agricultural uses from residential, industrial, and commercial uses.
- iii) The Regional District shall encourage sustainable agricultural practices including soil conservation, water management, irrigation, and sound vegetation removal practices.

**5) Home Based Business**

**a) Objective**

To support home based businesses that do not interfere with residential privacy, use, and enjoyment and to recognize that home based businesses are an important element of rural economies.

**b) Policies**

- i) To ensure the home based business maintains the residential atmosphere of a neighbourhood, remains secondary to the residential use of the property, and does not negatively impact businesses and environment on surrounding lands the zoning bylaw will:
  - 1) Limit the size and placement of signs;
  - 2) Limit activities taking place outside a fully enclosed building;
  - 3) Limit the size of the operation so that it remains ancillary to the residential use of the property;
  - 4) Prohibit home occupations that have an injurious effect on neighbouring properties in terms of noise, smell, vibration, unsightly conditions or excessive traffic.
- ii) The zoning bylaw will reflect the need for smaller home based businesses in the Country Residential designation compared to larger home based businesses required in the Rural and Agricultural designations.

**6) Neighbourhood Commercial**

**a) Objective**

To provide basic commercial services to meet the needs of residents and businesses in the Plan Area.

**b) Policies**

- i) The Regional District shall encourage a rural service centre that meets the basic needs of residents, businesses, and industry in areas designated as Industrial on Schedule A.
- ii) The Regional District shall encourage an activity node in the Comprehensive Planning Area.
- iii) The Regional District shall prohibit big-box or large-scale retail commercial development and will discourage the extension of the District of Campbell River's commercial services into the Plan Area.

**7) Tourism and Low Impact Recreation**

**a) Objective**

To support and encourage eco-tourism and low impact recreational services that do not interfere with forestry, industrial and residential uses.

**b) Policies**

- i) The Regional District will support tourism activity and low impact recreation on land designated as Comprehensive Planning Area.
- ii) Working cooperatively with the appropriate landowners and agencies the Regional District shall support outdoor recreation use and shall encourage the forest industry to expand and safely manage tourism on land designated as Forestry.

**8) Marine Access**

**a) Objective**

To provide and protect public access routes from Discovery Passage to the Plan Area.

**b) Policy**

Access to the coastal waterfront for log handling, log transportation, and forestry related barging activity in areas designated as Industrial shall be supported.

**9) Mixed Use**

**a) Objective**

Areas such as Browns Bay feature a mix of residential, tourist and resource uses. The Regional District recognizes that this mix of uses can help create a healthy, year round economy in rural areas and decrease the dependency of residents on nearby urban centres for services, shopping and employment. As a form of sustainable development in rural areas mixed use will be encouraged. The objective is to permit a mix of residential, commercial, industrial and resource uses in close proximity.

**b) Policies**

- i) Prior to the designation of any parcel as Mixed Used the Regional District review applications to ensure:
  - 1) Recognition and facilitation of existing land uses and services;
  - 2) Support and compatibility with existing residential/commercial and resource nodes;
  - 3) Opportunities exist to redefine, enhance and revitalize an area;
  - 4) Protect and enhance the natural environment, ecological connections, sensitive ecosystems and landscapes;
  - 5) The development has the potential to offer social and economic benefits to the area;
  - 6) A reduction in the overall existing dependency on nearby urban centres;
  - 7) The provision of a rural sustainable community;
  - 8) Appropriate level of sewage treatment and disposal, water supply and distribution systems and innovative, sustainable on-site stormwater management;
  - 9) Preservation of rural and recreational characteristics of the existing community;

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- 10) The livability of the area is improved;
  - 11) Adequate transportation links, access and off-street parking;
  - 12) Maintenance of public access to the coastal waterfront;
  - 13) No excessive customer traffic through an existing residential area or between the proposed development and areas of employment, shopping, recreation, services and resources;
  - 14) The support for agriculture and local food production; and
  - 15) The provision of parks and open space, trails, greenways and biodiversity corridors.
- ii) The Mixed Use land designation shall allow resource based activities such as agriculture, forestry, fishing, mining and tourism and related processing industries and support services. It is recognized that non-resource based activities shall be permitted where they cater to resource based activities, local residents, and tourists.
  - iii) Residential, commercial, industrial and resource uses shall be permitted in close proximity to each other, either on the same parcel or on abutting and adjacent parcels. Commercial and industrial development in proximity to residential areas or visible from major roads shall have adequate setbacks and screening to avoid conflict between land uses.
  - iv) The conditions of use in areas designated Mixed Use shall be specified in the zoning bylaw.
  - v) Where Mixed Use lands are sited adjacent to lands designated as Forestry or Agriculture the following development considerations shall be demonstrated:
    - 1) Compatibility of proposed new land uses as related to adjacent working forestry or agriculture uses.
    - 2) Appropriate levels of density to mitigate potential impacts on adjacent working landscapes.
    - 3) Implementation of enhanced setbacks and screening from property lines to reduce potential for conflict.

**10) Natural Resource Extraction**

**a) Objective**

To maintain access to mineral resources.

**b) Policies**

- i) Natural Resource Extraction is a permitted use in the Forestry, Agriculture, and Industrial designations on Schedule A, and on land on which a Temporary Industrial Use Permit is issued for the purpose of natural resource processing.
- ii) All mining and mineral exploration activities are within provincial jurisdiction and will be subject to the *Mines Act* and *Mineral Tenure Act Regulations*.
- iii) Natural Resource extraction in the area identified as Eagle's Nest Bluff on Schedule A is strongly discouraged.

**11) Temporary Industrial Use Permit and Temporary Commercial Use Permit Policies**

- i) Lands appropriate for a Temporary Industrial Use Permit or Temporary Commercial Use Permit are those lands designated as Mixed Use, Forestry, Agriculture, Marine Access, and Rural.
- ii) Issuance of such a permit shall be consistent with the policies of this Plan and provide a detailed description of:
  - a) the proposed use;
  - b) duration of the proposed activity;
  - c) plans for mitigation of harmful community and environmental impacts;
  - d) site rehabilitation plans;
  - e) approvals/permits from applicable provincial and federal agencies;
- iii) The Regional District may request a performance bond to guarantee performance of the terms of the permit.
- iv) The Regional District may require that the applicant provides an invitation to the local community to attend a public meeting on the application.
- v) Issuance of a permit shall be subject to the public notice and participation requirements of the *Local Government Act*.
- vi) Temporary Industrial Use Permits and Temporary Commercial Use Permits that are proposed on Forest Land Reserve or Agricultural Land Reserve land require the approval of the Land Reserve Commission.

## 202 ENVIRONMENT

### 1) Goals

- a) To protect and steward environmentally sensitive areas as well as fish and wildlife habitat.
- b) To protect and steward watersheds and the quality and quantity of ground and surficial water.
- c) To steward the foreshore and marine areas.
- d) To support a partnership with the Province of BC and the residents, business operations and property owners of the Menziés Bay area for the reduction of greenhouse gas (GHG) emissions.

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### 2) Objectives

- a) To identify environmentally sensitive areas, watersheds, groundwater recharge areas, and aquifers requiring protection.
- b) To utilize the *Local Government Act* and other senior government guidelines and standards for the protection of environmentally sensitive areas, water quality and parks.
- c) To encourage the identification of the drinking water source and protect it from contamination.
- d) To recognize the importance of the sensitive ecosystems identified on Schedule "C" as part of the natural environment and biological diversity of the community, and an important component of the open green space and natural features of the community.
- e) To encourage landowners and developers to covenant, protect, and dedicate parks, greenways, and environmentally sensitive areas for preservation and conservation purposes.
- f) To ensure public access and enjoyment of the waterfront and foreshore in areas not designated as Industrial.
- g) To establish targets and actions towards the reduction of GHG emissions.

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### 3) Policies

- a) The Regional District may engage in partnerships with landowners, appropriate agencies, and stewardship groups for the identification, assessment, and protection of environmentally sensitive ecosystems, watersheds, and wildlife habitat.
- b) The sensitive ecosystem areas on Schedule "C" are designated as development approval information areas.
- c) The Regional District is opposed to further encroachment in the estuaries of Menziés Creek and Mohun Creek.
- d) The Regional District will protect Menziés Creek, Mohun Creek and other environmentally sensitive areas, parks, greenways, watersheds, and wildlife habitat through measures such as:
  - i) restrictive covenants with the Regional District and registered conservancy organizations;

- ii) park dedication to the Regional District or registered conservancy organizations;
  - iii) greenways dedication to the Regional District or registered conservancy organizations;
  - iv) density bonusing and density averaging;
  - v) development permits; and
  - vi) encouraging environmentally sensitive development.
- e) Through development permit provisions the use of senior government agency guidelines and standards shall be required to provide adequate stormwater management, flood control, bank stabilization, and stream protection.

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- f) The provincial Riparian Areas Regulation (RAR) shall be applied to all development, as defined by the RAR, within the Strathcona Regional District.
- g) The Regional District shall protect the natural form and processes of the foreshore through the use of development permits, covenants, park and greenways dedication.
- h) The Regional District shall discourage activity that will negatively impact adequate water supply for fish bearing streams.
- i) The Regional District shall discourage development on hazard lands such as floodplains and steep slopes.
- j) Through development permits and development approval information requirements the Regional District shall require developers to provide a plan which addresses restoration, enhancement, mitigation and compensation for encroachment into fish habitat, environmentally sensitive areas, marine areas, foreshore, and wildlife habitat. See Section 305 for Development Approval Information Requirements.
- k) Discharge from swimming pools, hot tubs and spas shall be to an approved treatment system.

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- l) The target for GHG emissions reductions for the Menzies Bay area is to reduce GHG emissions to 16% below 2007 levels by 2020 and to 40% by 2050 and the actions that the Strathcona Regional District will undertake to achieve these targets are:
- i) Raise awareness of the impact of greenhouse gas emissions through education and the distribution of information which will encourage residents to reduce greenhouse gas emissions through lifestyle choices.
  - ii) Consider the impact on greenhouse gas emissions when reviewing development applications and undertaking strategic planning programs; such as the consideration of compact community plans, infill developments and energy efficient designs.
  - iii) Support neighbourhood form that provides opportunities for energy efficient modes of transportation such as walking, cycling or ride-share, and those which incorporate green building features into the siting and construction of buildings to make them more energy efficient.
  - iv) Recognized the importance of natural areas for carbon absorption and develop tools to encourage the retention of trees and vegetation on private land and to direct development to existing areas.



- v) Support home-based and local community employment opportunities to help reduce the reliance on longer distance commutes.
- vi) Encourage the retention of land in the Agricultural Land Reserve and support efforts to maintain a sustainable locally produced source of food.
- vii) Continue to raise awareness about recycling through education programs and continue to support the waste reduction actions in the Solid Waste Management Plan.

#### 4) **Community Watershed Policies**

- a) Land designated as Temporary Watershed Protection Area is shown on Schedule A.
- b) The Regional District shall require a study and watershed management plan to identify and protect Community Watershed areas.
- c) Land designated as Temporary Watershed Protection Area is a development approval information area. Landowners proposing development in this designation must provide the required information to demonstrate that their activities will not impact the watershed. See Section 305 for Development Approval Information Requirements.
- d) The Regional District may encourage partnerships with landowners and appropriate agencies for the purpose of providing control and protection of water quality and quantity.
- e) The construction of roads, trails, and buildings in Temporary Watershed Protection Area shall be discouraged.
- f) The Regional District shall encourage the use of the *Forest Practice's Code of British Columbia Act* for watershed management and protection.
- g) The watershed of John Hart Lake shall be recognized and respected as a drinking water source for the residents of the District of Campbell River.

#### 5) **Park, Ecological Greenway and Recreational Greenway Policies**

- a) Lands designated as Park and Greenways are shown on Schedule A.
- b) Recreational Greenways are to be connected natural green spaces throughout the Plan Area with special facilities for people to walk, cycle, and enjoy nature.
- c) Ecological Greenways are environmentally sensitive areas and habitat patches that will be connected together by a network of greenspace. These greenspace connections will allow fish, bird, and other species corridors to move to find food, birth and rearing spaces, and protection from predators. Ecological greenways will help to maintain health and biodiversity in fish and wildlife populations. They may be in either public or private ownership. Ecological Greenways normally have no public access.
- d) The Regional District may engage in partnerships and negotiations with landowners, relevant agencies, stewardship groups, and conservation organizations for the protection and acquisition of lands designated as Park and Greenways.
- e) The Regional District will work towards ensuring that the Park and Greenways trails suitable for recreation purposes, environmentally sensitive area

conservation, and heritage conservation will link and connect in a continuous corridor.

- f) The Regional District may encourage Park and Greenways services and amenities (such as parking lots, access roads, picnic areas, recreation sites) to be constructed through density bonus provisions.
- g) Parking areas for Greenways and Parks should not be adjacent to, or interfere with, the privacy of the Race Point Road residences.
- h) Greenways trails along the foreshore are to provide public access and enjoyment of the foreshore while protecting the natural form and processes of the foreshore.
- i) The estuaries of Menzies and Mohun Creek shall be designated as Ecological Greenway.
- j) The Regional District will work cooperatively with the Ministry of Forests for the preservation of Ripple Rock Trail as a Forest Service Recreation Trail #REC0472 designated as Recreational Greenway on Schedule A.
- k) Ecological and Recreation Greenways in the ALR and FLR shall respect the *Agricultural Land Reserve Act* and *Forest Land Reserve Act*.

## 203 SETTLEMENT

### 1) Goal

To promote a residential land use pattern that preserves the rural character of the Plan Area.

### 2) Transportation

#### a) Objectives

- i) To protect the privacy of residential neighbourhoods through creative road design.
- ii) To maintain public access and enjoyment of the foreshore.
- iii) To design roads that maintain the rural character of the Plan Area.
- iv) To design safe and efficient access to and from the Island Highway.

#### b) Policies

- ii) The Ministry of Transportation shall be encouraged to:
  - 1) Consult with the Regional District regarding the siting of public accesses that provide access to water features and pedestrian connections;
  - 2) Work cooperatively with the Regional District on road network planning including establishing road and lighting standards and designating corridors where appropriate between settlement areas;
  - 3) Construct vegetated bio-filtration swales along roadways instead of curbs and gutters;
  - 4) Use as little asphalt and pavement as possible and not widen existing roads without demonstrated traffic and safety benefits;

- 5) Consult with the Regional District and the community with respect to opportunities for the accommodation of community walkways, and bicycle paths within the unused portions of road right-of-way; and
- 6) Ensure efficient, well-managed public access throughout the Browns Bay area.

### 3) Heritage Conservation

#### a) Objective

To preserve those areas of historical, cultural, social, economic, archaeological, and environmental significance.

#### b) Policy

The Regional District may undertake a study to identify and inventory heritage and archaeological sites and structures requiring protection.

### 4) Servicing

#### a) Objective

To ensure the availability of sufficient and efficient public services to accommodate development.

#### b) Policies

- i) The Regional District will cooperate with appropriate agencies to ensure existing and future roads and school sites can meet projected needs.
- ii) The Regional District will encourage the development of cooperative, comprehensive "Local Service Areas" and "Local Improvement Districts" with landowners, residents, industry, and businesses to manage issues such as water supply, sewage, and fire protection.
- iii) 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 wastewater shall not be supported.
- iv) Lot sizes of less than 1 hectare (2.5 acres) on lands in the Plan Area shall not be considered unless they are serviced by an approved community water and sewer system.
- v) The Regional District will encourage provincial agencies to clearly identify the ownership, management, monitoring, and maintenance responsibilities of proposed community water and sewer licenses or facilities before issuing approvals.

**5) Settlement Form and Character**

**a) Objective**

To maintain rural residential character that conserves vistas and view corridors and that encourages a range of densities where servicing efficiency can be attained.

**b) Policies**

- i) The Regional District does not support isolated and strip (ribbon) residential development.
- ii) Through the use of development approval information requirements the Regional District will prohibit development that cannot provide community services such as sewage disposal, potable water, and public foreshore access.
- iii) The Regional District will maximize public open green space, and maintain environmentally sensitive areas, trees and shrubs in residential developments.
- iv) Through the use of development approval information requirements the Regional District will ensure that the topography of the land is utilized to encourage privacy between residential units.
- v) Settlement adjacent to land designated as Industrial shall provide buffering from the industrial designated land through development permit provisions.
- vi) Property owners and tenants in the Plan Area shall be encouraged to follow the Ministry of Forests guidelines regarding design of homes and property to be safe from forest fire.
- vii) The Regional District may establish and operate building inspection in the Plan Area.
- viii) The Regional District will coordinate with the District of Campbell River to ensure that a buffer is maintained between the built environment of the District of Campbell River and the Plan Area; and to ensure that the District of Campbell River's concerns, as identified in section 203(9) of this Plan, are addressed in their area of interest.

**6) Rural**

**a) Objective**

To encourage low environmental impact uses such as hobby farms and to provide a buffer between agricultural or forestry land uses and residential development.

**b) Policies**

- i) Land designated as Rural is shown on Schedule A.
- ii) The minimum parcel size for land designated as rural is 2.0 hectares (4.94 acres).

**7) Country Residential**

**a) Objective**

To encourage an attractive rural setting and character in Country Residential designations.

**b) Policies**

- i) Land designated as Country Residential is shown on Schedule A.
- ii) Lands designated as Country Residential shall not be located in areas significant for agricultural use.
- iii) Each lot will be capable of providing an independent water supply unless a public system has already been established for the area.
- iv) Each lot must be capable of providing on-site sewage disposal to a standard acceptable to the appropriate agency.
- v) The minimum parcel size for land designated as Country Residential is 1.0 hectare (2.47 acres).

**8) Comprehensive Planning Area**

**a) Objectives and Justification**

- i) To accommodate and regulate the development of a range of uses in a comprehensively planned community.
- ii) To maximize open space, discourage urban sprawl, and provide efficient services.
- iii) To protect the natural environment, greenways, and viewscape values while encouraging environmentally sensitive development.
- iv) To integrate affordable housing into the overall plan through a mix of residential styles, densities, and sizes catering to various socio-economic groups.
- v) To ensure that landowners planning Comprehensive Plan Areas (CPA) consult the community in a format acceptable to the Regional District and demonstrate flexibility in meeting the objectives of all stakeholders.

**b) Policies**

- i) Uses permitted on land designated as CPA are residential, home based business, agriculture, one activity node, forestry, parks, open green space, lodge, public utility, public assembly, greenways, tourism and low-impact recreation.
- ii) The use of density averaging and density bonusing will be permitted to protect the natural environment, the foreshore, and to allow for a variety of parcel sizes.
- iii) Density in the Comprehensive Planning Reserve will be determined with the benefit of the development approval information required, servicing opportunities and information provided, and community consultation.
- iv) The natural environment, greenways, streams, riparian areas, and viewscape values of the CPA will be protected by a minimum open green space requirement of 40% of the total site. Land dedicated as open green

- space may be used in the calculation of density for the purposes of density bonusing.
- v) The Regional District will encourage residential uses that focus on and surround an activity node or public facility.
  - vi) Through the use of subdivision and zoning the Regional District will encourage affordable housing that may include secondary suites and smaller parcel sizes and that are not physically isolated from the activity node or public facility.
  - vii) To meet the public's waterfront access objective, the length of the foreshore shall be open for public use and access in the form of a recreation greenway, safe walkway, beach, and lookout areas.
  - viii) To ensure that CPA residents are not disturbed by industrial site views, activities and noise, the onus is on the CPA landowners to provide adequate buffering from the industrial land designation. Tools for buffering from the industrial land designation may include:
    - 1) A gradient of land uses from industrial land designation to public utility to public assembly to parkland to low density residential to higher density residential;
    - 2) Utilization of the slope of the land to protect residential viewscales from industrial uses;
    - 3) A forest buffer of 200 (656.2 feet) to 400 metres (1312.3 feet) in width between industrial and residential land uses; or
    - 4) As the landowner may propose and that meets the industrial and residential buffering objectives.
  - ix) The Comprehensive Plan Area shown on Schedule A is a Development Approval Information Area, see Section 305 for Development Approval Information requirements.

## **9) Cooperative Planning Reserve**

### **a) Objectives**

- i) To work cooperatively with the District of Campbell River, Land Reserve Commission, landowners, and the Menziess Bay Area community to reach consensus on the policies, use and density of the Cooperative Planning Reserve designated on Schedule A.
- ii) To recognize and respect the District of Campbell River's urban residential containment boundary.
- iii) To maintain a separation of the built environment located within the jurisdiction of the District of Campbell River and that within the Plan Area.
- iv) To reduce urban sprawl and minimize potential impacts development may have on the District of Campbell River's servicing, infrastructure and thus minimizing the financial implications of development on the District of Campbell River.

- v) The Cooperative Planning Reserve is a Development Approval Information Area, see Section 305 for Development Approval Information Requirements.
- vi) The uses that are permitted in the Cooperative Planning Reserve area are consistent with the *Forest Land Reserve Act*.

**PART 300: DEVELOPMENT PERMITS**SRD  
83**301 General Exemptions**

Where one or more of the following conditions apply, a development permit is not required:

- a) Construction of farm buildings, excluding residential and associated structures;
- b) Construction involving a building floor area of 10m<sup>2</sup> 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 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 from 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.

Further, in respect to the application of industrial development permits only, the erection of fences less than 2.0 metres (606 feet) in height are exempt from the requirement for an industrial DP.

**302 Variation of Other Bylaws**

Under a development permit, the requirements of other applicable bylaws may be varied according to the *Local Government Act*, including:

- 1) Setbacks from lot lines and public road right-of-ways may be reduced;
- 2) Lot coverage limits may be increased;



- 3) Height limits may be extended by up to 10% of the maximum permitted height; and
- 4) As outlined in the guidelines for each development permit area.

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### 303 General Applicability

The following activities shall require a development permit whenever they occur within a Development Permit Area (DPA):

- 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 m<sup>2</sup>, 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
- f) Metal recycling operation.

### 304 Development Permit Areas

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#### 1) Environmentally Sensitive Areas Development Permit (ESA DP)

##### a) Designated Areas

##### ii) DEVELOPMENT PERMIT ARE NO. 304.1B: WATER ESA DPAs

To comply with the Ministry of Environment's (MOE's) Riparian Areas Regulation (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 Schedule 'C' Fish Habitat and Sensitive Ecosystems of this bylaw, including all map amendments, or as defined by RAR.

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- i) Where an environmental or biophysical assessment and related studies are required, and fish habitat is identified as a result of the assessment or studies, a Environmentally Sensitive Areas Development Permit (ESADP) will be required.

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83**b) Justification**

Declining fish stocks in the Strait of Georgia have led to the need for protection of fish habitat in areas adjacent to rivers, lakes, streams, wetlands, estuaries and the coast. Therefore, development within these areas requires assessment to ensure protection of fisheries values from potentially harmful development activities. The role of a Sensitive Ecosystem Development Permit (SEDP) is to protect riparian ecosystem features, conditions and functions that contribute to fish life processes and fish habitat and to encourage the rehabilitation, restoration and enhancement of degraded riparian ecosystem features, conditions and functions that contribute to fish life processes and fish habitat.

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83**c) Triggers – DPA 304.1B: Watercourse ESA DPA*****Activities that Trigger a Riparian Area Assessment and ESA DP:***

Development permits shall be issued in accordance with the following guidelines. Where it appears that one or more of the following guidelines is not applicable to an application, the guideline(s) may be waived by the Regional Board or Manager of Development Services:

- 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 m<sup>2</sup>, 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 of storage of:
  - i) Contaminated soils and substances.

SRD  
83**d) Exemptions – DPA 304.1B: Watercourse ESA DPA and associated Riparian Area Assessment Requirements**

- a) Construction of farm buildings, excluding residential and associated structures;
- b) Construction involving a building floor area of 10<sup>2</sup>M 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 from 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.

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**e) ESA DP Guidelines**

Development permit applications shall be applied for and issued in accordance with the following guidelines. Where it appears that one or more of the following guidelines is not applicable to an application, the guideline(s) may be waived by the Planning Manager or Community Services Manager or the Regional Board:

- i) Development and alteration of land or vegetation within the development permit area (DPA) should be avoided where site-specific constraints, such as but not limited to topography, property area, covenants, easements, and rights of way, reasonably allow the development activity to occur outside the DPA.
- ii) All development proposals subject to this permit shall be in compliance with the regulations and requirements of DFO and MOE, including the Stream Stewardship and Land Development Guidelines and the Environmental Requirements and BMPs for the Review of Land Development Proposals.
- iii) In order to avoid encroachment into the DPA, the requirements of other applicable bylaws may be varied as follows:

- a) setbacks from lot lines and public road right-of-ways may be reduced by up to 30% of the required setback; and
  - b) height limits may be extended by up to 10% of the maximum permitted height.
- iv) Where encroachment into the DPA is deemed unavoidable, the development or land/vegetation altering activity should:
- a) Take a form that minimizes the area of encroachment into the DPA;
  - b) Be located so as to cause the least impact on the environmental values of the DPA and so as not to impact negatively upon any adjacent fish habitat;
  - c) Be conducted at a time of year and use construction methods that minimize the impact on the DPA;
  - d) Include environmental monitoring by an "approved consultant", where applicable;
  - e) Include permanent or temporary fencing measure to ensure no encroachment occurs; and
  - f) Include the preparation and implementation of a 'Sediment and Erosion Plan' where applicable.
- v) Owners of land adjacent to watercourses may be encouraged to enter into an environmental Covenant with the Regional District for the protection of the leave strip.
- vi) The planting of native species of vegetation and tress, 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.
- vii) Additional works or protective measures may also be required to control drainage or erosion, and to protect banks.
- viii) Discharge from swimming pools, hot tubs and spas shall not be directed into any waterbody, but rather disposed of in a manner which meets the approval of DFO and MOE.

**f) Application Requirements – DPA's 304.1A and 304.1B**

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

**2) Industrial Development Permits****a) Designated Areas**

Development Permits are required for parcels zoned as Industrial and for parcels where both light and heavy industrial use is a permitted use pursuant to the "Menzies Bay Area Zoning Bylaw, 1996" being Bylaw No. 1794 as amended from time to time by the Regional Board.

**b) Justification**

The Menzies Bay Area is targeted as the industrial job lands for surrounding communities. To ensure that the industrial development maintains the Island Highway's scenic tourism corridor the following guidelines must be respected.

**c) Guidelines****i) Protection of Island Highway Scenic Tourist Corridor**

- 1) A solid 10.0 metre (32.8 feet) wide buffer of native vegetation including mature trees shall be planted or protected and maintained to screen the development, parking areas, and outside storage and supply yards from the Island Highway.

**ii) Provision of Screening from Adjacent Land Uses**

- 1) Buildings shall be sited to ensure that any adjacent residential properties have visual privacy as well as protection from site illumination and noise.
- 2) Where a front, side or rear yard abuts or is adjacent to a parcel zoned to permit commercial, residential or public assembly use as a principal permitted use, and the development on the subject parcel, including outdoor work and storage areas, is visible from such adjacent parcels, this side must have a solid screen not less than 2.0 metres (6.6 feet) in height by use of landscaped berms, vegetation, fencing, or a combination thereof. Fencing shall be well maintained. Vegetation and landscaping shall be maintained to ensure survival.
- 3) Existing vegetation including mature trees shall be protected and maintained in the required yards around the perimeter of the site.

**iii) Signs**

- 1) Each business within a development shall be allowed one freestanding sign. Freestanding signs shall be permitted on the same parcel as the development.
- 2) No signs shall be equipped with flashing, oscillating, or moving lights or beacons.
- 3) One sign is permitted for each wall of the building but may not extend above the top of the building.
- 4) Billboards and roof signs are not permitted.
- 5) Signs advertising a business, industry, product, or service shall be permitted only on the parcel where the advertised business,

product or service is operated or offered, with the exception of directional signs.

**d) Application Requirements**

See Section 305, Development Approval Information Requirements.305  
*Development Approval Information Requirements*

**3) Mixed Use 'Commercial' Development Permits**

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**a) Designated Areas**

Development Permits are required for parcels zoned Mixed Use where the use proposed is 'Commercial' in nature pursuant to the Bylaw 1794, "Menzies Bay Zoning Bylaw, 1996".

**b) Justification**

The Menzies Bay area includes parcels of land zoned Mixed Use that permit Commercial uses. To ensure that Commercial development maintains the desired character of the plan area the following guidelines are to be respected.

**c) Guidelines**

**i) Form & Character**

Overall form and character should emulate a coastal community and provide waterfront character, and include the following considerations:

- 1) New and retrofitted commercial buildings should incorporate a maritime character and be of small scale building form in consideration of view impacts.
- 2) Buildings, open space and circulation should be designed to maximize ocean views while not impacting the privacy of adjacent land uses.
- 3) Varied rooflines that include pitched roofs with a significant slope are strongly encouraged over low-pitch roofs. Natural coloured metal roofing, composite tiles and slates are considered appropriate.
- 4) Buildings are encouraged to incorporate false fronts, canopies and awnings to provide interest and weather protection.
- 5) Exterior siding materials such as wood (or wood-like finishes) and stone are preferred. Vinyl siding is strongly discouraged.
- 6) Exterior trim details should incorporate exposed timbers, wood trim and wood cladding.
- 7) Exterior building colours should reflect the waterfront context and include natural, neutral colours and harmonizing tones only.

- 8) Buildings of 2 or 2 ½ stories should have upper floors that are set back from main floor walls to reduce visual bulk from street level.
- 9) Framed shop windows positioned at street level and that face public areas are preferred.
- 10) Commercial buildings are encouraged to incorporate 'green roofs' and 'green walls' into building design.

**ii) Relationship to the Water**

- 1) A relationship to the waterfront is encouraged where commercial developments are sited adjacent to the sea, therefore:
  - a. the provision of a seawalk, plazas, patios and similar public amenities should be provided wherever possible; and
  - b. the incorporation of marine components into the development that provide a link to the water is encouraged.

**iii) Outdoor Space and Landscaping**

- 1) Usable outdoor space should be incorporated into developments at the site planning stage of the process.
- 2) Public realm components, such as outdoor seating, water features, patios, plazas and gardens, should be incorporated into all commercial developments.
- 3) Developments are encouraged to maximize landscaping opportunities to provide shade, privacy and seasonal colour. Plant materials should include native vegetation and larger deciduous tree species.
- 4) Planting schemes based on native or natural-looking landscapes with reduced water and maintenance requirements are recommended, as are plants suited to the salt water environment.
- 5) Existing native vegetation, particularly trees, should be preserved wherever possible.
- 6) Sustainable on-site storm water management should be incorporated into public areas.
- 7) 'Green street' designs are encouraged and may include narrower street widths, permeable surface treatments, less impervious surface areas, street trees, source control of stormwater and limitation of transport and pollutants, bioretention areas and swales.



*Bioretention area utilizes water from the adjacent road surface.  
(Source: Abby Hall, US EPA).*

**iv) Provision of Screening from Adjacent Land Uses**

- 1) Buildings shall be sited to ensure that any adjacent residential properties/uses have visual privacy as well as protection from site illumination and noise.
- 2) Outdoor storage areas, loading areas and refuse areas shall be screened with a solid 2.0 metre (6.6 foot) screen by use of landscaped berms, vegetation, fencing, or a combination thereof.
- 3) Existing vegetation, including mature trees, shall be protected and maintained in the required yards around the perimeter of the site.

**v) Exterior Lighting**

- 1) Lighting used to illuminate buildings, paths, or parking areas should be situated such that direct light will not illuminate the sky or onto adjoining properties/uses as per the Regional District's Dark Sky policy.
- 2) All outdoor fixtures must be full cut-off, down-light in nature.
- 3) Walkways, gangways and piers should have pedestrian-scale lighting, but the lighting should be shielded so as to not affect marine navigation.
- 4) Where possible, the control of outdoor lighting by motion sensors is encouraged.

**vi) Parking**

- 1) Parking areas should be located away from the shore, buffered or landscaped, and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, filtration trenches or swales, unpaved or permeable all weather surfaces should be considered for this purpose.



**vii) Signs**

- 1) All signage should be made from high quality, durable materials.
- 2) Signage should be limited to one for each wall of the building and shall not extend above the top of the building.
- 3) Signs shall not be back lit or equipped with flashing, oscillating, or moving lights or beacons.

**305 Development Approval information Requirements**

- a) In accordance with the development approval information policies and guidelines in this Plan the following provisions are provided for the scope and nature of information the Regional District may require at the time of:
  - i) Rezoning;
  - ii) Building, subdivision, or development applications in the community watershed, cooperative planning reserve, comprehensive planning area, and industrial designations as well as in the sensitive ecosystem areas on Schedule C; and
  - iii) Development Permit applications in Section 300 of this Plan.
- b) In addition to the application requirements listed in Schedule A-4 of the "Bylaw Amendment, Permit Procedures and Fees Bylaw, 1997" being Bylaw No. 1931, applications for development may also require the following information.
  - i) An applicant shall first provide a Terms of Reference for the preparation of the development approval information. The Terms of Reference shall:
    - 1) Specify professional expertise to be used for preparation of information, including the identity, qualifications and experience.
    - 2) Outline the information to be provided at each stage of approval and be accepted by the Regional District prior to the information being prepared.
    - 3) Include a community consultation strategy.
  - ii) A comprehensive plan at a scale of 1:10,000 or more detailed, with recommendations indicating proposed:
    - 1) Land use mix and density.
    - 2) Subdivision pattern, consolidation or parceling (conceptual lot layout plan).
    - 3) Ecological and recreational greenways.
    - 4) Proposed phasing plan of the development.
    - 5) Mitigation measures, to show how undesirable environmental impacts will be mitigated or avoided.
  - iii) An applicant must submit the following plans and they must be acceptable to the Regional District:
    - 1) Community sewage treatment and disposal system;
    - 2) Community stormwater management system; and
    - 3) Community water supply and distribution system.

- iv) It is the responsibility of the applicant to present and execute a buffering plan from adjacent land uses that meets the objectives and policies of this Plan and that is acceptable to the Regional District.
- v) An applicant must submit an environmental assessment by a professional consulting team which recommends the extent of the proposed land uses, ecological greenways and environmental mitigation measures, supported by:
  - 1) A fish and wildlife habitat inventory by a professional biologist or fish and wildlife technologist;
  - 2) A land use plan by a professional land use planner or registered landscape architect;
  - 3) A hydrological assessment of drainage patterns and proposed stormwater management facilities by a professional engineer;
  - 4) A geotechnical stability assessment and recommendations if required by the *B.C. Building Code*;
  - 5) A traffic impact analysis by a professional engineer;
  - 6) An assessment of environmental impacts and proposed mitigating measures, including a vegetation management plan and an erosion and sedimentation control plan; and
  - 7) A written statement indicating compliance with the Land Development Guidelines, or where variance with the Land Development Guidelines is proposed, the extent of and rationale for the proposed variance.
- vi) To the extent that the proposed activity or development can reasonably be expected to have an impact on any of the following, the following shall be included in the information to be submitted.
  - 1) The natural environment of the area affected, e.g. surface drainage and groundwater, ecosystems and vegetation, soils, and identification of areas of environmental sensitivity and any rare plant or animal species, and existing or proposed greenways in the neighbourhood;
  - 2) Public infrastructure in the area affected, e.g. local highways, water supply and sewage disposal systems including wells and ground sewage absorption systems, utilities, parks, local transportation services, local parking facilities and any other affected public services or infrastructure;
  - 3) Agricultural or forest land reserve areas, or other existing land uses in the vicinity;
  - 4) Aesthetic and heritage values associated with the property and its surroundings;
  - 5) Child impact study;
  - 6) Identification and evaluation of the impacts on the above resources, an assessment of the significance of the impacts and how they might be mitigated.
- vii) An applicant may request reconsideration by the Regional Board of information requirements, setting out the grounds on which the information request is considered inappropriate and what, if any, alternative the applicant considers should be accepted.

**PART 400****PLAN IMPLEMENTATION****401 Implementation Actions**

- 1) The Regional District will require that a restricted area of the Menzies Bay industrial waterfront be used for wharf, barge loading, and docking facilities for the purpose of concentrating the demand for marine access facilities along the entire foreshore designated as industrial, with the intent to minimize the overall environmental impact in the region.
- 2) The zoning bylaw will reflect the need for smaller home based businesses in the Country Residential designation compared to larger home based businesses required in the Rural and Agricultural designations.
- 3) The Regional District may engage in partnerships with landowners, appropriate agencies, and stewardship groups for the identification, assessment, and protection of environmentally sensitive ecosystems, watersheds, and wildlife habitat.
- 4) The Regional District will protect Menzies Creek, Mohun Creek and other environmentally sensitive areas, parks, greenways, watersheds, and wildlife habitat through measures such as:
  - a) restrictive covenants with the Regional District and registered conservancy organizations;
  - b) park dedication to the Regional District or registered conservancy organizations;
  - c) greenways dedication to the Regional District or registered conservancy organizations;
  - d) density bonusing and density averaging;
  - e) development permits; and
  - f) encouraging environmentally sensitive development.
- 5) The Regional District will require a study and watershed management plan to identify and protect Community Watersheds.
- 6) The Regional District may encourage partnerships with landowners and appropriate agencies for the purpose of providing control and protection of water quality and quantity.
- 7) The Regional District may undertake a study to identify and inventory heritage and archaeological sites and structures requiring protection.
- 8) Review Bylaw No. 1794, being the "Menzies Bay Area Zoning, 1996" to ensure compliance with this Plan.
- 9) To coordinate with the District of Campbell River, landowners, the Land Reserve Commission, and the Menzies Bay Area community regarding the policies, density, and use of land in the District of Campbell River's area of interest and in the area designated as Cooperative Planning Reserve.

**402 Plan Amendments**

- 1) Amendments to the Plan may be reviewed every second year, or more frequently if deemed necessary by the Board, at one or more meetings held specifically for that purpose. At these meetings all Plan amending applications received by the Regional District will be reviewed and considered.
- 2) A formal request for an amendment to this Plan shall be submitted to the Regional District according to the "Bylaw Amendment, Permit Procedures and Fees Bylaw, 1997" being Bylaw No. 1931.
- 3) A major review of the Plan shall be carried out five years after its adoption.
- 4) Plan amendments will follow *Local Government Act* requirements.

## PART 500

## GLOSSARY OF TERMS

<b><i>Agriculture</i></b>	Farm operation as defined in the <i>Farm Practices Protection (Right to Farm) Act</i> .
<b><i>Agricultural Land Reserve (ALR)</i></b>	Lands designated by the Provincial Land Reserve Commission as agricultural land suitable for farm use. ALR lands are shown on Schedule B.
<b><i>Activity Node</i></b>	One concentrated area for common recreation, open space, and other facilities contributing to the social life of the community.
<b><i>Barge Loading Facility</i></b>	A moorage facility for barges which provides for the storage, loading, and unloading of cargo.
<b><i>Big Box/Large Scale Retail</i></b>	A retail or wholesale business or user who occupies no less than 50,000 square feet of gross floor area, typically requires high parking to building area ratios and has a regional sales market. Regional retail/wholesale uses can include, but are not limited to, membership warehouse clubs that emphasize bulk sales, discount stores, and department stores.
<b><i>Coastal Bluffs</i></b>	An ecosystem that includes vegetated rock islet, rocky shorelines with grasses and mosses, and coastal cliffs with pockets of grasses and wildflowers. These ecosystems are strongly influenced by exposed bedrock, exposure to tidal waters, strong ocean currents, and prevailing winds. Specialized habitats such as vernal pools, crevices, and seepage areas support numerous rare plants and animal species.
<b><i>Community Watershed</i></b>	The drainage area for a water use that is for human consumption and that is licensed under the <i>Water Act</i> for a waterworks purpose, or a domestic purpose if the licence is held by or is subject to the control of a water users' community incorporated under the <i>Water Act</i> .
<b><i>Density Averaging</i></b>	The number of lots that can be obtained by dividing the gross area of a parcel by the minimum average area permitted in the zone.
<b><i>Density Bonusing</i></b>	A process pursuant to section 904 of the <i>Local Government Act</i> wherein a local government may permit a higher density than otherwise allowed by the zoning bylaw in exchange for an agreed-upon amenity. The process to amend a zoning bylaw requires a public hearing.
<b><i>Development</i></b>	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 <i>Local Government Act</i> : (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; (h) development of drainage systems; (i) development of utility corridors;

	(j) subdivision as defined in section 872 of the <i>Local Government Act</i> .
<b>Development Permit Designation</b>	A designation established pursuant to the <i>Local Government Act</i> to protect the natural environment, to protect development from hazardous conditions, to guide the form and character of development or to protect farming.
<b>Ecosystem</b>	The sum total of vegetation, animals and the physical environment in which they interact.
<b>Foreshore</b>	The area below the high water mark.
<b>Forest Land Reserve (FLR)</b>	Crown land or private managed forest land designated as forest land by the Provincial Land Reserve Commission. FLR lands are shown on Schedule B.
<b>Forestry</b>	The science, art, and practice of managing and using the natural resources that occur on and in association with forest lands.
<b>Greenways</b>	Linear greenspace corridors that connect natural areas and communities. Greenways create linkages between human development and natural systems, protect aquatic areas, provide wildlife habitat and increase recreational opportunities.
<b>Home Based Business</b>	Any occupation or profession carried out for gain and is incidental or secondary to the residential use of the property.
<b>Local Improvement District</b>	An incorporated improvement district under the <i>Local Government Act</i> or any other Act.
<b>Low Impact Recreation</b>	Activities of sport or leisure such as camping, hiking, hunting, fishing, canoeing, kayaking and windsurfing which do not require the construction of buildings or structures.
<b>Older Forest</b>	An ecosystem with mainly coniferous trees, with an average tree age of 100 years or more. The primary tree species in this region area 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 trees.
<b>Open Green Space</b>	Vegetated space that is open for public use and that is the gross area of the subject parcel less the gross area of all buildings and privately used property. Open Green Space may be exterior areas dedicated to trails, paths, public areas, and natural greenspace preserved by dedication as park, covenant, retention of common open space in the case of a strata community or by deeding to a registered non-profit society or trust in perpetuity.
<b>Qualified Environmental Professional</b>	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.

**Restrictive Covenant** A covenant placed on the title of real property pursuant to the *Land Titles Act* to restrict or define certain activity. A restrictive covenant remains on title when the property changes hands, i.e. It runs with the title of the land, not with the owner.

SRD  
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**Riparian Area** means a Streamside Protection and Enhancement Area (SPEA).

**Riparian** means:

**Assessment Area**

(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.

**Riparian Ecosystems** All stages of floodplain vegetation including riparian vegetation associated with lakes or gullies.

**Rural Service Centre** A compact commercial centre which provides basic services to local residents and businesses.

**Seasonally Flooded Agricultural Fields** Agricultural land that is prone to seasonal floods. These areas provide valuable habitat for over-wintering waterfowl.

**Second Growth Forest** Forested ecosystems with a dominant age class of 60-100 years. The paucity of older forests 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.

**Sensitive Ecosystem** A portion of landscape with a relatively uniform vegetation that is rare or fragile.

**Sparsely Vegetated Cliffs, sand dunes, and spits** Cliffs, dunes and spits that have minimal vegetation. These are very rare in the Plan area.

**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).

SRD  
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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.

**Temporary  
Commercial Use  
Permit**

A permit that allows any temporary commercial use, pursuant to the *Local Government Act*, for a maximum period of two years renewable once only.

**Temporary Industrial  
Use Permit**

A permit that allows any temporary industrial use, pursuant to the *Local Government Act*, for a maximum period of two years renewable once only.

**Terrestrial  
herbaceous  
ecosystems**

Natural grassland or bryophyte-dominated vegetation, including rock outcrop/grassland and rock outcrop/moss types. Typically occurring as openings in forested areas, these sites provide excellent habitat for butterflies, the rare Sharp-tailed Snake and Black-tailed deer.

**Tourism and  
Recreation**

Related commercial uses including but not limited to eating and licensed drinking facilities, convenience commercial, guiding, fishing, travel and charter activities.

**Value-Added Forest  
Industry**

A wide variety of processing of wood products usually following the initial breakdown of logs at sawmills.

**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.

SRD  
83

**Woodlands**

Open stands of Garry oak and mixed stands of Garry oak/Arbutus, Garry oak/Douglas fir, and Arbutus/Douglas fir. Garry oak is the only native oak species in western Canada. 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.

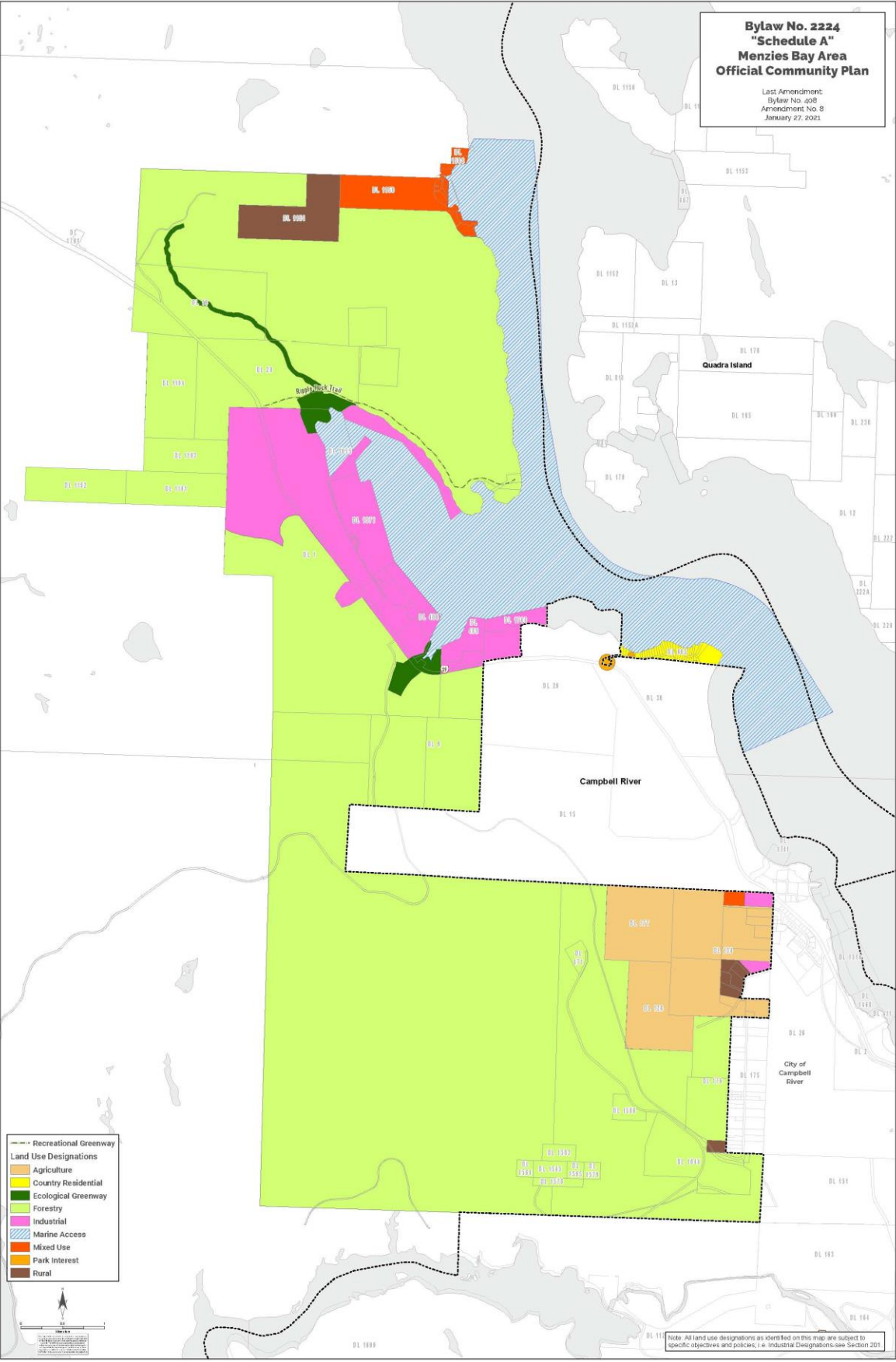




CSRD  
2914  
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177  
SRD  
408

**Bylaw No. 2224  
"Schedule A"  
Menzies Bay Area  
Official Community Plan**

Last Amendment:  
Bylaw No. 408  
Amendment No. 8  
January 27, 2022



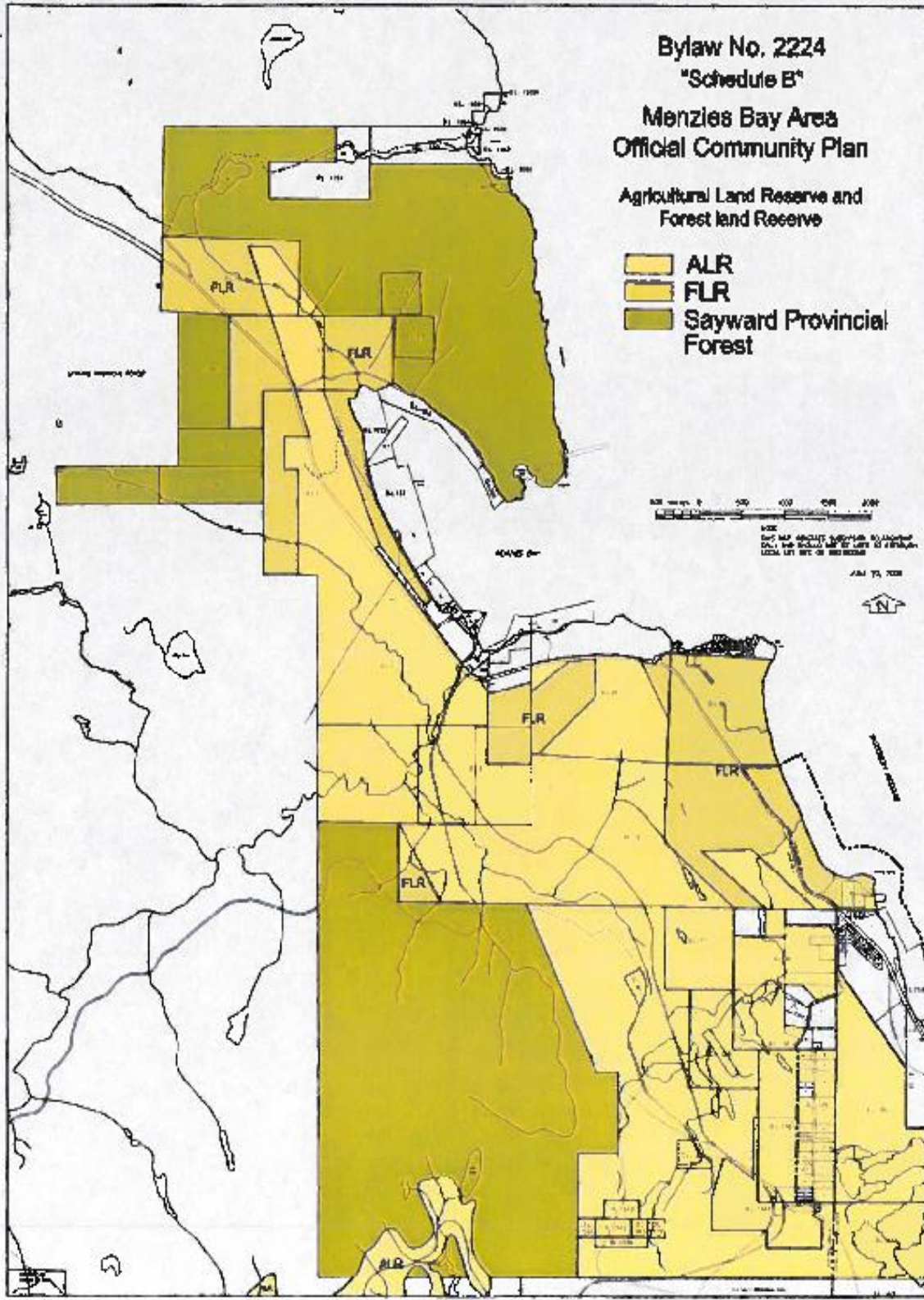
- Recreational Greenway
- Land Use Designations**
- Agriculture
- Country Residential
- Ecological Greenway
- Forestry
- Industrial
- Marine Access
- Mixed Use
- Park Interest
- Rural

Note: All land use designations as identified on this map are subject to specific objectives and policies, i.e. Industrial Designations-see Section 201.

Bylaw No. 2224  
"Schedule B"  
Menzies Bay Area  
Official Community Plan

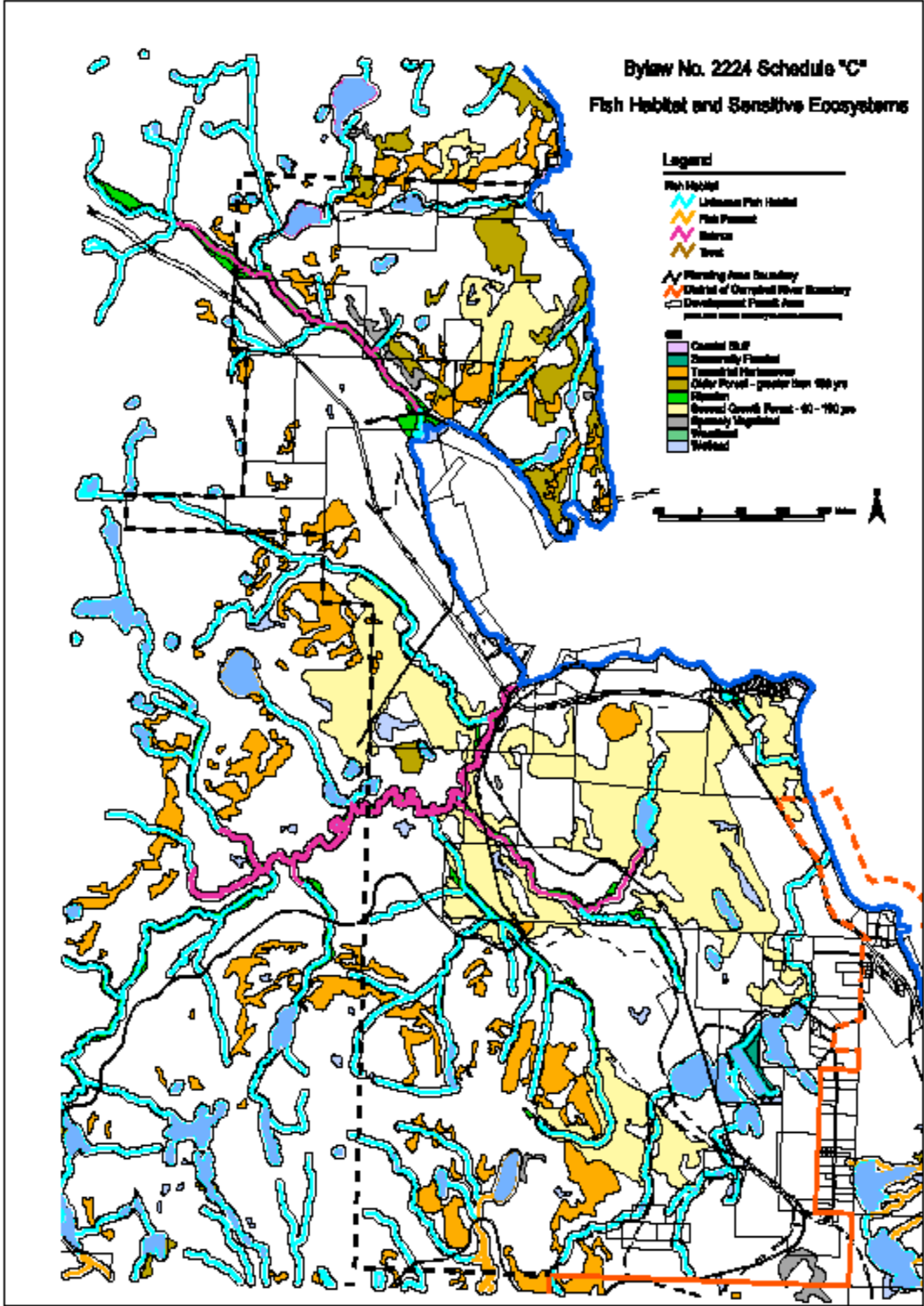
Agricultural Land Reserve and  
Forest Land Reserve

-  ALR
-  FLR
-  Sayward Provincial Forest



Bylaw No. 2224 Schedule "C"  
Fish Habitat and Sensitive Ecosystems

- Legend**
- Light Blue Fish Habitat
  - Fish Passage
  - Barren
  - Weir
  - Planning Area Boundary
  - District of Choptank River Boundary
  - Development Permit Area
- Soil Types**
- Coastal Sand
  - Transition Forest
  - Transition Pasture
  - Oldy Forest - greater than 400 yrs
  - Forest
  - Broadleaf Forest - 60 - 100 yrs
  - Openly Vegetated
  - Woodland
  - Wetland



## APPENDIX '1'

# MENZIES BAY AREA PROFILE

### EXECUTIVE SUMMARY

This profile of the Menzies Bay Area was carried out as a partial fulfillment of Hayley Vernon's Geography Co-op term with the Comox-Strathcona Regional District. This profile was commissioned by the Planning Department to supplement the Official Community Plan (OCP) for the Menzies Bay Area. The profile documents the current economic, environmental, social and land use features of the region.

The research for this project was carried out from October 1999 to December 1999. It was difficult to find some of the information because the Menzies Bay area is a sub-region of area "H", and is usually not considered independently in other municipal, provincial, or federal studies. The profile data was acquired through secondary research, personal and written interviews, as well as some personal observations of land use in the area.

The Menzies Bay area appears to have fairly uniform land use, economic and social characteristics, but a closer examination of the four distinct "communities" in the study area reflect the complexities of the region, and identify some of the issues that may arise during the OCP process.

### 1.0 INTRODUCTION

This profile of the Menzies Bay area was developed to provide background information for the Menzies Bay Official Community Plan (OCP). The main objective of this profile is to provide an overview of current land uses, as well as the environmental, economic, and social features of the Menzies Bay area. This report will provide background information that will help identify possible land use issues in the area, and help guide decision making during the OCP process.

The Menzies Bay study area extends from the northern boundary of the District of Campbell River to Browns Bay on Vancouver Island. The Menzies Bay area is a sub-region of the Comox-Strathcona Regional District's Area "H", which covers a large land base west and north of Campbell River. Within the Menzies Bay study area are 4 distinct "communities", each with separate land uses and features. These "communities" will be referred to as the Browns Bay community, the Race Point community, the Duncan Bay community, and the Menzies Bay industrial park.

### 2.0 BIOPHYSICAL CHARACTERISTICS

Located on the east coast of central Vancouver Island, the Menzies Bay study area is situated within the Coastal Western Hemlock (CWH) biogeoclimatic zone, which covers low to mid-elevations, and is characterized by a moderate climate of cool summers and mild winters (BC Ministry of Forests, 1999). Nearby Campbell River experiences an average annual temperature of eight degrees Celsius, and an annual precipitation of 140 centimetres (55.1 inches), which would accurately reflect the study area's climate as well (District of Campbell River Property and Economic Development Department, 1997a).

The Menzies Bay study area includes several kilometres of coast and is located on Discovery Passage opposite Quadra and Maud Islands. This waterway is known for its powerful tidal currents. The area's topography is relatively flat for the most part, but is steeper in the northern

portion of the study area between Menzies and Browns Bay. There are several lakes in the region, and many small creeks. The dominant creek systems in the area, known as Menzies and Mohun Creeks, both have identifiable estuaries on Menzies Bay.

## 2.1 MAIN NATURAL RESOURCES

The Menzies Bay study area, like most of British Columbia, is well endowed with natural resources such as forests, fish and wildlife. The forests in the region support major tree species such as western hemlock, douglas-fir, western red cedar, sitka spruce and yellow cedar. The CWH biogeoclimatic zone, of which the study area belongs, is "the most productive forest ecosystem in Canada" due to the mixture of climatic and soil conditions in the region (B.C. Ministry of Forests, 1999:4). Most of the forestland is part of the Forest Land Reserve (FLR), and there are several younger, and immature forests in the region.

Several creeks in the area provide excellent fish habitat, and the region's forests are habitat for wildlife such as Black Bear, Roosevelt Elk, cougars and wolves. There are numerous Bald Eagles in the area, and the British Columbia Conservation Data Centre (CDC) has six records of Bald Eagle nesting sites in the region. The CDC, also has two records of rare element occurrences in the study area. Two vascular plants, Chaftweed at the Race Point lighthouse, and Smith's Melic on Menzies Creek, are on the provinces Blue List, which records any indigenous species or subspecies considered vulnerable in British Columbia (B.C. CDC, 1999).

## 3.0 ECONOMIC CHARACTERISTICS

Although there are some economic activities within the Menzies Bay study area, it is heavily influenced by the District of Campbell River's economy. Many residents in the area are employed in the municipality, and the economic activities that do occur outside the municipal boundary are somewhat dependent on the health of the municipal economy. Because of this interdependence, the study area's economy has been assessed in the context of the nearby municipality's economic situation.

The District of Campbell River has been called the "natural distribution and service centre for the north half of Vancouver Island" because it is the closest major retail centre to the residents of northern Vancouver Island (District of Campbell River Property and Economic Development Department, 1997b:2). Campbell River also has a variety of transportation links that connect it to other markets. The completion of the Inland Island Highway project is expected to reduce driving time between Campbell River and Nanaimo from 2 to 1½ hours, which will presumably increase efficiency in transporting economic goods (District of Campbell River Property and Economic Development Department, 1997b). The airport in Campbell River provides passengers with regular flights to and from Vancouver International Airport, and Marine Transportation has improved over the last several years. The most recent development in Campbell River's marine transportation is the proposed cruise ship terminal which is scheduled to enter Stage II in 2000 (Marshall, 1999).

The Municipality has a strong resource-based economy, with over 42% of its tax base supported by 3 forestry companies: Fletcher Challenge Paper, Fletcher Challenge Pulp, and TimberWest (Marshall, 1999). Since 1992, an Economic Development Commission has worked closely with Campbell River's Property and Economic Development Department with the aim of diversifying the municipality's economy (District of Campbell River Property and Economic Development Department, 1999b). However, Census Canada statistics for 1991 and 1996 indicate only a slight shift between economic sectors over the 5 years. In 1991, Campbell River's employment statistics showed 17.5% of employment occurred in the primary or resource-based sector. This percentage had decreased to 15.9% in 1996. In the secondary, or

manufacturing/construction sector, 18.9% were employed in 1991, which increased to 19.4% in 1996. Finally, in the service-based or tertiary sector, 63.6% were employed in 1991, rising to 64.7% in 1996 (District of Campbell River Property and Economic Development Department, 1997b; and Statistics Canada, 1996).

According to Patrick Marshall (1999), the District of Campbell River's Director of Property and Economic Development, 80% of businesses in Campbell River are small businesses, and the economy continues to diversify with a strong retail sector and the emergence of technological businesses in the region. He maintains that economic development in the area will continue to consider all 3 economic sectors. In addition, Marshall believes that developments such as the completion of the Inland Island Highway, the acquisition of the Middle Point Barge Terminal by the municipality, and the growing influence of the North Island College campus, will further facilitate Campbell River's economy in the future. In terms of possible barriers to economic development in the region, Marshall (1999) sites the lack of external demand, the lack of certainty at senior government levels, as well as increased service costs in both the public and private sectors.

The remainder of this section will consider the economic features of the main natural resources in Campbell River and the Menzies Bay study area. Service based employment will not be considered in detail in this report because, while some residents of the study area may commute to Campbell River to work in the tertiary sector, there are few service-based activities located outside the municipality.

### **3.1 FORESTRY**

Thirty years ago, the District of Campbell River was almost exclusively dependent on the forest industry (G.E. Bridges & Associates Inc., 1999). Today, the area's economy has diversified to include other primary, secondary and tertiary industries, but the forest industry continues to play a major economic role in the region.

Campbell River and its surrounding areas, including the Menzies Bay study area, is part of the Strathcona Timber Supply Area (TSA), which covers 705,071 hectares on central Vancouver Island and adjacent areas of the British Columbia mainland. Of this total land area, approximately 177,797 hectares are considered productive and available for timber harvesting (B.C. Ministry of Forests, 1999). The current annual allowable cut (AAC) in the Strathcona TSA is 1.278 million cubic metres, but is expected to decline substantially in future decades, thus reducing potential employment and provincial revenues (B.C. Ministry of Forests, 1999). Currently, it is estimated that 15% of the Strathcona TSA cut is transported through Menzies Bay. This is expected to increase over the next 5 to 10 years as a timber harvest shift is occurring from Vancouver Island's west coast sources to the east side as the forests mature. In addition to the Strathcona TSA, a portion of the 1.2 cubic metres of timber extracted from Block 2 of Tree Farm Licence 39, managed by Weyerhaeuser, is moved through Menzies Bay.

Since 1995, the percentage of the Campbell River workforce that is dependent on forestry-related activities has fallen from 40 to 27%, and these numbers are not expected to recover to 1995 levels (G.E. Bridges & Associates Inc., 1999). There is concern that further reductions in timber harvests will result in population outflow, and have a negative impact on other sectors of the region's economy. However, the 1999 Timber Supply Review for the Strathcona TSA concludes that "the current rate of harvest in the Strathcona TSA cannot be maintained without causing larger timber supply shortfalls in the future" (B.C. Ministry of Forests, 1999:v).

### **3.1.1 FORESTRY OPERATIONS IN THE MENZIES BAY STUDY AREA**

Forestry is the major land use in the Menzies Bay study area (see figure 1). A large proportion of the privately owned land is included in the FLR, much of which is owned by the 2 largest land owners in the area, Merrill & Ring Canada and Weyerhaeuser.

Menzies Bay is a major industrial centre for forestry operations including log sorts and barging facilities. Menzies Bay is the only large-scale marine log handling site between Union Bay and Kelsey Bay. In addition to the transport of the Strathcona TSA products, Managed Forest Lands located south and west of Campbell River, privately owned by TFL Forest Ltd. and Weyerhaeuser, utilize the Menzies Bay area for their timber products. This industrial site is of great significance to the Campbell River Economy. At least 2 shake and shingle mills are located on Duncan Bay Road, and a major silviculture operation, Pacific Regeneration Technologies Inc. (PRT), is also located in the Duncan Bay area. PRT operates in the three western provinces, and is Canada's largest forest nursery company, with a total capacity for over 100 million top quality seedlings" (PRT, 1999a). PRT's Campbell River nursery is located on 100 hectares just outside the municipal boundary, and produces "11 million containerized and 600,000 bare root/transplant seedlings annually" (PRT, 1999b). The region's moderate climate fosters the production and over-wintering of seedlings for many regions in Western Canada (PRT, 1999b).

### **3.2 AGRICULTURE**

Despite the substantial proportion of land in the Agricultural Land Reserve (ALR), agriculture is not a major contributor to the economy of Campbell River or the Menzies Bay study area. There are only approximately 205 hectares (500 acres) of active farmland in the entire study area. This acreage is split between two beef farms, and the 80 hectares (200 acres) owned by PRT (B.C. Ministry of Agriculture and Food, 1998). The area does not have particularly rich soils, but Jill Hatfield (1999), an agriculturist with the B.C. Ministry of Agriculture and Food does not believe that this accounts for the lack of farming in the area. She explains that the soils in the study area are comparable to those in the Comox Valley, where almost 12,140 hectares (30,000 acres) are actively farmed. (Coty ed., 1999). Instead, Hatfield suggests that the reasons behind the lack of agricultural activity in the area are philosophical in nature. She explains that the Campbell River and Menzies Bay region has a history of resource extraction, with more seasonal, transient settlement patterns. Hatfield believes that there is potential for agriculture in the area, and that agricultural activities may become more common as attitudes change, the population grows, and the economy diversifies (Hatfield, 1999).

### **3.3 AQUACULTURE AND THE COMMERCIAL FISHERY**

Campbell River's location on the Johnstone Strait has facilitated its commercial fishing industry, which has been one of the biggest industries in the region for many years. In 1995, approximately 1050 people were employed in Campbell River's commercial fishing industry (District of Campbell River Property and Economic Development Department, 1997b). Salmon fishing was the most popular, but recent declines in stocks and conservation efforts have reduced the commercial fishing industry in the area. Campbell River remains active in the aquaculture industry through equipment sales and product processing (District of Campbell River, Property and Economic Development Department, 1997b).

#### **3.3.1 FISHERIES AND AQUACULTURE IN THE MENZIES BAY STUDY AREA**

In the Menzies Bay study area, Brown's Bay has the strongest fisheries interest. Brown's Bay Packing is a major fish packing plant in the area which employs approximately 100 people



(Hansen, 1999). According to Bill Heaths (1999), a Shellfish Production Specialist with the B.C. Ministry of Fisheries, and the Ministry's Finfish Aquaculture Specialist, Clare Backman (1999), there are no hatcheries, no finfish farms, and no shellfish farms in the study area. Backman explained that Menzies Bay is the only location in the study area that is potentially suitable for aquaculture activities because it is adequately sheltered. However, existing industrial use in the bay prevents any aquaculture activity, and it is generally understood that Johnson's Strait and Discovery Passage are closed to aquaculture to avoid conflict with commercial fishing and other industries (Backman, 1999).

### **3.4 MINING**

There are 2 major mines in the Campbell River region. The Quinsam Coal mine, owned by Hillsborough Resources, and the Myra Falls mine owned by Westmin Resources. The principal minerals extracted at Myra Falls are copper, lead and zinc (B.C. Commission on Resources and Environment, 1994). As of 1996, the mines employed approximately 700 people (District of Campbell River Property and Economic Development Department, 1997b).

### **3.5 TOURISM**

The natural beauty and resources of the Campbell River area have attracted tourists to the region for many years. In both 1994 and 1995, over 257,000 tourists visited Campbell River and took advantage of the city's proximity to golf courses, Strathcona Provincial Park, Mt. Washington Ski Resort, and the many other attractions in the region (District of Campbell River Property and Economic Development Department, 1997b). Campbell River is best known for its quality sport fishing, and is recognized as the "Salmon Capital of the World" (Campbell River Tourism, 1999). However, recent declines in fish stocks have had a detrimental impact on the sport fishing industry, and consequently, the number of visitors to the area has dropped since 1995 (Callaghan, 1999).

Murry Callaghan, the Director of Marketing for Campbell River Tourism, claims that the lack of a regional, integrated tourism plan is one of the factors preventing tourism from becoming a strong, economic entity in the Campbell River area. He believes that the region must be able to offer tourists a "packaged product" that would incorporate many of the area's attractions, and assure visitors that their experience will be affordable, effortless, and worth while. A second factor that hinders tourism in the region, according to Callaghan, is the lack of financial support for the tourism industry. Callaghan works with an annual budget of \$92,000 to promote tourism ventures in the District of Campbell River, and its surrounding areas (Callaghan, 1999). He believes that people's expectations for tourism as an economic entity in the region are much greater than the financial resources that are designated.

#### **3.5.1 TOURISM OPPORTUNITIES AND ATTRACTIONS IN THE MENZIES BAY STUDY AREA**

Brown's Bay, with its unique setting and tourism facilities is probably the biggest tourist attraction in the Menzies Bay study area (Callaghan, 1999). The Brown's Bay Marina, with its floating restaurant and boat tours offers visitors a unique experience in a small, coastal community. The 2 recreational vehicle in Brown's Bay can hold upwards of 6 RV's for seasonal visitors. The Ripple Rock hiking trail is another attraction in the study area. This 8.0 kilometre (5.0 mile) trail follows the northern coastline of Menzies Bay and provides hikers with a spectacular view of Seymour Narrows from Wilfred Point. A third, and possibly unexpected, attraction in the study area is the industrial site on Menzies Bay. One company, Marine Link Transportation, offers tours on which a maximum of 12 passengers can cruise BC's working coast on a freight vessel (Marine Link Transportation, 1999). Murray Callaghan suggests that

this combining of tourism and industry is quite popular, and offers visitors a unique, educational experience.

Callaghan believes that there is little short-term potential for increased tourism in the study area, and suggests that it would be best to enhance existing attractions rather than try to encourage the establishment and maintenance of new ones. Further information on tourism opportunities in the Menzies Bay area may become available through Clover Point Cartographics' current study of tourism opportunities for the North Island and Johnstone Strait. The study will be completed in March of 2000, and will identify and analyse the "challenges and opportunities for developing specific adventure and ecotourism ventures" in the region, and will "suggest how communities could develop and benefit from them" (*Comox Valley Record*, 1999:A15).

#### **4.0 CURRENT USE PROFILE**

The following section considers the current social aspects and land uses of the entire Menzies Bay study area and the four distinct communities of Duncan Bay, Race Point, Brown's Bay, and the Menzies Bay industrial park.

##### **4.1 THE MENZIES BAY STUDY AREA**

The Menzies Bay study area does not have any distinct community centre or focus. There are no restaurants or pubs in the area, aside from the floating restaurant at the Brown's Bay Marina. There is no community centre, and the children in the area attend school in Campbell River. Most of the properties get their water from wells, and are equipped with septic systems, although residents of the Race Point community operate a private community water system. The study area lies outside Campbell River's fire protection boundary, which is outlined on map 1. The significance of this boundary is that residents in the study area cannot rely on the municipality for fire protection, and that 911 emergency response teams will only respond to car accidents in the area where extraction is necessary (Hodge, 1999).

The Menzies Bay Zoning Bylaw was completed in 1996. This zoning generally reflects the area's current land uses, but figures 1 and 2 reflect current land use in the area in terms of the percentage of the area's acreage utilized by each of the major land uses in the area. Figure 1 portrays the dominance of forestry operations in the region, with only 13% of the land base having a use other than forestry. That 13% is broken down in the second pie diagram (figure 2), which indicates that residential use accounts for just under half of non-forestry land uses in the area.

##### **4.2 THE DUNCAN BAY COMMUNITY**

The Duncan Bay Community is the area at the southern extent of the Menzies Bay study area. Duncan Bay Road marks the northern boundary of the District of Campbell River. As a result of this division, the municipality services properties on the water side of Duncan Bay Road, while those on the inland side are within the Regional District of Comox-Strathcona. This settlement area is composed of a manufactured home park, with approximately 20 mobile homes, some single-family dwellings, 2 beef farms, the PRT forestry nursery, and some small acreage's (B.C. Assessment Authority, 1999). The area's population is less than 50 people, excluding the trailer park, and there are very few young families in the area (Hansen, 1999).

The industrial park within the municipality at the corner of Duncan Bay Road and the Island Highway concerns some residents in the area, according to Fae Hansen, the Regional Board Director for Area "H". Their main concerns include unsightliness, noise pollution, and possible ground water contamination. A second issue in the area concerns the businesses along

Duncan Bay Road, including mills, auto wreckers, and auto repair shops that are on ALR land, and in contravention of the Agricultural Land Commission's regulations (Hansen, 1999).

The PRT forestry nursery, accounting for 35% of the land base, is the dominant land use in terms of acreage in the Duncan Bay area. Beef farming and residential properties are also prominent uses in the area, followed by light industrial uses, such as sawmills and auto repair shops. (see figure 3).

#### **4.3 THE RACE POINT COMMUNITY**

The Race Point Community is largely a residential subdivision situated in an area with a spectacular view of Seymour Narrows. The subdivision is surrounded by land owned by Merrill and Ring Canada, which is in the FLR, and has recently been clear-cut. There are approximately 40 lots in the subdivision, the majority of which are less than an acre (B.C. Assessment Authority, 1999). According to Director Hansen, the majority of the population is between 35 and 50 years of age, with 3 or 4 retirees, and 12 children of school age. Roughly half of the residents are professionals, and the remainder are a mix of mill workers and loggers (Hansen, 1999). The community's most pressing issues are the maintenance and protection of their water supply, and concern about Merrill and Ring's application to remove adjacent lands from the FLR.

Merrill and Ring forestry operations surrounding the residential settlement comprise the largest percentage of land use in the area in terms of acreage. Figure 4 indicates the division of land use in the area between forestry operations, residential properties, and those properties remaining vacant.

#### **4.4 THE BROWN'S BAY COMMUNITY**

The Brown's Bay Community lies at the northern extent of the Menzies Bay study area. It is a unique settlement, with 21 permanent homes, and 55 recreational strata sites, some with manufactured homes and other semi-permanent structures (Hansen, 1999). Most of the residents in the area are retired, or work in the fish plant, Brown's Bay Packers. There are very few, if any children (Hansen, 1999).

The marina provides some tourism facilities including boat fingers, boat gas, boat tours, fishing gear sales, and a floating restaurant. There are also two RV Parks in the area, which can facilitate approximately 60 seasonal visitors. Director Hansen's largest concern in the Brown's Bay area is the safety of the narrow and winding gravel road that accesses the settlement. Recreational vehicles, heavy trucks and the fish plant workers all rely on this road which for the most part, is only one lane (Hansen, 1999).

Figure 5 identifies the current land uses in the Brown's Bay Community. Residential uses account for the most acreage in the area, but the R.V. Parks also cover a substantial amount of the area's land base.

#### **4.5 THE MENZIES BAY INDUSTRIAL PARK AREA**

The foreshore is mainly used for forestry sorting and barging operations, and Weyerhaeuser owns the majority of the land surrounding Menzies Bay. Figure 6 confirms forestry operations as almost the sole land use in the area.

## 5.0 OUTLYING AREAS

The boundaries of the Menzies Bay Study area were guided by the boundaries that were established for the zoning bylaw. There are some properties that are outside this boundary, but are of interest because of their use, or their impact on the study area.

District Lots 1583, 1564, 1545, 1565, 1579, and 1578 are located just west of the southern boundary of the Menzies Bay study area. Land use in this area is primarily limited to residential uses (B.C. Assessment Authority, 1999).

There are 3 shake and shingle mills on the lands surrounding the Menzies Bay study area. The Seltic-Sherwen mill is located in District Lot 1671 on Menzies Creek. The Rempel shake and shingle mill is near Little Lake, which is just west of the Island Highway, directly inland from Brown's Bay. Both the Rempel and Seltic-Sherwen mills are located on private land, where as the Campbell River Shake and Shingle Mill is on unsurveyed crown land near Menzies Creek (Di Iorio Dunn, 1999).

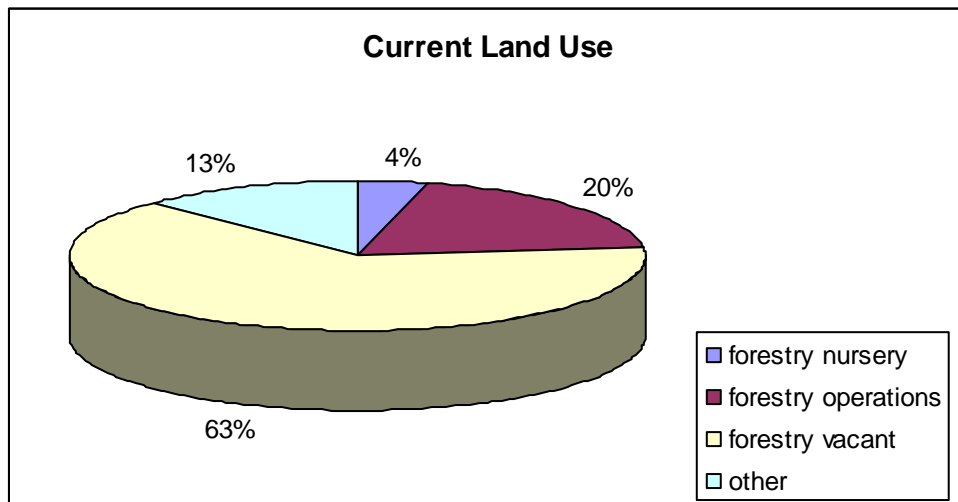
Other Crown Lands under tenure include District Lots 1635, 466, and 471. Robert's Lake Resort is situated in District Lot 1635, near Robert's Lake, which is on the east side of the Island Highway, several kilometres north of the study area. Lakeview Correctional Centre, is located in District Lot 466 near Mud Lake, which is north of the study area, but south of Robert's Lake, on the west side of the Island Highway. Finally, the John Howard Society leases property for a camp in District Lot 471, which is located just west of District Lot 177 in the Duncan Bay area (Di Iorio Dunn, 1999).

Morton Lake Provincial Park is a small park that fronts Mohun and Morton Lakes, just west of the study area. The private Menzies Bay logging road, which intersects the Island Highway at Menzies Bay, provides access to the park. There are 24 camping sites, a picnic area, boat launch, and pit toilets. The lakes are excellent for fishing, swimming, boating, and visitors can also hike to nearby Andrew Lake (BC Parks, 1999).

## 6.0 CONCLUSIONS

This profile provides a detailed description of the Menzies Bay study area. At first glance, the area appears to have simplistic issues and largely uniform land uses. However, by analyzing each of the 4 distinct areas separately, the complexities of the area were discovered. There will be considerable challenges for the area in the future as a result of the dominance of a few major land owners in the area, as well as the region's economic interdependence with Campbell River. The study area has been fairly isolated in the past, and in many ways, has served as a hinterland to the District of Campbell River.

**FIGURE 1: CURRENT LAND USE IN THE ENTIRE MENZIES BAY AREA**



**FIGURE 2:  
CURRENT LAND USE IN THE ENTIRE MENZIES BAY AREA, EXCLUDING FORESTRY**

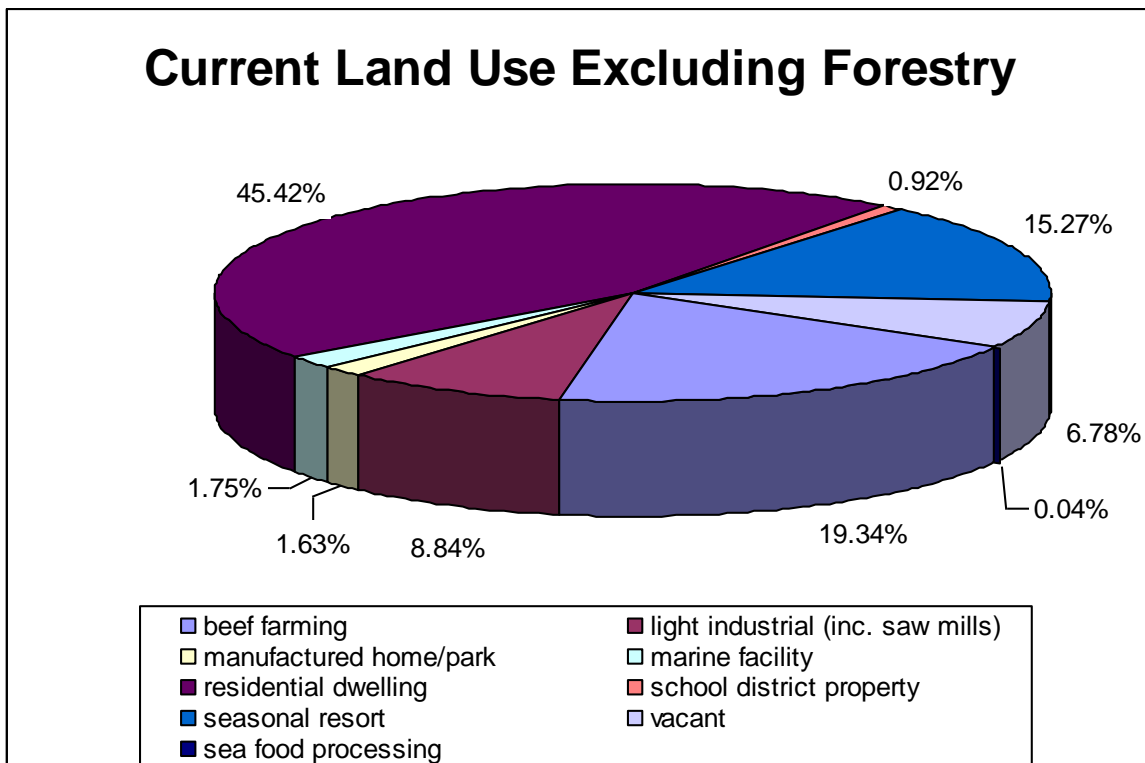


Figure 3: Current Land Use in the Duncan Bay Area

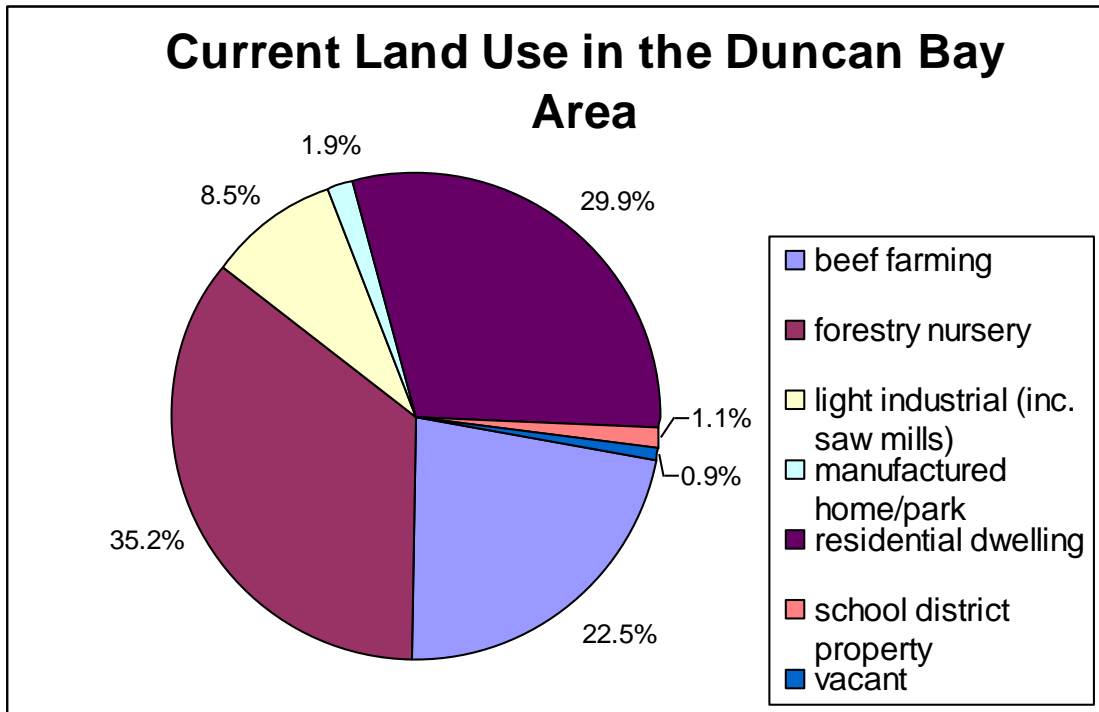


FIGURE 4: CURRENT LAND USE IN THE RACE POINT AREA

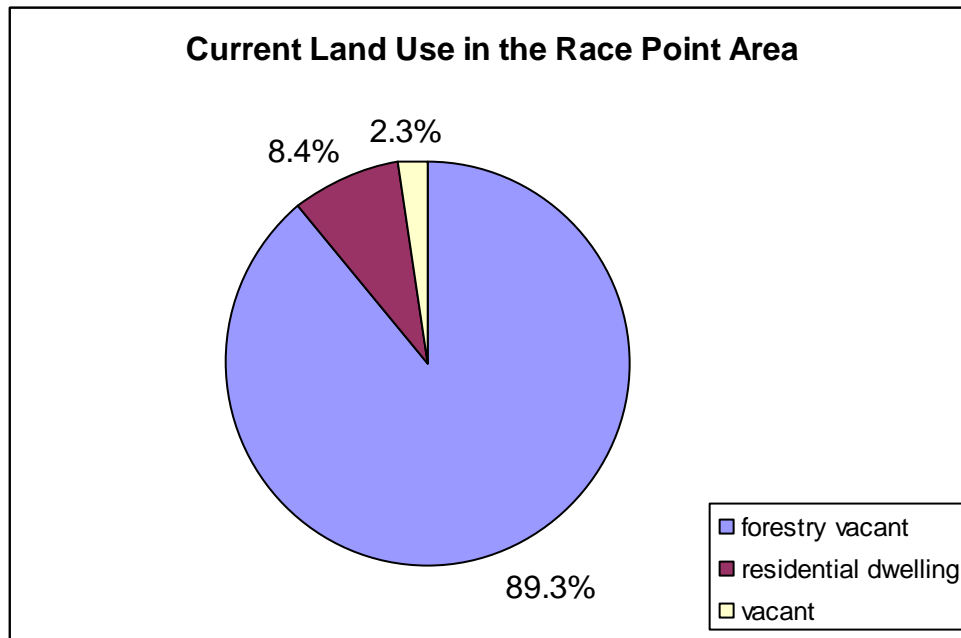


FIGURE 5: CURRENT LAND USE IN THE BROWN'S BAY AREA

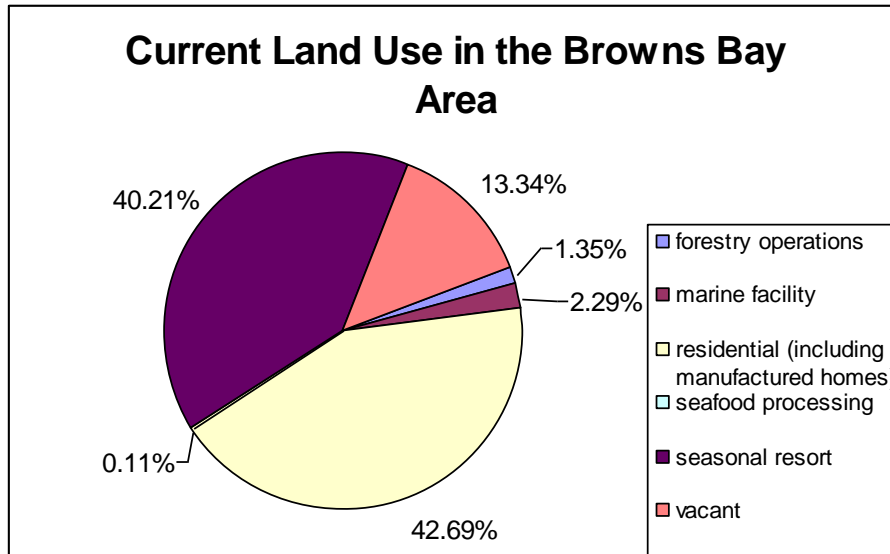
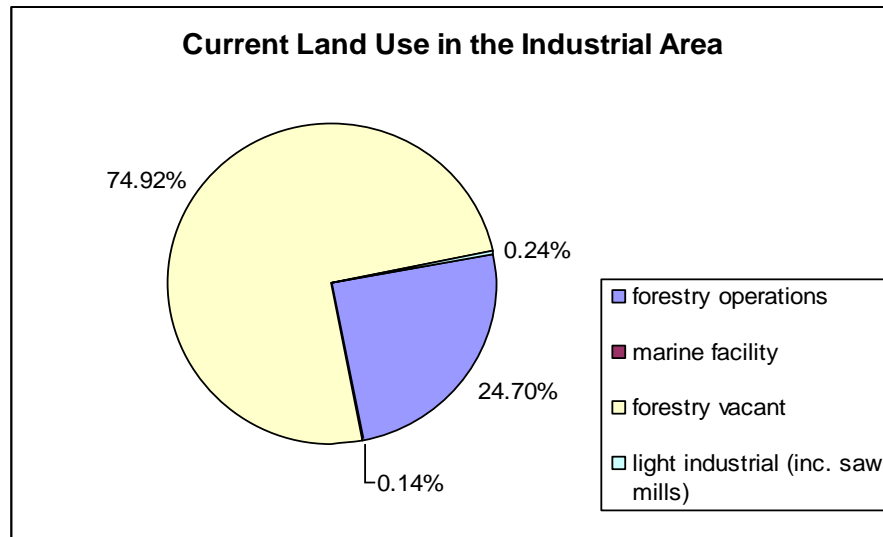


Figure 6: Current Land Use in the Menzies Bay Industrial Park



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